



**Australian  
Privacy  
Foundation**

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## **Media Release Military DNA 1 November 2007**

The Australian Privacy Foundation today expressed grave concern about the proposed acquisition of the DNA of military personnel, for the benefit of the military not the personnel.

Chair Roger Clarke said that “In one breath, provision is said to be voluntary. And in the next breath, the statement is made that it is expected that there will be 100% take-up. In other words, if people withhold consent, they'll be ordered to submit. This is intended to be 'voluntary' only in the cynical, military use of the word”.

Although assurances have been given that the uses will be restricted, those assurances are very probably false. Many agencies, within and beyond the Defence community, have all manner of uncontrolled powers to access data and quite probably samples as well.

“Without explicit legislation that over-rides national security, law enforcement, social security, tax and health administration laws, those assurances should be treated as being at least misleading, and probably as intentional misinformation”, he continued.

It is also unclear what the costs and benefits are, both to the individuals and to the military.

The likelihood of mass casualties among Australian military personnel is very low because of the professionalism of our armed forces, and the very high value they put on life, especially of Australian military personnel. So there is very little likelihood of this being of value to the families of servicemen and women.

Observers could be forgiven for asking whether the real purpose is something else. Possibilities include criminal investigations, medical profiling, a bank of data to be accessed by researchers and statisticians, and a means of ‘softening up’ the Australian public for the imposition of DNA collection on everyone – on the basis that what’s good enough for people serving the country in theatres of war is good enough for everyone else as well.

**For Contact Points, see above**

# **Australian Privacy Foundation**

## **Background Information**

### **PROPOSED COLLECTION OF DNA FROM MILITARY PERSONNEL**

The collection of samples of body fluids and body tissue is a matter of extremely serious concern, under any circumstances.

A huge quantity of personal data is embedded in DNA. Much of that data is highly sensitive, because it relates to physical characteristics and health matters.

Some of the inferences drawn from DNA are highly speculative, and subject to ongoing scientific uncertainty.

Because of the richness of the data, there is enormous scope for function creep, in such areas as unfair discrimination in employment, driver licensing, and health insurance.

And any DNA database is a 'honey-pot' not only for the scores of investigative, law enforcement, public safety and national security agencies, but also for the burgeoning private sector activities in areas related to security, insurance and litigation.

There is serious concern about collection in the context of random testing, e.g. the extension from roadside alcohol testing to drug testing.

There are also grave fears for the security and integrity of both samples and data arising from them. Government agencies have been seriously and serially untrustworthy in relation to the collection, use, retention and destruction of biometrics collected when arrests are made, even though most arrests don't lead to charges let alone convictions. Police forces routinely abuse the law and public expectations in relation to fingerprint retention. They are even more untrustworthy with DNA samples, because the range of potential use is wider.

Despite the secrecy with which they operate, police forces have been continually caught out failing to control access to sensitive data on their files. Abuse by employees of the Victorian Police was 'in the news' the same day as the announcement of DNA collection by the military. DNA data will be attractive to many organisations, and leaks will be quickly institutionalised.

In relation to the proposed acquisition of the DNA of all military personnel, answers to the following questions are essential:

- aren't the mentions of 'voluntary' and 'consent' just a pretence?
- what scenarios give rise to the likelihood of mass deaths of Australian military personnel?
- what laws prevent access to the samples, and access to data, by Defence itself, by agencies within the defence community, by national security agencies, by law enforcement agencies, and by agencies that administer social security, taxation, and health?