

GREATER LONDON AUTHORITY

[REDACTED]
(By email)

Our Ref: MGLA141119-7076

18 December 2019

Dear [REDACTED]

Thank you for your request for information about CCTV which the GLA received on 14 November 2019. Your request has been dealt with under the Freedom of Information Act 2000.

Our response to your request is as follows. Please find below the information we hold within the scope of your request:

Does the council use any CCTV cameras produced by Hikvision?

Yes

Does the council use any other hardware produced by Hikvision?

Yes

Does the council use any equipment produced by Pyronix?

No

If any hardware from either Hikvision or Pyronix is used, could you please tell me when they were installed?

If any hardware from either Hikvision or Pyronix is used, could you please tell me how many units are in use?

If any hardware from either Hikvision or Pyronix is used, could you please tell me where the cameras are located?

I can confirm that we hold information relating to the installation date, numbers, locations and types of units. However, this is sensitive information which is exempt under the following exemptions:

- Section 24(1) National Security
- Section 31(1)(a) Law Enforcement

See attached **Annex A** for further information on how the exemptions have been applied.

If any hardware from either Hikvision or Pyronix is used, could you please describe the type of cameras in use (facial recognition, standard CCTV, ANPR)?

The duty to confirm or deny in Section 1(1)(a) of the Freedom of Information Act 2000 does not apply when considered along with the following exemption provisions:

- Section 24(2) National Security
- Section 31(3) Law Enforcement

Any statement which might confirm or deny whether or not the GLA has any contract or uses technology of this nature (or not) would give an indication of the security measures which might be employed by City Hall, providing criminals or, in the worst case, terrorists with information that could help them take action against City Hall or areas/events related to the GLA or evade detection.

The attached Annex B gives further information on how these provisions have been applied, but the GLA can neither confirm nor deny whether or not it holds any additional information.

Please note this response should not be taken to as an indication of whether or not information in relation to the use of facial recognition information is held.

If you have any further questions relating to this matter, please contact me, quoting the reference MGLA141119-7076.

Yours sincerely



Information Governance Officer

If you are unhappy with the way the GLA has handled your request, you may complain using the GLA's FOI complaints and internal review procedure, available at:

<https://www.london.gov.uk/about-us/governance-and-spending/sharing-our-information/freedom-information>

Annex A

Exemptions

Section 24(1) – National Security

Section 24(1) provides that information is exempt if exemption from section 1(1)(b) is required for the purposes of safeguarding national security

Section 31(1)(a) - the prevention or detection of crime

Information which is not exempt information by virtue of section 30 is exempt information if its disclosure under this Act would, or would be likely to, prejudice –

- a) the prevention or detection of crime*

The withheld information is described below:

- Installation date of CCTV hardware
- Number of units,
- Locations of cameras
- Type of cameras

How the exemptions apply to this information

Section 31(1)(a) covers all aspects of the prevention and detection of crime and can apply to information on general policies and methods adopted by law enforcement agencies. Section 31(1)(a) of the Act is engaged because the release of this information would, or would be likely to, prejudice the prevention or detection of crime.

The provisions of the Act are engaged by the physical locations of the cameras, which could be used by those intent on committing criminal acts to undermine, plan against, or counteract security and policing methods designed to prevent and detect acts of crime at City Hall. Disclosure would prejudice the ability of the GLA to employ appropriate security measures to protect its premises, property, staff and guests. Cameras are potential targets so this information would prejudice security and policing measures by giving people intent on causing harm knowledge to aid them to evade or bypass the cameras and detection and would harm security officers' and or police officers' ability to assess and respond to incidents. Disclosure would expose areas of potential weakness either real or perceived that may become targets for crime or for an attack.

The installation date would give an indication of the likely type and age of the unit/s used. The type of unit and location of cameras together would give an indication of the capacity and coverage of the GLA's systems and would provide useful information to potential criminals about how the GLs systems operate. This would allow them to take steps to avoid or disrupt these measures, thereby prejudicing our ability to prevent and detect criminal acts, or potentially make it easier to hack or otherwise access information on these systems.

Section 24(1) allows a public authority not to disclose information if it considers releasing the information would make the UK or its citizens more vulnerable to a national security threat.

The term "national security" is not specifically defined by UK or European law. However, in this case, the following paragraphs from the ICO's guidance on section 24 of the Act explain:

(13) Safeguarding national security also includes protecting potential targets even if there is no evidence that an attack is imminent.

(14) The Commissioner also recognises terrorists can be highly motivated and may go to great lengths to gather intelligence. This means there may be grounds for withholding what seems harmless information on the basis that it may assist terrorists when pieced together with other information they may obtain.

The terrorist attacks in London, Paris and across Europe in recent years highlight the heightened risk to the public and crowds at high profile locations in major cities such as London.

We note the ICO has repeatedly acknowledged the link between national security, counter terrorism activities and potential acts of terrorism. City Hall and the surrounding area (such as Tower of London and Tower Bridge) are iconic high-profile central London locations and are, regrettably, realistic high-profile targets for potential acts of terrorism. As set out above, information about City Hall's security capacity would be useful to those planning attacks against City Hall or the surrounding areas.

The exemption is therefore required for the purposes of safeguarding national security to the extent it could be used to aid the commission of an act of terrorism and make the UK or its citizens more vulnerable to a national security threat.

Public interest test (exemptions)

Considerations favouring disclosure

- The GLA acknowledges there is a legitimate interest in the GLA being transparent about the measures it uses and being accountable to the public about costs and budgets
- by demonstrating appropriate steps have been taken to protect itself and the public from crime;
- The GLA is also mindful of the assumption in favour of disclosure in 2(2)(b) of the FOIA.

Considerations favouring non-disclosure

- There is a strong public interest in preventing crime and not making available information that would primarily benefit anyone seeking to cause harm
- There is a substantial public interest in not jeopardising the GLA's resilience to terror attacks particularly given the likelihood of an attempt
- Related to this, there is a strong public interest in protecting any sensitive data and personal data held on our systems

In this case and at this time, we find that the balance of the public interest favours maintaining the exemption provisions of s.24(1) and s.31(1)(a) in relation to the redacted and withheld information.

Annex B

Neither Confirm Nor Deny NCND

Exemption: Section 24(2) – National Security

Section 24(2) of the Act provides:

The duty to confirm or deny does not arise if, or to the extent that, exemption from section 1(1)(a) is required for the purpose of safeguarding national security

Exemption: Section 31(3) – Law enforcement

Section 31 of the Act provides:

(1) Information which is not exempt information by virtue of section 30 is exempt information if its disclosure under this Act would, or would be likely to prejudice-

(a) the prevention or detection of crime

(3) The duty to confirm or deny does not arise if, or to the extent that, in compliance with section 1(1)(a) would, or would be likely to, prejudice any of the matters mentioned in subsection (1).

These provisions of the Act have been engaged in relation to the duty to either confirm or deny whether the GLA does or does not hold information relating to the use of facial recognition technology.

Section 31(3) provides that we are not required to confirm or deny whether or not we hold information where to do so would prejudice the prevention or detection of crime (Section 31(1)(a)).

The provisions of subsection (3) can be applied in instances where either confirming or denying the existence of the requested information would prejudice the ability of the GLA to employ appropriate security measures to protect its premises, property, staff and guests.

Confirming or denying whether or not the GLA does or does not hold information relating to this request would imply whether or not it uses this type of technology as part of its security measures, and thereby provide useful information to potential criminals about the steps the GLA takes to protect its premises, property, staff and guests. This would allow them to take steps to avoid these measures, thereby prejudicing our ability to prevent and detect criminal acts.

Similarly, section 24(2) of the Act provides that we are not required to confirm or deny whether or not we hold information where to do so would make the UK or its citizens more vulnerable to a national security threat.

The term "national security" is not specifically defined by UK or European law. However, in this case, the following paragraphs from the ICO's guidance on section 24 of the Act explain:

(13) Safeguarding national security also includes protecting potential targets even if there is no evidence that an attack is imminent.

(14) The Commissioner also recognises terrorists can be highly motivated and may go to great lengths to gather intelligence. This means there may be grounds for withholding what seems harmless information on the basis that it may assist terrorists when pieced together with other information they may obtain.

The terrorist attacks in London, Paris and across Europe in recent years highlight the heightened risk to the public and crowds at high profile locations in major cities such as London.

We note the ICO has repeatedly acknowledged the link between national security, counter terrorism activities and potential acts of terrorism. City Hall and the surrounding area (such as Tower of London and Tower Bridge) are iconic, high profile central London locations and are, regrettably, realistic high-profile targets for potential acts of terrorism, and it is self-evident how information about what security measures may or may not be engaged by City Hall could be useful to those planning attacks against City Hall or the surrounding areas.

Public interest test (NCND)

Considerations favouring disclosure

- The GLA acknowledges there is a legitimate interest in the GLA being transparent about the measures it uses and being accountable to the public about costs and budgets
- by demonstrating appropriate steps have been taken to protect itself and the public from crime;
- The GLA is also mindful of the assumption in favour of disclosure in 2(2)(b) of the FOIA.

Considerations favouring non-disclosure

- There is a strong public interest in preventing crime and not making available information that would primarily benefit anyone seeking to cause harm
- There is a substantial public interest in not jeopardising the GLA's resilience to terror attacks particularly given the likelihood of an attempt
- Related to this, there is a strong public interest in protecting any sensitive data and personal data held on our systems

In this case and at this time, we find that the balance of the public interest favours maintaining these neither confirm nor deny provision relating to this information.