

# *In your face – Biometric face recognition raises privacy concerns*

**A** CONTROVERSIAL SURVEILLANCE TECHNOLOGY is showing its face in Ontario casinos and at Canadian airports. Known as biometric face recognition, the technique measures a series of spatial relationships from individuals' facial bone structure, allowing the data to be matched with stored images of suspected terrorists, criminals and gambling cheats.

Face recognition reportedly measures about 250 areas of the face and can detect matches despite changes to an individual's hair colour, facial hair and even some plastic surgery. Although not new, the technology is still little known in Canada.

**ONTARIO CASINO SURVEILLANCE**  
News that the Ontario Provincial Police (OPP) were subjecting Ontario casino visitors to covert surveillance prompted the province's Privacy Commissioner to launch an investigation. Neither the Alcohol and Gaming Commission of Ontario (AGCO—which regulates casinos) nor the OPP (who provide casino surveillance services) had notified Commissioner, Ann Cavoukian, about the project despite her repeated requests that government agencies run these types of projects through her office. Dr. Cavoukian was particularly concerned that a routine and covert surveillance could lead down a slippery slope to every casino visitor having a facial biometric in police files. She observed there were "many unanswered questions".

Following a month-long investigation, the Commissioner stated, on February 26th 2001, that the public should be reassured that the OPP is not scanning the faces of all casino

visitors. OPP officers who conduct criminal investigations into gaming at casinos use biometric face recognition only when they have a "reasonable suspicion that an individual is engaging in criminal activity." Ms Cavoukian concluded that OPP's use of video surveillance and face recognition to collect personal information for criminal investigations complied with Ontario's Freedom of Information and Protection of Privacy Act.

However, the Commissioner did recommend that the AGCO post signs at all Ontario casinos to notify patrons that their personal information may be collected using face recognition technology. Current signs only advise that patrons may be subject to video surveillance. She also recommended the AGCO make information publicly available at casinos setting out the legal authority for the collection; the principal purpose or purposes for which the personal information is intended to be used; and the title, business address and business telephone number of a public official who can answer any questions about the collection.

In addition to the legal requirements, the Commissioner observed there were strong policy reasons for requiring government institutions to provide notice if they are surrepti-

tiously using biometric technologies to capture personal information. "We do not believe that individuals surrender complete control over their physical autonomy and personal information when they enter a casino... Unless a specific, probable harm can be identified, government institutions should be required to notify the public if face recognition technology is being used in a public location." Giving notice that police are using the technology may have a deterrent effect, buttressing law enforcement efforts at keeping Ontario casinos free of criminal activity.

Information technology 'Wild West One' face recognition system is made by Vancouver-based Imagis Technologies Inc. which is advised by Reid Morden, a former director of the Canadian Security Intelligence Service. Morden, now chairman of KPMG's corporate intelligence unit, considers face scans an effective tool against drugs, terrorism and organized crime. He cited the kind of random violence in Britain from the IRA and soccer hooligans, and questioned whether using the technology to protect individuals is a justified invasion of privacy. He concluded that it probably is.

Nevertheless, in an interview with the *Totonto Star* he acknowledged

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