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Submission No. 6

Victorian Law Reform Commission  
GPO Box 4637  
Melbourne Victoria 3001 Australia

Thursday, 18 June 2009

**A submission regarding: Surveillance in Public Places.**

Submitted by:  
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(Pages refer to: Consultation Paper 7, Surveillance in Public Places).

Although we find the Paper in question quite satisfactory, we would like to highlight an area of concern:

..."information privacy laws do not apply to all users of surveillance... individual users of surveillance, and businesses with a annual turnover of \$3 million or less." (p.134).

It would seem that an expendable sub\$3m. company could be created for the express purpose of gathering information at a specific event, eg: hire a number of persons with (or without) their own video camera to record the proceedings at an event, say a public demonstration; the company being thereupon dissolved, and another, similar, one created as need arises.

Snaparazzi acting on their own accord can easily video an event or a celebrity and on-sell their recordings to interested parties; as the Paper notes, this is already occurring (eg: pp. 56, 61, 85 Princess Caroline).

Anybody's, not only celebrities, activities can be recorded (p.72) an individual's ...medical matters such as abortion, alcohol treatment, or attendance at a gay bar... entering a drug rehab clinic... a cheating spouse; parents surveilling children (p.40), and, probably, vice-versa.

We are concerned, that information privacy laws do not apply to all users of surveillance... We acknowledge the (great) difficulty of making and enforcing laws which govern this type of surveillance – indeed, we are uncertain as whether this is, or, even, should be, simply a matter of law, or could this also be, say, a matter of education in socially acceptable behaviour.

We thank you for this opportunity to contribute and assist you in your difficult task, and hope our submission is useful.

Regards, F'nL

