

keywords: Editorial; rude; ignorant; Judy Magub; Elected member; Brisbane City Council [BCC]; Public Figure; Queensland; Endorsed political candidates; Liberal Party; if Liberal party take any responsibility for endorsing candidate; what is the intention of party endorsement; corruption; incompetence; library catalogues; google; search engines; online archives; mirrors sites; ; Australian FOI Law Journal; complement; supplement;



Illustration 1: Judy Magub in fourth photo. She thought four

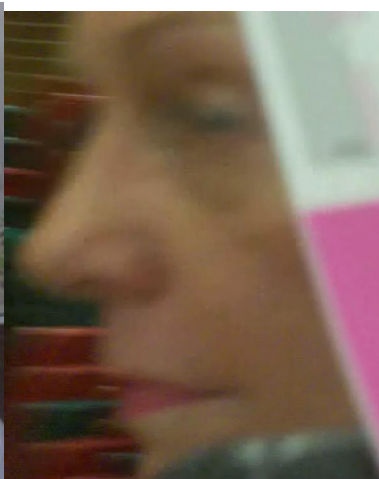


Illustration 2: BCC elected member Judy Magub, tries to hide from camera; best frame we could manage on video.

Judy Magub at public meet tries to hide from camera.

WHY?

Amongst the Australian Populace there is much confusion regarding privacy. As journalists, reporters, journal editors and publishers, we need photographs to assist in the transmission of ideas and thoughts relating to our journal topics. Our general subject of law involves **ACTIONS of PEOPLE**. Since a picture conveys information much more quickly and effectively than mere words, we would like to be able to publish a photo of the **ILLEGAL ACTION** by that person, but failing that, at least a photo of the person.

Many many people object to having their photograph taken. They appear to believe they have a “right to privacy” which includes that they cannot be photographed without their consent. They consider that such is an “Invasion of their Privacy”. Unfortunately for those nobodies who own very little, they do not have a right to object to being photographed in public. Following on that, a Public Figure in a Public Place, should have become accustomed to being photographed at public meetings. So why was the rude and ignorant Judy Magub so “shy”?

On the afternoon of Saturday., 10 March, 2007, at a public meeting attended by Councillor

Judy Magub, who is the elected councillor to the Brisbane City Council for the Ward where our Editor-in-Chief [EC] is resident, she seemed to believe that she could choose when and if she would be photographed. She put on a very public act and repeatedly turned her back on our photographer. When our photographer attempted to discretely move so as to obtain her photo, she launched into vocal and violent vitriol. In the whole meeting to that point, our photographer had taken only four photos of her. Of course, the more photos we have the more likely it is that we will be able to select a better picture for publication to illustrate the topic. It is a matter of discrete probability.

[The original topic which we wished to illustrate, in another of our publications, is whether, the Political Party that endorses a candidate/member, (Magub is Liberal), has any responsibility for the manner that their member performs their elected duty. We believe the Political Party should assume some responsibility. Otherwise, what is the point, for the voter, of party endorsement for the candidate. Prior to this, we had evidence of multiple examples of Magub being rude and ignorant. She apparently joined Rotary, so she could pretend that she is a good person, and worthy of the electors' votes. It appears widespread that rogues do join Rotary for that purpose.]

Editorial:

Apart from the rights effectively granted by the Privacy Act 1988, there is no general right to privacy in Australia. Hence, in Australia, there is no all encompassing cause of action for invasion of Privacy. The Privacy Act 1988 concerns itself with only the collection of private information about citizens. Originally, this related to Government Organizations, but in 2001, this was extended to part of the Private Sector. Section of the amendments excluded many organizations from much of the act, mainly on the basis of their being too small.

Future issues of Australian Privacy law Journal will relate mainly to issues associated with the Privacy Act 1988. With the 2001 amendments, when a private organization is caught by the Privacy Act 1988, the Act requires that the organization comply with the ten National Privacy Principles (NPPs). The statute is concerned in the main with the collection, storage and use of “personal information”. Personal Information is defined in the act as, “information or an opinion (including information or an opinion forming part of a database), whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion”.

For Individuals, NPP #6 can be most useful.

Privacy Act 1988

Schedule 3—National Privacy Principles

6 Access and correction

6. If an organization holds personal information about an individual, it must provide the individual with access to the information on request by the individual,

This can be most useful for the individual. It is on a par for information possessed by a private sector organization, as FOI is available to obtain, and correct, the information that a Government Department or Statutory Authority possess about the individual. If the organization does not abide by the provisions of the Privacy Act 1988, the aggrieved person may apply to the Privacy Commissioner. That is fraught with extended delays.

This aspect of the Privacy Act 1988, shall be an emphasis for us in future editions. It shall be compared to ROI statutes in these pages and those of our Australian FOI Law Journal.

Editorial: