Beyond Face Value

The ethical, legal and societal implications of facial recognition technology

Carly Kind
@carlykind_

Who are we?

- Our mission is to ensure that **data and AI work for people and society**

- Research, public deliberation, working with industry, policy and civil society

"Ministers are not addressing proportionality and governance and legislation has fallen behind technology development and deployment."
UK Biometrics Commissioner

Sadiq Khan ✔
@SadiqKhan

London's public spaces should be open for all Londoners to access and enjoy without fear of separation or segregation. I've written to the CEO of the King's Cross development to raise my concerns about the use of facial recognition across the site.
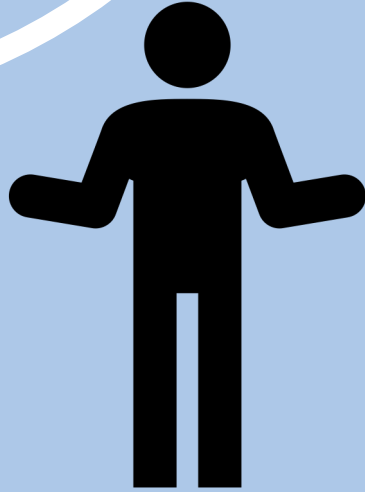
The Guardian

London mayor writes to King's Cross owner over facial recognition
Sadiq Khan raises concerns after development admits using technology in its CCTV
🔗 theguardian.com

POLICE TRIAL OF FACIAL RECOGNITION TECHNOLOGY

We are trialling the use of facial recognition technology to help us identify and arrest wanted people.

This trial will involve the use of mobile cameras installed with facial recognition software in the Westminster area.

For more information go to :-
www.met.police.uk/advice/advice-and-information/facial-recognition/live-facial-recognition-trial/

METROPOLITAN POLICE

- Survey of 4109 people's attitudes to facial recognition tech

- First major survey of this kind on this tech

- Looked at 6 used cases: police, transport, supermarkets, airports, job interviews, schools
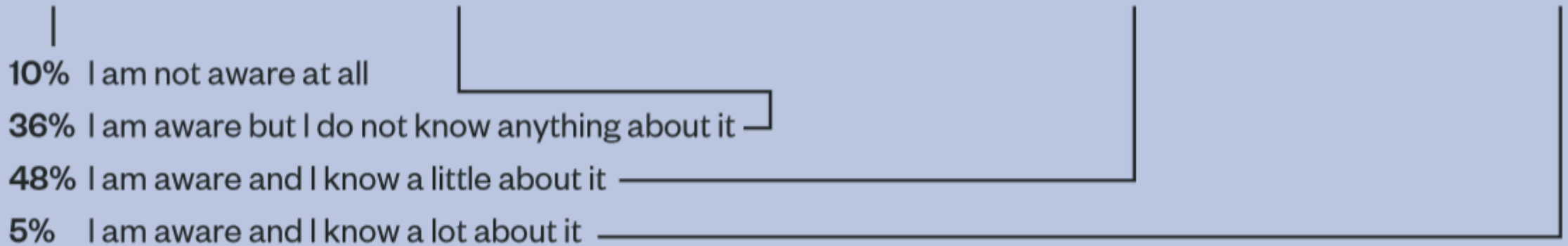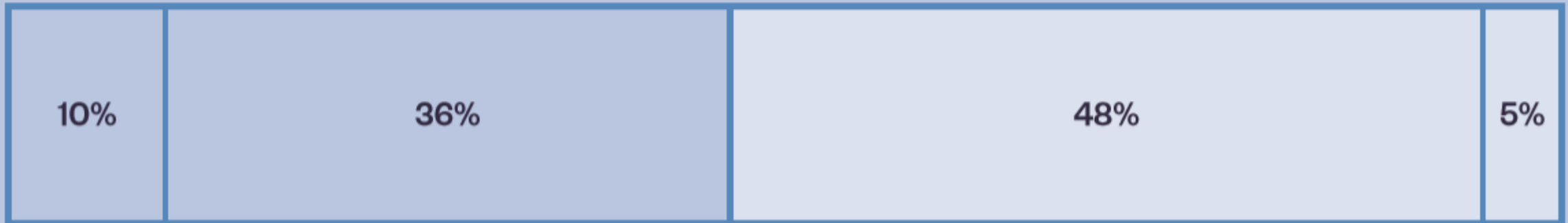
- **"Facial recognition" as an umbrella term**

- **Use of case studies based on actual deployments**

- **No elaboration of what safeguards exist**

1. Awareness of facial recognition technology is high, but knowledge about it is low.

53% of people are aware of facial recognition technology and know something about it. 10% are not aware at all.

Unaware   Knowledgeable
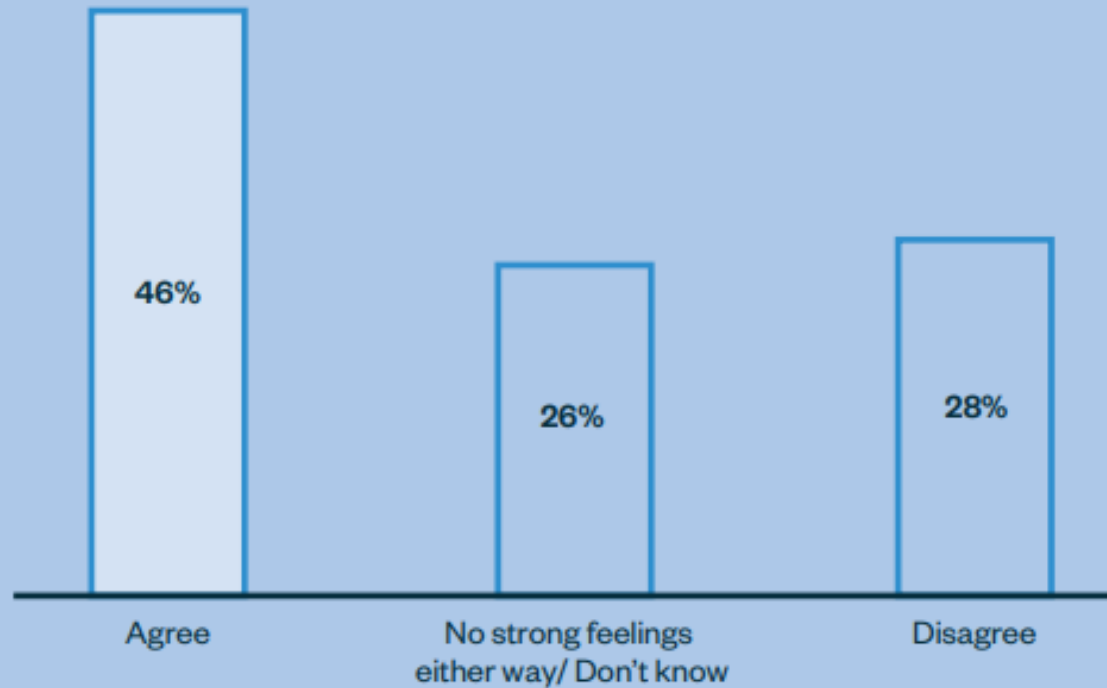
| 10% | 36% | 48% | 5% |

10% I am not aware at all

36% I am aware but I do not know anything about it

48% I am aware and I know a little about it

5%   I am aware and I know a lot about it

Q: How aware are you of the use and adoption of facial recognition systems in the UK?

2. Consent is an important safeguard for many people.

46% of people think the public should be able to opt out of or consent to facial recognition technology.

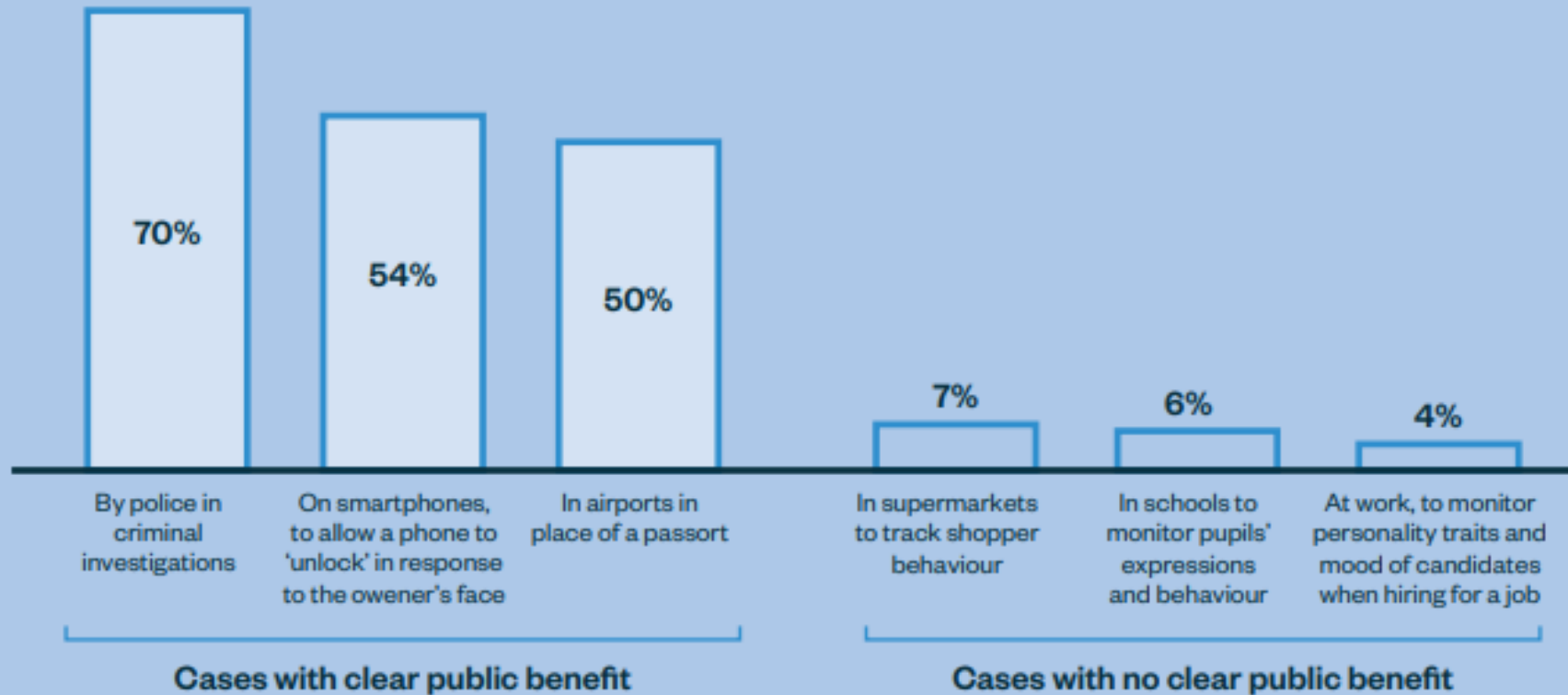| 46% | 26% | 28% |
| Agree | No strong feelings either way/ Don't know | Disagree |

Q: How much do you agree or disagree with the following statement?

The public should be given the opportunity to consent or opt out of being subjected to facial recognition technology.

#BeyondFaceValue @adalovelaceinst

3. People fear the normalisation of surveillance, but mostly support facial recognition technology when there is public benefit and safeguards are in place.

Support for the use of facial recognition technology is much higher when there is a clear public benefit.

Cases with clear public benefit

- By police in criminal investigations — 70%
- On smartphones, to allow a phone to 'unlock' in response to the owener's face — 54%
- In airports in place of a passort — 50%

Cases with no clear public benefit

- In supermarkets to track shopper behaviour — 7%
- In schools to monitor pupils' expressions and behaviour — 6%
- At work, to monitor personality traits and mood of candidates when hiring for a job — 4%
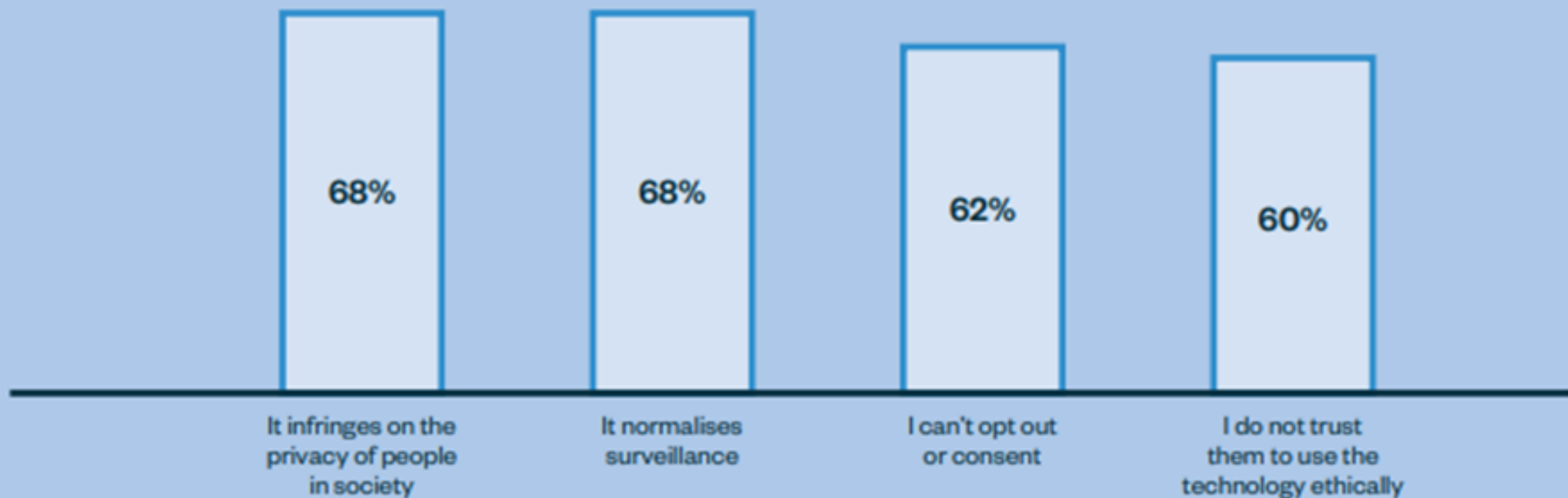
Q: For which of the following purposes do you think facial recognition technology should be used?

4. There is no unconditional support for police to deploy facial recognition technology.
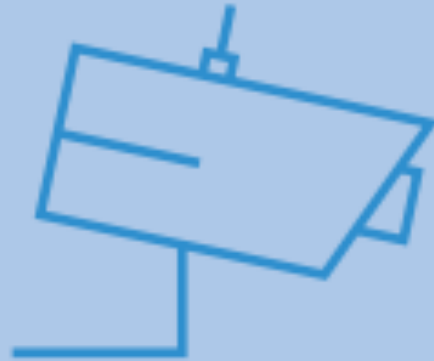
The top four reasons given for discomfort around police uses of facial recognition technology relate to privacy, surveillance, consent and ethics.

68%	68%	62%	60%
It infringes on the privacy of people in society	It normalises surveillance	I can't opt out or consent	I do not trust them to use the technology ethically

Reasons for discomfort with police use of facial recognition technology as cited by those who are uncomfortable with this use (29% of respondents).

55%

of people think the government should limit police use of facial recognition to specific circumstances

5. The public does not trust the private sector to use facial recognition technology ethically.

People do not trust companies to use facial recognition technology in an ethical way.

77%

of people are uncomfortable with the prospect that facial recognition technology could be used by shops to track customers.

70%

of these cite the reason as a lack of trust in companies to use the technology ethically
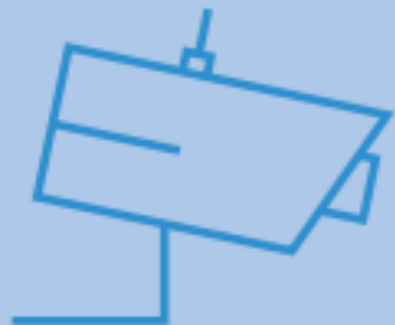
76%

of people are uncomfortable with the prospect that facial recognition technology could be used in human resources for recruitment.

63%

of these cite the reason as a lack of trust in companies to use the technology ethically

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6. Companies and the government have a responsibility to act now.

55%

of people agree the government should limit police use of facial recognition technology

68%

of people agree the government should limit schools' use of facial recognition technology
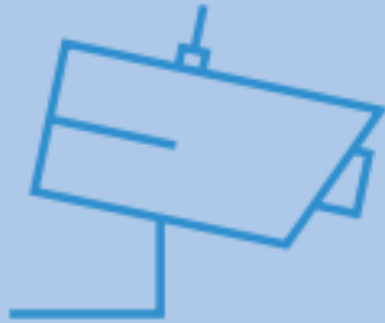
40%

VS

30%

More people agree than disagree that the government should outlaw the use of facial recognition technology in schools

A voluntary moratorium

There is support for a pause on sale of facial recognition technology for now, so that the public can be consulted about its use
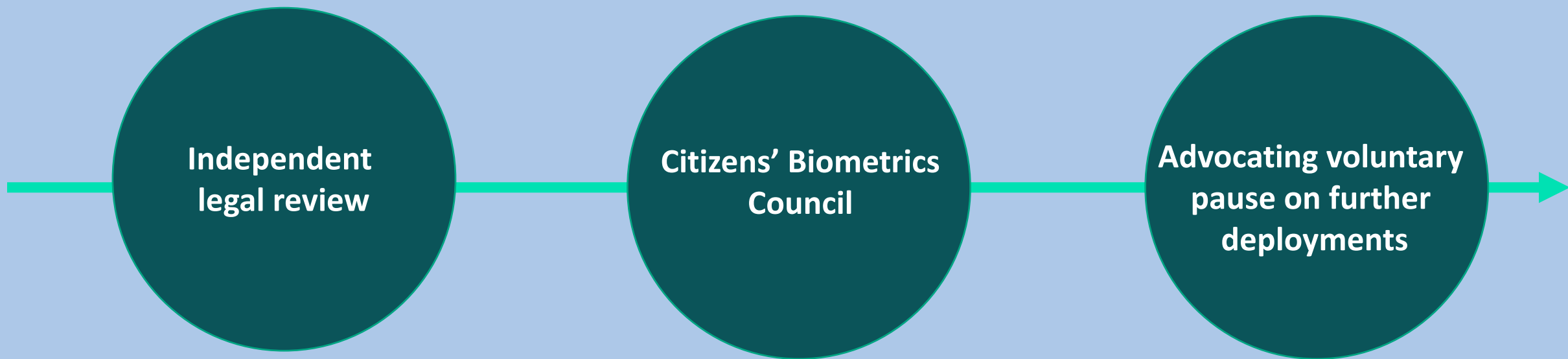
50%

of people agree that the private sector should not sell facial recognition technology to the police*

70%

of people agree that the private sector should not sell facial recognition technology to schools*

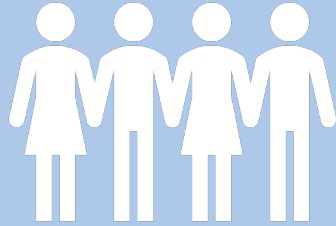*for now, so that the public can be consulted about its use

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The Independent Review

- **Led by Matthew Ryder QC**

- **Will take public evidence and consult key stakeholders**

- **Focus is the legal and regulatory gaps**

- **Make recommendations for regulatory reform**

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The Citizens' Biometrics Council

60 members of the public

2 groups: Bristol & Manchester

1 2 3

Meeting across 3 rounds of workshops

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FINANCIAL TIMES myFT

Opinion **Technology**

We need a moratorium on use of facial recognition technology

Companies should follow the model set by insurers who eschewed use of genetic testing

FINANCIAL TIMES myFT

Letter   + Add to myFT

Letter: Companies can adopt a voluntary moratorium on facial recognition

From Carly Kind, London, UK

The Guardian

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IBM

IBM quits facial-recognition market over police racial-profiling concerns

CEO writes to US Congress calling for 'national dialogue' about use in law enforcement

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The New York Times

Amazon Pauses Police Use of Its Facial Recognition Software

The company said it hoped the moratorium "might give Congress enough time to put in place appropriate rules" for the technology.

STOP ENABLING HUMAN RIGHTS ABUSES #NOTECHFOR

ACCURACY

Rapid evidence review
20 April 2020

Ada Lovelace Institute

Exit through the App Store?

A rapid evidence review on the technical considerations and societal implications of using technology to transition from the COVID-19 crisis

This rapid evidence review sets out proposals for whether, and how, the UK Government should use technology to transition from the COVID-19 global public health crisis.

It examines the potential development and implementation of technical solutions to support symptom tracking, contact tracing and immunity certification. In doing so, its analysis takes into account societal, political, legal and ethical perspectives, and gives findings and recommendations for the transition and rebuild phases that follow containment, delay and mitigation.

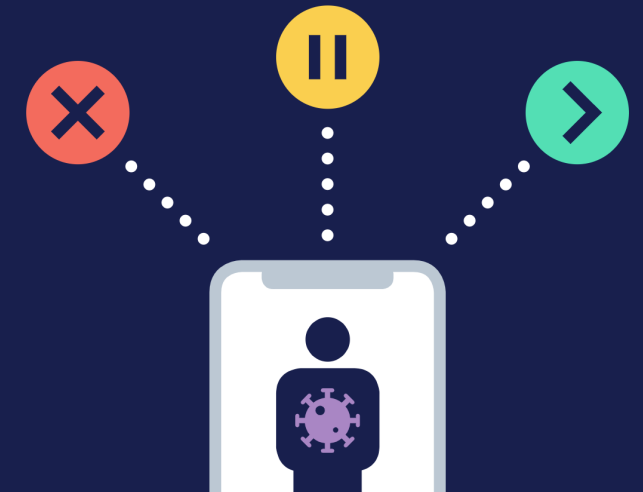## A public health identity? Health status apps, immunity certificates and biometrics

Our work | Identities and liberties

The risk that COVID-19 poses to individuals and society has suspended the usual balance of rights and freedoms, justifying an incursion on liberty and curtailment of rights for the sake of public safety.

An emerging aspect is the development of a 'Public Health Identity' (PHI), a system for verifiably sharing private health data relevant to public health concerns. These can come in the form of a health status app or digital immunity certificate, which could be used to stream society based on an individual's health or risk of COVID-19 infection or transmission. Streaming could formally or informally shape how citizens access parts of society, with possible employment, spaces, travel or interaction contingent on bringing personalised private health data into the public sphere.

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No green lights, no red lines

Public perspectives on COVID-19 technologies
July 2020

Draft CoE Guidelines on Facial Recognition

- Focus on accuracy/bias obscures more fundamental societal impacts

- Importance of distinguishing between
  - Function (face detection, face matching, face classification, face recognition)
  - Use (passive/remote use [recognition of anonymous people] vs active [FaceID])
  - Context (schools, public transport, workplaces, policing, borders)

- Need to look beyond facial recognition to other forms of biometric recognition technologies

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