



Submission No 49

Inquiry into potential reforms of National Security Legislation

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Organisation: Private capacity

A submission to the Parliamentary Joint Committee on Intelligence and Security, in regards to the Inquiry into potential reforms of National Security Legislation,

I am a private citizen of Australia and am very concerned about a large proportions of the suggestions found in the discussion paper. However, to begin my letter I would like to bring to your attention the ridiculously small submission time. Barely a month for submissions is ludicrous when compared to the submission periods for the inquiries into same-sex marriage legislation, copyright law reform or changes to the classification system for movies, games and television. My other complaint is that, as of the night prior to the original submission closure date, not one single submission has been made available for public consideration; this is abhorrent, as the original time frame was apparently enough time to receive and publish submissions from the public.

I will now address my main concerns with the “proposed” or “desired” abilities of the Government and its agencies to impede upon a citizen’s rights to freedom. Almost all requests are unreasonable and do not reflect the proportion of freedom and privacy to the security of the nation. There has not been a single terrorist attack committed in Australia since 1986, and the recently thwarted attacks have shown that the abilities of the Australian Federal Police and Australian Security Intelligence Organisation are remarkable. If these two agencies need more powers to invade the private lives of ordinary citizens “just in case”, they are doing a seriously poor job. Terrorism is "an action or threat of action where the action causes certain defined forms of harm or interference and the action is done or the threat is made with the intention of advancing a political, religious or ideological cause," as per the Commonwealth of Australia in “Transnational Terrorism: The Threat to Australia (15 July 2004).” This definition is so broad that once could accuse Tony Abbott, current leader of the opposition, of terrorism for his rhetoric causing a lack of confidence in the Australian stock market, to gain political standing as a “better” choice economically. Perhaps the issue with policing terrorism is the broad definition of what terrorism is, not that citizens can have private discussion over the internet.

Apart from terrorism, there is no reason provided to end privacy in Australia. Claims of cyber-crime should only strengthen the Parliament's resolve to not store private internet traffic, as there is no way to store the information safely; this is exemplified by the recent breach of AAPT. The act of storing all internet traffic is as ridiculous as steaming open every citizen's physical mail, taking copies of the contents and storing these copies in a warehouse. It presumes that all citizens have no right to privacy. The fact that a warrant would not be necessary to intercept the activity or correspondence confirms that all citizens graduate to suspects, guilty until proven innocent. This is not acceptable from the state police forces, or in any level of the Australian courts, and should not be acceptable just because it is internet content and the Federal Government and its agencies wish to do so.

I can see no logical reason to increase the surveillance capabilities of the Federal Government and agencies unless they want to move into controlling their citizens. The offer of an Australia comparable to Orwell's Nineteen Eighty-Four will not be welcome, nor embraced in joy by any of her citizens. We love our freedom and we will never rest while attempts to destroy it remain. No one, not even ASIO, should have the right to search citizens of Australia without a warrant, nor their telephone or internet communications. Neither should the Attorney General be allowed to extend warrants at will, as they are a person who would clearly be motivated by politics and personal standings, not natural justice and upholding the law of Australia.

To conclude, until it can provide a real and valid reason as to such a gross reduction of privacy for private citizens, the Inquiry should reject all attempts to increase the powers of existing agencies and the Government.

With all sincerity,

Emma Roberts