



## Media Statement

19 November 2019

### Statement relating to Mobile Phone Detection Cameras

The *NSW Privacy and Personal Information Protection Act 1998* (PIPP Act) provides the overarching legislative framework for NSW government agencies holding personal information. All NSW agencies are required to comply with the 12 Information Protection Principles (IPPs) which are set out in the Act. The PPIP Act also gives NSW citizens' rights such as to complain about privacy breaches.

The Privacy Commissioner's role is to provide advice and assistance to public sector agencies in adopting and complying with the information protection principles and privacy codes of practice.

Following the initial notification by Transport for NSW of the proposed trial of mobile phone detection cameras the Privacy Commissioner raised a number of concerns, including:

- actions planned to be taken by Transport for NSW to mitigate privacy risks
- the role of contractors in delivering the program
- ensuring the trial and any future roll out would be conducted in accordance with NSW privacy legislation.

The Privacy Commissioner supports the aim of using digital technology to protect the safety of citizens within a robust privacy-respectful framework.

The Privacy Commissioner provided advice and assistance to the agency to ensure that privacy rights were considered, and appropriate risk mitigation strategies put in place to minimise privacy harm to the public such as:

- minimising the retention of images
- cropping or pixilation of images when viewed for verification purposes
- the use of strong encryption and other security measures
- need for strong contractual requirements on any provider to comply with the PPIP Act

The Privacy Commissioner also sought information on the enforcement phase of the program, including Transport for NSW's proposed privacy audit processes and policy and compliance arrangements. Transport for NSW has agreed to provide an update on the program after three months, including confirmation that the privacy controls are effective.

The Privacy Commissioner, Ms Samantha Gavel said, "it is important that Transport for NSW are transparent in communication and engagement with the community on the introduction of the cameras and that citizens are appropriately notified about the collection of their personal information, to assure the community about the value of and privacy protections in the program."

**ENDS**



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**For further information, please contact:**

IPC media team on **0435 961 691** or email [ccadigital@ipc.nsw.gov.au](mailto:ccadigital@ipc.nsw.gov.au)

**About the NSW Privacy Commissioner**

Samantha Gavel was appointed as NSW Privacy Commissioner on 4 September 2017. Her role is to promote public awareness and understanding of privacy rights in NSW, as well as provide information, support, advice and assistance to agencies and the general public.

For further information about the IPC visit our website at [www.ipc.nsw.gov.au](http://www.ipc.nsw.gov.au)

**About the Information and Privacy Commission:**

The Information and Privacy Commission NSW (IPC) is an independent statutory authority that administers New South Wales' legislation dealing with privacy and access to government information. The IPC supports the Information Commissioner and the Privacy Commissioner in fulfilling their legislative responsibilities and functions and to ensure individuals and agencies can access consistent information, guidance and coordinated training about information access and privacy matters.