

Contact Details

Name

Katalin Fenyo

[REDACTED]

[REDACTED]

Organisation Details

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?

Biometric identification, especially the ability to identify a person by their physical characteristics.

Privileged insiders at government organisations will be able to simply take a photo of someone whom they want to stalk/harass or commit other crimes against. No government database is safe from privileged insiders hacking into them using a multitude of methods. We don't have Human Rights in the Australian Constitution, so I can't cite a Human Right that is applicable to us.

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)?

Women and girls will fall prey to criminals even more than they are now, if biometric identification enables criminals to get someone's home address and other details simply by taking someone's photo.

Children may be abducted as per paedophile orders by criminals buying information from privileged insiders in government organisations.

Reinventing regulation and oversight for new technologies

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

We need

- Judges to be educated about technology
- Cyber crimes logged
- All access to government databases to be logged - including maintenance events
- Human Rights in our Constitution
- Past cases to be excluded as a basis of future Case Law judgements work for being too lenient by 21st century standards
- Judges and parole officers to become criminally liable for their negligence or incompetence causing injury or death, like the rest of us

b) What can we learn about the need for regulating new technologies, and the options for doing so, from international human rights law and the experiences of other countries?

Change the Constitution, we need Human Rights.

Owners of "smart" devices must be able to remove WiFi capabilities.

Allow customers to opt out of smart meters - make electricity meters on our homes dumb, mandate the removal of cars' WiFi capabilities on request by car owners.

c) What principles should guide regulation in this area?

As per the articles of the International Human Rights Convention.

Whatever capability outside of what a person would want to use a device for must be removable by the customer who purchases a product. My car has webserver capabilities with 3 open ports. WTF? Of course it can be hacked and has been hacked. Hacks have not been logged, Honda refuses to remove this capability.

Do not force technology on customers who can't control technology.

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?

Protect us from privileged insiders at government organisations.

Mandate the logging of cyber crimes by all telecommunications and Internet service providers.

Curtail the use of "smart" technology and AI decision making.

Artificial intelligence, big data and decisions that affect human rights

5. How well are human rights protected and promoted in AI-informed decision making? In particular, what are some practical examples of how AI-informed decision making can protect or threaten human rights?

Handle AI with extreme care. Check whose values influenced the creation of AI, before making costly decisions for all of us.

a) What should be the overarching objectives in regulation in this area?

Short term convenience should NEVER override long term safety.

b) What principles should be applied to achieve these objectives?

Caution and common sense.

c) Are there any gaps in how Australian law deals with this area? If so, what are they?

There are lots of massive gaps:

- Telecommunication Act predates the Internet as well as mobile technology
- cyber crimes' logging not mandated
- judges are clueless about technology
- the police force are clueless about technology
- government decision makers are careless and clueless about technology

d) What can we learn from how other countries are seeking to protect human rights in this area?

See China for what happens with biometric identification. We surely don't want to live in a similar world.

Accessible technology for people with a disability

a) What, if any, changes to Australian law are needed to ensure new technology is accessible?

Accessibility should not be at the expense of security and safety of technology.