

the government only released the COVIDSafe source code to the public two-weeks later on 8 May, and the code relating to the COVIDSafe National Information Storage System has yet to be released.²⁶

Conclusion

Persisting concerns surrounding the reasonability of the government's digital solutions in response to the COVID-19 pandemic are sustained by the government's information technology policy errors, and highlighted by the need for a greater consideration of cyber security consequences—evidencing the necessity of reasonable adjustments to satisfy Australia's international human rights obligations.

Privacy is a fundamental human right, essential to individual autonomy and the protection of human dignity. Privacy represents the foundation upon which other rights may be realised. In the context of privacy, technology wields a double edge sword wherein our capacity to protect privacy advances in competition with increased capabilities for surveillance. For individuals to participate in the modern world, developments in law and technology must strengthen, and not undermine, the ability to enjoy the right to privacy.

It is hoped that the government will take heed of its policy shortfalls surrounding its implementation of the COVIDSafe app and recognise the need for greater public involvement and consultation in its development of digital solutions, in order to meet Australia's international human rights obligations in relation to privacy and technology. ■

Endnotes: Pages 60-61.

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Admissions

11 May 2020
Supreme Court of the
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