

From: Ron Waldon
To: [Assistance Bill Consultation](#)
Subject: Assistance and Access Bill 2018: please reconsider
Date: Wednesday, 29 August 2018 2:32:49 AM

To the Department of Home Affairs,

I am writing to you as a concerned Australian, regarding The Assistance and Access Bill 2018.

This proposal comes at a time when all governments should be working to increase the security of the Internet and connected devices, rather than undermine it. All Australians, including law enforcement and politicians, depend on the security and transparency of our personal devices.

We cannot trust software vulnerabilities and cyber attack tools in the hands of (allegedly well-meaning) government agencies, of any country, no matter how well-funded and secure they proclaim to be. Famously, criminals have even stolen cyber attack tools developed by the NSA: <https://www.theatlantic.com/international/archive/2017/05/nsa-cyberattack/526644/>

We have also seen corrupt rogue elements with well-meaning government agencies abuse powers at their disposal. Famously, NSA analysts uses surveillance apparatus to spy on spouses and other loves ones: http://www.slate.com/blogs/future_tense/2013/08/23/bloomberg_report_nsa_employees_have_deliberately_abused_their_power.html

We've also seen Minister Dutton abuse his position to grant tourist visas as personal favours. Once a dangerous weapon has been created, it will inevitably fall into the wrong hands. It is better than powers such as those in this bill never exist in the first place.

An extremely worrying part of the proposed bill enforces a cloud of secrecy around all requests for assistance. This lack of transparency makes it difficult for the public to audit the system and trust it. How would we even know when the new powers in this bill are being misused? How can we be sure of the scope of assistance requests?

Are requests for these powers subject to an adversarial review? Are expert representatives from industry and the public good present to review requests and ensure they operate under the smallest scope and the safest parameters possible?

The language in this bill is explicitly overly broad, and the authorisation of these powers would be granted to an astonishingly large group of people. This makes controlling these powers harder to achieve, especially with the gag clauses preventing disclosure.

This bill sets a dangerous international precedent: should this pass, other countries will seek similar powers, and they may choose to implement without the easily circumvented safeguards present in the Australian bill.

Oddly enough, Huawei has been banned from use in Australia's 5G networks due to perceived conflict of interest: by Chinese law they could be compelled to assist the Chinese government with espionage abroad. Does this Australian bill not put Australian companies operating internationally in a similarly awkward position? How could anyone ever trust any company operating in Australia ever again?

I am sympathetic to victims of crime, having been one myself multiple times, but granting law enforcement dangerous powers is a bridge too far.

Do we want to live in a society that protects the innocent at the cost of missing some criminals, or a society that catches all criminals but punishes some of the innocent?

I urge you to withdraw this bill and withdraw all support for anything

like this bill in future.

Ron F Waldon

