Adam Vaughan
request-642347-5e12a9d9@whatdotheyknow.com

Reference: FOICR 57602/20

24 February 2020

Dear Mr Vaughan

FREEDOM OF INFORMATION REQUEST

Thank you for your email of 3 February in which you ask for information regarding any changes made to the algorithm powering the passport photo checking service.

Your request has been handled as a request for information under the Freedom of Information Act 2000. I have answered your questions in the order in which you have asked them below:

1) whether you have made any changes since 9 October 2019 to the algorithm powering your passport photo checking service, to make it work better with very pale or dark faces (as referenced here … )

Yes, we have worked with the vendor of the tool used in the photo checking service, identifying one of the checks it conducts as a priority for improvement. They have taken our feedback in conjunction with work they have carried out independently and amended the tool, which is currently undergoing their testing. Her Majesty’s Passport Office will then conduct its own testing before deploying the updated software as part of the online passport application service.

2) whether you have commissioned any new work or research on improving how the algorithm works for those people. If there are any reports or documents relating to that work, please share them. I am only seeking work undertaken since 9 October 2019.

I can confirm that Her Majesty’s Passport Office holds the information that you have requested.

However, after careful consideration we have decided that the information is exempt from disclosure under section 31 (1)(a) and (e) of the Freedom of Information Act.
These provide that information can be withheld where disclosure would or would be likely to prejudice the prevention and detection of crime and the operation of immigration controls. Section 31(1)(a) and (e) is a qualified exemption subject to the public interest test.

Arguments for and against disclosure in terms of the public interest, with the reasons for our conclusion, are set out in the attached Annex.

Furthermore, some of the information is commercially sensitive and exempt from disclosure under section 43 of the Freedom of Information Act.

If you are dissatisfied with this response you may request an independent internal review of our handling of your request by submitting a complaint within two months to foi@homeoffice.gov.uk, quoting reference FOICR 57602. If you ask for an internal review, it would be helpful if you could say why you are dissatisfied with the response.

As part of any internal review the Department's handling of your information request would be reassessed by staff who were not involved in providing you with this response. If you were to remain dissatisfied after an internal review, you would have a right of complaint to the Information Commissioner as established by section 50 of the FOIA.

Yours sincerely

S Sajed
Freedom of Information Team
FREEDOM OF INFORMATION REQUEST 57602/20 Adam Vaughan

Public interest test in relation to section 31 (1) (a) and (e)

Some of the exemptions in the FOI Act, referred to as ‘qualified exemptions’, are subject to a public interest test (PIT). This test is used to balance the public interest in disclosure against the public interest in maintaining the exemption. We must carry out a PIT where we are considering using any of the qualified exemptions in response to a request for information.

The ‘public interest’ is not the same as what interests the public. In carrying out a PIT we consider the greater good or benefit to the community as a whole if the information is released or not. Transparency and the ‘right to know’ must be balanced against the need to enable effective government and to serve the best interests of the public.

The FOI Act is ‘applicant blind’. This means that we cannot, and do not, ask about the motives of anyone who asks for information. In providing a response to one person, we are expressing a willingness to provide the same response to anyone including those who might represent a threat to the UK.

Considerations in favour of disclosing the information

There is a general public interest in disclosure so that the public can have greater reassurance in the processes of formulating policy and the fact that openness in government increases public trust in, and engagement with, the government. We understand that there is public interest in information relating to the changes to the algorithm powering the passport photo checking service.

Considerations in favour of not disclosing the information

Releasing any reports or documents relating to the photo store could provide potential fraudsters with avenues and hints on how to gauge the potential strengths and weaknesses of how the algorithm works. We consider that the disclosure of any information relating to the checks that Her Majesty’s Passport Office conduct on photo checks could enable criminals to circumvent the security checks conducted by Her Majesty’s Passport Office and compromise the integrity and security of the process that prevents fraud and identity theft. Issuing these documents to those not entitled to hold them would also undermine the checks conducted by our border control. If individuals with an interest in circumventing Her Majesty’s Passport Office checks in order to fraudulently obtain a document are able to view some of the warning indicators which might prompt further enquiries on our side, this will provide them with information which they could use to ensure those indicators are not present on a bogus application, increasing the chance of bypassing our immigration controls.
This would have an adverse impact on other government departments, local authorities and private companies who use the passport as one reliable element of their security checks. As a result, Her Majesty’s Passport Office would lose the trust of the general public in safeguarding their identity and the British passport would no longer hold its reputation both nationally and internationally.

Conclusion

We conclude that the balance of the public interest lies in maintaining the exemption and withholding the information.