



**Australian
Privacy
Foundation**

mail@privacy.org.au

<http://www.privacy.org.au>

MEDIA RELEASE

DATE

DECISION IN PRIVACY COMMISSIONER v TELSTRA CORPORATION TO BE HANDED DOWN TOMORROW MORNING.

The Full Bench of the Federal Court of Australia will hand down its judgment tomorrow in the decision Privacy Commissioner v Telstra Corporation Pty Ltd

The details are as follows:

Date: 19 January 2017.

Venue: Court 8C (Level 8) Commonwealth Law Courts, 305 William Street, Melbourne, 3000

Time: 9 am

The judgment is important, determining what constitutes "personal information" for the purpose of the Privacy Act 1988. It will decide whether the metadata we create is part of our personal information. It is likely to be the most significant privacy decision by an Australian Court to date.

This case began when in 2013 Ben Grubb, then a reporter with the Fairfax press, sought metadata information regarding his mobile phone held by Telstra Corporation. Telstra refused to provide it to him claiming it was not personal information. He complained to the Privacy Commissioner who held that the metadata was personal information. Telstra successfully appealed that decision in the Administrative Appeals Tribunal in 2015. In 2016, the Privacy Commissioner appealed that decision to the Full Bench of the Federal Court.

The Australian Privacy Foundation, together with the New South Wales Council for Civil Liberties, applied to be heard as an amicus curiae, a friend of the court.

The judgment is also notable in that it is one of the last decisions of Justice Edelman in the Federal Court before he is sworn in as a justice of the High Court later this month.

Contact for This Media Release: Jake Goldenfein
0401970358