Privacy Reform & Compliance Forum

12th - 13th June 2013 | Sydney Harbour Marriott Hotel

Examining the incoming legislative and regulatory reforms to Australia's privacy framework

Federal Keynote Address:

The Hon. Mark Dreyfus QC MP, Attorney-General
DAY ONE: Wednesday 12th June 2013

8.00  Registration and coffee
8.50  Welcome and speed networking session
8.55  Opening remarks from the Chairperson
      Professor Graham Greenleaf AM, Co-Director, Australasian Legal
      Information Institute (AustLII) and Professor of Law & Information Systems,
      University of New South Wales

PRIVACY REFORM

Opening Address
9.00  Privacy Law Reform – Is that all there is?
   • Privacy and the media - what to make of the March 2013 standoff
   • The second phase reforms - will they ever get a run?
   • The cause of action for breach of privacy - wisdom from the ALRC?
   • The bigger picture - other issues for the medium term
      Peter Timmins, Managing Director, Timmins Consulting Australia

9.30  100 countries with data privacy laws: Where has this come from
      and where is it going?
      • Key issues in Australia’s privacy law framework
      • Objectives of the recent recommendations
      Professor Graham Greenleaf AM, Co-Director, Australasian Legal
      Information Institute (AustLII) and Professor of Law & Information Systems,
      University of New South Wales

PRIVACY POLICY

Keynote Address
10.00 Privacy Legislation and Reform Agenda
   • Privacy Act (1988) and new issues for privacy protection
   • The new privacy principles (the Australian Privacy Principles)
   • Outlining the purpose and objectives of the new APPs
   • Reform that aims to simplify and enhance privacy legislation
      The Hon Mark Dreyfus QC MP, Attorney-General and Minister for
      Emergency Management

10.30 Roles and Responsibilities as a Privacy Commissioner
   • The role of a Privacy Commissioner in our society
   • Commissioners’ roles with regard to the law reform process
   • The importance of a commissioner’s independence
      Dr. Elizabeth Coombs, Privacy Commissioner, Information and Privacy
      Commission NSW
11.00 Morning tea

PRIVACY LEGISLATION

11.15 Examining the New Legislative and Regulatory Requirements

- What is the current legal position on the reforms?
- Do the legislative changes meet their objectives?
- Key changes to how personal information can be handled
- What can we expect from the introduction of the new laws?
- What are the future implications for local privacy authorities?

Anthony Britt, Barrister, Sir Owen Dixon Chambers

POLICY REVIEW

11.45 Conducting an Internal Privacy Policy Review

- How will the reform affect existing privacy policies?
- What might a privacy self-audit program look like?
- Who should be responsible for the review?
- How to revise your current policy to ensure it complies

Adrian Lawrence, Partner, Baker & McKenzie

HARMONISED LAWS

Round-Table Discussion

12.15 Moving Towards Uniform and Harmonised Privacy Protection Laws

- How will the privacy reforms impact state laws and authorities?
- How are state and federal commissioners working together?
- How will we ensure consistent implementation and enforcement?
- Future implications for the state-based authorities

Maureen Tangney, Assistant Director General (Legal and Policy), Office of the NSW Attorney General

Dr. Elizabeth Coombs, Privacy Commissioner, Information and Privacy Commission NSW

Lemm Ex, A/ Privacy Commissioner, Office of the Information Commissioner, Queensland

Dr. Anthony Bendall, A/Privacy Commissioner, Office of the Victorian Privacy Commissioner

12.50 Lunch and Networking Opportunity
CREDIT REPORTING

1.50 Credit Reporting Components of the Act
- Who can participate in credit reporting?
- What is positive credit reporting and how does it work?
- What policies and procedures should credit providers have in place?
- How to deal with complaints.

Amber Warren, Partner, Gadens Lawyers

2.20 Towards a More Efficient and Effective Credit Reporting Regime
- Rationalisation of the credit reporting system
- Developing new codes for practice under the APPs
- Foreseeable changes to company policies for credit reporting

Damian Paull, CEO, Australian Retail Credit Association

DIGITAL MARKETING

2.50 Reviewing your Organisation’s Direct Marketing Communications
- What are the new conditions and regulations surrounding direct marketing?
- What is the impact on the use and disclosure of personal information?
- What does this mean for how organisations use direct marketing?

Jodie Sangster, CEO, Association for Data-driven Marketing and Advertising

INFORMATION FLOW

3.20 Restricting Cross-Border Data Flows of Personal Information
- What is the likely impact and implications of the new laws on business operations?
- How will this effect data processing departments and international call centres?
- What are the obligations for Australian organisations to comply?

Stephanie Vass, Group General Counsel, Resimac

3.50 Afternoon tea
COMPLIANCE AND ENFORCEMENT

4.05 Privacy Protection Law and Compliance Challenges
- Compliance challenges in privacy, discovery and disclosure
- What are the new challenges to compliance?
- What are the likely consequences of a privacy breach?
- Monetary and non-monetary penalties for non-compliance
- Issues surrounding own motion investigations
Dr. Neil Fraser, Director of Information, Macquarie University

4.35 Increasing Your Investment in Privacy Compliance
- Strengthening your privacy compliance framework
- Achieving privacy compliance throughout your entity
- Reporting privacy compliance
- What if it goes wrong? - handling enforcement
Joe Garbutt, Director, GARC Consulting

Round-Table Discussion
5.05 Privacy Protection Law and Compliance Concerns
- Recent developments in data protection law – both in Australia and abroad
- Key issues in privacy protection law and compliance
- Mechanism to identify and manage privacy risks
Jeff Gould, President, SafeGov Inc
Amber Warren, Partner, Gadens Lawyers

5.35 Closing remarks from the Chairperson

5.40 Networking drinks
DAY TWO: Thursday 13th June 2013

8.00  Registration and coffee
8.50  Welcome
8.55  Opening remarks from the Chairperson
      Emeritus Professor Margaret Jackson, College of Business, RMIT University

CONSUMER PRIVACY

Opening Address
9.00  Identifying Stakeholder Concerns Surrounding Privacy Issues
      • Consumer rights for privacy
      • With whom do you entrust your personal information?
      • What effect will new privacy legislation have?
      • How consumers can prepare for the changes
      • Privacy protection and identity management
      • Communicating privacy policy updates to consumers
      Teresa Corbin, CEO, Australian Communications Consumer Action Network
      (ACCAN)

PRIVACY LAW

9.30  Prospects of a Statutory Privacy Tort in Australia
      • Common law privacy protection
      • Law reform proposals and inquiries
      • Prospects of reform
      Professor Megan Richardson, Co-Director, Centre for Media and
      Communications Law, Melbourne Law School, The University of Melbourne

INFORMATION PRIVACY

Round-Table Discussion
10.00 Discussing Key Challenges for Information Privacy in a Healthcare Setting
      • Key privacy issues in health across the different states
      • Strategies for health record information management
      • Medico-legal and patient concerns

Prudence Reid, Director of Legal, Department of Health & Ageing, SA

Kristella Parnell, Manager Health Information Services, Mercy Hospital for
      Women, VIC

10.30 Morning tea
BIG DATA

10.45 Identifying the Privacy Challenges from Big Data
- What is Big Data? Why does it matter?
- Will our current privacy framework survive and endure in the emerging world of Big Data?
- Are “Notice” and “Consent” dead in the era of Big Data?

Anthony Wong, Chief Executive, AGW Consulting Legal and Board Member, International Federation for Information Processing (IFIP)

DATA MINING

International Keynote

11.15 The Privacy Challenges of Data Mining in Schools
- New Australian research on student data mining
- Concerns around student profiling for commercial purposes
- Who should protect students’ personal information
- Global standards on student data privacy

Jeff Gould, President, SafeGov Inc

SOCIAL NETWORKS

11.45 What is Private and Public in Social Networking
- Issues and challenges of social networking and privacy
- How social media impacts personal information privacy
- Personal identity and the culture of exposure online

David Vaile, Advanced Legal Research lecturer, Cyberspace Law and Policy Centre UNSW Faculty of Law, The University of NSW

12.15 Developing and Implementing Privacy Policy for Social Networks
- Can privacy policy be used to regulate online networks?
- What are the changes to online marketing strategies?
  ↗ Opt out wording on short-message services
- How to be in control of online behaviour

Samantha Yorke, Director of Regulatory Affairs, IAB Australia

12.45 Lunch and Networking Opportunity
1.45 **Information Security and Privacy Policies: Understanding the Relationship**
- Security technology architecture: security design for privacy
- Managing public and internal organisational access
- Policy breaches: handling privacy and security incidents
Maria Corpuz, PhD Student, *Queensland University of Technology*

2.15 **Integrating Privacy by Design into ICT**
- How design can be used to support privacy
- Key considerations for network architecture
- Information security systems
- The use of privacy by design in practice
Stephen Wilson, Managing Director, *Lockstep Group*

### SECURITY AND PRIVACY

2.45 **Getting the Balance Right Between Information Security and Privacy Rights**
- Laws, regulations, industry guidelines, and codes for new technologies and their use
- The balance between encouraging innovation and future proofing technology-related policy
- The difference between the existence of legislation and the enforcement of that legislation
- Citizen responses to the fear of policing and security controls
Dr. Katina Michael, Associate Professor, *School of Information Systems and Technology, University of Wollongong*

3.15 **Afternoon tea**
**PRIVACY AWARENESS**

3.30  Raising Privacy Awareness in the Organisation
- Providing privacy skills development and training for staff
- Educating staff on the changes to privacy law
- Obligations for staff in enforcing privacy policy
- Penalties for poor performance

Peter Harman, Head of Compliance (Acting), ANZ
Daniel McCutcheon, Manager, Regulatory Change & Policy, ANZ

**CLOUD COMPUTING**

4.00  Identifying Privacy Concerns in Cloud Computing
- Trust and privacy in the cloud era
- Issues in offshore cloud computing
- Challenges between cloud computing and data security
- Addressing threats to privacy in cloud computing

Dr Jay Guo, Research Director (Leader), Smart and Secure Infrastructure Digital Productivity and Services Flagship, CSIRO

4.30  Closing remarks from the Chairperson

4.40  End of conference

*That brings us to the close of the event. If you could please complete the conference evaluation form and leave it at the Informa registration desk.*

*Thank you for your involvement in the Privacy Reform and Compliance Forum.*