

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS  
OFFICE OF THE PRIVACY COMMISSIONER

**Question No. 200**

**Senator Stott-Despoja asked the following question at the hearing on 24 May 2007:**

How does the Privacy Commissioner assess the current 'balance sheet' of privacy in Australia? Do Australians enjoy more or less privacy than they did a decade ago? Is a gradual erosion of privacy inevitable in the face of competing public interests and commercial trends or is it possible to enjoy the benefits of new technology and new approaches to service delivery without abandoning personal privacy?

**The answer to the honourable senator's question is as follows:**

My Office recognises that developments in technology and service delivery can sometimes provide challenges in terms of privacy. However, to balance these challenges and in relation to the position a decade ago when the *Privacy Act 1988* (the Act) only extended to Commonwealth and ACT government agencies and the credit sector, the Act now also includes a set of National Privacy Principles regulating a large proportion of the personal information held by private sector organisations.

It is my view that the principle based approach to privacy protection in the Act sits well in terms of technology neutrality and therefore its capacity to remain relevant in the face of changes in technology. It is also my view that technology and privacy are not mutually exclusive. Indeed technology can be privacy enhancing rather than privacy invasive.

My Office has recently made two substantial submissions to the two Issues Papers released by the Australian Law Reform Commission in relation to its review of privacy. Those submissions are available on my Office's website at:

<http://www.privacy.gov.au/publications/submissions/alrc/all.html> and

<http://www.privacy.gov.au/publications/submissions/sub-alrc-ip32-credit-reporting-200704.html>

My Office's views on the issues raised by the Senator's question are fully canvassed in those two submissions.