



Your reference: N/A
Our reference: FOI_2023.1172
E-mail: FOI
@gloucestershire.police.uk
Direct dial: 01452 754304
Postal Address: As above
Date: 05/01/2024

Dear

Gloucestershire Constabulary Freedom of Information request 2023.1172

On 05/12/2023 you sent an email constituting a request under the Freedom of Information Act asking the following:

I'm writing to request information under the Freedom of Information Act. Please could you respond to the request within the 20 working days required by the FOIA.

I would like to request the below in PDF format, broken down by either date or geographic location:

- All reports regarding any arrests which were made using data from AI and/or facial recognition systems such as Pegasus, Veesion, and Facewatch between 30 November 2022 and 30 November 2023, including:

- o The type of business where the crime took place (supermarket, convenience store, other retail, etc)
- o How the crime was reported
- o How the arrest was made
- o The outcome of the arrest

Under the Freedom of Information Act 2000 s1, I can confirm that Gloucestershire Constabulary may hold some relevant information.

Unfortunately, it is not electronically possible to retrieve the information requested of how many arrests have taken place as a result of using data from shops or retailer's installed facial recognition and/or AI systems. In order to identify and retrieve the requested information a manual review of all arrests within the time period requested would need to be conducted, to ascertain whether we would hold any information in relation to if the arrest was facilitated due to the assistance of the shops or retailer's own facial recognition

and/or AI systems. This manual review would exceed the 18 hours prescribed by Section 12 of the Freedom of Information Act.

Section 17(5) of the Freedom of Information Act 2000 requires Gloucestershire Constabulary, when refusing to provide information (because the information is exempt) to provide you the applicant with a notice which: (a) states the fact, (b) specifies the exemption in question and (c) states (if not otherwise apparent) why the exemption applies.

In relation to your request Section 12 applies.

Section 12(1) – Fee Regulations states:

Section 1(1) of the Act 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 appropriate limit. (As detailed in the Data Protection and Freedom of Information Fees Regulations of 2004)

The appropriate limit at the moment is £450 calculated at an hourly rate of £25 per hour for all staff time incurred in:

- i. Determining whether information is held
- ii. Locating it
- iii. Retrieving it
- iv. Extracting the information to be disclosed from the other information.

In accordance with the Act, this letter represents a Refusal Notice for your request.

Section 16 – unable to assist

Unfortunately, I'm unable to assist in suggesting ways of refining your request to come within the confines of Section 12 of the Act. Even reducing the timescale would not reduce the number of records enough that a manual review could be conducted within the timescale but still provide meaningful information.

If you are not satisfied with this response or any actions taken in dealing with your request, you have the right to ask that we review your case under our internal procedure. Please note that a request for an internal review must be made within 20 working days of the response to your original request.

If you decide to request that such a review is undertaken and following this process you are still unsatisfied, you then have the right to direct your complaint to the Information Commissioner for consideration.

The Information Commissioner can be contacted via the following means:

Website - <https://ico.org.uk/>

Call their helpline - 0303 123 1113

Email - casework@ico.org.uk

Post –

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

Yours sincerely,

Disclosure Officer
Gloucestershire Constabulary