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Computer Law & Security Review

Volume 27, Issue 6, December 2011, Pages 637-640

Say cheese! Privacy and facial recognition

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<https://doi.org/10.1016/j.clsr.2011.09.011>

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Abstract

The popular social networking site, Facebook, recently launched a facial recognition tool to help users tag photographs they uploaded to Facebook. This generated significant controversy, arising as much as anything, from the company's failure to adequately inform users of this new service and to explain how the technology works.

The incident illustrates the sensitivity of facial recognition technology and the potential conflict with data privacy laws. However, facial recognition has been around for some time and is used by businesses and public organisations for a variety of purposes – primarily in relation to law enforcement, border control, photo editing and social networking. There are also indications that the technology could be used by commercial entities for marketing purposes in the future.

This article considers the technology, its practical applications and the manner in which European data protection laws regulate its use. In particular, how much control should we have over our own image? What uses of this technology are, and are not, acceptable? Ultimately, does European data protection law provide an adequate framework for this

Ultimately, does European data protection law provide an adequate framework for this technology? Is it a framework which protects the privacy of individuals without unduly constraining the development of innovative and beneficial applications and business models?



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Keywords

Privacy; Social networking; Facial recognition; Facial biometrics; Data protection

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