



## Minister for Home Affairs

THE HON BRENDAN O'CONNOR MP

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# A right to privacy in Australia

21 July 2011

The Minister for Privacy Brendan O'Connor today announced the Gillard Government will seek the views of the public on introducing a right to privacy in Australia.

A public issues paper will be issued shortly, canvassing the prospect of introducing a statutory cause of action for serious invasions of privacy.

"Right now there is no general right to privacy in Australia, and that means there's no certainty for anyone wanting to sue for an invasion of their privacy," Mr O'Connor said.

"The News of the World scandal and other recent mass breaches of privacy, both at home and abroad, have put the spotlight on whether there should be such a right."

"This Government strongly believes in the principle of freedom of expression and also the right to privacy. Any changes to our laws will have to strike a balance between the two ideals."

"We know that privacy is a growing concern for everyday Australians – whether it is in our dealings with individuals, businesses, government agencies or the media," he said.

"Privacy is emerging as a defining issue of the modern era, especially as new technology provides more opportunities for communication, but also new challenges to privacy."

"I'm keen to hear from everyone with a stake in the privacy debate – that includes individuals, businesses and of course the media," Mr O'Connor said.

The Australian Law Reform Commission's 2008 report into privacy laws made 295 recommendations for changes to privacy regulation and policy, including a proposal to introduce a statutory cause of action for serious breaches of privacy.

It is important to note that there are laws in place to deal with criminal offending related to privacy breaches, for example the Telecommunications (Interception and Access) Act outlaws phone tapping and other misuse of communications services.

An issues paper will be issued soon and a period of public consultation will follow.

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