

To whom it may concern,

I read with serious concern that you will be using data retention laws to be used in civil proceedings. I find this troubling for many reasons not least because a few years ago it was assured by the government that this would not happen via the following quote:

"The mandatory metadata retention regime applies only to the most serious crime, to terrorism, to international and transnational organised crime, to pedophilia, where the use of metadata has been particularly useful as an investigative tool, only to crime, and only to the highest levels of crime. Breach of copyright is a civil wrong. Civil wrongs have nothing to do with this scheme."

Exemptions to this via the standard tactic of citing a compelling moral reason that would apply in a tiny minority of cases (Domestic Violence) in order to justify a vast extension of government surveillance powers.

Your briefing paper is sparse on details on why the current regime is not sufficient for prosecuting these types of cases, and why the need for access to metadata is so important.

I note also that the definition of when it can be accessed is very broad - data retained for business purposes, as opposed to data retained for mandatory compliance reasons - a large corporation such as Telstra could conceivably and justifiably claim that any sort of data was collected for business purposes.

I am not a legal person, I am simply a private citizen with some interest in this matter, and I simply see another area where the public were given assurances at the time over metadata, and now that it has been in place for a few years the government is trying to make sweeping changes that they assured us they would NOT DO using the lowest profile possible and with a minimum of fuss. The attorney general should be out talking about this publicly and justifying loudly and prominently why these changes are necessary, and why the government has seen fit to ramp up its surveillance powers of the Australian public. To try and sneak this through would simply continue the growing distrust the Australian public have for the parliamentary class. I do not understand the compelling justification for this change and would like to see it explained simply and openly, as requested above.

I would think the recent repudiation of the current political class in the United States would have taught the government the dangers of ignoring the concerns of their citizens, as I am sure that not many Australians would be in favour of a mass surveillance program of this type.

Kind Regards,

Justin Clark