# Submission on the Privacy Act Review Discussion Paper

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### Australians are exposed to advertisements telling them to drink alcohol in a range of settings. Research consistently shows that exposure to advertising for alcoholic products is associated with initiation of alcohol use, and use of higher amounts of alcohol by young people.

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, the extensive collection, use and disclosure of people’s information is being used to fuel digital marketing practices that are harming our community.  
Our key focus in the discussion of privacy reforms is on the use of people’s data and personal information to relentlessly target advertising to people based on their vulnerabilities, emotions and other attributes in order to sell them alcoholic products.

Alcohol is an addictive substance that causes significant harm to Australians. Every year, almost 6,000 lives are lost and more than 144,000 people are hospitalised from the use of alcoholic products. Alcohol use causes over 200 disease and injury conditions, contributing to 4.5% of the total burden of disease, and costing Australia an estimated $66.8 billion annually.

Australians are exposed to advertisements telling them to drink alcohol in a range of settings. Alcoholic products are marketed across television, sports events, in supermarkets, on public transport, and through digital devices such as smart phones and watches that people carry with them throughout the day. This includes children and adolescents who are also exposed to significant amounts of alcohol advertising in Australia. Research consistently shows that exposure to advertising for alcoholic products is associated with initiation of alcohol use, and use of higher amounts of alcohol by young people.

Government regulation is needed to protect the community from harmful digital marketing practices. The Privacy Act has an important role to play, particularly in addressing some of the most harmful digital marketing practices that are data-driven and enabled through the processing of extensive amounts of data about people.

Complex privacy policies and disingenuous ‘consent’ mechanisms enable companies 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 perceptions and behaviour.

These insights are used by companies selling addictive and harmful products such as alcohol, 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.

The COVID-19 pandemic has provided an unfortunate example of alcohol companies exploiting Australians when they are doing it tough. While the Australian community have been experiencing heighted levels of isolation, anxiety, and economic uncertainty, alcohol companies have been capitalising on the pandemic by promoting alcoholic products as a way to cope with isolation, and driving alcohol into homes through rapid delivery. Advertising alcohol in this way is extremely harmful, as alcohol use contributes to increased stress, anxiety, and depression in the long-term.

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

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