



Standing Committee on Justice and Community Safety

Inquiry into Cashless Gaming **ANSWER TO QUESTION TAKEN ON NOTICE**

Asked by Mr Andrew Braddock MLA on 27 March 2024: The Minister for Gaming, Mr Shane Rattenbury MLA, took on notice the following question(s):

Reference: Hansard [uncorrected] proof transcript 27 March 2024, pages 28-29:

In relation to:

MR BRADDOCK: Coming back to facial recognition technology, you mentioned there is no regulatory framework around that. Has there been any assessment of the human rights implications of its use in the ACT?

Mr Rattenbury: Not at this point. No. I think it certainly would raise a range of issues around right — you can imagine the sort of areas under the Human Rights Act it would raise issues of. Particularly, the right to privacy would be the main one. I mean, it is an issue I have been raising at a national level through the Standing Council on Attorneys-General.

Generally, there is very limited regulation in Australia of facial recognition technology. I have asked the Standing Council on Attorneys-General to take up this matter at a national level. There is some interest in that, but at this point — and I think the Commonwealth government would have the primary lead on this to ensure a national system.

But there is very limited regulation of facial recognition technologies, so I think there a lot of question marks over its usage. I mean, we have seen the community reaction to the use of it Bunnings, Kmart, and some of the supermarkets in this country. I think the community is concerned about it.

MR BRADDOCK: Thank you.

Mr Ceramidas: Mr Braddock, if I could just add to that. There is a relevant report of the Australian Human Rights Commission of 2021 Human Rights and Technology which I am happy to provide the committee out of session which deals with some of the human rights issues associated with the use of facial recognition and biometric technologies. I am happy to provide that to the committee.

MR BRADDOCK: Thank you.

Minister for Gaming: The answer to the Member's question is as follows:—

The Australian Human Rights Commission completed a project on the human rights implications of new technologies, culminating in a Final Report published in May 2021.

Information about the project can be found on the Australian Human Rights Commission's website at: <https://humanrights.gov.au/our-work/technology-and-human-rights/projects/final-report-human-rights-and-technology>

The Final Report is available online at: [ahrc_rightstech_2021_final_report_10.pdf](#) (humanrights.gov.au). Chapter 9 of the Final Report discusses biometric surveillance, facial recognition and privacy.

Approved for circulation to the Standing Committee on Justice and Community Safety

Signature:



Date: 10/4/24

By Shane Rattenbury MLA, Minister for Gaming