



Media Release

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Data retention - consumers shouldn't wear increase in phone and internet costs

The Australian Communications Consumer Action Network (ACCAN), the peak body for communications consumers in Australia, has opposed costs being worn by consumers should a data retention bill be passed by Parliament.

In a submission on the *Telecommunications (Interception and Access) Amendment (Data Retention) Bill 2014* to the Parliamentary Joint Committee on Intelligence and Security, ACCAN recognised that in many cases access to communications data by criminal law-enforcement agencies is legitimate and necessary. However, robust and independent oversight mechanisms are crucial to ensure the privacy of Australian citizens is not compromised unduly.

"We want costings for the scheme to be publicly available so that the full cost implications for consumers can be assessed. Costs incurred by telecommunications and internet service providers should be covered by Government. Although taxpayer funded, this would reduce the impact on lower income consumers who already struggle to pay their phone and internet bills," said ACCAN Deputy CEO Narelle Clark.

"ACCAN's submission calls for transparent reporting to Parliament on access to metadata and a limitation on ministerial discretion to add bodies to the list of agencies able to access this data without a warrant. This will help ensure that only criminal law-enforcement agencies investigating the most serious of crimes have warrantless access to this highly sensitive data," added Ms. Clark.

Meticulous safeguards are needed due to the nature of the data and the risks associated with broad access. These safeguards should consider how the misuse of information and likelihood of data breaches can have serious impacts on the lives of individuals.

"Data breaches and unlawful access to this data are serious issues that need appropriate protections. Communications data reveals deeply personal information, and practically speaking is very difficult to separate from the content of the communication," added Ms. Clark. "This data could be used to reveal information such as a person's private political opinions, religion or medical conditions."

ACCAN's submission includes 14 recommendations for improvements to the Bill including: that cost estimates for the scheme are made publicly available; that the federal government covers the costs of the scheme taking into account the disproportionate costs for smaller service providers; that agencies added to the list of criminal law-

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enforcement agencies able to access metadata without a warrant be limited to those investigating serious criminal offences; and for increased parliamentary scrutiny of additions to the list of agencies as well as the types of data to be collected. ACCAN also supports industry's request that the period of statutory data retention be reduced from two years to six months.

You can access the [full submission](#) on ACCAN's website.

For more information, please contact Luke Sutton on 0409 966 931 or luke.sutton@accan.org.au.

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