




































EFA 2013 ELECTION SCORECARD: HOW DO THE PARTIES STACK UP ON DIGITAL RIGHTS?

	SURVEILLANCE	NBN	COPYRIGHT	CENSORSHIP
	 Has not opposed data retention. Has not opposed PRISM surveillance program.	 Supports NBN with FTTN technology.	 Will respond to ALRC recommendations on fair use. Voted against transparency for TPP.	 Reluctantly abandoned support for mandatory ISP filtering. Has taken no action to reform s313.
	 Raised concerns on data retention, called for clarity on PRISM surveillance program.	 Supports NBN with FTTN technology.	 Opposed to fair use. Voted against transparency for TPP.	 Opposes mandatory ISP filtering. Unclear stance on s313.
	 Opposed to data retention. Opposes PRISM surveillance program.	 Supports NBN with FTTN technology.	 Supports fair use. Has called for greater transparency in TPP negotiations.	 Opposes mandatory ISP filtering. Opposes use of s313 to block websites.
	 Opposed to mandatory data retention.	 Supports NBN.	 Unclear stance on copyright.	 Opposes mandatory ISP filtering. Strong record fighting censorship.
	 Opposed to data retention. Opposes PRISM surveillance program.	 Supports NBN with FTTN technology.	 Supports fair use. Has called for greater transparency in TPP negotiations.	 Opposes mandatory ISP filtering. Opposes use of s313 to block websites.
	 Opposes the 'surveillance state'. Supports protection for whistleblowers.	 Unknown stance on NBN.	 Unclear stance on copyright.	 Supports free flow of information and independent media.
	 No stance on data retention or government surveillance.	 Supports NBN.	 No stance on copyright.	 Supports mandatory ISP filtering. No stance on s313.

EFA 2013 ELECTION SCORECARD: *HOW DO THE PARTIES STACK UP ON DIGITAL RIGHTS?*

Care about digital rights? We certainly do. Enrolled to vote? We hope so. We've reviewed a number of the established national parties for their policies on the issues that matter most to us. We wrote to each party on this scorecard and asked them to clarify certain policy issues that weren't clear from their websites and existing policy statements. We got three responses, from Family First, the ALP and the Greens. Below is some more detail about the issues we're focusing on and the positions of the parties, as we understand them.

Surveillance

Mandatory Data Retention - this relates to the proposal from the Attorney-General's Department for the introduction of mandatory retention, for up to two years, of metadata, which means records of all your phone calls (including your location at the time, in the case of mobile phone), emails and other communications. EFA is strongly opposed to this proposal as we believe it would amount to a massive infringement of the privacy of all Australians, by creating massive databases of highly personal information that are almost certain to be breached or misused in some way. The proposal would also infringe the civil liberties of all Australians by treating us all as potential suspects, rather than citizens. EFA also believes that access to metadata should be much more tightly constrained than it is at present and supports calls for the introduction of a requirement for warrants to authorise access to this data.

PRISM - as you've no doubt read, the United States' National Security Agency (NSA) has a range of programs, including PRISM, which together amount to the largest surveillance project in history, and which potentially infringe the privacy and civil liberties of all internet users around the world. Australian law enforcement and intelligence agencies are known to receive information from these programs. EFA strongly opposes such blanket surveillance and believes that the Australian government should be open with the Australian people about the nature of Australia's involvement in these programs.

National Broadband Network (NBN)

EFA supports the introduction of a truly national broadband network, using the best technology available, which we believe involves the use of fibre to the premises.

Copyright

Fair use - EFA is a strong supporter of the reform of Australia's Copyright Act to include the principle of fair use, as has recently been recommended by the Australian Law Reform Commission. Such a reform would introduce much-needed flexibility, would restore an appropriate balance between the rights of content owners and the rights of consumers, creators and innovators, would realign copyright law with current societal expectations and would create opportunities for the growth of the Australian digital economy.

Trans-Pacific Partnership (TPP) - EFA is strongly concerned about the secret ongoing negotiations for the Trans-Pacific Partnership (TPP), a multi-country trade agreement dominated by the United States that has the potential to introduce new, extreme copyright enforcement measures that we believe may threaten the ability of the Australian Parliament to legislate for a copyright appropriate for current Australian society.

Censorship

Mandatory Internet filtering - EFA is strongly opposed to internet filtering in any form, as we believe it infringes free speech and is not an effective solution to tackling malicious content. Our Open Internet campaign was successful in forcing the ALP to last year reluctantly abandon its policy for the introduction of mandatory internet filtering.

Section 313 - When the ALP abandoned its mandatory internet filtering policy last year, it announced that it would request ISPs to block websites containing 'the worst of the worst' of child exploitation material, using a blacklist maintained by Interpol, under the terms of section 313 of the Telecommunications Act. Since then, it has emerged that the Australian Securities and Investments Commission (ASIC) has also used this power to block websites containing fraudulent investment schemes. ASIC's understanding of how the internet addressing system functions however is quite limited and they inadvertently also blocked many thousands of legitimate websites, including that of Melbourne Free University. EFA is opposed to the use of section 313 in this way and believes the Telecommunications Act should be amended accordingly.