

From: VICKI BROOKE [vickib@one.net.au]
Sent: Thursday, 11 May 2000 8:41 PM
To: laca.reps@aph.gov.au
Subject: SUBMISSION RE PRIVACY LEGISLATION

Vicki Brooke
20 Wilona Avenue
Greenwich NSW 2065
Tel: (02) 9439 5565
email: vickib@one.net.au

Dear Sirs:

The proposed Privacy Bill 2000 causes me grave concern for the following reasons:

- a) It does not do what it purports to do, namely protect the privacy rights of the private citizens against incursions into their privacy by corporations;
- b) Self-regulation has not stood the test of time or circumstance in Australian society (refer to the recent Cash for Comments scandal involving radio station 2UE in Sydney and many other instances) in that it has proved to be unreliable and unenforceable;
- c) Self-regulation is a convenient way for government to opt out of the expense of policing its regulations and allows it to appear to wield a stick without being in any way punitive; it is particularly inappropriate for sensitive material such as people's privacy;
- d) The Bill should state, plainly and simply, that it is illegal for information given to an organisation by people in the course of business to be passed on, traded or manipulated in any way without the express written permission of the citizen to allow such transfer. People should be given the option of 'opting in' rather than 'opting out' when they discover organisations holding their information with potential to manipulate it for the gain of others;
- e) The aim of the Bill should be straightforward: to protect the privacy interests of citizens in all spheres of activities including the Internet and there should be strict, enforceable, measures with sufficiently high penalties to act as a deterrent to anyone who tries to breach the regulations of the Bill which must be redrafted if it is to incorporate these provisions. There should be no exceptions for small business since it is easy for companies wishing to breach provisions of the Bill to divide themselves into smaller entities and use the protection of holding companies;
- f) The Bill is a stop-gap, piecemeal legislative attempt to put a few patches over inadequate existing frameworks without really saying anything about people's privacy. It opens the way for data mining and exploitation of people's information without providing any protection for the innocent and hapless citizen who must give information in the course of ordinary transactions (eg credit card applications);
- g) For the reasons stated above, I consider the Bill as drafted to be inappropriate to circumstances in Australian society in the 21st century. I ask the Standing Committee to recommend strongly that the Bill be withdrawn in its entirety and a new Bill be drafted AFTER EXTENSIVE PUBLIC CONSULTATION. Failure to do so will constitute an erosion of the democratic rights of the people of Australia.

Yours sincerely

Vicki Brooke