



**THE HON ANGUS TAYLOR MP
MINISTER FOR LAW ENFORCEMENT AND CYBER SECURITY**

MC18-014163

Mr Nathan White
Senior Legislative Manager
Access Now
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Dear Mr White

Thank you for your email of 17 July 2018 attaching a letter to Senator the Hon Scott Ryan and the Hon Tony Smith MP, signed by 76 organisations, companies and individuals concerning the Australian Government's position on encryption. I note that the Attorney-General, the Hon Christian Porter MP, and I were each sent a copy of the letter. As the matters fall within my portfolio responsibilities, the Attorney-General has referred the correspondence to me for consideration.

Encryption is a vital security measure for digital data, and the Government is committed to strong protections for personal and commercial information. Encryption makes the communications and devices of all people more secure, but it is also being employed by terrorists, child sex offenders and criminal organisations to mask illegal conduct. Encryption now presents a significant obstacle to the lawful access of communications by Australia's law enforcement and national security agencies, and is a serious impediment to the ability of our agencies to detect and disrupt serious threats to the public.

The Government has developed the Telecommunications and Other Legislation Amendment (Assistance and Access) Bill 2018 (known as the Assistance and Access Bill 2018), to ensure that our law enforcement and national security agencies are given the necessary tools to adapt to the rapidly-evolving technology sector. Investigative powers established over 20 years ago are no longer suited to the contemporary communications environment, and the laws must be modernised. A significant aspect to this effort is acknowledging the obligations of communications providers to assist authorities. Companies supplying communications in Australia are in a unique position to help law enforcement investigate harmful activity conducted on their services and devices. Australia's proposed laws will build on existing strong relationships with industry providers in order to adapt to this new challenge.

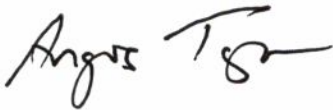
It is important at the outset to clarify that the proposed laws will not compel companies to build so-called ‘backdoors’—inherent weaknesses within encryption technologies—into their services or products. The Government is committed to protecting strong encryption; it is not in the interests of our agencies to make the communications of everyday Australians vulnerable to malicious actors. Rather, the Government is seeking collaboration with, and reasonable assistance from, companies integral to the supply and use of communications in Australia.

The Government is seeking to identify and address the concerns of interested parties through public consultation. I invite you and the organisations represented in the letter to review and provide comments on the Assistance and Access Bill 2018, available on the website of the Department of Home Affairs at: <https://www.homeaffairs.gov.au/about/consultations>.

The contact officer for this matter in the department is the Assistant Secretary of the National Security Policy Branch, Mr Andrew Warnes. Mr Warnes may be contacted at andrew.warnes@homeaffairs.gov.au.

Thank you again for your correspondence. I would be grateful if you would pass on my reply to the 76 organisations, companies and individuals who signed the letter.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Angus Taylor', with a stylized flourish at the end.

ANGUS TAYLOR