

May 11, 2022

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Dear Ms Buttrose and colleagues,

Re: Open Letter - Mandatory ABC registration to watch iView

Thank you for your short letter marked Confidential of April 28, following our request for an indication of if and when further responses to questions raised in our reply to your earlier letter might be forthcoming. We are frustrated the ABC apparently now considers this consultation closed when key issues we raised with your office remain unresolved. Continuing to share identifiable personal information of millions of people, including children, who had attempted to opt out of data sharing, and to whom your organisation had repeatedly promised an opt-out, with these matters still unresolved is a matter of concern.

We note that, in the interests of transparency and informing citizens' awareness on issues that have been insufficiently publicised, it is regular practice of APF along with a number of other public interest policy advocates, to make 'Open Letter' correspondence with corporate entities open for others to read, unless there has been a request for confidentiality or for protection of personal information. Our attempt via these Open Letters to robustly identify the unresolved issues and to seek answers to outstanding factual uncertainties may have been unwelcome, but it was made in the spirit of frank inquiry on a matter of public importance.

A transparent dialogue about the mandatory ABC registration requirement for iView ('Login to Watch') is of national importance and worthy of public critique – especially because of the lack of awareness among would-be users about the ABC's apparent disclosure of account-usage-related metadata to foreign commercial data aggregators, under conditions ineffective for the protection of sensitive personal information. Continued active online and broadcast promotion of 'iView Login' in the absence of full and relevant information risks relying on consent that cannot be considered properly informed.

We remain open to further dialogue, and would be happy to discuss whatever conditions the ABC may consider necessary to support it; or for advice as to an alternative avenue to pursue answers to the unresolved factual and policy questions – in particular the nature of those offshore disclosures of iView usage data with weakly-masked user identification.

Yours sincerely,
Australian Privacy Foundation
David Vaile, Chair

Dr Juanita Fernando, Vice Chair

