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To: [Assistance Bill Consultation](#)
Subject: Comments on the bill.
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In reading the bill, I note there are a number of area's within the legislation which are unreasonably open ended and may result in abuse. These are initial observations - and come from a quick analysis rather than an in depth study of the document.

In one or more sections of the document it is stated that warrants last for the applied for period plus 28 days. I think a better way to deal with this might be to set the minimum length for the request to 28 days - rather than setting expectations and then retaining access for a misleading additional length of time. If a judge approves a warrant for a specified period - the warrant should be approved only for that period.

Also - within the document there is the following statement in a number of locations:

For computers that are subject to the warrant:

"

(e) if, having regard to other methods (if any) of obtaining access 12

to the relevant data which are likely to be as effective, it is 13

reasonable in all the circumstances to do so: 14

(i) using any other computer or a communication in transit 15
to access the relevant data; and

(ii) if necessary to achieve that purpose—adding, copying, 17

deleting or altering other data in the computer or the 18
communication in transit;

"

I have some concerns around deleting or altering data, both it's effects on chain of custody and the potentially for it to be misused, perhaps to plant information - and the lack of circumstances defined where this may be (if ever) appropriate. In my opinion this is insufficiently restricted and will be abused.

Additionally, the conditions around targeting of a computer - a specific computer, a computer at a specified organisation, or a computer that may be used, have been used by a subject who may or may not be identified (or something like that) - pretty much defines any computer or device that we feel like. This is also likely to be abused.

In some ways the legislation could be interpreted that once a warrant has been approved - an "investigator" can do anything, access anywhere or anything, take anything, alter content, delete information and so forth. In terms of checks and balances, this sounds more consistent with the rules for alternative nations that we seek to be better than, rather than Australia.

PS: I am not a lawyer - so I may have misinterpreted some aspects of the document from a legal perspective. One the other hand - that probably means other people may also misinterpret - which means there is probably a better way for it to be written.

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The surest way to corrupt a youth is to instruct him to hold in higher esteem those who think alike than those who think differently.

- Friedrich Nietzsche

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