

From: Scott McBlane
To: [Assistance Bill Consultation](#)
Subject: Feedback on The Assistance and Access Bill 2018
Date: Thursday, 6 September 2018 8:30:04 AM

To whom it may concern.

I am writing this email to provide feedback on The Assistance and Access Bill 2018, and that is from a position not supporting the proposed legislation.

The primary reasons for that are two fold:

1. Criminals will continue to use technology that is incapable of being overcome.
2. Allowing this legislation may allow greater harm for the public, instead of protection, through the addition of additional points of failure.

1. Firstly, The proposed legislation understands the benefits of encryption to everyone, which includes things like online banking, and online shopping, while also making the point that criminals use these tools to take part in illicit activities. However, in the words of the explanation documentation "In many instances encryption is incapable of being overcome, limiting possible avenues for agencies to gain important information." With this in mind, it is my belief that enforcing this legislation would simply move criminals to exclusively use services that are "incapable of being overcome", while leaving the rest of society in a position that has their privacy compromised.

2. Secondly, while the explanation documentation states "Cyber security will be ensured and privacy will be protected through robust safeguards in the Bill and the existing warrant regime for access to telecommunications content", the fact is that this cannot be stated with such certainty. As is evident with countless past occurrences, both governments and companies have been unable to safely, and securely store people's data. Creating additional points of failure amplifies this problem. This also creates a concern for people's private information falling into the wrong hands, and thus creating a circumstance where the government is directly responsible for not protecting the public.

Privacy allows people to think, act and communicate freely without the fear of someone else obtaining that information without their permission, which is so important for a healthy society and, although privacy can create additional risk, I believe the risk is not significant enough to allow for a compromise of freedom. It is my belief that the vast majority of people use their right to privacy for things that are lawful, as opposed to things that are not, and allowing for a potential for that privacy to be compromised will do far more damage to society than it will good. We therefore should strongly consider protecting this freedom, instead of compromising it through the removal of privacy which is what this legislation will do.

To reiterate, while this legislation has been drafted to "enforce the law, investigate serious crimes and protect the public" I believe that it will actually harm the public, rather than protect.

Kind regards,

Scott McBlane.

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Scott McBlane

