## Freedom of Information Request 163/18

*Response Date: 16th April 2018*

**I am writing to you under the Freedom of Information Act 2000 to request the following details. All the information requested relates to the automated facial recognition (AFR) systems used by South Wales Police. Please provide me with:**

**– Privacy Impact Assessments (PIA) from each of AFR's use in public**

**– A PIA the for overall AFR project**

**– The number of positive AFR matches during its entire use**

**– Number of false positives created during the use of the system**

**– Meeting minutes where it was decided to extend the trial to March 2018**

**– Details of AFR's use in the case of a dead body (as reported by the media)**

***Clarification - If live and non-live figures can be provided for the below bullet points that would be best.***

**RESPONSE**

**Questions 1 & 2**

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**

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.

The 'public interest' is not however, what the public may find interesting, there must be some tangible benefit to the community in such a disclosure. Ultimately it must be something that serves the interest of the public. It is a requirement to identify all the factors which serve these interests and also those which do not, only then can a decision be made. This process has now been carried out and the balance test has shown that the considerations favouring non-disclosure outweigh the considerations favouring disclosure.

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.

*Continued…..*

Mae Heddlu De Cymru yn croesawu derbyn gohebiaeth yn Gymraeg a Saesneg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

South Wales Police welcomes receiving correspondence in Welsh and English. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Prif Gwnstabl **Matt Jukes QPM, MA(Oxon)MSc.** Chief Constable

**Freedom of Information Request 163/18**

<u>**Public Interest Test**</u>

*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.

<u>Balancing Test</u>

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 Privacy Impact Assessment and the meeting minutes.

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.  The Privacy Impact Assessment for use of Automated Facial Recognition (Version 4) is currently awaiting sign off before being added to the South Wales Police internet as a forward facing document.

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Questions 3 and 4

Please find details of the number of positive and false positive matches in the table below:

| Event | True Positive Alerts | False Positive Alerts |
|---|---|---|
| UEFA Champions League Final Week | 173 | 2,297 |
| Elvis Festival | 10 | 7 |
| Operation Fulcrum (Day of Action) | 5 | 10 |
| Anthony Joshua v Kubrat Pulev (Boxing) | 5 | 46 |
| Wales v Australia Rugby | 6 | 42 |
| Wales v Georgia Rugby | 1 | 2 |
| Wales v New Zealand Rugby | 3 | 9 |
| Wales v South Africa | 5 | 18 |
| Kasabian Concert (Motorpoint) | 4 | 3 |
| Liam Gallagher Concert (Motorpoint) | 6 | 0 |
| Operation Fulcrum (Day of Action) | 8 | 5 |
| Operation Malecite (Festive Deployment) | 2 | 0 |
| Royal visit of Prince Harry and Meghan Markle | 0 | 0 |
| Wales v Scotland (Six Nations) | 6 | 7 |
| Stereophonics Concert | 0 | 5 |

Question 5

The decision to extend the trial to the end of March 2018 is not held in any AFR minutes.

Question 6

On Friday, 3rd November 2017, South Wales received information that a person had jumped into the Taff Embankment. A male was later recovered from the river and Automated Facial Recognition technology was used to assist in his identification.

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