

# Just because you can, doesn't mean you should

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# Who am I?

- Technologist
  - ▶ Software Developer
  - ▶ ex-System Administrator
  - ▶ ex-Network Administrator
- Free Software Advocate
- ex-Law Student
  - ▶ Masters in Legal Science from QUB



# Surveillance isn't all bad

Potentially controversial opinion in the context of these talks, but needs to be acknowledged. Necessary for law and order.

- Prevention of crime
- Obtaining evidence to prosecute for crimes committed
- Foreign intelligence

# Risk of expansion beyond original aims

Once the power and capability exists there is a strong risk of it expanding beyond the original purported reasons.

- RIPA used by BBC in Northern Ireland for license fee evasion<sup>1</sup>
- Paton v Poole Borough Council
- Lessons to be learned from web filtering situation

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<sup>1</sup> <http://www.belfasttelegraph.co.uk/news/northern-ireland/bbc-uses-ripa-terrorism-laws-to-catch-tv-licence-fee-dodgers-in-northern-ireland-30911647.html>

# Oversight necessary

- Huge range of people who can access data
  - ▶ Police forces
  - ▶ GCHQ
  - ▶ Food Standards Agency
  - ▶ Ambulance services
  - ▶ Gambling Commission
- IP Act does relax some of the problems with RIPA; allows IPT appeals to court
- Still no disclosure of requests
- Even the surveillance commissioner wants more openness<sup>2</sup>

<sup>2</sup> <https://www.theguardian.com/world/2015/jan/06/tony-porter-surveillance-commissioner-risk-ctv-public-transparent>

# Targeted vs Mass surveillance

- "Bulk" collection / acquisition warrants
- Main purpose supposed to relate to overseas-related communications
- Investigatory Powers Act is providing a legal framework for this
- Previous authority Telecommunications Act 1984

# Internet Connection Records

- Obviously trying to produce a parallel to phone call records
- Obviously no idea how the underlying technology actually works
- <http://www.tmay.co.uk/> front page involves 20 connections to hosts from 4 different organisations

# Equipment Interference

- Argument made it's required to get around encryption
- Can authorise the security services to hack devices to obtain communications data
- Can **require** someone to hack the devices in order to obtain communications data
- No longer able to trust ISP to provide secure devices



# End-to-end Encryption

- Not technically part of the Investigatory Powers Act
- Could creatively be read in as related to equipment interference
- Discussions about it so far show a worrying lack of knowledge about how things work
- There is an existing power to compel a UK company to hand over a key

Thank you

Questions?



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