

PRIVACY

The right to personal privacy is a basic human right that is protected by the United Nations Convention on the Rights of the Child. There are many ways our personal privacy can be invaded—our private messages or photos may be revealed, our secrets may be exposed, or details about our relationships may be released to the public. Luckily, there are ways to reduce the risk of that happening, and ways to deal with it if it has already happened.

Why is privacy important?

Privacy issues arise almost every day, e.g. when you're using Facebook, shopping or banking online, receiving unwanted calls from telemarketers, or sharing secrets with your friends.

It's important to protect our own personal information and the personal information of others. If your personal information falls into the wrong hands, it can pose a safety risk.

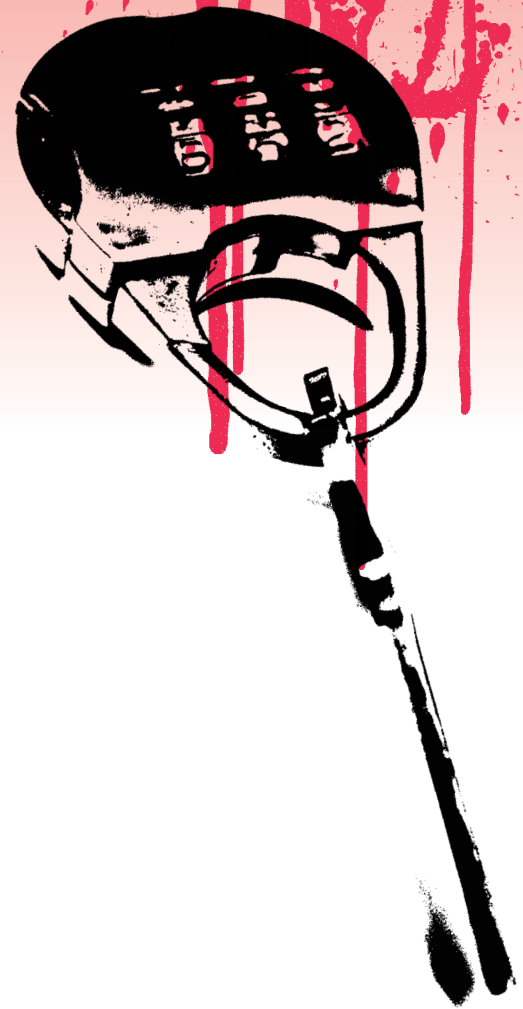
For example, sharing your location, schedule or other information about your activities online can allow people to follow or stalk you.

Even sharing the most basic information about yourself, like your name and birth date, can help a person steal your identity. An identity thief can use your personal information to do things like buy things online pretending to be you, take out money loans in your name, and empty your bank account. There are ways to reduce the risk of that happening. See our fact sheet on identity theft for more information.

Privacy and social networking websites

Social networking websites like Facebook and Twitter are a great way to share your thoughts and keep in touch with friends and family, but it's important to think about who else might be able to see what you post. Depending on your privacy settings, teachers, employers or people you don't know may be able to see your posts. Even after you delete photos, chat logs and other information from your account, sites like Facebook store this data for long periods of time and may choose to share this data with other companies.

Most social media websites have privacy settings that users can set based on their preferences. These privacy settings allow you to choose who can and can't view your profile, photos, posts, etc. You should review your privacy settings often, and be as careful as possible when deciding who you give access to. If you don't know how to check or update your privacy settings, ask a trusted friend or adult for help.



Remember that each time you accept a new friend or follower, you're letting that person into your private circle—so don't accept friend requests from people you don't know or don't trust.

Example

14 year old Lucy set up a Twitter account so she could let her friends know what she had been doing over the summer holidays. She filled out all the profile information including her full name, age and which state she lives in. Over the next few days, Lucy 'tweeted' where she was and what she was doing. She tweeted things like "shopping with Mary in the city" and "watching a movie with Leonard at Market City".

By sharing personal information on the internet, Lucy's privacy can be invaded. Anybody reading her Twitter account, including strangers, might find out a lot of her personal details including where she is. This might be dangerous for Lucy because it makes it easy for people to stalk her or steal her identity. Lucy should be extra careful about what information she is 'tweeting' and who is able to read it.

What can I do if my personal privacy has been invaded?

If your privacy has been invaded by an organisation that has photographed or filmed you, then you have a right to make a complaint. If they do nothing about your complaint, you have a right to complain to the Office of Australian Information Commissioner (OAIC) and they will investigate your complaint. You can also find out more information on your privacy rights on their website at www.privacy.com.au.

If your privacy has been invaded by an individual who has revealed personal details about you or posted photos/videos of you online, you have several options. First, you can ask the individual to take down the information/message/image that they have posted. If they don't take the information down, you can ask the website administrator to remove the post.

If you have tried these strategies and they haven't worked for you, you can get free and confidential legal advice by sending a **Lawmail** at www.lawstuff.org.au. If you want to talk to someone, you can call the **Kids Helpline** on 1800 55 1800 or visit their website at www.kidshelp.com.au.

For more information, see www.staysmartonline.gov.au.

This information was last reviewed on 10 April 2012. This factsheet provides information about the law in NSW. It does not provide legal advice. If you need advice, or if you would like information about the law in a state or territory other than NSW, please send us a Lawmail at <http://www.lawstuff.org.au>