Anglicare Southern Queensland

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15 June 2026

Privacy Commissioner
Office of the Australian Information Commissioner
Email: privacyreformtranche1@oaic.gov.au

Dear Commissioner

Thank you for the opportunity to make a submission regarding your *Automated Decision Making Issue Paper*, 18 May 2026.

Anglicare Southern Queensland (ASQ) understands that issue paper submissions:

- will inform the development of a guideline for Automated Decision Making (ADM) and the new Australian Privacy Principles (APPs)1.6-1.9.
- may be made public.

Background

ASQ is a Not for Profit (NFP) entity under the auspices of the Anglican Diocese of Brisbane.[1]

ASQ is an *organisation* and therefore an *APP Entity* for the purposes of the *Privacy Act 1988* (Cth).[2] Additionally, for Queensland Government funded programs, ASQ must apply the *Information Privacy Act 2009* (Qld) and the Queensland Privacy Principles (QPPs).[3]

For ease, this submission refers to both legislative frameworks as *privacy laws.*

ASQ's Purpose, Mission, Vision and Values[4]

For over 150 years, ASQ has been walking alongside the most vulnerable, ensuring that no one is alone or left behind. Through care, advocacy, and support, we empower people to find the strength and hope to create lasting change in their lives.

Every day, our team of dedicated staff and volunteers live out this mission by:

- Serving with love and humility, ensuring that each person we support is treated with dignity and respect.

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[1] *Anglican Church of Australia Act 1895* (Qld) and *Anglican Church of Australia (Diocese of Brisbane) Property Act 1889* (Qld)
[2] *Privacy Act 1988* (Cth), ss 6C and 6.
[3] *Privacy Act 1988* (Cth), 7B(5) and *Information Privacy Act 2009* (Qld), ss 34 to 36.
[4] https://anglicaresq.org.au/about-us/vision/ accessed 9 June 2026.

- Offering compassion and care, through services like aged care, youth support, mental health counselling, and homelessness programs.
- Advocating for the most vulnerable, working to ensure fairer policies, better support systems, and a stronger, more connected community.
- Striving for exceptional outcomes, not just in the care we provide, but in the long-term impact we make in the lives of individuals, families, and communities.
- We believe that walking alongside those in need means more than just being present. It means acting, supporting, and uplifting, so that together we can create lasting change.

Our work is rooted in faith, love, and a deep commitment to humanity and uphold these four core values: Love, Care, Hope, Humility. These values guide every decision we make, every service we provide, and every life we touch. They are the foundation of who we are, what we do, and why we exist.

Client relationships

ASQ provides services to a range of vulnerable clients, for example, senior citizens, children-in-care, young persons in the justice system, families affected by domestic violence, and court referrals for drug and alcohol diversionary programs. These take place under a broad range of enactments.[5]

Unlike a government department that may make a singular decision, for example for a driver's licence or access to victim of crime assistance,[6] ASQ rarely makes singular decisions but makes many intermediate decisions during a relational ongoing arrangement over a period.

General issue paper observations

The issues paper appears to import the meaning of '*decision'* from the *Administrative Review Tribunal Act 2024* (Cth) and *Administrative Decision Judicial Review Act 1977* (Cth). Furthermore, these acts concern decisions that a specifically defined as final, substantive and operative.[7] As well as being of an administrative nature, under and enactment and not subject to an exclusion.[8]

As such, the issues paper appears to deviate from established Australian statutory interpretation rules by importing definitions from other acts contrary to *Westminster Convention*. This provides that the meaning of a word in an act is confined to that act, unless the acts form part of the same legislative scheme.[9] While the issue paper acts and privacy law all relate to administrative law they are not in the same legislative scheme.[10] Therefore it is observed

[5] A non-exhaustive list is at Attachment 1.
[6] https://www.qld.gov.au/law/crime-and-police/victim-assist-queensland accessed 9 June 2026.
[7] *Australian Broadcasting Tribunal v Bond* (1990) 170 CLR 321 (HCA).
[8] *Administrative Decision Judicial Review Act 1977* (Cth), s 3(1) and *Administrative Review Tribunal Act 2024* (Cth), ss 4 and 12.
[9] *CIC Insurance Ltd v Bankstown Football Club Ltd* (1997) 187 CLR 384.
[10] *Metricon Homes Pty Ltd v CCSR (No 2)* [2016] NSWSC 332.

that the issues paper imports an overly technical meaning to decisions which does not correlate to the contextual and purposive intention of the *Privacy and Other Legislation Amendment Act 2024* (Cth).[11]

Submissions

It is respectfully submitted, firstly, that in the absence of case law, that the definitions applied to APPs 16.-1.9 should focus on the Parliament's intention as set out in the explanatory memorandum and related extrinsic materials.[12] Furthermore analogous and instructive case law is emerging in related jurisdictions, and these should be considered. For example, *Moffatt v. Air Canada (2024 BCCRT 149)*.

Secondly, given that ASQ's decisions are mostly relational and intermediate over the medium to long term under a broad range of enactments, overly technical definitions present an administrative burden to determine which decisions will or will not fall within the ADM scheme. To emphasise, an organisation such as ASQ does not have the resources to absorb the costs associated with overly technical applications of the ADM framework.

We request that the forthcoming guideline take into the consideration the financial constraints that NFPs operate within, as well as the community services and social outcomes ASQ strives to achieve.

Thank you for the opportunity to provide a submission for your consideration.

Further information

If you would like to discuss the contents of this submission further, please contact [redacted], Privacy Coordinator by emailing privacyofficer@anglicaresq.org.au.

Yours sincerely

[redacted]

[redacted]
Chief Operating Officer, Corporate Services
Anglicare Southern Queensland

[11] *Interpretation Act 1901* (Cth), s 15AA, *CIC Insurance Ltd v Bankstown Football Club Ltd* (1997) 187 CLR 384 and *Project Blue Sky Inc v Australian Broadcasting Authority* (1998) 194 CLR 355.
[12] *Ibid.*

Attachment 1 – Non-exhaustive list of governing enactments

Below are key regulatory and contractual obligations at law that impact on management and sharing of personal information at Anglicare.

It is imperative that service streams are familiar with the key legislation and funding agreements that affect the collection, use, storage and disclosure of personal information for their day-to-day business and client services.

Regulatory

- *Anglican Church of Australia (Diocese of Brisbane) Property Act 1889*
- *Privacy Act 1988* (Cth)
- *Child Protection Act 1999* (Qld)
- *Child Protection Regulation 2011* (Qld)
- *Domestic and Family Violence Protection Act 2012* (Qld)
- *Aged Care Act 1997* (Cth)
- *Youth Justice Act 1992* (Qld)
- *Disability Service 2009* (Qld)
- *National Disability Insurance Scheme Act 2013* (Cth) (NDIS)
- *Bail Act 1980* (Qld)
- *Fair Work Act 2009* (Cth)
- *Police Powers and Responsibilities Act 2000* (Qld)
- *Strengthening Community Safety Act 2023* (Qld) (containing amendments to bail, police powers and youth justice legislation).
- *Family Law Act 1975* (Cth)
- *Working with Children (Risk Management & Screening) Act 2000* (Qld)
- *Housing Act 2003* (Qld)
- *Human Rights Act 2019* (Qld)
- *Information Privacy Act 2009* (Qld)
- *Child Safe Organisations Act 2024* (Qld)

Extracted from *Privacy Management Framework*, Anglicare Southern Queensland.