



Written by [Veronika Kyrylenko](#) on September 2, 2021

Australia Passes Massive Surveillance Bill: Data on Personal Computers May Be Fully Accessed/Modified by the Government

Australia is taking its fight against cybercrime and online terrorism — or anything it deems terrorism and “serious Commonwealth offence” — to the next level. Last week, the Australian Federal Police (AFP) was granted almost absolute surveillance powers over the population, including hacking computer devices of suspects, collecting or deleting private data, and taking over social-media accounts — merely on the basis of suspicion, without a person having been accused of any wrongdoing.



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The Surveillance Legislation Amendment ([Identify and Disrupt](#)) Bill 2021 grants the Australian Federal Police (AFP) and the Australian Criminal Intelligence Commission (ACIC) three new powers for dealing with online crime. According to [the Guardian](#):

- **Data disruption warrants** enable the AFP and the ACIC to disrupt data by modifying, adding, copying or deleting in order to frustrate the commission of serious offences online
- **Network activity warrants** allow agencies to collect intelligence on serious criminal activity being conducted by criminal networks; and
- **Account takeover warrants** let the AFP and the ACIC take control of a person’s online account and can be combined with other warrants to gather evidence to further a criminal investigation

The paper further explains that data disruption warrants may be sought if authorities believe there are relevant offense(s) that involve data held in a computer and disruption of such data is “likely to substantially assist in frustrating the commission” of the offense(s).

Network activity warrants will demand “reasonable grounds” for suspecting a person or a group are engaging in or facilitating criminal activity, and obtaining data from their computers would “substantially assist” in preventing, detecting or frustrating a crime.

Finally, an account takeover warrant will be issued when there are reasonable grounds that it is necessary to gather evidence of a relevant offense(s).

Further, Australian companies, systems administrators, and any entities deemed helpful in assisting the law enforcement in hacking the devices of the “suspects,” collecting their data, modifying or deleting the content they create online, changing account credentials, and whatever else is necessary, must comply and assist the police. Refusing to do so could land one in jail for up to 10 years, per the new law.



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The first two types of warrants can be issued by an eligible judge or a nominated member of the administrative appeals tribunal (AAT), while account takeover warrants must come from a magistrate (a local court).

Last August, when the bill was introduced, former Home Affairs Minister Peter Dutton [specified](#) that police would only use this new law to investigate and prevent such crimes as drug trafficking, terrorism, and child exploitation “on the dark web.” Dutton said the powers that would be granted to the law enforcement under the bill would apply “to those people [who commit the specified crimes] and those people only.”

Similarly, current Minister for Home Affairs Karen Andrews stated that the new legislation gives more authority to the law-enforcement agencies in the country in identifying cybercriminal activities online and “keeps Australians safe.” “Under our changes, the AFP will have more tools to pursue organized crime gangs to keep drugs off our street and out of our community, and those who commit the most heinous crimes against children,” Andrews [stated](#).

In reality, the pool of punishable offenses has been extended endlessly. The bill’s explanatory memorandum states serious commonwealth offenses “include, but are not limited to, money laundering, threats to national security, dealings in child abuse material, importation of prohibited imports and violence.” Some local media [expressed](#) concern that the wording of the law enables the police to investigate any offense that is punishable by imprisonment of at least three years.

The Human Rights Law Centre, an Australian human-rights group, has criticized the bill for its “insufficient safeguards” that could lead to government abuses of people’s privacy. Kieran Pender, a senior lawyer at the organization, [said](#) that the Centre advocated for restrictive provisions to be included in the bill, and that the parliamentary committee that produced the bill has agreed to adopt them. Nonetheless, the final version did not include many of the discussed safeguards, while the rest were only partially adopted. Kender warned:

Every increase in state surveillance has a democratic cost. Overbroad surveillance powers impact the privacy of all Australians and have a chilling effect on journalists and whistleblowers. Given the powers are unprecedented and extraordinarily intrusive, they should have been narrowed to what is strictly necessary and subject to robust safeguard.

Kender accused the government of Australian Prime Minister Scott Morrison of dropping the recommendations and “rushing these laws through Parliament in less than 24 hours.”

The news comes as Australia is rapidly turning into a dystopian police state that curbs the civil liberties of the population by imposing draconian COVID lockdown rules. The country’s two most populous states, [New South Wales](#) and [Victoria](#), with a total population of over 12 million people, are stuck in lockdown mode that is being constantly extended. The only way to get out of it, the officials say, is to vaccinate at least 70 percent of people against COVID. Meanwhile, both states took a heavy-handed approach in addressing COVID transmission, looking to prevent every single case at any price. Generally, the population is not allowed to leave their homes, with few exceptions officially dubbed “reasonable excuses.” Facemasks are to be worn in most indoor and outdoor public settings. To make sure the residents obey the rules and don’t protest, NSW has [deployed the military](#) and expanded police presence. [Reportedly](#), Queensland, Australia, is now building a COVID quarantine facility, which some are referring to as a “COVID concentration camp.”



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Not surprisingly, such an atmosphere breeds “terrorists” that grow “[sick and tired](#)” of senseless anti-freedom rules that achieve little other than impairing people’s freedoms.



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