

Sixth Workshop on the Social Implications of National Security

# Sousveillance and the Social Implications of Point of View Technologies in the Law Enforcement Sector



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"...Rather than tolerating terrorism as a feedback means to restore the balance, an alternative framework would be to build a stable system to begin with, e.g. a system that is self-balancing. Such a society may be built with sousveillance (inverse surveillance) as a way to balance the increasing (and increasingly one-sided) surveillance."

**Steve Mann** (2002)

<http://wearcam.org/sousveillance.htm>

**Venue**

The University of Sydney, New Law Building, Level 4, Faculty Common Room, Eastern Avenue, Sydney Australia

**Date**

22nd February 2012

**Time**

9:15 AM - 5:30 PM

**Sponsors**

Sponsored by the Research Network for a Secure Australia (RNSA). Co-sponsored by the Centre for Transnational Crime Prevention (CTCP) and the Institute for Innovation in Business and Social Research (IIBSOR) of the University of Wollongong (UOW).

**Workshop Description**

Policing today has become a high-tech affair; especially in the provision of incident event tracking and reporting systems increasingly being used to provide evidence in a court of law.

These in-car video (ICV) and body worn recording systems are said to increase convictions and eliminate false claims made by defendants, providing documentary support to police officers and their associated actions in an incident. But today, new technologies such as smart phones equipped with cameras and global positioning system chipsets can also be found in the hands of the everyday citizen, used to capture everyday happenings and distributed to social networks with global reach. It is argued that the traditional notion of community policing has been turned on its head—no longer strictly a strategy followed by police in positions of power in specific neighbourhoods, but a type of policing that has found itself in the hands of the general public.

The Vancouver Riots and London Riots of 2011 demonstrated the complexity of the new 3G mobile environment as thousands of images and video were recorded by police, protesters, perpetrators, and innocent bystanders. Telecommunications operators and service providers declared that they would collaborate with local police forces insofar as regulations allowed, and police called on citizens to act as informants to contribute images and video toward law and order.

The potential for real-time criminalization based on identity, location and video footage has been discussed as a plausible response by police using crowd-sourced surveillance, and crowd-sourced sousveillance techniques. With the proliferation of covert surveillance technologies the stage is set for a re-evaluation of existing laws and practices.

**Origins of Sousveillance**

Sousveillance is a term that was developed by Professor Steve Mann of the University of Toronto.

**Publication**

Outcomes of the Workshop to be published in a special issue of the IEEE Technology & Society Magazine at the end of 2012/ beginning 2013 to be edited by Katina Michael & Andrew Goldsmith.

	Speaker / Presenter	Detail
9:15	<b>Associate Professor Katina Michael</b> University of Wollongong, NSW	Workshop launch
9:30	<b>Professor Kevin Hagerty</b> Alberta University, Canada	<b>Keynote</b> Monitoring within and beyond the police organization
10:20	Morning Tea	
10:40	<b>Mr. Mark Lyell</b> Civilian, Queensland	<b>Plenary</b> Policing with body-worn-video technology - Overview & cases
11:40	<b>Mr. Richard Kay</b> Law Enforcement Trainer, Victoria	Technology & operational safety - The pros and cons for officers
12:10	<b>Mr. Scott Robertson</b> Down Under Security Solutions	<b>Demonstration</b> Covert & wearable POV technologies
12:40	Lunch	
13:30	<b>Mr. Alexander Hayes</b> University of Wollongong, NSW	Ubervveillance: Where-wear & Educative Arrangment
13:50	<b>Associate Professor Darren Palmer</b>	Surveillance, policing and the control of territory
14:10	<b>Dr. Saskia Hufnagel</b> Centre of Excellence in Policing & Security, Queensland	Observing crowd-sourced surveillance through the eyes of the German basic law
14:30	<b>Professor Nick O'Brien</b> Charles Sturt University, ACT	The impact of social networking and other technologies on policing
14:50	<b>Dr. Jann Karp</b> Crime, Control & Corruption Inc., NSW	Australian interstate truck drivers and global tracking systems
15:10	<b>Mr. Tim Burns</b> Artist, Western Australia	Artists' survey: On surveillance
15:40	Afternoon Tea	
16:00	<b>Professor David Lyon</b> Queens University, Canada	<b>Invited Talk</b> The growing gaze: Omniscient, Metaphorical and Reflexive Eyes
16:30	<b>Professor Roger Clarke</b> Australian National University, ACT  <b>Associate Professor Katina Michael</b> University of Wollongong, NSW	The regulation of location-aware and point-of-view surveillance technologies
17:00	Professor Andrew Goldsmith	Workshop wrap-up
17:15	Close	

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## Workshop Convenor

Associate Professor Katina Michael  
School of Information Systems and Technology (SISAT)  
University of Wollongong



## Biography

Katina Michael (MIEEE'04, SMIEEE'06) holds a Doctor of Philosophy in Information and Communication Technology (ICT) from the Faculty of Informatics at the University of Wollongong, NSW, Australia ('03); a Master of Transnational Crime Prevention from the Faculty of Law at the University of Wollongong ('09) and a Bachelor of Information Technology from the School of Mathematical and Computing Science, NSW, Australia at the University of Technology, Sydney ('96).

Katina is presently an Associate Professor at the University of Wollongong in the School of Information Systems and Technology ('02-'12) in Australia, and has previously been employed as a senior network engineer at Nortel Networks ('96-'01). Katina has also worked as a systems analyst at Andersen Consulting and OTIS Elevator Company. Professor Michael has published four edited books, as well as a co-authored 500 page reference volume: *Innovative Automatic Identification and Location Based Services: from Bar Codes to Chip Implants* (Hershey, PA: IGI, 2009).

Katina has published over 85 peer reviewed papers and has been the guest editor of seven special issues including in the IEEE Technology and Society Magazine, Journal of Location-Based Services, Computer Communications, Journal of Theoretical and Applied Electronic Commerce Research, and Prometheus. Michael researches predominantly in the area of emerging technologies, and has secondary interests in technologies used for national security and their corresponding social implications.

In 2012, Katina became the editor in chief of the IEEE Technology and Society Magazine.

Katina helped develop the term "uberveillance" which was coined by Dr M.G. Michael and successfully entered the Official Dictionary of Australia, the Macquarie Dictionary in 2009.

Katina Michael's research publications are available at <http://ro.uow.edu.au/kmichael>

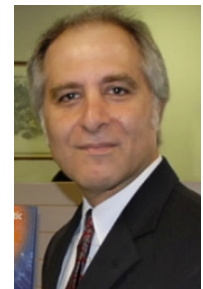
Shortly she will be launching an academic portal on research she has conducted with fellow collaborator Dr MG Michael.

See <http://www.uberveillance.org>

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## Workshop Co-Convenor

Dr. M.G. Michael  
Researcher / Writer  
Uberveillance.org



## Biography

M.G. Michael (Assoc. Member IEEE SSIT '11) received a PhD from the School of Theology at the Australian Catholic University in 2003 in Brisbane, Queensland, and a Master of Arts Honors from the School of Philosophy, History and Politics at Macquarie University in 1999 in Sydney, New South Wales. Michael also completed a Master of Theology from the University of Sydney in 1991 in New South Wales, a Bachelor of Theology from Saint Andrew's Theological College in 1990 in New South Wales, and a Bachelor of Arts from the University of Sydney in 1984 where he majored in general philosophy and Modern Greek literature.

Between 2004 and 2010 he was tutor, lecturer, course coordinator and then honorary senior fellow at the School of Information Systems and Technology at the University of Wollongong, NSW. During this post his responsibilities ranged from coordinating Information and Communication Security, introducing a strong applied ethics component into guest lectures he delivered for subjects in the Social Policy major in the Bachelor of Information and Communication Technology. He was a member of the Centre for Business Services Science (CBSS) and the Institute for Innovation in Business and Social Research (IIBSOR), contributing to a variety of grants on the theme of Location-Based Services.

Dr Michael is a member of the American Academy of Religion. He was also a member of the Research Network for a Secure Australia (RNSA) 2005-2010. In 2010, Dr Michael co-guest edited a special section on the theme of Uberveillance for IEEE Technology and Society Magazine, and in 2011 he co-guest edited a special issue on the Fallout of Emerging Technologies for the same publication. More recently he co-guest edited a special issue of the Journal of Location-Based Services. Dr Michael was partly responsible for bringing the International Symposium on Technology and Society to Australia having published widely in numerous IEEE conferences. Dr Michael has edited three books for the RNSA on the topic of the social implications of national security technologies.

Shortly he will be launching an academic portal on research he has conducted with fellow collaborator Associate Professor Katina Michael.

See <http://www.uberveillance.org>

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## Keynote Address

Professor Kevin Haggerty  
Professor of Sociology and Criminology  
University of Alberta  
Canada

## Title

Policing's visible labors



## Abstract

The police have historically been a 'low visibility' occupation, with the work of individual officers occurring beyond the immediate scrutiny of supervisors and out of view of most citizens. In recent years the police's visible profile has increased significantly. This presentation approaches this development as one instance in a wider politics of visibility, accentuating: 1. how police officers are increasingly visible to the police organization itself, and 2. How new point-of-view technologies are altering dynamics in policing. The latter development marks both an opportunity and a challenge for the police who seek to capitalize on some of the crime-fighting potentials of a camera-carrying citizenry while also managing the risks this poses to police legitimacy.

## Biography

Kevin D. Haggerty is editor of the Canadian Journal of Sociology and book review editor of the international journal Surveillance & Society. He is Professor of sociology and criminology at the University of Alberta and a member of the executive team for the New Transparency Major Collaborative Research Initiative. His recent work has been in the area of surveillance, governance, policing and risk.

In addition to numerous peer reviewed papers he has authored, co-authored or co-edited Policing the Risk Society (1997 Oxford University Press) Making Crime Count (2001 University of Toronto Press) and The New Politics of Surveillance and Visibility (2004 University of Toronto Press) Surveillance & Democracy (2008 Routledge) Security Games: Surveillance and Security at Mega-Events (2010 Routledge) and the forthcoming the Routledge Handbook of Surveillance Studies (with Kirstie Ball and David Lyon).

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## Plenary Session

Mr Mark Lyell  
Supreme Court of Queensland  
High Court of Australia  
Barrister-at-Law



### Title

Policing with body worn video technology: Overview and Case Studies

### Abstract

Law Enforcement involves two fundamental roles: investigation of offences and prosecution of offenders. Since the late 1830s police have used notebooks to record information, observations and conversations including confessions or admissions. More than one hundred and fifty years later police are still issued notebooks for the same purposes. Body worn video (BWV) represents a development and convergence of technologies associated with audio and visual recording, including electronic recording of interviews, CCTV and in-car cameras. BWV represents a development and extension of these technologies, but also has the potential to be a force multiplier for law enforcement agencies in the future.

Drawing on the experience of police in Australia, the UK, US and Canada, Mark will discuss five main reasons why law enforcement agencies should embrace this technology. Firstly BWV provides police a tool with which they can gather the best evidence. Secondly BWV can assist in negating false complaints against police. Thirdly BWV can modify behaviour and improve officer safety. Fourthly BWV enhances professionalism, accountability and public confidence in police. Finally BWV can provide an effective training tool. While the limitations of BWV should be understood, and concerns in relation to privacy must be addressed, it is argued that ultimately there is a coincidence of interest for police, courts, public and defence lawyers in seeing BWV used more widely by police and law enforcement agencies. BWV provides police an important new tool that can enhance the efficiency and effectiveness of police in discharging their duty and bringing offenders to justice.

### Biography

Mark Lyell is a Barrister of the Supreme Court of Queensland and the High Court of Australia. Mark is a graduate of the University of Queensland where he completed a BA in philosophy and political theory. Mark completed training at the Queensland Police Academy and completed two years service as an operational police officer with the Queensland Police Service, and he holds a Diploma of Public Safety (Policing). He is a Member of the Australasian Institute of Policing and a Certified Police Practitioner. Mark subsequently completed a Bachelor of Laws with Honours, and a Graduate Diploma of Legal Practice at the Queensland University of Technology.

Mark has ten years experience as an advocate in criminal cases before the Magistrates Court in Queensland. Mark is a Captain in the Army Reserve, having graduated from the Royal Military College Duntroon. In December of 2010 Mark was awarded the Courier Mail Police Scholarship to study international best practice in police use of body worn video.

This scholarship enabled Mark to travel to the UK, US and Canada to study the experience of police and law enforcement agencies and prosecuting authorities employing this technology.



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## Speaker

Mr Richard Kay  
Founder & Principal Trainer  
Modern Combatives International



## Title

Technology & Operational Safety – Pros & Cons for Officers

## Abstract

Modern technology provides many options for public safety agencies to increase operational efficiency. One example is the officer-mounted camera, a compact portable device that is carried by officers and mounted either on the side of the head or on the front of the torso and captures video and audio records of operational situations. However, whilst useful in an operational context to record officer/suspect actions, aid officers recall events post-incident, and assist reviewers determine accountability against procedures, this technology may create serious repercussions in post-incident investigations. If the differences between human and camera perception are not understood, the video involved could end up confusing and misleading officers, reviewers, and the public. Officer-mounted cameras also pose specific issues for officer safety - the addition of extra gear (weight), understanding its operation and capability (training), posing an injury risk to officers (hazard), altering suspect interaction (risk), and effecting operational decisions based on the camera (tactics). There's also the matter of data security from incident to post-analysis. Data quality and reliability is a key factor, with the data integrity being a crucial aspect for legal process after the fact, as well as reviewers understanding how to interpret the data correctly and in context of the original situation.

## Biography

Richard Kay is the founder of Modern Combatives®, a provider of operational safety strategies to the public safety community, and director of Dynamic Training®, an accredited provider of Vocational Education & Training. He has studied martial and combative systems since 1984 and is an internationally certified tactical force instructor trainer. He has studied Systema (Russian Special Forces), Cloquba Hajutsu (US Police Combatives), Krav Maga (Israeli Defence Forces) and SAFTA (US Special Operations), and is a certified Simunition Safety Supervisor, Force-on-Force Simulation Safety Instructor, Systema Instructor, 5<sup>th</sup> dan Karate black belt and 3<sup>rd</sup> degree Cloquba Hajutsu black belt.

Rich has extensive experience in private security operations and spent time in the Australian military. In 2001 he attained the prestigious ASP Trainer Certification for law enforcement use of force training, and in 2011 was elected to the ASP Board of Examiners. He travels overseas regularly to further his research and development and has instructed in America, Belgium, Portugal and Hong Kong. He has designed aggression management programs for health and community services, and personal safety courses for civilians. He has consulted to organisations regarding personal safety for staff in high risk situations, and has provided expert opinion for investigations and legal cases involving operational use of force and training. He is a member of The International Law Enforcement Educators & Trainers Association.

Rich can be contacted at [rich@moderncombatives.com.au](mailto:rich@moderncombatives.com.au) or via [www.moderncombatives.com.au](http://www.moderncombatives.com.au)

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## Demonstration

Scott Robertson  
Derek Philipson  
Private Investigators  
Down Under Security Solutions Pty. Ltd.  
Coreveillance



## Abstract

Down Under Security Solutions Pty. Ltd. are one of Australia's largest suppliers of the eWitness head camera system. With a private investigations industry background, DUSS are also suppliers of covert operations technologies under the Coreveillance brand. DUSS work closely with government, non-government and industry stakeholders within an Australasian footprint. 'Coreveillance' is an emergent service & product supply brand for DUSS.

## Biographies

Duss has been operating for 3 and a half years throughout Australia. DUSS also supply to a growing client base in the education and training sectors of Australasia.

DUSS provide personal overt and covert POV camera systems to Police Departments in 6 states, including the NSW Police Riot Squad and surveillances units in every state, Australian Customs, WA Fisheries, Department of Defence, Australian Federal Police, numerous councils throughout NSW, Royal Australian Air Force, over 25 private security firms across Australia, Licensed Venues throughout NSW, The Office Of Liquor, Gaming and Racing and many other affiliated organisations.

Scott Robertson served in the RAAF for 5 years as an Avionics Technician, repairing and maintaining F/A 18 Hornet Radar, communications and operating systems. Roberston then spent another 5 years working at RAAF bases throughout Australia and the Middle East and was involved in Avionics Update Programs with RAAF F111 Strike Fighter Aircraft and Jaguar Fighter Aircraft in The Sultanate of Oman during the Gulf War.

Robertson has 13 years of covert surveillance experience in Australia. Robertson is a Director of Down Under Security Solutions Pty. Ltd.

Derek Philipson was employed by the Victoria Police Force from February 1976 until his resignation in August 1996. He performed surveillance duties with the Bureau of Criminal Intelligence (State Crime Surveillance Unit) until 1986 when he was seconded to the National Crime Authority (NCA). At the NCA, he was involved in numerous long term investigations on well known Australian organized crime figures.

In 1993, Philipson was promoted to Sergeant at the Victoria Police Internal Affairs Department. While attached to the Victoria Police he performed surveillance activities whilst working with detectives and surveillance team members from every Australian State, ASIO and the Australian Federal Police. Philipson has also performed in duties as a supervisor, a surveillance instructor and as a general surveillance investigator. In 1996, he resigned from the Victoria Police and has continued in private investigations since. Philipson is a Director of Down Under Security Solutions Pty. Ltd. and manager of his own company Philipson Investigations Pty. Ltd.

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## Speaker

Mr. Alexander Hayes  
Phd. Candidate  
School of Information Systems & Technology (SISAT)  
University of Wollongong



## Title

Ubervveillance: Where-wear & Educative Arrangement

## Abstract

Point-of-view (POV) or body-wearable-video (BWV) technologies are now recognised as a contemporary (and in some cases) preferred first-person rich media source for educational learning resource creation, observational recount and 'on-the-job' training activity. As this practice promulgates through the Australian education & training sector, the intersect between law enforcement, private investigation and the armed services provides educators with salient reasons to critically analyse and determine the impact and implications these technologies are having upon learners, the sector they are employed within and the broader community alike.

What are the benefits / pitfalls that may emerge as these technologies become location enabled, centrally data managed and user-identity dependent? Is there a potential for misuse of the technology and if so, what are the socio-technical considerations that educational organisations need to make now?

## Biography

Alexander Hayes is Project Officer, Training & Communications, Australian National Data Service (ANDS), Division of Information, Australian National University (ANU), Canberra Australia.

Currently completing a Doctor of Philosophy at the University of Wollongong (UOW) Faculty of Informatics, School of Information Systems & Technology (SISAT), Alexander has also completed undergraduate degrees in Bachelor of Arts (Primary Education) at Edith Cowan University, Western Australia followed by a Bachelor of Arts (Fine Art) Honours at Curtin University of Technology, Perth Western Australia.

Alexander has worked within the private, public & community service sectors across the primary, secondary, vocational training (VET) and tertiary sectors in Australia and New Zealand as a lecturer, teacher, project manager, e-learning facilitator and specialist projects consultant. He has also worked as Education Officer in the Justice sector, Juvenile Justice and the Department of Community Services (DOCS). Alexander is co-founder and Director of Streamfolio Pty. Ltd, formed in 2009 to meet the growing demand for rich media portfolio applications that interface neatly with wearable, location enabled point-of-view video camera technologies. Hayes is also ICT Manager and Director of DUSS Pty. Ltd. and co-author of [ubervveillance.com](http://ubervveillance.com), a web site he created to openly aggregate key concepts underpinning the emergent concept of Ubervveillance.

More information available at <http://www.ands.org.au> (ANDS), <http://www.streamfolio.com> (Streamfolio) and his personal website at <http://www.alexanderhayes.com>

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## Speaker

Professor Nick O'Brien  
School of Policing  
Charles Sturt University  
Canberra Australia



## Title

The Impact Of Social Networking And Other Technologies On Covert Policing

## Abstract

Strategies and tactics to deal with organised crime and other serious criminal issues have included the use of undercover officers who use an assumed identity. This method of operating by police is widespread throughout the world and in Australia it has been legitimised by the introduction of various 'Assumed Identities' Acts.

The last five years have seen an exponential rise in the popularity of online social networking which has included users posting photographs of themselves and other people on the internet, often 'tagging' the photographs with names of the people depicted. This has coincided with an increase in the effectiveness of facial recognition software to the extent that it is included in the standard package of some computers. At least one brand of computer allows users to log on using facial recognition software.

'Smart phones' which allow users to take relatively high resolution pictures and log onto the internet are also increasingly popular. 'Cloud computing' has allowed the ordinary user access to computer power and storage that was previously only available to governments and the military.

The question the researchers ask is 'will the convergence of social networking and other technologies make the use of undercover policing redundant as society is rapidly approaching a point where everyone's true identity can be obtained?'

## Biography

Before joining Charles Sturt University, Nick represented the UK Association of Chief Police Officers - Terrorism and Allied Matters Committee (ACPO-TAM) as the Counter Terrorism and Extremism Liaison Officer (CTELO) at the British High Commission in Canberra. Nick covered Australasia and had a 'watching brief' on the Asia and the Pacific region.

Prior to this posting Nick was in charge of International Counter Terrorism in Special Branch at New Scotland Yard, London. Nick has also represented the UK at Europol, the G8 Counter Terrorism Practitioners meetings and the European Police Working Group on Terrorism. Nick first started working in the counter terrorism related area in 1981 and has worked on Irish as well as international terrorism. Nick has written for various publications and has appeared on radio and television commentating on terrorist related matters.

Nick is a visiting Fellow at the Jakarta Centre for Law Enforcement Co-operation in Indonesia. He sits on the Board of Management of the Australian Graduate School of Policing and is an adjunct academic at the Australian National University (ANU).

Nick is now an Australian citizen.

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## Speaker

Dr. Saskia Hufnagel  
Research Fellow  
ARC Centre of Excellence in Policing and Security  
Griffith University



## Title

Observing crowd-sourced surveillance through the eyes of the German Basic Law

## Abstract

Article 2 and 1 of the German Basic Law (the German Constitution) guarantee the right to privacy for all persons within the German jurisdiction. Personal data is further protected by Article 8 of the Basic Law. In the past 80 years, the right to privacy in the German context has undergone several major shifts. In this time-span Germany evolved from an unjust surveillance regime to one of the most privacy protecting systems of the world. While the former East Germany had to experience major state intrusions into privacy until German unification, the development in the West experienced periods of regression, particularly triggered by terrorism events during the 1970s and 1980s, and some would claim even quite recently with the 2011 changes to telecommunications interception laws. Notwithstanding these legal exceptions, the high level of privacy protection in Germany is very apparent in the EU context as many EU security initiatives have been significantly slowed down by German privacy concerns. However, even in the German system evidence based on crowd-sourced surveillance could under certain circumstances be admissible. As there is no clear case-law on this issue yet, this presentation examines the possibilities to use crowd-sourced surveillance afforded by German legislation and analyses related cases on the admissibility of evidence sourced from, for example, private home surveillance cameras, traffic cameras, and private mobile phones.

## Biography

Saskia Hufnagel is a Research Fellow within the 'Vulnerable Infrastructures' Project at CEPS.

Her PhD studies were completed at ANU on the topic 'Comparison of EU and Australian cross-border law enforcement strategies'. She was previously employed as Assistant Professor at the University of Canberra and taught various courses in the field of comparative, criminal and EU law at the ANU College of Law and the ANU Centre for European Studies. Within the 'Vulnerable Infrastructures' Project her work focuses on comparing legal frameworks in Australia and the EU, particularly in the field of mass gatherings, maritime and aviation security.

She conducts further research in the field of EU and Australian police cooperation and the policing of art crime. Her publications include 'Cross-border police co-operation: Traversing domestic and international frontiers' (2011) and she co-edited 'Cross-border Law Enforcement - Regional Law Enforcement Cooperation - European, Australian and Asia-Pacific Perspectives' (2011) Routledge. Saskia is a qualified German legal professional and accredited specialist in criminal law.

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## Speaker

Professor Jann Karp  
Criminology & Sociology  
University of New England  
Armidale Campus



## Title

Australian Interstate Truck Drivers and Global Tracking Systems: Conversations with Truckies

## Abstract

Global Positioning Systems (GPS) are operating extensively in the Australian trucking industry. The satellite dishes connect the moving parts of the truck to the moving driver, to a stationary base. The truck is followed in real time. The weight of the truck is traced. The driver's behaviour in terms of speed, stop and start are recorded. Who is using the records of these movements: the driver, the companies and the regulators? Is this a management tool, a safety tool or a regulatory device? So do we want our workers subjected to surveillance in real time? What is the impact on these men's working lives? I interviewed twenty-three drivers in the field while a passenger en route, and discovered many complexities in these men's working lives. Global tracking works via satellite link; provides a management tool for companies and for regulators; but also gives truckies a tool to argue that they are complying with the rules.

## Biography

Dr Jann Karp retired from the NSW Police in 2007. She graduated with her PhD in the same year and published her first book: *Corruption and Crisis Control: The Nature of the Game* in 2008.

Her second book *Conversations with Truckies Looking at Life Through Glass* is currently being considered for publication as a joint project with the Federal Transport Workers Union and Federation Press.

Her third book again will broaden our understanding of Australian workplaces. The title is: *Workers in the 21st Century*. Jann is presently a Lecturer with the University of New England in Armidale NSW.

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## Speaker

Associate Professor Darren Palmer  
School of Humanities & Social Sciences  
Deakin University, Australia  
Australian Surveillance Studies (AusSS)



## Title

Surveillance, policing and the control of territory

## Abstract

This paper seeks to draw upon research into the use of technology in the policing environment as a means to identify key issues relating to Point of View technologies. The literature stems from two sources. The first concerns recent research with colleagues into the use of ID scanners in the night time economy. I want to use this research as part of the framing of the different perspectives on how we might approach consideration of the use of surveillance technology generally. The second literature approaches the nexus between policing and technology from a socio-legal perspective, drawing upon the broader literature examining the use technology to govern police practice, and in particular the requirement to record police interviews with suspects (audio and where possible/appropriate video). In this instance, the use of technology was resisted by police but has now become, at least in Australia, a standard police practice (though I am not suggesting there aren't any problems in its use). I want to use this literature to identify how we might approach new technologies, or at least the adaptation of existing technologies into new contexts, and the policy and legal developments shaping how POV technology is being used.

## Biography

Dr Darren Palmer (BA Hons, MA Criminological Studies, PhD) is the past convenor of the new major sequence in [Criminology](#) in the Bachelor of Arts at Deakin University. He has had many years teaching experience at La Trobe University (Law & Legal Studies) and Deakin University (Police Studies/ Criminology). He has taught in a range of areas including criminal justice, criminal law, psychology and crime, policing, and criminology research methods.

He has published widely in a number of areas and is a leading radio and television expert commentator on policing and criminal justice issues. He has published widely in a number of areas and is a leading radio and television expert commentator on policing and criminal justice issues.

His current research interests include Policing and criminal justice histories, the professionalization of police practice, Police education, Police memorials, Police pursuits, changing forms of policing and security in Australia and internationally, the impact of terrorism on policing, Policing accountability, managerialism, governmentality and prisoner access to tertiary study.

More information on Palmer at <http://bit.ly/wmJS3J>



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## Speaker

Mr Tim Burns  
Artist  
Western Australia



## Title

Artists' Survey: On Surveillance

## Abstract

This paper examines the role of the artist as a surveillance proponent through the history and development of artistic observation, aspects of control, developments in observational technologies and the moral landscapes that shape the cultural endeavor. The core concerns the work of the presenter looking at a selection of his past works where the aspects of control have been reversed or the intended outcomes have been subverted.

*'Control controls in order to control', as William Burroughs's said. Like it or not, we're all in it for keeps.*

## Biography

"...Tim Burns is a legendary figure in the history of Australian underground art. He rose to notoriety in the early 1970s with a series of (literally) explosive art actions, before decamping to New York, where he remained, on and off until the mid-1990s. He now resides on a large property near the town of York, in Western Australia. Rather than identifying as a painter, filmmaker, karaoke videographer, installation artist, theatre director or performer (although he has done all these and more), Burns calls himself "a context artist". What unites the hugely varied set of projects Burns has worked on over the last forty years is a constant desire to set up situations which critically reflect on our hypermediated, industrialised western society. His interventions are usually created live, in the public sphere, rather than being quietly crafted in the privacy of a studio setting. More often than not, they result in some sort of dramatic surprise or shift in the participants' attention."

Lucas Ihlein (2011) for *Artists Profile*, Sydney

Recently Tim has been living and teaching film, art and interactive broadcast television in Perth, Western Australia at Edith Cowan University and Curtin University and is currently completing a Phd. in Future Filmic discourses, Surveillance and Interactivity at Murdoch University where he has taught Documentary and film production. He has an MFA from the University of Western Australia on determinism in the Pintubi community in the Western desert on which he wrote a feature film script 'The Stolen Film' with support from Screenwest, the WA state film commission.

His work has been exhibited in numerous major shows and art institutions, worldwide, including The Beaubourg Paris, ICA London, ICA Boston, MOMA New York, The Hirschorn Museum Washington, The National Gallery of Victoria, Art Gallery of NSW and South Australia, The National Gallery of Australia and the Sydney Biennale. He is represented in public and private collections internationally.



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## Invited Speaker

Professor David Lyon  
Professor of Sociology & Professor of Law  
Director of Surveillance Studies Centre  
Queens University  
Canada



## Title

Growing Gazes : Omniscient, Metaphorical and Reflexive Eyes

## Abstract

Watching others is an inescapably cultural practice and beliefs about who may watch whom or why watching is worthwhile have been part of that practice throughout history. The following three key types of gaze have a strong relationship with modern surveillance and each raises ethical and political issues. The omniscient eye started with a secular Enlightenment parody of divine omniscience that privileged the eye, seen from the Panopticon to Total Information Awareness. This gaze produces anxiety because surveillance ambiguities are ironed out in the relentless rationality of the eye of control. Technical pan-perception has no place for care, although care is evident in much surveillance. The metaphorical eye or "seeing with data" exists in modern bureaucracy, through the information state to contemporary database surveillance. This may be considered in terms of disembodied information on the individual level and biopower in relation to populations. Today, biopower is basic to the allocation of access to opportunities and rewards. It is surveillance as social sorting. With the reflexive eye, the object is also subject, actively participating in surveillance processes. Surveillance is seen as an element in constitution of everyday life; equally, the subject produces surveillance. Social media are implicated but the reflexive eye is not new; previous top-down depictions of surveillance have failed properly to acknowledge the two-way gaze.

## Biography

David Lyon is Director, Surveillance Studies Centre, Queen's Research Chair in Surveillance Studies, Professor of Sociology and Professor of Law at Queen's University, Kingston, Ontario. From 2008-2010 he held a Killam Research Fellowship from the Canada Council. In 2007 he received a Lifetime Achievement Award from the American Sociological Association, Communication and Information Technology Section and in 2008 was elected a Fellow of the Royal Society of Canada. He has authored or edited 26 books and published many articles. The books have been translated into 16 languages and articles more.

The most recent sole-authored books are *Identifying Citizens: ID Cards as Surveillance* (2009) and *Surveillance Studies: An Overview* (2007) and the newest co-edited collections are *Eyes Everywhere: The Global Growth of Camera Surveillance* (2012) and the *Handbook of Surveillance Studies* (2012). *Liquid Surveillance: Zygmunt Bauman and David Lyon in Conversation* will appear in 2012. *The Culture of Surveillance* should be published in 2013. He is on the international editorial boards of a number of journals, co-editor of *Surveillance and Society* and associate editor of *The Information Society*. He has held visiting positions at universities in Australia, England, France, India, Japan, Mexico, New Zealand and Scotland.

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## Speakers

Professor Roger Clarke  
Visiting Professor  
School of Computer Science  
Australian National University

Associate Professor Katina Michael  
School of Information Systems and Technology  
University of Wollongong



## Title

The Regulation of Location-Aware and Point-of-View Surveillance Technologies

## Abstract

A diverse array of location-aware and point-of-view technologies are proliferating. Each gives rise to data trails and enables visual surveillance and/or dataveillance. By combining these trails, and supplementing them with results of communications interception, law enforcement agencies are becoming capable of integrated views of places and of people associated with them. Given the substantial powers that those agencies have, they are in a strong position to use these new sources of intelligence to protect the powerful and the unpopular, and for crowd control. However, the new tools represent a shift beyond individual surveillance technologies to a coordinated and integrated monitoring complex, to which the term 'überveillance' has been applied. Beyond harming psychological and social needs for privacy, these developments directly threaten political freedoms. Real-time tracking may enhance the capabilities of law enforcement agencies to the point that demonstrations are still-born and hence 'civil resistance is futile'. Retrospective tracking can become a suspicion-generator, and a means of mapping social networks in a way that 'consorting squads' and undercover operatives could never achieve. These technologies lay the foundation for a semi-automated form of chilling effect on political action, political speech and political thought. A review of current regulatory controls on these technologies highlights their impotence. A framework for regulation is suggested. The threats are severe, and there is an urgent need for democracies to impose tight controls on their increasingly intrusive and powerful law enforcement agencies.

## Biography

Professor Roger Clarke is Principal of Xamax Consultancy Pty Ltd, Canberra. He is also a Visiting Professor in the Cyberspace Law & Policy Centre at the UNSW, and a Visiting Professor in the Department of Computer Science at the Australian National University. He was for a decade the Chair of the Economic Legal and Social Implications Committee of the Australian Computer Society, and spent some time as the ACS Director of Community Affairs.

He holds degrees from UNSW and ANU, and has been a Fellow of the ACS since 1986. He is a longstanding Board member of both the Australian Privacy Foundation (APF) and Privacy International, and Chair of APF 2006-10. His resources site, which has accumulated 35 million hits, is at <http://www.rogerclarke.com>.

He can be reached at [Roger.Clarke@xamax.com.au](mailto:Roger.Clarke@xamax.com.au)

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## Workshop Closing Address

Professor Andrew Goldsmith  
Professor of Law  
Executive Director  
Centre for Transnational Crime Prevention  
University of Wollongong



## Biography

Andrew Goldsmith is Executive Director, Centre for Transnational Crime Prevention, and Professor of Law, University of Wollongong, NSW, Australia and Adjunct Professor of Law and Criminal Justice, Flinders University, Adelaide, Australia. He holds degrees in law, criminology and sociology, and has practised law in South Australia and Victoria.

He has a longstanding interest in police governance and accountability, and has published extensively in this area, including two books on civilian oversight of policing. In 2010, he established the Integrity Studies program at the University of Wollongong. In November 2011, he was the keynote speaker at the Australian Public Sector Anti-Corruption Conference in Fremantle, Western Australia.

Among his current research interests is the significance of social media for public sector accountability and particularly police accountability.

More information available at <http://ctcp.uow.edu.au/index.html>



Image: Coreveillance

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