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**VIA EMAIL**

April 11, 2019

[ applicant information ]

Dear

Re: Request for Records: BCLC File 19-008

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British Columbia Lottery Corporation (BCLC) writes further to your January 16, 2019 request under B.C.'s *Freedom of Information and Protection of Privacy Act* (FIPPA) and BCLC's letters dated January 16, 2019 and February 11, 2019.

You requested:

"...any report or review into the testing of facial recognition software, from the first time we became aware of it around January 1, 2010 to January 15, 2019."

BCLC is providing 83 pages of records in response to your request. Some information has been withheld from disclosure under sections 13, 15, 17, 19, 21 and 22 of FIPPA. Below are the reasons for withholding information under each of the exceptions to disclosure noted.

**Section 13 (policy advice or recommendations)**

The information withheld under this section constitutes advice and recommendations by BCLC staff and others to BCLC decision makers regarding the implementation of facial recognition.

**Section 15 (harm to law enforcement)**

The information withheld under this section is harmful to law enforcement because it would reveal anti-money laundering control processes as well as investigative techniques and procedures currently used or likely to be used in law enforcement. If disclosed, the information would be useful to those seeking to evade detection for committing offences. In addition, some information withheld under this section could harm the security of a property or system, including a building, BCLC's computer and communication systems under with section 15(1)(l) of FIPPA.

**Section 17 (harm to the financial or economic interests of BCLC)**

The information withheld under this section is harmful to BCLC's financial or economic interests because disclosure would reveal the testing location of the facial recognition system, which could skew the success or failure rates during the testing period, which could then necessitate changing the testing location with an associated cost. Additionally, some of the information, if disclosed, would reveal details of the negotiation processes with the third party(s) and plans relating to the administration of the facial recognition program by BCLC that have not yet been implemented or made public.

**Section 19 (harm to individual or public safety)**

The information withheld under this section is harmful to individual or public safety because it would reveal the identity of confidential vendor personnel. Disclosure of this information could result in the targeting of those individuals.

**Section 21 (harm to business interests of a third party)**

The information withheld under this section is harmful to third party business interests. It consists of third-party commercial information that was provided, in confidence, to BCLC and disclosure could reasonably be expected to significantly harm the competitive position or the negotiating position of the third parties.

**Section 22 (harm to personal privacy)**

The information withheld under this section consists of the names of various individuals that were identified by the facial recognition program included dates and times of identification and the specific location where those individuals were identified by the system. Disclosure of this information would be an unreasonable invasion of personal privacy.

The full text of sections 13, 15, 17, 19, 21, and 22 of FIPPA can be found at:

[http://www.bclaws.ca/Recon/document/ID/freeside/96165\\_00](http://www.bclaws.ca/Recon/document/ID/freeside/96165_00)

These records will be published a minimum of five business days after release at:

<https://corporate.bclc.com/who-we-are/corporate-reports/reports-disclosures.html>

BCLC intends to give you access to two additional responsive records (19 pages) with some information withheld under sections 15, 17, 19, 21, and 22 of FIPPA. However, the third party(s) have not consented to disclosure of these records. Therefore, BCLC is required under section 24 of FIPPA to advise both you and the third party(s) of its decision to give access to the records.

The third party(s) can request a review of this decision to the Office of the Information and Privacy Commissioner (OIPC) within 20 days of the date of this notice. At the conclusion of the 20 day deadline, BCLC will either send you the record as indicated, or OIPC will notify you of the third party review process and how to participate.

If you have any questions or concerns regarding BCLC's processing of your request, please contact me via e-mail at [clantos@bclc.com](mailto:clantos@bclc.com) or at (250) 377-2076.

Additionally, under section 52 of FIPPA, you may ask the Information and Privacy Commissioner to review this reply to your request for information. You have 30 business days from the receipt of this notice to request a review by writing to:

Office of the Information and Privacy Commissioner for British Columbia  
P.O. Box 9038, Station Provincial Government  
Victoria, BC V8W 9A4

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Sincerely,

[ original signed by ]

Candice Lantos  
Senior Freedom of Information Analyst

Enclosure