



9 November 2023

Tēnā koe

15 September 2023, you emailed the Ministry of Social Development (the Ministry) requesting, under the Official Information Act 1982 (the Act), the following information:

- *This is re the various work programmes around Identity Check (or related or subsequently renamed projects) including re this <https://www.msd.govt.nz/about-msd-and-our-work/work-programmes/identity-check/identity-checks-and-online-verification.html> , but also anything substantively related to this, led by MSD or in which MSD participates (eg led by DIA).*
- *MSD may have engaged persons (external or internal) in order to get information or advice or risk assessment or recommendations of an ethical nature (pls consider this term in its broadest sense and to cover all aspects including AI, algorithms), and this OIA is for that information.*
- *Pls release in copyable and searchable format, in full:*
  - *A list of any such information or advice or risk assessment or recommendations as above as per the form it came in eg a report or a verbal briefing; and to whom that was provided eg Minister, board*
  - *A summary of any such information or advice or risk assessment or recommendations as a whole in its most up to date iteration*
  - *A copy of the most substantive and relevant, up-to-date of any such information or advice, in whatever format it came in*
  - *A copy of the most substantive and relevant, up-to-date risk assessment or recommendations, in whatever format it came in*
  - *A copy of the 2 latest briefings or similar that contain reference to the above, to the*
    - *Board*
    - *ELT*
    - *Minister*
  - *A summary of any OUTCOME – such as recommendations or actions or workstreams – arising from any of the above*

On 11 October 2023, the Ministry emailed you to advise that more time was required to respond due to the consultations necessary to make a proper decision on your request. On 7 November 2023, the Ministry emailed you to advise that your request is granted in part.

I have grouped your questions and will respond as follows:

- *A list of any such information or advice or risk assessment or recommendations as above as per the form it came in eg a report or a verbal briefing; and to whom that was provided eg Minister, board*
- *A summary of any such information or advice or risk assessment or recommendations as a whole in its most up to date iteration*
- *A copy of the most substantive and relevant, up-to-date of any such information or advice, in whatever format it came in*
- *A copy of the most substantive and relevant, up-to-date risk assessment or recommendations, in whatever format it came in*
- *A summary of any OUTCOME – such as recommendations or actions or workstreams – arising from any of the above*

I have identified one document in scope of your request. Please find attached a copy of the following document:

- *Security, Privacy, Human Rights & Ethics Assessment – Client Identity Verification Check.*

Some information has been withheld under section 9(2)(k) of the Act in order to prevent the disclosure or use of official information for improper gain or improper advantage. I believe the greater public interest is in protecting the security of client information.

The Ministry is currently completing an updated risk assessment of the Client Identity Verification Check, as all of the agreed remediation activities have been completed. This risk assessment should be completed within the next three weeks, and I invite you to submit a fresh request for this document at that time.

The Ministry will provide updates on the progress of our identity check and online verification work programme on our website, here: <https://www.msd.govt.nz/about-msd-and-our-work/work-programmes/identity-check/identity-checks-and-online-verification.html>.

Identity Check is a safe and secure online identity verification service provided by Te Tari Taiwhenua – Department of Internal Affairs (DIA). It enables people to prove who they are by confirming their identity against their New Zealand driver licence or passport.

Clients who don't want to use Identity Check will still be able to verify their identity as they do today, at a service centre.

### **How it will work**

People will be able to use Identity Check if they apply for ongoing financial assistance online through MyMSD. When they do, they will be redirected to a secure online platform owned by DIA where they'll be guided through having a live photo taken using the camera on their phone or computer. Identity Check then uses facial recognition technology to compare this photo with their driver licence photo held by Waka Kotahi or their passport photo held by DIA.

The applicant will be advised within a few moments if their identity has been confirmed and the Ministry will receive a notification from DIA, with the check's result.

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An unsuccessful result will not have any impact on whether an application for support is granted. If this happens, clients will be advised to try using Identity Check again (up to a total of 5 times, and then again after 72 hours), or to bring their ID into a service centre for verification.

### **Accuracy of the process**

As Identity Check compares a high-quality image with a specific photo, the likelihood of an accurate check is much greater than facial recognition technology, which looks for a match between a low-quality image (such as from a security camera) and multiple photos stored on a database.

The likelihood of a successful check is further enhanced by a good set-up when taking the photo, including looking straight at the camera and avoiding strong lighting. There will be guidance on how to take the best photo possible during the Identity Check process and on the Work and Income website.

The Ministry acknowledges that facial recognition technology, in general, is still evolving and may not always find a match between photos. There are some examples overseas where the technology has had higher error rates for people with darker skin tones.

The Ministry and DIA will continue working in partnership to monitor and review Identity Check's accuracy. DIA will update the technology where possible so more people can confirm their identity and not have to bring ID into a service centre. If clients do need to bring ID into a service centre and find travel difficult, we will work with them on a case-by-case basis.

### **Data that is shared with the Ministry**

If clients use Identity Check, their name and date of birth as they appear on their driver licence or passport will be shared with the Ministry.



The live photo and biometric information clients supply to DIA when using Identity Check will not be shared with the Ministry.

### **Safety of data**

The Ministry is committed to respecting the information clients share with us and keeping it safe. We have systems and safeguards in place to control how we collect, manage, and use client information.

Our use of Identity Check meets our Security, Privacy, Human Rights and Ethics Framework (SPHRaE). This helps us make sure we are using people's personal information in a responsible, transparent and trustworthy way.

We have consulted with the Ministry's Māori and Pacific Reference Groups at various stages of this initiative and their advice has been incorporated. As identity information is a taonga, it must be protected and stored in Aotearoa. Identity Check accesses identity data that is already being kept in Aotearoa, and it only does this with a person's consent.

Please note that two references to DIA's management of the identity check system refer to their ongoing management of the Passport FR algorithm and not the Identity Check service. These references are found on page 2 (point 2) and page 5 (part 4).

- *A copy of the 2 latest briefings or similar that contain reference to the above, to the*
  - *Board*
  - *ELT*
  - *Minister*

This aspect of your request is refused under section 18(e) of the Act as the information does not exist or, despite reasonable efforts to locate it, cannot be found.

The principles and purposes of the Official Information Act 1982 under which you made your request are:

- to create greater openness and transparency about the plans, work and activities of the Government,
- to increase the ability of the public to participate in the making and administration of our laws and policies and
- to lead to greater accountability in the conduct of public affairs.

This Ministry fully supports those principles and purposes. The Ministry therefore intends to make the information contained in this letter and any attached documents available to the wider public. The Ministry will do this by publishing this letter and attachments on the Ministry's website. Your personal details will be deleted, and the Ministry will not publish any


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information that would identify you as the person who requested the information.

If you wish to discuss this response with us, please feel free to contact [OIA\\_Requests@msd.govt.nz](mailto:OIA_Requests@msd.govt.nz).

If you are not satisfied with this response, you have the right to seek an investigation and review by the Ombudsman. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or 0800 802 602.

Ngā mihi nui



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Hannah Morgan  
**General Manager  
Information**