



GOVERNMENT USE OF FACIAL RECOGNITION TECHNOLOGY POLICY



WHAT WE BELIEVE

The NSW Police Force uses facial recognition technology (FR) to prevent, disrupt, investigate and respond to serious and violent crime and help keep communities safe.

The widespread and increasing use of cameras in New South Wales to monitor citizens has potential to intrude unreasonably on citizens' privacy and breach their civil rights and freedoms. There are concerns that images and personal details of citizens may be stored indefinitely and be used by police for inappropriate and unrelated purposes e.g. targeting licenced firearm owners.

In 2018, a researcher at Massachusetts Institute of Technology (MIT) concluded that software supplied by three companies made mistakes in 21% to 35% of cases for darker-skinned women. By contrast, the error rate for light-skinned men was less than 1%. Such inaccuracies could have serious consequences, including targeting, profiling, false arrest, prosecution or imprisonment and systematically ingraining biases in police 'stop and searches'.

In 2020 a court case in Wales (UK) held that the complainant's right to privacy, under article 8 of the European convention on human rights, was breached because there was "too broad a discretion" left to police officers in applying facial recognition technology.

There is high potential for abuse of FR technology by NSW police. The risks associated with use of facial recognition technology by NSW Police can be severe and long-lasting. FR technology needs to be very tightly controlled to ensure inappropriate use by NSW police does not occur. If inappropriate use does occur, severe penalties should ensue.



OUR ACTION PLAN

The use of Facial Recognition technology by NSW Police Force must be very tightly controlled. The penalties for improper use of FR technology by officers must be severe to act as a deterrent. The Commissioner of Police must be held personally responsible and accountable for any NSW police officer that misuses facial recognition technology.

The Shooters, Fishers and Farmers Party will introduce a bill in NSW Parliament that:

- provides safeguards to reduce and control inappropriate use of FR technology by police and other government instrumentalities;
- imposes severe penalties (financial and custodial) for improper use by government officials;
- all images and video must be destroyed within a specified time frame;
- holds the Commissioner of Police or other responsible government employees personally accountable and responsible;
- cases of suspected inappropriate use of FR technology by government instrumentalities will only be investigated by an appointed independent investigator, not by internal investigation by NSW police or government departments;
- personal computers and mobile devices of police or other government employees may be searched at any time for evidence of images downloaded from FR servers.