

20 January 2010

The Hon. Anthony Albanese
Minister for Infrastructure, Transport, Regional Development and Local Government
Parliament House
Canberra ACT 2600

Dear Minister

Re: Consideration of Body Scanning in Australian Airports

The signatories to this letter are the Chairs of the country's primary public interest organisations concerned with civil liberties and privacy.

Media reports have suggested that you may be giving consideration to the implementation of body scanners at Australian airports.

The signatories strongly support assessment being conducted of measures that may materially assist in preventing attacks. Threats to life and limb are the grossest form of assault on civil liberties and privacy, and suitable countermeasures are highly desirable.

Such assessments need to be conducted calmly and professionally, and to be based on evidence, rather than mere assertions or promises. They need to focus on the proposed measure's effectiveness, including effectiveness against parties that seek to circumvent the technology; practicality in the contexts of use; and impacts and implications including safety, human rights generally, and privacy in particular.

Well-established guidelines exist for Privacy Impact Assessment (PIA). The Attorney-General has indicated the importance of conducting PIAs on all projects that have significant impact on privacy.

The signatories note that the approach adopted by the Government to date has been measured. On the other hand, the report on the Review of Aviation Security Screening undertaken in 2008 makes clear that no formal consultation was undertaken with civil liberties or privacy advocacy organisations.

Would you please advise the current situation in relation to your consideration of the possibility of implementing body scanners in airports.

In particular, would you please advise what approach you are adopting to engagement with civil liberties and privacy advocacy organisations on the matter.

Thank you for your consideration.

Yours sincerely

Dr Roger Clarke, Chair
(02) 6288 1472

Australian Privacy Foundation
chair@privacy.org.au

Michael Cope, Chair
(07) 3223 5939

Queensland Council for Civil Liberties
mjcope@optusnet.com.au

Dr Kristine Klugman, Chair
(02) 6288 6137

Civil Liberties Australia
klugman@netspeed.com.au

Cameron Murphy, Chair
(02) 9286 3767

NSW Council for Civil Liberties
office@nswccl.org.au

Michael Pearce SC, Chair
(03) 9225 8840

Liberty Victoria
email@michaelpearce.com.au