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Is this submission presented on behalf of an organisation:

No

Nature of submission: public or confidential

I have read the information about this Project concerning publication, confidentiality, and privacy obligations at

Yes

I would like my submission to be treated as confidential

No

Human rights and technology

1. What types of technology raise particular human rights concerns? Which human rights are particularly implicated?

This submission is concerned with Article 17 of the ICCPR -the Right to Privacy and the effect of surveillance and data mining technologies.

2. Noting that particular groups within the Australian community can experience new technology differently, what are the key issues regarding new technologies for these groups of people (such as children and young people; older people; women and girls; LGBTI people; people of culturally and linguistically diverse backgrounds; Aboriginal and Torres Strait Islander peoples)?

The concern is expressed particularly for the most disadvantaged and marginalised people. The key issue concerns the extent of data now being collected and stored about peoples lives and behaviours, particularly having

regard to forecasts for the growth of the surveillance industry. According to Statistics MRC, the Global Video Surveillance Market is accounted for \$19.51 billion in 2015 and is expected to reach \$63.2 billion by 2022 growing at a CAGR of 18.3%. see <https://www.reuters.com/brandfeatures/venture-capital/article?id=11350>. The rapid growth of surveillance technologies and data mining threatens to change our understanding of what human freedom means. To me this is the core and greatest concern across human rights that current and projected technologies present.

Reinventing regulation and oversight for new technologies

a) What gaps, if any, are there in this area of Australian law?

The Privacy Act is quite inadequate to prevent us as individuals from the risk of someone mining our individual data not just to market us goods but to curb our basic freedom of movement and choice, and for the disadvantaged to be discriminated against simply on the basis of their projected ability to afford services. Access to one's own data (which the Privacy Act provides for) is simply not sufficient. The greater issue is the lack of consent that is now rampant in the acquisition or collection of data, whether 'personal information' or not.

c) What principles should guide regulation in this area?

A lot more opt-out options

4. In addition to legislation, how should the Australian Government, the private sector and others protect and promote human rights in the development of new technology?

A lot more opt-out mechanisms need to be introduced and the HRC should lead in calling for these.