



**Australian
Privacy
Foundation**

Briefing note: The Access Card

It *is* an ID Card

Despite the Government's claims to the contrary, the Access Card *is* a national identity card. Its design goes beyond what is strictly necessary for accessing health and welfare benefits, and the legislation is so weak as to allow a wide range of uses unrelated to health or welfare.

The Government has described the Access Card as an "identity tool", and as providing a "high value proof of identity" – yet balks at the phrase "ID card". The difference is purely semantic.

The Access Card will introduce, for the first time in Australia's history, a universally-issued card, which features a unique number, name and biometric photograph. (Current Medicare 'family' cards are not unique to the person; passports and driver's licences are not universal; and the Tax File Number is not printed on a card for your wallet.)

Furthermore the database that sits behind the card will be a national population register, holding a unique ID number for every person (including children), an unprecedented set of biometric photographs of every adult, and personal data like home address, and the links between family and former family members.

Government ignores Parliamentary criticism

In early 2007, a cross party Senate Committee unanimously criticised many aspects of the first Access Card Bill, which the government then withdrew. The government has now issued an Exposure Draft Bill for consultation, but has taken little account of the widespread criticism. In some respects, the new legislation is even worse, allowing major opportunities for 'function creep', and relying on bland assurances of a Customer Charter and an Ombudsman, neither of which will do anything to address the major weaknesses and dangers of the scheme.

Inconvenience for everyone

The Access Card is not just going to turn up in the post when your Medicare card expires. The system requires almost every Australian adult – 16.5 million people - to turn up at a Government

office, stand in a queue, re-prove their identity, register, and be specially photographed for facial recognition purposes.

For many people, just getting together the foundation documents necessary to re-prove their identity to the Government will be time-consuming and costly. Copies of birth certificates usually attract a fee. Government-certified translations or copies of certificates from other countries can be even more difficult to obtain.

The Government claims that around 580,000 people each year queue at a Centrelink office, only to find they have the wrong documents they need to claim a benefit. Imagine how many will find the same problem when they try to get their Access Card!

Current benefit cards are widely used to access State government and private sector concessions. The government has so far failed to explain how the Access Card will be used in connection with concessions without breaching some of the assurances they have given about limits on access and use. They have even now introduced a vague concept of an emergency payments number which has the potential to see the Card used for a wide range of additional mandatory functions.

The safeguards are inadequate

Officials across all three tiers of government – from police officers to bus drivers to social workers - will be able to demand the card as proof of ID, as the Bill provides Crown immunity from the normal limitations. Indeed, Immigration officials have already suggested the card could be used to identify missing or detained persons – a purpose unrelated to the delivery of health or welfare benefits.

Under the draft legislation, private sector organisations will also be able to “ask” people to show their card as proof of ID, just so long as they don’t “require” it. Banks already plan to use it as part of the ‘100 points of ID’ system to monitor financial transactions.

Under the draft Bill, anyone will also be able to copy your unique ID number – and any other information off the card or the card’s chip – so long as they have your written consent. We imagine that your ‘consent’ will very quickly be written into the application form for every bank account, video rental store card, RSL club membership, retail loyalty card - and job. Once an organisation has logged your universal, unique ID number, it can use that number to track, data-match and profile otherwise unrelated, disparate pieces of data about you.

And the safeguards in the draft Bill don’t adequately protect the national population register – the database that will sit behind the Access Card scheme. Agencies like ASIO, police forces and the Department of Immigration have admitted they are keen to tap into the Access Card database, and its rich source of personal data and biometric photographs. Limits on their ability to do this in the draft legislation are very weak.

The costs outweigh the savings

The cost of the Access Card system has been budgeted at \$1.1 billion over four years from July 2006. We all know complex IT projects tend to run well over-budget, and this will be no exception. (Even the development of the initial business case by the accountants KPMG ran \$200,000 over budget!). The government has already spent more than \$40 million on the Access Card even before it has obtained legislative authority.

KPMG also estimated the cost of health/welfare benefits fraud and other ‘leakage’ from the health/welfare federal budget as being between \$1.6 and \$3 billion over 10 years from July 2010. However the KPMG report does not actually promise all this fraud or ‘leakage’ will be prevented by the Access Card. (The Access Card will do nothing to stop entitlement-based fraud, such as

people understating income or assets – a far more common type of fraud than identity-based fraud.)

Even if the Access Card miraculously only cost \$1.1 billion to roll out, and \$1.6 billion was saved as a result after 14 years, the return on investment is less than 3% p.a. The money would be better off in the bank! If the Government really wanted to improve access to health benefits, it could perhaps spend the \$1.1 billion on universal dental care – or 11 new hospitals.

The risks outweigh the benefits

If the ‘consumer benefits’ of the Access Card were genuinely worth it to the individual, there would be no need to make the card compulsory for accessing Medicare and other Government services.

Indeed many of the claimed ‘consumer benefits’ are being over-sold, because we don’t need the Access Card to deliver them – or it’s not clear how the Access Card *could* deliver them:

- a single ‘portal’ for across-Government change of details is already being worked on now
- Medicare ‘swipe and go’ rebates at the GP’s desk are coming in 2007 anyway, through the EFTPOS network (indeed some are already up and running)
- storage of basic e-health details: the AMA has questioned the sense of this proposal, when a similar model has been promised and failed three times before (the MediConnect, HealthConnect, and Tasmanian Medicare smartcard trials); development of the infrastructure to allow a national shared e-health records is a complex, long-term task, now with the National E-Health Transition Authority
- delivery of emergency relief: there is no discussion in the KPMG business case about how the Access Card is supposed to work in situations such as cyclones when there is power failure

About the only ‘benefit’ to the individual is combining several cards into one. However only very few people currently hold more than 3 or 4 of the 17 cards to be ‘combined’. There is **no benefit to the majority** of Australians, who only hold a Medicare card now.

Yet the risks caused by this proposal will rise for every Australian – the risks of identity theft and fraud.

The notion of a single ID card, ID number and/or ID database is contrary to the National Identity Security Strategy. Such a system places all our identity eggs in the one basket – it means only one document needs to be forged, or obtained illegally, through bribery or hacking, to steal someone else’s identity, or create a new fake one. Senior officials at both the Taxation Office and the Australian Institute of Criminology have said that the Access Card will lead to *increased* identity theft, not less.

Furthermore, introducing the Access Card before the problem of fake foundation documents (birth certificates, passports, etc) has even begun to be tackled is like presenting a gift to organised criminals and terrorists. The more sensible Document Verification System, which aims to identify fake foundation documents, is not scheduled to be operational until at least 2010 – by which stage the Government will have allowed perhaps tens of thousands of fake identities to be entrenched and thus ‘legitimised’ in the Access Card system.

Social impacts on the disadvantaged

There is no evidence that the Access Card will actually improve anyone’s access to health or welfare benefits.

In fact it is more likely to make access to these services more difficult, especially for those who lack the necessary foundation documents to re-prove their identity to the Government’s new

standards. This will likely entrench social disadvantage, for the indigenous, the homeless, people with disabilities, and people of a non-English speaking background.

One option on the table is to still issue cards to such people, but with a flag indicating 'low confidence' in their identity. This looks to us like branding some Australians as second-class citizens. The Access Card is only likely lead to service denial and identity denial.

Increasingly unpopular

Many commentators have suggested that public opinion has shifted since the 'Australia Card' debates in the 1980s. We disagree.

During the Australia Card period, public opinion moved from 68% support when the proposal was first mooted in July 1985 (Morgan Gallup poll), to 90% opposition by September 1987 (SMH/The Australian polls).

Support for the idea of a national ID card peaked immediately after 11 September 2001, at about 70%. In July 2005, immediately after the London bombings, a Morgan Gallup poll suggested only 62% of Australians were in favour. Polls during 2006 and 2007, in relation to the Access Card, have suggested only 32-33% are in favour.

We predict that as more details of this scheme emerge and trickle through to public consciousness, opposition will grow to levels similar to those seen two decades ago, for the same good reasons.

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Detailed briefing material on the problems with the Access Card can be found at www.privacy.org.au