

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ATTORNEY-GENERAL'S PORTFOLIO

Group: 3

Program: 1.7

Question No. BE15/045

Senator LUDLAM asked the following question at the hearing on 27 and 28 May 2015:

Senator LUDLAM: Describe for us what will be in the hub. Presumably, there is some elaborate piece of software designed to index to make sure that you are deduplicating and that kind of thing. I understand the spokes—I guess they already exist—but tell us a bit about the hub.

Ms K Jones: The hub is essentially—and I will have to be careful in terms of my technical capacity to explain the mechanics of it—a connecting. It is an ability to connect in real time to check the identities. It is not a database as such where these identities will be held. The identities are still in the holdings of the agencies that provide them.

Senator LUDLAM: How will it be used? If I am a law enforcement agency and I come into this new thing with a photograph of somebody who is suspected of doing something, do I hand this photo over to this service and they then try and get me a match? How will it actually be used in practice?

Ms K Jones: If I could give an example: if someone were seeking to get a drivers license in one jurisdiction—the issuing agency for that divers license—and they produced another form of identity in order to be able to satisfy the points requirements to get that type of document, they could then use that to check with the original issuing agency. Perhaps if they have both a passport and a drivers license in another jurisdiction, you would be able to do a real-time crosscheck to check that the photo and the name are accurate.

Senator LUDLAM: Matched. Got it. Which agencies will be able to access it?

Ms K Jones: It will be law enforcement agencies, initially. In terms of the full list, I will take that on notice; it will be subject to finalisation in the legislation.

The answer to the honourable senator's question is as follows:

The technical architecture of the Capability will adopt a hub and spoke model to facilitate 'query and response' matching requests between participating agencies. This approach is designed to:

- leverage existing investments in agencies' facial recognition systems
- maximise interoperability between agencies that use different facial recognition systems (or which use digital images but do not have a facial recognition system at all), and
- minimise privacy impacts when compared to other potential models (e.g. a centralised facial biometric database).

The Hub does not involve the construction of a centralised database of facial biometrics, to avoid considerable privacy and data security concerns.

The design and operation of the Hub will be informed by independent privacy impact assessments, conducted in consultation with federal and state privacy commissioners.

The Capability will allow agencies with a lawful authority to collect and share existing holdings of facial images (via the Hub) to check the validity of images presented to them with facial image holdings of other agencies.

It will be able to support an initial one-to-one matching functionality (confirming the identity of a known individual), which is expected to be in place by mid-2016.

Additional functionality, such as one-to-many matches (identifying an unknown individual), will be implemented in a phased approach over time.

Only those agencies with a right and purpose to share images for lawful purposes will be provided access to the Capability. These include:

- DFAT
- DIBP (including Customs)
- AFP
- ASIO
- Defence
- AGD (AusCheck)

There is an opportunity for the states and territories to participate in the Capability by:

- providing state law enforcement agencies with access to the Hub, and
- making available driver licence images via the Hub.

This would require development of a national facial recognition system involving state road agencies.

The Law, Crime and Community Safety Committee ministers agreed to request that the COAG Transport and Infrastructure Council consider a proposal for a driver licence technical solution, including amendments to roads legislation where required, with a view to reaching agreement on a preferred national approach by the end of 2015.