Subject: Intelligence Committee inquiry into the Telecommunications (Interception and Access) Amendment (Data Retention) Bill 2014

Date: Wednesday, 24 December 2014 9:34:31 PM

Dear Committee,

I am dissatisfied and nervous in the extreme with the Government’s handling and proposed implementation of the Data Retention Bill, for reasons I set out below.

- Technical and Industry experts have postulated serious doubts over whether or not ‘content’ can be separated from ‘metadata’. The Government must provide clear and above all transparent guidance as to how this distinction will be made and maintained. I am deeply concerned that the Attorney-General seems incompetent even to define metadata. This does not inspire confidence. We demand a full, unobfuscated explanation.

- The Government must clearly and transparently describe the safeguards that will accompany data retention to ensure that Australians’ personal data will only be accessed for legitimate security reasons.

- The Australian public needs clear and transparent guarantees that their sensitive personal data information will be protected from hackers or foreign entities, especially in the light of the number of significant data breaches in recent times.

- The Government must indicate succinctly the cost of this scheme, and how and by whom it is to be funded.

- Serious consideration must be given to the potential impact on Press freedom, as the scope of retained information could potentially reveal journalists’ sources and the identities of whistle-blowers.

These concerns must be addressed and answered fully and openly by the Government before the legislation can be even considered, let alone passed.

Yours faithfully,

Mason Hope