

From: Bryce Letcher
To: [Assistance Bill Consultation](#)
Subject: Objection to The Assistance and Access Bill 2018
Date: Sunday, 9 September 2018 2:45:05 PM

As a small provider of VoIP services, website & hosting and other computer services I have very significant concerns about this proposed Bill.

As an individual I have some very significant concerns.

Firstly, from a business perspective, I have very limited resources or ability to provide access that may be required. I see nothing which provides for funding of the potential expenses and I see nothing which provides that actual technical resources that may be required. Compelling me as a business owner achieves nothing when I can't do it. Basically is just come down to being a significant threat to me for absolutely no gain for the Government. A pointless exercise!

Secondly, again from a business perspective, I have no ability to contain or restrain anyone, either an employee or some other form of associate from speaking about a request or demand for access to a customers private information. On the other hand I do have a legal and ethical responsibility to my customers to keep their information private!

As an individual I have concerns about the lack of detail in respect to the ability of the Government to use the power in this Bill. There needs to be very specific limits and controls about the use of the proposed powers, and these limits and controls are noticeably absent. Before access to private communications is available the request needs to be considered by a Court who would balance the need for the access, supported by actual evidence of criminal behaviour against the right to privacy of the individual or organisation who owned the communication. The whole point of course is to ensure that there is no abuse of power.

Lastly I fail to see the need for such draconian legislation at all. I am sure that the Police and other Government organisations already have a significant ability to intercept communications but more importantly, many of the organisations which provide secured communications facilities do not operate within the jurisdiction of Australian Law, so the entire point of this Bill would be negated by that limitation. As soon as an individual with criminal intent realised that point they would simply choose a communication facility which was not required to comply with Australian law.

There is no point in making legislation which cannot be enforced.

Regards,

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