

From: Alfie John
To: [Assistance Bill Consultation](#)
Subject: The Assistance and Access Bill 2018
Date: Monday, 10 September 2018 1:50:30 AM

Hi,

First off, the Exposure Draft for the "Telecommunications and Other Legislation Amendment (Assistance and Access) Bill 2018" is 176 pages. The deadline of 10th of September 2018 to submit comments is unrealistic and does not give anyone from the general public enough time to digest the high impact nature of the changes of the bill, let alone give the community a reasonable amount of time for discussion or debate.

I request a reasonable time extension for the average person who has a 9-5 job to be able to digest these important changes.

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Just a note on your website, "The challenges posed by encryption" section of the webpage at ["https://www.homeaffairs.gov.au/about/consultations/assistance-and-access-bill-2018"](https://www.homeaffairs.gov.au/about/consultations/assistance-and-access-bill-2018) states the following:

"A high risk Registered Sex Offender (RSO) was placed on the register for raping a 16 year old female, served nine years imprisonment and is now monitored by Corrections via two ankle bracelets whilst out on parole. Victoria Police received intel that he was breaching his RSO and parole conditions by contacting a number of females typically between 13 and 17 years of age. Enquiries showed that he was contacting these females and offering them drugs in return for sexual favours. The suspect was arrested and his mobile phone was seized but despite legislative requirements he refused to provide his passcode. Due to an inability to access his phone as well as the fact that he used encrypted communication methods such as Snapchat and Facebook Messenger, Victoria Police was unable to access evidence which would have enabled them to secure a successful prosecution and identify further victims and offences. These are high victim impact crimes that are being hindered by the inability of law enforcement to access encrypted communications.

Did it ever occur to Victoria Police to instead ask the minors involved in the case to assist in their investigation instead of undermining security for the rest of the population? I find this example burrying the lead and manipulative.

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After trying to follow along through the bill, the most I am troubled about is:

"3F(2)
... (i) use any other computer or a communication in transit to do those things"

Interpreted lightly, this means that somebody following a warrant is allowed to hack any computer in the world to get to the target. Although I do see a need for this for only the most urgent cases by the ASD in legitimate cases of "National Security", the ongoing cluster between Alexander Downer and Witness K leads me to believe something like this could and eventually be open for abuse.

What accountability such as logging, monitoring, supervision will be applied to agents executing warrants? This section needs to be changed so that having legal immunity to hack into any computer or network in the world cannot be

abused, and if attempts were made to abuse this authority, then the immunity afforded to them by this bill and any other bill must not be revoked, and the usual penalties should be handed down to them as if any other member of the public performed those same actions when not covered by a warrant.

Alfie

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Alfie John

<https://www.alfie.wtf>