

From: Paul Wilkins
To: [Inquiry, TOLA Bill \(REPS\)](#)
Subject: Fwd: Re: Assistance and Access Bill 2018
Date: Thursday, 27 September 2018 1:27:29 PM

----- Forwarded Message -----

Subject: Re: Assistance and Access Bill 2018
Date: Thu, 27 Sep 2018 12:06:11 +1000
From: Paul Wilkins

Dear Member of PJCIS,

I'm writing to you in deep concern the Assistance and Access Bill 2018 will be soon steamrolled through parliament. There will be serious costs and consequences for Australian industry, and for our democratic institutions, should this occur.

The Bill is premature, the proposed framework deficient and poorly framed.

Regardless of a very great public and industry outcry against the legislation, Attorney General's have moved the Bill from public consultation to the PJCIS in a period under 2 weeks (consultation closed 10th September, Bill was before PJCIS 20th September). This makes a mockery of the consultation process, and treats the public and industry with contempt.

You will be able to read my detailed concerns in the submission I'll be making to the PJCIS consultation process. However, I wish to highlight the inadequate planning and framework designed around the Bill for your attention.

The Bill envisages Technical Assistance Notices, Technical Assistance Requests emanating from over a dozen law enforcement agencies. This duplication of process ensures:

- 1 - duplication of cost to government and industry, and confusion when notices are served as to jurisdiction
- 2 - poor security for warrant data, and service provider confidential information, where it's spread across over a dozen agencies and their agents
- 3 - serious anticompetitive consequences, where the treatment of notices is subject to significant economies of scale (look for my analysis in my coming submission)

The (obvious) alternative is a single agency acting as a clearing house for notices, liaising the development of the framework and supporting Capability Notices with industry, and serving as custodian for warrant data and service provider confidential information. It's a no brainer, which goes to the root of the matter, that the framework under the current Bill is ill considered, and passage of this faulty Bill would be premature.

Yours sincerely

Paul Wilkins