

29th January 2019

Griff Ferris

griff.ferris@bigbrotherwatch.org.uk

Dear Griff Ferris

Freedom of Information Request – Reference No:20182312

REQUEST

Revised request

- 1. Is your force currently collecting digital information from devices belonging to complainants of sexual offences? For reference, “collecting digital information” in this context should be taken to mean and include any form of examination, access, extraction, copying or download of such digital information from digital devices, whether by self-service kiosks (SSKs), other device extraction software, or by external digital forensic examiners.*
- 2. Does your force currently have any digital devices awaiting examination? If yes, please provide details of:
 - i. The number of devices currently awaiting examination.*
 - ii. the average wait time for a digital device to be examined.**
- 3. Does your force seek consent from complainants of sexual offences for the collection and/or disclosure of their personal information from their digital device or a third party organisation such as medical records, counselling records, local authority records or educational records?*
- 4. Has your force disclosed any digital information collected from digital devices belonging to complainants of sexual offences to the Crown Prosecution Service or the defendants' legal representatives?*
- 5. Does your force currently use any form of artificial intelligence, machine learning, or other automated system to analyse the digital information collected from complainants of sexual offences' digital devices? For reference, “collected” in this context should be taken to mean and include any form of examination, access, extraction, copying or download of such digital information from digital devices, whether by self-service kiosks (SSKs), other device extraction software, or by external digital forensic examiners. If yes, please provide details of:
 - i. the system or technology that your force is currently using.*
 - ii. for what purpose the system or technology is being used.**
- 6. Is your force currently trialling any form of artificial intelligence, machine learning, or other automated system to analyse the digital information collected from complainants' digital devices or have plans to trial or use this technology in the next 2 years? If yes, please provide details of:
 - i. the system or technology that your force is planning on using or trialling.*
 - ii. for what purpose the system or technology will be used.**
- 7. Does your force currently request, access or obtain information about complainants of sexual offences from third parties as part of investigations into sexual offences, including but not limited to material held by local authorities, medical and psychiatric records, counselling records, and school or education records?*

CLARIFICATION

South Yorkshire Police has received a number of similar requests to yours in the past.

<https://www.southyorkshire.police.uk/find-out/accessing-information/request-information-under-the-freedom-of-information-act/predictive-policing-programme-ref-20180964/>

<https://www.southyorkshire.police.uk/media/2480/20181495-response.pdf>

<https://www.southyorkshire.police.uk/media/2270/20181279-response.pdf>

FROM THE REQUESTER

Thank you for the request for clarification.

The previous requests are specific and narrowly focused on certain and specific types of predictive and risk-analysis systems. I am asking a wider question. In addition, these requests were made 6 months ago.

I would like to continue with the original request.

RESPONSE

1. Yes
2. I approached our Digital Forensic Unit for assistance with this question. They advise they are unable to provide the number of devices but can give a figure of 208 ongoing cases. Turnaround times are 4-12weeks dependant on the time scale allocated as per their SLA.
3. Yes
4. Yes
5. We have been asked this type of question previously where we approached the Specialist Crime Services Unit and the Local Command Team for assistance with your request.

A Superintendent has advised:

“we don’t use AI on anything”

Therefore our response is one of “No Information Held”

6. As 5
7. Yes

If you are unhappy with the way your request for information has been handled, you can request a review by following the advice contained in the separate notice enclosed with this correspondence:

If you remain dissatisfied with the handling of your request or complaint, you have a right to appeal to the Information Commissioner at:

The Information Commissioner's Office,
Wycliffe House,
Water Lane,
Wilmslow,
Cheshire, SK9 5AF.
Telephone: 08456 306060 or 01625 545745
Website: www.ico.gov.uk

Yours sincerely

Louise Holmes
Information Compliance Clerk
South Yorkshire Police
Information Compliance Unit
Professional Standards Department
Unit 20 Sheffield 35A Business Park
Churchill Way
Sheffield
S35 2PY

Please note that police forces in the United Kingdom are routinely required to provide information and statistics to government bodies and the recording criteria is set nationally. However, the systems used for recording these figures are not generic, nor are the procedures used locally in capturing the data. It should be noted that for these reasons this forces response to your questions should not be used for the comparison purposes with any other response you may receive.

South Yorkshire Police provides you the right to request a re-examination of your case under its review procedure (copy enclosed). If you decide to request such a review and having followed the Constabulary's full process you are still dissatisfied, then you have the right to direct your comments to the Information Commissioner who will give it consideration.

The South Yorkshire Police in complying with their statutory duty under sections 1 and 11 of the Freedom of Information Act 2000 to release the enclosed information will not breach the Copyright, Designs and Patents Act 1988. However, the rights of the copyright owner of the enclosed information will continue to be protected by law. Applications for the copyright owner's written permission to reproduce any part of the attached information should be addressed to The Force Solicitor, South Yorkshire Police, Police Headquarters, 5 Carbrook Hall Road, Sheffield, S9 2EG

Appeal Process for Freedom of Information

Using this process will not affect your right to appeal directly to the Information Commissioner. However, it will usually be quicker if matters can be resolved locally using this process.

Who can appeal?

Anyone who has requested information from the Force in writing can appeal within 20 working days from the date of the response provided. If you have requested information and you are not satisfied with the way we have dealt with your request, you can use the appeal process to have it looked at again. If someone who requested information would like to appeal but cannot do so themselves you can appeal on their behalf, but it will help us if you make it clear that you are doing so.

What can I appeal about?

You can appeal about the range, amount and format of information we have sent following a request. You can also appeal about the way a request was handled – for example, the time it took to respond, or the way letters were worded.

How do I appeal?

You can appeal by writing, emailing or faxing your appeal/complaint to the address below. To deal with your appeal as quickly as possible, it will help if you can give us as much information as you can about the request made, such as the reference number, and the reason for your appeal/ complaint.

What happens to my appeal?

Once we have enough details to identify the request you are concerned about, a qualified person, other than the initial decision maker, will deal with the internal review.

How long does it take?

Whatever their conclusion, you will be informed of the result as soon as possible, and in any case within 20 days of submitting your appeal.

If you are still not satisfied, you may then appeal to the Information Commissioner.

Appeal Address

**Information Compliance Unit South Yorkshire Police Professional Standards
Department Unit 20 Sheffield 35A Business Park Churchill Way Sheffield S35 2PY**

Email foi@southyorks.pnn.police.uk