



14th June 2018

Freedom of Information Request Reference N^o: FOI 001761/18

I write in connection with your request for information received by the Norfolk and Suffolk Constabularies on the 16th May 2018 in which you sought access to the following information:

I am writing under the Freedom of Information Act 2000 to request information about any contracts with automated facial recognition manufacturers.

Specifically, I am asking the following:

- 1 Does your police force hold any current contracts with Viseum, Anyvision, Digital Barriers, Facewatch, or Verint or has it previously ever purchased any of their products?

If yes, please provide details of:

- A How much money your force has spent on these contracts and/or products
- B What products or services were sought in those contracts or purchases
- C The contract lengths
- D When your force purchased the company's technologies or services
- E The purpose your force purchased the company's technologies or services for

- 2 Does your force hold contracts with any other automated facial recognition manufacturers or has it purchased automated facial recognition technology?

If yes, please provide details of:

- A How much money your force has spent on these contracts and/or products
- B What products or services were sought in those contracts or purchases
- C The contract lengths
- D When your force purchased the company's technologies or services
- E The purpose your force purchased the company's technologies or services for

- 3 Please provide details of any correspondence or meetings your force has had with Viseum, Anyvision, Digital Barriers, Facewatch, Verint or any other automated facial recognition vendor.

- 4 Has your force trialled any products from Viseum, Anyvision, Digital Barriers, Facewatch, Verint or any other automated facial recognition vendors? If so, please provide detail.

Response to your Request

The response provided below is correct as of 11th June 2018.

Norfolk and Suffolk Constabularies have located the following information as relevant to your request.

Q1 The Constabularies do not have contracts with the named companies and have not purchased their products.

Q2 The Constabularies have not purchased automated facial recognition technology from other suppliers. The Constabularies use E Fit-V (Electronic Facial Identification Technique) supplied by Vision Metric. Details of this can be found on the Bluelight Procurement Database website via the link below:-

<https://www.blpd.gov.uk/foi/foicontractview.aspx?contractid=23575>

Under Section 21(1) of the Freedom of Information Act (2000), public authorities are not required to provide information that is reasonably accessible to the public by other means; in this case via BLPD website, therefore in accordance with Section 17 of the Freedom of Information Act (2000), this serves as a Refusal Notice for this part of your request.

Q3 No information held.

Q4 No information held.

Partial Neither Confirm Nor Deny

Norfolk and Suffolk Constabularies will **neither confirm nor deny** whether it holds any other information relevant to your request by virtue of the following exemptions:-

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

Sections 24 and 31 are prejudice based qualified exemptions and there is a requirement to articulate the harm that would be caused in the confirmation or denial of whether any other information is held, as well as carrying out a public interest test.

Harm in confirming whether any other information is held

Any disclosure under the Freedom of Information Act (FOIA) is a release to the public at large and not only to the person requesting the information. Whilst not questioning the motives of an applicant, confirming or denying whether any other relevant information is held, would allow persons involved in criminal activity to gain an awareness of the Constabularies tactical capabilities in this area. Any information regarding the use of covert technologies by the Police Service could result in areas of the UK being targeted for criminal or terrorist activity, if it is perceived that a particular area has less capability, reducing the likelihood of offenders being identified.

The safety of the public is of paramount importance and must be taken into account when considering any disclosures under the Freedom of Information Act. Confirming or denying any details in which the Police Service may or may not deploy the use of facial recognition, this would lead to an increase in harm to covert investigations and would compromise law enforcement. This would be to the detriment of providing an efficient policing service and a failure in providing a duty of care to members of the public.

It is well established that police forces use covert tactics and surveillance to gain intelligence in order to counter criminal behaviour. It has been previously documented in the media that terrorist incidents have been thwarted due to intelligence gained by these means.

Any information which identifies the focus of policing activity could be used to the advantage of those involved in criminal and terrorist activity. Information that undermines the operational

integrity of policing would adversely affect public safety and have a negative impact on National Security and Law Enforcement.

Section 24 – factors favouring confirmation or denial of whether any other information is or isn't held

The public are entitled to know how public funds are spent and what security measures are in place to counter terrorist activity. Confirming or not whether any other information is held regarding the use of covert technologies would lead to a better informed public and result in more accurate public debate. The public may be more vigilant in reporting suspicious activity.

Section 24 – factors against confirmation or denial of whether any other information is or isn't held

To confirm or deny whether any additional information is held by Norfolk or Suffolk Constabulary would allow inferences to be made regarding the nature and extent of national security related activities which may or may not take place. This could enable terrorist groups to take steps to avoid detection and therefore the confirmation or denial would be damaging to national security.

Confirming or denying whether any other information is or isn't held would render security measures less effective. This would lead to the compromise of any ongoing or future operations to protect the security and infra-structure of the UK. This would increase the risk of harm to the public.

Section 31 – factors favouring confirmation or denial of whether any other information is or isn't held

Confirming or denying whether any other information is or isn't held, regarding the use of covert technologies, would provide an insight into the Police Service. This would enable the public to have a better understanding of law enforcement tactics, the effectiveness of the Police and how evidence is gathered. It would greatly assist the quality and accuracy of public debate which could otherwise be steeped in rumour and speculation.

There is a public interest in accountability and transparency where the use of public funds to detect crime is concerned.

Section 31 – factors against confirmation or denial of whether any other information is or isn't held

Confirming or denying whether any other information is held, relevant to your request, would have the effect of compromising law enforcement tactics. This would hinder any current or future investigations.

FOIA releases are available to anyone who has internet access as responses are published by the Constabularies. Therefore to confirm or whether any other information is or isn't held concerning specialist covert tactics, would lead to the Constabularies law enforcement being undermined.

Balance

The security of the Country is of paramount importance and the Police Service will not divulge whether any other relevant information is or isn't held, if to do so would place the safety of an individual at risk, undermine National Security or compromise law enforcement.

Whilst there is a public interest in the transparency of policing operations and providing assurance that the Police Service is appropriately and effectively engaging with the threat posed by various groups and individuals, there is a very strong public interest in safeguarding the integrity of police investigations and operations.

As much as there is a public interest in knowing that policing activity is appropriate and balanced, this will only be overridden in exceptional circumstances. It is therefore our opinion that for these reasons that the balancing test for confirming or denying whether any other information is or isn't held, is not made out.

No inference should be taken from this response as to whether any other information is or isn't held.

This response will be published on the Constabularies web-site under the Freedom of Information pages:-

<https://www.norfolk.police.uk/about-us/our-data/disclosure-log>

<https://www.suffolk.police.uk/services/freedom-information/disclosure-logs>

Should you have any further queries concerning this request, please contact Amanda Gibson, FOI Decision Maker, quoting the reference number shown above.

A full copy of the Freedom of Information Act (2000) can be viewed on the 'Office of Public Sector Information' web-site;

<http://www.opsi.gov.uk/>

Norfolk and Suffolk Constabularies are not responsible for the content, or the reliability, of the website referenced. The Constabulary cannot guarantee that this link will work all of the time, and we have no control over the availability of the linked pages.

Your Right to Request a Review of Decisions Made Under the Terms of the
Freedom of Information Act (2000).

If you are unhappy with how your request has been handled, or if you think the decision is incorrect, you have the right to ask the Norfolk and Suffolk Constabulary to review their decision.

Ask Norfolk and Suffolk Constabularies to look at the decision again.

If you are dissatisfied with the decision made by Norfolk and Suffolk Constabularies under the Freedom of Information Act (2000), regarding access to information, you must notify the Norfolk and Suffolk Constabulary that you are requesting a review within 20 days of the date of its response to your Freedom of Information request. Requests for a review should be made in writing and addressed to:

*Freedom of Information Decision Maker
Information Management Department
Norfolk Constabulary
Operations and Communications Centre
Jubilee House
Falconers Chase
Wymondham
Norfolk NR18 0WW
OR
Email: freedomofinformation@norfolk.pnn.police.uk*

In all possible circumstances Norfolk and Suffolk Constabulary will aim to respond to your request for us to look at our decision again within 20 working days of receipt of your request for an internal review.

The Information Commissioner.

After lodging a request for a review with Norfolk and Suffolk Constabulary, if you are still dissatisfied with the decision, you can apply to the Information Commissioner for a decision on whether the request for information has been dealt with in accordance with the requirements of the Act.

For information on how to make application to the Information Commissioner please visit their website at www.ico.org.uk or contact them at the address shown below:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Telephone: 01625 545 700