

20th March 2023

Freedom of Information Request - Reference No: 22.009480

REQUEST

I am writing to request information under the Freedom of Information Act 2000.

I would like to know if your police force has used facial recognition software in the last year, when and for what reasons.

RESPONSE

South Yorkshire's Police response to your request is:

No, we have not used facial recognition software.

No Information Held

In addition in regard to any Covert capacity please see the following partial NCND statement below.

South Yorkshire Police can neither confirm nor deny that we hold any further information relevant to this request by virtue of the following exemptions:

**Section 24(2) National Security
Section 31(3) Law enforcement**

Section 24 and Section 31 are both qualified exemptions and as such there is a requirement to evidence any harm that confirming or denying that any other information is held, in addition to considering the public interest.

Harm in confirming that Information is held

Any disclosure under FOI is a release to the public at large. Confirming or denying that any other information relating to facial recognition would show criminals what the capacity, tactical abilities and capabilities of the force are, allowing them to target specific areas of the UK to conduct their criminal/terrorist activities. Confirming or denying the specific circumstances in which the Police Service may or may not deploy the use of facial recognition would lead to an increase of harm to investigations and 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 all members of the public.

Public Interest Test

Section 24 - Factors favouring confirming or denying that any other information is held

Confirming or denying that any other information exists relevant to the request would lead to a better informed public and the public are entitled to know how public funds are spent.

Section 24 - Factors against confirmation or denying that any other information is held

Confirming or denying whether any information is or isn't held relating to the use of facial recognition technology would limit operational capabilities as criminals/terrorist would gain a greater understanding of the police's methods and techniques, enabling offenders to take steps to counter them.

It may also suggest the limitations of police capabilities in this area, which may further encourage criminal/terrorist activity by exposing potential vulnerabilities.

Section 31 – Factors favouring confirming or denying that any other information is held

Confirming or denying whether any further information is held would allow the public to see where public funds have been spent and allow the Police service to appear more open and transparent.

Section 31 - Factors against confirmation or denying that any other information is held

By confirming or denying whether any further information is held would mean that law enforcement tactics would be compromised which would hinder the prevention and detection of crime. This may lead to the compromise of ongoing or future operations to protect the security or infra-structure on the UK and increase the risk of harm to the public.

Security arrangements and tactics are re-used and have been monitored by criminal groups, fixated individuals and terrorists. These security arrangements and tactics would need to be reviewed which would require more resources and would add to the cost to the public purse.

Balancing Test

The Police Service is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve. The security of the country is of paramount importance and the Police Service will not divulge whether any other information is or is not held if to do so would place the safety of an individual at risk or undermine National Security.

This detrimental effect is increased if the request is made to several different law enforcement bodies. In addition to the local criminal fraternity now being better informed, those intent on organised crime throughout the UK will be able to 'map' where the use of certain tactics are or are not deployed. This can be use information to those committing crimes. It would have the likelihood of identifying location-specific operations which would ultimately compromise police tactics, operations and future prosecutions as criminals could counteract the measures used against them.

Any information identifying the focus of policing activity could be used to the advantage of terrorists or criminal organisations. Information that undermines the operational integrity of these activities will adversely affect public safety and have a negative impact on both National Security and Law Enforcement.

It is therefore my opinion that for these issues the balancing test for confirming or not that any further information is held, is not made out.

