

An Australian Research Council Discovery Project
2006-2009 DP0666646

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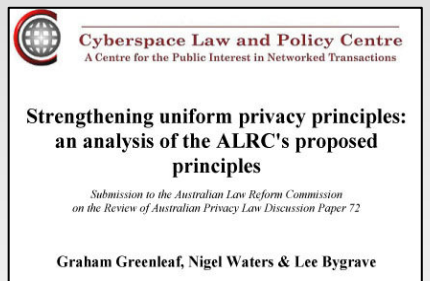
INTERPRETING PRIVACY PRINCIPLES

Aims of the IPP Project

- To create better & more consistent privacy laws in Australia and the region
 - Analysis of interpretation of IPPs (Principles) - is an Asia-Pacific jurisprudence emerging?
 - How consistent is legislation across the region?
 - Is legislation and caselaw adequately protecting consumer/citizen interests?
- Comes at a time of major law reform in Australia and the region (APEC etc)

Research achievements to date

- Review of Australia's federal privacy laws - 155 references to our submission in ALRC DP 72 (Sept 07); since then, 268 recommendations in 6 submissions by us:
 - 'Distinguishing PETs from PITs: Developing technology with privacy in mind' (March 08)
 - 'In support of a statutory privacy action in Australian law' (January 08)
 - 'Closing the privacy-free zones: an analysis of ALRC proposals concerning Privacy Act exemptions' (December 07)
 - 'Managing the privilege of credit reporting: an analysis of ALRC proposals for the credit reporting provisions of the Privacy Act' (December 07)
 - 'Promoting and enforcing privacy principles: an analysis of ALRC proposals for the role of the Privacy Commissioner' (December 07)
 - 'Strengthening uniform privacy principles: an analysis of the ALRC's proposed principles' (December 07)
- APEC Privacy Framework -
 - Greenleaf led global consumer critique since 2003 (7 papers)
 - Waters negotiating consumer position at APEC in meetings in Australia (07) and Peru (08)
- 'Access Card' - critiques of privacy impacts influential in policy debates leading to demise
- Published analyses of privacy laws in various Asian countries, and on various IPPs



Investigators, Staff and Funding

- **Investigators:** Prof Graham Greenleaf (UNSW) lead CI, A/Prof Lee Bygrave (Oslo), Prof Paul Roth (Otago)
- **Staff:** Nigel Waters (Senior Researcher - P/T), David Vaile & Abi Paramaguru (CyberLPC); Anna Johnston (Researcher - P/T) (Total: 1 F/T staff)
- **Funding:** 2006: \$107,000; 2007: \$82,000; 2008: \$102,000

Research infrastructure created

- Privacy Law Library www.worldlii.org/int/special/privacy/
 - On WorldLII, the largest collection of privacy law resources on the Internet
 - Emphasis on Asia-Pacific laws
 - 18 databases of privacy decisions
 - Legislation, law reform and journal article databases
- An expanded, permanent, Library will include:
 - Comparative indexes of legislation and cases
 - Content from other countries, including Europe
 - The EPIC/PI global survey of privacy and surveillance



Proposed further research outcomes (2008-09)

- Further submissions and responses to the ALRC, NSWLRC and NZLC enquiries into privacy
- Continuing critique of APEC approach and development of regional alternatives
- First book of comparative analysis of privacy laws and Principles in the Asia-Pacific

Possible follow-on projects (Linkage?)

- 'Mapping surveillance and its controls in Australia'
 - Including an expert wiki to collaboratively map surveillance practices, and link them to laws
- 'Making Privacy Laws Work'
 - A legal clinic, possibly partnering with a community legal centre, to run test cases on the reforms to Australian privacy laws



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