



Talkin' about **LAW**

An Aboriginal and Torres Strait Islander Legal Service (QLD) project

Your rights to personal information



Since colonisation of Australia, Aboriginal and Torres Strait Islander people have been subject to a broad range of government legislation.

In Queensland the **Aboriginal Protection and Restriction of the Sale of Opium Act** controlled the lives of Aboriginal and Torres Strait Islander people from 1897 to the late 1980s. Under the **Protection Act** many personal records were created containing information such as removals, employment, marriages and deaths.

Today most of these records are held at the Queensland State Archives but because they may contain personal or sensitive information they can only be accessed



Queensland State Archives, Brisbane

through the Queensland Department of Communities. The department has a special unit called **Community and Personal Histories** which helps Aboriginal and Torres Strait Islander people piece together their story. Another way to access government records is by using a legal process called "freedom of information" or FOI laws.

The FOI law in Queensland has changed and is called the **Right to Information Act 2009**. The Act gives you the right to apply for access to documents held by government agencies and ministers. If an individual wants to access government records containing personal information about themselves, they will have to apply for access under the **Information Privacy Act 2009**.

Most government departments have a "right to information" or "privacy section" which handles requests for access to their records. Contact the relevant department to find out how to access their records and follow their application process. If you're unhappy with the outcome you can ask for your application to be reviewed internally or refer it to the Office of the Information Commissioner or OIC.

> About the project

Talkin' About Law is a community legal education project aimed at the Aboriginal and Torres Strait Islander community in Queensland.

Its purpose is to provide general legal advice on criminal and civil matters affecting Indigenous Queenslanders and promote the services provided by the Aboriginal and Torres Strait Islander Legal Service throughout the state.

> Tracklist

1. Arson
2. Electronic recordings
3. Internet Piracy
4. Public Nuisance
5. Right to information

How to contact the OIC?

Telephone: 07 3234 7373

Fax: 07 3405 1122

Email: enquiries@oic.qld.gov.au

WHAT

ARE

YOU

RISKING

with internet piracy?

Be wary of movies or TV programs that appear to be free online – more often than not they may be pirated copies.

This is especially true for movies or shows not showing in the cinemas or yet to be shown on free-to-air or pay TV.

Nowadays the internet is the primary source of newly released pirated movies. If you download a pirated movie you are essentially *receiving stolen goods*.

The common term for this type of activity is *internet piracy*. *Internet piracy* is when someone downloads or distributes unauthorised copies of intellectual property such as movies, TV shows or music via the internet.

Australia has specific laws aimed at preventing the theft of intellectual property rights. One of them is the *Copyright Act 1968*. Under the law it is an offence to steal and distribute someone else's intellectual property and you could face severe penalties of up to **5 years imprisonment**. If you use a file-sharing network or peer-to-peer service you may also be unintentionally distributing pirated copyright material and therefore could be at risk of further civil or criminal action.

Another consideration is you're not just risking infringing copyright law – you also risk exposing your personal information.

Some file-sharing networks offer extra software which users, by default, are encouraged to install. This software may contain programs designed to gather information about you. This can potentially lead to your passwords, personal files and other sensitive data being sent to an unknown third party. In addition you could also expose your computer to harmful viruses and worms.

THE STATS...

An Intellectual Property Awareness Foundation commissioned study found:*

- 69% of 18-24 year olds pirate movies and TV
- 52% have used file-sharing software specifically to pirate films and television shows
- 72% see piracy as stealing or theft...but
- 76% don't think they contribute to the problem

[*Sycamore Research released August 2010]

> Directory of Offices

Beenleigh (Regional Office)

Address Suite 11B, 101A Main Street, Beenleigh 4207
Telephone (07) 3804 5033 Facsimile (07) 3804 5202

Palm Island (Satellite Office)

Address Lot 47, Cnr Main Street and Police Lane
Telephone (07) 4770 1222 Facsimile (07) 4770 1501

Charleville (Regional Office)

Address 51 Wills Street, Charleville 4470 (PO Box 51)
Telephone (07) 4654 1721 Facsimile (07) 4654 3182

Brisbane (Head Office)

Address 183 North Quay, Brisbane 4000
Telephone (07) 3025 3888 Facsimile (07) 3025 3800

Cairns (Regional Office)

Address 78 Spence Street, Cairns 4870
Telephone (07) 4046 6400 Facsimile (07) 4031 5397

Rockhampton (Regional Office)

Address 89 Bolsover Street, Rockhampton 4700
Telephone (07) 4927 5711 Facsimile (07) 4922 4487



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