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Parliamentary Joint Committee on Intelligence and Security
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Submitted via email: pjcis@aph.gov.au

**Submission in relation to the Surveillance Legislation Amendment (Identify and Disrupt)
Bill 2020**

1. The Carly Ryan Foundation is a not-for-profit, registered harm prevention charity created to promote internet safety and prevent crime against children under the age of 18 years. The Foundation supports families and the community through education, awareness, engagement, harm prevention, promotion and political advocacy.
2. The Foundation's mission is to make the internet safer for children and families. We have pioneered efforts to raise public awareness about the dangers of harmful internet pornography, sexual predators, cyber bullying and other online threats. We create solutions that promote shared responsibility between the public, technology and the law. We stand for a community where all people are respected and valued, for a child's innocence is to be protected and for a society free from online sexual exploitation of youth.
3. We welcome the government's commitment to innovating alternative pathways to reduce online crime through the introduction of the Surveillance Legislation Amendment (Identify and Disrupt) Bill 2020.
4. The Foundation supports in principle the aims of the Bill to enhance law enforcement's ability to protect children and disrupt crimes against children from occurring.
5. We are entering a world where technological communication is not a privilege, but a way of life. Access to the internet is considered as an essential utility not only for employment and entertainment, but also as a means of connection with family and friends. But for most of the population, our 'surface-level' use of the internet makes us ignorant of how deep it goes, and how dark it becomes. The ubiquitousness of our dependency fails to inform us about the criminal undercurrents flowing beneath.

6. The investigation of alleged crimes is not immune to technological creep, and law enforcement are increasingly dealing with digital aspects of criminality amongst many crime types: terrorism, domestic violence, stalking and harassment, and importantly for the Foundation, child exploitation. Units that specialise in online and cyber crime are best placed in understanding what tools they require to keep the Australian community safe.
7. In the same way that our understanding of data privacy and protection are evolving in respect of the individual, the same argument applies in respect of the community. We protect individuals, but we protect communities too. While the Foundation generally agrees with the idea of 'there's no need to worry if you haven't done anything wrong,' this does not mean that decision-makers should be given *carte blanche* to surveill citizens and intrude on individual privacy. A caveat must be placed on these powers and the Foundation believes that this bill includes appropriate oversight and accountability of the three powers being bestowed upon law enforcement, such as requiring a warrant to use the powers and restricting the admissibility of intelligence gathered from the use of the powers into evidence.
8. The privacy of the individual in the digital age can be divisive, however, the Foundation is clear on where it stands: individual privacy cannot trump the protection of children, and law enforcement should not be constrained in its investigations of alleged crimes against children.

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