



## Report to the Mayor of London

### Headlines

The following statements are made to the best of MPS knowledge, based on feedback from the twelve Basic Command Units and other Operational Command Units responsible for keeping London safe.

- **The MPS is not currently sharing images with any third parties for the purposes of Facial Recognition;**
- **Historically, the MPS did share images for the purposes of Facial Recognition under a locally held agreement with Kings Cross Estate Services. This activity has now ceased;**
- **A review across the twelve Basic Command Units and other Operational Command Units has found no further evidence of this practice taking place.**

### Background

1. Following the recent disclosure that MPS had historically shared images at a local level with Kings Cross Estate Services for the purposes of Facial Recognition, the MPS has conducted a review of the twelve Basic Command Units and other Operational Command Units. The purpose of the review was to:
  - a. ascertain whether further MPS information sharing for the purposes Facial Recognition has taken place elsewhere across London; and
  - b. to confirm the scope of the information sharing with Kings Cross Estate Services in relation to Facial Recognition.

The findings in this report need to be caveated by noting the limitations of technology which was not designed to be audited in this way, and the limitations of corporate memory.

2. The first agreement to enable image sharing with Kings Cross Estate Services was signed in 2016. At that time the MPS did not operate the Basic Command Unit structure. In 2016, Facial Recognition for purposes connected to law enforcement was also in its infancy. It is within this context that Camden Borough entered into an information sharing agreement to enable images to be shared with Kings Cross Estate Services.
3. Images were shared by the MPS with Kings Cross Estate Services on the basis of its common law policing powers including to enable it to discharge its responsibilities to prevent and detect crime. Recent case law affirms the police's use of its common law powers to share

images with businesses to reduce crime<sup>1</sup> and in relation to the use of the police's use Facial Recognition<sup>2</sup>.

#### **Historical Image Sharing with Kings Cross Estate for the purposes of Facial Recognition**

4. Kings Cross Estate Services operated two Facial Recognition cameras, covering a single location at King's Boulevard between May 2016 and March 2018. During that time, at a local working level, Camden Police provided images of wanted individuals, known offenders and missing persons to Kings Cross Estate Services.
5. There were local Information Sharing Agreements in place during this period which governed the sharing of images between Camden Police and Kings Cross Estate Services for the purposes of Facial Recognition. These can be found in the annex, but the most relevant sections are also referred to in this report.

➤ Detail of the Facial Recognition System used by Kings Cross Estate Services

6. The Information Sharing Agreements state in paragraph 2.1 that the NEC Facial Recognition system used by Kings Cross Estate Services relied on an independent server. The server could only be accessed by one authorised individual, who was signatory to the Information Sharing Agreement. This agreement was overseen by three senior managers from Kings Cross Estate Services whose role was to ensure that information from Camden Police was handled appropriately. All signatories to the Information Sharing Agreements (including the authorised individual and the three senior managers) passed police vetting to the standard of NPPV2. The server was located in the CCTV control room at Kings Cross Estate. This was a locked room with restricted access and CCTV coverage. The room was staffed 24/7 by the CCTV controllers.

➤ Information that was shared with Kings Cross Estate Services

7. Under the Information Sharing Agreements, Camden Police provided Kings Cross Estate Services with files containing images and reference numbers of persons who had been arrested and charged/cautioned/reprimanded or given a formal warning. Names were not routinely provided and no further personal information was made available to the third party. Data was extracted from CRIS, Police National Computer (PNC) and Custody Imaging System.

➤ What was the process for the sharing of images?

8. A record of images disclosed to Kings Cross Estate Services was created on CRIMINT by the MPS SPOC at the time the information was supplied, or as soon as possible thereafter. Images were transferred via the MPS SPOC using an encrypted USB, hard drive or via a secure email system. Any shared images were only held as long as their retention remained relevant for the purposes of the Information Sharing Agreement. Old physical files were collected by the MPS SPOC and destroyed. Old electronic files were deleted in the presence of the MPS SPOC. We have verified that these images are no longer held by Kings Cross Estate Services. Only the vetted signatories of the Information Sharing Agreements had access to the MPS information.

➤ What information did MPS share for the purposes of Facial Recognition

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<sup>1</sup> R. (on the application of M) v Chief Constable of Sussex [2019] EWHC 975 (Admin)

<sup>2</sup> R. (on the application of Bridges) v Chief Constable of South Wales [2019] EWHC 2341 (Admin)

9. A search of MPS records (CRIMINT) has identified that 7 images were shared between Camden Borough Police and Kings Cross Estate Services for the purposes of Facial Recognition under the Information Sharing Agreements between May 2016 and March 2018. On each occasion the images were shared in order to prevent crime, to protect vulnerable members of the community or to support the safety strategy.
10. We do not hold records of any images received from Kings Cross Estate Services between May 2016 and March 2018 as a result of Facial Recognition.

➤ Did any of these 7 images result in a Facial Recognition match?

11. We do not hold records of whether or not there was ever a match with the 7 MPS images that were provided. Neither do we hold records of whether police action was ever taken as a result of a Facial Recognition match. If there had been a successful match, the MPS SPOC would have been made aware, enabling them to make a decision on how to act on this information on a case by case basis.

**12. Current Situation between Central North Basic Command Unit and Kings Cross Estate Services**

Since March 2018 when the old Facial Recognition technology ceased to be operational, no images have been shared for the purposes of Facial Recognition between the MPS and Kings Cross Estate Services, or any other related third party company. Since March 2018, the MPS has not received images from Kings Cross Estate Services, or any other related third party company, as a result of Facial Recognition.

13. A new Data Sharing Agreement was put in place between the MPS and Kings Cross Estate Services on 5 January 2019. Notwithstanding the statement at paragraph 12, this agreement included reference to the old NEC Facial Recognition system owned by Kings Cross Estate Services and the potential use it could provide to police. This statement drew on text from the older Information Sharing Agreements and was made in error. This has now been reviewed and amended by the BCU Commander. No information was shared under the 5 January 2019 information sharing agreement for the purposes of Facial Recognition.

**Elsewhere across the twelve Basic Command Units and other Operational Command Units**

14. A review has taken place across the twelve Basic Command Units and other Operational Command Units. This has found no further evidence of current or historical image sharing with third parties for the purposes of Facial Recognition. In order to cover off the historical angle, this review has been reliant partly on corporate memory and partly on technology, both of which do carry some limitations as referenced at paragraph 1.

**Looking to the Future**

15. Guidance has been given to all OCU Commanders stating the MPS current position that images must not be shared with third parties for the purposes of Facial Recognition. This policy will be kept under review.

16. The MPS are building a Data Office which will become the central repository for all Information Sharing Agreements. This centralisation will provide a greater level of oversight and expertise where proposals are made to share information.