

WILTSHIRE POLICE



XXXXXXX
By email

**Force Disclosure Unit
Police Headquarters**
London Road
DEVIZES
Wiltshire
SN10 2DN

Date 6th October 2022

Our Ref FOI 2022/707

Dear XXXXX,

I write in connection with your request for information dated 1st September 2022, concerning predictive mapping systems or applications, data analysis, automated decision-making systems, machine learning and artificial intelligence. Please accept my apologies for the delay in providing a response to your request.

I am required by the Freedom of Information Act 2000 to handle all requests in a manner that is blind as to the identity and motives of the requestor. Any information released as a response to a request is regarded as being published and therefore in the public domain without caveat.

Following receipt of your request, research was conducted by the Improvement and Change department at Wiltshire Police and I am able to respond as follows.

You wrote and our response:

I have considered your request and I am able to provide a partial response to your request. Some of the information relevant to this request is exempt by virtue of Section 31(1)(a)(b) - Law Enforcement and s40(2) - Personal Data.

- ❖ Section 31 is a qualified prejudice-based exemption and therefore requires Wiltshire Police to establish the harm in disclosure, along with the public interest favouring and against disclosure.
- ❖ Section 40 is an absolute exemption and therefore there is no requirement to articulate the harm or conduct a Public Interest test.

I write to request information and records under the Freedom of Information Act (FOIA) 2000 regarding your force's use of data analysis systems, automated decision-making systems, machine-learning and artificial intelligence.

Specifically I would like the following information:

1. Is your force using predictive location or geographic crime or incident mapping systems or applications?

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Yes - Qlik Sense

a. If yes, please provide details of which system(s) your force is using, including:

i. The date it started being used;

Our contract started on 01/10/2018, however the Force did not start developing content until early 2019. The tools asked about in this request were developed and improved upon after that.

ii. What the purpose of the system is and who are the primary targets of the system;

We use Qlik Sense to map crimes and incidents for use in self-service dashboards; we don't use it for any predictive purposes.

iii. What data the system uses and, if available in an easily accessible format, the sources of that data;

The data is from our Crime and Incident databases, and uses the incident location and/or person address location.

iv. What outcomes the system's decisions or outputs impacts, influences or is used for;

The outcomes of the system's decisions or output is exempt from disclosure. Please see below harm and public interest tests.

v. Data Protection Impact Assessment and Equality Impact Assessments which have been conducted;

A DPIA has been conducted for the use of Qlik Sense, and data owners are consulted prior to apps being published to audiences.

Please see attached DPIA.

Note: This has been redacted in line with s31(1)(a)(b) - please see below harm and public interest tests - and s40(2), with regards to names of individuals within the DPIA document.

vi. Any internal reviews, reports or assessments of the operation of this system(s).

Wiltshire Police have had verbal presentations and reviews.

2. Is your force using individual risk assessment systems which involve data analysis, automated decision-making, machine-learning and/or artificial intelligence?

Yes - Qlik Sense

a. If yes, please provide details of which system(s) your force is using, including:

i. The date it started being used;

As above in question 1(a)(i).

ii. What the purpose of the system is and who are the primary targets of the system;

In addition to question 1(a)(ii), we use Qlik Sense to automate risk assessments of people accused and/or suspected of committing crime.

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- iii. What data the system uses and, if available in an easily accessible format, the sources of that data;

In addition to question 1 (a) (iii), data comes from our Crime recording database with additional data for ranking the severity of crime (Cambridge Harm Index).

- iv. What outcomes the system's decisions or outputs impacts, influences or is used for;

As above with question 1 (a) (iv), please see below harm and public interest tests.

- v. Data Protection Impact Assessment and Equality Impact Assessments which have been conducted;

As above with question 1 (a) (v), please see below harm and public interest tests.

- vi. Any internal reviews, reports or assessments of the operation of this system(s).

As above with question 1 (a) (vi).

- 3. Is your force using any other predictive, profiling or risk assessment systems, which involve data analysis, automated decision-making, machine-learning and/or artificial intelligence?

No - Qlik Sense is currently the only such tool. We use it as above and also to predict crime and incident volumes for the coming 12 months (for data analytical purposes).

We presently have no tools for/utilising automated decision-making, machine-learning and/or artificial intelligence.

- a. If yes, please provide details of which system(s) your force is using, including:

- i. The date it started being used;
- ii. What the purpose of the system is and who are the primary targets of the system;
- iii. What data the system uses and, if available in an easily accessible format, the sources of that data;
- iv. What outcomes the system's decisions or outputs impacts, influences or is used for;
- v. Data Protection Impact Assessment and Equality Impact Assessments which have been conducted;
- vi. Any internal reviews, reports or assessments of the operation of this system(s).

S31(1)(a)(b) - Law Enforcement

Harm test

Although there is a need for openness and transparency between the Force and the public, this needs to be balanced against any harm in providing a disclosure. The Police Service have a clear responsibility to prevent and detect crime and disorder, as well as maintaining public safety. If information was to be disclosed that would identify specific methodologies and processes, this would assist in making predictive policing and artificial intelligence tools less effective; i.e. by providing information which would reveal details of specific algorithms, it may make it easier to determine the exact procedures and methodologies used within an area of policing. Additionally, disclosure could undermine the current intelligence activity patterns and trends into specific crime types. The awareness of this would provide criminals, or those with criminal intent, information on

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how to pre-empt the police map of crime and therefore would assist offenders to work in a way that avoids detection in the future. Such awareness may also make these systems and programmes vulnerable to infiltration and disruption by cyber criminals.

Factors favouring disclosure

Placing this information into the public domain would show Wiltshire Police are being open and transparent with the public, and would lead to a better awareness for the public that the Force are proactively implementing tactical software tools to assist with the detection of crime. The public expect Forces to use all powers and tactics available to prevent and detect crime and disorder and maintain public safety. Disclosure would also ensure Wiltshire Police can be held accountable for their actions.

Factors against disclosure

To disclose the intricate details of software systems that assist with the prevention and detection of crime would not be in the public interest. Placing this information into the public domain would enable criminals, or those with criminal intent, to try and use the information to gain an insight into the predictive policing tools, which could be used by them to their advantage, over their policing purpose for the assisting in the delivery of operational law enforcement. Placing this information into the public domain would put the public at a greater risk, resulting in trust in the Force diminishing.

Balance test

It is agreed there is a public interest in transparency and openness between the Force and the public, in addition to the public seeing how the Force are engaging with the threat from criminals. However, there is a strong interest in ensuring the public are protected from the threat of criminals and that the enforcement of the law and the preventing and detection of crime is upheld. To provide a disclosure of information which is likely to assist criminals, or those with criminal intent, would seriously undermine the effective delivery of operational law enforcement and is therefore exempt from disclosure.

Section 17 of the Freedom of Information Act 2000 requires the Constabulary, when refusing to provide information (because the information is exempt) to provide you the applicant with a notice which: (a) states that fact, (b) specifies the exemption in question and (c) states (if that would not otherwise be apparent) why the exemption applies.

In accordance with the Freedom of Information Act 2000 this letter acts as a Refusal Notice for those aspects of your request.

Exemptions applied:

Section 31(1)(a)(b) – Law Enforcement
Section 40(2) – Personal Data

I am satisfied that all the relevant information has been passed to me and been considered in the light of your request within the time constraints applicable under the legislation.

Wiltshire Police would like to thank you for the interest that you have shown in the Force.

Yours sincerely,

Abigail Standidge

Phone: 01722 547081

Email: abigail.standidge@wiltshire.police.uk

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Wiltshire Police offers a re-examination of your case under its review procedure.



Force Disclosure Unit

Wiltshire Police HQ, London Road, Devizes, Wiltshire SN10 2DN
Telephone 101 ext 62005



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Freedom of Information Request Appeals Procedure

1. Who Can Ask for a Review

Any person who has requested information from Wiltshire Police, which has been dealt with under the Freedom of Information Act, is entitled to complain and request an internal review, if they are dissatisfied with the response they received.

2. How to Request a Review

Requests for review of a Freedom of Information request must be made in writing to the:

Force Disclosure Unit
Wiltshire Police Headquarters,
London Road, Devizes,
Wiltshire,
SN10 2DN

Email at disclosure@wiltshire.police.uk.

The reference number, date of the request and details of why the review is being requested must be included. Requests for review should be brought to the attention of the Force Disclosure Unit within 20 working days of the Force's response to the original FoI request.

3. Review Procedure

Receipt of a request for review will be acknowledged in writing to include confirmation of the reasons for the review. The review will be conducted by another Decision Maker, who is independent from the original Decision Maker. The Force Disclosure Unit will set a target date for a response. The response will be made as soon as is practicable with the intention to complete the review within twenty working days. In more complex cases the review may take up to 40 working days.

The Independent Decision Maker will conduct a review of the handling of the request for information and of decisions taken, including decisions taken about where the public interest lies in respect of exempt information where applicable. The review enables a re-evaluation of the case, taking into account the matters raised by the complaint.

4. Conclusion of the Appeal

On completion of the review the Independent Decision Maker will reply to the complainant with the result of the review. If the complainant is still dissatisfied following the review they should contact the Information Commissioner to make an appeal. The Information Commissioner can be contacted via the following details:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Tel: 01625 545 700
Fax: 01625 524 510
Email: mail@ico.gsi.gov.uk

Please note that the ICO's offices will be closed for the foreseeable future and are therefore unable to receive correspondence via post.

If you should wish to contact them, please visit <https://ico.org.uk/global/contact-us/>

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