



Submission No 3

Inquiry into potential reforms of National Security Legislation

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Organisation: Private capacity

From: Britton, Michael
Sent: Friday, 13 July 2012 11:45 AM
To: Committee, PJCIS (REPS)
Subject: Public Submission: Parliamentary Joint Committee on Intelligence and Security

Dear Committee,

Thank you for the opportunity to provide a public submission into your current deliberations on the possible introduction of new legislation to broaden the scope of the Intelligence network in Australia (Please note upfront that this email address is the only one I have and does not constitute the views of my workplace).

I would like to my make my view known at the outset that I am unmovably opposed to such a legislative reform agenda. I don't not wish to take up too much time, however, as a part-time lecturer in International Relations, politics and PhD student of contemporary politics and history I would like to make the following observations/questions:

- Historical evidence has shown an increase in hundreds of billions of dollars in the United States' increase in Intelligence funding since September 11 2001. However, even with the tens of billions of dollars it received prior to these attacks was it unable to stop them, nor "pick up" or detect terrorist activity and to date has been proven to be a massively incompetent, overly bureaucratic, reactionary, government organisation.
 - Performance studies have shown that, since its increased purvey of survey and reconnaissance funding, it has actually become less efficient. Has the committee considered similar ramifications for ASIO
- I would ask the committee to consider how successful or not the Australian Intelligence community has been, to date and in using current technology, to avoid or detect terrorist activities;
- I ask the committee to consider Australia's Intelligence community's relationship with the State's of Pakistan and Afghanistan amid allegations of State-sponsored terrorism – while this question extends beyond the scope of the legislative reform currently being addressed, it is pertinent to ask whether the Intelligence community is "comfortable" with these observations;
- I ask the committee to consider to what extent this legislative reform agenda will impact on "ordinary Australians" and what oversight will be given to Parliament to audit, oversee, check and report on the Intelligence community's activities in this area:
 - Will it be possible to ensure that no breaches of power are undertaken and how will this be ensured?
- In light of the Intelligence community's "bungling" of the raid on Mr Bilal Daye's house (due to an incorrect address reference) in 2001, will the extension of powers ensure that these mistakes never occur again?
- Finally, under 16 exemptions set out in Section 33 of the *Archives Act 1983*, material collected by ASIO does not have to be made public after 30 years (whereas other information can be made public). Who determines this information and will the Intelligence community's new powers, and information gathered therein, under this reform constitute exempted material in 30 years or not?

Thank you again for your time and consideration of my thoughts.

Michael Britton

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