



Your reference:

Our reference: FOI_2023.1203

E-mail: FOI

@gloucestershire.police.uk

Direct dial: 01452 754304

Postal Address: As above

Date: 16/01/2024

Dear

Gloucestershire Constabulary Freedom of Information request 2023.1203

On 15/12/2023 you sent an email constituting a request under the Freedom of Information Act asking the following:

I am writing to request the following information relating to your use of facial recognition database searches, for each of the Police National Database, passport database, DVLA database, immigration database and EU Settled Status Database:

1. A copy of the legal mandate for facial recognition searches against each of these databases
2. A copy of any data protection impact assessment made for searching each of these databases
3. A copy of any document setting out the threshold [e.g indictable offence, notifiable offence] before these databases can be searched
4. The name of the manufacturer of the software used in each search, if known

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

Please note, the below response relates to PND only.

Q1 & 3.

Section 17 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.

The following exemptions apply:

Section 21 – Information reasonably accessible by other means

The above exemption is absolute and class-based and therefore no Public Interest Test or Harm Test is required.

The information that you have requested is already reasonably accessible to you by other means and is therefore exempt by virtue of Section 21 of the Freedom of Information Act 2000.

The Code of Practice on the Operation and Use of the Police National Database is the legal mandate for the use of PND for retrospective facial recognition searches. Whilst I can confirm that Gloucestershire Constabulary holds a copy of the document, it has also been published and is accessible in the public domain.

The full document can also be accessed by following the below link:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/243554/9999102808.pdf

Q2.

No Information Held.

The National Police Chiefs' Council are in the process of creating a DPIA, and will be publishing the document in due course.

Q4.

The software is manufactured by COGNITEC.

With regards to Passport database, DVLA database, Immigration database and EU Settled Status Database, there is no information held.

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