iD-tect

4 July 2014

The Research Director
Legal Affairs and Community Safety Committee
Parliament house
George St, BRISBANE, QLD 4000
Email: lacsc@parliament.qld.gov.au

Dear Sir/Madam

Thank you for the opportunity to tender a submission, for your consideration, on aspects of the *Safe Night Out Legislation Amendment Bill 2014.*

This paper supports our previous submissions to the Premier and the Attorney General on the subject. Please do not hesitate to contact me should you require any further clarification of the matters raised.

Yours sincerely

J P Dwyer AM
Director

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IDTECT PTY LTD

**SUBMISSION TO
THE LEGAL AFFAIRS AND COMMUNITY
SAFETY COMMITTEE ON CONSIDERATION OF
THE SAFE NIGHT OUT LEGISLATION
AMENDMENT BILL 2014**

Amendment Bill 2014 Submission

References

    A.   Office of the Premier Letter Dated 10 April 2014
    B.   ID-Tect Pty Ltd Submission 17 April 2014
    C.   Queensland Safe Night Out Legislation Amendment Bill 2014

Introduction

In response to a request from the Office of the Premier for our views on the proposal to include ID Scanners in the draft *Safe Night Out* Strategy (Reference A), our company provided a paper to the Premier and the Office of the Attorney General. (Reference B).

Our submission was a response to the Queensland Government proposal for *a mandatory requirement to have operational, linked-to-police and networkable ID Scanners, with real-time photo capability, for venues trading after midnight in proposed Safe Night/Safe drink Precincts* in Queensland.

Our objective in this further submission is to ensure the Queensland Government receives proven professional advice to assist in achieving a best practice standard for the operation and management of networked ID Scanners in the proposed Queensland *Safe Night Precincts* and other related sites noted at Reference C.

We certainly welcome the 'whole of State' approach in the measures proposed, particularly the application of universal ID scanning to remove the anonymity of trouble makers. A managed and co-ordinated approach to address the issue of alcohol and drug fuelled violence in the high traffic, late night trading areas is timely. We also welcome the Government's intention to address the issue of restaurants, bistros and cafes now trading as de facto nightclubs. This is of concern from a commercial and risk management aspect for long established venues in high volume tourist areas such as the Gold Coast and may also require government intervention with an ID Scanning regime.

We base our comments on our professional experience and integrity.
ID-Tect Pty Ltd is a Queensland company and a leading provider in the provision of ID Scanning, Alcohol Management Systems and related ID technologies, particularly to the licensed venue industry of pubs, nightclubs and registered Clubs across Australia.

Outcome

On implementation of the Bill, particularly an ID Scanning regime, we are confident the community will see:

- A safer and calmer environment for both patrons and staff *within* a venue in the designated areas
- Enhanced management of troublemakers *outside* a venue and in public space by law enforcement agencies through the electronic sharing of information such as venue banning orders

<u>Following are further comments related to specific matters in the Amendment Bill 2014</u>

Safe Night Precincts

The establishment of Safe Night Precincts is supported, particularly the mandatory requirement that venues within a Precinct and approved for trading after midnight, be required to operate a staff manned, networked ID Scanner with real-time photo capability.

Recommendation: It is recommended that:

- Precincts be introduced in a staged sequence to enable stakeholders to effectively develop their procedures in cognisance of their local environment and precinct nuances, within a State timeframe
- That the proposed 8.00 pm start time for ID Scanning be reassessed. It is considered commercially unsound and impractical for both the licensees and patrons to comply.

Licensee Scanning Compliance

As noted above, the proposed 8.00 pm scanning start requirement is considered impractical and not commercially sound. Reasons include:

- The impost on venues of large crowds prior and post events such football games
- Traditional quiet trading periods such as winter
- Sudden arrival of unforseen patrons
- Staffing requirements at short notice

An additional factor that will have an impact on a licensee's compliance with the Scanning start up proposal is the high volume of patrons and their intermittent arrival times in established precincts such as Fortitude Valley, particularly on weekends.

We contend therefore that an ID Scanning start time be integrated into an individual venue's risk management plan and be managed under the experience of the licensee in these matters. Any perception of draconian government imposts or impractical timings on a licensee's responsibility will not favour the licensee nor the public and back fire on the government, as evidenced in some other States.

Recommendation:

- That all Licensees be delegated the authority to operate ID Scanners and commence ID Scanning operations on days and times at their discretion, but noted in their risk management plan, to meet 'high risk circumstances' that may arise at their venue that they judge as necessary
- The above notwithstanding, all venues with post midnight trading approval, where it is a mandatory requirement to operate ID Scanners, must start operations from 10.30 pm until closing.
- High traffic venues located outside the proposed Precincts, approved to trade post midnight, be integrated into the Scanning regime, if deemed a requirement

Precinct ID Scanning Processes

We anticipate a number of systems and compliance models for management of the ID Scanning regime will be considered. To this end, based on our successful Australian operations over the past 7 years, particularly our National Banned list, we offer an overview of various processes involved in operation of an ID Scanning regime. The objective for this overview is to provide this Committee and ergo, the Government regulators and implementors, a commercial understanding of the technology and processes required, to ensure the implementation processes are thoroughly addressed and established before start up.

Recommendation: The key Scanning procedure for a patron is encapsulated in three basic steps to ensure a workable solution is developed to meet the Amendment Bill objectives:

Step 1 – The ID Scan

Quick and simple processing:

- The patron scanning process starts with an individual entering a venue during the ID scanning period of operation (start up until trading close) and presenting ID
- The individual's ID is scanned and a live photograph is simultaneously taken and securely stored. During this entry process (taking around 2 seconds) the person's name, ID document number and facial algorithm are checked for a match to a ban notice or a refused entry notice

Step 2 - Individual Bans

If there is a scanning match to an individual's previous ban notice at a venue entry point, the system will produce the ban notice on screen, providing both image and text data for the venue operator to verify that the ban notice is for the person in front of them. (The ban notice also states the ban type and origin, eg; a venue's own ban, another venue's ban, a police ban, a court order or a refused entry notice).

Step 3 - Ban Notice management

Ban management is straight forward:

- A venue's own banning period for an individual is for their own management
- Another venue's ban is a flag for them to make a 'management judgement call' on entry/refused entry action
- A police ban is mandatory, no venue entry
- A court order is mandatory, no venue entry

Venue bans that are posted and retained on the Precinct shared list and the length of their retention are to comply with the OLGR protocols. Precinct bans will require a documented template consistent across all Precincts and these would be vetted by the authorised data base administrator. The venue management accountability is in the administration of the recorded data to ensure that:

- The patron's information is bona fide and accurate
- Any local ban imposed is just and fair, and
- The safety of the patrons and venue employees is paramount in any ban action taken
- All privacy requirements outlined in the Bill are met

ID Scanning Compliance Modelling

The adoption of logical and simple compliance models will be a key to the effectiveness and success of the ID Scanning regime proposed in Reference C.

Recommendation: That the assessing committee consider the following ID Scanning process information and models as examples of the operational requirements to ensure the Government can respond appropriately in its implementation of the Bill. Consultation with stakeholders, the community and civil libertarians will be paramount.

- **Attachment A - State Safe Night Precinct Plan**
  An overview of the processes required in linking ID Scanners across the State
- **Attachment B - Linked Ban Notice Integration Model**
  A model demonstrating the integration of stakeholders involved in ban processing in the precincts. This is a view of a Queensland State System
- **Attachment C - ID Scanning operations – Fortitude Valley Drink Safe Precinct**
  ID Scanning operation in the Fortitude Valley Drink Safe Precinct. With a Police connection option available
- **Attachment D - Operational requirement model for ID Scanners**
  A text view of some of the fields, requirements and processes for effective ID Scanning

Conclusion

We support the measures outlined in the Safe Night Out Legislation Amendment Bill 2014. We believe a measured approach with a realistic level of consultation between the Government and all stakeholders will achieve the outcome the community requires to assist in mitigating the alcohol and drug fuelled violence.

J P Dwyer AM
Director

Attachments

At the idEye Venues

Patrons ID is validated and scanned using idEye

The system will automatically

Take an image of the ID, OCR data and encrypt it

Take webcam image

Do facial recognition (optional)

Check against the Local database and alert for any

- ✓ Refused entry
- ✓ General Bans
- ✓ Police Bans
- ✓ Any other bans
- ✓ POI
- ✓ Duplicate entry

All of the above only takes around TWO seconds

A Venue can only view/edit or remove their own bans

The system reads Passports and foreign ID's as well

Operator can only scan ID's

idEye
Making Licensed Venues Safer

Police

SDP Database

Police will be able to load banned patrons

- **From the Police Station/Beat**
- **Whilst on patrol**
- **Review Police Bans**
- **Override, Edit, remove bans**
- **Enter Persons of interest**

Townsville CBD
Airlie Beach CBD
Gladstone CBD
Bundaberg CBD
Mackay CBD
Rockhampton CBD
Sunshine Coast
Cairns CBD
Toowoomba CBD
Ipswich CBD
Brisbane—Caxton St, CBD and Fortitude Valley
Gold Coast—Broadbeach CBD and Surfers Paradise CBD

ID-Tect Database Management

Data access by authorised personnel only.
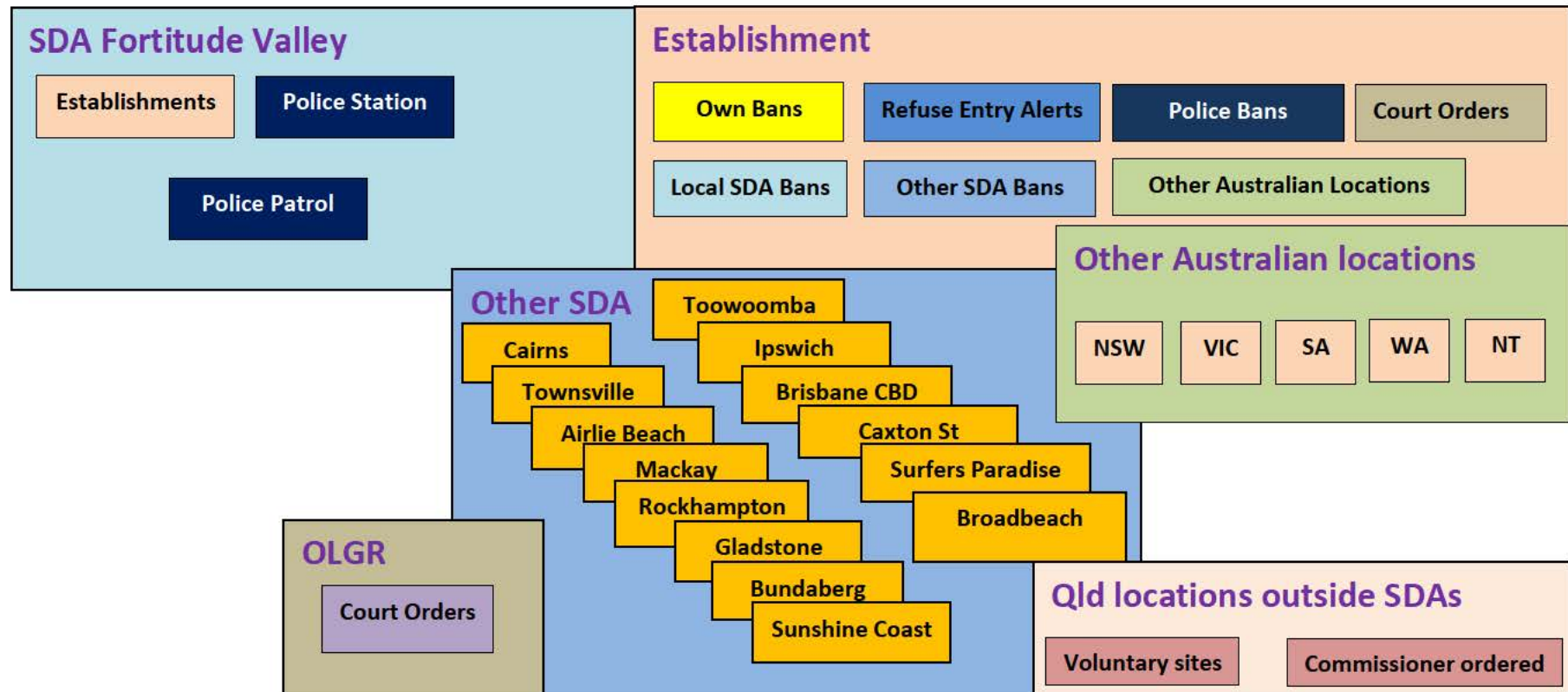
Daily Backup and Maintenance

- Edit any errors
- Generate facial recognition algorithm from webcam images

Authorised QLD government agencies OLGR and the QLD Courts will be able to load banned patrons

- **From the Court House and OLGR officers**
- **Review Police Bans**
- **Override, Edit, remove bans**

Linked Ban Notice Integration

SDA Fortitude Valley

- Establishments
- Police Station
- Police Patrol

Establishment

- Own Bans
- Refuse Entry Alerts
- Police Bans
- Court Orders
- Local SDA Bans
- Other SDA Bans
- Other Australian Locations

Other SDA

- Cairns
- Toowoomba
- Townsville
- Ipswich
- Airlie Beach
- Brisbane CBD
- Mackay
- Caxton St
- Rockhampton
- Surfers Paradise
- Gladstone
- Broadbeach
- Bundaberg
- Sunshine Coast

Other Australian locations

- NSW
- VIC
- SA
- WA
- NT

OLGR

- Court Orders

Qld locations outside SDAs

- Voluntary sites
- Commissioner ordered

Narrative

The diagram displays the relationship between linked locations and ban origins. At the establishment level only bans created at that location can be viewed by those authorised to do so. Other ban notice types will only appear when activated by a data match from a scan. These only remain on screen until the next scan is processed.

Fortitude Valley Precinct

READY TO CONNECT

INTERNET

Valley Police

Hot Gossip

Our Place

Royal George
The Bank
Ric's Bar

The Beat—Local Area Network

RG's Local Area Network

ID-Tect

National Ban List

Database

Current ID-Tect Valley Operations. 6 Clients using 11 scanning units. All scanning units are linked to ID-TECT Secure National Ban List.

Only the Banned and refused entry information is shared.

Operational Requirement model for ID scanners

Capability

- Extract the required information from Queensland Government OLGR approved ID
- Take live photo of patron taken at the point of scanning
- Record extracted data to the local database along with date and time of entry
- All entries to be checked against all ban categories
- Alert to all categories of ban
- Connected to all precinct members and the central Database
- Fingerprint log on for operators.
- Facial recognition capability for secondary identifying of banned persons

Security

- Application access controlled. Restrict the system door operator to view current scanned data only. Venue managers are able to view only the venues generated bans.
- Local database to be encrypted and password protected
- Encryption of the ID document image
- Network protection and protocols

Minimum required periods of use

- Nightclubs to operate scanners whilst trading
- Registered Clubs to operate from 10:30pm when trading past 12:00am.
- Pubs to operate from 10:30pm when trading past 12:00am.

Categories of ban

- **Venue bans:** This category of ban is the venue's own and thus is private to the venue and its enforcement is at the venues discretion and who can access the ban data will be determined by the venue's privacy policy and privacy statement.

- **Accord bans:** For accords to determine

- **Police bans:** Mandatory enforcement. System operators are only able to sight the ban if a match is triggered by a patron scan. Venue owners/managers are unable to view this ban category without it been triggered by a scan

- **Court orders:** Mandatory enforcement. System operators are only able to sight the ban if a match is triggered by a patron scan. Venue owners/managers are unable to view this ban category without it been triggered by a scan

Supplier support

- Phone and remote access available 24/7 on all permissible trading days. A response time of less than 60 minutes is to be provided
- Hardware repaired or loan provided within two business days
- Network connectivity is a venue responsibility but the supplier is to be able to report on and flag connectivity failure and down times

Connectivity

Venue is to provide a reliable broadband connection. Slow and unreliable service is to be rectified by the venue if requested by the system provider

Operating without a scanner

At times when the scanner is out-of-service venues are to;

- Ensure all who enter are carrying a valid ID
- Have a list of individuals on Police Bans or Court Orders accessible to the duty manager. If an incident occurs the Name, D.O.B. and ID number of the perpetrator are recorded and checked against the list and if found reported to police
- Local Boards to consider the purchase a backup scanning system for use by members when a system fails