

Date: 12th December 2023
Our ref: FOI/23/011724/L

FREEDOM OF INFORMATION REQUEST REFERENCE NO: FOI/23/011724/L

I write in connection with your request for information dated 25/11/2023, received by Greater Manchester Police (GMP) for the following information:

Dear Greater Manchester Police

I am writing to you under the Freedom of Information Act 2000 to request the following information from your force. This is similar to another FOI also sent by myself in August 2022, but this request is intended to capture changes in the information between 2022 and 2023/24. As a result, this is to be treated as a different request intended to gather up to date information.

For the purposes of clarity, please take 'facial recognition' to mean any automated means of comparing a live or retrospective image against a database to discern potential identity, and 'trial' to mean any use on the public or internally for testing purposes. Please may you provide me with:

1/ Deployment information relating to ongoing or planned trials of live or retrospective facial recognition technology within your force area (such as number of trials, brief overview of such trials, scope and cost) during the period of 17/08/2022 to present day.

2/ Any information relating to ongoing or planned trials of similar technology which uses automated computer vision to analyse images for biometric identification purposes (such as ear recognition, vein recognition, or gait recognition)

3/ If any trials of either 1 or 2 have been carried out since 17th August 2022, please confirm number of arrests made, number of stop and searches made, number of stop and accounts made, or number of fines/other enforcement resulting from these trials.

4/ A copy of any internal policy documents or internal guidance for the development, use, or deployment of these technologies

Please provide the information in whatever format makes most sense given the data types. I do not require any emails, meeting minutes, or similar documents. Only policy or general overview documents.

Result of Searches

Following receipt of your request searches were conducted within Greater Manchester Police (GMP) to locate the requested information and I can confirm the information requested is not held by GMP.

Question 1 - No information held. GMP do not use any type of overt facial recognition technology.

Question 2 - No information held with regards to any type of overt facial recognition technology. For this question I am also citing Section 23(5), Section 24(2) and Section 31(3), please see below for further details.

Question 3 - No information held with regards to any type of overt facial recognition technology. For this question I am also citing Section 23(5), Section 24(2) and Section 31(3), please see below for further details.

Question 4 - No information held.

With regards to questions 2 and 3, Greater Manchester Police can neither confirm nor deny any further information is held in connection to your request by virtue of the following exemptions:

Section 23(5) – Information Supplied by, or concerning, certain Security Bodies

Section 24(2) – National Security

Section 31(3) – Law Enforcement

Section 23 is a class based absolute exemption and there is no requirement to evidence harm or consider the public interest.

Sections 24 and 31 are prejudiced based qualified exemptions and there is a requirement to evidence the prejudice (harm) in disclosure and consider the public interest to ensure neither confirming or denying that information is held is appropriate.

Evidence of Harm:

Any disclosure under FOI is a release to the public at large. Whilst not questioning the motives of the applicant, confirming or denying that any other information relating to the covert practise of biometric technologies such as ear, vein and gait 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 new biometric technologies would lead to an increase of harm to covert 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.

The threat from terrorism cannot be ignored. It is generally recognised that the international security landscape is increasingly complex and unpredictable. Since 2006, the UK Government has published the threat level: <https://www.mi5.gov.uk/threat-levels>. The UK continues to face a sustained threat from violent extremists and terrorists and based upon current intelligence the threat level is set at Substantial. It is well established that police forces use covert tactics and surveillance to gain intelligence in order to counteract criminal behaviour. It has been previously documented in the media

that many terrorist incidents have been thwarted due to intelligence gained by these means. Confirming or denying whether any information is or isn't held relating to the covert use of these biometric technologies 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. 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.

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. The information simply relates to national security and disclosure would not actually harm it.

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

To confirm or deny whether Greater Manchester Police hold any additional information would allow inferences to be made about the nature and extent of national security related activities which may or may not take place. This could enable terrorist groups to take steps to avoid detection, and as such, confirmation or denial would be damaging to national security.

By confirming or denying any policing arrangements of this nature would render national security measures less effective. This would 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.

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. 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. Whilst there is a public interest in the transparency of policing, providing assurance that the Police Service is appropriately and effectively

engaging with the threat from criminals, there is a very strong public interest in safeguarding both National Security and the integrity of the police in knowing that policing activity is appropriate and balanced in matters of National Security; this will only be overridden in exceptional circumstances.