



Health and Human Services Access Card: Discussion Paper 3 - Registration

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Introduction

The Public Interest Advocacy Centre (PIAC) seeks to promote a just and democratic society by making strategic interventions on public interest issues.

PIAC is an independent, non-profit law and policy organisation that identifies public interest issues and works co-operatively with other organisations to advocate for individuals and groups affected.

In making strategic interventions on public interest issues PIAC seeks to:

- expose unjust or unsafe practices, deficient laws or policies;
- promote accountable, transparent and responsive government;
- encourage, influence and inform public debate;
- promote the development of law—both statutory and common—that reflects the public interest; and
- develop community organisations to pursue the interests of the communities they represent.

Established in July 1982 as an initiative of the Law Foundation of New South Wales, with support from the NSW Legal Aid Commission, PIAC was the first, and remains the only, broadly based public interest legal centre in Australia. Financial support for PIAC comes primarily from the NSW Public Purpose Fund and the Commonwealth and State Community Legal Centre Funding Program. PIAC generates approximately forty per cent of its income from project and case grants, seminars, consultancy fees, donations and recovery of costs in legal actions.

PIAC has made submissions on the Federal Government's proposed Health and Social Services Access Card (Access Card) at every stage of the Access Card Consumer and Privacy Taskforce consultation process. PIAC has commented on both Discussion Papers 1 and 2, and on the Exposure Draft of the Access Card legislation to the Department. PIAC provided both written and oral submissions to the Senate Finance and Public Administration Standing Committee considering the Human Services (Enhanced Services Delivery) Bill 2007 (the Bill) and has recently met with the Minister for Human Services to brief him on PIAC's concerns about the Access Card proposal in both general and specific terms.

PIAC thanks the Taskforce for the opportunity to comment on Discussion Paper Number 3 – Registration.

PIAC also appreciated the opportunity to meet with Professor Puplick of the Taskforce at a recent face-to-face consultation. However, PIAC has expressed concerns to the Taskforce at the way in which members of the public and interested organisations and individuals were informed of the consultations that were taking place around the country. While there was information available about when and where the consultations would take place, it was located on page 53 of the Discussion Paper and referred to dates a very short time after the release of the Paper and in the week leading up to Easter. Due to an apparent 'lack of interest' in the consultations, they were subsequently cancelled. Some further consultations were arranged but organisations were only informed of these consultations on an apparently haphazard basis. PIAC has genuine concerns about this lack of a properly publicised process. PIAC is awaiting a response from the Taskforce on these matters.

Background

Status of the Bill

PIAC is concerned that the Registration Paper must be read in light the Bill on which much of the Paper is based has been withdrawn from Parliament. As a result, PIAC, and others making submission cannot be aware of what the content of the legislation will be. PIAC believes that the work of the Taskforce should be postponed until after the new draft legislation has been released in exposure draft form.

At present, PIAC and the community more broadly are being asked to comment on a proposal where the legislative detail has not been finalised and the detail of the way in which the scheme is proposed to operate is incomplete. The entire 'Background' section of the Discussion Paper is now redundant and factually incorrect because the Bill has been withdrawn. PIAC considers this to be a significant problem for the consultation process.

The Discussion Paper provides an outline of the number of alterations to the Access Card proposal suggested by the Taskforce that have been included in the draft legislation. However, it is unknown whether any or all of those proposals and recommendations will be reflected in the next draft of the legislation.

Further PIAC has been unable to ascertain whether or not the Department has developed a Regulation Impact Statement (RIS) in respect of the Bill or the Access Card proposal more broadly. PIAC notes that the Office of Best Practice Regulation (OBPR) sets out the requirements in respect of the preparation and use of Regulation Impact Statements, including that:

A [Regulation Impact Statement] is required at the decision-making stage. After the decision is made, the RIS, if it was assessed as adequate by the OPBR, is generally tabled in the Parliament or otherwise made public.

A RIS is required for consultation. It is a requirement that the OBPR assess the RIS for consultation before it is made available for public comment.¹

There is nothing available in this regard on the Parliamentary website, nor on the website of the Office of the Access Card, nor has a RIS been made available for public comment. This suggests that either a RIS has not been developed or, if it has been developed, it has been assessed as inadequate by the OBPR. This is a serious failure by Government to implement its own commitment to assessing and informing the community of the impact of regulation.

¹ Office of Best Practice Regulation, *Regulation Impact Statement* (2006) <<http://www.opbr.gov.au/ris/index.html>> at 20 April 2007.

Recommendation:

PIAC recommends that the Taskforce urge the Government to set out a timetable for implementing the proposal that allows sufficient time for the Taskforce to develop its discussion papers and consultation processes based on the actual and comprehensive legislative proposal.

PIAC recommends that the Taskforce call on the Government to develop and publicise a regulation impact statement

The extent of the undertaking

As the Discussion Paper outlines, the importance of the registration process in ensuring the success or failure of the Access Card scheme cannot be underestimated: 'the success or failure of the entire Access Card proposal rests substantially upon ensuring that the registration process and procedures are effective'.²

The actual registration of 16.5 million Australian adults will be a massive undertaking. The cost associated with registering 32,000 people per day, which are the numbers that have been quoted by the Government, will be enormous. PIAC submits that the cost to taxpayers of not only registering Australians, but also the costs of informing the public of how the scheme will operate and what they will need to do in order to register, must be clearly disclosed to and by the Taskforce.

There are enormous public interest implications of this process, not only in terms of the tax burden for tax payers, but also in terms of the inconvenience that could be caused to the Australian people, particularly those in rural and regional areas, or those who may have difficulty accessing their identity documents.

Recommendation:

PIAC recommends that the Taskforce seek full disclosure by Government to the public of the costs of implementing the Access Card scheme, including the costs of community information, registration, card manufacture and processing, and implementation of card-reader technology and systems to all necessary government- and non-government-sector entities.

The implications if Australians choose not to register

At the face-to-face consultation with the Taskforce, PIAC raised concerns that some Australians, for whatever reason, may not choose to register for an Access Card. If this possibility eventuates, as PIAC believes it almost certainly will, it is important for the individuals and the community to know the impact of that choice, particularly on access to health care entitlements.

Those individuals, for example, will no longer be eligible for Medicare and they may not have the financial resources to cover the costs of their own health care. This issue has substantial public policy implications as it may result in the development of an underclass of the community in terms of health care. PIAC urges the Taskforce to develop some recommendations around this likely outcome.

² Access Card Consumer and Privacy Taskforce (Access Card Taskforce), *Discussion Paper Number 3: Registration* (2007) 6.

Recommendation:

PIAC recommends that the Taskforce consider the health policy implications of non-registration and make recommendations to Government on minimising the negative health outcomes of non-registration.

The interview process

As is outlined in the Discussion Paper, when applying for an Access Card, individuals will need to complete an application form. At this point, individuals will need to provide some detail as to the documents they intend to use to prove their identity. This is intended to assist in saving time at the interview stage of the process.

PIAC has some reservations about whether and how this part of the process is actually going to work. This is an incredibly complicated administrative and information technology exercise, and PIAC has identified that a range of problems may arise. The verification of documents is purportedly going to occur online, and may even occur as part of a real-time verification process. If a person's identity documents have not been verified prior to their interview, and if document verification cannot occur as a real-time process, there are likely to be substantial delays and inconvenience for individuals who are registering. Even if registration documents are scanned and verified at a later time, it is possible that the system will develop flaws, and people's personal identity information will be mismatched. It is highly likely that a process of this size and complexity will develop inaccuracies, even simply as a result of human error.

At the interview stage, people will also be expected to provide a signature and to have their biometric photo taken. PIAC sincerely hopes that no flaws in the security of the system emerge at this stage of the process, given the sensitivity of the information that will be entered into the system.

Recommendation:

PIAC recommends that the Taskforce give particular attention to reviewing the security of the document verification and matching system.

The rest of this submission follows the structure of the Discussion Paper, providing comments and recommendations in respect of some of the matters covered in the Discussion Paper.

Public Support

As the Taskforce outlines in its Discussion Paper 'for the Access Card to work and the registration process to be completed with a minimum of inconvenience, the Australian public must both understand and support what the Government is trying to achieve'.³ It continues to be apparent to PIAC that many otherwise well-informed members of the community do not understand the scope and implications of the Access Card proposal for them. From its work on the issue, PIAC is aware that many people believe that the access card requirement will apply only to those on Centrelink benefits or pensions.

The lack of a comprehensive and accurate community information campaign means that many Australians will remain ignorant of the implications until the scheme comes into effect. Given the

³ Ibid, 9.

extent to which the Access Card scheme fundamentally changes the relationship between government and its constituents, this is an unacceptable situation.

In particular, PIAC is concerned with the number of Australians who do not understand that this proposal will involve, for example, the creation of Australia's first-ever national biometric database and what this means. This lack of awareness is an issue of grave concern.

The Taskforce goes on to comment that it hopes that Parliamentary debate will contribute to informing the public about the Access Card proposal. In reality, one can only conclude that the reverse of this occurred. The Parliamentary Debate and the findings of the Senate Committee can only be seen as exposing substantial concerns with the proposal among our nation's elected representatives. The findings of the Senate Committee effectively sent the accompanying legislation back to the drawing board, and the Taskforce has expressed concerns that there is much detail that still needs to be explained to the Australian public. PIAC considers that the parliamentary discussion around this proposal to date has done no more than highlight profound concerns with the proposal. It has done little to provide additional information. Even a very engaged community member who has, for example, followed not only the parliamentary debate, but also the inquiry process and the Senate Estimates process, would remain unclear about many of the important details of the cost and content of the proposed Access Card Scheme.

This does not bode well for the Government's proposal in terms of the Australian public warming to that idea of a national Access Card, let alone being willing participants when the time comes to go through the process of registering for it. PIAC predicts that the Access Card proposal may go down in history as a major (and expensive) public policy disaster.

Recommendation:

PIAC recommends that the Taskforce urge the Government to set out a timetable for implementing the proposal that allows sufficient time before legislative adoption to actively inform the community of the extent of the changes proposed to current health and human services processes, the impact on non-government processes, such as concessions, the extent of the personal information to be held on the registration database, the data-verification process, and the effectively universal requirement to register for an Access Card.

An Access Card Consumer Charter

The Taskforce, in the Discussion Paper, raises the possibility of the creation of an Access Card Consumer Charter. The purpose of this Charter could be to 'clearly set out the steps to be undertaken in the development and implementation of the registration process and set out the standards of performance which consumers could expect and the mechanisms for dealing with concerns and complaints.'⁴

Whilst PIAC can see the benefit in the establishment of such a Charter, and would certainly seek to participate in its development, PIAC does not see it as a fail-safe way of ensuring that the interests of the Australian public as health and human services consumers will be protected.

Given the enormity of what is being proposed, and the implications of the Access Card proposal, such as the creation of a national database of biometric photographs, PIAC believe that protections

⁴ Ibid, 9.

offered by a Consumer Charter will be inadequate if problems arise, such as data security being compromised.

PIAC notes that it appears that the Commonwealth Government is in breach of its own Australian Public Service Commission Direction 2.8 – 1c(i), dealing with Service Charters. As the Taskforce is aware, Direction 2.8 deals with the requirement that:

The APS delivers services fairly, effectively, impartially and courteously to the Australian public and is sensitive to the diversity of the Australian public.⁵

PIAC notes that the commitment to Service Charters was developed by the current Government in 1997 and the principles for implementing such charters are set out in a document published in 2000 under the signature of the (then) Special Minister for State, Senator Chris Ellison, the current Minister responsible for the Access Card proposal. In his introduction to *Client Service Charter Principles*, Senator Ellison identified:

Around the world, governments are recognising the benefits of client service charters and various models have been adopted to reshape government into a client-focused, open and accountable entity.

The Australian Government has recognised benefits of using service charters as a tool to drive this cultural change.⁶

PIAC notes that the document clearly requires that, as a body that will be providing services directly to the public through the registration and card provision process, the Office of the Access Card to develop a Service Charter in respect of the Access Card proposal:

All Government bodies which provide services directly to the public are required to develop a service charter. Agencies which have indirect client contact (such as policy departments that contract their service delivery to other agencies or outsource providers) are strongly encouraged to put in place a service charter that ensures good service delivery.⁷

The failure of the Government to implement its own commitment in respect of what is likely to be the most significant change in the way in which Government relates and provides services to its 'customers' or 'clients' is extraordinary. Any recommendation from the Taskforce that the Government develop such a Charter must recognise the need for this to happen before any further legislative or policy processes are implemented in respect of the Access Card proposal.

However, as noted above, it is vital that the Service Charter not be seen as a substitute for appropriate legislative protections.

Recommendation:

PIAC recommends that the Taskforce recommend that the Office of the Access Card work with key stakeholders to develop a Service Charter in respect of the Access Card proposal and that no further work be undertaken on the Access Card proposal until that Service Charter is in place. The stakeholders should include key community-based privacy and consumer advocacy organisations as well as community-

⁵ Values in the APS (2000) Australian Public Service Commission
<<http://www.apsc.gov.au/publications02/values.htm>> at 20 April 2007.

⁶ Commonwealth of Australia, *Client Service Charter Principles* (2000) foreword.

⁷ Ibid, 6.

based organisations that represent those who are most likely to be in receipt of Government pensions and benefits.

Privacy Impact Statement

PIAC congratulates the Government for deciding to undertake a Privacy Impact Assessment (PIA) in regard to the Access Card proposal. However, PIAC remains concerned that the original PIA produced by Clayton Utz (at considerable public expense) has not been publicly released. Although the Government claims that the earlier PIA was based on a 'previous model' of the Access Card, PIAC believes this argument against release is unsustainable as the same model then went on to form the basis of the KPMG Business Case. PIAC is concerned that the PIA has not been released because it contains observations and conclusions that may not be palatable to the Australian public and raise clear concerns about the true nature and impact of the proposed Access Card.

PIAC is concerned that further PIAs may be needed as the scheme is further developed. One aspect of the proposed scheme that appears to PIAC to have significant privacy impact potential is the use of the card or related data to provide concession benefits by state and territory governments, local government and private sector entities, the use of the card to facilitate emergency payments, or as a data container for emergency medical information.

Recommendations:

PIAC recommends that the Government publicly release the Taskforce's Privacy Impact Assessment before finalising any legislative proposals in respect of the Access Card scheme.

PIAC recommends that the Taskforce seek a commitment from Government to further Privacy Impact Assessments as elements of the Access Card scheme with potential privacy implications are developed.

Informed Consent

The point is made in the Discussion Paper that consumers should have the right to know who is going to access their data, and for what purposes. This is an issue that PIAC has raised in its previous submissions on the Access Card, both to the Taskforce and the Senate Committee. The previous draft of the Access Card legislation did not create offences for unauthorised access to the Register, or to information contained on the Card. PIAC considered this to be a serious oversight, and hopes that this issue will be remedied when the next draft of the proposed legislation is released for public comment.

As noted by PIAC in its submission on the Bill, there is no detail of who will have access to the data or under what circumstances. Too much of the lapsed Bill gave power to the executive to determine the operation of the Access Card system, with little or no opportunity for parliamentary or public scrutiny. This is of serious concern.

As the Taskforce points out, not only is it crucial that the public be made aware of who will have authorised access to their data and also be informed in the event their data is accessed without proper authority, they must also be given a genuine opportunity to consider whether or not they consent to the sharing of their personal data among participating agencies. PIAC commends the Taskforce for raising this important point.

Recommendation:

PIAC recommends that the Taskforce seek a commitment from Government to include statutory offences for unauthorised access to Access Card data, whether it is held on the Access Card, the Registration Database or any other related data.

PIAC recommends that the Taskforce recommend that the Government provide to the public in an accessible form information about who will be authorised to have access to Access Card data, including the data held on the Access Card itself, data held on the Registration Database or on files related to the establishment of Access Card records. That this information be provided well in advance of the registration process commencing and clearly identify how the proposed access is necessary for the effective delivery of health and human services.

PIAC recommends that the legislation expressly detail who will be authorised to have access to data, including during the registration and card production stage, and not provide for extension of access without parliamentary scrutiny.

Mandated Data

In the Discussion Paper, the Taskforce recommends that consideration be given to the proposition that the physical register itself (the mainframe and related support systems) be housed in a separate, purpose-built facility to maximise the integrity and security of the information contained within it. PIAC strongly supports this recommendation and believes that it should become a recommendation of the Taskforce.

The Taskforce in its Discussion Paper then goes on to outline what information will be contained in the Register based upon what was included in the Bill. Of course, now the final detail of what will be included in the next piece of legislation is unknown. Similarly, the Discussion Paper discusses what the Bill outlined would be contained in what is defined as the 'Commonwealth's area of the chip in your access card'. It is difficult for PIAC to comment on this section as the Bill has been withdrawn and PIAC is unaware of what content will be altered in the new version of the draft legislation.

PIAC remains concerned about the inclusion of key identification data on the face of the card as this significantly heightens the potential of the card becoming a *de facto* national identity card and makes it more attractive to identity fraud.

The relationship between having this data on the face of the card and the stated purpose of the card is unclear. It is also unclear how the extent of data proposed to be included on the chip on the card is necessary for the purpose of the scheme. If the card is effectively a 'key' to enable health and human services agencies to access the correct file from their own databases, it should not be necessary for the chip to contain 16 specified data components as well as any 'other' information determined by the Secretary. Where such significant changes to the nature of the relationship between government and the people are being developed, with such significant privacy implications, the design of the system should be very carefully limited to what is necessary to achieve the stated purpose.

Further, PIAC shares the Taskforce's concern about the potential inclusion of an existing Medicare number or any other department or agency specific identifier on the register.

Recommendation:

PIAC recommends that the Taskforce call for the data to be contained both on the card and on the Registration database to be clearly limited to that data that is strictly necessary for the purpose of the card and the purpose of the registration database, given the overall purpose of the Access Card system.

Proof of identity documentation and standards of identification

PIAC commends the Taskforce on its identification of three key points to be borne in mind with respect of appropriate level of proof of identification (POI) documentation relevant to the Access Card proposal given its purpose and main beneficiaries.

As PIAC has previously noted, its experience through its Homeless Persons' Legal Service is that many homeless people have significant difficulties in obtaining the necessary documents to establish identity and rarely have the financial capacity to do this alone. In a number of cases, the cost of obtaining identity documents has been borne by the private law firms participating in the delivery of legal services. It is inappropriate and unthinkable that individuals be reliant on such acts of charity in order to maintain access to government health and human services. As the Taskforce has stated: 'payments are an entitlement/right not some sort of act of public charity or gratuity', similarly having the capacity to prove identify to an inappropriately high level must not be some sort of act of private charity or gratuity.

PIAC is concerned about the maintenance of a distinction between 'full' and 'interim' status in respect of identification. While it is not clear from the current available material what impact such a distinction in status may have, it has the potential to result in discrimination on the basis of status.

PIAC is also concerned that the legislative scheme adopted ensure that, where there is not currently a requirement to prove identity to obtain a benefit, any request for production of the Access Card would be unlawful.

Finally, PIAC commends the Taskforce on the strength of its position in respect of the non-collection and destruction of proof of identity documentation.

Recommendation:

PIAC recommends that the Taskforce call for the level of proof of identification documentation to be no more onerous than the current requirements in order to access health and human services entitlements.

Verification procedures for POI documents

The Taskforce outlines in the Discussion Paper that they are of the understanding that the Document Verification Scheme (DVS) 'has been established to be a real-time and on-line way of checking that certain documents are valid'.⁸ There has been some controversy surrounding the DVS and the Access Card as it has emerged that the DVS will not be fully operational to verify identity documents until 2010. Although some reassurances on this point have been provided by the Minister and the Taskforce, PIAC is still concerned that this may undermine the integrity of the identity verification

⁸ Access Card Taskforce, above n2, 21.

process and, as such, brings into question the timetable for implementation of the registration process.

As the Discussion Paper also outlines, 'in relation to many older Australians and many Indigenous Australians, obtaining POI documents will be highly problematic'.⁹

This is an issue that PIAC has been keen to emphasise from the first public discussion of the Access Card. PIAC believes that problems with proving identity for key sections of the population, as well as the problems with the DVS, will fundamentally undermine the integrity of the Access Card system, as well as proving to be an unacceptable inconvenience or even barrier for consumers. When one considers the cost/benefit associated with the Access Card proposal for consumers, one can see that the proposal could present a serious inconvenience or even danger to some members of the public (based on the potential for identity theft), as well as a massive expense to taxpayers, without any substantial requisite benefit. The public is being expected to carry a substantial burden to crack down on fraud. PIAC suggests that there may be more cost-effective and less onerous strategies for combating fraud, and that at this point, these other strategies should be given serious consideration.

'Customer Controlled part of the chip'

PIAC understands that there may be some consideration being given with Government to removing the option of the 'customer controlled' area of the chip in the Access Card. PIAC can see the potential benefit of this proposal, as PIAC has concerns with the security of the information to be held by members of the public in this area of the card if, for example, they choose not to use a personal identity number (PIN) to protect it.

However, PIAC believes that, if the customer-controlled area of card is scrapped, the Government must acknowledge publicly that there is effectively no rational basis for continuing with the assertion that we will each 'own our own card.' The customer-controlled area of the card was one of the main selling points when (then) Minister Hockey was outlining the benefits of the Card. As PIAC has previously argued, the concept of an individual 'owning' their own Access Card is largely a meaningless concept.

Exceptions and exemptions

In addition to the groups identified, consideration should be given to exempting from some of the requirements those people who have physical or sensory disabilities that prevent them from effectively providing a signature, and those people who are unable to attend for an interview without additional cost or inconvenience.

It is PIAC's understanding that there remain relevant offices (of those agencies that will undertake the registration process) that are not properly accessible for people with physical disabilities. Further, the public transport system in much of Australia remains such that there is a significant additional burden on people with physical disabilities to attend for an interview. Any proposal to use other government offices as registration offices must consider the accessibility of those offices.

As noted, the difficulties faced by people who are homeless in respect of obtaining identification documents also need consideration in respect of exceptions and exemptions. Once a homeless person has obtained the necessary documents, they are more vulnerable to loss of those documents

⁹ Ibid, 22.

through theft or some other form of misadventure. This is as a direct consequence of the nature of homelessness, where the only place a person has to store valuable documents or possessions is on their person. It means that where theft of such possessions or documents occurs it is more likely to be accompanied by violence. So, not only does the requirement of proof of identity pose an initial additional burden on people who are homeless, it also increases their risk of becoming the victims of violence by those seeking to engage in identity theft.

The Registration Process

PIAC notes the Taskforce's identification of potential privacy risks arising from workplace registration processes. In addition to this concern, PIAC is concerned that such a process may impact on the individual's choice of whether or not to register.

The Taskforce has also noted the potential for individuals to require physical or interpreter assistance. It will be important to ensure that an individual who requires such assistance has the same choice of where or when they register as an individual who does not require such assistance. Requiring people who need sign language interpreter assistance, for example, to all attend at a specific time poses privacy risks as they are likely to be attending at the same time as other members of the Deaf community, a community that is relatively small. It also has the potential of imposing a burden on those individuals in relation to having to take time away from work or other commitments, where other individuals who don't require an interpreter will be able to schedule their attendance for registration at a time that suits them.

In respect of the use of biometric photographs, PIAC understand that there remain significant concerns internationally as to the integrity of these data systems and their potential to create either false positive identifications or false negatives. PIAC is aware anecdotally of problems with the current e-passport system and urges the Taskforce to seek information from Government about the current operation of that system, and the level of error arising in the system that forces e-passport holders to revert to the conventional methods at entry points into Australia. Both of these matters needs to be fully explored with reliable information made public before Australia introduces a system whereby Australians are reliant on these technologies for their continuing access to their basic health and human services entitlements.

In response to the discussion about replacement cost, PIAC strongly rejects any proposal to charge a fee to a cardholder who requires replacement, even if it is a person who has had the card replaced on a number of occasions. Such a proposal has a very real potential to unfairly impact on those most vulnerable in the community: people with cognitive impairments, people who are more vulnerable to theft of cards including homeless people and people who rely on others to physically locate the card or other possessions in the same location as the card. For example, a person with quadriplegia who has limited or no use of their hands will regularly require a person to locate their wallet, open their wallet and remove money, or a card from the wallet in order to transact business. This could be done by a friend or family member if the person is accompanied, but will often be done by a stranger, say a shop assistant or taxi driver. Such people face a higher risk of theft of their card and should not be penalised by having to pay a fee for replacement.

Recommendation:

PIAC recommends that the Taskforce reject any proposal to charge a fee for replacement Access Cards.

Other issues

PIAC commends the Taskforce on its identification of issues in respect of the following matters and supports the general approach being taken by the Taskforce on these issues:

- persons under the age of 18 years;
- disability features;
- the need for meaningful disclosure of the details of the system and security features prior to requiring production of sensitive personal identification documents;
- the management of diversity in the registration process;
- location of the personalisation of cards;
- security of the return/provision of the card to the cardholder;
- commencement of the operation of the card;
- needs of specific groups including prisoners, pre and post-operative transgender Australians, and people with mental illness.
- card suspension or cancellation.

Conclusion

As the Discussion Paper rightly identifies, the Access Card proposal is reliant on the success or failure of the registration process and its related procedures. The integrity of the entire scheme depends on the Government getting it right. As with other elements of this proposal, further detail is required and guarantees must be provided before PIAC has sufficient information to determine whether or not this proposal is in the public interest.