Statement from the Privacy Foundation New Zealand

2 June 2020

Moving Covid-19 Tracking to next level: Privacy remains important in Tracer App and business practice

Maintaining public trust has been a vital and successful part of the Government's responses to the Covid-19 pandemic. Protecting personal and health information of New Zealanders is a key part of this. This is even more important as we rapidly step out of lockdown.

The Foundation acknowledges that the Ministry has developed its NZ COVID Tracer app with privacy in mind and worked closely with the Privacy Commissioner in undertaking a privacy impact assessment. Undoubtedly, the app version that has been released to date is privacy protective.

However, protecting privacy is, of course, not the sole consideration in building contact tracing systems. Effectiveness is paramount. While the current app has the benefit of uploading up-to-date contact details, the app cannot be said yet to constitute a fully complete or effective contribution to our nation's contact tracing needs. Further enhancements are necessary and have been signaled by the Ministry.

During the period that the app falls short of what is planned, there is not only a gap in our tracing potential, but New Zealanders are subject to business practices in collecting contact details that range from highly competent to sloppy or non-existent. There have been some reports of some businesses bundling contact collection with marketing initiatives.

In addition, too few businesses and premises are yet displaying the QR code poster to enable individuals to create complete 'digital diaries' as needed for the system to be effective.

The Privacy Foundation therefore encourages:

- The Ministry of Health to move forward with completing its app enhancements as soon as possible and in a privacy protective way.
- The Ministry to expand the range of stakeholders it consults in undertaking privacy impact assessment (where feasible) and to involve stakeholder groups in reviewing the operation of the app to identify scope for improvements in development or deployment.
- Businesses to collect contact details in ways that protect personal information in the collection process and during secure storage.
- Pending the availability of other interoperability solutions, all businesses and organisations responsible for premises to which the public have access to promptly generate and display the NZ COVID Tracer app QR code regardless of what other systems are used for recording details.

Note for editors

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