

3 April 2020

Hon Greg Hunt MP
Minister for Health

Dear Minister,

We are writing to you to seek clarification on the design, operation and intention of the Australian Government's new COVID-19 App that has been recently promoted to the public, installable on Android and iPhone devices.

We do so in the spirit of support for the Government's efforts to minimise the impact of the novel coronavirus on Australia's population.

We would like to express our concern about unintended negative consequences brought about by the COVID-19 App (or the data it aggregates), including the encroachment on Australians' right to privacy, freedom of association and expression.

Unprecedented steps to gather and use Australians' data may be necessary to minimise the spread of the virus now, but exceptional measures must come with additional safeguards and a clear vision for when they are no longer necessary. Sunset clauses serve that purpose in legislation and we believe it is essential for public trust to understand the duration, scope and extent of measures — such as the COVID-19 App — that the Government is turning to in this time.

To enable us to better understand the intentions of the COVID-19 App and its impact on the Australian public's rights and freedoms, we would be grateful if you can respond to the following questions:

1. Can you specify in detail the information, including any data and metadata from the mobile device, that is collected when users proceed with the 'register isolation' option on the COVID-19 App?
2. Does the COVID-19 App or external links to Government web pages collect other information or data about users? If so, can you provide specific details about what information or data is being collected?
3. Following from questions 1 and 2 above, for what purpose is user information or data being collected? Further, is the user information or data provided to third parties, and if so, for what purpose are third parties using the user information or data?
4. What safeguards and policies are in place to protect users' information, data and device data that is collected through the COVID-19 App? What are the relevant policies and timelines for deleting user information and data collected? Do these safeguards and policies apply to third parties that access or obtain the user information or data?

5. What steps have been taken to scope or implement technology to facilitate contact tracing, either through the COVID-19 App or another app, to trace or limit the spread of COVID-19? And, acknowledging that user informed consent is a vital safeguard for protecting people's privacy, can you provide details on how users' informed consent will be (or has been) obtained for this purpose?
6. Can you provide us with details of plans to introduce new capabilities and features to the COVID-19 App and/or new COVID-19 related apps that may be launched in the near future (i.e. an envisaged feature and capability roadmap), that may broaden or change the collection or use of user information or data?
7. Can you share details of any assessments made of the privacy risks associated with using Whatsapp as a medium for engaging the public? Were the privacy implications of Whatsapp sharing user information or data with Facebook and third parties taken into account?

We look forward to your prompt response.



Daniel Webb
Co-Executive Director (Acting)
Human Rights Law Centre



Lizzie O'Shea - lizzie@digitalrightswatch.org.au
Chairperson
Digital Rights Watch



Peter Lewis - mail@tai.org.au
Director
Centre for Responsible Technologies



Lucie Krahulcova - lucie@accessnow.org
Policy Analyst, Australia and Asia Pacific
Access Now