

Hi,

I read with concern that barely a few years after assuring us 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."

Unsurprisingly, Senator Brandis now wishes to push through 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 scandalously 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. It puts me in mind of when Senator Brandis said he would define what a "special operation" was for ASIO's purposes, which was basically whatever he said it was at the time.

<http://www.smh.com.au/federal-politics/political-news/trust-me-ill-be-the-gatekeeper-on-journalist-prosecutions-says-george-brandis-20141030-11e4dm.html>

"That would mean any Attorney-General would, as an elected politician, have to "take personal and therefore political responsible for any prosecution were any ever to be considered".

"That would mean that in the barely foreseeable, barely imaginable event that a journalist were the subject of a prosecution brief to the Commonwealth DPP, the Attorney-General, as a political official, as a minister, would assume immediate responsibility for allowing that prosecution to proceed," he said.

He described that as a "powerful safeguard" but admitted future attorneys-general would not necessarily have to adhere to the same principle and could in fact even revoke vetos that Senator Brandis himself had placed on prosecutions."

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.

Kind Regards,

Matt Foster