

QUESTION TAKEN ON NOTICE

ADDITIONAL ESTIMATES HEARING : 23 February 2015

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(AE15/114) - Biometrics - Programme 1.1 Border Management (Administered)

Senator Carr, Kim (L&CA) written:

- a. Can you outline what the term 'biometrics collection' involves?
- b. What is done with the data collected via biometrics?
- c. Is the collection of biometrics mandated for all visa applicants?
- d. What happens if a person declines to provide biometrics as part of their visa application?
- e. Are biometrics collected for Australian Citizens or Permanent Residents?
- f. Does it make a difference if the application is lodged onshore or offshore?
- g. When did onshore biometrics collection start for Protection visa applicants (asylum seeker)?
- h. What is the progress of rolling out the offshore visa applicant biometrics collection?
- i. Has there been any additions made to the collection points, or visa classes required to provide biometrics made in 2014?

Answer:

a. Can you outline what the term 'biometrics collection' involves?

A biometric is a unique identifier that is based on individual physical characteristics, such as facial image, fingerprints and iris, which can be digitised into a biometric template for automated storage and checking.

Australia currently collects facial images for citizens and non-citizens in its automated border clearance system (ie., SmartGate), for the purpose of verifying biometrics against the image stored within the digital chip of an electronic passport. The department collects facial images from Citizenship applicants as part of the application process.

The department currently also collects facial images and fingerprints from non-citizens to conduct additional security and immigration checks, including for:

- Illegal maritime arrivals (IMAs).
- Non-citizens in held immigration detention.
- Onshore protection visa applicants (ie., persons who arrive in Australia on regular visas, then lodge a protection claim onshore).
- Visa applicants offshore, including refugees, in 21 countries in Europe, Africa, Asia, South America and the Pacific according to risk-based assessments.

Clients are advised about the purpose of collection and in regards to how their biometrics will be used by the department.

b. What is done with the data collected via biometrics?

Biometric images are kept on secure portfolio databases with retention and disposal governed by the *Migration Act 1958* and *Archives Act 1983* through the associated departmental Records Authorities.

The department stores and matches its fingerprint records on the National Automated Fingerprint Identification System (NAFIS), administered by CrimTrac. For automated border clearance, the biometric is used to compare (verify), the facial image of the individual presenting for clearance, against the image stored within the digital chip of an electronic passport.

Within the department, collected biometric data is checked against existing DIBP biometric data holdings for possible matches and fingerprints are disclosed for checks with Australian law enforcement databases. The department selectively refers anonymised fingerprint records (ie fingerprint records without accompanying biographic details), to other relevant countries as part of its integrity measures, via security approved mechanisms.

c. Is the collection of biometrics mandated for all visa applicants?

Only some non-citizens are required to provide their biometrics at the time of visa application.

Under the Offshore Biometrics Programme, visa applicants in 21 countries are required to provide their biometrics. Biometrics are also collected from selected cohorts (mainly Refugee and Humanitarian visa applicants) in some other countries. The full list of locations and visa types can be found at:

<http://www.immi.gov.au/allforms/biometrics/offshore/countries.htm>

Biometrics are not collected from some non-citizens who would otherwise provide them. For example, heads of state, heads of government and some foreign government officials are exempt from the need to provide biometrics. The *Migration Act 1958* (the Act) currently prohibits officers from requiring the provision of fingerprints from minors who are less than 15 years old and from incapable persons.

Onshore, the department collects facial image and fingerprints from the following cohorts:

- Illegal Foreign Fishers in immigration detention.
- Unlawful Non-Citizens in immigration detention.
- Selected Non-Citizens at airports, during secondary line processing.
- Protection visa applicants.

d. What happens if a person declines to provide biometrics as part of their visa application?

An applicant can be required by an officer under section 40 or 46 of the Act to provide their biometrics. If an applicant does not provide their biometrics, their visa application may become invalid or be refused.

e. Are biometrics collected for Australian Citizens or Permanent Residents?

All Australian citizens and permanent residents who travel on an electronic passport and who make use of the automated border clearance system (Smartgate), provide a facial biometric for biometric comparison against their passports.

Applicants for Australian citizenship, including Permanent Residents applying for Australian citizenship, are required to provide a facial image as part of their application. Permanent residents are generally not required to provide their biometrics currently, as part of their Permanent Resident visa application.

f. Does it make a difference if the application is lodged onshore or offshore?

Currently, most applications lodged onshore (where the client is offshore) are not included in the offshore biometrics programme. Under the department's plans to expand the offshore biometrics programme over 2014-18, visa subclasses which are processed onshore (where the client is offshore) will be gradually included, starting with the Sponsored Family Visitor cohort in May 2015.

g. When did onshore biometrics collection start for Protection visa applicants (asylum seeker)?

From November 2010, following a pilot in Sydney and Melbourne, the department commenced collecting biometric facial images and fingerprints nationally from visa holders who arrive on regular visas, and then subsequently apply for protection visas onshore.

h. What is the progress of rolling out the offshore visa applicant biometrics collection?

The department is on track to roll out biometrics collection to five additional countries before the end of the 2014-15 programme year as follows:

- Nepal 23 March
- Mexico 14 April
- Singapore 24 April
- Hong Kong 27 May
- Vietnam 30 June

Planning is under way for 2015-16.

i. Has there been any additions made to the collection points, or visa classes required to provide biometrics made in 2014?

Offshore, since 1 July 2014, two Visa Application Centres in Colombia with biometrics collection capacity have opened and Mobile Biometrics Collection Units (MBCUs) have been deployed in New Delhi, Kuala Lumpur, Tehran and Cairo. MBCUs are predominantly used for the collection of biometrics from Refugee and Humanitarian visa applicants.

In addition, the department is scheduled to commence collection from Sponsored Family Visitor applicants in designated countries from May 2015.