



Submission No 155

Inquiry into potential reforms of National Security Legislation

Organisation: Ms Danielle Georgette

Sent: Monday, 20 August 2012 11:59 PM
To: Committee, PJCIS (REPS)
Subject: Submission for Inquiry into National Security Legislation from Danielle Georgette

Please find attached my submission for the National Security Enquiry.

Danielle Georgette

The first part of this submission addresses Section C, point 15c of the Terms of Reference - Inquiry into Potential Reforms of National Security Legislation.

Under the current expectations of privacy Australian citizens expect:

- Intelligence agencies may not interfere with physical mail without a warrant
- May not secretly record telephone communication without a warrant.
- May not secretly record personal conversation without a warrant.
- May not surveil or monitor without reason.

Our lives move into the internet more and more each day. Webcams monitor our homes. Our fridges shop for us, air conditioners alert temps and we can turn lights on and off from anywhere via our smartphones. Most people use the internet as a staple method of service delivery for activities including book reading, TV program and film watching, and news consumption. Commerce is now performed preferably on the internet by growing numbers of consumers and business owners. The internet has become a default method of human interaction with phone and video used daily by an ever increasing number of Australians, many of whom now have no domestic landline and use internet phone services as their main form of telephony.

The proposed log and retention laws would provide a record of everything we do with our day, our lives, with an ever increasing level of detail. No government should seek or be given this level of information on all their citizens, all the time. We have an expectation of living our lives in relative privacy, where we are allowed all possible privacy while allowing national security laws to be useful and fit for purpose. We should have an expectation of private conversation except if we are breaking the law.

As the lines between terrorism, civil disobedience and healthy dissent are increasingly blurred by political parties, Australia's security agencies and police forces have been deployed against climate change demonstrators, the occupy movement, anti-whaling campaigners, Greens and supporters of the WikiLeaks publishing organisation.

The Liberal party recently passed a resolution encouraging the next federal Coalition government to make "economic sabotage" of "law-abiding businesses" punishable by law. From recent media coverage at <http://www.examiner.com.au/news/local/news/politics/liberals-plan-crackdown-on-rogue-protesters/2608862.aspx> :

"The Liberal Party federal council unanimously passed a motion at a meeting in Melbourne yesterday that means protesters who target businesses and workplaces would be more likely to go to jail under a federal Coalition government. It called on the federal council to "encourage the Coalition, when in government, to strengthen the law and increase the penalties for wilful economic sabotage of law-abiding businesses".

Mr Nikolic cited a message that appeared on a social networking website where a Tasmanian environmental group leader congratulated activists on "a job well done" for contributing to a substantial profit drop for retailer, Harvey Norman.

"This is a result that puts thousands of jobs at risk around the country," he said. "The people I talk to are concerned about how misplaced activism inflicts real damage on people's lives," Mr Nikolic said.

The resolution claims to be aimed at "illegal protestors" but the one cited example of economic harm justifying this measure, the Harvey Norman case, was a mass campaign to educate consumers on the source of Harvey Normans furniture suppliers timber sourcing being old growth forests in Tasmania. This legal, consumer driven action resulted that in a drop in profit for the corporation would clearly be deemed "misplaced activism" damaging profits and therefor "willful economic sabotage of law-abiding businesses", making every law abiding citizen who participated into a criminal who could be easily identified by their social media and email use via data collected under this proposal.

This law means the absence of privacy, loss of any future privacy, forever and for all future generations. The power conferred in this proposed law is staggering and the possibilities for future misuse are huge. Regardless of the current intent of the proposed laws, data collected will not sit unused unless requested by warrant for long. It will be declared a national security asset, sorted, cataloged, analysed, patterns established, information generated all in the name of threat detection soon after the capacity created by data collection exists.

The paranoia and conspiracy theory promotion alone, the increased opportunity for anti-government propaganda driving future generations away from viewing governments as collaborative facilitators and more a US style dictatorial and dangerous enemy is extremely counterproductive for Australia and is likely to create more domestic trouble makers than it detects already existing in the population. This legislation threatens to radicalise a generation of internet users into actively circumventing logging and going to extraordinary lengths to defeat monitoring. The government will create its own problem by introducing the proposed logging legislation.

Because we can collect this level of information on citizens not mean we should. Because it may help in a few cases does not mean all Australian citizens should love their expectation of privacy for ever. In the future all forms of human interaction will be monitored. Children will grow up knowing Big Brother is always watching them. This proposal has the potential to change everything we take for granted about being Australian.

I also object to Section C, point 15a on the basis of the definition of what is illegal being ever tightened especially in the case of political and social activism, as evidenced by the Liberal proposal to make any protest causing loss of business illegal. The right to economic protest is fundamental to the operation of free markets.

Thanks for reading and I hope something of value will be found in my submission.

Danielle Georgette