

FRT Inquiry: summary of findings

The trial

Foodstuff North Island's (FSNI) Facial Recognition Technology (FRT) trial ran from 8 February to 7 September 2024 in 25 FSNI supermarkets. During the trial, 225,972,004 faces were scanned (including multiple scans of same person), with 99.999% of these deleted within one minute, and there were 1742 alerts of which 1208 confirmed matches – [see our infographic, FRT trial by the numbers](#).

The Inquiry

The purpose of the Privacy Commissioner's Inquiry into FSNI's trial use of FRT was to understand its privacy impacts, its compliance with the Privacy Act, and to evaluate if its use made a significant difference to the level of serious retail crime compared with other less privacy intrusive options.

[Read the full Inquiry report](#).

Summary of Inquiry findings

The Inquiry found that FSNI's trial use of FRT complied with the Privacy Act. While the level of privacy intrusion was high because every visitor's face is collected, the privacy safeguards in the trial reduced it to an acceptable level.

Learnings from the trial for the retail sector- Privacy safeguards are necessary

FRT systems have potential safety benefits, but they also raise significant privacy concerns, including overcollection of personal information and unfair application.

The Privacy Commissioner recommends that other businesses use the Inquiry findings to ask the right questions about whether FRT is necessary and appropriate for them. The report sets out the Commissioner's expectations in nine key areas.

Organisations should consider the seriousness of the problem they're trying to solve and consider what other options are available. If FRT is considered necessary, its use should be done in way that minimises the associated privacy risks.



There are several steps organisations can take to minimise the impact of FRT [Read about how to use FRT well](#).

A degree of caution is needed

While the use of FRT during the trial was effective at reducing harmful behaviour (especially reducing serious violent incidents) the results need to be treated with a degree of caution. FRT technology has been developed overseas and lacks training data for the New Zealand population. As a result, we can't be completely confident that the technology has fully addressed bias issues, including the potential impact on Māori and Pacific people. This means the technology must only be used with robust operational processes including human checks to mitigate that residual risk of bias in the decision making.

OPC is currently developing a [Biometric Processing Privacy Code](#). Using an image of someone's face used in a Facial Recognition system will be covered by the privacy rules in the new Code. The Code is expected to be published around mid-2025.

