



Submission No 106

Inquiry into potential reforms of National Security Legislation

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I would like to begin by reminding the committee of Articles 12 and 19 of the Universal Declaration of Human Rights:

"No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks."

"Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers."

I am seriously concerned about any changes to laws regarding telecommunications and surveillance that would undermine the right to privacy and freedom of expression. As such I believe very careful protocols need to be put in place regarding access to and storage of people's personal data from e-mail, social media and other internet usage.

By gaining access to an individual's e-mail or social media accounts government agencies can also access a large amount of information on other people who are contacts of the individual concerned. For this reason agencies should not be able to store large amounts of data about individuals. Instead they should only be able to store discrete and specific pieces of information and to respect the right to privacy of their contacts.

Access to any private online information, including passwords, should only be available with a warrant issued according to standard judicial practices. This warrant should also place limits on the amount and type of data that can be accessed and stored. This is needed to stop the misuse of data beyond its immediately intended purpose.

I hope that any legislative change in this area proceeds carefully with great concern for principles of human rights.

Yours sincerely
David Reid