# Submission on Privacy Legislation Amendment Bill

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### Every day, millions of people across Australia, including children who are spending an average of over 14 hours online each week, are exposed to relentless advertising which targets their specific vulnerabilities, emotions and attributes.

Everyone should be able to enjoy the benefits of using digital technologies to work, learn and play. This can happen when we have safe digital environments that enable people’s health and wellbeing. However, online platforms have designed digital systems that can create harm. Every day, millions of people across Australia, including children who are spending an average of over 14 hours online each week, are exposed to relentless advertising which targets their specific vulnerabilities, emotions and attributes. This is especially harmful when the products being pushed are harmful and addictive - such as alcohol, tobacco (including e-cigarettes and vapes), gambling and unhealthy food products.

Complex privacy policies and disingenuous ‘consent’ mechanisms enable online platforms to continue to extensively profile and track people, developing intimate insights into their lives, to increase profit from digital advertising. This commercial cyberstalking enables advertisers to learn people’s individual susceptibilities and vulnerabilities to target them with advertising that is most likely to influence their behaviour.

These insights are used by companies selling addictive and harmful products such as alcohol, gambling, tobacco and highly processed foods to aggressively market their products. This means that intimate information, such as indicators of individuals experiencing addiction or other related mental health challenges, are being used to disproportionately target marketing to people who are most at risk of harm from these products.

Alcoholic products cause significant harm to Australians. Alcohol use is causally linked to over 200 disease and injury conditions and nearly 6,000 lives are lost and more than 144,000 people hospitalised from use of alcoholic products each year. In 2018, alcohol use contributed to 4.5% of the total burden of disease in Australia. Alcohol is an addictive substance. In 2019, the National Drug Strategy Household Survey found that 10% of people in Australia who had an alcoholic drink in the previous 12 months were likely to meet the criteria for alcohol dependence when assessed by the Alcohol, Smoking and Substance Involvement Screening Test (ASSIST-Lite).

In 2019 the heaviest drinking 5% of the Australian population accounted for 36.1% of all the alcohol consumed (drinking almost eight standard drinks per day) and the heaviest drinking 10% of the Australian population accounted for 54.1% of all alcohol consumed (drinking almost four standard drinks per day). By design, platforms and companies target advertising to people who purchase or indicate interest in products the most. For example, if people are using alcohol products in large quantities, alcohol companies target more marketing material to these people, encouraging them to continue a high level of alcohol use. With harmful and addictive products, this means that this this form of targeting has the potential to cause the most harm.

A privacy-by-design approach is needed. Being commercially cyberstalked should not be the default requirement for using online services. People’s wellbeing must be prioritised over commercial profits from unfair and harmful data processing and digital marketing practices.

With digital connection more important in our everyday lives than ever, a regulatory system that ensures a safe and healthy online environment for everyone is essential.

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### Metadata

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