

Travelsafe Committee

TRAVELSAFE COMMITTEE

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12 September 2008

Dr Roger Clarke
Chair
Australian Privacy Foundation
GPO Box 1196
SYDNEY NSW 2001

Dear Dr Clarke

Report 51: Report on the Inquiry into Automatic Number Plate Recognition Technology

Thank you for your email today seeking clarification of one of the recommendations in the committee's report. I note your suggestion that the wording of the recommendation's 3rd bullet point may be ambiguous to some readers. The recommendation reads:

RECOMMENDATION 3.

That safeguards and controls governing the use of Automatic Number Plate Recognition technology be clearly articulated in enabling legislation. This legislation shall prescribe that:

- Access to data collected by ANPR devices is restricted to authorised agencies and users;
- The collection and retention of personal information is limited to that which is necessary to achieve clearly articulated purposes;
- Data relating to vehicles not found to be committing an offence shall be cleansed nightly from devices to minimise the possibility of security breaches;
- Data shall be transported securely between devices and repositories and stored with high-security encryption and digital signatures;
- Security systems shall be subject to regular audits to ensure they are adhered to;
- Should additional and compelling public interests be served in the future by new applications of ANPR, these should only be pursued after public consultation and scrutiny by Parliament;
- The misuse of ANPR data attracts severe penalties; and
- Affected individuals have access to a complaints scheme to seek redress if their rights are abused.

*Ministerial Responsibility: Minister for Transport,
Minister for Police, Minister for Main Roads*

Our use of the word 'devices' was not intended to limit the scope of critical safeguards merely to cameras, as you have suggested. Indeed, for the privacy safeguards to be effective they must apply to all devices or elements of the ANPR system, or they are pointless. Depending on the configuration and application, this could extend from cameras to laptops (or other mobile storage devices) to mainframe computers to the final repositories of the data, wherever or whatever that might be.

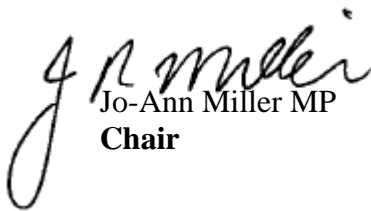
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We could not identify a tangible road safety benefit from the mass storage of ANPR images of motorists going about their private business except where the motorists are actually committing, or are strongly suspected of committing, traffic offences. The only value then in retaining these images is to assist the prosecution of the offences.

Finally Roger, I would like to acknowledge the importance of your contribution to our work on ANPR on behalf of the Australian Privacy Foundation. You gave the committee a very succinct appreciation of the privacy issues and how the rights of individuals can, and should be, protected. The committee looks forward to working with you again in the future.

Should you have any further questions about the committee's work, please do not hesitate to contact our Research Director, Mr Rob Hansen, on 07 3406 7669.

Regards


Jo-Ann Miller MP
Chair