

LIBERTY

PROTECTING CIVIL LIBERTIES
PROMOTING HUMAN RIGHTS

Summary of substantive policy discussions at Liberty Council meeting March 2018

Encryption and Digital Privacy

The Advocacy Director introduced the paper. She sought members' views on the topic, including the following areas in which comments were raised:

- If a person is arrested, they can be compelled to give passwords, therefore reducing the need for hacking;
- Lack of technological expertise is a limit on the effectiveness of judicial oversight;
- There should be independent judicial oversight rather than an independent administrative body, which is less robust and reliable;
- Liberty has historically opposed a policy of excluding wiretap evidence from court. This will continue to be its position in the future;
- Issues regarding taking an absolute no-hacking position. Some members suggested that security services would do it anyway.

The Chair noted there was not complete consensus, but overall the Council's view was that Liberty should acknowledge a role for government hacking subject to clear safeguards as set forth in the paper.