Naked truth of phonecams
australian computer society | Edward Mandla
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MOBILE phones have become ubiquitous, providing convenience and security and creating a culture of close connection across the community.

The integration of cameras into some models has been embraced because it enhances social gatherings and adds a dimension to instant communications, not to mention the many professional applications.

However, as with any development, some elements of the population find anti-social uses for technology at the expense of those who are vulnerable.

This is why the ACS is calling for tighter controls and protocols for mobile camera phones, to discourage their misuse and protect the wider community.

As the professional association for those working in information and communications technology, the ACS actively supports and promotes the development of technology for the many benefits it offers society.

However, technology developments occur so quickly that new products are often on the market before legislators and community groups have been able to fully consider their implications, particularly in the hands of unethical or irresponsible users.

Mobile camera phones are one example of a technology that requires greater public education and tighter controls to ensure that all sections of the community understand their rights and are protected.

The potential for misuse is considerable when you consider that camera phones can be taken into places where cameras are banned, such as courtrooms, changing rooms and showers, research labs, military facilities and hospitals.

Further, they can snap and send in silence. Images can be instantly sent to the internet or another phone, enabling users to publish images to a wide audience or to transmit commercially sensitive information.

Mobile phones are rapidly moving towards integrated video and sound capabilities and enhanced computing functionality, which means you're not just talking about a camera, but an advanced surveillance device.

More than six million mobile handsets were sold in Australia last year, with camera phones accounting for a growing proportion.

By 2008, it is estimated, half of all mobile phones in use in Australia will be equipped with a camera.

When you invite a tradesperson into your home to quote on a job, the phone clipped to their belt may be considered a tool of trade, but it could also be used to record and send to the internet, or an associate, the location of the valuable contents of your home, or more private material.
We can't just assume this will sort itself out. We need guidelines, protocols, and maybe technology, to control these features or alert us when they're in use.

This is clearly an area of growing global concern, with numerous reports about camera phone misuse ranging from North America and the UK to South Africa and the Middle East.

The US government is considering legislation that makes it illegal to videotape, photograph, film, broadcast or record a naked person or someone in their underwear in any place where a "reasonable person would believe that he or she could disrobe in privacy".

In Italy, the government has ruled that casual photographers may only take photos of people "for personal use" and must store them in a secure location.

In March, the federal Government issued draft legislation with tough new penalties for "peddling repulsive material via the internet". The Bill includes "offences outlawing the use of the internet for offensive and menacing purposes, including harassment".

At state and territory level, sending images is covered by various classification laws, which prevent the publication of material that is objectionable, unclassified or unsuitable for minors.

More specifically, NSW introduced new anti-spying laws in March that cover filming in private and public areas, stipulating that the filming must not be done for sexual gratification without the subject's consent. The Standing Committee of Attorneys-General is investigating options to prevent the unauthorised publication of photographs on the internet.

While there is awareness of the issues at government level, many of the definitions in existing laws need to be clarified for mobile camera technology.

The ACS wants more public debate about the issues and definitions relating to personal privacy and relevant laws, public place voyeurism, the pace and nature of technology, and free speech issues in order to ensure that appropriate guidelines can be developed.

The ACS has developed a policy on the issue of mobile phonecams, which we have presented to the office of Communications, Information Technology and Arts Minister Daryl Williams.

In coming weeks we will be seeking meetings on this issue with Attorney-General Philip Ruddock, the Privacy Commissioner, and other decision-makers and industry groups, such as the Australian Mobile Telecommunications Association.

We plan to explore consumer use of this technology and likely future developments, as well as the general public's awareness of laws and protocols on misuse, and their areas of concern.

The ACS is calling for the federal Government to form a working party of key representatives from the mobile phone industry, with broader industry representation from organisations such as the ACS.
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