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Subject: Bills, bills, bills
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Hey Anthony,

Strap in! Today's digital rights dispatch is all about Australian policy developments. Read on for updates on privacy reform, and two new bills up for consultation...

The Attorney-General's long-awaited response to the review of the Privacy Act

This morning the Attorney-General's Department [released its long-awaited response](#) to the Privacy Act Review Report.

Out of the 116 proposals, the Government agrees to 38 of them, 'agrees in-principle' to 68, and 'notes' 10. Agrees in-principle means they want to do further consultation and analysis before making a final decision, and 'notes' is effectively a no.

The good news: the overall vibe is positive and supportive of many of the improvements to the Privacy Act that we've been pushing for for years, including a statutory tort for serious invasions of privacy, junking the broken consent model, removal of the small business exemption, and improvement of the definition of 'personal information'. If implemented, this would be a significant improvement on our current laws, which are miles behind comparable jurisdictions. The bad news: Government has decided against providing individuals with a right to opt-out of targeted advertising. Amusingly—and unsurprisingly—they're also not keen on removing the exemption for political parties.

What's next? **The fight for robust privacy reform isn't over yet:** nothing is settled till new legislation has passed. The Government says they will introduce a bill in 2024, but what this will look like will depend on what happens between now and then. Privacy reform has been overdue for decades, but to date no government has taken action. We think the response published today represents a big opportunity for meaningful change.

Still, there are powerful entities like Big Tech, Mainstream Media Corporations, and Advertising Companies who are working hard to prevent key reforms. We will continue to show up, advocate for the strongest reform possible, and demonstrate broad public mandate for better protections for all of us.

Stay tuned for more detail from us, and more ways to get involved to help win this fight.

Identitv Matching Redux

Since our last email, the Australian government has released two major pieces of legislation. First, the **Identity Verification Services Bill 2023**. Those who have been around a while might recognise this as the ALP's revamped version of the Coalition's controversial *Identity Matching Services Bill 2019*. The OG legislation was slammed by critics (including us) and was [sent back to the drawing board](#) by the Parliamentary Joint Committee on Intelligence and Security due to concerns about lack of privacy protections and the ability to enable mass surveillance.

Now, the identity verification system has been moved out of the hands of Home Affairs, and into the Attorney-General's Department. Admittedly, the legislation is an improvement on its previous iteration, however we remain concerned with the potential abuses of this system, and the wishy-washy commitments to privacy.

Many of the things that this Bill seeks to legislate—such as the use of the Document Verification Service and Face Verification Service—are *already happening in practice*. If it seems dodgy to you that government bodies have been using these invasive services without a legislative framework to govern it, you'd be right.

[Consultation on the bill is open until 2 October](#) (Yes, that's less than three weeks of consultation time. Yes, we're unimpressed.)

Digital ID

The Australian government is also currently consulting on a proposed **Digital ID Bill**. This follows their previous consultation on a 2021 exposure draft of the Trusted Digital Identity Framework. Following the Optus and Medibank breaches, the idea of a digital identity that enables government bodies and companies to verify people's identity without each collecting and holding identity documents has become more popular. Still, it's not without its privacy and security concerns, and as always, the devil will be in the detail (and implementation). Late last year, [Sam had a chat with Cam Wilson at Crikey](#) about some of the tensions in the debate.

[Consultation on the bill is open until 10 October](#).

Things we're doing, reading, watching:

- We're loving the pushback from creative workers against the use of AI that undermines their work. You might have seen that the [Writers Guild of America has struck a deal](#), and the proposed contract includes a handful of protections against AI-generated content. Meanwhile, [authors and publishers are furious](#) over a database of books that have been used without permission by big companies to train generative AI. We love to see collective resistance to harmful use of AI!
- Sam has been busy standing up for renter digital rights, and appeared at both Victorian and Federal [public hearings](#) for respective inquiries into the rental crisis. In good news: off the back of our advocacy, Victoria has committed to better

protections for renter personal information, and to minimise what Real Estate Agencies and third-party platforms can collect by implementing a standardised application. Now, do the other states!

- Over 11-12 October the Human Rights Institute at UNSW is hosting a conference called 'Accountability in Crisis'. Lizzie is participating in an exciting panel on the decline of accountability and the erosion of rights. [Details and tickets here.](#)
- Lizzie and the [Burning Platforms](#) gang will be heading to [SXSW](#) in Sydney in October. If you're around, come say hello!

Want to take action?

- [Sign or share our open letter](#) calling for robust privacy reform.
- As always, regular donations from our supporters sustain us. If you have the means, we always deeply appreciate [donations of any size.](#)

In solidarity,

Sam and the whole Digital Rights Watch team



Digital Rights Watch acknowledges Aboriginal and Torres Strait Islander people as the traditional owners and custodians of the land on which we work.

We pay our respect to their Elders past and present.

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