

TRANSPORT LEGISLATION AMENDMENT (IDENTITY MATCHING SERVICES) BILL 2021

Second Reading

Resumed from an earlier stage of the sitting.

HON NEIL THOMSON (Mining and Pastoral) [9.39 pm]: Just to clarify, I think I have five minutes. To continue on from where I left off at the last point, I was talking about the role of the Intergovernmental Agreement on Identity Matching Services as being the motivation for this bill. I was recapping and discussing how technology is at the centre of all this and how it is moving at such a rapid rate. We are seeing change in the world of identification, and one would even suggest that some of these private entities, such as Google, Facebook and others, probably even some foreign actors, would have a lot more information on the identification of individuals within the Australian population than we might otherwise know about. The intergovernmental agreement was set up with the purpose of providing a tool for the better management of some of our security risks and the matter around the identification of individuals for those purposes that we use in our day to day lives, in particular, the management of licensing.

The intergovernmental agreement underpins the national facial biometric matching capability. This is outlined in the explanatory memorandum. A central interoperability hub is managed by the commonwealth Department of Home Affairs, of which the national driver licence facial recognition solution is part. It is important to note this, because at the heart of this is some of the other work that needs to be occurring within the federal arena. I referred, for example, to a parallel piece of work that was going on around the Identity-matching Services Bill 2019 and the Australian Passports Amendment (Identity-matching Services) Bill 2019. That provides a useful basis to outline some of the general issues raised. Some material is available through the commonwealth that looked across various jurisdictions and comments made by lawmakers in different jurisdictions with regard to similar types of legislation being proposed. We see, for example, that New South Wales passed the Road Transport Amendment (National Facial Biometric Matching Capability) Bill 2018, which amended the Road Transport Act 2013, to authorise certain government agencies to share information through the identity matching scheme.

This is a national effort, one that is to be commended, and I note some of the issues raised at various times through debates in other Parliaments across Australia. A considerable amount of material has been raised about privacy and data security concerns, and they have been discussed with regard to this legislation. Going as far back as 2008, a number of general privacy concerns were raised arising from the use of biometric technologies, and they include the widespread use of biometric systems that enable extensive monitoring of the activities of individuals, particularly with the same form of biometric information as used to identify individuals in a number of different contexts. Biometric technology, such as facial recognition technology, may be used to identify individuals without their knowledge or consent, and biometric information can be used to reveal sensitive personal information such as information about a person's health or religious beliefs. There was also a concern that the security of biometric systems could be compromised and the accuracy and reliability of biometric systems would remain unknown, potentially resulting in serious consequences for an individual falsely accepted or rejected by such a system. These concerns were raised by the Australian Law Reform Commission. This is material from the commonwealth Parliament. I suggest that some of those concerns might be lessening in terms of the general acceptance across the community. My observation is that as people become more used to operating within a ubiquitous technology framework, which is what we are seeing as we move more and more to the ubiquitous use of smartphones and a whole range of technologies in our hands, their concerns about the idea of surveillance or use of information, which is very extensive, is probably lessening.

Debate adjourned, pursuant to standing orders.