



## Legislation Review Committee

Correspondence received in response to the Legislation Review Committee  
Digest No. 25/57 – 16 February 2021



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**Mark Speakman**  
Attorney General  
Minister for the Prevention of Domestic Violence

Letter from the Hon. Mark Speakman MP SC – Response to LRC  
comments to the *Devices Amendment (Body-Worn Recording  
Devices) Regulation 2020* - 22 April 2021

IM21/4787  
EAP21/3114

Ms Felicity Wilson MP  
Chair, Legislation Review Committee  
Member for North Shore  
Parliament of NSW, Macquarie Street  
SYDNEY NSW 2000

legislation.review@parliament.nsw.gov.au

Dear Ms ~~Wilson~~

*Felicity*

Thank you for your letter, received on 18 February 2021, in relation to the issues by the Legislation Review Committee (**Committee**) in the Legislation Review Digest No 25/57 relating to the Surveillance Devices Amendment (Body-Worn Recording Devices) Regulation 2020 (**the Regulation**).

I note the Committee's observation that the Regulation has the potential to impact individuals' right to privacy and that the Regulation does not address how recordings captured by body-worn video will be stored or used. I also note the Committee's observation that the Regulation is associated with a trial, accompanied by various safeguards, and that there is a public interest in deterring violence towards ambulance officers.

I am advised that the trial is being conducted in compliance with the privacy requirements of the *Health Records and Information Privacy Act 2002* and the Health Privacy Principles. I am also advised that a Privacy Impact Assessment was conducted prior to the commencement of this trial, which made recommendations relating to the retention, destruction and disclosure of footage. NSW Ambulance has advised that it has implemented those recommendations. NSW Health also consulted with the Privacy Commissioner on the trial and the Privacy Impact Assessment.

If your staff have any questions about this issue, could you please contact Ms Alex Sprouster, A/Director, Law Enforcement and Crime, on 8346 1231 or at [alex.sprouster@dcj.nsw.gov.au](mailto:alex.sprouster@dcj.nsw.gov.au)?

Thank you for taking the time to write.

Yours sincerely

*Mark Speakman*

**Mark Speakman**

22 APR 2021