**M-Enabling Australasia 2013 Conference**

**Day 2 – the view from Canberra – Greens perspective: 11:15 – 11:30am**

TERESA CORBIN: We're going to get started. Actually, the interpreter is waiting for me this time, which is good. Instead of racing off! So, I want to introduce Senator Scott Ludlam now who is a member of the Australian Green Party and he's been a member of the Senator Western Australia since November 2007. He's the spokesperson for the Greens on communications issue, nuke leash issue, transport, infrastructure, waste, sustainable cities, housing, mining and assisting on defence. That's quite a portfolio. We have a lot to do with him in relation to communications issues and I'm really pleased that he's presenting at our conference today. So I'll hand over to Scott.

SCOTT LUDLAM: Hi, everybody. Good morning and thank you very much for the invitation to be here. I'm sorry that I can't be there in person. I'm Skyping in from Fremantle on... I'm not sure what the quality of the line is, but all the time, it's really great to be here virtually. It sounds like you've had an amazing conference thus far. So I really appreciate the invitation. What we've seen and seeing as how you've invited a politician to speak at your conference, I'm probably going to drift in to politics from time to time. But we've seen the first and second week of the campaign has turned in to a little bit of a Coke or Pepsi horse race and I just want to acknowledge ACCAN and the organisers for remembering and reminding us that Australia is a multi‑party democracy and there are voices out there and every now and again, it's good to be reminded of that.

I've had the communications portfolio for the Australian Greens since 2007 and during that time, there's been enormous change in the senator and it's been a real privilege to be a part of it and to work with ACCAN to actually have in the Australian telecommunications space, a voice for people who otherwise would be voiceless and wouldn't be heard from very much in the debate. It's been dominated the last couple of years... it's been dominated by the thing called the NBN that emerged out of the 2007 campaign has morphed and changed shape a couple of times and has now made its mark, I suppose, in telecommunications. And is again really up for contest here in this election campaign. The Greens believe the future of the NBN is precarious. The network is behind schedule. It is on budget, but it is behind schedule. It is polarised and bitter. And that's not particularly helpful. The Greens support the model of a universal service open access network that is providing, or aims to provide an equal standard quality of service across 93% of the population who would be within the fibre footprint. And to the other 7%, a very substantial upgrade using wireless standard infill, which would provide a standard of service in remote Australia that would actually exceed what you can get at a very good line in the metro area at the moment. So we support that. We also supported the model of bringing the wholesale Telstra network back in to public hands as a way, number of somewhat awkwardly reversing the privatisation debacle of Telstra.

We think that there are really important public interest reasons why you would want to keep a central service infrastructure like the telephone interest, like rogues and power and water in public hands. These are natural monopolies and they should not be privatised, broken up and sold off. So we supported the rollout of the NBN under those conditions and we think that really the best thing that can happen at the moment would be politicians actually getting the hell out of the way, let the engineers get on with the job, let Telstra get on with the job of cleaning up their infrastructure and getting the asbestos out and then let the engineers and planners actually get on with the job of delivering the network and it's something that we think is very important. But if it is genuinely to be universal access network, then we can't go past the work of ACCAN in reminding us, as you've done so effectively in the last few years, that we will, nonetheless, leave people behind unless we pay very particular regard to people with disabilities who are otherwise going to also be left on the sidelines. I think as we see the Internet swallowing up other services and other media, swallowing up the postal network and swallowing up the fixed voice networks, swallowing up various forms of media, it will become increasingly important that we don't simply leave people on the margins and rush off in to the utopian hi‑tech future without remembering that we need to bring everybody with us. And to that, I do commend ACCAN.

I've seen the reporting over the last couple of days of the Bill that you propose and I really want to congratulate you on that. I see you've already picked up support from Senator Kate Lundy. The Greens are supportive of anything like this. You know that the legislative process is a long one and can occasionally be messy and incomprehensible. But this one will be long but you need to know you've got a lot of allies in Parliament for this kind of work.

Some of the things that we've been working on in this area – we introduced a Copyright Reform Bill in the closing days of Parliament and it got buried under the avalanche of yet more turmoil. We called it Fair Go For Fair Use and it's designed in part to support the work of ACCAN and your partner organisations. One of the things that it does propose to remove the technical protection measures that lock up content and deny visually impaired people the ability to have content that they've actually paid for, that are also on the statute books at the moment in the obsolete and rather awkward legislative framework for copyright that make it illegal to simply convert an e‑book in to text‑to‑speech or any of the other various tools that people use to make content accessible. So that Bill is one way of getting around that issue so that people aren't breaking the law by simply trying to access content that they've paid for. We've worked pretty consistently over the last couple of years to make sure that the audio description trial for TV and for television was continued with mixed success. It's odd to be involved in a trial that was declared by everybody to be successful, only to see it shut down. And so that's something that we know we're going to need to pursue on our public broadcasters, particularly with the ABC.

About three weeks ago, with my West Australian colleague Senator Rachel who is our national disability spokesperson, we launched an iPhone app and so for a conference like the one we're at today, we called it Access All Areas and it's an iPhone app that allows people to tag disability black spots. So our can date for Fremantle, for example, who launched the app with us is wheelchair‑bound and has been for most of his life. And so, Jordan can use that app if he reaches a venue where the bathroom is inaccessible or there's a step that makes the entire venue unavailable for people. Or anywhere in public space out in the street, you can tag it and it will put your comment, a photograph and a category up on a Google map that everybody in the country can see. So if you want to have a look at Access All Areas, you'll find that fairly quickly on Senator Seeworth's page. You'll see a cloud of dots and reports lining up where people have discovered either a disability blackspot or given a tick to something where somebody has quite clearly gone through thoughtfully and designed a public space or a private space that is accessible.

What I want to leave you with is something that in the Greens we've also done a lot of work on in the last couple of years and caught me by surprise, I should say. But it affects us all. And it's the underside or the dark side of the technology that holds out so much promise of enabling a global civil society, connecting us with like‑minded people all over the world and that, of course, is the rise of ubiquitous, unjustified and unjustifiable surveillance both corporate and Government surveillance of the entire online population. We had comments over the last day or so with our Attorney‑General declaring that people like Bradley Manning and Edward Snowden are not whistleblowers, indicating that the Australian Government doesn't support the kind of legal protection that should be available to whistleblowers who disclose war crimes and disclose indiscriminate surveillance of the entire online population. I raised it at the end of a conference like this simply because there's a bipartisan, and I use that word deliberately, there seems to be a bipartisan agreement to simply not talk about it. To not make eye contact with any of us and prevent that it is all going to go away. It is something that I am, and a large number of people, believe is extremely dangerous. That it breaks the democratic compact that in a democracy, ordinarily citizens should not be subject to indiscriminate dragnet surveillance of everything they do, nor should they be subject to online censorship. And what the surveillance does is bring around a range of self censorship where people will restrict the kind of restrictions that they have, whether it be around healthcare or sexual health, for example. Two really obvious examples. We know from experience in Germany that when a national data retention regime was in the process of being instituted in Germany, people changed their habits of health advice that they sought because they figured it was all going to be archived and potentially used later. These are dangerous times and it's a dangerous debate that needs to be had and an election period is a very good time to have that.

I really appreciate the work that ACCAN has done. You've been great to work with, Teresa and your colleagues. Asher who I've known for a long period of time. You do extraordinary work. We would really miss you if you weren't there. Thank you for your advocacy and I look forward to working with you depending on the will of about 200,000 western Australian voters. I look forward to working with you all in the next Parliament. Thank you very much for your time this morning.

(APPLAUSE)

TERESA CORBIN: Now, I understand Scott is going to stay on the line for a couple of questions. Have we got any questions from the audience? I thought you were putting your hand up there! OK. We've got one down the front here.

SCOTT LUDLAM: Can I just say – I hope you folk can hear me clearly. I can't hear you at all. So if that laugh was at my expense, the tech guys at the back will have to relay the joke and the question so that I can hear.

TERESA CORBIN: So we'll make sure that the question is just typed through to you, Scott, at the same time. So we're just sorting that out, we're just getting the technical... in fact, getting Asher who is our speed typer in place. Or he's going to respeak them. So question at the front here.

UNKNOWN SPEAKER: I'm from Vision Australia. I was quite interested in your comments about surveillance. There's an app around... I can't remember its name because I haven't actually used it yet that enables somebody who is blind to take a picture of an object and have it identified. It could be a bottle of scotch! Not that I have any particular bias. I was also concerned to hear in the fine print of that app that there's actually... they store every single image that's received for identification. V which does have some real privacy implications I think. So I'm interested to know what you think could be done on the international cooperation level to address this issue?

TERESA CORBIN: OK, we'll just have to wait for a little delay while Scott catches up on the question.

SCOTT LUDLAM: That's a really interesting example and I haven't come across that before. So I think that app is almost certainly caught up in the same tide of the rest of the online community of the apps. And the things that you agree to when you tick the six pages of very finely spaced small legal text, you'll probably find in there – it will say, and it will sound highly reasonable that this company hands over your private data, it's a lawful request. And the problem is that the technology has become normalised legal through a post 9/11 practice in the United States which does have a powerful Bill of Rights that was actually written explicitly to protect United States citizens and it is applied to global citizens because none of us in the non‑United States planet can avail ourselves of that protections under the Bill of Rights. And in Australia, the Australian Constitution, if you go looking for the equivalent sections, of course, it's not there. And repeated attempts to introduce some form of a Bill of Rights in Australian domestic law have been defeated by conservative commentators and elements of the media. So the protections are actually very poor. The kind of global agreement that we're going to need goes beyond simply making the surveillance more transparent. Some of these programs, in my view, need to be closed down. That they not exist any more. So it's part, I think, of a much larger agenda that I suspect you're quite right – the app that you refer to would carry the implications if it had been backed by security agencies around the world. So we're going to need to work together with like‑minded people in the United States and elsewhere to wind back the surveillance overkill.

TERESA CORBIN: OK. A second question. We have one down here Asher is doing a good job of respeaking but try not to make it too long.

UNKNOWN SPEAKER: The purpose of the App was mentioned was so that a blind person could send out to someone else. It reminded me of a friend of mine who is also blind and got lost and he rang his wife and said, "I'm lost" and he said, "When do you want me to do?" And he said, "At least you could be sympathetic." I was at a conference where someone more senior than me said that the CIA is going to give Mark Zuckerberg an award for doing all their work for them! Scott, I wonder if you can make a comment about the appalling level of mobile phone coverage in this country once you get outside Sydney, outside of any sort of large city?

SCOTT LUDLAM: I think it was a question on mobile phone coverage. And so, I'm not completely clear what the question was. So, I think mobile... the mobile phone network is a really interesting example of a form of market failure, I suppose. We decided when we privatised Telstra that the free market would provide telecommunications services and where the market found it profitable to do so, you would get a high quality of service and where it is not profitable, you would get very little. And we've got what's left of the publicly‑owned Telstra network that was built during a period where the privatisation was occurring, and so there's legacy infrastructure out there that gets upgraded in the larger cities and towns. But it's precisely the reason why we supported the model of the NBN which is very different to the way that mobile telephony services are provided in Australia. It says, "By providing quality and profitable services in the big city, we're going to skim off a small amount of money from the top and use that to provide an equal quality of service in the bush." And the taxpayer can do that, the Government entity can do that. But it is not in the interest of a for‑profit corporation to do so. You'd be sacked if you ran a company in that way. That's why it is important that we keep infrastructure like this in public hands. What I hope and I hope this doesn't end being naive in retrospect is that the NBN will actually be able to provide quite a leg‑up for regional mobile telecommunications. Most of the focus, obviously, has been on the hardline fibre rollout to the cities and larger towns, but having that network and satellite coverage and network of towers in the areas that are on the fringes of the grid I think will actually improve the quality of service for everybody. The point I want to make is that it is really important down the track, if we get it built – and of course we won't if there's a change of Government – but if we do, not to sell the damn thing in five or ten years time and repeat the mistakes that we made with the privatisation of Telstra.

TERESA CORBIN: OK. I think we'll finish it there with questions so we can move in to the next panel session. But I'll ask Asher if he can thank the Senator for presenting today.

(APPLAUSE)