

Submission regarding access to telecommunications data in civil proceedings.

I would like to express my grave reservations about the extension of access to retained meta-data for civil litigation.

I write this as a private citizen, a retired computer-science academic, familiar with many of the technical issues involved.

There is a difficult balance to be struck between the rights of citizens to privacy as they go about their daily lives and the legitimate needs of the state to investigate crimes.

The original premise of the data-retention legislation was that the retained data would be used for the investigation of only the most serious kinds of crimes. That so much of this retained data is accessible without warrant is already problematic. Allowing such data to be used in civil cases would take this even further in the wrong direction.

And as a practical matter, the more retained meta-data is accessed, the greater likelihood there is of accidental or malicious breach of this data.

In Family Court matters, if there are serious concerns about abuse or violence, then these can be handled, as they should be, under the criminal law.

Rather than extending access to retained data, the government should instead consider further restricting access to citizens' retained meta-data without warrant.

Moreover, the government should require mandatory reporting of data breaches, for the sake of accountability and protection of citizen's privacy.

We unfortunately seem to be moving towards a level of surveillance of citizens' lives far beyond what was imagined in George Orwell's dystopian novel 1984. This is unhealthy for a free society.

Les Kitchen

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