

Dear Attorney-General George Brandis,

I write to remind you of a statement you made on the ABC's Q&A program on 3rd November 2014: "The mandatory metadata retention regime applies only to the most serious crime, to terrorism, to international and transnational organised crime, to paedophilia, where the use of metadata has been particularly useful as an investigative tool, only to as a 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."

I am therefore immeasurably concerned that consideration is being given to expanding access to telecommunications data retained under the terms of the mandatory data retention scheme to civil cases.

Rather than expanding access to this scheme I believe you should be working to ensure there are additional privacy safeguards introduced in to the mandatory data retention scheme.

Specifically I call on you to dismantle the metadata retention regime in it's entirety as it is an affront to privacy and civil liberty. As a compromise to the complete destruction of the regime I call on you to:

1. Extend the warrant requirement for access to retained data to cover the entire population. As at present warrants are only required for access to journalists' data. I believe that all citizens deserve the right for judicial oversight in matters as serious as the retroactive invasion of their privacy.
2. Ensure there is no expansion of access to retained data for civil cases.
3. Reduce the retention period for data to no more than 2 weeks.
4. Ensure there is no increase in the list of agencies able to access retained data. Furthermore the agencies permitted to access this data should be limited to only those involved in the investigation of the most serious crimes such as terrorism or espionage.
5. Ensure transparency in what agencies are accessing data and in what volume. Specifically which agencies are exercising their right to access data and if that access is being used to target specific individuals or as part of a larger dragnet style program.
6. Ensure that all metadata including any copies or the product of any analysis of this data is irrevocably deleted as soon as the retention period has passed with severe punishment for lack of compliance.

Regards

Sasha Karovich-Wynne