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BfDI welcomes verdict on police data analysis

The Federal Constitutional Court today made a fundamental decision on data analysis in police files. The Federal Commissioner for Data Protection and Freedom of Information (BfDI), Professor Ulrich Kelber, sees the basic rights of citizens strengthened.

Source: Melpomenem via Getty Images

He said: "The Federal Constitutional Court has now formulated criteria under which the police authorities may use analysis systems for police databases. This also applies to the use of artificial intelligence. This landmark judgment will have nationwide effects. I welcome this decision because it creates legal certainty for both the citizens and the police."

It is particularly important that different groups of people are separated not only during storage, but also during all subsequent data analyses. Because the police information systems do not only contain data on accused or suspected persons. They also contain information on victims of crime, witnesses, whistleblowers and other people. Data analyzes on these persons who are not under suspicion are therefore an intensive encroachment on fundamental rights. Victims and third parties must not be treated in the same way as suspects. Up until now, this has not been guaranteed, especially with new types of data analysis. The court finds that the analyzes in their unlimited data and methods may lead the police on the wrong track to legally uninvolved persons. Therefore, the legislator must create clear and limited rules if comprehensive police data analyzes are to be used. The judgment provides the legislator with an extensive legal toolbox for this purpose. Now the priority will be to clearly limit the amount of data, the group of people involved and the technical methods of data analysis.

The federal and state police authorities are currently working on a new design for their information systems and information network. The verdict sets the course for this and is of great importance for police work in Germany.

contact finder

Here you can find out in just a few clicks who is responsible for your inquiry or complaint about data protection.

public bodies

The term public body not only includes the traditional administrative authorities, but also courts, parliaments and public foundations. This also includes social insurance, such as health insurance.

Pursue

Private companies are mostly supervised by state authorities, but there are some exceptions. Private organizations such as clubs and associations also fall into this category.

Press, radio, church

Special responsibilities apply in these areas. Churches and public broadcasters have e.g. B. via their own data protection officers. The federal and state supervisory authorities are not responsible for other organizations either.