



Australian Government

Chief Scientist

28 November 2020

The Hon Stuart Robert MP
Minister for the National Disability Insurance Scheme
and Minister for Government Services
Parliament House
CANBERRA ACT 2600

Dear Minister

Please find attached a response to your request for an analysis of the available evidence to respond to your question:

Has COVID-19 had an impact on public sentiment in relation to privacy and the widespread use of data and technology by government in responding to the public health crisis, be it through tracing, compliance or enforcement?

This rapid response has been prepared by the Rapid Research Information Forum that I chair. The report synthesises the evidence base on this matter and has been informed by relevant experts and has been peer reviewed. Details of the authors and peer reviewers can be found in the Appendix.

I hope this document proves useful to you and your colleagues.

Yours sincerely,

A handwritten signature in purple ink, reading 'Alan Finkel'.

Dr Alan Finkel AO FAA FTSE FAHMS
Australia's Chief Scientist

28 November 2020

This rapid research brief responds to the question:

Has COVID-19 had an impact on public sentiment in relation to privacy and the widespread use of data and technology by government in responding to the public health crisis, be it through tracing, compliance or enforcement?

- During the first few months of the pandemic, Australians' trust in federal and state and territory governments to collect and use their personal data increased. However, the majority of Australians are still concerned about the security of their personal information.
- Increase in trust is strongly related to confidence in Australian governments' management of the public health response.
- Around half of Australians surveyed agree that some privacy concessions must be made to combat COVID-19, as long as the changes are not permanent.
- The change in public sentiment is not uniform. Women, people aged over 45 years, and those who live in relatively advantaged areas show the greatest increase in trust in governments and other organisations to maintain data privacy. Marginalised groups and Aboriginal and Torres Strait Islander peoples are less likely to trust government to do so.
- The purpose, consent and opt-in arrangements around data and technology remain important factors in public sentiment towards government collection and use of data.
- The extent to which governments protect personal data – including data collected by third parties – and are transparent about their use and value during the pandemic, will shape Australian attitudes going forward.

Australia's response to the COVID-19 public health crisis has been highly effective by international standards, but it has also included a range of measures that have impacted personal privacy. These include widespread COVID-19 testing, contact tracing, and monitoring of adherence to physical distancing. Government leaders and health experts have consistently demonstrated high levels of transparency and openness in communicating how personal data are being collected and used for the pandemic response.

However, the COVID-19 landscape is highly dynamic, with new virus clusters, updated restrictions and evolving data collection technologies – initially focused on the COVIDSafe App, now emphasising QR code check-in with local businesses. As the context of data collection changes there is the potential for public sentiment to shift. Nevertheless, as long as there are no major breaches of data privacy and members of

the public continue to see value in sharing their information, it is likely that confidence in government to collect and use data for public health purposes will remain above pre-pandemic levels.

Data privacy is a major concern for the majority of Australians

Australia's widespread use of e-commerce, digital services and social media presents a constantly changing context for testing public attitudes to privacy. Over the last decade people have become less trusting of institutions – both public and private – to protect and appropriately use their personal information.¹ Reports of data breaches and 'surveillance capitalism' – the use and on-selling of digital activity data for commercial purposes – have triggered public debate about the transparency of, and appropriate boundaries to, digital data collection and processing by governments and businesses.² For example, in early 2020, 59% of a representative sample of almost 2,700 Australians surveyed by the Office of the Australian Information Commissioner (OAIC) reported dissatisfaction with how their personal information had been handled over the past 12 months.¹

Public attitudes towards data privacy and protection have changed during COVID-19

The COVID-19 crisis has raised concerns over data privacy. Compared to life before COVID-19, 50% of respondents in the OAIC survey considered their general privacy to be at greater risk, and 54% were explicitly concerned about collection of data to manage COVID-19.¹ Despite these concerns, the majority of participants indicated their willingness to share personal information with health authorities for the purpose of pandemic management.^{1,3} Sixty percent also agreed that some privacy concessions must be made to combat COVID-19 for the greater good, as long as these changes are not permanent.¹

The top two privacy risks perceived by Australians remain 1) identity theft and fraud, and 2) data security and breaches. However, concerns about location tracking, surveillance by the Australian Government and workplace privacy have also increased in the context of COVID-19.¹

Sentiment towards government collection and use of personal data

Public trust in the Australian Government with regards to data privacy increased in the first few months of the pandemic; a trend also observed of other government and non-government organisations.⁴ A representative survey of over 3,000 Australians conducted by the ANU in May 2020 found people were most trusting of the Australian Bureau of Statistics, followed by universities and governments generally.⁴ The OAIC survey found the highest levels of trust in health service providers, followed by employers and government departments.¹ In both surveys, social media companies were the least trusted organisations. In another

representative study, interviewees were more comfortable sharing data with people (for example, signing in with local businesses) than via automated methods.⁵

Importantly, despite a general increase in trust regarding the management of data in the context of COVID-19, most Australians continue to be concerned about the security of their personal information and a vast majority (83%) would like government to do more to protect the privacy of their data.^{1,4}

Changes in public sentiment are not uniform across the community

The ANU survey showed that women, those aged over 44 years, and those who live in relatively advantaged areas showed the greatest increase in trust in organisations to protect their data.⁴ Another representative study of over 2,200 people conducted by the University of NSW between April and June 2020 found that marginalised social groups such as people with HIV, people who use illicit drugs, sex workers and the LGBTQ+ community were less likely to provide personal details to health authorities to support the public health response.³ This reflected concerns about stigmatisation, criminalisation or a history of difficulties with health professionals. These groups seek evidence of robust data protection policies.³

Trust in governments is also low among Aboriginal and Torres Strait Islander peoples, based on the ANU survey that included a small sample of around 60 Aboriginal and Torres Strait Islander participants. This group was significantly less likely to trust governments or other organisations with their data than non-Indigenous respondents; potentially reflecting past negative experience with respect to data privacy.⁴ This is also a potential reason for the strong recent push for data sovereignty amongst Aboriginal and Torres Strait Islander peoples in Australia.⁴

Factors that impact public sentiment in relation to data privacy and protection

Risk and benefit perceptions. In making decisions about data privacy, people generally weigh the perceived risks against the likely benefit to society and themselves. In the context of the pandemic, these considerations have centred on the trade-off between contributing to the public health response and sacrificing a degree of individual privacy. This consideration is influenced heavily by people's perceptions about how effective their collected data will be in achieving the intended goals.⁵ This research is broadly consistent with the finding that when it comes to public health, people are willing to weigh the risks to data privacy against the benefits to the health of current and future generations.⁶ Analogous research in the context of national security has also shown that Australians are more willing to provide authorities with access to metadata from internet searches and calls if it is used to better target terrorism and increase their feeling of security.⁷

Trust in government. Individuals who report higher trust in governments generally are also more likely to trust governments to maintain their data privacy.^{4,5} For the first time in over a decade, trust in government officials and the public service increased significantly during the first few months of COVID-19.^{1,4,8,9} In one representative survey of over 1,000 people two-thirds of respondents reported that Australia's political leaders were handling the pandemic competently while 30% of respondents in another representative survey of 3,800 Australians reported that the performance of government had exceeded their expectations.^{8,9} However, it is unclear if this confidence will endure, with some recent evidence indicating that the increase in trust in the Australian Government reported early in the pandemic may be declining.^{10,11}

Increased trust in government has not been uniform across the community, with trust declining among younger and culturally and linguistically diverse people.⁸ These are two social groups who were often portrayed in media and social media commentary as being potential spreaders of COVID-19. Importantly, while trust in government is considered a critical requirement for community compliance with health measures during COVID-19, it is not sufficient to ensure compliant behaviour.^{10,12}

Consent and control over personal information. The right to consent to the collection and use of personal data has remained an important factor during the pandemic.¹ More than half of Australians surveyed report they are comfortable allowing authorities to use their phone data to help stop the spread of COVID-19; reflected in the fact that over 7.1 million people – around 43% of the estimated 16.4 million adult smartphone users in Australia – had registered to use the COVIDSafe App by late October.^{1,13–15} In contrast, only 29% of those surveyed were comfortable with the idea of phone proximity data being recorded and shared without their consent.¹ Similarly, almost 90% of Australians want more choice and control over the collection and use of their personal information generally and believe they should have the right to ask organisations to delete their data.¹

International context

Internationally, the Edelman Trust Barometer Spring Update recorded a rise from May 2020 in trust across 11 countries such as the US, UK, Germany and Canada, and a survey for Democracy 2025 by Ipsos reported similar increases in trust in Australia, Italy, the UK and Canada.^{10,16} These surveys were conducted between May and June, 2020 and the increases reported may only be temporary. International evidence with respect to trust in governments to use and protect data is limited; differences in country context and survey methodology make comparisons with Australia difficult and beyond the scope of this briefing.

Changing context

Crisis scenarios affect public trust in governments and attitudes about data access, data privacy and data governance. It is unclear how long-lasting the effects of the COVID-19 crisis on public attitudes to data privacy will be.¹⁰ It's reasonable to expect that attitudes will continue to vary across different segments of the population and to different degrees depending on the perceived ongoing risk of the pandemic and how personal data are collected and used.⁶

The conversation about data privacy is changing rapidly as restrictions ease and mobility and economic activity resume. For example, QR Code check-in is now required by many retail and hospitality businesses, CCTV is being used to monitor individuals in public parks during lockdowns, and proposals have been made to use credit card data to help trace people who have made transactions at high-risk times in hot spots.^{17,18}

In contrast to people's voluntary participation in government data collection activities, much of this broader data collection is involuntary, less regulated and less transparent. There is a risk that any significant or widespread breaches of trust or security in non-government data collection activities related to COVID-19 could reverse any gains in public trust.

Despite these risks and the shifting context of second waves and changing restrictions, the overall increase in public trust in governments to collect and use people's data over the course of the pandemic may endure if:

- General trust in government remains above pre-pandemic levels
- The collection and use of data are perceived to be important to the public health response and only used for this purpose
- Data are held and used appropriately by trusted parties, and on a time-limited basis
- Individuals retain consent and control over the collection and use of their data.

Responsible data use will remain a prominent consideration for researchers and the public due to the long-term risks and implications of the digital surveillance technologies and data pioneered in the COVID-19 crisis.^{19,20} The extent to which organisations protect personal data during this pandemic will shape Australians' views about how their data are shared and used into the future.

An important note on available COVID-19 research

There is a significant global research effort to understand COVID-19 and its impacts, and to provide a rigorous evidence-base to support the management of and eventual recovery from the crisis. Some of this research has been published in peer-reviewed books and journals, some is available through pre-print servers, and other research is still underway; in some cases with preliminary results released as they become available. It is important to note that peer review is an imperative pillar of the scientific method and as such conclusions drawn from any preliminary or pre-print research presented in this brief need to be interpreted with caution.

Pre-prints and preliminary findings shared through publication or personal correspondence are marked with a § in the reference list. Non-academic publications including government and other reports as well as media articles and online opinion pieces are marked with a ** in the reference list.

Research on the attitudinal impact of COVID-19 is developing rapidly with frequent updates from Australian and international studies. Much of this work is based on community surveys, and it is important to note that publication of results generally lags collection of survey data by a period of months. Because of this it is possible that attitudes may have changed between collection and reporting of results and inclusion in this brief. This brief is accurate at the time of writing. Consultation with the contributing authors via the Academy of the Social Sciences in Australia is possible if the reader has questions.

APPENDIX

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RAPID RESEARCH INFORMATION FORUM

Changes in public sentiment in relation to data privacy during COVID-19

The Rapid Research Information Forum (RRIF) is a forum for rapid information sharing and collaboration within the Australian research and innovation sector. It is convened by Australia's Chief Scientist, Dr Alan Finkel AO FTSE FAA FAHMS, and its operations are led by the Australian Academy of Science.

RRIF provides a mechanism to rapidly bring together relevant multidisciplinary research expertise to address pressing questions about Australia's response to COVID-19, as they emerge.

RRIF enables timely responses to be provided to governments based on the best available evidence. RRIF also informs the Chief Scientist's interactions and collaboration with other national chief scientific advisers. It demonstrates the critical value of research and innovation in driving societal as well as economic progress now and into the future.

RRIF participants

- Australia's Chief Scientist (Chair)
- Australian Academy of Science (AAS)
- Australian Academy of Health and Medical Sciences (AAHMS)
- Australian Academy of Technology and Engineering (ATSE)
- Academy of the Social Sciences in Australia (ASSA)
- Australian Academy of the Humanities (AAH)
- Royal Society Te Apārangi (New Zealand)
- Australian Council of Learned Academies (ACOLA)
- State and Territory Chief Scientists and representatives
- Chief Science Advisor to the Government of New Zealand
- Scientific expert members of the National Science and Technology Council (NSTC)
- CSIRO
- Universities Australia (UA)
- Science & Technology Australia (STA)

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