

18 February 2025

FOI Ref 17730

Request - You asked us the following:

This is a request under the Freedom of Information Act for information regarding your force's use of Facial Recognition Technology, Retrospective Facial Recognition and the Police National Database (PND). Please provide the following information about your force's use of Facial Recognition Technology, Retrospective Facial Recognition and the Police National Database (PND) for the periods between January 2024 and today's date; if you do not hold this information for the whole length of the period stated above, please provide it for the period starting from the date you began recording the information:

1. The processes (if any) undertaken by your force when using the Police National Database's face search capability to identify children (minors under the age of 18).
2. If there is a Child Rights Impact Assessment for the use of:
 - a. The Police National Database (PND)
 - b. Facial Recognition Technology
 - c. Retrospective Facial Recognition Technology
3. The number of times Facial Recognition Technology, Retrospective Facial Recognition Technology and/or the Police National Database were used to identify children (minors under the age of 18).
4. The following information about each search:
 - date
 - reason for search
 - officer defined ethnicity
 - self-defined ethnicity
 - gender of the person searched
 - age of person searched
 - response (i.e., whether the search returned a record and led to an arrest)
5. Are CCTV images used during facial recognition checks which utilise the PND? If so, please share the number of times CCTV images were used for facial recognition checks
6. Are CCTV images and footage retained on the Force Video management system, including those which depict children under the age of 16 and under the age of 18?
7. Are images or data from facial recognition searches (in particular of minors under the age of 18) shared with other agencies or private organisations? If so, under what conditions?
8. If your force does not currently use Facial Recognition Technology, retrospective Facial Recognition and/or the Police National Database (PND) please state if there are there plans to.

We received your request on 27/01/2025 and have processed this under the Freedom of Information Act (FOIA).

Staffordshire Police's response to your enquiry is as follows:

In accordance with Section 17(1) of the Freedom of Information Act, this letter represents a refusal notice for this particular request.

The following exemption has been applied:

- Section 12(1) where the cost of compliance exceeds the appropriate limit. Section 12(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the prescribed limit'.

The above information has been withheld for the following reasons:

There is no method by which we can readily retrieve information from our systems to answer this request. For the time period requested, there have been in excess of 1,700 facial searches. In order to determine whether the facial search was used to identify anyone under the age of 18, and to retrieve the information requested in question 4, the record for each search would require manual review.

From dip sampling, it has been estimated that it would take approximately 5-10 minutes to review each record to answer this request, this would equate to between 141 and 283 hours. To achieve this task would therefore exceed the 18-hour time and cost threshold of the Freedom of Information Act by some considerable margin.

Advice and assistance

Section 16 of the Act places an obligation upon the Authority to provide advice and assistance, in order to comply with this obligation please see below.

If questions 3, 4 and 5 were withdrawn, Staffordshire Police would be able to provide a response to the remaining questions where information is held, however, further exemptions will apply.

Please be advised that all Freedom of Information request responses are published on the Staffordshire Police website although personal details are not included.

Freedom of Information Request Appeals Procedure

1. Who Can Ask for a Review

Any person who has requested information from Staffordshire Police, which has been dealt with under the Freedom of Information Act, is entitled to complain and request an internal review, if they are dissatisfied with the response they received.

2. How to Request a Review

Requests for review of a Freedom of Information request must be made in writing within two months of the date of receipt of this email, and should be addressed to:

foi@staffordshire.police.uk

Or by Post to:

Central Disclosure Unit
Staffordshire Police HQ
PO Box 3167
Stafford

ST16 9JZ

The reference number, date of the request and details of why the review is being requested must be included. Requests for review should be brought to the attention of the Central Disclosure Unit within two months of the Force's response to the original FOI request.

3. Review Procedure

Receipt of a request for review will be acknowledged in writing. The review will be conducted by another Decision Maker who is independent from the original Decision Maker. The Central Disclosure Unit will set a target date for a response. The response will be made as soon as is practicable with the intention to complete the review within 20 working days. In more complex cases the review may take up to 40 working days.

The independent Decision Maker will conduct a review of the handling of the request for information and of decisions taken, including decisions taken about where the public interest lies in respect of exempt information where applicable. The review enables a re-evaluation of the case, taking into account the matters raised by the complaint.

4. Conclusion of the Appeal

On completion of the review the Independent Decision maker will reply to the complainant with the result of the review. If the complainant is still dissatisfied following the review they should contact the Information Commissioner to make an appeal. The Information Commissioner can be contacted via the following details:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

ICO Website for complaints link: <https://ico.org.uk/make-a-complaint/foi-and-eir-complaints/foi-and-eir-complaints/>

Freedom of Information
Central Disclosure Unit