

22 May 2025

FOI Ref 21201

Request - You asked us the following:

I write to request information and records under the Freedom of Information Act 2000 (FOIA), regarding the use of facial recognition technology.

Questions 1-6 relate to the period from January 2023 to present.

1. Has Staffordshire Police deployed live facial recognition?
 - a. Please provide dates and locations for each deployment.
2. Has Staffordshire Police used any form of retrospective facial recognition?
 - a. Please specify whether this is via the Police National Database (PND), any other database, or a combination.
 - b. If any database other than the PND was accessed for the purposes of retrospective facial recognition, please specify the database(s) and the number of searches that have been conducted.
3. Has Staffordshire Police deployed operator initiated facial recognition?
 - a. Please provide dates and locations for each deployment.
4. Has Staffordshire Police deployed any form of facial recognition in conjunction with body-worn video?
 - a. Please provide dates and locations for each deployment.
5. Where live facial recognition has been used:
 - a. How many individuals were on the watchlist used in each instance?
 - b. How many of those on the watchlist were not wanted for arrest in each instance?
 - c. For what reasons were these people included?
6. At each deployment, how many alerts were generated?
 - a. How many of these were true alerts (confirmed and unconfirmed) and how many were false alerts (confirmed and unconfirmed)?
 - b. Please provide the engagement outcomes for each deployment, showing how many resulted in arrest, other disposal, or no action.
7. Does Staffordshire Police plan to deploy live facial recognition?
 - a. If so, please specify dates and locations of any planned trials or deployments.
8. Does Staffordshire Police plan to deploy operator initiated facial recognition?
 - a. If so, please specify dates and locations of any planned trials or deployments.
9. Please provide any internal policy document, guidelines or legal basis governing Staffordshire Police's use of facial recognition technology, including any Data Protection Impact Assessment.

We received your request on 08/04/2025 and have processed this under the Freedom of Information Act (FOIA).

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

Staffordshire Police holds some of the requested information.

- I write to request information and records under the Freedom of Information Act 2000 (FOIA), regarding the use of facial recognition technology.
- Questions 1-6 relate to the period from January 2023 to present.
- 1. Has Staffordshire Police deployed live facial recognition? – **Disclosed, no.**
- a. Please provide dates and locations for each deployment. – **Not applicable.**
- 2. Has Staffordshire Police used any form of retrospective facial recognition? – **Disclosed, yes, a trial of retrospective facial recognition was ran by Staffordshire Police.**
- a. Please specify whether this is via the Police National Database (PND), any other database, or a combination. - **Disclosed, other database.**
- b. If any database other than the PND was accessed for the purposes of retrospective facial recognition, please specify the database(s) and the number of searches that have been conducted. – **Disclosed, our Niche gallery was used in a RFR solution. The number of searches were approximately 827.**
- 3. Has Staffordshire Police deployed operator initiated facial recognition? – **Disclosed, no.**
- a. Please provide dates and locations for each deployment. – **Not applicable.**
- 4. Has Staffordshire Police deployed any form of facial recognition in conjunction with body-worn video? – **Disclosed, no.**
- a. Please provide dates and locations for each deployment. – **Not applicable.**
- 5. Where live facial recognition has been used:
- a. How many individuals were on the watchlist used in each instance? – **Not applicable.**
- b. How many of those on the watchlist were not wanted for arrest in each instance? – **Not applicable.**
- c. For what reasons were these people included? – **Not applicable.**
- 6. At each deployment, how many alerts were generated? – **Not applicable.**
- a. How many of these were true alerts (confirmed and unconfirmed) and how many were false alerts (confirmed and unconfirmed)? – **Not applicable.**
- b. Please provide the engagement outcomes for each deployment, showing how many resulted in arrest, other disposal, or no action. – **Not applicable.**
- 7. Does Staffordshire Police plan to deploy live facial recognition? – **No information held.**
- a. If so, please specify dates and locations of any planned trials or deployments. – **No information held.**
- 8. Does Staffordshire Police plan to deploy operator initiated facial recognition? – **No information held.**
- a. If so, please specify dates and locations of any planned trials or deployments. – **No information held.**
- 9. Please provide any internal policy document, guidelines or legal basis governing Staffordshire Police's use of facial recognition technology, including any Data Protection Impact Assessment. – **Partially disclosed, please see the accompanying files titled:**

- 'FOI 21201 DPIA Stage 1'
 - 'FOI 21201 DPIA Stage 2'
 - 'FOI 21201 RFR Phase 2 Draft Policy'.
- Please see the below exemptions.

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

The following exemption has been applied:

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

- Section 31 (1) (a) (b) - Law Enforcement.

Information is exempt from disclosure under S31(1)(a)(b) where the release of Information would, or would likely to, prejudice the prevention and detection of crime and/ or the apprehension or prosecution of offenders. This exemption is qualified and prejudice-based and, as such, we are required to evidence the harm in disclosure and apply the public interest test.

- Section 40(2) Personal Information

Section 40(2) is an absolute exemption which means that there is no need to quantify the harm that may arise from the disclosure; neither is it subject to a public interest test.

To release personal or third-party information held by Staffordshire Police, would breach the data protection principles; namely –

- Data is lawfully and fairly processed.
- Processed in line with an individual's rights.
- Data is secure.

Personal and third-party information cannot be released under the Freedom of Information Act.

Disclosure under Freedom of Information is a release of information to the world in general and not an individual applicant.

Harm:

To provide certain details within the data protection impact assessment and draft policy for retrospective facial recognition usage could undermine existing or future investigations, operations and police tactics. It would allow those with ill intent to cause disruption to operational policing and prejudice the prevention and detection of crime. Knowing data protection information and the systems and process used relating to facial recognition would allow individuals to target Staffordshire Police systems and perhaps work with a level of validity that could lead to major disruption to the forces network and capabilities.

Public Interest Test

Factors favouring disclosure under Section 31(1)(a)(b)

To disclose this information would adhere to the basic principle of being open and transparent, it would also lead to a better public awareness of the workings of the police force and the systems used with operations and during routine policing.

Factors favouring non-disclosure under Section 31(1)(a)(b)

Releasing such data would give those individuals with the intent to do so, the intelligence required to disrupt police activity. This knowledge would allow those with ill intent to target their offending more effectively which would inevitably lead to an increased likelihood of criminal activity and an increased danger to the public. Any disclosure of information which is likely to undermine the ability to serve the public in preventing and detecting crime can only be considered as being harmful to the public.

Balance test

When considering whether disclosure is appropriate, we must weigh the strongest reason for disclosure against the strongest reasons for non-disclosure. In this case, whilst the factors favouring disclosure are important in that it would adhere to the basic principle of being open and transparent, we believe when weighed against the risk of disclosure undermining our ability to prevent and detect crime and hindering our ability to protect the public, then non-disclosure takes precedence.

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