

Jessica Smith



**RE: Retained data in civil proceedings consultation**

Dear Mr. Brandis,

When the Telecommunications (Interception and Access) Amendment (Data Retention) Bill 2014 was introduced, it was made very clear by the Government that there would be strict limits imposed as to who would be permitted to access this sensitive private information. Access was limited to a number of agencies that were concerned with the prosecution of issues of national security, and of serious crimes. It was explicitly stated that access would never be extended for the purpose of prosecuting civil litigation.

As a private citizen with a long career in IT, I strongly object to any weakening of these provisions. The metadata collected is of a sensitive nature and already reverses the presumption of innocence of all Australian citizens by creating ubiquitous surveillance of their digital activities. The justification for this was that it was necessary to potentially help prevent acts of terror, and to prosecute those who committed serious crimes. It is unreasonable to allow civil litigants to subsequently have access to this metadata as a 'windfall' for the prosecution of relatively minor offences.

Please keep your original promise on this issue, and do not weaken the existing provisions.

Thank you for your time.

Sincerely,

Jessica Smith