

Review of the Surveillance Legislation Amendment (Identify and Disrupt) Bill 2020

Committee Secretary

Parliamentary Joint Committee on Intelligence and Security
Parliament House, Canberra. Australia.

In my submission I would like to raise some concerns that I have...

The very nature of encrypted and anonymising technology means innocent individuals and entities will by default be impacted by this warrant regime. This is domestically and internationally.

An individual and/or entity should not by default be a suspect because they use or provide services in an encrypted and/or anonymising technologies.

The Bill does not preclude mass and/or large scale surveillance. There are no checks for the number of concurrent warrants – Multiple warrants could have significant operational impact on a network, potentially affecting the usage and life(s) of individuals. This could also lead to perpetual surveillance of innocent parties.

Metrics where known should be used to evaluate the level of disruption to innocent parties.

Need to have checks between applications for a warrant to ascertain the number of innocent entities that were used in previous applications. This should also include access to data obtained under the Assistance and Access Bill and/or the Metadata Retention Scheme.

No provisions for journalists especially with account takeover warrants. This could damage person and reputation affecting the career of an individual.

There is no legal provisions/pathway for a person compelled to provide assistance under the assistance order.

Regards,

Paul Templeton