



Rachel Dixon
Head of Identity
Digital Transformation Office

23 August 2016

Dear Ms Dixon

Re: Trusted Digital Identity Framework Project

ACCAN would like to outline some of its concerns arising from the DTO's development of the Trusted Digital Identity Project. ACCAN is across the Australian Privacy Foundation's (APF) submission and broadly agrees with the 20 areas of concern and recommendations outlined therein. ACCAN particularly supports the APF's calls to increase the quality and transparency of the consultative process, to better outline and explain the reasons for and benefits of the TDIF, and to undertake an in-depth privacy impact assessment and analysis of security risks with relevant stakeholders and public interest advocacy organisations.

Consultation

ACCAN's primary concerns arise from the DTO's lack of engagement and consultation with civil society and relevant public interest advocacy groups. ACCAN is aware that the TDIF has been in development since at least July 2015; however we have not been involved in any consultations to date. It is essential for building consumer trust and confidence in the TDIF that consumer interests are well-represented as the TDIF development process continues.

ACCAN is concerned that although other privacy advocates were approached in late 2015, ACCAN was not approached and was not invited to attend the meeting on 10 August 2016. ACCAN is the peak advocacy body representing telecommunications consumers, and privacy and online identity issues fall within our policy priorities. As such, ACCAN believes that it is a particularly relevant stakeholder for the DTO's TDIF development process and has requested to be included in upcoming consultations and privacy.

Justification and consumer benefits

ACCAN is concerned that the TDIF has not been adequately justified and that no clear case that the TDIF is needed has been made from a consumer perspective. The DTO should provide a more detailed and clearer explanation of the specific consumer benefits of the TDIF. A clearer statement of the purposes of the project would also benefit those who wish to engage with it during the development phase.

It is also unclear how the scheme is more efficient or beneficial than existing systems and technologies for authenticating identity of individuals, and the organisations they transact with. To this end, any processes utilised by the TDIF must be no more onerous or costly than those already in use.

Consumer privacy and information security

ACCAN would like to echo the APF's concern that a preliminary Privacy Issues Analysis has not taken place. In light of this ACCAN supports the APF's call for the commencement of a multi-phase PIA process.

The proposed scheme also represents risks for consumers in the form of security breaches. Following the attempted attacks on the ABS' 2016 Census, individuals are likely to be more sensitive to risks to their personal information. The TDIF scheme should therefore only operate on an opt-in basis and should remain voluntary to maintain consumer trust. In addition, comprehensive safeguards against internal and external security breaches must be developed and implemented, and sanctions for security breaches should be developed and enforced.

Consumers must also be able to easily authenticate the identity of organisations and agencies they interact with in order that they do not inadvertently share information with third party impostors such as scammers or phishers. As recommended by the APF in its submission, the scheme must provide warranties and indemnities to that effect.

Usability and accessibility

In addition to the issues identified and recommendations made above and in the APF submission, ACCAN would like to stress the importance of making the TDIF development process and any eventuating products as transparent and simple as possible. It is important that consumers can easily understand how the proposal for a TDIF will impact on them, and any risks associated with it. To this end, information on the TDIF should be communicated in plain English, and any opt-out processes clearly defined, so that consumers are able to give genuinely informed consent. ACCAN has previously commissioned research that looks into the effects of confusion and information overload on consumer decision-making.¹ Our experience and expertise in this area demonstrates the value of ACCAN's involvement in consultation on the TDIF going forward.

Accessibility is another important issue for many consumers of ICT services. The design of the TDIF should therefore aim to minimise the barriers to using its features and make the TDIF available to all users regardless of financial circumstances, geographic location, cultural or linguistic background, disability or technical ability.

¹P Harrison, L McQuilken, N Robertson, 'Seeking Straight Answers: Consumer Decision-Making in Telecommunications, <https://accan.org.au/files/Reports/Seeking%20Straight%20Answers%20Report.pdf> at p 38.

Thank you for taking the time to consider ACCAN's concerns. We look forward to working with you throughout the rest of the TDIF development process.

Yours sincerely

A handwritten signature in black ink that reads "Jeremy Riddle". The signature is written in a cursive, slightly slanted style.

Jeremy Riddle
Policy Officer