

22 June 2020

Kendra Cox
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Dear Kendra

REQUEST FOR INFORMATION – OUR REFERENCE: 01-20-12757

Thank you for your initial email request dated 13 May 2020 in which you requested:

Please give the following details of the technology used during your recent trial of facial recognition software.

1. *What does the facial recognition technology used by NZ Police do?*
2. *What methods does the technology used by NZ Police use to do this?*
3. *How did the NZ Police use this technology?*
4. *How and where was this information stored by NZ Police?*
5. *Does Clearview AI have access to this information?*
6. *Has this information been deleted? If not, will it be? If yes, please give details of date and methods for deletion.*
7. *What were the beginning and end dates of this trial?*

Finally, please attach any documents regarding the agreement between NZ Police and Clearview AI (and any parent, subsidiary, or related companies or developers that were involved in this agreement) for the development, monitoring, or use of this software.

I have considered your request in accordance with the Official Information Act 1982.

The New Zealand Police High Tech Crime Group routinely trial new and novel software on behalf of Police.

Police National Headquarters

180 Molesworth Street. PO Box 3017, Wellington 6140, New Zealand.
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1. What does the facial recognition technology used by NZ Police do?

Information regarding the Technology used during the trial can be located at <https://clearview.ai/>.

2. What methods does the technology used by NZ Police use to do this?

Taken from a Clearview AI Accuracy Test Report:

“Clearview is a facial-image-matching software system that operates as an Internet search engine for faces. Clearview has indexed the publicly available Internet to create a database of images containing approximately 2.8 billion faces.

With a traditional search engine, users search by typing in search terms. With Clearview, users search by uploading an image containing the face to be searched. If Clearview detects a face in the photo, it matches the face against the images in its database, returning any images containing a face that matches. (If the submitted image contains multiple faces, such as in a group photo, Clearview provides the user with a choice of which face to search for.) The matched face is displayed, along with the hyperlink to the website where the image was found.

It is important to note that Clearview only matches faces in images. It does not attempt to determine any characteristics of the person such as sex, age, or race. It only searches for images from the Internet in its database with matching faces.”

3. How did the NZ Police use this technology?

A trial licence was obtained and during February and March 2020 was used on a limited basis to assess whether there was any investigative value in the product.

Police routinely seek to identify pictures of unknown persons associated to crimes that had been captured on CCTV, phone or similar.

Searches were uploaded for comparison, from the relevant pictures of the unknown persons associated to crimes.

During the limited trial it became clear that within a New Zealand setting the Clearview AI database provided limited value in terms of identifying these unknown persons associated to crimes.

4. *How and where was this information stored by NZ Police?*

Searches were uploaded for comparison, from the relevant pictures of an unknown person associated to a crime.

Generally these original photos or screenshots form part of the investigation cases and are retained on the individual cases as evidence.

5. *Does Clearview AI have access to this information?*

Clearview do not retain the uploaded picture of the unknown person associated to a crime, nor add them to their database. This is a standard consideration for Police when assessing data sovereignty issues and the privacy impact of any product.

The only information visible on the Clearview dashboard is the number of searches completed.

6. *Has this information been deleted? If not, will it be? If yes, please give details of date and methods for deletion.*

There is no information to be deleted. In the event that Clearview AI had identified a person, inquiries would have been undertaken to confirm or negate the identity via traditional means.

7. *What were the beginning and end dates of this trial?*

The capability assessment started on 19 February 2020 and the last search occurred on 19 March 2020.

Finally, please attach any documents regarding the agreement between NZ Police and Clearview AI (and any parent, subsidiary, or related companies or developers that were involved in this agreement) for the development, monitoring, or use of this software.

The terms and conditions of Clearview AI can be found at https://staticfiles.clearview.ai/terms_of_service.html

We conducted this trail under their standard terms and conditions as per their website. We did not enter into any specific contract.

If you are not satisfied with the response to your request, you have the right to refer the matter to the Office of the Ombudsman to seek a review and investigation of my decision.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'Greg Dalziel', written over a horizontal line.

Detective Senior Sergeant Greg Dalziel
High Tech Crime Group
Police National Headquarters