

16 November 2011

Cameron Murphy, Chair NSW Council for Civil Liberties
Spencer Zifcak, Chair Liberty Victoria
Michael Cope, Chair Queensland Council for Civil Liberties
Dr Kristine Klugman, Chair Civil Liberties Australia
Roger Clarke, Chair Australian Privacy Foundation

Dear Chairs

Biometrics

I refer to your joint letter dated 19 October 2011 to the Privacy Commissioner, Linda Matthews, concerning biometrics. I apologise for the delay in providing this response.

I acknowledge your concerns about the privacy implications of biometric systems. Identity theft and identity fraud are an increasing area of criminal activity and often occur through the exploitation of weaknesses in identification and authentication processes. The use of biometric systems can provide an effective personal identification mechanism but conversely, the consequences of abuse can be more severe – if someone steals your credit card details, a new card can be issued relatively easily; biometric data can not be as readily re-issued.

Biometrics in Queensland Government

At present, this Office has no knowledge that biometric systems are proposed for general use within Queensland government. Biometric data would qualify as 'personal information' and its use within government is subject to the obligations and protections of the *Information Privacy Act 2009*.

Our advice to government would be that prior to a biometric system being introduced on any scale, a comprehensive privacy impact assessment be conducted. The privacy impact assessment would look at, among other considerations, the necessity for the system and the measures that would be put in place to safeguard the biometric data from potential abuse.

Guidance material

This Office acknowledges the efforts of your agencies to inform discussion and debate on the privacy aspects of biometric systems. However, in the absence of any immediate impetus for the introduction of biometric systems within Queensland government this Office does not intend to issue guidance material on the privacy impacts of biometric systems at the present time.

My understanding is biometric guidance material is being developed in other privacy jurisdictions and we will consider that material in any development of similar material by this Office. When this Office does produce guidance material on biometric systems we will inform you.

In the interim if you wish to discuss this issue further please do not hesitate to contact me on (07) 3405 3072.

Yours sincerely

Lemm Ex
A/Privacy Commissioner
Office of the Information Commissioner