

New wave of police “anti-terror” raids in Australia

Mike Head
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Over the past week, Australian intelligence and police agencies have conducted a highly-publicised series of raids on at least 10 homes and interrogated a dozen people in Melbourne and Sydney on the pretext of combatting terrorism. Details have been deliberately leaked to the Murdoch media, and splashed all over its front pages, complete with pictures of one of the family homes.

The raids, the first major wave to be publicised since October 2003, appear to be a bid by the federal Howard government, together with its state Labor counterparts in Victoria and New South Wales, to revive the flagging “war on terrorism” and condition public opinion to more frequent security operations in working class suburbs.

Scores of heavily-armed Australian Federal Police and state police officers took part in the operation, together with Australian Security Intelligence Organisation (ASIO) agents. While they claimed to have search and seizure warrants, they reportedly remained in some homes for many hours, questioning the occupants without any warrant to do so.

No charges have been laid, and unnamed police sources have admitted to journalists that they have no evidence of terrorist activity. Yet, the victims of the raids have been publicly identified as Muslims, depicted as having unspecified “extremist views” and accused of “talking like mercenaries looking for a war”. One family of five was described as Lebanese, another individual was said to be Algerian and others were simply labelled “Middle Eastern”.

Encouraged by the leaks handed to them, media reporters besieged one house, filmed and photographed people entering and leaving it, attempted to interview them and questioned their neighbours.

Speaking to Murdoch’s *Australian*, “a senior federal source” described the raids as “rattling the cages”. In other words, their purpose was to terrify the occupants of the houses, as well as other Muslims. No doubt the aim was to “rattle” the wider public as well.

From the vague and flimsy allegations thrown around by anonymous officials, it seems that the targets were people who worshipped in certain mosques, expressed support for Islamic fundamentalist activities overseas, went on camping trips and took photographs of prominent buildings in Melbourne and Sydney.

These are not crimes. Freedom of religion, communication, association and travel are basic democratic rights. But in the “war on terror,” anyone can be characterised by the government and the

mainstream media as holding “extremist views,” including socialists, antiwar activists and trade unionists.

While the “sources” of these accusations were not named, they could only have come from the highest levels of the federal and state security agencies and governments. Significantly, Attorney-General Philip Ruddock, Prime Minister John Howard and NSW Premier Bob Carr publicly defended the raids and joined in the vilification of the targets.

Facing criticism from lawyers, civil liberties groups and Islamic leaders, Ruddock denied that he was responsible for the leaks. But he insisted that the raids, which he authorised personally, concerned activities of the “utmost seriousness”. ASIO and the police “don’t have time or resources to be playing silly games in these matters,” he told the media. Howard said: “Australians must understand, and I am sure they do, that the government is very vigilant indeed about potential threats.”

Carr was even more explicit. “It is very, very important that federal and state authorities work together to send a powerful message that if you are mucking around with terrorists, or you’ve got any reason to be suspected, you can anticipate being raided,” he said. As he has done repeatedly since 2001, Carr insinuated that anyone under ASIO surveillance could be planning a terrorist attack in Australia. “We don’t want a September 11 here,” he declared.

Like the previous major raids, in October 2002 and October 2003, the timing is not accidental. Whenever the Howard government has faced political difficulties over the past four years, it has cranked up the “war on terror”.

The October 2002 raids, carried out in the immediate aftermath of the Bali bombings, were designed to utilise those outrages to activate and overcome opposition to the sweeping counter-terrorism laws introduced earlier that year. The October 2003 raids sought to excite fears that Al Qaeda and Jemaah Islamiyah “terror cells” had been planted in Australia’s major cities, justify ASIO’s new detention powers, and lay the basis for further legislation, which erected a wall of secrecy around ASIO’s activities.

As far as is known from the public record, none of these raids has produced evidence leading to prosecutions, let alone convictions, under the counter-terrorism legislation. The only prosecution under the new laws that has gone to trial—that of Zeky “Zak” Mallah—was thrown out by a jury three months ago. The lack of success has made the Howard government and its state Labor partners anxious to justify their measures.

The latest raids have occurred at the same time as a parliamentary committee reviews the 2002 and 2003 counter-terrorism legislation, which contains “sunset” clauses that will terminate a number of measures unless parliament renews them by July 2006. Many submissions to the committee have called for the repeal of the powers.

Far from acceding to these demands, the government has three further security bills before parliament to expand the powers to carry out electronic eavesdropping and intercept telecommunications. Noticeably, the “sources” that briefed the media on the latest raids emphasised that they had been triggered by information obtained via bugging and telephone intercepts.

Now that the government has the numbers in the Senate, it intends to quickly push through the new laws, some of which have been delayed since late last year. The Labor opposition is doing its best to assist. Just before the raids, Ruddock welcomed the passage of another far-reaching bill, noting that Labor had made a “positive contribution” by proposing a useful amendment.

This particular legislation extends recently-introduced provisions for secret evidence and closed-door court hearings, applying them to civil actions as well as “terrorist” criminal trials. It means that if anyone attempts to sue the government or ASIO for exceeding or abusing their powers under the anti-terrorism laws, Attorney-General Ruddock can apply to have vital evidence withheld from the public or, in some circumstances, from the applicant.

As the latest raids demonstrate, the counter-terrorism laws give ASIO and the police sweeping powers to storm into houses, seize property and interrogate. Their targets do not have to be suspected of any offence, just of having “information” relevant to terrorism.

Those questioned or detained have no right to silence, and must prove they do not have the information ASIO is looking for, or face possible imprisonment for up to five years. Given that terrorism is defined widely enough to cover many traditional forms of political protest, this opens up a vast scope for official victimisation and harassment.

Ruddock said the raids had been conducted under ASIO search and seizure powers that have existed since 1979, not under the questioning and detention provisions introduced in 2003. According to the official statistics, ASIO’s new questioning powers have been used just eight times, and no-one has been detained. But as the raids also illustrate, ASIO and police officers can readily use the threat of these powers, and the blaze of media publicity, to pressure people into agreeing to be questioned for hours on end.

Whether the new powers are formally invoked or not, anyone subjected to ASIO’s attentions is prohibited from disclosing any of the agency’s “operational information”. In effect, this gags them from making any public reply to the allegations being thrown around in the media.

Prominent lawyers, civil libertarians and Islamic groups expressed outrage at the raids, charging the government with using totalitarian measures. Liberty Victoria president Brian Walters, SC, called for an investigation into whether Ruddock authorised the release of information.

“If so, who has he authorised and for what purpose and on what terms, and why is any such disclosure not understood as a gross

abuse of office?” he asked. “If he hasn’t done that, are criminal charges to be laid for the disclosure of this information, and if so, against whom?”

“I think demonising people who can’t defend themselves is the cowardly tactic of the totalitarian state, and quite contrary to all our traditions of democracy. If there is any integrity and genuineness to this investigation it would be kept confidential or someone would be charged. In the absence of that, this is just a McCarthyist witch-hunt.”

Walters said the anti-terror laws were an assault on democracy. “I’m concerned that under these laws, people who are not suspected of any offence can be dragged into questioning for up to 168 hours, gagged from telling others what they’ve undergone, their lawyers are similarly gagged and yet ASIO and the (federal police) feel absolutely at liberty to publicly attack them when they can’t respond,” he said. The laws had not improved security “one iota” and should be immediately repealed.

Islamic Council of Australia spokesman Waleed Aly said he was dismayed that a senior federal source had said ASIO was using the raids to “rattle the cages” of suspects when they did not have enough evidence to lay charges. “It’s very concerning to me that these draconian powers could be used simply to rattle cages,” he said.

An Islamic cleric, Sheik Mohammed Omran, rejected the suggestion that his inner suburban mosque was being used to recruit terrorists. He said the raids were politically-motivated and aimed at boosting support for the anti-terrorist laws. Former Liberal Prime Minister Malcolm Fraser called for the repeal of the laws that gag suspects from disclosing that they have been questioned and those that permit the detention of people simply because ASIO thinks they have terrorism-related information. He said the Howard government had “frightened the Australian community about the prospect of terrorist attacks and therefore anyone who opposes those measures is seen to be soft on terrorism”.

Fraser went on to condemn Labor for supporting the powers. “They weren’t prepared to stand up and so you had the major parties all in support and that, to me, makes it all the more a disgrace.”



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