

NZ's privacy regime needs teeth, says UN Rapporteur Cannataci

PATTRICK SMELLIE · WEDNESDAY MAY 11, 2016



Joe Cannataci

New Zealand's privacy regime is weaker than many of its international counterparts and needs teeth, the UN rapporteur on the right to privacy, Joe Cannataci, told a forum in Wellington hosted by the Office of the Privacy Commissioner.

The commissioner should have powers to impose fines on the likes of Facebook and Google, as European privacy regulators have done for personal information breaches, Professor Cannataci said.

"The principles of New Zealand laws are not wrong but the mechanics available to the commissioner and other agencies are inadequate in 2016," he said, challenging the previous speaker, Justice and Telecommunications Minister Amy Adams, who described New Zealand's privacy laws as robust.

"What's robust about them?" Prof Cannataci asked.

He also strongly backed a recommendation to the review of New Zealand's spy agencies' surveillance powers that the Privacy Commissioner should be part of an oversight panel on the activities of the Security Intelligence Service and the Government Communications Security Bureau, leading to an accusation that New Zealand's privacy settings were "soft on spies."

"I think he [Privacy Commissioner John Edwards] is right,' Prof Cannataci said of the recommendation to the review conducted by Governor-General-elect Dame Patsy Reddy and former deputy prime minister Michael Cullen. "I suggest you should look very seriously at the recommendation of the Cullen/Reddy review."

Prof Cannataci singled out comments from Internal Affairs Minister and United Future party leader Peter Dunne, questioning the extension of surveillance powers in New Zealand.

He agreed "100%" that wider powers were "unnecessary and unjustified" and that the government had failed to "make a compelling case for more surveillance in New Zealand."

He also criticised as a "false dichotomy" Ms Adams' claim there was a balance to be struck between personal privacy and security.

"I'm like Queen. I Want It All," he said in a speech that focused on the proliferation of personal digital "footprints" in all aspects of life through the advent of "smart everything" technology.

Ms Adams devoted much of her speech to outlining the need for a robust privacy regime to allow government agencies to share information among one another to harness the power of 'big data' to inform public policy development.

UMR polling conducted for the Office of the Privacy Commissioner found New Zealanders are happier with the idea of government agencies sharing data compared to commercial sharing.

(BusinessDesk)

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