Leaving aside the deeper issues - the fact that the Digital Economy Act was pushed through in a totally undemocratic fashion, that it undermines the presumption of innocence, that it is using the wrong metric for success, and that there is not a shred of evidence that its punitive and disproportionate measures will achieve the stated goals - there are a number of practical issues that are likely to render its implementation disastrous.

One of these is the position of business, educational establishments and libraries offering wifi to individuals. As things stand, it seems that the institutions will be punished for alleged infringements of their users. The former will be forced either to turn off wifi - hardly an option for many - or to institute constant monitoring of all their users. That approach, however, has been ruled unacceptable by the recent European Court of Justice decision regarding SABAM (see http://www.bbc.com/news/technology-17060112). Unless such establishments are exempt, the Digital Economy Act will be impossible to implement in any sane or legal manner.

Secondly, there is the problem of personal wifi use. If you share your wifi as good neighbours often do, does that mean you are automatically held responsible for everything people do with your connection? What about if you use WEP encryption - which is known to be trivial to break (see http://news.bbc.co.uk/1/hi/7052223.stm)? Does that mean you must use WPA encryption in order to avoid being found guilty? Is that really a reasonable thing to demand? And what happens when WPA can be broken just as easily, as is bound to happen soon?

Since millions of people in the UK use wifi, this is no mere theoretical issue; the only sensible option is to recognise that people are not responsible for wifi connections, since even when encrypted, many can be broken into today, and all are likely to be vulnerable tomorrow. Related to this is the naïve view that IP addresses can be mapped in a simple fashion on to those nominally responsible for them. The porosity of wifi is just one of many reasons why this is not true, and why it is therefore inherently unjust to inflict punishments using this assumption.

The reason for these huge problems goes back to my opening comments: the Digital Economy Bill was rushed through without proper scrutiny that would have caught its more egregious blunders, which left us with a botched piece of legislation certain to cause huge and unnecessary harm to thousands of citizens, organisations and companies each year. The only rational option is to repeal it and do it properly.