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# Draft Investigatory Powers Bill

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# A Network Operator's Perspective

“Data” includes any information which is not data

- » Likely to be legislated in 2016
- » Replaces (parts of) RIPA, DRIPA, Data Retention Regs
- » More than a hint of the Communications Data Bill
  - › Creates lots of Gov't powers, but few duties on others
  - › Powers are mostly to order others to do things
  - › It could be you, but wait till you hear

- » All “telecoms operators”, not just public network/services
  - › Unlike DRD, DRIPA
  - › “telecoms operator” = anyone with a router, AFAICS
- » Collecting data you don’t currently have
  - › Including third party data
- » Formally
  - › Any feasible measure to facilitate data acquisition
  - › Any feasible measure to facilitate interception warrants
  - › Equipment interference
  - › Plus bulk variants of those, if you cross UK borders

- » Home Office examples
  - › “Request filter” (distributed db of all comms data)
  - › Preparations to remove electronic protection
  - › Remote access to computers; ISP required to help
- » My thoughts (noting recent Gov’t wishlists)
  - › Make network slower/simpler/etc for easy monitoring?
  - › “Government backdoors” for encryption systems?
  - › RATs in network equipment?
- » Current Government may not: future one could

- » Can seek review of orders based on
  - › Technical feasibility
  - › Impact on business/other activities
- » Gov't must make a (non-zero) contribution to your costs
- » Be ready to explain feasibility, impact, cost
- » Would a community view be useful?
  - › Need to agree this before any orders served
  - › Legal penalties for disclosing an order

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- » Bill with ToC (credit Ian Eiloart)
  - › <http://blog.eiloart.com/2015/11/the-government-published-draft.html>
- » Analysis of source of clauses (credit IALS & friends)
  - › <https://inform.wordpress.com/2015/12/27/some-things-old-some-things-new-a-clause-by-clause-review-of-the-draft-investigatory-powers-bill-investigatory-powers-research-group/>