



Committee Secretary
Senate Standing Committees on Economics
By email: economics.sen@aph.gov.au

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Economic Justice Australia submission to Digital ID Bill 2023

About Economic Justice Australia

Economic Justice Australia (EJA) is the peak organisation for community legal centres providing specialist advice to people on their social security issues and rights. Our members across Australia have provided people with free and independent information, advice, education and representation in the area of social security for over 30 years.

EJA provides expert advice to government on social security reform to make it more effective and accessible. Our law and policy reform work:

- Strengthens the effectiveness and integrity of our social security system;
- Educates the community; and
- Improves people's lives by reducing poverty and inequality.

Human Technology Institute submission to this Inquiry

We have read the Human Technology Institute submission to this inquiry and endorse its comments and recommendations.

Endorsement of concerns re protections for Relying Parties

We make the additional recommendations set out below from our perspective as the peak for community legal services providing expert advice and representation to people among cohorts affected by systemic barriers to accessing social security rights and entitlements.

It is important to ensure that people who cannot interact with services and business that require digital ID (Relying Parties) are not indirectly disadvantaged by being unable to obtain or use a Digital ID.

While Clause 74 provides important protections in this regard it does not go far enough to mandate that accessible alternatives are genuinely available for people unable to use digital interfaces. It is EJA's experience that while in theory alternatives to obtaining MyGov IDs have been available, in practice it has often been the case that there is really no alternative.

For example, people with disabilities, First Nations people and people in remote Australia have reported significant issues with processes for online identity authentication because the processes required to obtain and re-use already obtained IDs and related passwords do not reflect their access to technology and the devices needed to administer authentication systems.

EJA members report significant issues for people being excluded from payments and services because they do not obtain MyGov IDs.

While clause 74 provides important protections in relation to voluntariness, it may not be sufficient to safeguard that people will not be disadvantaged by not having or being able to create a Digital ID. These concerns are particularly relevant to people with disability and in First Nations and remote communities where stronger measures overall are needed to ensure that protections are provided for people who do not want, cannot easily create or maintain a Digital ID.

Recommendation: Safeguards for people for whom the creation and ongoing use of a Digital ID is problematic should be a legislated requirement for Digital ID Relying Parties.

The is a need to ensure that people with accessibility issues are consulted in the design of Digital ID verification processes to prevent inadvertent risks or harms. It is important to ensure they these systems are designed with a practical understanding of the people they affect, and the vulnerabilities and disadvantages of many people who receive income support payments and access other government services online.

Recommendation: The design standards outlined by Australian Human Rights Commission for disability inclusion should be considered when designing the authentication processes for Digital ID creation and ongoing use.

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