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MEDIA RELEASE

Privacy – be aware, and alarmed

Privacy Awareness Week is on. But it should be renamed Privacy Alarm Week, says the Australian Privacy Foundation.

“Whether it is ill-considered electronic health records, ever growing intelligence databases, or more aggressive and devious direct marketing, our privacy has never been under greater pressure” says Privacy Foundation chair Roger Clarke.

While welcoming the educational efforts of Australian Privacy Commissioners, Clarke warned of the dangers of relying on awareness-raising alone. “Knowing your rights is only a part of the picture”, he said. “Australians need to be sure that Governments and Privacy Commissioners are serious about enforcing obligations on businesses and government agencies.”

Major new schemes such as exchange of airline passenger details, collection of DNA, electronic tolls, CCTV cameras and student ID numbers are being introduced without proper regard for the major privacy intrusions involved, says the Foundation.

“Privacy Commissioners have shown too little appetite for challenging such schemes at the design stage” says Clarke. “The best privacy protection is to not keep personal information in the first place.”

No-one can guarantee that sensitive personal information can be kept 100% secure, as recent events in the UK have shown, with millions of records about welfare recipients, prisoners and service personnel being lost or leaked. Australia is not immune – there have been dozens of major security breaches from government agencies even since the introduction of privacy laws.

The Foundation welcomes the major privacy reviews by Law Reform Commissions, and calls on Governments to implement the many recommendations in the recent ALRC report that strengthen privacy protection, but not the few which weaken it.

“But we have to have active enforcement” says Clarke. “Complainants have to wait far too long, and breaches of privacy are dealt with far too leniently. Government agencies and businesses must be held accountable for irresponsible handling of personal information, with serious penalties and sanctions.”

“The New South Wales government needs to repair its five year neglect of its privacy law, with real resources and energy for the almost invisible Privacy Commissioner. The federal Commissioner must intervene earlier and more often in the design of government programmes and new business models. Queensland, WA and SA need to catch up by enacting strong privacy laws with vigorous regulators, and all jurisdictions need to bring their laws up to date to deal with new threats” Clarke said.

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The Australian Privacy Foundation has been an effective advocate for privacy protections since 1987, representing the public interest to governments, corporations and industry associations.