

**Subject:** submission to freedom of information amendment senate inquiry  
**Date:** Tuesday, 4 November 2014 12:46:18 PM

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Dear Senate Committee on Legal and Constitutional Affairs,

This parliament has no democratic legitimacy in simultaneously legalising the warrantless wiretapping and storage of every Australian's data, and at the same time removing every Australian's access to government information. The public will not put up with it. We do not consent to mass surveillance and invasion of privacy, we do not consent to government secrecy, and we do not consent to being locked out of pursuing freedom of information through the loss of the OAIC, the deliberate underfunding and slowness of the OAIC, or the \$861 application fee for administrative appeals tribunal. FOI applications are just responded to with a "no, make me". Currently the barriers mean that we cant, and you want to make this worse.

Parliament has not even published all the responses to the copyright discussion paper and it mainly the Australian people who have been silenced, the corporations got their submissions published no worries. I know because I made a submission and it hasn't been published. To get these submissions out of hiding and into the public arena will require a FOI application for access to all of the submissions received, except those published on the website. How do you suppose that will have the desired result without a properly funded OAIC or access to an administrative appeal for no prohibitive fee? You have passed the data retention laws without publishing the submissions by actual people, and now you want to hide the fact that you received submissions against the proposal, and make sure they stay hidden.

There are also serious concerns for the administration of other kinds of data other than the internet or government secrets, and that is the client and patient data in the health, community and aged care space. This senate committee needs to also understand and consider the following:

- what implications would the closure of the Office of the Australian Information Commissioner have for the new Aged Care Client Record, e-health records, or any other client, patient or health data
- what implications would the closure of the OAIC have on making or pursuing complaints, corrections or other resolutions about the use, storage, sharing, correction or deletion of client data or records
- how would closing the OAIC improve openness and transparency in the provision of government services or the impact of policy decisions on the community.
- how would closing the OAIC improve the openness and transparency around Australian citizen's own data that the government is now collecting on us?

regards  
George Samuel