

30 October 2023

## Protecting Australians' identity a big responsibility

Secure and efficient identity verification has the potential to minimise the risk of identity fraud within the digital economy, however given the sensitivities involved with sharing biographic and biometric information, the Commonwealth Government must ensure there are adequate safeguards and oversight mechanisms.

The Law Council of Australia appeared today before the Senate Legal and Constitutional Affairs Committee public hearing on the Identity Verification Services (IVS) Bill 2023 and the Identity Verification Services (Consequential Amendments) Bill 2023.

"Identity verification services are well and truly up and running in this country," Law Council of Australia President-Elect, Mr Greg McIntyre SC said. "In 2022-23, there were approximately 2.6 million Facial Verification Service transactions.

"These transactions are already being used extensively by governments and are primarily governed by the *Intergovernmental Agreement on Identity Matching Services*. Therefore, we welcome the fact that these Bills attempt to legislate safeguards and provide for oversight mechanisms.

"However, we remain concerned that a fragmented approach is being taken to privacy and data reform. The Law Council continues to call for a roadmap for the harmonisation of Australia's privacy and data laws, to ensure the development of a national privacy framework that is consistent, clear and accessible."

During its appearance before the Committee, the Law Council noted that the data and privacy protections within the IVS Bill rely on compliance with the Commonwealth Privacy Act and state and territory equivalents.

"The ongoing review of the Privacy Act has demonstrated there are deficiencies in the current framework, and until they are addressed, participants in the identity verification process should be held to a higher standard of compliance," Mr McIntyre said.

"We have also recommended that the Bill could be stronger in requiring the Information Commission to conduct an annual assessment of the regime; and that with increasing reliance on facial recognition technology, lawfulness and compliance with human rights in this field must be addressed for those that are not within the scope of these Bills."

A full copy of the Law Council's submission to this inquiry is available [here](#).

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