

FOI Disclosures August 2022

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This month we have responded to questions relating to the following topics:

- [Complaints relating to Live Facial Recognition](#)
- [Investigation report relating to fatal Norfolk RTI](#)

If you require a full copy of any of the embedded attachments, please contact Requestinfo@policeconduct.gov.uk quoting the reference number from the relevant response.

<u>Ref</u> <u>5023649</u> Back to top	<u>Complaints relating to Live Facial Recognition</u>
<u>Request</u>	<ul style="list-style-type: none">• <i>The number of complaints made to the IOPC in each year since 2016 in relation to the use of Live Facial Recognition, split by force if possible.</i>• <i>The number of complaints made to the IOPC in each year since 2016 in relation to the use of Operator Initiated Facial Recognition, split by force if possible.</i>• <i>Details of any upheld complaints relating to LFR or OIFR in the past 6 years.</i>
<u>Response</u>	<p>This request is for data about a very specific type of allegation or misconduct that has been brought to the attention of the IOPC.</p> <p>The majority of police complaint and misconduct cases are dealt with by police forces without any IOPC involvement. Most complaints are made directly to police forces and any complaints we receive directly from members of the public are passed to the police force for a decision on recording, as required by the legislation. We do not extract data about the subject matter of these 'direct' complaints before passing them on.</p> <p>Police forces are required to refer certain incidents to the IOPC regardless of whether there has been a complaint. These referrals originate from one of three possible sources: a complaint, a death or serious injury (DSI) or a recordable conduct matter (RCM). Cases that originate from a DSI or RCM do not involve a complaint. On receipt of valid referral the IOPC must determine whether or not the matter should be investigated and, if so, the mode of investigation.</p> <p>While you have not limited your request to allegations received by way of police referrals to the IOPC, we have considered how far we may be able to help with your request if we were to focus only on allegations contained in the referrals received during this period.</p>

The IOPC does not routinely extract data about the nature of any allegations that may have been made at the time when a matter is first referred to the IOPC, or about any allegations, concerns or types of misconduct that may be identified during the course of an investigation. We have not carried out any targeted research involving the extraction of data that could assist with your request. This means that the only way we could find this type of data would be to carry out manual searches of the referrals we received during this period. The IOPC has received tens of thousands of referrals since 2016 and well over 7,000 referrals since 1 January 2021.

Searches of our case files under other requests for data about specific allegation or incident types have confirmed that there is no automated means by which we can reliably narrow the search results to identify all relevant cases without committing very significant resources to the task.

We have found, for example, that key word searches of the initial incident description on our case management system cannot be relied upon to identify cases that we would expect to be included in the results. Even if the initial description of the incident indicated that the case was within scope, we would have to check the information collected afterwards in order to confirm its accuracy. This is because such a search could only identify the cases in which one or more key words was present at the time that the case was first entered on to our system. The incident description as notified on first receipt of a case may not indicate the matters that were later considered under any investigation, including any new allegations or concerns that were raised or discovered while an investigation was ongoing.

There can be no doubt that manual searches of our referrals to find the information you require would exceed the 18 hour cost limit under section 12 of the FOIA by a very significant margin. This means that our FOIA duties would not apply to your request if you were to refine it so that it related only to allegations received by way of a referral, which account for only some of the matters brought to our attention in any given period.

In response to a request from the House of Lords Justice & Home Affairs Committee, the IOPC submitted written evidence in 2021 relating to the application of algorithmic tools in policing. This evidence is available [here on the UK Parliament website](#) and includes information that may help you to progress your request. Pages 2 to 3 explain the limitations on our ability to search for specific incident types. While we found one case involving a public complaint regarding “facial recognition” there was no way of knowing whether this was the only relevant case that existed at the time without carrying out exhaustive manual searches.

We would also draw your attention to our evidence on page 3 about the complaints data recorded by police forces and published on our website:

	<p><i>“The IOPC requires police forces to use definitions to log the root cause of the dissatisfaction expressed by a complainant. Whilst there is no definition covering the use of algorithms and machine learning per se, there is a category (cat D) covering the “access and/or disclosure of information”. This definition is further sub categorised. However police forces themselves may be better placed to advise on complaints related to specific issues, such as live facial recognition, in those areas where it has been piloted.”</i></p>
<p><u>Ref</u> <u>5023674</u> Back to top</p>	<p><u>Investigation report relating to fatal Norfolk RTI</u></p>
<p><u>Request</u></p>	<p><i>I can't see on your website the outcome / report relating to the following:</i></p> <p>https://www.policeconduct.gov.uk/news/investigation-fatal-rti-norfolk</p> <p><i>The release on your website was published 02/08/2017 at starts with "The IPCC has begun an independent investigation into a fatal RTI in Norfolk where a woman died after being hit by a police van attending her missing persons report."</i></p> <p><i>Please provide the finished report.</i></p>
<p><u>Response</u></p>	<p>In line with our Publication Policy, a decision was made to publish a summary of this investigation, our findings and recommendations. This was published on our website in October 2018 and can be found using the following link: https://www.policeconduct.gov.uk/recommendations/fatal-collision-norfolk-constabulary-july-2017</p> <p>The summary is also available on the National Archives website via the following link.</p>