

Ms Margaret Quirk; Mr Chris Tallentire; Mr Peter Abetz; Mr David Templeman; Mr Jan Norberger; Ms Wendy Duncan; Mr Matt Taylor; Mr Frank Alban; Mrs Glenys Godfrey; Dr Graham Jacobs; Mr Shane Love; Mr John Day

WESTERN AUSTRALIAN PHOTO CARD BILL 2013

Second Reading

Resumed from 19 September.

MS M.M. QUIRK (Girrawheen) [4.17 pm]: The decision for elderly Western Australians to stop driving is a difficult one for many to make; they fear social isolation and the loss of independence. The decision to stop driving and adjust to life without a car while staying involved and maintaining an active lifestyle can be very challenging. A simple thing like no longer holding a licence means that the elderly have no form of photographic identification, which can further marginalise them. Without photographic identification conducting everyday transactions such as opening a bank account, cashing a cheque, receiving international mail and even attending solicitors for the drafting of a will can be highly problematic.

I have personal experience of the last matter. Recently, I took an elderly couple to a solicitor's office to get their will updated; they had been clients of these solicitors for over 20 years. The will was drafted and the solicitors satisfied themselves of the mental capacity of both individuals to execute the will, but at the end of the process they requested photographic identification. Both of these people had not had a driver's licence for a number of years, so I asked the solicitors why this was necessary. They referred me to the Financial Transaction Reports Act 1995, which is a regime relating to combatting money laundering, and said that because the will transferred money, the law firm had to satisfy itself as to the identity of the people involved. The fact that the couple had been clients of the solicitors for 20 years and that their son went to school with one of the senior partners who could verify their identity was not considered sufficient for the firm—a large firm with a very good reputation in town. Consequently, that elderly couple has been hounded for photographic identification for the last four or five months and this led me to write a letter in support of this bill. Hopefully, in the near future, that couple will have photographic identification that they can provide to the solicitors, even though I actually thought the solicitors were taking their legal obligations way too far.

This bill is aimed at assisting the elderly, the disabled and those non–licence holding Western Australians to negotiate a range of transactions in our community without a driver's licence by introducing a photo ID that can be used in all circumstances in which a driver's licence is traditionally used. As I said, no longer holding a driver's licence has the unanticipated outcome that the primary source of photo identification recognised and sought in a range of transactions can no longer be used. The issue here is that the card that is used in its place must have the same level of integrity and trust that a driver's licence has for the purposes for which it is required. It is our belief that the government has an obligation to ensure that people who do not hold a driver's licence are not unfairly disadvantaged. As I said, it gives certain status and integrity, which is not met by the proof-of-age card. This status and integrity is effectively conferred by this bill and its compliance with the national identity security strategy gold standard enrolment framework. It is part of the old 100 points system that the banks no longer use. It will be given a high number of points because it complies with the GSEF. These laws mirror those in New South Wales under the Photo Card Act 2005, which recently underwent a statutory review. In June 2013 a report of that review was published. The scheme was endorsed by that review. It was found to be working well and its continued existence was essential. Of note were the observations made at recommendation 3 on page 6 of that review that note —

The Department of Attorney General and Justice has commented that since the RMS functions include administering a database of sensitive personal information, this power should not be capable of delegation to the private sector. If in the future there is a desire to involve the private sector in the administration of the scheme, this should be considered by the Government.

In Western Australia, similarly, the scheme will be administered by the Department of Transport but we share similar concerns to those that arose in New South Wales and believe that because of the sensitivity of the material that will be held in relation to the application and provision of those cards, the information should remain in government hands and be subject to robust security measures.

We know that under this bill, a photo card will be valid for five years and will have the same application process and security as a driver's licence, which will make it accepted by businesses everywhere a licence is accepted. In the briefing, we spoke a little about the education process of notifying businesses, for example, that this card did have that status and whether the government would engage in some sort of small education campaign to inform people of the integrity and status of the card.

Mr T.R. Buswell: It is part of the bigger picture.

Ms M.M. QUIRK: I thank the minister.

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All cards will have a photograph and a signature but the discretion exists as to what other information the applicant wants on the card. As I said, we were assured by the minister in his second reading speech that the highest standards of privacy will be imposed in the same way they are for drivers' licences. We certainly welcome those assurances.

As I noted earlier, the photo card will replace the proof-of-age card currently issued by the Department of Racing, Gaming and Liquor, which is evidence of age for those wanting to attend licensed premises. The photo card will be prescribed in regulations as acceptable evidence of age for access to licensed premises under the Liquor Control Act 1988. To ensure a smooth transition between the cards and so as not to disadvantage holders of the proof-of-age card, replacement proof-of-age cards will continue to be provided for a period of six months following the introduction of the photo card.

There is a fee of \$35 for the photo card and \$20 to replace a lost card. There are no concessions. I know that times are tight, but I draw the house's attention to a letter that the Premier wrote prior to the election to the Western Australian state office of National Seniors. The Premier was asked —

Will you fund free photo ID for seniors and carers who no longer have a driver's licence or passport identification? (Following the lead of New South Wales recently)

The response from the Premier was —

A re-elected Liberal Government will introduce legislation for the creation of a new photographic identification card and will consider issuing free photo ID cards for seniors and carers who meet the same criteria to be eligible for fee exemptions of the driver's licence.

Obviously it was considered and rejected. The undertaking given in that letter prior to the election is somewhat misleading; it may lead recipients of that letter to believe that the card will be free. That contrasts with our pre-election promise, which was made on 19 February, in which we said that we would introduce a free photo ID for seniors who do not hold a valid driver's licence. I make that observation to show that there was a contrast, and that also contrasts with the situation in New South Wales. Until March this year there was a charge of \$46 for this card and \$22 for a replacement. The New South Wales government announced in March that these fees would be waived for seniors. However, at the time of the statutory review, which came out in June, that promise had not been delivered. There is an indication that New South Wales, which has had the scheme for a number of years, has found it successful and is now prepared to issue that card free for seniors. I would certainly ask the government to reconsider its decision—if not now, at some later time when it has a better idea of the take-up of this card—and provide it free, even to pensioners or health care card holders. I think that would be very much welcomed.

In conclusion, not holding a driver's licence should not result in a loss of identity. The photo ID card will facilitate a person's identity to engage in a range of everyday commercial transactions without undue inconvenience. That is important in a world of growing commercial complexity, fraud and identity credentials being more frequently questioned. I commend the bill to the house.

MR C.J. TALLENTIRE (Gosnells) [4.28 pm]: I rise to speak to the Western Australian Photo Card Bill 2013. As a member of state Parliament, nothing makes me prouder than seeing the people of my electorate help bring about change that benefits all Western Australians. Indeed, that is the case with the photo ID card. Its establishment is in no small part due to the work of one of my constituents, Patricia Best. I want to pay tribute to the work of Patricia, who first came to me in 2009 to talk about this need. She explained to me how many people are in situations in which they are not able to drive and they therefore do not hold a driver's licence. She said that meant that things as routine and as commonplace as taking out a mobile phone account were an impossibility because to acquire a mobile phone, one needs to present a certain level of identification. A driver's licence meets the various tests but other forms of identification do not meet that test. If one does not hold a driver's licence, one is in a difficult situation. Opening a bank account is similar, which is essential for us all to do; that is, if someone does not have the necessary identification that meets the point standards, they are not able to open a bank account. Patricia explained this to me. My initial assumption—she was able to correct me on this—was that this would apply mostly to seniors. The government's media release about bringing this bill to this place refers to the card being vital for seniors. This card is essential for a whole host of people in our community who do not hold drivers' licences. People with epilepsy who choose not to drive do not hold drivers' licences. People with other medical conditions are in a similar situation. Not only seniors but a range of people in our community will welcome this initiative.

It is important to note that this card will have identification value equal to a driver's licence. We need to be sure about that because I do not want to hear back from constituents that they presented their photo ID card at a

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particular mobile phone outlet but it was not recognised. We have to be sure this card will have that full recognition. That is why it has taken time to develop the system. On that score, I express some disappointment. As I said, I first raised this issue with the government when Patricia Best raised it with me in 2009. I have correspondence from when Hon Simon O'Brien was Minister for Transport; Disability Services. On 17 November 2010, he sent me a signed letter that had no doubt been written for him, but he took the time to also write a personal note —

Chris—apology for delay in responding; a great deal of work has been done already.

That was back in November 2010. We had to wait and wait. Meanwhile all our constituents have been frustrated by the inability of our government system to provide this important service. We had various exchanges and I put questions on notice to ask the minister what was happening. I generally received brush-off responses. I had an exchange of letters with the current Minister for Transport and received a letter from his chief of staff. It was not from him, as he tends not to write to people such as me; I do not know to whom he writes, but his chief of staff is the only one who responds to my correspondence to the minister. The most recent correspondence from his chief of staff was in July 2011 and it stated —

DoT has advised that work is near completion and a proposal will soon be put forward to the minister for consideration.

That was in July 2011. It did not sound particularly optimistic, but at long last we are here. I am pleased about that. I know the photo identification card will make a big difference to the lives of many people and I welcome it. It has been a long time coming, but it will make a big difference. I really want to congratulate Patricia Best for her tenacity and persistence in driving this project to fruition. This is a fine example of how active and engaged citizens such as Patricia can make a difference to all Western Australians. It is great when our broader community realises that they can make a difference that helps everyone.

MR P. ABETZ (Southern River) [4.34 pm]: I rise to speak on the Western Australian Photo Card Bill 2013. People require proof of identity for many, many things. Sometimes it can be very frustrating when someone does not have the type of identity paper required. I well recall when my wife and I and five children came across the Nullarbor in 1991 to move to Western Australia. We cruised along and took our time to cross the Nullarbor. People say that there is not much to see on the Nullarbor, but we took the trip over about five days because there is so much to see if people drive slowly enough to see it all. I drove my 1982 kombi slowly enough to see it all! For those who are interested, that 1982 kombi was the very last of the air-cooled kombis that rolled off the production line in Germany. It is the kombi that I still use in my election campaign. It has done only 500 000 kilometres! To go back to the story, we realised our kids were getting crankier and crankier as we crossed the Nullarbor. We thought: what is wrong with our kids? Within a day or two of arriving in Perth, they all came down with chicken pox. So my dear wife went to the video shop in Willetton to hire a video. The video shop wanted proof of her address. We had just come from Victoria and we had our Victorian drivers' licences. They said we had to have at least an electricity bill, a driver's licence or a bank statement with our address in Western Australia. We were unable to furnish that, so we were unable to hire a video. Even a passport was insufficient.

Mr D.A. Templeman: Turn back the kombi!

Mr P. ABETZ: If I had turned back, the member would not have the privilege of my presence in this chamber.

Mr D.A. Templeman: That is exactly the reason you should have turned back!

Mr P. ABETZ: Anyway, we decided to ring the Western Australian Department of Transport or whatever it was called in those days and we thought, "Let us get our drivers' licences changed immediately." My wife and I went along to the Department of Transport at Welshpool. On the phone the department told us that all we had to do was fill out some forms and it could do it on the spot for us. The department did not tell us that we had to sit a test; we were caught flat-footed on that one. The department made us do a test, which we managed to pass. Obviously, the rules are sufficiently akin to Victoria for us to get a pass mark, but we got a few things wrong. I am not sure which ones they were, but we sweated on it a bit when the department said that we had to sit a test. We said that no-one had told us about that. We passed our tests, we got our drivers' licences and we were able to hire a video. Is that not amazing? It did not matter about driving, but we had our licences to hire a video.

One of the things I find amusing about identification documents is that often a higher quality document such as a passport is not considered acceptable, but a scruffy bit of paper called an extract of birth entry is acceptable for some purposes. People need a birth certificate to get a passport in the first place, but, no, sometimes we cannot get these things.

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One of the interesting things about this photo ID card is that it will replace the proof-of-age card. I have an interesting story to tell about one of my constituents, Mr Zora Gill, a 77-year-old retired Main Roads engineer. He is a very capable person and very community-minded. He served as the president of the Sikh Association of Western Australia for a number of years. Since he relinquished that role a while ago, he decided to go back to what he had done in earlier years, which was to be a voluntary teacher assistant in the local school. Therefore, he needed to get a working with children card again. He filled in the form, got it signed by the school chaplain and all the rest of it. He then went along to the post office. He sent me an email, which reads —

When I took it to the local post office for registration it was not accepted, although I produced three cards (driver's licence, Medicare and bank cards), because I did not have a proof of age card ...

I would have thought that most people would believe a 77-year-old is pretty ancient. Mr Zora Gill does not quite look like a 16-year-old or an 18-year-old anymore, but he is still able to get about and he still drives, but he was told that he needed to get a proof-of-age card. He went to the Department of Transport office. Do members know what he needed there? He needed to show his driver's licence and pay a \$25 fee, and only then did he get his proof-of-age card. He went back to the post office, and all of a sudden his application could proceed. He wrote to me and said, "Surely this is crazy." Here is a man who still had a driver's licence, but to get the necessary documentation for a working with children card, he had to toddle off, pay \$25, come back, present that documentation and then it would be okay. As it turned out, if the chap at the post office or even Mr Gill himself had read a little more carefully the explanatory sheet that comes with the working with children card, they would have seen that the proof-of-age card is a category C document, and three of those were necessary; he had only two—a Medicare card and his bank cards. Even though he had several bank cards, only one is allowed to be used, so he needed one more document. All he needed to do, in fact, was to go home and get his electricity or gas bill and he would have been home and hosed and saved himself a trip to the Department of Transport and having to pay \$25, but never mind.

There are some crazy things about so-called proof of identity, but the new photo card is, I think, a very positive thing, as has been mentioned by previous speakers. It certainly fills a gap for those who do not have a driver's licence. I am glad to see that the photo card will not be too costly; it will cost around \$35 for five years or thereabouts, and it will be available to anyone over the age of 16. It is certainly not just something for seniors, but will be available to anyone who does not drive. As has already been mentioned, there are many people who, for various reasons, do not have a driver's licence. It might be for medical reasons, but some people have simply never got around to learning how to drive.

I find it a little amusing that under clause 6(3), an applicant does not have to provide a photograph if, within the period of 10 years before the application, the applicant has already provided a photograph. I do not know about other members, but over the last 10 years I have lost a fair bit of hair!

Mr D.A. Templeman interjected.

Mr P. ABETZ: Yes. I would have thought that one would look rather different in the 10-year period between the ages of 16 and 26, but never mind. Then again, if at the age of 75, I give up my driver's licence and I need to get one these cards, when I hit the age of 85, I will be allowed to walk around with an identity card that shows what I looked like when I was 75, so I guess there are some pluses!

Mrs G.J. Godfrey interjected.

Mr P. ABETZ: Yes, I will still look like a young man! In fact, that reminds me of the former member for Alfred Cove, Janet Woollard. The letterhead photo she used never changed in her three terms in Parliament, and I think it was already 10 years old at the beginning of her parliamentary career! When one saw her letterhead and then met her in real life, there was a considerable difference.

Dr M.D. Nahan interjected.

Mr P. ABETZ: Yes; never mind!

I find that amusing, but I guess it saves people the trouble of having to get another photo because the Department of Transport will have it on file. Perhaps as an optional extra, minister, there could be a fee-for-service for the image to be photoshopped a little to make them look either older or younger, depending upon what they wish. But it will certainly make life a little easier for those who do not like having their photo taken too often.

Another thing in the bill that might at first seem a little odd is in clause 8(2)(d), which provides the option for a photo card to contain the cardholder's residential address. I thought, "Hang on a minute; if I think back to the time when we came across the Nullarbor and we wanted to hire a video, if we didn't have our address on the document, it wasn't much use. Why would anybody want to have an ID card without their address on it?" I

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checked the explanatory memorandum, and it provided the example of a 17-year-old going to a nightclub and having to show her proof-of-age card, but not wanting the person checking the IDs to be able to read and memorise her address and perhaps give her grief later. I think that is a reasonable option. I noted with interest that a person is actually able to have two cards issued to them—one with the address and one without. I think that is quite a useful provision in the bill.

Mr A. Krsticevic: You'd have to pay twice.

Mr P. ABETZ: One would need to pay twice, yes. If the member for Carine does not want people to know where he lives when he goes to a nightclub, he can take the one without his address on it!

Several members interjected.

Mr P. ABETZ: Okay.

The Western Australian Photo Card Bill 2013 is a very useful piece of legislation and certainly probably one of the most uncontroversial bills that have come to this house; I can hardly imagine anyone being opposed to it. It will certainly be helpful for people who do not drive or who no longer drive. Elderly people who have to hand in their driver's licence have found, in the past, that it takes away not only their mobility, which can be a little disconcerting for them, but also a form of identification. That, I think, also makes the whole experience of handing over one's driver's licence just that little bit more difficult. Being able to get a Western Australian photo card means that they can still have a form of identification that fulfils much the same function for identification as a driver's licence when they want to hire a video, or whatever else. Perhaps, for those who are so young that they do not know what videos are, I should explain that they were what we had before we had DVDs and CDs.

Several members interjected.

Mr P. ABETZ: Yes.

Let us hope that the bureaucrats get all the administration right when implementing this bill. Legislation like this can look very simple on the surface, but when it comes to actually implementing it, there can sometimes be teething issues; let us hope there are not too many in this case and that the Department of Transport can provide people with these cards in a way that is as hassle-free as possible so that they can have a readily available and readily accepted means of identifying themselves when it is necessary or appropriate to do so.

The final point I want to raise is that for the purpose of making a working with children application, the driver's licence is deemed to be a category B document, which is a higher threshold of identification than the proof-of-age card issued by the Department of Transport, which is only a category C document. If an elderly person who no longer drives wants to get a working with children card and presented at the post office with their passport plus their driver's licence, that would be all they would need to bring. However, if they no longer had a driver's licence and presented with a passport and the photo card, it would not provide adequate identification if it were used to replace the proof-of-age card, which is category C identification. I would hope that the documentary requirements for a photo card will be the same as those for a driver's licence, and that the working with children people will move the photo card into category B rather than leaving it in category C. If people have no category B documents, they will need three category C documents—that is, a Medicare card, credit card from a financial institution, a bank statement or a motor vehicle registration, which that person will not have if they do not drive, or a utility notice and various things. It would be so much simpler if a person could present their passport and the Western Australian photo card; it would make life easier. I hope that issue can be addressed when this card comes into existence and people make use of it. The working with children card is widely used. People who teach Sunday schools must have them. People who work in schools need them. People such as parents and grandparents need a working with children card if they go into schools on a regular basis to listen to kids read, as part of improving literacy. We need to make it as easy as possible for people to be able to volunteer but still ensure adequate protections so that only the right kind of people get to work and have access to children in schools. With that, I conclude my remarks and commend this bill to the house. I look forward to it coming into effect.

MR D.A. TEMPLEMAN (Mandurah) [4.52 pm]: This is good legislation. I support it.

MR J. NORBERGER (Joondalup) [4.52 pm]: I am glad to follow the member for Mandurah. By virtue of what I have said already, I have doubled his speech, which is very rare. I do not normally try to compete with the member for Mandurah given he has many years of experience over me. It also gives me joy to follow my colleague the member for Southern River, ever the pragmatist, in this debate. This afternoon I want to add my views to the Western Australian Photo Card Bill 2013. It is nice that on this occasion the bill is supported by both sides. It would be nice if that occurred more frequently, as opposed to the heated debate members engaged in earlier. It is nice to finish the afternoon talking about a bill on which we all agree.

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The Western Australian Photo Card Bill 2013 is important. It may not get the same media attention as other legislation that passes through this house, but, rest assured, it is welcomed by a broad group of community members. Many of the community members I have spoken to—similar to those who have spoken to the member for Southern River and other members—look forward to the implementation of this bill. Why? It is not a grandiose bill. From a page count, it is not a massive bill. To understand why the community is so looking forward to this bill, members must understand the current situation. As the member for Southern River explained in detail, most people take for granted their photographic driver's licence. The vast majority of us have a driver's licence. In our society driving a car is considered almost an essential freedom. When a person buys, for example, a new iPhone and needs to register the SIM card or opens a bank account, they need some form of identification. It is ever so easy for a person to dig their hand into their pocket, pull out their wallet—if they are like me, there may not be too much cash floating around—and find their driver's licence quick smart, show it and never give it another thought. However, for a variety of reasons, surprisingly, a large contingent of the community does not have drivers' licences. That can make life difficult for them sometimes. If a person has a passport, like the member for Southern River alluded to, it does not make life impossible, but it certainly makes life more difficult. Heaven forbid, if on top of that they do not have a passport. As someone who has had the great privilege of travelling throughout the world—travel is something that I enjoy—it is hard for me to imagine not having a passport. However, I know many people, friends and colleagues, who have never left Australia and have never needed to apply for a passport. That is their choice. Perhaps they have not had the opportunity to travel because of certain circumstances.

Mr M.H. Taylor: Where have you been?

Mr J. NORBERGER: I have been to a few places. If I were to go through all of them, that would definitely take us to the dinner break. I have not been anywhere lately. Lately, I have just been in Joondalup. The people of Joondalup have my full attention. For now, there is been no travel for me.

Mr A. Krsticevic: Have you been to other countries where they have photo ID cards?

Mr J. NORBERGER: It is funny the member for Carine should ask. I have. Members may remember from my inaugural speech that I spent three years in East Timor. For a period of time in East Timor there was no such thing as a driver's licence. Anyone could drive and the manners on the road showed that was the case. There really were no standards. On a side note—I do not want to get too far off subject —

Mr N.W. Morton: They let you drive, did they?

Mr J. NORBERGER: Yes, they did let me drive, and it was crazy. I taught myself how to ride a motorbike in East Timor. There was no licensing—nothing. I just jumped on, dodged the water buffalo and the goats and before I knew it, I was a qualified motorbike rider! It was organised chaos. I know some members have travelled to India and the like, and one wonders how it is possible that more people do not die on the roads. One thing I have noted is that, firstly, they do not go as fast as we do; and, secondly, they all mistrust each other's ability so much that they tend to be more switched on and alert. That is my little safety tip for road users.

Mr P. Abetz: The roads are horrendous in India.

Mr J. NORBERGER: They probably are. I do not believe they have a statistics department in East Timor so we will never know.

Getting back to the question of the member for Carine, in all seriousness, it was an issue in East Timor. There were no drivers' licences and most Timorese did not have passports. It was a country where people did not travel far afield, so proof of identification was phenomenally hard to establish. This was especially difficult as international banks set up shop in East Timor. The ANZ Bank opened up business there and tried to uphold the same standards as those in Australia, and the best form of ID someone could come up with was a birth certificate. Even then, during the battle for independence, a lot of the records were lost, so it was a challenging period. By the time I left in 2005, they had implemented a photographic card. Dare I say—I never thought I would see the day—East Timor beat us to it. Never mind! We will make penitence for that.

Within my community, replicated through my colleagues' electorates, many elderly people are asked by the government, sadly, to relinquish their drivers' licences because of deteriorating eyesight or other medical conditions. Straightaway, that often hampers their ability to identify themselves to the likes of a bank or other institution. If they have a passport, that can be used, but people do not carry their passports around with them all the time. If a person knows they are going to open a bank account, they can go out of their way and carry the passport, but sometimes people do things on the spur of the moment. For example, a person might decide to buy an iPad or iPhone, and to purchase a SIM card for that device the retailer will want to see photographic ID. If the

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person did not think ahead and the passport is safely locked away at home because they are not travelling—a passport is taken great care of—that spur of the moment decision cannot progress.

Another group that is affected are people with a disability that prevents them from driving. Whilst it is encouraging to see technology making it possible for disabled members of the community to participate wherever possible in activities such as driving a motor vehicle, and we see modifications being made to motor vehicles to enable a greater range of disabled persons to drive a motor vehicle, there will still be people with a disability that will unfortunately preclude them from holding a driver's licence. As I said at the outset, someone who does not hold a driver's licence and who does not travel internationally so does not hold a passport is at a huge disadvantage. I did not have to look too far to find examples of this. I found two examples in my own family and friendships, so I did not have to go on a huge Easter egg hunt to find an obscure example of someone in the community who is affected. A good friend of mine, who is probably in his early 30s—he is younger than I am—has some issues with his eyesight that preclude him from holding a driver's licence. He has adapted in the sense that he uses public transport, but it has made it more difficult for him to find work because a lot of employers want their employees to have a driver's licence. Nonetheless, he has made a go of it and he is enjoying life, but he does not have a driver's licence. Unless medical technology changes, he will go through the rest of his life not being able to operate a vehicle and therefore get a driver's licence. I spoke to him about this and asked him how it impacted his day-to-day life. He had a bit of a smile on his face and, sure enough, he reached into his back pocket and pulled out what I would suggest is one of the most well-worn, dog-eared and well-used passports I have seen, but not because he travels overseas a lot. Sometimes people pull out their passports as a bit of a show and tell, "Look at this stamp and that stamp from everywhere I have travelled!" He did not travel a whole lot at all, but his passport was his primary form of identification. I know it might sound trivial, but a passport is not something that people can easily stuff into their wallets; it is a sizeable document. It is a very important official document. We have heard people talk about identity theft. There have been stories in the past of people's passports being forged and used by criminals and the like, assuming their identity.

We take passport security very seriously. A passport tends to be a document with a high level of recognition that people keep in a safe place. My friend does not have that option. He literally carries it in his back pocket everywhere he goes, day in and day out. He might be pulled over by the police—I guess he would not! If he got pulled over by the police, he would be in trouble and his passport would not help him at all! If he was required to identify himself to the police or he wanted to open a bank account, he could not afford to be without his passport. The second example is my step-mum, so it does not get too much closer to home than that. A couple of years after my dad and mum got divorced, my dad remarried to a lovely lady named Virginia. Virginia is of Filipina descent. She is physically able to drive a car but she has a fear of driving and has not felt comfortable within herself to get a driver's licence. This gives my dad great meaning in life, because he is a perpetual taxidriver, which is okay because he is retired and he does not have too many other hobbies and he enjoys it. In Virginia's case, not having a driver's licence to rely upon as a form of identification has meant that she has no choice but to make sure she has her passport handy.

There are other circumstances in which a photo ID is required, as was the case with my wife for a couple of years and certainly with Virginia. For example, if someone is not an Australian citizen and they do not have an Australian passport, they may need to renew their passport when it expires. That is something people need to bear in mind, particularly if their country of origin does not have a consulate in Perth because a lot of forward planning needs to be in place. For example, before my wife became an Australian citizen, she still had her Timorese passport. At the time, Timor—God bless them—did not have a consulate in Western Australia.

Mr N.W. Morton interjected.

Mr J. NORBERGER: They do have ID cards; they are very advanced! At the time, Timor had a consulate in Canberra. People could not post their passport to the Timorese consulate in Canberra, because the system at that time required a physical presence. My wife's passport expired prior to her becoming an Australian citizen, more or less stranding her. In her case, thankfully, she had a Western Australian driver's licence. If she had not had a driver's licence and she had rocked up to the bank with an expired passport—they may not; it is their prerogative as a lot of these forms of ID have an expiry date—her only option would have been to fly to Canberra at our expense to apply for a passport at the Timorese consulate. That is not something we would like to have done. In my own family, there are several examples of what many of us take for granted and which can create issues. Those are circumstances in which this bill will come into play.

We have heard from a number of my colleagues that this bill will create a photo ID card that is very similar to a driver's licence, with security features and the key components of photograph, name, date of birth and the like,

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but without the need to indicate whether that person can drive a motor vehicle. We have heard as well of the existence of a proof-of-age card under the liquor control framework. We have heard some reasons why that is not really an acceptable alternative; simply, it is not as broadly accepted as a driver's licence. It is the view of the government that when this photo card comes into existence, it will have the same status and recognition as a driver's licence. This is important. It is also important to mention that the photo card is 100 per cent voluntary. If people do not need or want one, that is fine; it is not being forced upon them. Sometimes when we talk about identification documents such as the photo card, it can raise some concerns about Big Brother watching or an impost, but it is completely voluntary. The cost to apply for the card is \$35, but it will last for five years. To put that in perspective, the cost is \$7 a year. It is also optional to have the person's address shown on the card. There might be a number of circumstances in which someone would like to identify themselves, their date of birth and obviously a photo, but for whatever reason—I cannot think of any at the moment—they do not want to show their address. It is even more interesting that people have the option of having two cards. Under this bill, people can apply for two photo ID cards—one with an address and one without an address. Ultimately, that will give people a huge amount of flexibility.

Many people in my community are looking forward to the introduction of this card. The member for Gosnells indicated that a number of people in his community have been strong advocates for the photo card. I know that in the northern suburbs, particularly Joondalup, the Self-funded Retirees Association has been very vocal, in a positive way, in advocating for the introduction of this legislation. I had the great privilege to address the association's members prior to the election. In the question and answer session, in essence, they had the opportunity to bring up any subject with a potential future member of Parliament. Obviously I was fortunate enough to become a member, but at the time, when they could bring up any issue they wanted, the number one issue they wanted to put on my agenda was their desire to see the introduction of this kind of legislation. Members can imagine that it gave me great pleasure last week to ring the president of the Self-funded Retirees Association and update him on what our house is working to progress. The association is very much looking forward to this legislation being passed. Once the bill is passed, we can look forward to its implementation early next year in March or April. It is certainly something that I think will be of great and immediate benefit to a number of community groups across the board. As such, I fully support this bill. I look forward to going through some of the details in consideration in detail. I do not believe there is any kind of fine print lurking anywhere, but obviously it will give us an opportunity to look at the bill. I look forward to progressing the bill to the other house for its consideration—no doubt members of that place will consider it in great detail, as they tend to do there—and sending it to the Governor for royal assent and getting it happening for the benefit of our community. I commend the bill to the house.

MS W.M. DUNCAN (Kalgoorlie — Deputy Speaker) [5.09 pm]: I rise to support the Western Australian Photo Card Bill 2013. It is greatly welcomed and is, in some ways, long overdue. The bill will provide a form of identification for people who do not have access to a driver's licence, passport or other form of identification. As we have been advised previously, the photo card will be available to all Western Australian residents over the age of 16. It is a secure document with a high level of recognition that will assist people who need identification in their daily lives, such as to purchase goods and services, to deal with banks or government agencies or to undertake transactions for which a driver's licence would normally be required. There is at the moment the proof-of-age card. It contains a photograph but does not have a sufficient level of acceptance to give the holder access to the services that a driver's licence does. As has been mentioned, the photo card will assist older people, people with disabilities and, of particular importance to me and to regional members, Aboriginal people, many of whom do not have a driver's licence but need that level of identification to conduct business in their daily lives.

Under the legislation, obtaining a photo card will be voluntary. The photo card will contain the means to substantiate the cardholder's identity, age and/or residential address and will be accepted by a government agency, bank or other business. It will contain the cardholder's name, date of birth, photograph and signature. The cardholder can apply for the card for a variety of reasons. That is why, as was discussed earlier in the debate, there is the opportunity for people to apply for two cards. They can have a photo card for purposes such as going into a liquor establishment or a nightclub where they may not want their address identified, or they can have a photo card with the full details, which they may require to establish their identity to apply for a new bank account or something like that. The flexibility of the legislation will give cardholders the opportunity to decide for what purpose they want to use the card.

The eligibility criteria for the photo card includes that the person is a resident of Western Australia, is at least 16 years of age and meets the requirements that are prescribed in the regulations for the purposes of the clause. In the application, the applicant has to satisfy the CEO of their eligibility and provide a photograph and signature and, of course, the prescribed fee. This standard of proof will be the same as that accepted under the national

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identity security strategy gold standard enrolment framework, or GSEF. It is another nice little acronym for members to learn to wrap their tongues around! The GSEF was jointly developed by the Australian commonwealth, state and territory governments in an endeavour to ensure the application of consistent and secure standards by government agencies when there is a need to verify an individual's identity. In order to comply with those GSEF standards and for the card to have that level of security, it must contain a photograph and a signature. As was mentioned by the member for Joondalup, the interesting thing is that these sorts of cards always raise questions about security and privacy, so the photograph and signature will be captured and stored electronically. That will enable their future use by the CEO, but there are rules around how they will be used. If the photograph is on file and has been held for 10 years and has not been accessed by the owner, it will be destroyed. That requirement comes under clause 17(1). It applies also to the signature. If the signature has not been accessed for 10 years, it will be destroyed. The current intention of the bill is that the card will have a duration of five years. That should stand in good stead those who find accessing the necessary administration to even apply for a card a bit daunting. Once they have got it, they will have it for five years, so that should assist in particular Aboriginal people who apply for a photo card.

There are also clauses that provide for penalties if the cards are misused. Under clause 11(2), it is an offence for a person to forge or fraudulently alter a photo card. Under clause 11(3), it is an offence if a person uses a fraudulently altered or another person's photo card. There are protections. Under clause 11(4), it is an offence for a person to have in his or her possession, with intent to deceive another person, a photo card or an article resembling a photo card. Under clause 11(5), it is an offence for a person to lend his or her photo card to another person or to allow another person to use their photo card. These regulations should assist in ensuring that the system is secure and is not misused.

Another aspect of the bill that we need to be aware of is that the photo card will come under the law in relation to access by the Australian Security Intelligence Organisation and the police, but there are clauses that will ensure that the highest level of permission is required for that access. Clause 15(2) requires the CEO to disclose the photograph to a police official, and clause 15(3) requires the CEO to disclose the photograph to an ASIO official for the purposes of their functions. But those officials are very high in the department—that is, the Director-General of Security in the case of ASIO and the delegate of the Commissioner of Police. I think there is some comfort there, but, obviously, in this day and age, whenever a form of identification is held by government agencies, we have to assume that it will be used if it is necessary for security purposes.

There is also an allowance for the CEO to disclose the photograph to an executor or an administrator of a deceased person's estate. That will enable them to conduct the business of a deceased person. This will replicate what happens under the Road Traffic Act, whereby disclosure of a photograph on a driver's licence can be allowed. I think that provision was fairly recently introduced into that act. Restrictions on the disclosure of photographs exist to safeguard the identity of the photographed person. In circumstances in which the photographed person has died, however, and the photograph is sought by a next of kin through the executor or an administrator of a deceased person's estate, it is considered that matters of security are less likely to be an issue and that disclosure of the photograph is appropriate on compassionate grounds. I think that having access to identification in cases of deceased persons and executors needing a high level form of identification will be welcomed.

There has been discussion in the house about the type of people this will help and we have had a few personal examples. My own mother had to give up her driver's licence because she has macular degeneration. It was a very courageous decision because she is a very independent and mobile lady. I must say, while I have the opportunity, that she is very grateful for the assistance of taxi vouchers now that she cannot drive, but she did find it very difficult in situations where proof of identification was required when she first gave up her driver's licence. She has an identification card from the Senses Foundation, but it is not a high level document that is recognised when undertaking financial or government activities.

The other area where I have become aware that this card will make a great deal of difference is for people suffering from epilepsy. Over the past few years I have had an association with the Epilepsy Association of Western Australia. People with epilepsy, because their condition is unpredictable, are unable to drive. This is a very difficult thing to deal with, especially for younger people with epilepsy. Their challenges are made worse by the fact that they have to explain why they do not have a driver's licence. Having a card such as this that will help them with their identification, proof of residence and signature will certainly be of great benefit; for not only people with epilepsy, but also many people with a disability who are unable to drive.

As I mentioned earlier, many Aboriginal constituents do not have a driver's licence, or have lost their driver's licence, but they do need some form of identification to be able to access Centrelink or to even apply for a

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driver's licence. In fact, the Department of the Attorney General has been conducting open days in the northern goldfields that have been greatly appreciated by the people of the goldfields. They take with them people from Births, Deaths and Marriages, the Department of Transport licensing section, somebody from Centrelink and somebody from the Disability Services Commission. They have an open day and assist people with their identification issues, obtaining licences, getting their birth certificates and accessing benefits. This has been a greatly appreciated initiative by the Department of the Attorney General. There is a little disquiet in the northern goldfields at the moment that these open days may not continue. This has been raised with the Attorney General by the Shire of Leonora and I certainly support them.

One of the issues that people in remote areas and Aboriginal people in particular face is that without the necessary identification and without the ability to apply for a driver's licence and go through the process, they find themselves with fines or offences that end in a downward spiral that unfortunately finds them in our justice system. This is something that we really need to avoid. I have mentioned before in this house, probably ad nauseam, that 70 per cent to 80 per cent of Aboriginal people in our jails are there for non-violent offences. This is a huge cost to the state, but it is an even greater cost to those people and their families. Another issue that needs to be taken into account, particularly with people who have to leave their home community for dialysis, is not only that they are away from home and family, but often it is the elders, the leadership, that is taken out of the community. This initiative by the Department of the Attorney General is excellent and is having a benefit.

The other initiative is through royalties for regions in association with the Department of Transport where they now go into jails and assist Aboriginal people to complete their driver's licences while they are in prison. This is a really good initiative because they are legally able to drive the minute they leave prison. However, it was brought to my attention just last week, and I have written to the Minister for Transport about this—the letter is probably arriving on his desk as I speak—that one of the things about assisting Aboriginal people to apply for their driver's licences while they are in jail is that they are unable to produce sufficient proof of identify. They have to produce two category A forms of identification, which is the birth certificate, passport side of things—which they usually can do—and two category C documents, which is about proof that they are in the community; but the difficulty is category D, which is proof of their address. They have to have proof of address to be able to apply for a learner's permit and go through the process to get their driver's licence. This card will certainly be of great assistance for people who want to have the various proofs of identity that will then allow them to get their driver's licence.

There is a large range of people in the community who will benefit from this. I add my congratulations to the people who have lobbied government for this, not only our seniors' organisations, but also disability and Aboriginal organisations. It is excellent to see how we all, on both sides of the house, support this legislation. I think everyone is looking forward to seeing it come into effect. There is always disquiet about privacy and the misuse of cards such as this, but from my reading of the bill it looks like the safeguards are there and the need is more important than some of the privacy and security issues.

The other thing of course is that the fee is well and truly reasonable, so it will be within reach of those in our community who will probably need it most. A \$35 fee for a card that will last five years is something that we will find is a very popular and well used service that this government has brought in. I commend the government for this bill and support it.

MR M.H. TAYLOR (Bateman) [5.29 pm]: I rise in support of the Western Australian Photo Card Bill 2013. This bill will help many members of the community who have not had access to photo identification in the past. We live in an age in which there is an increasing need for members of the community to supply photographic proof of identity when conducting certain transactions. In fact, some transactions are impossible without photo ID. ID with a photo is required for checking in at an airport counter, opening a bank account, posting international mail, opening a mobile phone account and conducting transactions with various state and federal government agencies, to name a few examples. The driver's licence has become the de facto photographic proof of identity document in Western Australia, certainly being more convenient than a passport. This is despite the fact that a sizeable portion of the community does not possess a current driver's licence or passport.

This bill will enable Western Australians to voluntarily apply for a Western Australian photo card. This is an optional initiative. The WA photo card will bear the cardholder's name, date of birth, photograph and signature. If the cardholder elects, the photo card may also bear their residential address, just as a driver's licence does. Again, this is at the discretion of the recipient. It is important to note that the decision to obtain a photo card is a voluntary one and not compulsory. This card will make it easier for seniors and those with disabilities who require photo identification but have not had the opportunity to obtain a valid photo identification document. The card will replace the existing proof-of-age card, which has only been available to younger members of the

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community aged between 18 and 25. This card will be available to individuals aged 16 and above—a much wider range than the proof-of-age card.

Importantly, the photo card will benefit seniors who do not possess a valid driver's licence. This may include people who formerly possessed a valid driver's licence but for whatever reason no longer possess one. The photo card will also benefit those in the community who are not able to obtain a driver's licence, whether due to physical or mental disability or any other reason. Other groups of people will also benefit from the new photo card, such as those who require access to photo ID, but, for whatever reason, choose not to obtain a driver's licence. The state government recognises that we have a responsibility to ensure that people who are unable to or choose not to obtain a driver's licence are not unfairly disadvantaged. The WA photo card will feature the same contemporary security measures as a driver's licence, including facial recognition technology and the use of customised watermarks and holograms. These security measures are important to protect against identity theft and other frauds that may otherwise be attempted. No doubt this card will need the same anti-fraud measures as driver's licences.

Under the bill, the photo card will be managed and administered by the CEO of the Department of Transport and will be available through the department's driver and vehicle service centres and agents throughout Western Australia. This will ensure that the application process and proof-of-identity requirements will have the same rigorous assessment as is required for the granting of a driver's licence. Further, the photo card will make use of the department's existing facilities and technical infrastructure and networks. This will aid in the efficient administration of the photo card system and help to reduce costs.

Mitigating the risk of identity theft is a very important consideration wherever there is a licence or identity database. It is therefore important to note that this bill establishes safeguards around information management by the Department of Transport. Part 3 of the bill provides safeguards regarding the disclosure of personal information as well as creating specific offences for the misuse and improper disclosure of information. These safeguards mirror the current information protection provisions in the Road Traffic Act 1974 applying to the use of the driver's licence information.

The New South Wales government introduced a similar photo card scheme in 2005. Like the WA photo card, the New South Wales photo card is a voluntary photo identification card that replaces the proof-of-age card and provides a source of photo ID for those in the community who do not have a driver's licence. The fee for the New South Wales photo card is also set on a cost-recovery basis and is around the same price as the proposed fee for the WA card, which is approximately \$35. The validity for both cards is five years, so this proposed fee amounts to a \$7 a year charge. Since being implemented in December 2005, over 475 000 New South Wales photo cards were issued. This high number is evidence of the success of the scheme and highlights the need in the community for such a card. Indeed, a review of the scheme conducted by Transport for NSW, the New South Wales equivalent of our Department of Transport, handed down its report in June this year and concluded —

the Photo Card Scheme meets the community's needs ... and the continued existence ... is essential.

A photo identification card is essential to thousands of people who do not have a driver's licence, many of whom come from disadvantaged sections of our community. Those who do not have a driver's licence are usually those who are young, old or have a disability that prohibits them from holding a licence; it is not just optional. This legislation will provide them with photographic identity, enabling them to undertake with relative ease tasks that those who hold a driver's licence take for granted. This bill clearly meets a real need in the community and I am therefore pleased to support it in this house.

MR F.A. ALBAN (Swan Hills) [5.37 pm]: I also rise in support of the Western Australian Photo Card Bill 2013. The need for such a card was established in my family a long time ago. Both my parents are deceased but some 15 to 20 years ago my father, in his late 70s, was subject to dementia or Alzheimer's disease and he could not drive. We had not taken a terrible lot of notice of the fact that my mother never held a driver's licence. That is not so unusual in migrant families. Initially, the man of the house gets a driver's licence and all of a sudden the sons and the daughters all get driver's licences. In fact, I got mine for that very reason when I was 16. I was a farmer's son and got a special licence. There was always someone who could drive. With the onset of dementia and old age and the fact that my dad could not drive, my mum was housebound, I suppose, and it became a very serious issue.

The creation of a Western Australian photo card will be beneficial to a number of seniors and pensioners in the community for whom a proof-of-age card is not required. Psychologically, it must be quite a barrier to apply for identity to prove one's age when one is a senior. This new identity card will go some way to benefitting many Western Australians. We addressed this very issue some 12 months ago at the Yallambee Hostel in Mundaring in my electorate. There is a similar hostel in Ellenbrook where these issues were raised as well. We were there for

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general discussions and the residents raised the difficulties of people getting older and no longer having a driver's licence and the lack of photo identification to access help for services. The other reason we were there was to address the issue of the residents of Yallambee Hostel travelling to the intersection of Great Eastern Highway, Stoneville Road and Mundaring Weir Road on their gophers. Obviously, they had lost their drivers' licences as well, so it is very topical that we speak of this. Their concern was the time frame of the flashing lights so they could cross safely with their gophers. We adjusted the lights. As people get older, there are a lot of issues that us younger ones heading perhaps in the wrong direction are not aware of. That is an issue that we dealt with.

Mr P.T. Miles interjected.

Mr F.A. ALBAN: Not so much the member for Wanneroo.

The issue of age and needing the card was very important to these people. It is interesting that often when we meet these elderly people, we gain more than we contribute. One of the highlights of my five years in Parliament is meeting a lady called Dorrie Cowcher, whose 104th birthday was on that day. It was one of the most wonderful things to have happened to me. She is from Scott Street, Guildford, which is walking distance from where I live. She proceeded to tell me that she remembered the soldiers marching from Midland and travelling past Guildford Grammar on Terrace Road and Padbury's store, near where we now live, to board the train in Guildford to go to Fremantle to board the ship to go to Gallipoli. She had a very clear recollection of it all and we spoke for quite some time about the history of Guildford. At 104 years of age, she had a very clear memory. She recently celebrated her 150th —

Mr D.A. Templeman interjected.

Mr F.A. ALBAN: Sorry, 105th birthday, which is really remarkable; 150 would have been more remarkable still!

Presently, the key sources of proof of identity are passports and drivers' licences. Some members of the community do not possess either document. Some people, as I mentioned, are ineligible for a driver's licence and therefore ineligible to be issued with a driver's licence document. This bill enables any resident of Western Australia to apply for the issue of a Western Australian photo card.

It has been mentioned before that the cost of the card is \$35 for five years, which is \$7 a year. Any support or discount for this fee would be no doubt welcome, but I must confess that it compares favourably with other fees, such as those for drivers' licences and passports. I initially thought this bill was predominantly about seniors, but discussions with some of my junior residents have made it clear that this is not only for seniors. People right down to 16 years old are quite excited about the prospect of the photo card. As members know, the minimum age for a Western Australian photo ID card is 16 years, unlike a proof-of-age card, which is 18 years, or a driver's licence, which is 17 years. This enables young people with no need for, interest in or ability to drive to prove their identity, and fills a gap that appears to exist with current identification. In other words, without a driver's licence an 18-year-old cannot prove their identity on their birthday as they are not yet eligible for a proof-of-age card. I compared the fees—the standard fee for a driver's licence for five years is \$125 and for seniors it is \$62. Also, not everyone has a passport.

Finally, I will refer to some of the key issues that are pertinent to my electorate. This card will directly assist those within our community who do not hold a driver's licence, a proof-of-age card or any other form of identification, such as a passport, to prove their identity. There may well be a benefit to not only our newcomers from interstate, as the member for Southern River mentioned, but also migrants from other countries, as we obviously did, to have a local state identity card. The acquisition of a Western Australian photo card will be purely voluntary. It is available to Western Australian residents aged 16 years and over.

The second reading speech states —

Over recent years the Western Australian driver's licence card has increasingly been used as a primary identification document and is relied upon as a trusted and reliable photo identification document, despite its specific purpose being to provide evidence of an authority to drive a motor vehicle.

As already stated, the government understands that it has an obligation to ensure that people who are unable to obtain a driver's licence for whatever reason are not unfairly disadvantaged. Passage of this bill through the house will ensure that the community is provided with a solution for these problems. The photo card will make it easier for non-drivers and people who require photo identification but cannot obtain an acceptable photo identification document. At present, these people are forced to apply under the liquor control framework for proof-of-age cards. The Department of Transport's management of and administration control over the issuing process will allow the card to evolve when there are changes to identity security practices and policies. In addition, the department has the expertise and knowledge, along with the facilities and technical infrastructure, readily available to effectively deliver the photo card through its existing networks. The enrolment process and

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proof of identity will have the same rigour as that required for the granting of a Western Australian driver's licence. The photo card will also contain the same security features that currently apply to a Western Australian driver's licence card, including facial recognition technology. The convergence of the Western Australian photo card into the infrastructure developed for the Western Australian driver's licence is a proactive step in developing and maintaining security considerations for the state government-issued photo identification for those who do not hold a driver's licence. Accordingly, I support and commend the bill.

MRS G.J. GODFREY (Belmont) [5.45 pm]: I rise to speak on the Western Australian Photo Card Bill 2013. When this first came onto the agenda, I was not convinced that it was a good thing. I felt that it was like George Orwell's Big Brother in *Nineteen Eighty-Four* and we would introduce something that was not required, as I had not been contacted by anyone in my electorate on this issue. After reading the documentation and learning of the strong support for the bill, I support the bill in Parliament.

I wish to speak on a few personal reflections of how this will affect people whom I know, including family. However, the first question is to ask why it is needed. The second reading speech states —

Over recent years the Western Australian driver's licence card has increasingly been used as a primary identification document and is relied upon as a trusted and reliable photo identification document, despite its specific purpose being to provide evidence of an authority to drive a motor vehicle.

In the past few months I was required to apply for a working with children check as a few weeks ago we ran a Blue Light disco in partnership with the police and community youth centre. Unbeknown to me, people need a working with children check to work at a PCYC Blue Light disco. Obviously, I needed to provide my driver's licence to verify my identity when I applied at the post office. The second time I had to use my driver's licence for identification was when I got some financial advice from a registered financial adviser. Although this person knew me well, they had to verify my identity with the driver's licence and take a photocopy of it. A third example is when I went to the bank to apply for a credit card. Although I wanted it for the office, it just seemed like an exorbitant amount of red tape to go through. Once again, I was required to provide my driver's licence. Members can see how difficult it would be for people without a driver's licence to go through the application processes for these various things.

The Western Australian Photo Card Bill 2013 legislates to provide this new photographic identity card. The card will directly assist those within our community who do not hold a driver's licence or other proof of identification. The Western Australian photo card is purely voluntary and will be available to Western Australians aged 16 years and above. Last weekend I attended Nagle Catholic College in Geraldton for my granddaughter's year 12 graduation. More than 80 students graduated on Friday evening and they each received a certificate and a key ring. The Bishop of Geraldton made a bit of a joke about these 16-year-old students receiving a key ring. He commented, "You all have a car, I assume!" In this example, a graduating student, aged 16 or 17, would find it beneficial to have a photo identity card.

The Western Australian government was approached by numerous community groups—so I am led to believe by other members this evening—and there is a strong demand for a new photo card for those in the community who do not hold acceptable photographic identification documents, and in particular, those who do not have a driver's licence. Members have given examples of their own family members. My father was 97 when he died. Up until that time, he had been very active and would drive to family members' houses for evening meals and on the weekends. He lost his licence after he had a slight stroke. When someone loses their licence, it also affects their pride. I noticed that losing his licence was quite embarrassing for my father, and he also lost confidence. I feel that this card would in some way replace a driver's licence. There is a lot of inconvenience for a person who does not have a car. My father had to change banks so that he could catch the bus to do his banking. The government understands that it has an obligation to ensure that people who are unable to obtain a driver's licence for whatever reason are not disadvantaged. We have found this out as members of the community have told us how they have been affected by not having a driver's licence.

Who will administer the photo identification card? It will be administered by a current government department—the Department of Transport will administer the legislation and the photo card. Therefore, we will not create another government department. The photo card will have the same security features as the current Western Australia driver's licence, including, as a previous speaker mentioned, facial recognition technology.

The card will cost \$35 and will be valid for five years. This is an estimated cost and the card will be implemented on a cost-recovery principle, and, as such, there will be no concessions. This is not an additional card and it is not the duplication of something else; it will replace the proof-of-age-card. That is a good thing. The card will be issued by the Department of Transport on behalf of the Department of Racing, Gaming and Liquor and will replace the proof-of-age card.

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In conclusion, I believe that the positives far outweigh the negatives in this legislation. The Western Australian photo card will provide real benefits to a large number of Western Australian residents; therefore, I support this legislation.

DR G.G. JACOBS (Eyre) [5.53 pm]: I will not say too much on the Western Australian Photo Card Bill 2013 this evening, but I will make a few comments before dinner.

I want to give a personal account of my 93-year-old dad, who on 8 June, God bless him, passed on. During their later years—I think the member for Belmont mentioned this as well—there comes a time when our older parents are not really fit to drive. I have to say to members that my father's loss of his driver's licence was a serious loss of identity for him. This was on two counts. The first was the ability to have some sort of document in his wallet proving his identity. As many members have said today, the driver's licence has become a de facto identity card. In my father's life, the loss of his driver's licence and his inability to drive meant that he felt he had lost his identity in the community—his networking, communication with people, ability to go down town and ability to interact with people were affected. I honestly believe that—not directly related to this bill—my father putting his licence in after a lot of encouragement from his family and, I must say, from the community really affected him. Every time I went back to Esperance after being in Perth for a few days, I would hear stories about the driving behaviour of my father. So much so that a gentle conversation was had with the constabulary. A very friendly constable, who is a friend of mine, made me aware of some of my father's driving behaviour. After discussing this with my father in the gentlest possible way that we could, in fact, my father handed his driver's licence in to the police.

This is about identity. I have not really had the ability to look at the legislation too carefully, but from a cursory look, one could ask a few questions. How does this card differ from the much pilloried Australia Card that the Hawke government presented to Australians in 1986? The Australia Card was introduced by the Hawke government and with much resolve it tried to convince the Australian population that it needed it. Of course, that was mandatory whereas, to compare and contrast, this card is not mandatory. I have just a little bit of history. The Hawke government did not have control of the Senate, and despite Prime Minister Hawke's resolve to foist the Australia Card on the Australian community, his efforts led to a double dissolution of Parliament. He went to the then Governor-General, Sir Ninian Stephen, who declared a double dissolution and an election was held in 1987. The Hawke government won that election, and Bob Hawke did not give up and he brought the Australia Card concept back again.

The Australia Card was eventually done in by a technicality raised by a National Party member from Queensland—the well-known John Stone, who, with Ewart Smith, a retired Treasury person —

Dr A.D. Buti: All West Australian.

Dr G.G. JACOBS: Yes, absolutely. I think John Stone was educated at Perth Modern School in a special program.

Dr A.D. Buti: Yes, he was. He was a year above Bob Hawke, and then when he was at the University of Western Australia he beat Bob Hawke in the guild elections one year, and then beat him for the Rhodes Scholarship. Each year Bob Hawke followed after John Stone.

Dr G.G. JACOBS: They were both very smart men, and, as the member for Armadale said, they were originally from Western Australia.

Not to be outdone, Prime Minister Hawke resolved to continue with the Australia Card until John Stone and Ewart Smith told him that there was a technicality and it would not fly. In 1987, the concept of the Australia Card was withdrawn. The mechanism, the mandatory nature and the tax implications of the card led to the concept of the tax file number.

Sitting suspended from 6.00 to 7.00 pm

Dr G.G. JACOBS: Before the break I was talking about the history of the Australia Card. I thought it was important for me to just give a bit of the background of that card, because the Western Australian photo card is in no way like the proposed Australia Card. This is a voluntary scheme; it is not mandated. As many members have said, it is about providing a means of identity for those people who do not have a driver's licence, which has become a de facto identity card. I was talking about my old dad and the issues he had when he handed in his licence. My dad retired from the land and came to live in town. For the business that he did in and around some of his financial affairs, it was important for him to have some form of ID because he did not have a passport or, later in his life, a licence.

I had a few questions about this bill when I was asked to speak off the cuff. For example, how many ID points will the Western Australian photo card count for? How much will it cost for the government to implement this

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program? What is wrong with the proof-of-age card? What is wrong with a Seniors Card, health care card or any other card that people have? We often have a legion of cards. What other jurisdictions have a similar card and what has been their experience? Indeed, can I have both a driver's licence and a WA photo card? Where has the thrust for this card come from? Many community groups have advocated for this card, including the Association of Independent Retirees and the Alzheimer's Australia. As we heard from other members, when our parents get on in age, often they start to have memory issues, they may be diagnosed with Alzheimer's disease and they may develop some form of visual impairment, which is very common. My old dad, God bless him, passed away on 8 June this year. Macular degeneration is very common, particularly the chronic dry macular degeneration that leads to a slow loss of vision. In my dad's case, he could initially read the paper and watch the television but then he could not watch the TV and finally he could not read the newspaper. It is really important that those people have some form of ID, because as we have said, they cannot drive and do not have a driver's licence. Another community group that has been advocating for this card is Blind Citizens Australia.

There has been a lot of consultation on the Western Australian Photo Card Bill 2013. The bill has been produced in consultation with the Western Australia Police, the Disability Services Commission and the Department of Racing, Gaming and Liquor. I made a point about the proof-of-age card, which essentially has been administered by the Department of Racing, Gaming and Liquor so that people can prove their age when they enter licensed premises. Of course, there is a belief that the WA photo card is about a bit more than just proof of age; it is also about proof of identity. It was the government's view, produced in consultation with these organisations, that the WA photo card should be the responsibility of the Department of Transport, as it already has a lot of the photo data and biometrics to be able to produce such a card. Other departments that were consulted and had input into this bill were the Department for Communities; the Department of the Attorney General; the Registry of Births, Deaths and Marriages; and the Department of Corrective Services.

I questioned how many ID points this card would count for. My understanding is that it will fit in category B in the ID area. I might go into that a little later if I have time. How much will this program cost to implement as far as the state government and taxpayers are concerned? Really, it is about cost recovery; that is, the cost of the card will need to cover the implementation of the program. As people have said, it will cost around \$35 for a card. What is wrong with the proof-of-age card and why does that not serve a lot of the need? As we have described, this is about people who in some cases have some disability, visual impairment, memory loss or Alzheimer's disease—it will cover a legion of people. I asked one of the minister's advisers how many people will take up the WA photo card, and I thank Sam for his advice and work in this area. We heard about the New South Wales experience, where 475 000 people have taken up a similar photo ID card. The likelihood is that a lot of people will take up this facility in order to produce a category B identification document. The ID card is working very well in New South Wales, where it is also a cost-recovery program. How will someone be able to get a Western Australian photo card? It will be very similar to the way in which a person applies for a driver's licence.

The WA photo card will be a category B document. Category A documents are birth certificates; citizenship or naturalisation documents; evidence of residential status by the Department of Immigration and Border Protection; or evidence of immigration status, including an electronic visa. Most people in Western Australia will produce their birth certificate under this category. Drivers' licences come under category B, which is the thing that the people who will be eligible for the WA photo card generally will not have. Australian or current overseas passports are also category B documents. Category C documents include credit cards, Medicare cards, security guard cards, Western Australian proof-of-age cards, student ID cards and even a recreational skipper's ticket. Category D documents provide evidence of residential status, so these include Australian bank statements, Australian utility accounts from Western Power or Synergy, letters from a current employer, letters from educational institutions, current residential tenancy agreements or official documents from a government agency. In the current application for a driver's licence, the requirement is generally a category A document, which is usually a birth certificate; a category B document, usually a passport; two category C documents, which we talked about; and a category D document. There is another option, of course, if one does not have a driver's licence; category A is fine—that is the birth certificate. The option is to skip category B and provide two documents from category C and two from category D. I am advised that the photo card will fulfil the requirements of a category B document.

[Member's time extended.]

Dr G.G. JACOBS: Category B is generally a driver's licence and the photo card will also fit into that category for the purposes of identification.

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A lot of the historical concern about identification cards harks back to the attempts to introduce the Australia Card in the 1980s; there are privacy provisions contained within the Western Australian Photo Card Bill 2013, under Part 5, “Other matters”, specifically clause 21, “Confidentiality of information”; clause 22, “Protection from liability for wrongdoing”; clause 23, “Proceedings for offences”; and clause 24, “Regulations”. Part 5 deals with the confidentiality of this information.

While it is on my mind, there are many advantages in the Department of Transport administering this legislation and producing the card. It already produces the driver’s licence cards and has all that data, and it has the biometrics to produce the photos. But there is another, almost unintentional, consequence of this, which is that it presents an opportunity for the Department of Transport to cross-check the data it already has in and around the issuing of licences. If any anomalies are detected when someone applies for a photo card, there could be the potential to check those anomalies within this data space.

In respect of confidentiality of information, a person who is or has been engaged in the performance of functions under this legislation must not directly or indirectly record, disclose or make use of information obtained under the legislation. The bill is very stringent about the purposes relating to confidentiality and about authorisation. It is also very strict about the consent of a person to whom this information relates. The circumstances are prescribed in the regulations, as are the penalties, which are quite significant. Clause 21(2) provides that clause 21(1) does not prevent the disclosure of statistical or other information that could not reasonably be expected to lead to the identification of any person to whom it relates.

Clause 22 relates to protection from liability for wrongdoing and is one of 24 clauses in this legislation. It is good to see that there is great support for this bill; it obviously fulfils a need. There has been significant advocacy from various groups that have explained to the Parliament the need for this legislation. Like other members who have spoken before me, I support this initiative as an important ID facility for those people who do not have any easier recourse for providing identification. If we are to go into consideration in detail, I suppose one of the questions that might be asked of the minister is whether a person can have both a photo card and a driver’s licence. The member for Southern River made the point that one can actually have two photo cards—one including a residential address and one that does not, which might be useful particularly, for example, to a young woman who is going to a nightclub and does not want the bouncer to know the address on the card; she can actually elect to use a card that does not include a residential address for that particular outing, but also carry a card that does have the address to allow her to carry out other business such as opening bank accounts or whatever. I commend the bill to the house.

MR R.S. LOVE (Moore) [7.16 pm]: I would like to speak in support of the Western Australian Photo Card Bill 2013, and congratulate previous speakers such as the members for Kalgoorlie, Eyre and Belmont, on their very fulsome contributions to this topic.

This bill provides a safe, secure means of identification. As we know, in the current world, there is an increasingly important need to provide identification for certain sections of society who do not have access to a driver’s licence. I am talking predominantly about young people who have not yet reached the age at which they can be issued a driver’s licence; people who need to travel by air or for a variety of other reasons are not able to hold a driver’s licence; perhaps people who are aged and have lost their driver’s licence; people who for some other reason feel that they do not want to have a driver’s licence; or people who are ineligible for a driver’s licence.

For these people, it will be of great benefit to have a standardised identification card that will provide the same level of identification as a driver’s licence for the purposes of identification. Of course, it will not be compulsory to hold this card or any other photo identification, but one can imagine how hard it must be to live in the modern world without such identification. I know that without such identification people would be turned away from the airport on occasions, for example, when they arrived to travel on domestic flights. Housing would be an issue when trying to negotiate a lease; even to book into a hotel might be a difficult issue without photo identification. Even going to the chemist to buy some Codrals may be difficult. When people buy pseudoephedrine they have to provide a driver’s licence or some other form of photo identification so the chemist can make sure that they are not buying too many packets of that drug. There is nothing worse than having a head cold and not being able to obtain pseudoephedrine; without that, I think life would be quite unbearable and I do not know how people would get by in those circumstances. There is nothing better than four or five Codrals to take away those symptoms.

It is also much easier to obtain a tax file number if one has primary identification, such as a driver’s licence or photo identification of similar standing. As the member for Eyre pointed out, many years ago—in 1986, I

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think—the federal Hawke government floated talk about the development of the Australia Card. I remember well the furore that accompanied the mooted introduction of that card and I, along with a number of other Australians, was quite concerned about the civil liberties implications of being forced to carry identification. Although the claim was that it would not be compulsory to use that card, it actually would have been compulsory and an issue for everyone. So I thought it was very good that we did not proceed down the path of an Australia Card at that time.

What has brought about the need for photo identification is not so much government regulation as the realities of modern life. We live in an increasingly difficult world in which, with electronic banking, people no longer use cash in the way they once did, people do not have a bank passbook, and there is often no physical record of bank accounts. Therefore, it is particularly important that people are able to establish their identity. There is now also a greater onus on licensees in certain circumstances to establish the age of a person. Real estate businesses also need to establish the identity of a person who wishes to sell land or property before they list that property. That is due to a number of notable cases of land sale fraud that occurred several years ago. Therefore, although no-one will be compelled by law to take on this card and it will be purely voluntary, society has provided the impetus for the use of such a card.

One important aspect of this photo card is that people will be able to be issued with two cards—one that has on it the physical address of the cardholder, and another that simply proves the person's identity and not their residential address. This will add to the level of security for people who are forced to prove their age, for instance, when entering a licensed premises but may not want to disclose their home address at that stage.

A photo identification card will also provide a greater level of security in our modern society. We only need to think back to the events of terrorism that have occurred in recent times to know how important it is to maintain security in our society.

Currently, young people under the age of 18 find it difficult to prove their identity and may have to rely on a lesser standard of identification such as a student card. Often that will not be sufficient for their purposes. Older people who wish to prove their identity may have access to a proof-of-age card through the liquor licensing authorities, and although that may be accepted for some activities and purposes, it may not provide the level of recognition that is required in all circumstances. This bill provides for a universally accepted, one-stop card. This bill is similar to the statute in New South Wales, which has proved to be effective over a number of years.

Applications for the Western Australian photo card will be easily accessible from licensing centres, Australia Post and some shire offices. It is predicted that about 30 000 cards will be printed each year. That demonstrates the level of need for this card. Management and administration of the card system will be vested in the chief executive officer of the Department of Transport. These arrangements will allow for the evolution of the card over time. We only need to compare the bank cards that were first issued with the credit cards that we have now, which have security chips and things such as PayPass, to see how important it is that these cards are able to evolve to meet the needs of society over time. The Department of Transport already has myriad responsibilities with regard to administration and is the ideal choice to deliver a safe, robust and cost-effective system. Cost effectiveness is very important to a system in which we are trying to achieve full cost recovery. The card will cost \$35 and be valid for five years. Therefore, at a cost of \$7 a year per card, that does not leave a lot of room for inefficiency.

It would be ideal if, in the long term, information pertaining to a person's identity could be retained in government hands for the security and assurance of all cardholders. This bill allows disclosure at this level only to relevant law enforcement agencies in appropriate circumstances. One important circumstance is an executor who needs to have access to a person's photo identification when dealing with a deceased estate.

As the member for Kalgoorlie pointed out earlier, lack of identification is often a problem for Aboriginal people. That is certainly the case in my electorate of Moore. I am aware of situations in which housing applications cause some difficulty for Aboriginal people due to their inability to prove their identity. Aboriginal people have informed me also of longstanding problems for young people in being able to obtain a driver's licence, which leads to problems in sourcing employment, as well the housing issue that I spoke about earlier. I am aware of one town in my electorate in which public housing is physically in short supply, and the housing that does exist is very old and substandard. Many of the Aboriginal people in that town would like to access better housing stock, but because of the lack of applications for such housing, it is difficult to prove to the authorities that there is a shortage of housing. Many Aboriginal people are unable or unwilling to go through the processes of establishing their identity, and therefore the record keeping may not be at the same level as it is in other sectors. That acts as a barrier for those people in making valid applications for housing, thus frustrating the ability of agencies to get a better understanding of the level of unmet need in the town and supply the required housing. It

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is my belief that the true level of demand and unmet need for housing is masked by that barrier and the demand and unmet need is much greater than people believe.

Many Aboriginal people do not hold a driver's licence and because of earlier misdemeanours may not be eligible for a driver's licence in the short term at least. A similar standard of proof will be required for the photo card as is required for the purpose of obtaining a driver's licence in Western Australia. This standard of proof is based upon the national identity security strategy gold standard enrolment framework. This gold standard framework was developed as part of the Council of Australian Governments' process to produce a standardised and robust national level of identity—a laudable objective. It has been reported to me that that standard often acts as a barrier to Aboriginal people providing the credentials that they are required to provide to obtain a driver's licence when they are eligible to do so. That leads to an increased likelihood that these people will drive without a licence and therefore incur convictions, which will make it even more difficult for them to get a licence and to prove their identity in society. To ensure that this barrier does not disadvantage these same people in obtaining a photo identification card, I hope that there will be some revision of the evidence requirements to prove identity. Clauses 4 and 5 of the bill outline the eligibility criteria and application processes for the photo card. Clause 5(3)(a) provides that the application must be accompanied by such evidence as the CEO requires to satisfy the CEO of the applicant's eligibility, identity and residential address. Typically in Western Australia for a driver's licence, that has been taken to mean that the person needs to provide identity based on the following: one document of category A, one of category B, two of category C and one of category D; or, alternatively, one of category A, two of category C and two of category D.

As the member for Eyre outlined before, category A documents establish the identity of the individual, and they are typically things such as an Australian or New Zealand birth certificate, Australian or New Zealand citizenship documentation, a letter of recognition of births, evidence of resident status and evidence of immigration status. Category B documents establish a link between the identity and the particular person. They include a current Australian driver's licence or learner's permit, an Australian passport that has not expired by more than two years, a current overseas passport and parental identification and statutory declaration—the parents must also accompany the child at that time. Category C documents are evidence of identity of a person operating in the Australian community. They include such things as a current Australian EFTPOS or credit card, a Medicare card, an electoral enrolment card, a Centrelink or Department of Veterans' Affairs health care card, a security guard—crowd control licence, a marriage certificate, photographic student identification, photographic police or Australian Defence Force identification, a Western Australian proof-of-age card, a Western Australian working with children card, school reports less than six months old, a Keys for Life certificate, a recreational skipper's ticket or a taxation notice issued by the Australian Taxation Office. Category D documents provide evidence that a person lives at their physical address. For that, one requires an Australian bank statement or letter, an Australian utilities account or notice, a letter from a current employer, a letter from an educational institution, a current residential tenancy agreement or an official document or letter from a government agency.

All of that sounds fine, but there are certainly barriers to some sections of the community in establishing their identification. Therefore, I ask that members consider this: is there a case to improve the ability of some sections of the community to satisfy the requirements for a primary identification document such as the photo card? I believe there is. I also ask that consideration be given to having a slightly different list of criteria in exceptional circumstances, as may apply in some Aboriginal communities. From my limited research on the gold standard enrolment framework, I understand that at least when it was first worked out by the Council of Australian Governments, it allowed for such exceptions. I will quote from a publication by the identity and data working group on the gold standard enrolment framework. I have this document here with me, if members need it. Under the heading "Exceptions", it states —

6.1 Circumstances

Although a high proportion of the Australian population will be able to meet the requirements of a Gold Standard enrolment, some applicants may face genuine difficulty in identifying themselves in some circumstances.

Circumstances can occur when an individual does not possess, or is unable to obtain, the necessary information or evidence of commencement or use of identity in Australia to meet the Gold Standard (e.g. some homeless persons or some persons with mental health issues).

When an applicant is unable to provide the necessary POI —

That is, proof of identity —

credentials or verifiable information an enrolment process may entail:

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- lodgement of an application;
- verification of the applicant's claimed identity with authorised referees;
- a face-to-face interview with the applicant;
- the applicant may be required to have biometric detail recorded (e.g. a photograph);
- the enrolling agency will be required to confirm the identity details by:
 - contacting referees who are authorised to perform the confirmation and obtaining from them the assurance that the individual is who they say they are;
 - if necessary, undertaking specific enquiries with persons and organisations associated with the applicant;
 - if the applicant is an established customer of appropriate agencies the claimed identity might be verified directly with those agencies.

I believe that a more flexible process in exceptional circumstances would provide for a more inclusive society while maintaining the goal of a secure and robust identification system. Overall, though, I believe that the Western Australian Photo Card Bill 2013 is a very worthy bill, which I commend to the house.

Debate adjourned, on motion by **Mr J.H.D. Day (Leader of the House)**.

House adjourned at 7.33 pm
