The Australian Information Commissioner is conducting a Commissioner initiated investigation under s 40(2) of the Privacy Act 1988 (Cth) into the acts and practices of Clearview (reference CI20/00006) (the Investigation).

The following information is provided in regards to the use of Clearview by members of the AFP attached to the Australian Centre to Counter Child Exploitation (ACCCE).

Q1. Confirm whether the AFP have entered into a Commonwealth contract with Clearview.
A. The ACCCE has not entered into any contract or undertaken any procurement process with Clearview.

Q2. Confirm whether any staff member and/or contractor of the AFP has received a demonstration of the Clearview application.
A. No member of the ACCCE was provided a demonstration of Clearview.

Q3. Confirm whether any staff member and/or contractor of the AFP has received a free trial of the Clearview application.
A. The following members have received a free trial of the Clearview application;
   - s22(1)(a)(ii) AFP4817
   - s22(1)(a)(ii) AFP20377
   - s22(1)(a)(ii) AFP11587 – Account not activated
   - s22(1)(a)(ii) AFP11423
   - s22(1)(a)(ii) AFP4562
   - s22(1)(a)(ii) AFP12180
   - s22(1)(a)(ii) AFP20306
   - s22(1)(a)(ii) AFP21419
   - s22(1)(a)(ii) AFP11217

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Q3a. If so, provide any relevant documents, including (but not limited to) the terms and conditions of the free trial.

A. A trial to the Clearview platform is by invitation only and comes in the form of an automated email from help@clearview.ai sent by another Law Enforcement Officer via the interface. This provides a link to register a trial account for evaluation purposes.
   - A copy of the email is attached as Annexure A.
   - There are no terms and conditions provided.

Q4. Provide the following information about the use of the Clearview application by staff members and/or contractors of the AFP:

i. the names and job titles of the staff members and/or contractors of the AFP that conducted searches on the Clearview application.
   - s22(1)(a)(ii) AFP4817
   - s22(1)(a)(ii) AFP20377
   - s22(1)(a)(ii) AFP11423
   - s22(1)(a)(ii) AFP4562
   - s22(1)(a)(ii) AFP12180
   - s22(1)(a)(ii) AFP20306
   - s22(1)(a)(ii) AFP21419

ii. the date/s on which staff members and/or contractors of the AFP requested access via the Clearview website
   - s22(1)(a)(ii) AFP4817 - 02 Dec 2019
   - s22(1)(a)(ii) AFP20377 - 03 Jan 2020
   - s22(1)(a)(ii) AFP11587 - 09 Jan 2020
   - s22(1)(a)(ii) AFP11423 - 4 December 2019
   - s22(1)(a)(ii) AFP4562 – date not available
   - s22(1)(a)(ii) AFP12180 – 19 December 2019
   - s22(1)(a)(ii) AFP20306 – date not available
   - s22(1)(a)(ii) AFP21419 – 9 December 2019
   - s22(1)(a)(ii) AFP11217 – date not available

iii. details of the process by which staff members and/or contractors of the AFP accessed and/or downloaded the Clearview application.
   - Clearview is accessed via a web based interface.
   - On 22 January 2020 the ACCCE were directed to cease all access to the Clearview service.
   - Historical records of actual searches are unavailable due to this restriction.
iv. the date/s on which the staff members and/or contractors of the AFP used Clearview’s application to search its database of images.

- Historical records of actual searches are unavailable due to the restriction on access to the Clearview platform.

v. the number of searches of Clearview’s database of images undertaken by staff members and/or contractors of the AFP.

- Historical records of actual searches are unavailable due to the restriction on access to the Clearview platform.

vi. a description of the purposes for which each staff member and/or contractor of the AFP used Clearview’s application.

- **s22(1)(a)(ii)** AFP4817 – 02 Dec 2019
  - Initial testing of system using random images from media sites to compare the accuracy of side profile images to front facing images.

- **s22(1)(a)(ii)** AFP20377 – 03 Jan 2020

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<table>
<thead>
<tr>
<th>Action</th>
<th>Date</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Account not activated – no use</td>
<td>Dec 2019</td>
<td>In December 2019 searched on images of herself and another member of staff during a meeting.</td>
</tr>
<tr>
<td>Search on images of herself and another member of staff</td>
<td>Dec 2019</td>
<td>In December 2019 searched on images of herself and two other persons in relation to two separate child exploitation referrals.</td>
</tr>
<tr>
<td>Search on herself and another person of interest</td>
<td>Dec 2019</td>
<td>Searched on herself and another person of interest (documentation provided in Question 6).</td>
</tr>
<tr>
<td>Search on several persons of interest, some identified and others not as a result of referrals to the Child Protection Triage Unit</td>
<td>Dec 2019</td>
<td>Searched on several persons of interest, some identified and others not as a result of referrals to the Child Protection Triage Unit.</td>
</tr>
<tr>
<td>Nil searches conducted.</td>
<td>Dec 2019</td>
<td>Nil searches conducted.</td>
</tr>
</tbody>
</table>

Vii. A description of whether or not the searches involved the uploading of images of individuals located in Australia by particular staff members and/or contractors of the AFP.

<table>
<thead>
<tr>
<th>Action</th>
<th>Date</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Search on approximately five persons of interest, who are as yet to be identified as a result of referrals to the Child Protection Triage Unit.</td>
<td>Dec 2019</td>
<td>Searched on approximately five persons of interest, who are as yet to be identified as a result of referrals to the Child Protection Triage Unit.</td>
</tr>
<tr>
<td>Search on herself and another person of interest</td>
<td>Dec 2019</td>
<td>Searched on herself and another person of interest (documentation provided in Question 6).</td>
</tr>
<tr>
<td>Search on several persons of interest, some identified and others not as a result of referrals to the Child Protection Triage Unit.</td>
<td>Dec 2019</td>
<td>Searched on several persons of interest, some identified and others not as a result of referrals to the Child Protection Triage Unit.</td>
</tr>
<tr>
<td>Nil searches conducted.</td>
<td>Dec 2019</td>
<td>Nil searches conducted.</td>
</tr>
</tbody>
</table>

This document has been declassified and released in accordance with the Freedom of Information Act 1982 (Commonwealth) by the Australian Federal Police.
viii. If the searches did involve the uploading of images of individuals located in Australia by particular staff members and/or contractors of the AFP, provide details.

- **Annexure B** includes case note entries generated by case note entry is a current sensitive investigation that has not gone to resolution.

- In addition searched on

- The Person of Interest numbers provided are different between vii and viii due to the specificity of the question in relation to the images of persons located in Australia.

- AFP members’ images were uploaded as per the answer in viii.

Q5. Provide a copy of all correspondence and/or documents that staff members and/or contractors of the AFP, sent to Clearview, or received from Clearview, including (but not limited to) email communications, marketing materials, pricing agreements, quotes, and/or invoices.

A. The following copies of correspondence are attached;

- A sample of the sign on email form is attached - **Annexure A**

- Email correspondence between and Han from Clearview is attached as **Annexure C**.

- **Annexure D** in relation to and

6. Provide a copy of all file notes or other documents generated by staff members and/or contractors of the AFP, recording the results of searches made using the Clearview application.

- Email correspondence between and s22(1)(a)(ii) and s22(1)(a)(ii) as attached as **Annexure E**.

- **Annexure B** includes case note entries generated by case note entry is a current sensitive investigation that has not gone to resolution.

7. Provide a copy of any electronic logs that show access and/or use of the Clearview application by staff members and/or contractors of the AFP.

A. On 22 January 2020 the ACCCE were directed to cease all access to the Clearview service. Historical records of actual searches are unavailable due to this restriction.
ANNEXURE A

s47B

FOI - CRM 2020/671
Disclosure Log

Hi s22(1)(a)(i)

invited you to Clearview!

To try it out for free please click the button below:

Try it out for free

What's Clearview?

Clearview is like Google Search for faces. Just upload a photo to the app and instantly get results from mug shots, social media, and other publicly available sources.

Our technology combines the most accurate facial identification software worldwide with the single largest proprietary database of facial images to help you find the suspects you're looking for.

Feel free to reach out to if you have any questions, comments, or feedback. Just reply to this e-mail or contact help@clearview.ai

Best regards,
—Team Clearview

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THIS DOCUMENT HAS BEEN DECLASSIFIED AND RELEASED IN ACCORDANCE WITH THE FREEDOM OF INFORMATION ACT 1982 (COMMONWEALTH) BY THE AUSTRALIAN FEDERAL POLICE
Great chatting \textsuperscript{s22(1)(a)(ii)}

Just let me know the names/emails of any colleague you want to give the app too

Let's stay in touch!

> On Dec 2, 2019, at 11:18 PM, \textsuperscript{s22(1)(a)(ii)}@afp.gov.au> wrote:

> 
> \textbf{UNOFFICIAL}
> 
> Hi \textsuperscript{s11C}
> 
> Thanks for reaching out. We've only just started using it and so far it has been valuable.
> 
> I'm available anytime.

> Rgds

> \textsuperscript{s22(1)(a)(ii)}

> \textbf{COVERT ONLINE ENGAGEMENT}

> \textbf{AUSTRALIAN CENTRE TO COUNTER CHILD EXPLOITATION AUSTRALIAN FEDERAL POLICE}

> Tel: \textsuperscript{s22(1)(a)(ii)}www.afp.gov.au

> \textbf{UNOFFICIAL}

> -----Original Message-----

> From: \textsuperscript{s11C} s47G@clearview.ai>
> 
> Sent: Tuesday, 3 December 2019 2:13 PM
> 
> To: \textsuperscript{s22(1)(a)(ii)}@afp.gov.au>
> 
> Subject: Connecting re: Clearview

> Hi \textsuperscript{s22(1)(a)(ii)}

> I'm one of the founders of Clearview - and also incidentally from Australia, but now living in the USA

> How have you found the app so far? I would love to connect and learn more about how it can be used for the AFP.

> Let me know what time is good to chat!

> Best Regards

> \textsuperscript{s11C}

> **********************************************************************************

> WARNING
> This email message and any attached files may contain information that
> is confidential and subject of legal privilege intended only for
> use by the individual or entity to whom they are addressed. If you
> are not the intended recipient or the person responsible for
> delivering the message to the intended recipient be advised that you
> have received this message in error and that any use, copying,
> circulation, forwarding, printing or publication of this message or
> attached files is strictly forbidden, as is the disclosure of the
> information contained therein. If you have received this message in
> error, please notify the sender immediately and delete it from your
> inbox.
>
> > AFP Web site: http://www.afp.gov.au
> >*******************************************************************************

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AND RELEASED IN ACCORDANCE WITH THE
FREEDOM OF INFORMATION ACT 1982
(COMMONWEALTH)
BY THE AUSTRALIAN FEDERAL POLICE
From: help=clearview.ai@mg.clearview.ai on behalf of Team Clearview  
Sent: Wednesday, 4 December 2019 11:52 AM  
To: s22(1)(a)(ii)  
Subject: How to use Clearview

Hi s22(1)(a)(ii)

You should have a setup email in your inbox shortly. It only takes one minute to install and start searching.

Here are three important tips for using Clearview:

1. **Search a lot.** Your Clearview account has **unlimited** searches. Don’t stop at one search. See if you can reach 100 searches. It’s a numbers game. Our database is always expanding and you never know when a photo will turn up a lead. Take a selfie with Clearview or search a celebrity to see how powerful the technology can be.

2. **Refer your colleagues.** The more people that search, the more successes. We want to make this advanced technology available to as many investigators as possible. If you think your colleagues might want to try Clearview out for themselves, just send their names and e-mail addresses to help@clearview.ai and we’ll sign them all up too.

3. **Get Clearview for the long haul.** If you like Clearview at the end of your trial period and it’s helping you solve cases, put us in touch with the appropriate person at your organization who can proceed with procurement.

Feel free to reach out to if you have any questions, comments, or feedback. Just reply to this e-mail or contact help@clearview.ai

Finally, please note the disclaimer at the bottom.

Best regards,

— Team Clearview

OFFICIAL DISCLAIMER

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Clearview AI, Inc. makes no guarantees as to the accuracy of its search-identification software. Law enforcement professionals MUST conduct further research in order to verify identities or other data generated by the Clearview AI system.

Clearview AI is neither designed nor intended to be used as a single-source system for establishing the identity of an individual. Furthermore, Clearview AI is neither designed nor intended to be used as evidence in a court of law.

This document has been declassified and released in accordance with the Freedom of Information Act 1982 (Commonwealth) by the Australian Federal Police.
Nice work

---

From: COORDINATOR AUSTRALIAN CENTRE TO COUNTER CHILD EXPLOITATION CRIMF OPERATIONS
Sent: Monday, 9 December 2019 1:10 PM
To: s22(1)(a)(ii)
Subject: s37(1)(a), s33(a)(iii), s47B [DLM=For-Official-Use-Only]

Just out of interest, I ran his mugshot through the trial Clearview FR system and got a hit for his Instagram account. The FR tool looks very good.
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FREEDOM OF INFORMATION ACT 1982
(COMMONWEALTH)
BY THE AUSTRALIAN FEDERAL POLICE
Hi

You have been invited to Clearview! **To activate your account please click the button below:**

![Activate Account](activate_account_button.png)

It only takes **one minute** to install and start searching.

**Remember:** your password must be 8 characters and contain a number.

**What's Clearview?**

Clearview is like **Google Search for faces.** Just upload a photo to the app and instantly get results from mug shots, social media, and other publicly available sources.

Our technology combines the **most accurate** facial identification software worldwide with the **single biggest** proprietary database of facial images to help you find the suspects you're looking for.

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Best regards,

—Team Clearview

---

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Hi,

Welcome to Clearview, please click the link below to verify your email:

https://app.clearview.ai/confirm_email/ImNyYWlnLm1hbmsAYWZwLmdvdi5hdi5l.EMYogA.sR0hWHJs3lwNLOB39UhXXm-cjW0

Thanks,
Team Clearview

*S. If you have any issues or questions, just reply to this email*
From: help=clearview.ai@mg.clearview.ai on behalf of Team Clearview
<help@clearview.ai>
Sent: Monday, 2 December 2019 2:46 PM
To: s22(1)(a)(ii)
Subject: How to use Clearview

Hi s22(1)(a)(ii)

You should have a setup email in your inbox shortly. It only takes one minute to install and start searching.

Here are three important tips for using Clearview:

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Furthermore, Clearview AI is neither designed nor intended to be used as evidence in a court of law.
From: help=clearview.ai@mg.clearview.ai on behalf of Team Clearview
Sent: Monday, 9 December 2019 9:01 AM
To: s22(1)(a)(ii)
Subject: You have been invited to Clearview

Hi s22(1)(a)(ii)

invited you to Clearview!

To try it out for free please click the button below:

Try it out for free

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Welcome to Clearview, please click the link below to verify your email:

https://app.clearview.ai/confirm_email/Im5pY29sZS53YXRrW5zQGFmcC5nb3YuYXUj.EM8ujw.cGPF5ahClGV-W-chZruhPWcdNPs

Thanks,
Team Clearview

PS. If you have any issues or questions, just reply to this email

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From: help=clearview.ai@mg.clearview.ai on behalf of Team Clearview
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![Activate Account](image)

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Welcome to Clearview, please click the link below to verify your email:

https://app.clearview.ai/confirm_email/ImFseXNzYS5zdGFubGV5QGFmcC5nb3YuYXUi.EM9fCA.gH6ZxfXmIK69FrOafolRuNQh4g8

Thanks,
Team Clearview

PS. If you have any issues or questions, just reply to this email
Executive Briefing

Addressee: CACCE

Title: ACCCE Utilisation of Clearview AI

Action required:

For information

Deadline:

N/A

Reasons for proposed actions:

Between 2 December 2019 and 22 January 2020, ACCCE Covert Online Engagement (COE) conducted a limited trial of the Clearview AI facial recognition system in order to ascertain the potential functional capability of the platform to support ACCCE operations.

Background

On 27 November 2019, ACCCE COE and Child Protection Triage Unit (CPTU) were conducting urgent enquiries in relation to National Centre for Missing and Exploited Children (NCMEC), Three media file attached to the report were viewed and contained child abuse material (CAM) as defined in Section 473 of the *Criminal Code Act 1995* (Cth).

During the investigation, ACCCE utilised the resources of to utilise their trial of Clearview in an attempt to identify the offender with no result.

On 27 November 2019, the undersigned was sent the following information from

- He had sent an invite for a demonstration of Clearview via the portal:

- Clearview had three billion images indexed from various social media and open source sites:
On December 2019, the undersigned subscribed to Clearview AI utilising the emailed link from for the purposes of ascertaining the benefits of the platform for ACCCE operations.

Invitations to other team members were sent out with only two activating trial accounts.

A number of open source images (google and news sites) were sourced and subsequently put through Clearview to check the accuracy and effectiveness of the facial recognition algorithm. Initial results appeared positive in regards to accuracy and useability.

On 22 January 2020, the use of Clearview by ACCCE was suspended pending further advice.

The limited use of Clearview by COE was undertaken to assess the value of the platform in order to commence a formal assessment of the platform. The following points are relevant:

- AFP emails were utilised to register accounts;
- There is only one operational use of Clearview in that period to attempt to identify and locate a suspected victim of imminent sexual assault;
- There have been no uses of the platform to search specifically for Australians;
- The COE use of Clearview only utilises publically available photographs of suspects that they themselves have made available. It does not and cannot access personal information that has not been made publically available.
- The operational use of Clearview by COE was in regards to a serious threat to the health or safety of a child targeted for sexual assault by an unidentified suspect.

Consultation:

CACCE
ACCCE Investigations Manager
ACCCE Operations Manager
ACCCE Covert Online Engagement
Expected Reaction:

There is significant interest in the use of Clearview by Australian Law Enforcement by the Australian media and the Office of the Australian Information Commissioner.

To date no Australian personal information has been successfully retrieved through the Clearview platform by COE.

Due to directed cessation of the use of Clearview on 22 January 2020, no progression has been made on obtaining the platform for operational use.

Recommendation:

That you note the contents specified above.

Author

Covert Online Engagement
ACCCE

Cleared By

Operations Manager
ACCCE
PROTECTED, Sensitive

teleconference 27-02-2020.

2100hrs – 2215hrs

Chair –

Attendees -

\CCCE –

Apologies

Main points to note –

SITES

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OTHER BUSINESS

Clearview s33(a)(ii) asked how partners were dealing with ‘Clearview’.

ACCCE provided an update that Australian LEA have stopped using the platform until privacy concerns are addressed. No update from other partners.

COVERT ONLINE ENGAGEMENT
AUSTRALIAN CENTRE TO COUNTER CHILD EXPLOITATION
Tel + s22(1)(a)(ii)
www.atp.gov.au

PROTECTED, Sensitive
Hi

You have been invited to Clearview! To activate your account please click the button below:

Activate Account

It only takes one minute to install and start searching.

Remember: your password must be 8 characters and contain a number.

What's Clearview?

Clearview is like Google Search for faces. Just upload a photo to the app and instantly get results from mug shots, social media, and other publicly available sources.

Our technology combines the most accurate facial identification software worldwide with the single biggest proprietary database of facial images to help you find the suspects you're looking for.

Feel free to reach out to if you have any questions, comments, or feedback. Just reply to this e-mail or contact help@clearview.ai

Best regards,
—Team Clearview
Hi,

s22(1)(a)(ii) invited you to Clearview!

To try it out for free please click the button below:

Try it out for free

What's Clearview?

Clearview is like Google Search for faces. Just upload a photo to the app and instantly get results from mug shots, social media, and other publicly available sources.

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Feel free to reach out to if you have any questions, comments, or feedback. Just reply to this e-mail or contact help@clearview.ai

Best regards,

—Team Clearview
Hi

You should have a setup email in your inbox shortly. It only takes one minute to install and start searching.

Here are three important tips for using Clearview:

1. **Search a lot.** Your Clearview account has unlimited searches. Don’t stop at one search. See if you can reach 100 searches. It’s a numbers game. Our database is always expanding and you never know when a photo will turn up a lead. Take a selfie with Clearview or search a celebrity to see how powerful the technology can be.

2. **Refer your colleagues.** The more people that search, the more successes. We want to make this advanced technology available to as many investigators as possible. If you think your colleagues might want to try Clearview out for themselves, just send their names and e-mail addresses to help@clearview.ai and we'll sign them all up too.

3. **Get Clearview for the long haul.** If you like Clearview at the end of your trial period and it’s helping you solve cases, put us in touch with the appropriate person at your organization who can proceed with procurement.

Feel free to reach out to if you have any questions, comments, or feedback. Just reply to this e-mail or contact help@clearview.ai

Finally, please note the disclaimer at the bottom.

Best regards,

— Team Clearview

---

**OFFICIAL DISCLAIMER**

Search results established through Clearview AI and its related systems and technologies are indicative and not definitive.

Clearview AI, Inc. makes no guarantees as to the accuracy of its search-identification software. Law enforcement professionals MUST conduct further research in order to verify identities or other data generated by the Clearview AI system.

Clearview AI is neither designed nor intended to be used as a single-source system for establishing the identity of an individual. Furthermore, Clearview AI is neither designed nor intended to be used as evidence in a court of law.
Thursday, 28 February 2020 at 3:07:19 pm AEST

To: s11C

CC: s11C

Subject: Advice: Clearview AI compromise [SEC=PROTECTED, DLM=Sensitive]

PROTECTED, Sensitive

Good afternoon all,

For your awareness, the online facial matching platform - Clearview AI (clearview.ai) website was compromised.

Investigation by the Information Security monitoring team identified that certain AFP appointees had subscriptions while others browsed the website. Work email address were required to subscribe to Clearview AI.

Analysis on the ‘clearview.ai’ domain with the available tools did not reveal malicious activity. It appears that a patch update by Clearview may have resolved the issue since then. Hence temporarily blocking access to the website is not warranted at this time.

However, as a security measure it is strongly recommended that all appointees listed in the ‘To’ recipients field change their AFPNET password immediately please.

If you have any questions, please contact ICT Support and log a job to Information Security. Thanks

Kind Regards,

CYBER TECHNICAL AUDITS & HUNT
OPERATIONAL TECHNOLOGY AND INFORMATION

www.afp.gov.au

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Executive Briefing

Addressee: MCP

Title: Australian Centre to Counter Child Exploitation Trial of Clearview AI

Action required:
For information

Deadline:
N/A

Reasons for proposed actions:

Between the 2nd of December 2019 and 22nd of January 2020, ACCCE conducted a limited trial of the Clearview AI facial recognition system in order to ascertain the suitability of the capability for consideration for ACCCE operations.

Background

On the 27th of November 2019, ACCCE Covert Online Engagement (COE) and Child Protection Triage Unit (CPTU) were conducting urgent enquiries in relation to National Centre for Missing and Exploited Children (NCMEC), Three media file attached to the report were viewed and contained child abuse material (CAM) as defined in section 473 of the Criminal Code Act 1995 (Cth).

During the investigation, ACCCE engaged the resources of to utilise their trial of Clearview in an attempt to identify the offender with no result.

On the 27th of November 2019, the following information was received from the

- An invite for a demonstration of Clearview via the portal was provided;
- Clearview had three billion images indexed from various social media and open source sites:
On the 2nd of December 2019, ACCCE COE subscribed to Clearview AI utilising the emailed link from s47B for the purposes of ascertaining the benefits of the platform for ACCCE operations.

Invitations to other team members were sent out and a number of trial accounts were registered. Not all accounts were activated.

A number of open source images (google and news sites) were sourced and subsequently put through Clearview to check the accuracy and effectiveness of the facial recognition algorithm. Particular emphasis was placed on the algorithms ability to match side profile photographs with front facing photographs. This ability is considered a necessary function for matching offender images from seized CAM. Initial results appeared positive in regards to accuracy and useability.

On the 22nd of January 2020, the use of Clearview by ACCCE was suspended pending further advice.

The limited use of Clearview was undertaken to ascertain the value of the platform in order to prepare a formal proposal for detailed testing by T&I. The following points are relevant:

- AFP emails were utilised to register trial accounts;
- There is only one operational use of Clearview in that period to attempt to identify and locate a suspected victim of imminent sexual assault;
- There have been no uses of the platform to search specifically for Australians;
- The COE use of Clearview only utilised publicly available photographs of suspects that they themselves have made available. The platform does not and cannot access personal information that has not been made publically available.
- The operational use of Clearview was directly related to a serious threat to the health and safety of a child targeted for sexual assault by an unidentified suspect.
Consultation:
CACCE
CACCE Investigations Manager
CACCE Operations Manager
CACCE Covert Online Engagement
s47B

Expected Reaction:
There is significant interest in the use of Clearview by Australian Law Enforcement by the Australian media and the Office of the Australian Information Commissioner.

To date no Australian personal information has been successfully retrieved through the Clearview platform by COE.

Due to an ACCCE Management direction the use of Clearview ceased on the 22\textsuperscript{nd} of January 2020, no progression has been made on obtaining the platform for operational use.

Recommendation:
That you note the contents specified above.

Authorised By
s22(1)(a)(ii)
Covert Online Engagement
ACCCE

Cleared By
s22(1)(a)(ii)
Operations Manager
ACCCE

Approved by
s22(1)(a)(ii)
ACCCE Operations

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Sensitive
Hi,

Have you tried taking a selfie with Clearview yet? See what comes up! It's the best way to quickly see the power of Clearview in real time. Try your friends or family. Or a celebrity like Joe Montana or George Clooney.

Your Clearview account has unlimited searches. So feel free to run wild with your searches. Test Clearview to the limit and see what it can do. The photos you search with Clearview are always private and never stored in our proprietary database, which is totally separate from the photos you search.

You can get Clearview on your iPhone or Android cell phone by clicking "Get Mobile App" on the left-hand side of the screen when you're logged in to Clearview on desktop.

To log in to Clearview on desktop just click the button below:

[Login button]

You can also upload a photo of yourself to Clearview on your desktop computer.

Feel free to reach out to if you have any questions, comments, or feedback. Just reply to this e-mail or contact help@clearview.ai

Best regards,

—Team Clearview
Good evening. You should have an email from Team Clearview with your account activation link. I encourage you to test the tech on computer/laptop (log in thru https://app.clearview.ai/app/login) and the mobile app. Also attached is general info and sample success stories and a doc with some tips on how to best use photos. If you would find a video demo call helpful just let me know. Finally – if there are any other officers/agents that would like an account just send me names and emails.

Please do not hesitate to contact me with any questions.
From:  
Sent:  
To:  
Subject:  

Clearview [DLM=For-Official-Use-Only]

For-Official-Use-Only

s22(1)(a)(ii)
As discussed, I have populated the minute as best I can without further accesses, and without s22(1)(a) here.

I have scanned the two annexures to the folder you have saved the minute in as Clearview Annexure D and Clearview Annexure E.

As mentioned, Annexure E contains the CNE- s47E(d) so recommend drawing this to the attention of Legal given this is an unresolved situation.

C r o s s f e d e r a t i o n
C R O S S F E D E R A T I O N

P O L I C I N G F O R
A SAFER AUSTRALIA

For-Official-Use-Only

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From:  
Sent: Wednesday, 11 March 2020 12:16 PM  
To:  
Subject: Clearview minute [SEC=PROTECTED, DLM=Sensitive:Legal]  
Attachments: Clearview Minute 11 Mar 2020.docx

PROTECTED, Sensitive:Legal

COVERT ONLINE ENGAGEMENT  
AUSTRALIAN CENTRE TO COUNTER CHILD EXPLOITATION  
Tel:  

PROTECTED, Sensitive:Legal

THIS DOCUMENT HAS BEEN DECLASSIFIED AND RELEASED IN ACCORDANCE WITH THE FREEDOM OF INFORMATION ACT 1982 (COMMONWEALTH) BY THE AUSTRALIAN FEDERAL POLICE
Addressee: CACCCE
Title: Clearview - Section 44 of the Privacy Act 1988 - Notice to Give Information and/or Produce Documents to the Information Commissioner

The Australian Information Commissioner is conducting a Commissioner initiated investigation under s 40(2) of the Privacy Act 1988 (Cth) into the acts and practices of Clearview (reference C1210/00006) (the Investigation).

The following information is provided in regards to the use of Clearview by members of the AFP attached to the Australian Centre to Counter Child Exploitation (ACCCE).

Q1. Confirm whether the AFP have entered into a Commonwealth contract with Clearview.
A. The ACCCE has not entered into any contract with Clearview.

Q2. Confirm whether any staff member and/or contractor of the AFP has received a demonstration of the Clearview application.
A. No member of the ACCCE was provided a demonstration of Clearview.

Q3. Confirm whether any staff member and/or contractor of the AFP has received a free trial of the Clearview application.
A. The following members have received a free trial of Clearview:
   - s22(1)(a)(ii) AFP4817
   - s22(1)(a)(ii) AFP20377
   - s22(1)(a)(ii) AFP11587 - Account not activated
   - s22(1)(a)(ii) AFP11423
   - s22(1)(a)(ii) AFP4562
   - s22(1)(a)(ii) AFP12180
   - s22(1)(a)(ii) FP20306
   - s22(1)(a)(ii) AFP11419
   - s22(1)(a)(ii) AFP11217

Q3a. If so, provide any relevant documents, including (but not limited to) the terms and conditions of the free trial.
A. A trial to the Clearview platform is by invitation only and comes in the form of an automated email from help@clearview.ai sent by another Law Enforcement Officer via the interface.
Q4. Provide the following information about the use of the Clearview application by staff members and/or contractors of the AFP:

i. the names and job titles of the staff members and/or contractors of the AFP that conducted searches on the Clearview application.

- s22(1)(a)(ii) AFP4817
- s22(1)(a)(ii) AFP20377
- s22(1)(a)(ii) AFP11423
- s22(1)(a)(ii) AFP4562
- s22(1)(a)(ii) AFP12180
- s22(1)(a)(ii) AFP20306
- s22(1)(a)(ii) AFP21419

ii. the date/s on which staff members and/or contractors of the AFP requested access via the Clearview website

- s22(1)(a)(ii) AFP4817 - 02 Dec 2019
- s22(1)(a)(ii) AFP20377 - 03 Jan 2020
- s22(1)(a)(ii) AFP11587 - 09 Jan 2020
- s22(1)(a)(ii) AFP11423 - 4 December 2019
- s22(1)(a)(ii) AFP4562 – date not available
- s22(1)(a)(ii) AFP12180 – 19 December 2019
- s22(1)(a)(ii) AFP20306 – date not available
- s22(1)(a)(ii) AFP21419 – 9 December 2019
- s22(1)(a)(ii) AFP11217 – date not available

iii. details of the process by which staff members and/or contractors of the AFP accessed and/or downloaded the Clearview application.

- Clearview is accessed via a web based interface. On 22 January 2020 the ACCCE were directed to cease all access to the Clearview service. Historical records of actual searches are unavailable due to this restriction.

iv. the date/s on which the staff members and/or contractors of the AFP used Clearview’s application to search its database of images.

- Historical records of actual searches is unavailable due to the restriction on access to the Clearview platform.

v. the number of searches of Clearview’s database of images undertaken by staff members and/or contractors of the AFP.

- Historical records of actual searches is unavailable due to the restriction on access to the Clearview platform.
vi. a description of the purposes for which each staff member and/or contractor of the AFP used Clearview's application.

- **s22(1)(a)(ii) AFP4817 – 02 Dec 2019**
  - Initial testing of system using random images from media sites to compare the accuracy of side profile images to front facing images.
  
- **s22(1)(a)(ii) AFP20377 –**
  - 
  - **s22(1)(a)(ii) AFP11587 – 09 Jan 2020**
  - Account not activated – No use
  
- **s22(1)(a)(ii) AFP11423**
  - In December 2019 searched on self and also another member of staff during a meeting.
  
- **s22(1)(a)(ii) AFP4562**
  - In December 2019 searched on self and two other persons in relation to two separate referrals.
  
- **s22(1)(a)(ii) AFP112180**
  - Searched on approximately five persons, who are as yet to be identified, as a result of referrals to the Child Protection Triage Unit.
  
- **s22(1)(a)(ii) AFP20306**
  - Searched on self and another person of interest (documentation provided).
vii. a description of whether or not the searches involved the uploading of images of individuals located in Australia by particular staff members and/or contractors of the AFP.

- s22(1)(a)(ii) AF01419
  - Searched on several persons of interest, some identified and others not as a result of referrals to the Child Protection Triage Unit.
- s22(1)(a)(ii) AF01217
  - Nil searches conducted.

- s22(1)(a)(ii) AF04817 - No
- s22(1)(a)(ii) AF020377 - No
- s22(1)(a)(ii) AF011587 - No
- s22(1)(a)(ii) AF011423 – Yes self plus one other AFP member
- s22(1)(a)(ii) AF04562 – Yes self plus one
- s22(1)(a)(ii) AF012180 – Unknown POIs, so we are unable to definitively state yes or no
- s22(1)(a)(ii) AF020306 – Yes self plus one in Australia
- s22(1)(a)(ii) AF021419 – Yes self plus two in Australia
- s22(1)(a)(ii) AF011217 – No

viii. if the searches did involve the uploading of images of individuals located in Australia by particular staff members and/or contractors of the AFP, provide details.

- As per the three attached case note entries provided in relation to Question 6 for s22(1)(a)(ii) (one Australian and one unidentified) and s22(1)(a)(ii) s22(1)(a)(ii)
- In addition s22(1)(a)(ii) searched on s47F
- AFP members’ images were uploaded as per the answer in vii.

Q5. Provide a copy of all correspondence and/or documents that staff members and/or contractors of the AFP, sent to Clearview, or received from Clearview, including (but not limited to) email communications, marketing materials, pricing agreements, quotes, and/or invoices.

A. The following copies of correspondence are attached:

- A sample of the sign on email form is attached – Annexure A
- Email correspondence between s22(1)(a)(ii) and Han from Clearview is attached as Annexure B.
- Annexure D in relation to s22(1)(a)(ii) s22(1)(a)(ii)
6. Provide a copy of all file notes or other documents generated by staff members and/or contractors of the AFP, recording the results of searches made using the Clearview application.

- Email correspondence between [s22(1)(a)(ii)] and [s22(1)(a)(ii)] is attached as Annexure C.
- Annexure E includes case note entries generated by [s22(1)(a)(ii)] (2) and [s22(1)(a)(ii)] (1). [s22(1)(a)(ii)] case note entry is a current sensitive investigation that has not gone to resolution.

7. Provide a copy of any electronic logs that show access and/or use of the Clearview application by staff members and/or contractors of the AFP.

A. On 22 January 2020 the ACCCE were directed to cease all access to the Clearview service. Historical records of actual searches are unavailable due to this restriction.
Annexure A

You have been invited to Cleview

To try it out for free please click the button below:

Try it out for free

What's Cleview?

Cleview is like Google Search for faces. Just upload a photo to the app and instantly get results from mug shots, social media, and other publicly available sources.

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Feel free to reach out to us if you have any questions, comments, or feedback. Just reply to this email or contact help@cleview.ai

Best regards,

Team Cleview

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Nice work

COORDINATOR AUSTRALIAN CENTRE TO COUNTER CHILD EXPLOITATION CRIME OPERATIONS
Tel + s22(1)(a)(ii)
www.atp.gov.au

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POLICING FOR
A SAFER AUSTRALIA

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Just out of interest, I ran his mugshot through the trial Clearview FR system and got a hit for his Instagram account. The FR tool looks very good.
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Minute

Addressee  CACCE

Title  Clearview - Section 44 of the Privacy Act 1988 - Notice to Give Information and/or Produce Documents to the Information Commissioner

The Australian Information Commissioner is conducting a Commissioner initiated investigation under s 40(2) of the Privacy Act 1988 (Cth) into the acts and practices of Clearview (reference CI20/00006) (the Investigation).

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Q2.  Confirm whether any staff member and/or contractor of the AFP has received a demonstration of the Clearview application.

A.  No member of the ACCCE was provided a demonstration of Clearview.

Q3.  Confirm whether any staff member and/or contractor of the AFP has received a free trial of the Clearview application.

A.  The following members have received a free trial of Clearview;

- [ ] s22(1)(a)(ii)  AFP4817
- [ ] s22(1)(a)(ii)  AFP20377
- [ ] s22(1)(a)(ii)  AFP11587 – Account not activated
- [ ] s22(1)(a)(ii)  AFP11423
- [ ] s22(1)(a)(ii)  AFP4562
- [ ] s22(1)(a)(ii)  AFP12180
- [ ] s22(1)(a)(ii)  AFP20306
- [ ] s22(1)(a)(ii)  AFP21419
- [ ] s22(1)(a)(ii)  AFP11217

Q3a.  If so, provide any relevant documents, including (but not limited to) the terms and conditions of the free trial.
A. A trial to the Clearview platform is by invitation only and comes in the form of an automated email from help@clearview.ai sent by another Law Enforcement Officer via the interface. This provides a link to register a trial account for evaluation purposes. A copy of the email is attached as Annexure A. There are no terms and conditions provided.

Q4. Provide the following information about the use of the Clearview application by staff members and/or contractors of the AFP:

i. the names and job titles of the staff members and/or contractors of the AFP that conducted searches on the Clearview application.

- s22(1)(a)(ii) AFP4817
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- s22(1)(a)(ii) AFP21419

ii. the date/s on which staff members and/or contractors of the AFP requested access via the Clearview website

- s22(1)(a)(ii) AFP4817 - 02 Dec 2019
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iv. the date/s on which the staff members and/or contractors of the AFP used Clearview’s application to search its database of images.

- Historical records of actual searches is unavailable due to the restriction on access to the Clearview platform.
v. the number of searches of Clearview’s database of images undertaken by staff members and/or contractors of the AFP.

- Historical records of actual searches is unavailable due to the restriction on access to the Clearview platform.

vi. a description of the purposes for which each staff member and/or contractor of the AFP used Clearview’s application.

- **s22(1)(a)(ii)**
  
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<td>o In December 2019 searched on self and two other persons in relation to two separate referrals.</td>
</tr>
</tbody>
</table>

<table>
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<tr>
<th>Disclosure Log</th>
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<tbody>
<tr>
<td><strong>Folio - 103</strong></td>
</tr>
<tr>
<td><strong>s22(1)(a)(ii)</strong></td>
</tr>
<tr>
<td><strong>AFP12180</strong></td>
</tr>
</tbody>
</table>

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FOI - CRM 2020/671 Disclosure Log Folio - 103
• Sought on approximately five persons, who are as yet to be identified, as a result of referrals to the Child Protection Triage Unit.

• s22(1)(a)(ii) - AFP20306
  • Sought on self and another person of interest (documentation provided in Question 6).

• s22(1)(a)(ii) - AFP21419
  • Sought on several persons of interest, some identified and others not as a result of referrals to the Child Protection Triage Unit.

• s22(1)(a)(ii) - AFP11217
  • Nil searches conducted.

vii. A description of whether or not the searches involved the uploading of images of individuals located in Australia by particular staff members and/or contractors of the AFP.

• s22(1)(a)(ii) - AFP4817 - No
• s22(1)(a)(ii) - AFP20377 - No
• s22(1)(a)(ii) - AFP11587 - No
• s22(1)(a)(ii) - AFP11423 - Yes self plus one other AFP member
• s22(1)(a)(ii) - AFP4562 - Yes self plus one
• s22(1)(a)(ii) - AFP12180 - Unknown POIs, so we are unable to definitively state yes or no
• s22(1)(a)(ii) - AFP20306 - Yes self plus one in Australia
• s22(1)(a)(ii) - AFP21419 - Yes self plus two in Australia
  • s22(1)(a)(ii) - AFP11217 - No

viii. If the searches did involve the uploading of images of individuals located in Australia by particular staff members and/or contractors of the AFP, provide details.

• As per the three attached case note entries provided in relation to Question 6 for s22(1)(a)(ii) (one Australian and one unidentified) and s22(1)(a)(ii)
• In addition, s22(1)(a)(ii) searched on s47F
• AFP members' images were uploaded as per the answer in vii.

Q5. Provide a copy of all correspondence and/or documents that staff members and/or contractors of the AFP, sent to Clearview, or received from Clearview, including (but not
limited to) email communications, marketing materials, pricing agreements, quotes, and/or invoices.

A. The following copies of correspondence are attached;

- A sample of the sign on email form is attached - Annexure A
- Email correspondence between and Han from Clearview is attached as Annexure B.
- Annexure D in relation to and is attached as Annexure B.

6. Provide a copy of all file notes or other documents generated by staff members and/or contractors of the AFP, recording the results of searches made using the Clearview application.

- Email correspondence between is attached as Annexure C.
- Annexure E includes case note entries generated by and case note entry is a current sensitive investigation that has not gone to resolution.

7. Provide a copy of any electronic logs that show access and/or use of the Clearview application by staff members and/or contractors of the AFP.

A. On 22 January 2020 the ACCCE were directed to cease all access to the Clearview service. Historical records of actual searches are unavailable due to this restriction.
Annexure A

Helpdesk@clearviewonbehalfofteamclearview.com<br>on behalf of Team Clearview<br>You have been invited to Clearview
<br>Try it out for free

What's Clearview?
Clearview is like Google Search for faces. Just upload a photo to the app and instantly get results from mug shots, social media, and other publicly available sources.
Our technology combines the most accurate facial identification software worldwide with the single largest proprietary database of facial images to help you find the suspects you're looking for.
Feel free to reach out to us if you have any questions, comments, or feedback. Just reply to this e-mail or contact help@clearview.ai.

Best regards,
Team Clearview

s22(1)(a)(ii)
s47B
Annexure B

Re: Connecting re: Clearview [SEC=UNOFFICIAL]

This item is expired.
We removed extra line breaks from this message.

Great chatting.

Just let me know the names/emails of any colleague you want to give the app too.

Let's stay in touch!

> On Dec 2, 2019, at 11:18 PM, s22(1)(a)(ii)@afp.gov.au wrote:
> 
> Thanks for reaching out. We've only just started using it and so far it has been valuable.
> 
> I'm available anytime.

> Rgds

s22(1)(a)(ii)

---Original Message---
> From: s11C <s47G@clearview.ai>
> Sent: Tuesday, 3 December 2019 2:13 PM
> To: s22(1)(a)(ii)@afp.gov.au
> Subject: Connecting re: Clearview

> I'm one of the founders of Clearview - and also incidentally from Australia, but now living in the USA.

> How have you found the app so far? I would love to connect and learn more about how it can be used for the AFP.

> Let me know what time is good to chat!

> Best Regards

s11C

******************************************************************************

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This email message and any attached files may contain information that
is confidential and subject of legal privilege intended only for
use by the individual or entity to whom they are addressed. If you
are not the intended recipient or the person responsible for
delivering the message to the intended recipient be advised that you
have received this message in error and that any use, copying,
circulation, forwarding, printing or publication of this message or
attached files is strictly forbidden, as is the disclosure of the
information contained therein. If you have received this message in
error, please notify the sender immediately and delete it from your
inbox.

AFP Web site: http://www.afp.gov.au

******************************************************************************
Annexure C

From: s22(1)(a)(ii)
To: s22(1)(a)(ii)
Subject: RE s37(1)(a), s47B, s33(a)(iii) [DLM=For-Official-Use-Only]
Date: Wednesday, 11 December 2019 9:53:07 AM

For-Official-Use-Only

Nice work

COORDINATOR AUSTRALIAN CENTRE TO COUNTER CHILD EXPLOITATION CRIME OPERATIONS
Tel + s22(1)(a)(ii)
www.arp.gov.au

For-Official-Use-Only

From: s22(1)(a)(ii)
Sent: Monday, 9 December 2019 1:10 PM
To: s22(1)(a)(ii) s47E(d)
Subject: RE s37(1)(a), s47B, s33(a)(iii) [DLM=For-Official-Use-Only]

For-Official-Use-Only

Just out of interest, I ran his mugshot through the trial Clearview FR system and got a hit for his Instagram account. The FR tool looks very good.
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THIS DOCUMENT HAS BEEN DECLASSIFIED AND RELEASED IN ACCORDANCE WITH THE FREEDOM OF INFORMATION ACT 1982 (COMMONWEALTH) BY THE AUSTRALIAN FEDERAL POLICE
Minute

Addressee: CACCCE

Title: Clearview - Section 44 of the Privacy Act 1988 - Notice to Give Information and/or Produce Documents to the Information Commissioner

The Australian Information Commissioner is conducting a Commissioner initiated investigation under s 40(2) of the Privacy Act 1988 (Cth) into the acts and practices of Clearview (reference CLI20/00006) (the Investigation).

The following information is provided in regards to the use of Clearview by members of the AFP attached to the Australian Centre to Counter Child Exploitation (ACCCE).

Q1. Confirm whether the AFP have entered into a Commonwealth contract with Clearview.
A. The ACCCE has not entered into any contract with Clearview.

Q2. Confirm whether any staff member and/or contractor of the AFP has received a demonstration of the Clearview application.
A. No member of the ACCCE was provided a demonstration of Clearview.

Q3. Confirm whether any staff member and/or contractor of the AFP has received a free trial of the Clearview application.
A. The following members have received a free trial of Clearview;
   - s22(1)(a)(ii) - AFP4817
   - s22(1)(a)(ii) - AFP20377
   - s22(1)(a)(ii) - AFP11587 - Account not activated
   - s22(1)(a)(ii) - AFP11423
   - s22(1)(a)(ii) - AFP4562
   - s22(1)(a)(ii) - AFP12180
   - s22(1)(a)(i) - AFP20306
   - s22(1)(a)(i) - AFP21419
   - s22(1)(a)(i) - AFP11217

Q3a. If so, provide any relevant documents, including (but not limited to) the terms and conditions of the free trial.
A. A trial to the Clearview platform is by invitation only and comes in the form of an automated email from help@clearview.ai sent by another Law Enforcement Officer via the interface. This procedure is used to register a Law Enforcement Officer for evaluation purposes.
Q4. Provide the following information about the use of the Clearview application by staff members and/or contractors of the AFP:

i. the names and job titles of the staff members and/or contractors of the AFP that conducted searches on the Clearview application.
   - s22(1)(a)(ii) AFP4817
   - s22(1)(a)(ii) AFP20377
   - s22(1)(a)(ii) AFP11423
   - s22(1)(a)(ii) AFP4562
   - s22(1)(a)(ii) AFP12180
   - s22(1)(a)(ii) AFP20306
   - s22(1)(a)(ii) AFP21419

ii. the date/s on which staff members and/or contractors of the AFP requested access via the Clearview website
   - s22(1)(a)(ii) AFP4817 - 02 Dec 2019
   - s22(1)(a)(ii) AFP20377 - 03 Jan 2020
   - s22(1)(a)(ii) AFP11587 - 09 Jan 2020
   - s22(1)(a)(ii) AFP11423 - 4 December 2019
   - s22(1)(a)(ii) AFP4562 – date not available
   - s22(1)(a)(ii) AFP12180 – 19 December 2019
   - s22(1)(a)(ii) AFP20306 – date not available
   - s22(1)(a)(ii) AFP21419 – 9 December 2019
   - s22(1)(a)(ii) AFP11217 – date not available

iii. details of the process by which staff members and/or contractors of the AFP accessed and/or downloaded the Clearview application.
   - Clearview is accessed via a web based interface.
   - On 22 January 2020 the ACCCE were directed to cease all access to the Clearview service.
   - Historical records of actual searches are unavailable due to this restriction.

iv. the date/s on which the staff members and/or contractors of the AFP used Clearview’s application to search its database of images.
   - Historical records of actual searches are unavailable due to the restriction on access to the Clearview platform.

v. the number of searches of Clearview’s database of images undertaken by staff members and/or contractors of the AFP.
• Historical records of actual searches are unavailable due to the restriction on access to the Clearview platform.

vi. A description of the purposes for which each staff member and/or contractor of the AFP used Clearview’s application.

• s22(1)(a)(ii) s37(1)(a), s47B, s33(a)(ii)
  - Initial testing of system using random images from media sites to compare the accuracy of side profile images to front facing images.

  s37(1)(a), s47B, s33(a)(ii)

• s22(1)(a)(ii) s47E(d)
  - In December 2019 searched on images of herself and another member of staff luring a meeting.

  s47E(d)

• s22(1)(a)(ii)
  - Account not activated - no use

  • s22(1)(a)(ii) s47(1)(a)(ii) s22(1)(a)(ii)
    - In December 2019 searched on images of herself and two other persons in relation to two separate referrals.
vii. a description of whether or not the searches involved the uploading of images of individuals located in Australia by particular staff members and/or contractors of the AFP.

- s22(1)(a)(ii) | AFP4817 - No
- s22(1)(a)(ii) | AFP20377 - No
- s22(1)(a)(ii) | AFP11587 - No
- s22(1)(a)(ii) | AFP11423 – Yes - herself and one other AFP member
- s22(1)(a)(ii) | AFP4562 – Yes - herself and one person of interest
- s22(1)(a)(ii) | AFP12180 – Unknown POIs, so we are unable to definitively state yes or no
- s22(1)(a)(ii) | AFP20306 – Yes - herself and one person of interest
- s22(1)(a)(ii) | AFP21419 – Yes - herself and two persons of interest
- s22(1)(a)(ii) | AFP11217 – No

viii. if the searches did involve the uploading of images of individuals located in Australia by particular staff members and/or contractors of the AFP, provide details.

- As per the three attached case note entries provided in relation to Question 6 for s22(1)(a)(i) One Australian and one unidentified) and s22(1)(a)(ii)
  s22(1)(a)(ii)
  - In addition, s22(1)(a)(ii) searched on s47F
  - AFP members’ images were uploaded as per the answer in vii.

Q5. Provide a copy of all correspondence and/or documents that staff members and/or contractors of the AFP, sent to Clearview, or received from Clearview, including (but not limited to) email communications, marketing materials, pricing agreements, quotes,
A. The following copies of correspondence are attached:

- A sample of the sign on email form is attached - Annexure A
- Email correspondence between and Han from Clearview is attached as Annexure B.
- Annexure D in relation to

6. Provide a copy of all file notes or other documents generated by staff members and/or contractors of the AFP, recording the results of searches made using the Clearview application.

- Email correspondence between is attached as Annexure C.
- Annexure E includes case note entries generated by and case note entry is a current sensitive investigation that has not gone to resolution.

7. Provide a copy of any electronic logs that show access and/or use of the Clearview application by staff members and/or contractors of the AFP.

A. On 22 January 2020 the ACCCE were directed to cease all access to the Clearview service. Historical records of actual searches are unavailable due to this restriction.
Annexure A

You have been invited to Clearview

s22(1)(a)(ii)

s47B invited you to Clearview!

To try it out for free please click the button below:

Try it out for free

What’s Clearview?

Clearview is like Google Search for faces. Just upload a photo to the app and instantly get results from mug shots, social media, and other publicly available sources.

Our technology combines the most accurate facial identification software worldwide with the single largest proprietary database of facial images to help you find the suspects you’re looking for.

Feel free to reach out to us if you have any questions, comments, or feedback. Just reply to this e-mail or contact help@clearview.ai

Best regards,

—Team Clearview

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Annexure B

Great chatting! Just let me know the names/emails of any colleague you want to give the app too.

Let's stay in touch!

> On Dec 2, 2019, at 11:18 PM, @afp.gov.au wrote:
> > 
> > UNOFFICIAL
> > Hi [s11C]
> > Thanks for reaching out. We've only just started using it and so far it has been valuable.
> > I'm available anytime.
> > Regards
> >>> Original Message <<<
> From: [s11C] C47G@clearview.ai>
> Sent: Tuesday, 3 December 2019 2:13 PM
> To: [s22(1)(a)(ii)] afp.gov.au
> Subject: Connecting re Clearview
> Hi [s22(1)(a)(ii)]
> I'm one of the founders of Clearview - and also incidentally from Australia, but now living in the USA
> How have you found the app so far? I would love to connect and learn more about how it can be used for the AFP.
> Let me know what time is good to chat!
> 
> Best Regards
> [s11C]
> 
> WARNING
> 
> This email message and any attached files may contain information that is confidential and subject of legal privilege intended only for use by the individual or entity to whom they are addressed. If you are not the intended recipient or the person responsible for delivering the message to the intended recipient, be advised that you have received this message in error and that any use, copying, circulation, forwarding, printing or publication of this message or attached files is strictly forbidden, as is the disclosure of the information contained therein. If you have received this message in error, please notify the sender immediately and delete it from your inbox.
> 
> AFP Web site: http://www.afp.gov.au
>

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Annexure C
From: [s22(1)(a)(ii)]

Disclosure Log

Folio - 119
Nice work

COORDINATOR AUSTRALIAN CENTRE TO COUNTER CHILD EXPLOITATION CRIME OPERATIONS
Tel -
www.afp.gov.au

For-Official-Use-Only

From: s22(1)(a)(ii)
Sent: Monday, 9 December 2019 1:10 PM
To: s22(1)(a)(ii) s47E(d)
Subject: RE: s37(1)(a), s47B, s33(a)(iii)
[DLM=For-Official-Use-Only]

For-Official-Use-Only

Just out of interest, I ran his mugshot through the trial Clearview FR system and got a hit for his Instagram account. The FR tool looks very good.
s37(1)(a), s47B, s33(a)(iii)

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From: @AFP.GOV.AU>
Sent: Wednesday, 11 March 2020 1:39 PM
To: @AFP.GOV.AU>
Cc: @AFP.GOV.AU>
Subject: Clearview Minute 11 Mar 2020 [DLM=For-Official-Use-Only]

Clearview Minute 11 Mar 2020

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For-Official-Use-Only

COVERT ONLINE ENGAGEMENT
AUSTRALIAN CENTRE TO COUNTER CHILD EXPLOITATION
Tel: @AFP.GOV.AU>

For-Official-Use-Only

SUPERINTENDENT ACCCE OPERATIONS
AUSTRALIAN CENTRE TO COUNTER CHILD EXPLOITATION
Tel: @AFP.GOV.AU>

For-Official-Use-Only

Latest version
SACCE,

As requested.

Respectfully,

---

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PROTECTED
Sensitive: Legal

Minute

Addressee  a/CCPO through SACCCE

Title       Clearview - Section 44 of the Privacy Act 1988 - Notice to Give Information and/or Produce Documents to the Information Commissioner

The Australian Information Commissioner is conducting a Commissioner initiated investigation under s 40(2) of the Privacy Act 1988 (Cth) into the acts and practices of Clearview (reference CII20/00006) (the Investigation).

The following information is provided in regards to the use of Clearview by members of the AFP attached to the Australian Centre to Counter Child Exploitation (ACCCE).

Q1. Confirm whether the AFP have entered into a Commonwealth contract with Clearview.
   A. The ACCCE has not entered into any contract or undertaken any procurement process with Clearview.

Q2. Confirm whether any staff member and/or contractor of the AFP has received a demonstration of the Clearview application.
   A. No member of the ACCCE was provided a demonstration of Clearview.

Q3. Confirm whether any staff member and/or contractor of the AFP has received a free trial of the Clearview application.
   A. The following members have received a free trial of the Clearview application;

   - s22(1)(a)(ii)  AFP4817
   - s22(1)(a)(ii)  AFP20377
   - s22(1)(a)(ii)  AFP11587 – Account not activated
   - s22(1)(a)(ii)  AFP11423
   - s22(1)(a)(ii)  AFP4562
   - s22(1)(a)(ii)  AFP12180
   - s22(1)(a)(ii)  AFP20306
   - s22(1)(a)(ii)  AFP21419
   - s22(1)(a)(ii)  AFP11217
Q3a. If so, provide any relevant documents, including (but not limited to) the terms and conditions of the free trial.

A. A trial to the Clearview platform is by invitation only and comes in the form of an automated email from help@clearview.ai sent by another Law Enforcement Officer via the interface. This provides a link to register a trial account for evaluation purposes.

- A copy of the email is attached as Annexure A.
- There are no terms and conditions provided.

Q4. Provide the following information about the use of the Clearview application by staff members and/or contractors of the AFP:

i. the names and job titles of the staff members and/or contractors of the AFP that conducted searches on the Clearview application.

<table>
<thead>
<tr>
<th>s22(1)(a)(ii)</th>
<th></th>
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<tbody>
<tr>
<td>AFP4817</td>
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</tr>
<tr>
<td>AFP20377</td>
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<td>AFP11423</td>
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<td>AFP4562</td>
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<tr>
<td>AFP12180</td>
<td></td>
</tr>
<tr>
<td>AFP20306</td>
<td></td>
</tr>
<tr>
<td>AFP21419</td>
<td></td>
</tr>
</tbody>
</table>

ii. the date/s on which staff members and/or contractors of the AFP requested access via the Clearview website.

<table>
<thead>
<tr>
<th>s22(1)(a)(ii)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>AFP4817 - 02 Dec 2019</td>
<td></td>
</tr>
<tr>
<td>AFP20377 - 03 Jan 2020</td>
<td></td>
</tr>
<tr>
<td>AFP11587 - 09 Jan 2020</td>
<td></td>
</tr>
<tr>
<td>AFP11423 - 4 December 2019</td>
<td></td>
</tr>
<tr>
<td>AFP4562 - date not available</td>
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<tr>
<td>AFP12180 - 19 December 2019</td>
<td></td>
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<tr>
<td>AFP20306 - date not available</td>
<td></td>
</tr>
<tr>
<td>AFP21419 - 9 December 2019</td>
<td></td>
</tr>
<tr>
<td>AFP11217 - date not available</td>
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</tr>
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iii. details of the process by which staff members and/or contractors of the AFP accessed and/or downloaded the Clearview application.

- Clearview is accessed via a web based interface.
- On 22 January 2020 the ACCC were directed to cease all access to the Clearview service.
- Historical records of actual searches are unavailable due to this restriction.
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iv. the date/s on which the staff members and/or contractors of the AFP used Clearview’s application to search its database of images.
   • Historical records of actual searches are unavailable due to the restriction on access to the Clearview platform.

v. the number of searches of Clearview’s database of images undertaken by staff members and/or contractors of the AFP.
   • Historical records of actual searches are unavailable due to the restriction on access to the Clearview platform.

vi. a description of the purposes for which each staff member and/or contractor of the AFP used Clearview’s application.
   • [s22(1)(a)(ii)  AFP4817 – 02 Dec 2019]
     o Initial testing of system using random images from media sites to compare the accuracy of side profile images to front facing images.

   • [s22(1)(a)(ii)  AFP20377 – 03 Jan 2020]

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- s22(1)(a)(ii)  
  - account not activated - no use  
  
- s22(1)(a)(ii)  
  - In December 2019 searched on images of herself and also another member of staff during a meeting.  
  
- s22(1)(a)(ii)  
  - In December 2019 searched on images of herself and two other persons in relation to two separate child exploitation referrals.

- s22(1)(a)(ii)  
  - Searched on approximately five persons of interest, who are as yet to be identified as a result of referrals to the Child Protection Triage Unit.

- s22(1)(a)(ii)  
  - Searched on herself and another person of interest (documentation provided in Question 6).

- s22(1)(a)(ii)  
  - Searched on several persons of interest, some identified and others not as a result of referrals to the Child Protection Triage Unit.

- s22(1)(a)(ii)  
  - Nil searches conducted.

vii. a description of whether or not the searches involved the uploading of images of individuals located in Australia by particular staff members and/or contractors of the AFP.

- s22(1)(a)(ii)  
  - AFP4817 - No

- s22(1)(a)(ii)  
  - AFP20377 - No

- s22(1)(a)(ii)  
  - AFP11587 - No

- s22(1)(a)(ii)  
  - AFP11423 - Yes - herself and one other AFP member

- s22(1)(a)(ii)  
  - AFP4562 - Yes - herself and one person of interest

- s22(1)(a)(ii)  
  - AFP12180 - Unknown POIs, so we are unable to definitively state yes or no

- s22(1)(a)(ii)  
  - AFP12180 - Yes - herself and one person of interest

- s22(1)(a)(ii)  
  - AFP21419 - Yes - herself and two persons

- s22(1)(a)(ii)  
  - AFP11217 - No
viii. if the searches did involve the uploading of images of individuals located in Australia by particular staff members and/or contractors of the AFP, provide details.

- **Annexure B** includes case note entries generated by and case note entry is a current sensitive investigation that has not gone to resolution.

- In addition searched on

- The Person of Interest numbers provided are different between vii and viii due to the specificity of the question in relation to the images of persons located in Australia.

- AFP members' images were uploaded as per the answer in vii.

Q5. Provide a copy of all correspondence and/or documents that staff members and/or contractors of the AFP, sent to Clearview, or received from Clearview, including (but not limited to) email communications, marketing materials, pricing agreements, quotes, and/or invoices.

A. The following copies of correspondence are attached;

- A sample of the sign on email form is attached - **Annexure A**

- Email correspondence between and Han from Clearview is attached as **Annexure C**.

- **Annexure D** in relation to

6. Provide a copy of all file notes or other documents generated by staff members and/or contractors of the AFP, recording the results of searches made using the Clearview application.

- Email correspondence between s22(1)(a)(ii) s22(1)(a)(ii) s attached as **Annexure E**.

- **Annexure B** includes case note entries generated by and case note entry is a current sensitive investigation that has not gone to resolution.

7. Provide a copy of any electronic logs that show access and/or use of the Clearview application by staff members and/or contractors of the AFP.

A. On 22 January 2020 the ACCCE were directed to cease all access to the Clearview service. Historical records of actual searches are unavailable due to this restriction.
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Sensitive: Legal

Author

Covert Online Engagement
ACCCE

11 March 2020

Cleared By

Superintendent ACCCE Operations
ACCCE

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AND RELEASED IN ACCORDANCE WITH THE
FREEDOM OF INFORMATION ACT 1982
(COMMONWEALTH)
BY THE AUSTRALIAN FEDERAL POLICE
Hi

You should have a setup email in your inbox shortly. It only takes one minute to install and start searching.

Here are three important tips for using Clearview:

1. **Search a lot.** Your Clearview account has **unlimited** searches. Don’t stop at one search. See if you can reach 100 searches. It’s a numbers game. Our database is always expanding and you never know when a photo will turn up a lead. Take a selfie with Clearview or search a celebrity to see how powerful the technology can be.

2. **Refer your colleagues.** The more people that search, the more successes. We want to make this advanced technology available to as many investigators as possible. If you think your colleagues might want to try Clearview out for themselves, just send their names and e-mail addresses to help@clearview.ai and we’ll sign them all up too.

3. **Get Clearview for the long haul.** If you like Clearview at the end of your trial period and it’s helping you solve cases, put us in touch with the appropriate person at your organization who can proceed with procurement.

Feel free to reach out to if you have any questions, comments, or feedback. Just reply to this e-mail or contact help@clearview.ai

Finally, please note the disclaimer at the bottom.

Best regards,

— Team Clearview

**OFFICIAL DISCLAIMER**

*Search results established through Clearview AI and its related systems and technologies are indicative and not definitive.*

*Clearview AI, Inc. makes no guarantees as to the accuracy of its search-identification software. Law enforcement professionals MUST conduct further research in order to verify identities or other data generated by the Clearview AI system.*

*Clearview AI is neither designed nor intended to be used as a single-source system for establishing the identity of an individual.*

*Furthermore, Clearview AI is neither designed nor intended to be used as evidence in a court of law.*
Privacy commissioner launches inquiry into police use of facial recognition software

By Shannon Jenkins
The Australian privacy commissioner will investigate whether a facial recognition app utilised by 600 American police departments is being used by police in Australia.

Facial recognition software Clearview AI allows law enforcement to use a photo of a suspect to search through a database of 3 billion images from across the internet. The technology has triggered human rights concerns from academics and privacy experts.

Australian founder Hoan Ton-That told *The New York Times* his app is being used by more than 600 police departments in the US.

He recently told the ABC it is also being used in Australia.

“We have a few customers in Australia who are piloting the tool, especially around child exploitation cases,” he said.

The Office of the Australian Information Commissioner has confirmed it has launched an inquiry into whether the software is being employed in Australia, or if its database contains information on Australians.

“The OAIC has commenced making inquiries with Clearview AI about whether Australians’ personal information is being used in its database for the purposes of facial recognition and if it is being used in Australia,” an OAIC spokesperson told *InnovationAus*.

“Once those inquiries are completed, the OAIC will determine whether further action is required.”

Information and privacy commissioner Angeline Falk previously told the ABC she was making inquiries into “whether or not Australians’ data is implicated”.

She noted Australian police departments hoping to use Clearview AI’s technology would have to go through the required processes, and she would have oversight of its use.
“The Australian privacy principles would require them to conduct a privacy impact assessment, that means looking at what are the privacy risks, how would the information be handled and how those risks would be mitigated,” she said.

Victorian and NSW police departments have confirmed their use of facial recognition technology, but have not revealed what software they employ.

In October, proposed laws to allow the sharing of biometric information between federal and state governments were rejected after backbench MPs called for a rewrite over privacy and transparency concerns.

The bill was first introduced in 2018, in a bid to curb identity crime with a national facial biometrics matching database. It would allow agencies to use the government’s facial verification service and facial identification service to share and match facial images in existing databases.

The laws were met with concern from human rights groups, Digital Rights Watch and the Human Rights Law Centre.

His email crashed.
Executive Briefing

Addressee: CACCE

Title: ACCCE Covert Online Engagement Utilisation of Clearview AI

Action required:

For information

Deadline: N/A

Reasons for proposed actions:

Between the 2nd of December 2019 and 22nd of January 2020, ACCCE Covert Online Engagement (COE) conducted a limited trial of the Clearview AI facial recognition system in order to ascertain the suitability of the capability for consideration for ACCCE operations.

Background

On the 27th of November 2019, ACCCE COE and Child Protection Triage Unit (CPTU) were conducting urgent enquiries in relation to National Centre for Missing and Exploited Children (NCMEC), Three media file attached to the report were viewed and contained child abuse material (CAM) as defined in section 473 of the Criminal Code Act 1995 (Cth).

During the investigation, ACCCE utilised the resources of to utilise their trial of Clearview in an attempt to identify the offender with no result.

On the 27th of November 2019, the undersigned was sent the following information from

- He had sent an invite for a demonstration of Clearview via the portal;

- Clearview had three billion images indexed from various social media and open source sites;
PROTECTED
Sensitive

On the 2\textsuperscript{nd} of December 2019, the undersigned subscribed to Clearview AI utilising the emailed link from s47B for the purposes of ascertaining the benefits of the platform for ACCCE operations.

Invitations to other team members were sent out with only two opening trial accounts. One of these accounts was not activated.

A number of open source images (google and news sites) were sourced and subsequently put through Clearview to check the accuracy and effectiveness of the facial recognition algorithm. Particular emphasis was placed on the algorithms ability to match side profile photographs with front facing photographs. This ability is considered a necessary function for matching offender images from seized CAM. Initial results appeared positive in regards to accuracy and usability.

s33(a)(iii), s37(1)(a), s47B, s47F

On the 22\textsuperscript{nd} of January 2020, the use of Clearview by ACCCE was suspended pending further advice.

The limited use of Clearview by COE was undertaken to ascertain the value of the platform in order to prepare a formal proposal. The following points are relevant:

- AFP emails were utilised to register trial accounts;
  - s22(1)(a)(ii) afp.gov.au
  - s22(1)(a)(ii) afp.gov.au
- There is only one operational use of Clearview in that period to attempt to identify and locate a suspected victim of imminent sexual assault:
  - s37(1)(a), s47B

- There have been no uses of the platform to search specifically for Australians;
- The COE use of Clearview only utilises publically available photographs of suspects that they themselves have made available. It does not and cannot access personal information that has not been made publically available.
- The operational use of Clearview by COE was in regards to a serious threat to the health or safety of a child targeted for sexual assault by an unidentified suspect.

s47E(d)
Consultation:
CACCE
CACCE Investigations Manager
CACCE Operations Manager
CACCE Covert Online Engagement
s47B

Expected Reaction:
There is significant interest in the use of Clearview by Australian Law Enforcement by the Australian media and the Office of the Australian Information Commissioner.

To date no Australian personal information has been successfully retrieved through the Clearview platform by COE.

Due to directed cessation of the use of Clearview on the 22nd of January 2020, no progression has been made on obtaining the platform for operational use.

Recommendation:
That you note the contents specified above.

Author

Covert Online Engagement
CACCE

Cleared By

s22(1)(a)(ii)
Operations Manager
CACCE
From:  s22(1)(a)(ii)
Sent:  Thursday, 27 February 2020 10:54 PM
To:  s22(1)(a)(ii)  s33(a)(iii)
Cc:  s47E(d)  s33(a)(iii)
Subject:  teleconference 27-02-2020 [SEC=PROTECTED, DLM=Sensitive]

PROTECTED, Sensitive

TF meeting precis. Minutes to follow via s47E(d)

s22(1)(a)(ii)
COVERT ONLINE ENGAGEMENT
AUSTRALIAN CENTRE TO COUNTER CHILD EXPLOITATION
Tel + s22(1)(a)(ii)
www.afp.gov.au

Policing for a safer Australia

PROTECTED, Sensitive

Chair –  s33(a)(iii)
Attendees -
ACCC –  s22(1)(a)(ii)

Apologies  s33(a)(iii)

Main points to note –
OTHER BUSINESS

Clearview - s33(a)(iii): asked how partners were dealing with "Clearview."

s33(a)(iii)

ACCCE provided an update that Australian LEA have stopped using the platform until privacy concerns are addressed. No update from other partners.