

QUESTION ON NOTICE

Parliamentary Joint Committee on Intelligence and Security

Topic: Review of the Identity-matching Services Bill 2018 and the Australian Passports Amendment (Identity-matching Services) Bill 2018

Question

MR DREYFUS: Is it possible for either department to provide this committee with what's currently available in terms of the data that's in the system or about to be in the system or would be in the system if this bill becomes law? In addition—I'm looking for some concreteness here—provide a list of the uses that can currently be made of data that would go into the system. I've understood you to say that there are a whole lot of envisaged uses, but they are presently not the subject of any legislative arrangement and not the subject of governmental permission. You've just given the example, Mr Rice, of the ACT withholding its data and saying it does not wish to use this proposed centralised system for the purpose of a face identification service. I think I have that right—not the face verification service. Is it possible for the departments—particularly Home Affairs, which is going to run this system—to provide us with both of those things: what's going to go in it and what uses are available now? Perhaps there's a third thing—thinking aloud: what does the government envisage are future uses? A lot of the trouble—and it's apparent from the way in which the submissions have been put before us—is simply doubt on the part of members of the public. You, as the public servants responsible for this, have a very firm idea about it all, but we're looking for some way in which this committee could get at what's actually proposed and what's actually happening now. It wasn't news to me, but it probably would be news to most Australians to know that there's even a document verification service. Compared to the technology that we now have in mind, it's a pretty benign activity to compare a copy of a document with another. This is a whole different exercise. I ask you again to take that on notice. I finish there.

Answer

The Department will retain all passport data in its existing databases. It will not move or duplicate passport datasets by putting them into the Face Verification Service (FVS) or the Face Identification Service (FIS). The FVS and FIS are not systems or databases that could receive or store such datasets.

The Department will instead disclose passport information on an individual basis from its existing databases to entities that make requests through the FVS and FIS. Depending on the service through which the request is made, the purpose of the request and the level of access the Department grants to the requesting entity, this information could include data page information, status information, request information and/or authenticity information as defined in Section 23 of the *Australian Passports Determination 2015*.

In concrete terms, in the overwhelming majority of cases the Department will simply disclose whether or not passport information that *the requestor provides to the Department* matches an existing and current passport record. Any and all disclosures to private sector entities will be of that limited nature.

Legal bases already exist to provide most of the information the Department will disclose under the FVS and FIS. But those legal bases are fragmented. Given the number of dimensions – the various types of requesting agencies, the purposes for which information may be sought, the different kinds of information that may be made available and the extent to which particular kinds of disclosures may be automated – it is not possible to delineate in a comprehensive way what is currently permissible and what is not.

The *Australian Passports Amendment (Identity-matching Services) Bill* will address this by providing a simple and clear legal basis for the Department to participate fully in the FVS and FIS by the automated methods intrinsic to those services.

For advice on generic uses of the FVS and FIS as a whole, we refer to information provided to the Committee by the Department of Home Affairs.