



Senator Glenn Lazarus

Senator for Queensland

Leader of the Glenn Lazarus Team

Thursday, 16 June 2016

Jon Lawrence
Executive Officer
GPO Box 1235
Canberra ACT 2601

By email: email@efa.org.au

Dear Mr Lawrence

The Glenn Lazarus Team supports the principle of an open, free and secure Internet and welcomes your invitation to participate in the Electronic Frontiers Australia Election 2016 Policy Questionnaire.

Open Government Partnership

The Glenn Lazarus Team supports Australia's involvement in the Open Government Partnership and will continue to encourage any party that forms government to do so.

National Broadband Network

The Glenn Lazarus Team believes that the national broadband network should be rolled out to all Australians, preferably using fibre to the premises, failing that (and as a poor second option) fibre to the node.

Encryption

The Glenn Lazarus Team notes that meaningful privacy and strong encryption technologies are critical and necessary enablers of communications and commerce across all contexts.

The Glenn Lazarus Team supports the universal availability of strong encryption technologies.

The Glenn Lazarus Team is very concerned about laws or regulations that seek to undermine encryption and privacy technologies in order to provide law enforcement agencies with access to data, however such matters would be considered on a case by case basis.

Telecommunications Data Retention

Access to retained telecommunications data is currently available without a warrant, except where the subject of the request is a journalist.

Electorate Office

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The Glenn Lazarus Team support the extension of this warrant requirement to other groups, including to all members of society, as is currently the case in a number of EU countries.

It is the position of the Glenn Lazarus Team that the current list of agencies able to access retained telecommunications data is sufficient.

We believe that the current two year retention period for internet data is appropriate.

Intelligence Oversight

The Glenn Lazarus Team supports increasing the oversight powers of the Parliamentary Joint Committee on Intelligence and Security over operational matters.

The Glenn Lazarus Team supports a wide-ranging inquiry into Australia's intelligence gathering capabilities and data sharing arrangements , particularly under the so-called 'Five Eyes' agreement which includes the US, UK, Canada and New Zealand.

Preferential Trade Agreements

The Glenn Lazarus Team opposes Australia ratifying the Trans-Pacific Partnership Agreement (TPP). I am on record as saying there has been insufficient parliamentary and public scrutiny of the content of the TPP prior to its ratification. I also supported a motion (subsequently defeated in the Senate) to refer the draft TPP to the Productivity Commission for review.

The Glenn Lazarus Team is concerned about placing substantial restrictions on State Owned Enterprises under the prospective Trade in Services Agreement. We have taken a strong stance against the TPP and will be reviewing the Trade in Services Agreement in more detail as information comes to light.

The Glenn Lazarus Team is concerned that the current processes for negotiating preferential trade agreements (either bilateral, such as the agreement with China or plurilateral, such as the TPP) are not sufficiently transparent and consistent with democratic principles.

Copyright Reform

The Glenn Lazarus Team supports the reforms proposed by the Government in December 2015 concerning the extension of the Safe Harbour scheme and facilitating the implementation of the Marrakesh Treaty.

We also support the introduction of a broad, flexible fair use exception into Australia's Copyright Act.

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Copyright Enforcement

The Glenn Lazarus Team supports the legislation passed in 2015 that gives copyright holders the ability to seek Federal Court injunctions to block access to Internet sites that they believe are primarily facilitating copyright infringement.

The Glenn Lazarus Team takes the issue of copyright infringement seriously and would rigorously scrutinise a scheme that would require Internet Service Providers to serve notices on their customers that are alleged to have infringed copyright.

Censorship

While I have taken an active role in the Senate Inquiry into Revenge Porn and support the Senate Inquiry into Harm being done to Australian children through access to pornography on the Internet, I have strong reservations regarding mandatory internet filtering to 'harmful content'. Harmful content would need to be clearly defined and recent responses to internet filtering show that its effectiveness is highly questionable.

Office of the Australian Information Commission

The Glenn Lazarus Team supports sufficient and long-term resourcing for the functions of the Office of the Australian Information Commissioner, including the appointment of the three statutory Commissioners (Information, Privacy and Freedom of Information).

Mandatory Data Breach Notification

The Glenn Lazarus Team supports the introduction of a mandatory data breach notification scheme for entities covered by the Privacy Act.

Civil Cause of Action for Privacy Breaches

The Glenn Lazarus Team supports the introduction of a civil cause of action for serious breaches of privacy.

Census Data

The Glenn Lazarus Team does not support changes to the Census starting in August 2016. The Australian Bureau of Statistics should not retain identity information (names and addresses) collected both due to privacy concerns and because research indicates that survey data not collected anonymously tends to be less accurate.

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Health Records

Agreement to information sharing under the MyHealth program should be on an 'opt out' basis in order to maximise efficacy, provided consumers retain the right to opt out and are clearly informed about what choosing either option means regarding data collection.

Yours sincerely



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