



Freedom of Information Request 287/18

Response Date: 27th March 2018

1. Does your force have any policy guidance relating to automated facial recognition and/or the storage/retention of images resulting from the use of automated facial recognition?
 - a. If yes, when were the policies created? (Please provide a copy of said policies)
2. Did your force complete a privacy impact assessment (PIA) before using live automated facial recognition technology?
 - a. If yes, on what date/s were the PIAs completed? (Please provide copies of these PIAs.)
3. Is there any policy relating to who can access the images of positive matches and false positive matches respectively?
 - i. If yes, when was this policy created? (Please provide a copy of said policy).
 - ii. If yes, who can access the images of positive and false positive matches respectively?
4. How many images captured in the course of using automated facial recognition technology have ever been retained for storage at the time this request was made?
 - a. How many of those images relate to:
 - i. Positive matches
 - ii. False positive matches
 - iii. Persons under 18 years of age (either positive or false positive matches).
5. What is the retention period for images that relate to:
 - a. Positive matches
 - b. False positive matches

RESPONSE

Question 1

South Wales Police has Standard Operating Procedures policy guidance relating to automated facial recognition.

Question 2

A Privacy Impact Assessment was conducted prior to using live automated facial recognition technology.

Question 1 (a) and Question 2 (a)

Your request for information has been considered and I am not obliged to provide you with the requested information.

In relation to your particular request, the following exemption applies:

Section 22 – Information Intended for Future Publication

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Section 22 is a qualified and class based exemption which requires South Wales Police to carry out a public interest test. Even if such exemptions are engaged the information must still be disclosed unless the public interest in maintaining the exemption is greater than the public interest in disclosing it. If the balance test is equal, the default option should be to disclose.

This information is intended for publication in the near future. For South Wales Police to retrieve and disclose this information prior to publication in response to a Freedom of Information Request would be a duplication of work.

Public Interest Test

Factors favouring disclosure

The public would be in possession of the information now, rather than wait until the information is published to the South Wales Police website.

Factors favouring non-disclosure

Whilst this information is held, there is an intention to publish at the time of the request. It would not be the best use of public funds for the Freedom of Information Unit to duplicate work that will be carried out by the Publishing Team in due course.

In order to provide a response to this request, the information would need to be retrieved and collated prior to the requirement to do so for the scheduled publication. This would involve a disproportionate use of resources at this time and would affect the efficient and effective conduct of the force.

The section 22 exemption was specifically laid down by Parliament to benefit those authorities who proactively publish information. To constantly produce new and up to date elements of the currently published information in order to satisfy an additional need outside of scheduled publication will render these exemptions less effective and remove the benefits of proactive publications.

Balancing Test

The only factor favouring disclosure is that the public would not have to wait for the information. It is deemed that the efficient and effective conduct of the force would be most harmed in the disclosure of this information therefore the balance falls on the side of non-disclosure. The reason for disclosure will be satisfied in the near future through the publication of the report.

In accordance with the Freedom of Information Act 2000, this letter acts as a refusal notice for your request.

Under Section 16 – Duty to Provide Advice and Assistance this information will be available on the South Wales Police website in the near future.

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Question 3 and Question 3 (i)

No as this is governed by the Data Protection Act, 1998.

Question 3 (ii)

An audit trail of live time deployments can only be accessed by the Project Team and is shared with the University Police Science Institute (UPS I) as the organisation conducting an academic evaluation of the project.

Question 4

Automated Facial Recognition (AFR) Locate (live time deployments) has thus far generated 2,685 alerts retained for storage.

Question 4 (i) and (ii)

Of these, 234 were positive matches and 2,451 were false positive matches.

Question 4 (iii)

South Wales Police is not aware of any under 18s being matched to date.

Question 5 (a) and (b)

The retention period for positive matches and false positive matches respectively is currently 12 months during proof of concept and academic evaluation.

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