

**Submission
No 107**

MEASURES TO REDUCE ALCOHOL AND DRUG-RELATED VIOLENCE

Organisation: Information and Privacy Commission
Name: Dr Elizabeth Coombs
Position: Privacy Commissioner
Date Received: 20/08/2014



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The Committee Manager
Committee on Law and Safety
Parliament House
Macquarie Street
SYDNEY NSW 2000

By email: lawsafety@parliament.nsw.gov.au

20 AUG 2014

Dear Committee Manager,

Re: *Parliamentary Inquiry into measures to reduce alcohol and drug-related violence*

I write in response to the Committee on Law and Safety's call for submissions in relation to the Inquiry into measures to reduce alcohol and drug-related violence.

In my role as NSW Privacy Commissioner, I am required to be a champion of privacy rights for the citizens of NSW, and must consider that the community has expressed heightened concerns about the collection, storage and use of personal information. My comments therefore relate to these concerns and the best practice actions that can be put in place to address them.

I support the intent of the new initiatives introduced by the NSW Government to address the community's rising concern about alcohol and drug-related violence in the Sydney CBD. I note that some of these initiatives, such as the trial of ID scanners, and use of Closed Circuit Television (CCTV) involve the collection of personal information from members of the community who want nothing more than to enjoy a night out while going about their lawful business.

As this information is collected under the banner of NSW Government initiatives, the Government has a responsibility to ensure it is collected, stored, accessed, used and disclosed appropriately. It is equally important to ensure there is sufficient information provided to the community about how their personal information is being managed.

The Terms of Reference of the Inquiry focus on the effectiveness of introduced measures in reducing violence in the Sydney CBD. Measuring the effectiveness of these initiatives should not be limited to only a reduction in violence, but must also consider the overall operation of the initiatives and whether appropriate measures are in place to protect personal information from misuse, interference, loss and unauthorised access, modification or disclosure.

I note for example in relation to ID scanners, private operators are required under the *Liquor Act 2007* to comply with the *Privacy Act 1988* of the Commonwealth. The *Liquor Act 2007* (s116AC) also provides other license conditions relating to ID scanning, in particular the requirement for high risk venues to prepare and implement a privacy management plan, as well as a privacy policy. I would encourage the Committee to seek advice from the Federal Privacy Commissioner on the operation

of the initiatives from a privacy perspective, in particular whether there have been any community concerns or complaints raised in relation to the management of personal information as part of these initiatives.

In relation to any future measures to reduce alcohol and drug-related violence, I stress the importance of ensuring transparency, accountability and independent oversight. As Privacy Commissioner, I would of course support the least privacy invasive options that are consistent with community expectations.

Please do not hesitate to contact me if you have any queries. Alternatively, your officers may contact Ms Seckin Ungur, A/Manager Performance Reporting and Projects on [REDACTED] or by email at [REDACTED]

Yours sincerely

[REDACTED]
Dr Elizabeth Coombs
NSW Privacy Commissioner

20/8/2019