



**Australian
Privacy
Foundation**

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

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13 September 2008

The Hon. David Campbell MP
The Minister for Transport
Parliament House
Macquarie St
SYDNEY NSW 2000

cc. Mr K. Taylor, Privacy Commissioner

Dear Mr Campbell

The Australian Privacy Foundation (APF) is the country's leading privacy advocacy organisation. A brief backgrounder is attached.

I refer to the report in The Sydney Morning Herald of Thursday 11 September 2008 relating to plans for a travel smartcard.

The APF acknowledges that there may be significant benefits for all concerned in a scheme like this. However, the previous project had a major flaw from a privacy perspective, and we request your assurance that the new design will address this issue satisfactorily.

The human right to freedom of movement within one's own country requires that people be able to travel anonymously, including on public transport. This has always been respected in the NSW transport network.

In addition, people want to avoid their travel patterns being stored in a government database, because to many this is very sensitive personal data.

Would you please confirm that the Requirements Statement for the scheme makes very clear that travel is to continue to be anonymous and that such data as is gathered will not be personally identifiable; and, further, that your Government will ensure that the delivered product conforms with that Requirement.

Thank you for your consideration.

Yours sincerely

Roger Clarke
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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's Board comprises professionals who bring to their work deep experience in privacy, information technology and the law.

The following pages provide access to information about the APF:

- papers and submissions <http://www.privacy.org.au/Papers/>
- resources <http://www.privacy.org.au/Resources/>
- media <http://www.privacy.org.au/Media/>
- Board-members <http://www.privacy.org.au/About/Contacts.html>

The following pages outline several campaigns:

- the Australia Card (1985-87)
<http://www.privacy.org.au/About/Formation.html>
- the Medicare Smart Card (2004-06)
http://www.privacy.org.au/Campaigns/ID_cards/MedicareSmartcard.html
- the Human Services Card (2005-06)
http://www.privacy.org.au/Campaigns/ID_cards/HSCard.html
- the Australia Card Mark II (2005-06)
http://www.privacy.org.au/Campaigns/ID_cards/NatIDScheme.html
- the 'Access Card' (2006-07)
http://www.privacy.org.au/Campaigns/ID_cards/HSAC.html