

Supplementary written evidence submitted by Lindsey Chadwick, Director of Intelligence, Metropolitan Police (GAI0121)

Dear Mr Clark,

Thank you for the opportunity to provide oral evidence to the Science, Innovation and Technology Committee on 24 May 2023 on the subject of 'Governance of artificial intelligence'.

I see Facial Recognition Technology as an important example of how law enforcement can use AI to enhance its law enforcement capabilities to deliver precise community-based crime fighting tactics. Led by intelligence, we are able to place our effort where it is likely to have the greatest effect. Live Facial Recognition (LFR) enables us to be more focussed in our approach to tackle crime, including robbery and violence against women and girls. Its capability can also have a protective effect and we are seeing anecdotal benefits from the assurance it brings communities who take confidence from its ability to locate criminals and disrupt patterns of criminality.

Below are the areas that I promised to follow up on with some additional information, along with a correction and a couple of points for the Committee to note.

January 2022 Live Facial Recognition technology deployment

This LFR deployment was raised due to an alert which occurred and the officer decided to follow up and investigate the identity of the individual concerned using the appropriate and lawful means at their disposal. In this instance, the alert turned out to be false. Based on the study by the National Physical Laboratory, the chances of a false alert at the 0.6 threshold we use are just 1 in 6000. While I cannot go into the personal detail of this individual case, I can explain the process that will take place when an alert occurs.

After an alert has taken place, an officer must make their own decision as to the viability of the alert and as to whether an engagement should take place, based on their own reasonable grounds of suspicion. It is not an automatic consequence that an alert results in an engagement. If an engagement takes place the officer is likely to want to ascertain their identity.

If an engaged individual cannot be identified or fails to confirm their identity, this alone does not constitute a criminal offence and does not necessarily render them liable to arrest. Officers must be in a position to justify the use of any powers, any action taken, and have a lawful basis for doing so.

The use of false identification documents is another factor that officers will be alert to when exercising their policing powers to ascertain identity under Section 61 of the Police and Criminal Evidence Act (PACE). It is not the facial recognition technology which leads to this, but a police officer being professionally diligent. Where members of the public choose to exercise their right to avoid the LFR cameras, officers are reminded during training that this is not an offence. The police have no legal powers to direct or compel members of the

public to pass in front of the cameras. None of this means that LFR engagement officers, or other officers involved in an ancillary role linked to an LFR Deployment, cannot or should not engage with a member of the public as they would do in any other set of circumstances where someone's behaviour or presence gives rise to suspicion or the use of any other policing power where it is right and proper to do so.

After the conclusion of a deployment, the alerts are subject to a post-deployment review by the Met's dedicated FR Team. This allows their validity to be retrospectively considered too against the high level of performance expected from the system with the opportunity to consider if any performance issues or trends arise for further analysis.

Evaluation and Statistics

There have been 6 LFR deployments in 2023, 3 in Camden and Islington and 3 vehicles deployed at the Coronation. During these deployments there were 2 arrests made. I reiterate here that LFR is not a technology that will typically result in a huge increase in arrests and it should not be viewed as an operational tactic in isolation. The benefit is more complex than that depending on the use case, be it seeking to tackle patterns of criminality or protective effect. It should always be set in the context of a wider policing operation.

Taking the Coronation as an example, LFR played a deterrent effect, in addition to enabling the police to identify wanted offenders. We recognise there is further work to do to communicate what success looks like. As the cases work through the CPS we will be able to track these, but also find a way to better describe the qualitative as well as quantitative impacts.

Police National Database

The Police National Database is a Home Office system. This is a live system where the numbers will change regularly. I recommend an up to date number of images held on this system is requested from the Home Office.

Operational oversight during a deployment

The question was raised about the potential for someone to subvert the process and include an additional (non-lawful) image on the watchlist. To provide some reassurance, I can offer a little more detail as to the process involved and how the Met has designed in safeguards to protect against this. This process involves multiple people and would make it very difficult for the outlined scenario to take place.

The watchlist is authorised by defined category by the authorising officer, usually at Superintendent level. This is then sent by the LFR team to the Digital Policing Team to write the 'script' and retrieve the correct data. This process is fully auditable. Once this data has been generated it is placed into a secure, auditable file that only named individuals have access to. Named individuals receive an email saying the watchlist data has been uploaded. LFR engineers with role based access approvals then go into the secure file and extract the data. This is via an encrypted USB that is numerically password protected. This data is then loaded to the LFR application. The number of images in the original file is then checked against the number of images that are on the system – any discrepancy is reported to the LFR team for review.

On the ground, the LFR engineers would have to perform a number of functions to add any single image to the watchlist. This action would require special approval and is monitored by the silver commander (Inspector or above) at the scene. The watchlist is deleted at conclusion of operation or within 24 hours and the LFR system is auditable.

Correction

I was asked how many times LFR had been deployed at Notting Hill Carnival and answered once in the early days of learning about the technology. The Met has in fact deployed twice at Notting Hill Carnival, in 2016 and 2017 using an early version of the algorithm (S17).

Points of note

The report by the National Physical Laboratory has enabled us to further our understanding of the demographic performance in an operational environment of the M40 algorithm that we now use. At the setting we have been using it, the performance is the same across race and gender and the chance of a false match is just 1 in 6000 people who pass the camera. When used at a threshold setting of 0.6 or above, any differences in matches are not statistically significant. We commit to always publish what setting we have used at every deployment.

Finally, I wanted to clarify a point on the deletion of biometric data. Where the LFR system does not generate an alert, that person's biometric data is immediately automatically deleted. All CCTV footage generated from LFR deployments is deleted within 31 days. Where exceptions apply, this is in accordance with the Data Protection Act 2018, MOPI and the Criminal Procedures and Investigations Act 1996. More details can be found online in the Standard Operating Procedure for Met Police use of LFR.

Observing an LFR deployment

We have early plans to deploy LFR at the Trooping of the Colour on 17 June as part of a wider policing operation to support public safety and to benefit from the protective effect LFR can offer policing commanders and the public. We would be happy to welcome observers at this. Could you let me know if this would be of interest and if so, how many might like to attend so we can put a plan together.

8 June 2023