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APS Big Data Strategy release

In August 2013, the Australian Government Information Management Office (AGIMO) released the [Australian Public Service Big Data Strategy](#) (the Strategy). The Strategy was initiated by the [Australian Public Service information and communications technology strategy 2012–15](#) and follows the [Big data strategy – issues paper](#) issued in March 2013. The Strategy is intended to guide agencies to develop data analytic capability to improve service delivery and develop better policy. The Strategy outlines principles and actions required for agencies to make better use of their data assets while still protecting privacy.

What is big data?

The amount of stored data is increasing significantly. It is estimated that global data production in 2020 will be 44 times greater than in 2009. In this context, big data refers to the vast amount of stored data that is being generated and captured in a variety of formats from different sources and which requires new forms of processing for effective use.

Government agencies collect and produce significant volumes of data through administrative and policy development activities and interactions with the Australian public. This data is an important asset given the potential opportunities and benefits that can be derived from it. However, its value depends on the ability of agencies to effectively manage and derive useful information from big data. Importantly, it is also necessary to ensure that the data is properly stored, used, disclosed and protected in compliance with the law and Australian Government policy.

What is the Big Data Strategy?

The Strategy sets out the Australian Government's vision to use big data analytics to enhance services, deliver new services and provide better policy advice while incorporating best practice privacy protections and leveraging existing information and communications technology investments. It identifies issues as well as potential opportunities and benefits for agencies from their use of big data. The Strategy sets out the following principles to guide agencies in their approach to using big data:

- Government data is a national asset that should be used for the public good.
- Big data projects will incorporate privacy by design.
- Agencies will be encouraged to consider data integrity and transparency.
- Skills, resources and capabilities are to be shared.
- Agencies will collaborate with industry and academia.
- Open data will continue to be enhanced.

The Strategy also identifies actions to enhance the Australian Government's use of big data, including the development of better practice guidance and development of agency capability to implement and manage big data.

What does the Big Data Strategy mean for agencies?

The Strategy requires government agencies to review their use and management of data. Agencies involved in the use of big data (which will be most agencies) and data analytics will therefore need to identify and assess any potential legal issues. Planning for the collection of big data raises legal issues in the following areas:

- *Privacy*: agencies will need to carefully consider the privacy issues that are raised by the storage and use of big data. Anonymising data may not provide sufficient protection to personal information given the quantity of data involved.
- *Intellectual property rights and licensing*: agencies will need to consider the ownership of intellectual property (IP) in data, including IP rights of third party data owners and the licensing of IP in data, including under open access regimes such as creative commons or the Public Access Licence.
- *Security*: the use and management of big data is likely to involve specific security protocols regarding the use and storage of data and information. Agencies will need to effectively manage security risks to realise the benefits of big data.
- *Liability*: agencies will need to consider the risk of liability associated with the use and disclosure of data. Specifically, agencies will need to consider not only disclaimers and limitations of liability when disclosing data to the public but also liability issues that may arise in contracts for storage and analysis of that data.
- *Data management*: agencies will also need to consider how they will comply with their statutory obligations (for example, under the *Archives Act 1983*) when managing big data.

AGS can assist agencies to plan, identify issues and assess the potential and risks involved in using, managing and disclosing data. Our Technology and IP team has a great deal of experience in developing practical solutions to address IP rights and licensing, privacy and contracting for secure data storage.

For further information please contact:

Tony Beal
Deputy General Counsel Commercial
T 02 6253 7231
tony.beal@ags.gov.au

Adrian Snooks
Senior Executive Lawyer
T 02 6253 7192
adrian.snooks@ags.gov.au

Rachel Chua
Senior Executive Lawyer
T 02 6253 7086
rachel.chua@ags.gov.au

Justin Davidson
Senior Executive Lawyer
T 02 6253 7240
justin.davidson@ags.gov.au

Joanna Piva

Senior Lawyer
T 02 6253 7122
joanna.piva@ags.gov.au

Andrew Schatz
Senior Lawyer
T 08 8205 4211
andrew.schatz@ags.gov.au

Swee-Kim Tan
Senior Lawyer
T 02 6253 7441
swee-kim.tan@ags.gov.au

Kate Brophy
Senior Lawyer
T 02 9581 7678
kate.brophy@ags.gov.au

Stuart Hilton
Senior Lawyer
T 03 9242 1431
stuart.hilton@ags.gov.au

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