



Written by [Luis Miguel](#) on April 19, 2021

## Australian Court Finds Google Guilty of Misleading Android Users About Private Data

Australia's federal court has [found Google guilty](#) of misleading customers relative to its location-data collection on Android phones.

Since 2019, the Australian Competition and Consumer Commission (ACCC) has been pursuing legal action against Google for its "misleading conduct."

According to the ACCC, Google breached Australian consumer law from at least January 2017, when it gave users the false impression that they were opting out of data-collection when the "location history" setting was switched off.



AP Images

Google, the court maintained, did not adequately disclose to customers that both the "location history" and "web & app activity" settings had to be switched off for customers to keep their personal data from being collected, kept, and used by the tech giant.

Federal court judge Justice Thomas Thawley stated that Google's actions "would not have misled all reasonable users," but *would* have likely misled some reasonable users.

ACCC Chairman Rod Sims was "absolutely delighted" with the decision, calling it the "first ruling of its type in the world" concerning location-data issues.

"Companies that collect information must explain their settings clearly and transparently, so consumers are not misled," Sims said, adding, "Consumers should not be kept in the dark when it comes to the collection of their personal location data."

The ACCC chairman also said, "Today's decision is an important step to make sure digital platforms are upfront with consumers about what is happening with their data and what they can do to protect it."

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Google disagreed with the final ruling and signaled that it was looking into the possibility of an appeal. ACCC, meanwhile, is seeking for court orders and financial penalties against Google to be determined later.

The Australia Institute Center for Responsible Technology, a think tank based out of Canberra, said the case "highlights the complexity of Big Tech terms and conditions."

"The reality is most people have little to no idea on how much of their data is being used by Google and online platforms," the Center's Director, Peter Lewis, [said](#) in a statement.

Lewis explained that it takes an average of 74 minutes to read most terms and conditions, and they are so written that comprehension requires a university education.

Rob Nicholls, an associate professor at the University of New South Wales, told the [Epoch Times](#) that while the ruling was a major decision that would impact the approach to "click-through" agreements on



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a global level, it would probably not affect Google's current business model.

"It was interesting that the judgment took the view that the conduct was only partially misleading," Nicholls said. "This is likely to be important in [Google's] appeal process."

Not only are Big Tech companies such as Google loose in their handling of users' personal data, but they use their platforms to support socialism and are only becoming more powerful as they corner their particular markets, reducing the competition that would keep them accountable.

As *The New American* has [reported](#), iPhone-maker Apple made a deal with Google that kept the search giant's dominance of the market secure from viable competition — a deal under scrutiny by the Justice Department as part of an antitrust lawsuit joined by 11 states.

While Google has made investments in several technologies, such as Android phones, and owns important web platforms such as YouTube, it is the tech giant's flagship search engine that remains its biggest cash cow. And in the realm of search engines, Google's dominance is near total.

As Fox News noted about the [DOJ lawsuit](#)'s claims:

Google owns or controls search distribution channels accounting for about 80% of search queries in the U.S., the lawsuit said. That means Google's competitors can't get a meaningful number of search queries and build a scale needed to compete, leaving consumers with less choice and less innovation, and advertisers with less competitive prices, the lawsuit alleged.

Like Google, Microsoft is on a quest to own as much of the services we use as it can. The company's recent purchases include companies in the fields of AI, healthcare, and social media, with plans to expand in messaging and biometrics.

Absolute power is dangerous whether in the hands of a government body or a corporation. The free market should keep companies accountable to the people, but this can't happen when such companies collude to prevent true competition.



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