



**Australian
Privacy
Foundation**

G.P.O. Box 1196, Sydney NSW 2001

email: mail@privacy.org.au

web: www.privacy.org.au

MEDIA RELEASE

NSW Govt trampling on privacy and freedom

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The Australian Privacy Foundation has called on the NSW Government to stop its attacks on the privacy and freedom of NSW residents.

“This could be a black week for privacy and freedom”, said APF Chair, Anna Johnston.

“Monday (2 May 2005) will mark two years the people of NSW have been left without an effective Privacy Commissioner to stand up for them, against the excesses of government”.

“And on Tuesday the NSW Government may seek to push through a Bill to introduce identity cards in this State, with no public consultation, and against expert advice.”

No faith in the Acting Privacy Commissioner

“The Carr Government has dragged its feet for two years on appointing a successor to Chris Puplick. It has used a procession of part-time, acting people who don't have the conditions of employment to guarantee their independence from the government. Meanwhile the expertise has been stripped away from the Privacy Commissioner's office.”

“It was a very sad day for the Privacy Foundation when we had to announce, earlier this month, that we had lost faith in the Acting Privacy Commissioner John Dickie”, said Ms Johnston.

“The Privacy Commissioner's Office no longer seems able to deliver the robust privacy-promoting analysis and policy advice expected of an well-informed and independent regulator.”

The crisis of faith arose during earlier debates on the Photo Card Bill, now before the NSW Parliament.

If passed, the Bill will create a centralised database aimed at holding the personal records of every resident in NSW, and create an identity card with a unique identifier on it. This would allow people's movements and transactions to be tracked, linked and profiled by both government and business.

Current Bill attacks privacy, freedom, raises risk of identity fraud

“Everyone in Parliament outside the ALP, from the Coalition members to the Greens, the Christian Democrats and the Independent Member for Tamworth, has raised concerns about the Bill.”

“Even groups like NCOSS, who for years have asked for a photo ID card to help non-drivers, have expressed their concerns with the model being rammed through by the Government.”

“The Government has tried to silence any opposition by claiming there are no privacy concerns. They bandied about a statement from the Acting Privacy Commissioner to support their claim.”

“But you have to worry when their trump card is a two-line email” said Ms Johnston.

“That an Acting Privacy Commissioner cannot see or chooses to disregard the obvious privacy implications in this Bill is seriously alarming. This is a plan to introduce an all-purpose identity card and total population database in NSW, but the very person supposed to review such proposals seems to be asleep at the wheel.”

By contrast the Australian Privacy Foundation produced a comprehensive analysis of the Bill and its likely impacts, almost three months ago. (For this and more resources on the Bill, see <http://www.privacy.org.au/About/NSWPhotoID05.html>)

Workable solution

“We sent a copy of our analysis to the Minister, along with a list of questions about the Bill, which to this day he has not answered”, said Ms Johnston.

In consultation with groups like NCOSS, the Australian Privacy Foundation developed a workable alternative, which meets the core needs of those who want a card, without the risks in the original Big Brother proposal.

“We have shown it is entirely possible to introduce a photo ID card for the 900,000 people without driver’s licences, *without* creating the privacy, security and law enforcement risks of a centralised database and an identity card with a unique identifier for every NSW resident.”

“In fact we’ve done just about everything short of re-writing the Bill ourselves, in an effort to demonstrate how to fix the problems. So why is the Government ignoring our proposed solution, and won’t even meet with us?”

“This is evidence of the Government’s attitude of ignoring the security risks to NSW residents, and trampling on their privacy Big Brother-style, even when they have been advised of a better solution.”

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Contact for further comment:

Anna Johnston
Chair, Australian Privacy Foundation
0400 432 241

About the Australian Privacy Foundation

The Australian Privacy Foundation is the main non-governmental organisation dedicated to protecting the privacy rights of Australians. The Foundation aims to focus public attention on emerging issues which pose a threat to the freedom and privacy of Australians.

Since 1987 the Foundation has led the defence of the rights of individuals to control their personal information and to be free of excessive intrusions. For further information see www.privacy.org.au

Since 2003 the Australian Privacy Foundation has also hosted the Australian *Big Brother Awards*, which are presented around the world to corporations, public officials and governments that have shown a blatant disregard for privacy, and those who have done the most to threaten personal privacy in their countries.