

Summary of recommendations

- Recommendation 1** **40**
That the NSW Police Force:
- a) ensure that its officers receive training in the harms associated with technology-facilitated stalking, abuse and harassment; and
 - b) that the training incorporate education about how existing offences and other orders, such as apprehended violence orders, could be used in respect of allegations of that nature.
- Recommendation 2** **40**
That the NSW Government undertake a statutory review of the *Crimes (Domestic and Personal Violence) Act 2007* to consider additional potential remedies available to the Local Court to protect the privacy of individuals who have been or are seeking to be safeguarded by apprehended domestic violence orders.
- Recommendation 3** **57**
That the NSW Government introduce a statutory cause of action for serious invasions of privacy.
- Recommendation 4** **71**
That in establishing the statutory cause of action at recommendation 3, the NSW Government base the action on the Australian Law Reform Commission model, detailed in its 2014 report, *Serious Invasions of Privacy in the Digital Era*.
- Recommendation 5** **71**
That in establishing the statutory cause of action at recommendation 3, the NSW Government should consider incorporating a fault element of intent, recklessness and negligence for governments and corporations, and a fault element of intent and recklessness for natural persons.
- Recommendation 6** **72**
That the NSW Government:
- a) broaden the scope of the NSW Privacy Commissioner's jurisdiction to enable the Commissioner to hear complaints between individuals relating to alleged serious invasions of privacy;
 - b) empower the NSW Privacy Commissioner to make determinations that involve non-financial forms of redress, including apologies, take down orders and cease and desist orders
 - c) ensure that the NSW Privacy Commissioner is empowered to refer a complaint on behalf of a complainant to the NSW Civil and Administrative Tribunal for hearing for a statutory cause of action where there is a failure to act on a non-financial form of redress, including apologies, take down orders and cease and desist orders, and
 - d) ensure that the Office of the NSW Privacy Commissioner is adequately resourced to enable it to fulfil its functions arising from the expanded scope to deal with complaints arising from alleged serious invasions of privacy.

Recommendation 7

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That the NSW Government confer jurisdiction on the NSW Civil and Administrative Tribunal to enable it to hear claims (in addition to ordinary civil courts) arising out of the statutory cause of action for serious invasions of privacy at recommendation 3.