

Submission to The Parliamentary Joint Committee on Intelligence and Security (PJCIS)

Re: Australian Security Intelligence Organisation Amendment Bill 2020

I will keep this submission extremely brief, and speak to general principles only.

Around the world we are seeing the rise and consolidation of authoritarian regimes. These regimes rely on unbridled surveillance, reductions in genuine judicial oversight, and secrecy in proceedings.

Since the tragedy of “9/11” in America, Australia, through a raft of legislation (nominally justified by National Security), has already started its journey down the road to diminution of citizen rights and privacy. I do not want to see Australia go any further, in fact I want to see a wind back and reset.

Any amendments to the ASIO Act must ensure that there is no derogation of liberties and rights for the people of Australia. The surveillance activities of ASIO should always require a person specific written judicial warrant (and these should be granted most sparingly). If a person of any age is detained then they should always have a right to legal advice and representation by a lawyer of their choosing. If charges and legal proceedings arise, these should be aired in a court that is fully open to the press and the public.

There needs to be more transparency, more open courts, and greater accountability for Ministers, public servants, and ASIO operational staff. Without these safeguards any democracy will inevitably slide into authoritarianism, or worse, end up as a police state.

A regime of invasive surveillance and secrecy does not protect a democracy, it undermines it.

I urge all members of the PJCIS to work towards making Australia a nation that respects individual rights, strengthens the role of the judiciary, and values open public proceedings.

Your sincerely,

Craig Linn