

Emotion analysis technology could lead to discrimination, watchdog warns

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[Businesses](#) should not rely on “immature” biometric technologies that claim to offer emotional analysis of staff, the Information Commissioner’s Office (ICO) has said, warning that such technology could discriminate against some people.

The data protection watchdog’s intervention refers to AI-powered technology which claims to analyse things such as facial movements and expressions, gait, and even gaze tracking, as a way of monitoring the health and well-being of workers.

The ICO said the process of collecting personal data which can focus on subconscious behavioural or emotional responses to try to understand emotions was far riskier than more traditional biometric technologies that are used to verify a person’s identity.

It said that algorithms used in these systems, which have not been sufficiently developed to detect emotional cues, could show bias or even discriminate against some people.

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The regulator has urged organisations to assess the public risk before using such technology, and warned that any firms which do not act responsibly, pose a risk to vulnerable people or fail to meet ICO expectations will be investigated.

“Developments in the biometrics and emotion AI market are immature. They may not work yet, or indeed ever,” ICO deputy commissioner Stephen Bonner said.

“While there are opportunities present, the risks are currently greater.

“At the ICO, we are concerned that incorrect analysis of data could result in assumptions and judgments about a person that are inaccurate and lead to discrimination.

“The only sustainable biometric deployments will be those that are fully functional, accountable and backed by science.

“As it stands, we are yet to see any emotion AI technology develop in a way that satisfies data protection requirements, and have more general questions about proportionality, fairness and transparency in this area.

“The ICO will continue to scrutinise the market, identifying stakeholders who are seeking to create or deploy these technologies, and explaining the importance of enhanced data privacy and compliance, whilst encouraging trust and confidence in how these systems work.”

The ICO also confirmed it would publish new guidance on biometric technology in spring next year to help businesses

better understand how and when to use the technology.