



## Submission No 7

### **Inquiry into potential reforms of National Security Legislation**

**Name:** James

**Organisation:** Private capacity

**From:** James  
**Sent:** Friday, 13 July 2012 11:48 PM  
**To:** Committee, PJCIS (REPS)  
**Subject:** Submission for Inquiry into potential reforms of National Security Legislation

Note: My submission is a response to the following proposal:

Government is expressly seeking the views of the Committee on the following matters:  
Telecommunications (Interception and Access) Act 1979

14. Reforming the Lawful Access Regime

a. expanding the basis of interception activities

15. Modernising the Industry assistance framework

a. establish an offence for failure to assist in the decryption of communications

b. institute industry response timelines

**c. tailored data retention periods for up to 2 years for parts of a data set, with specific timeframes taking into account agency priorities, and privacy and cost impacts**

To The Parliamentary Joint Committee on Intelligence and Security:

As a young Australian, I have grown up in a place that is fair and just compared to many other places in the world. I am proud to be in a country that protects and defends the rights of its people with fundamental protections such as the assumption of innocence until proven guilty and respect for the private free speech of individuals. In a world increasingly spooked by the fear of terrorism, we have seen nations that were once global leaders in the rights of individuals, such as the United States begin the surveillance of their citizens, undermining the basic ideals of a free and open society. Up until now, I have been immensely grateful that Australia has not gone down this worrying path.

It would be a great shame if a country such as ours were to adopt such an invasive and unnecessary data retention policy that infringes on the basic privacies of citizens, which instead of presuming innocence until guilty, collects data on them and stores it as if they were criminals. Should it become law that conversations between two people walking down the street were to be recorded by the government, It would be considered a gross invasion of privacy akin to the invasions of privacy that were present in Soviet era Russia. The recording of communication between people in the new technology medium of the internet is just as blatant a violation of privacy. I believe that the Internet empowers individuals like never before to communicate freely and openly about any and all topics. This greatly strengthens our democracy and allows anyone to participate. To covertly monitor people weakens our democracy, and sets the stage for further and more extreme infringements on the liberties of Australians.

[Polls and surveys](#) indicate that 90 percent of the surveyed are opposed to this surveillance. Is it not the job of the government to represent the interests of those who they are elected by? I believe that it would be a tragic shame if our elected representatives failed to represent their people, and instead pursued their own motives, putting themselves before the nation.

*“They who can give up essential liberty to obtain a little temporary safety deserve neither liberty nor safety.”*

- Benjamin Franklin

Thank you,  
James.