

## Digital privacy

**This conference session asked the question ‘How does the digital age have an impact on personal life?’**

Introducing the Digital Privacy session, ACMA Authority Member Chris Cheah said privacy is becoming a key issue as convergence of communication and new technologies increasingly expand the dissemination of information about individuals.

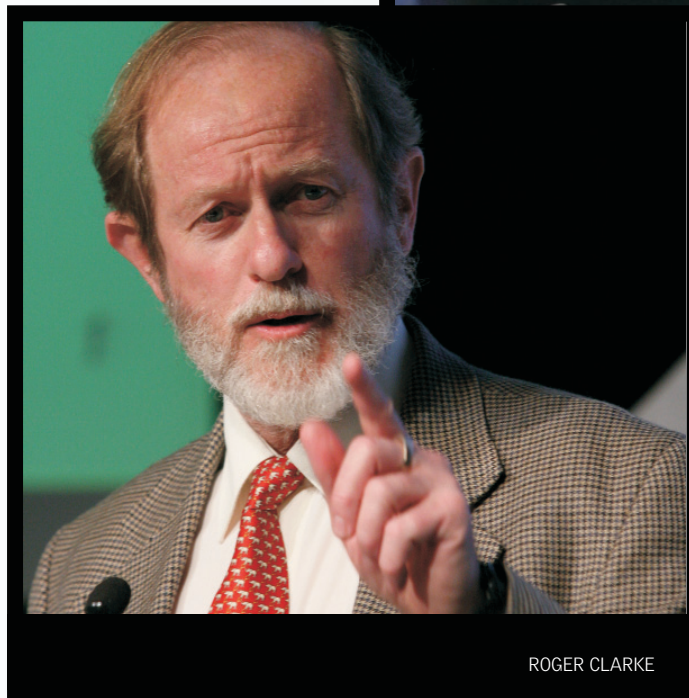
This was reinforced by Privacy Commissioner Karen Curtis. ‘Across the internet, in electronic databases, through mobile telephones, by email, credit cards, e and m commerce, and even via interaction with online maps and global positioning, we now leave a snail trail of information about ourselves like never before,’ she said.

Ms Curtis also introduced a key theme—that the younger generation has different expectations about privacy and attempts to restrict a technology that allows greater interaction than ever before. ‘It is likely that someone who grew up in a world without the internet, like me, has a different idea of privacy to someone who has grown up communicating with friends via MySpace. Different people have different privacy expectations and those expectations are strongly influenced by the rise of new technologies.’

Conceding that once our personal information is ‘out there’, it is very difficult to stem the flow and regain control, she said, ‘We might be the same people we always were, but the digital age has made it much more difficult for us to manage and control the information we choose to reveal, or sometimes inadvertently reveal about ourselves.’

Session moderator Professor Chris Puplick asked the question, ‘Will privacy issues be decided by a 55 year old in Brussels or a 19 year old in China?’

Roger Clarke, a specialist in IT and digital privacy—and principal of Xamax Consultancy—was critical of



ROGER CLARKE

current privacy protection measures and their favouring corporations over individuals. ‘The impact of technology is chilling our behaviour because we know we’re constantly being observed,’ he said, adding that current data protection laws are ‘hopeless’, tending towards the protectionism of business.

‘Australians do not like the very high level of regulation in their space. In the twenty-first century, we need substantially more than we have now. In the short term, the excitement generated by MySpace, Flickr, blogging and YouTube is over-riding privacy concerns,’ he added. ‘But despite the wishful thinking of some people in both business and government, in the medium term, the excitement will subside and the privacy concerns will surge to the fore ... and bite privacy-invasive businesses.’

Rob Edwards, CEO of the Australian Direct Marketing



KAREN CURTIS

‘multi-touch points’ to have interaction with consumers.

While ADMA is a supporter of the Do Not Call Register, he queried some of its exemptions, notably market research and fundraising. He also queried the effectiveness of anti-spam measures. ‘Are your inboxes empty as a result of this legislation? I know mine’s not. The legislation is meant to do a job but can’t live up to it and can’t keep up with the technology.’

Association, said that new technologies meant consumers can receive up to 5,000 messages a day, compared with 500 a decade ago. He said deciding how best to reach consumers was becoming a nightmare because there are a whole lot more ‘touch points’. Not only does that mean increasing media fragmentation—which Edwards saw more as an opportunity for advertisers than a hindrance—but quite a differentiation between younger and older audiences in terms of how to approach them.

ADMA, in association with the University of New South Wales, recently conducted a study of what was considered the most intrusive form of consumer privacy, with mobile phones topping the list, followed by email (spam), telemarketing, fax and direct marketing. Edwards said privacy laws need to reflect ‘intrusive tactics’ while allowing advertisers to have

Australian Law Reform Commissioner, Associate Professor Les McCrimmon, said the ALRC is attempting to address such issues as part of its Review of Privacy and had recently released an issues paper that focused on how to strengthen the Privacy Act. He said that while the Do Not Call Register and spam legislation are not specifically covered, there will be scope to examine overlaps or inconsistency with the Privacy Act of these measures. Other key issues for the review include examining specific protection measures for the online privacy of children, the different attitudes towards privacy of younger people (for which forums will be held around the country) and broadcasting standards relating to privacy for media organisations. ‘At this stage, we’re just asking questions and we call on your participation,’ said Mr McCrimmon.