



—Media Release—

**Privacy Scoresheet: Coalition and Labor treat privacy and data security with contempt.
Greens and Pirate Party lead the way'**

The Coalition, the Labor Party and the Xenaphon team have shown scored dismally in their response to the Australian Privacy Foundation's (the "APF") questionnaire on candidate's commitment to proper privacy protections and data security standards. The Greens and the Pirate Party scored best of all political parties.

The APF asked 10 questions (attached at Annexure 1) regarding privacy and data security; ranging from a statutory right to privacy, support for the Privacy Commissioner to data retention and the abuse of privacy under the Telecommunications Act.

"In this digital age, privacy and data security are even more important than ever and under threat as never before. It is alarming that the major political parties have adopted a privacy invasive approach and ignored their responsibilities in maintaining proper protections and safeguards. This is a major policy failure" said Katherine Lane, Vice Chair of the APF.

Based on their responses, the Liberal and National Party scored 2 out of a possible 100, the Nick Xenaphon Team scored 5 while the ALP achieved a result of 19, only slightly less dismal than the Sex Party at 20. The Greens, at 94, and the Pirate Party, at 95 achieved the highest results.

Ms Lane said that only the Greens and the Pirate party showed a strong and consistent commitment to privacy and data protection.

"The APF calls on all political parties to take privacy seriously and provide proper protections. The protection of personal information and the restriction on governments' interfering with that information should be given the highest priority. Voters should support those who protect their personal information and punish those don't respect privacy" said Ms Lane.

The APF again called on all political parties to commit to introducing mandatory data breach notification laws, legislate a statutory right to privacy and a privacy cause of action and also roll back the unnecessary, expensive and highly privacy invasive data retention laws.

In addition, the APF demands that the Privacy Commissioner be properly funded so that they can become an effective and efficient regulator.

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Election Scorecard 2016



**Australian
Privacy
Foundation**

	Independent Commissioner	Privacy Tort	Meta-Principles	Impact Assessments	Public Consultation	Repeal Legislation	Data Retention	Health Record	Census	s.313	Platform	Response	Overall
	9	9	9	9	9	9	9	4	9	9	4	5	94
	3	1	1	5	2	0	0	0	0	0	3	4	19
	0	0	0	0	0	0	0	0	0	0	2	0	2
	0	0	0	0	0	0	0	0	0	0	2	0	2
	0	0	0	0	0	0	2	0	0	0	1	2	5
	9	9	9	9	9	9	9	4	9	9	5	5	95
	0	9	0	0	0	0	7	0	0	0	4	0	20

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Annexure 1

Election Challenge 2016

The APF invites Parties and candidates participating in the 2016 Federal Election to make clear their positions on the following matters:

The Privacy Commissioner

1. Does your Party commit to freeing the Privacy Commissioner from the control of the Attorney-General's Department, and providing a sufficient budget, guaranteed three years ahead at all times?

The Privacy Right of Action

2. Does your Party commit to prompt passage into law of the long-awaited privacy tort? [Details here](#)

Meta-Principles for Privacy Protection

3. Does your Party commit to the principles of evaluation of proposals, consultation, transparency, justification, proportionality, mitigation, controls and audit? [Details here](#)

Privacy Impact Assessments

4. Does your Party commit to mandating Privacy Impact Assessments (PIAs) on all projects that have significant potential to negatively affect people's privacy? [Details here](#)

Public Consultation Processes

5. Does your Party commit to imposing the obligation on all government agencies to conduct meaningful consultative processes with the public in relation to all projects that have significant potential to negatively affect people's privacy?

Counter-Terrorism Legislation

6. Does your Party commit to the repeal of the many unnecessary and unjustified features of post-2001 counter-terrorism legislation?

Data Retention

7. Does your Party commit to the repeal of the Telecommunications Data Retention legislation? [Details here](#) and [here](#)

MyHR

8. Does your Party commit to abandoning the PCEHR / 'My Health Record' scheme in favour of specific projects that are targeted at the health of individuals? [Details here](#)

The Census

9. Does your Party commit to reversing the decision to retain Names and Addresses with Census data? [Details here](#)

Telecommunications Act s.313

10. Does your Party commit to the imposition of tight regulation over the abuse of the s.313 powers. [Details here](#) and [here](#)



Australian Privacy Foundation Background Information

The Australian Privacy Foundation (APF) is the primary national association dedicated to protecting the privacy rights of Australians. The Foundation aims to focus public attention on emerging issues that pose a threat to the freedom and privacy of Australians. The Foundation has led the fight to defend the right of individuals to control their personal information and to be free of excessive intrusions.

The APF's primary activity is analysis of the privacy impact of systems and proposals for new systems. It makes frequent submissions to parliamentary committees and government agencies. It publishes information on privacy laws and privacy issues. It provides continual background briefings to the media on privacy-related matters.

Where possible, the APF cooperates with and supports privacy oversight agencies, but it is entirely independent of the agencies that administer privacy legislation, and regrettably often finds it necessary to be critical of their performance.

When necessary, the APF conducts campaigns for or against specific proposals. It works with civil liberties councils, consumer organisations, professional associations and other community groups as appropriate to the circumstances. The Privacy Foundation is also an active participant in Privacy International, the world-wide privacy protection network.

The APF is open to membership by individuals and organisations who support the APF's Objects. Funding that is provided by members and donors is used to run the Foundation and to support its activities including research, campaigns and awards events.

The APF does not claim any right to formally represent the public as a whole, nor to formally represent any particular population segment, and it accordingly makes no public declarations about its membership-base. The APF's contributions to policy are based on the expertise of the members of its Board, SubCommittees and Reference Groups, and its impact reflects the quality of the evidence, analysis and arguments that its contributions contain.

The APF's Board, SubCommittees and Reference Groups comprise professionals who bring to their work deep experience in privacy, information technology and the law.

The Board is supported by Patrons The Hon Michael Kirby and Elizabeth Evatt, and an Advisory Panel of eminent citizens, including former judges, former Ministers of the Crown, and a former Prime Minister.

The following pages provide access to information about the APF:

- Policies <http://www.privacy.org.au/Papers/>
- Resources <http://www.privacy.org.au/Resources/>
- Media <http://www.privacy.org.au/Media/>
- Current Board Members <http://www.privacy.org.au/About/Contacts.html>
- Patron and Advisory Panel <http://www.privacy.org.au/About/AdvisoryPanel.html>

The following pages provide outlines of several campaigns the APF has conducted:

- The Australia Card (1985-87) <http://www.privacy.org.au/About/Formation.html>
- Credit Reporting (1988-90) <http://www.privacy.org.au/Campaigns/CreditRpting/>
- The Access Card (2006-07) http://www.privacy.org.au/Campaigns/ID_cards/HSAC.html
- The Media (2007-) <http://www.privacy.org.au/Campaigns/Media/>