Academic calls for laws to address intrusive potential of face recognition technologies

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A telecommunications law academic in Australia has recommended for laws to be enacted criminalising the application of face recognition technology to visual images online that enable the identity of a person or people to be ascertained without their consent.

An article published today in the *International Journal of Law and Information Technology* has looked at the absence of laws surrounding face [recognition technologies](#) and has found that there are no laws which specifically address the issue of unauthorised application of [face recognition](#) technologies to online images. With the increasing popularity of uploading photographs on [social networking sites](#), the paper calls for law and policy makers around the world to see this as a critical issue. Author of the paper, Associate Professor Niloufer Selvadurai says that, "there is a need to protect individual identity and autonomy through enactment of appropriate laws to countervail the potential threats to privacy posed by the application of facial recognition technologies."

Face recognition technologies involve a one-to-many process of identification whereby complex algorithms relating to facial features and appearance are utilised to identify an unknown party from a set of known possibilities. This comparison feature of the technology is what houses the potential to undermine individual privacy.

Using Australian law as an example case study as well as looking at laws and social norms around the world, the article analyses one of the fastest growing areas of biometric technology and concludes that this

technology could be readily accessible to the general public, moving it beyond commercial systems. Although face recognition technologies have been in use for some time, it has been enhanced by the relatively recent development of 3D scanning technology which enables significantly increased accuracy. The article infers that the current approach is not suitable to the modern digital environment. They also talk about the need to appreciate a 'two-way mirror model of the internet' - where public and private users are simultaneously watching and being watched - when thinking about new laws to protect privacy from face recognition technology.

The author commented that "the law should be responsible for creating private spaces within the otherwise public space of the internet". They went on to say that, "it is recommended that a new part be added to the Criminal Code that prohibits the application of face recognition technologies to visual images on the internet so as to obtain information on identity." The article also stressed the importance of exceptions relating to national security and law enforcement.

The laws recommended by Associate Professor Selvadurai encourage the protection of online identity by enabling an individual to be "just a face in the crowd".

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