



**Australian  
Privacy  
Foundation**

---

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

[Secretary@privacy.org.au](mailto:Secretary@privacy.org.au)

<http://www.privacy.org.au/About/Contacts.html>

8 December 2009

Ms H. Versey  
Victorian Privacy Commissioner  
G.P.O. Box 5057  
Melbourne Victoria 3001

cc. Commissioner for Law Enforcement Data Security  
Federal Privacy Commissioner

Dear Helen

**Re: Disclosure of Personal Data by Victoria Police**

The APF notes with serious concern the report in The Age of 4 December 2009 entitled 'Secret files on protesters given to desal consortium'.

We appreciate that, like any media report, it may contain inaccuracies. However, it appears on the surface to have identified gross breaches of public expectations of privacy protections for members of the public, including in relation to sensitive personal data. Moreover, these breaches seem to have become a routine part of the operations of Victoria Police.

We have written separately to the Commissioner for Law Enforcement Data Security (CLEDS), and to the Federal Privacy Commissioner in relation to the collection of personal data by the companies involved.

The APF appreciates that the law places some constraints on your capacity to deal with matters like this. In addition, we are aware that CLEDS has a regulatory role, and that internal complaints-handling processes exist in such forms as the Victoria Police Ethical Standards Department, and the Office of Police Integrity.

However, we urge you to exercise your full legal powers and standing as an Officer of the Parliament to investigate the aspects of the matter that involve authorisation by Victorian Government Ministers, actions by Victoria Police and any other relevant government agencies, and the interests of Victorians.

We express especial concern about the apparent lack of published justification for these measures, and of public consultation by the Government prior to making decisions about such disclosures, and about the apparent absence from public view of the terms of the Memoranda of Understanding, of the means of ensuring that they are enforceable, and of processes to actually enforce them.

We urge you to publish as much of your findings as the law permits. If you find the accusations to be materially correct, we further urge you to communicate to relevant agencies, Ministers and the Parliament the gravity of these actions, and to communicate clearly to the public your serious concern about them.

Thank you for your consideration.

Yours sincerely

Roger Clarke, Chair, for the Board of the APF  
(02) 6288 6916      [chair@privacy.org.au](mailto:chair@privacy.org.au)