



12 May 2014

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Ms Sabina Wynn  
Executive Director  
Australian Law Reform Commission  
GPO Box 3708  
SYDNEY NSW 2001

and via email: [privacy@alrc.gov.au](mailto:privacy@alrc.gov.au)

Dear Ms Wynn

**Proposals for reforms to address serious invasions of privacy**

I refer to a media release of 31 March 2014 announcing the release of a Discussion Paper, *Serious Invasions of Privacy in the Digital Era*. Thank you for the opportunity to comment.

We note the Terms of Reference for the inquiry ask the ALRC to consider the detailed legal design of a statutory cause of action and, in addition, other innovative ways the law might prevent or redress serious invasions of privacy.

The Society has recently made a submission to the South Australian Law Reform Institute (**SALRI**) in relation to an Issues Paper about introducing a statutory cause of action for invasion of privacy in South Australia. A copy of our submission is attached, for your information.

Given the significance of the matter, the Society's Council formed a Working Group to consider a recommendation to Council as to the position the Society should take in relation to privacy legislation (noting the submission to the SALRI in relation to a statutory cause for action for invasions of privacy). The Working Group comprises a number of members of the Society including Dr Melissa de Zwart, Mr Alex Antic, Mr Paul Gordon and Ms Rebecca Sandford.

The Working Group would like to make a submission to the ALRC concerning serious invasions of privacy but given the short timeframe to respond the Working Group sought an extension of time to make a submission. We note that Dr de Zwart recently met with

Commissioner McDonald in the week of 21 April 2014 and that the Commissioner would like to hear our views. Accordingly the Society will make a submission in due course however we regret that we are unable to meet the ALRC's deadline of 12 May 2014.

I trust these comments are of assistance.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Morry Bailes', with a large initial 'M' and a wavy line at the end.

Morry Bailes

**PRESIDENT**

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