

# RESPONSE TO PETITION

## Petition No. 33 of 2020 Legislative Council

The petitioners ask the Legislative Council to:

Call on the Minister to:

1. Retrieve all Tasmanian driver licence photos and any associated data that have been transferred to the National Driver Licence Facial Recognition Solution (NDLFRS); and
2. Only consider future transfer to the NDLFRS once:
  - (a) Commonwealth legislation is in place to regulate the NDLFRS; and
  - (b) Following the assessment and consideration of the protections contained within the Commonwealth legislation, the transfer is authorized under an act of the Tasmanian State Parliament.

### GOVERNMENT POSITION:

- The secure sharing of driver licence information between states and the Commonwealth was implemented in 2009;
- personal information is only collected under strict privacy principles;
- once operational, the new system will use computer programming to generate a code, based on distinctive facial characteristics.
- it is that code, not the photo, which will be used to confirm an identity or determine attempted fraud or identity theft using another name.
- personal information will not be provided to third parties except for lawful identity integrity measures and law enforcement; and
- any future implementation of the National Driver Licencing Facial Recognition System will depend on appropriate legislation being agreed by both Houses of the Australian Parliament.

## RESPONSE:

Images have been collected, stored and printed on driver licences in Tasmania since 1992. This has resulted in driver licences becoming the default photo identity document in the community in Tasmania as well as on a national basis.

The National Exchange of Vehicle and Driver Information System (NEVDIS) commenced in 1998 with the exchange of vehicle information across state borders to prevent fraud and theft by ensuring 'one vehicle, one Vehicle Identification Number'.

The secure sharing of driver licence information between states and the Commonwealth was implemented in 2009.

This system exchanges information about vehicles and driver licences across state borders to prevent fraud by ensuring 'one person, one driver licence'.

The establishment of Face Matching Services will enable Tasmania to improve the integrity of the Tasmanian driver licence for all Tasmanians, enabling validation of images provided and detection of any occurrence of the same image used for multiple driver licences.

Facial recognition technology is widely utilised both within Australia and internationally for ensuring the integrity and validation of key identity documents such as passports and driver licences. Prior to the establishment of the agreement to formulate a national capability, three driver licensing jurisdictions in Australia had already launched facial recognition systems for this purpose.

In relation to the national Face Matching Services capability, including the Tasmanian images and associated data, the ownership of, and authorisation of, any access remains with the Tasmanian Department of State Growth.

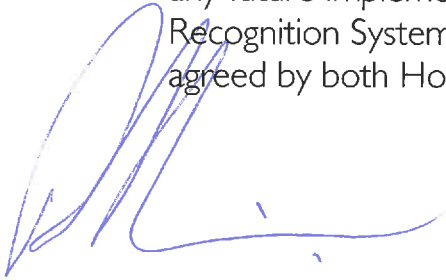
It is important to point out that, once operational, the new system will use computer programming to generate a code, based on distinctive facial characteristics, that is unique to each face and cannot be mimicked. To clarify, it is that code, not the photo, which will be used to confirm an identity or determine attempted fraud or identity theft using another name.

I understand the Australian Government is proposing to introduce legislation later this year to support implementation of Face Matching Services. Until this has been passed and I receive advice that Tasmanian

legislation fully supports the use for the purpose reflected in this bill, Tasmanian data that is currently in the segregated partition of the National Driver Licencing Facial Recognition System will not be available for use by another agency or jurisdiction.

In conclusion, Tasmanians can be assured that:

- personal information is collected under strict privacy principles;
- personal information will not be provided to third parties except for lawful identity integrity measures and law enforcement; and
- any future implementation of the National Driver Licencing Facial Recognition System will depend on appropriate legislation being agreed by both Houses of the Australian Parliament.



Hon Peter Gutwein MP

Premier

Date: 2.10.20