

**SUBMISSION FOR PARLIAMENTARY JOINT COMMITTEE
ON INTELLIGENCE AND SECURITY**

Counter-Terrorism Legislation Amendment (Foreign Fighters) Bill

GEOFF BIRD

I oppose this legislation, and particularly allowing the cancellation of passports and welfare payments for people who are considered a security threat. I grew up at the height of the “Cold War”. At the time, our enemy, the Soviet Union, was not limited to requesting Australian residents to carry out attacks in Australia on their behalf. They could launch missiles at our cities any time they wished and wipe out 80 percent of our population. Moreover, a sizable proportion of the population sympathized with them. Many of the teachers at my government high school were communists, and one of them even drove a Skoda car. Despite our being in much greater danger from the Soviet Union than we are from the Islamic State, none of the measures in this legislation were considered necessary.

The view has arisen that if someone disagrees with the Labor or Liberal Party, they should lose all possible privileges. According to this view, a supporter of the Islamic State should lose his or her passport and welfare payments, be sacked from a government job, his or her court cases should be thrown out, the police should not investigate crimes where he or she is a victim, ambulance officers should not give him or her first aid, and so on. Persecuting people who disagree with the government would have been unthinkable during the “Cold War”. This was the sort of thing our enemies did, and why they were our enemies.

The Islamic State is not a death cult. The Islamic State has brought in the same restrictions that currently exist in Saudi Arabia and Iran, such as that women have to dress like the Flying Nun. The Islamic State is run by a bona fide cleric with a doctorate in divinity from an Iraqi university; an Iraqi Fred Nile. Iraq is a foreign country, and it is to be expected that they would do things differently to how they do things in European countries. Just because Iraqis who come to Australia fit in with our customs, it does not mean they should have to run their own country like an American colony.

The fact that Islamic State forces kill large numbers of people when they capture territory is due to the American practice of treating Islamic State soldiers as enemy combatants. Treating soldiers as murderers guarantees they will act differently to how they would act if they were treated as prisoners of war. If a soldier is going to be imprisoned just for enlisting in an army, it does not make sense for him to spare a prisoner who may at a later date capture and imprison him. If we want the Islamic State to treat its captives as prisoners of war, we will have to accord Islamic State soldiers the same privilege.

This legislation is the product of a “nanny state” mentality. The authors of the legislation are not content with controlling all aspects of people's lives in Australia, but want to control all aspects of life in Iraq and Syria as well. They cannot abide that a country should exist where women are not permitted to be fighter pilots. They are indignant that young men should have the effrontery to enlist in a foreign army without their permission. This joining an army without permission is more objectionable to them than anything the Islamic State is doing.

I myself have been a target of ASIO surveillance since 1993. At the time I supported the policies of the major parties including multiculturalism and feminism. When ASIO started intercepting my mail, I thought I was the victim of a “black ban” by a rival trade union, and complained to Australia Post's Investigation Branch. In one case, a letter from the Federal Court about a hearing in the court's civil jurisdiction in which I was a party was delayed until the day after the hearing, which I missed as a result. In another case, a letter from the Commissioner for Corporate Affairs, which was sent by certified mail, disappeared for two months, and was only delivered after I made a complaint. This is just the tip of the iceberg.

In 2007, I read “Spycatcher” by Peter Wright, which I had been meaning to read for twenty years. It was apparent from the book that ASIO is the arm of the Australian Government that intercepts mail. For example, if the police are carrying out an organized crime investigation, and want to intercept the mail of a suspected criminal, they go to ASIO, not to Australia Post. ASIO can intercept mail without a warrant. There is no legislation that says they can intercept mail, but by the same token there is no legislation that says they cannot.

I want to condemn the lack of professionalism shown by ASIO in intercepting my mail. I was not doing anything illegal or detrimental to security. They made it obvious to me that my mail was being intercepted. As a result of the disruption to my mail, I had to change my career plans to rule out anything the success of which would depend of having access to a reliable postal service. Due to harassment by ASIO, I no longer support the Australian Government and its policies, which I used to support when the harassment started.

If ASIO are doing this to me, obviously they are doing it to many other people. It would be incredible if ASIO was not intercepting the mail of people such as Nick Xenophon, David Leyonhjelm, Christine Milne, and Clive Palmer. Given the supervision of ASIO staff is so lax that they are permitted to make some of their victims aware that their mail is being intercepted, it is probably so lax that they are intercepting the mail of celebrities such as Kylie Minogue and Hugh Jackman who have no interest in politics.

By giving more powers to ASIO, this country is in effect giving powers to the CIA. The people who run ASIO are primarily loyal to the United States Government and not to Australia. Their “corporate culture” is that they treat the United States Government as a world government and Australia as a local council. These powers will mean that thousands of American officials will be empowered to cancel the passports and welfare payments of any Australian any time without any reason.

I am currently studying law full-time. Since I am precluded from employment by discriminatory employment practices by human resources officers in this country, and by not being an Irish Catholic like most government employees, I am in the one-third of the population who depend on social security. I would not like to think that an agency that has been interfering with my mail for the last twenty-one years would also now have the power to cancel my social security without having to give a reason.

If there was a private company like Verisign that issued identification, and they canceled someone's identification or credit rating because of their political beliefs, we would be outraged. If there was a private company that provided income protection insurance, and they refused to honour someone's insurance because of their political beliefs, we would be outraged. When the government does the same thing, this does not make it acceptable.
