

Trojan Horse

**Inquiry into the Online
Safety Amendment Bill**

Australian Democrats Submission

**AUSTRALIAN
DEMOCRATS**

Overview

The Australian Democrats are committed to protecting freedom of political communication, the personal privacy and civil liberties of all Australians.

The proposed reforms pose an **existential risk** to these rights and will fail to protect children unless the government undertakes extreme, **authoritarian measures** that are antithetical to the values of our democracy.

While the Democrats support measures to protect children on social media, the government **has failed** to undertake an appropriate investigation for appropriate solutions. A short, 24-hour window for submissions is a clear demonstration of this.

We do not support the reforms as they stand as they are **dangerous, intrusive** and **will not work**. We are aware of the matters addressed in other submissions, and recommend the inquiry consider the following:

Privacy

All users will be **required** to provide **their ID** to **voluntarily access** a service not connected with the Australian government under an ID based system. This presents an extreme risk for identity theft in the case of a data breach, which would be on a scale not seen in Australian history.

Age assurance technology will collect sensitive information (e.g. biometric, behavioural and personally identifying information). We should **restrict and limit** 'big tech' from analysing all users' information to create profiles that estimate our age, and personal interests. Under **NO** circumstances should a government or its representatives have access to this information.

Threats to anonymity

ID verification requirements that enforce a ban of under-16s will destroy online anonymity. It is unlikely that data used to verify ID will be 'anonymised' as this could be easily circumnavigated, and creates a honeypot of vulnerable, sensitive data ripe for identity theft and misappropriation.

There are many Australians who wish to live a private life, and ID verification requirements may disincentivise them from using social media, restricting their access to important information.

Misuse

Stolen identification may be used to create accounts to undertake illicit activities under an innocent person's name.

The Democrats are concerned that bad faith actors in Australia and abroad may exploit ID requirements to identify whistleblowers or political opponents online, where their identity would otherwise remain anonymous (e.g. defamation).

Age Assurance Technology – Discrimination

Age assurance technology may unfairly target or impact individuals with neurological conditions or people with niche interests. For example, this may include people who have an interest in trains, cartoons or anime. It may also be ineffective at determining the age of an underage user if their interests or activities align with an older demographic.

Virtual Private Networks

Millions of Australians use VPNs (virtual private networks) as a tool to improve security and enhance privacy. VPNs will easily circumvent geo-protections. Prime Minister Albanese has noted that the government will 'work around' this but provides no details as to how. The government must come clean on whether it is proposing to ban or restrict VPNs, as it not only poses a pressing concern for individuals concerned with personal privacy – but businesses who rely on the security of these networks to protect sensitive information.

Centralised Identification System (CIS)

ID based online verification would require all users to provide a state-issued (e.g. driver's license or proof of age card) or federal-issued (e.g. MyGovID, passport) ID. This presents an unprecedented risk for surveillance, akin to systems in nations with authoritarian governments. This is because the government may collate services attached to the ID to create a comprehensive and total online footprint of an individual.

We should consider this in context with recent national security laws that granted agencies unprecedented powers that are intrusive, dangerous and undemocratic in 2021.¹ These laws enable police to obtain, modify and delete the data of citizens without them knowing, with warrants granted by a tribunal (not a court) that cannot be appealed.

It is our view that a future government may exploit ID verification to enforce a centralised identification system where individuals may be monitored under the guise of national security. Such systems may be used to target individuals for malevolent purposes (e.g. persecuting whistleblowers or investigative journalists under the guise of state security). We opposed the Australia Card, a national ID scheme on the grounds of it being government overreach. **This is worse.** This is a **real and pressing danger** for all Australians who use the internet.

This is a trojan horse for the normalisation of a surveillance culture.

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¹ Surveillance Legislation Amendment (Identify and Disrupt) Bill 2020 (Cth).