

We, the undersigned organisations and individuals from across civil society, support major reforms to our Privacy Act to protect everyday Australians from data misuse and invasions of privacy.

CHOICE

UTS
Human Technology Institute

Public Interest Advocacy Centre

maurice blackburn lawyers

Redfern Legal Centre

IoT Alliance Australia

Human Rights Law Centre

DIGITAL RIGHTS WATCH

Consumer Policy Research Centre

Electronic Frontiers AUSTRALIA

ALLIANCE FOR GAMBLING REFORM

Financial Rights LEGAL CENTRE

HUMAN RIGHTS WATCH

CHILDREN & MEDIA AUSTRALIA

Lawyers for the People AUSTRALIAN LAWYERS ALLIANCE

CONSUMERS FEDERATION OF AUSTRALIA
Developing and promoting the consumer interest

THE UNIVERSITY OF MELBOURNE

Centre for Artificial Intelligence and Digital Ethics

Reset. AUSTRALIA

The Australia Institute
Research that matters. **Centre for Responsible Technology**

Australian National University

TECH POLICY DESIGN CENTRE

SalingerPrivacy

Community Legal Centres Australia

DATA SYNERGIES

Prof. Edward Santow, former Human Rights Commissioner Prof. Toby Walsh FAA, Chief Scientist, AI Institute, UNSW Sydney Vanessa Teague, CEO Thinking Cybersecurity Pty Ltd & A/Prof (Adj.), ANU Aurélie Jacquet, Director - Ethical AI Consulting

Australians urgently need privacy laws that secure our rights in a digital economy and better protect us from data breaches, scams and data-driven targeting. Invasive tools and business practices have fast outpaced our existing laws – there are now hundreds of ways to identify and contact someone, far more than in the 1980s when the Privacy Act was introduced.

Manipulative marketing techniques are pushing harmful products and services to people when vulnerable, like children and those experiencing addiction and mental health issues. Biased automated decision-making systems and intrusive surveillance threaten the rights and safety of all of us, particularly people from marginalised communities.

We're being exposed to threats from unscrupulous businesses and criminals the more our data is shared, traded and stolen, and these threats multiply the longer our data is stored unnecessarily.

In March of this year, the Attorney-General's Department released its review into the Privacy Act, and the Federal Government has recently announced its commitment to the majority of their recommendations. To ensure the Act is fit for purpose in a digital economy, we call on the Federal Government to protect Australians by urgently legislating the following recommendations:

- **Modernise how “personal information” is defined so more of our data is protected.** Right now we're as identifiable through our IP addresses and metadata as our phone number and name, and it's vital our laws recognise this.
- **Ensure businesses only collect and keep the data we want to share by establishing a “fair and reasonable use test”.** Businesses currently get free rein over our data simply because we click a link or access a service. As consumers, we expect our data to be used for the service we've agreed to, not an unrelated purpose buried in the terms and conditions.

- **Entrust our regulators with the resources and powers needed to enforce the law.** Even with our current privacy protections, regulators are hamstrung by a lack of funding and limits to penalising misbehaving businesses.
- **Apply the Privacy Act to all businesses, regardless of size.** Data misuse and data breaches can harm anyone, no matter how big or small the source.
- **Introduce clear rules and guardrails for high-risk technologies that significantly impact human rights, such as facial recognition technology.** Invasive biometric surveillance is proliferating in public and commercial spaces in a regulatory vacuum. People expect and deserve protection from harmful uses of technology.

As advocates, activists, and researchers, we see the harms of lax privacy protections every day. We hear from people who are tired of their data being scraped and sold without compensation. We work with people struggling with non-stop gambling and alcohol ads targeting them on their social media feeds. We help people get their lives back together after scammers and identity thieves leave them bankrupt.

We urge the Government to play its part too by implementing these reforms to the Privacy Act in 2024 and protecting us by protecting the safety, security, and integrity of our personal information.

SIGNED:

- Alliance for Gambling Reform
- Australian Lawyers Alliance
- Centre for Artificial Intelligence and Digital Ethics (University of Melbourne)
- Centre for Responsible Technology
- Children and Media Australia
- Community Legal Centres Australia
- Consumer Policy Research Centre
- Consumers' Federation of Australia
- Data Synergies
- Digital Rights Watch
- Electronic Frontiers Australia
- Financial Counselling Australia
- Financial Rights Legal Centre
- Human Rights Legal Centre
- Human Rights Watch
- Human Technology Institute (University of Technology, Sydney)
- IoT Alliance
- Maurice Blackburn
- Public Interest Advocacy Centre
- Redfern Legal Centre
- Reset Australia
- Salinger Privacy
- Tech Policy Design Centre (Australian National University)
- Aurélie Jacquet, Director - Ethical AI Consulting
- Prof. Edward Santow, former Human Rights Commissioner
- Vanessa Teague, CEO Thinking Cybersecurity Pty Ltd & A/Prof (Adj.), ANU
- Prof. Toby Walsh FAA, Chief Scientist, AI Institute, UNSW Sydney