



Australian Government
Digital Transformation Agency



Legal and Constitutional Affairs Legislation
Committee

Inquiry into the Identity Verification Services Bill 2023 and Identity Verification Services (Consequential Amendments) Bill 2023 [Provisions].

Digital Transformation Agency Submission

Introduction

Please note this submission supersedes the original submission provided by the DTA on 29 September 2023. On further reflection and supported by discussions with the Attorney Generals Department, we note that the concerns raised in the DTA's original submission are addressed through the proposed Bill.

As the leader for Government's digital strategy and advice, the Digital Transformation Agency (DTA) supports clear guardrails and standards for Government's delivery of digital services including, those supported by Identity Verification services. The community expects greater convenience and efficiency when accessing digital services with a high standard of privacy in order to maintain trust in Government.

Current identity verification services

Current identity matching compares the personal information on an identity document against existing government records, such as passports, driver licences and birth certificates. The service is provided through secure, online systems through a partnership between the Australian Government, state and territory governments, under the Intergovernmental Agreement on Identity Matching Services.

There are more than 11.3 million myGovID accounts that people use to authenticate their identity for government services. These were created using the Document Verification Service (DVS), and one-third were verified using the Face Verification Service (FVS), which provides access to Centrelink, the Australian Tax Office and other services, including disaster relief. The significance of identity verification services to our day-to-day lives will continue to grow as technology advances and the uptake of identity verification increases.

The need to legislate for the identity verification services is more important today than ever before. The identity verification services are a foundational capability to the Australian economy that is used every day by governments and industry. The services will become even more crucial to the provision of government and industry services as the voluntary accreditation scheme for Digital ID service providers (to be strengthened by the Digital ID Bill) expands across the economy.

Identity matching changes

The Bill proposes to allow the use of 1:1 matching services through the identity verification services with the consent of individuals, by public and private entities. This would include the use of DVS and FVS to verify biographic information against government issued identification documents.

The Bill would provide a stronger and more robust mechanism for the management and application of 1:many matching services.

The Bill explicitly excludes the use of a 1:many matching service for all activities covered by the bill, including law enforcement activities, except for the protection of legal assumed identity. Shielding for protective purposes is an important distinction from uses relating to prosecution or investigations (which are not allowed under the Bill).

Careful monitoring and management will be required so that information is not inadvertently used for purposes not intended or outside of this scope.

The use and uptake of Digital ID by the community is increasing. The community increasingly expects easy access to government services with assurance that their personal information is protected. Should there be increased concern from the community about privacy the government will need to proactively address community concerns if they arise.

Adequate safeguards are required to proactively manage and address community expectation about privacy and how identity information is used by Government. Any negative perception or misunderstandings relating to the limited 1:many matching may result in less enrolments in Digital ID and uptake of digital services. A slowing in the uptake of Digital ID would negatively impact on the work done by government to date, to streamline and improve inclusive access to digital services.

The Bill provides allowances for the charging of fees for identity verification services by agencies or organisations, consistent with current practice. Any changes to costing arrangements require consideration and consultation, with a focus on vulnerable cohorts. While the Bill does not allow for charging of individuals, fees may be passed on to users. If a fee for services or associated costs was passed on it may negatively impact those in the community who are most likely to benefit from improved digital services.