

# Privacy laws to check who's looking at you

## Genevieve Holding

A new report from the Tasmania Law Reform Institute (TLRI) has highlighted a growing gap in the state's privacy laws, with urgent action required by the state government to bring Tasmania in line with other states.

The institute made 63 recommendations in the report Review of Privacy Laws in Tasmania, including a review of the Tasmanian Personal Information Protection Act 2004.

University of Tasmania senior law lecturer Dr Yvette Maker said technological advances such as spyware, covert

cameras and drones meant the state's privacy protections had become largely inadequate.

"The main information privacy legislation in Tasmania dates back to 2004, 20 years ago now," she said.

"There's been a small number of changes to that law in the intervening decades. This is the first major review of this area, and of a range of other areas of privacy protection.

"Things like people's privacy around surveillance and use of technology to track people, view their movements, record them without their knowledge and so on, and so it is timely to be looking at those protections

in light of the range of changes, and the really rapidly evolving developments in technology especially."

Following mass data breaches seen around the country and the world, Dr Maker said the report included recommendations to the Tasmanian parliament on reviewing legislation requiring the retention of personal information and introducing a data breach notification scheme.

"The recommendations in the report follow developments at the commonwealth level and in an increasing number of other states and territories to improve the ability of

individuals to understand what's happened to their information, and to know what action is being taken to address their concerns around data breaches or other unauthorised access," she said.

TLRI's principal research fellow Dr Rebecca Bradfield said Tasmania's laws were "fragmented".

"For example, in the wireless space, there's an increased awareness of use of tracking surveillance, so spyware on cameras, on vehicles, covert cameras," she said.

"There are protections in Tasmania that apply broadly, but we have the need to have

more specific regulation that would cover those sorts of technological advances."

Independent Legislative Council member Meg Webb proposed the review into privacy laws, stating Tasmanians would be "shocked" to see the gaps in current protections.

"We've got a basic right to privacy and I think ensuring as best as we can through our legal system, that people have the ability to control the use of their information, the collection of their information about them, and how that's stored and oversight around that," she said.

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