



Freedom of Information request 1433-19

1. Has your force collaborated or cooperated with any external companies (e.g. Argent LLP, Kings Cross Central Limited Partnership) in their use of live facial recognition? If yes, please provide details including the name of the companies, manner of collaboration (e.g sharing images), the time period of the collaboration, locations, any costs involved, and which uses have ceased or are continuing.
 - a. If yes, did your force share images as part of the collaboration? Please provide the number of images, the source or datasets from where the images came from, a full list of purposes for which the images were shared, the legal basis on which the images were shared, and data security/management protocols around the handling of the shared data.
 - b. If yes, what was the rank of the officer who authorised the collaboration? What process was followed before the collaboration was authorised?
 - c. If yes, what was the protocol arranged for the event of a match alert?
 - d. If yes, how many times were you alerted to a match alert? How many of those led to further police action being taken?
 - e. If yes, how many true positive matches were there during the collaboration?
 - f. If yes, how many false positive matches were there during the collaboration?
2. Does your force have any policy guidance relating to collaboration with external companies using live facial recognition and/or the retention of images resulting from the use of live facial recognition?
 - a. If yes, when were the policies created? (Please provide a copy of said policies)
 - b. How many images captured in the course of using live facial recognition technology have been retained for storage?
3. Has your force completed a privacy impact assessment in relation to collaboration with external companies using live facial recognition technology? If so, please provide a copy.
4. Has your force scrutinised a privacy impact assessment conducted by any external companies operating live facial recognition with whom you have collaborated? If so, please describe when and provide a copy.

RESPONSE

British Transport Police does not and has not entered into any formal collaboration with any external companies for the use of live facial recognition.

We are currently investigating the sharing of digital images with Kings Cross Estates (Kings Cross Central Limited Partnership) which we understand to have subsequently been used in conjunction with live facial recognition technology. It may be the case that

facts or information will be established by the investigation that are not currently held as recorded information at the time this FOI request was received. Should information material to this FOIA request be discovered during our investigation we will provide a supplementary update to the reply.

At this time, we are providing answers to the questions below to the best of our current knowledge and available information.

Question 1

Has your force collaborated or cooperated with any external companies (e.g. Argent LLP, Kings Cross Central Limited Partnership) in their use of live facial recognition? If yes, please provide details including the name of the companies, manner of collaboration (e.g sharing images), the time period of the collaboration, locations, any costs involved, and which uses have ceased or are continuing.

British Transport Police shared digital images with Kings Cross Estates between 2016 and 2018. The use in conjunction with Live Facial Recognition technology was known and agreed by BTP officers locally, but this agreement was not recommended to and endorsed by Senior Officers or Executives at Headquarters or by the Information Management Department.

The sharing of images has now ceased. We are not aware of any costs involved.

a. If yes, did your force share images as part of the collaboration? Please provide the number of images, the source or datasets from where the images came from, a full list of purposes for which the images were shared, the legal basis on which the images were shared, and data security/management protocols around the handling of the shared data.

The images provided were of convicted offenders and the images were shared through secure channels (named CJSM accounts). An information sharing agreement was in place however it did not specifically mention or prohibit the onward processing of digital images through live facial recognition techniques. The ISA describes the legal basis and purpose of sharing which is described as being for the prevention and detection of crime and disorder.

- b. If yes, what was the rank of the officer who authorised the collaboration? What process was followed before the collaboration was authorised?**
- c. If yes, what was the protocol arranged for the event of a match alert?**
- d. If yes, how many times were you alerted to a match alert? How many of those led to further police action being taken?**
- e. If yes, how many true positive matches were there during the collaboration?**
- f. If yes, how many false positive matches were there during the collaboration?**

These questions are currently subject of the ongoing internal investigation.

Question 2

2. Does your force have any policy guidance relating to collaboration with external companies using live facial recognition and/or the retention of images resulting from the use of live facial recognition?

a. If yes, when were the policies created? (Please provide a copy of said policies)

British Transport Police does not have any policy or guidance on the use of live facial recognition.

b. How many images captured in the course of using live facial recognition technology have been retained for storage?

This question is subject of the ongoing internal investigation.

Question 3

3. Has your force completed a privacy impact assessment in relation to collaboration with external companies using live facial recognition technology?

No.

Question 4

4. Has your force scrutinised a privacy impact assessment conducted by any external companies operating live facial recognition with whom you have collaborated?

No.

Further to the above, British Transport Police can neither confirm nor deny that it holds any other information relating to covert investigations relevant to the request by virtue of the following exemptions:

Section 24(2) - National Security
Section 31(3) - Law Enforcement

Keeping people safe is a specific objective of British Transport Police set out in its Strategic Plan 2018/21. The Force's national obligations in this regard are referenced in this strategy.

BTP will not divulge whether information is or is not held regarding the use of covert techniques and tactics if to do so would place the safety of an individual at risk, undermine National Security or compromise law enforcement.

Whilst there is public interest in the transparency of policing operations and providing assurance that the police service is properly and effectively mitigating the threat posed by various groups or individuals, there is a similar strong public interest in safeguarding the integrity of police investigations and operations in highly sensitive areas such as extremism, crime prevention, public disorder and terrorism prevention.

Therefore, it is our position that for these issues the balancing test for confirming or denying whether any other information is held is not made out.

However, this should not be taken as necessarily indicating that any further information that would meet your request exists or does not exist.