

Sydney teenager detained for 100 hours questioning over alleged “terrorist” killing

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Australian Federal Police (AFP) officers yesterday obtained a closed-hearing court order to keep an 18-year-old Sydney Muslim youth detained without charge for another 100 hours of interrogation.

Such prolonged detention without charge or trial is a serious attack on basic legal and democratic rights. Lawyers and civil libertarians warned that, directed against a vulnerable teenager, it could amount to torture.

A suburban magistrate granted the “detention for investigation” order amid an escalating media and government campaign to demonise Muslims and demand greater police powers following last Friday’s shooting of a police employee outside the New South Wales police headquarters in Parramatta. The 15-year-old Muslim boy, Farhad Jabar, who killed Curtis Cheng, a civilian police accountant, was then immediately shot dead by police.

The prolonged questioning of the 18-year-old, Raban Alou, is another indication, following the release of three other young men arrested in much-publicised police raids in Sydney’s western suburbs on Wednesday, that the police have no evidence to charge any of those arrested, or to link them to last Friday’s shooting.

NSW Police Commissioner Andrew Scipione told reporters that it was “incredibly frustrating” to have to release the other men. He admitted that the police lacked any evidence to charge them, despite seizing a large amount of material during Wednesday’s raids.

Nevertheless, without offering any evidence, Scipione declared that Jabar’s shooting of Cheng “had a religious connotation to it, certainly... We know that this young man had been radicalised.” This was despite AFP Acting Deputy Commissioner Neil Gaughan telling reporters that no terrorist organisation had

claimed responsibility for Jabar’s act.

Until 2004, when draconian new police powers were inserted into the federal Crimes Act as part of a barrage of “anti-terrorism” legislation, the AFP could only hold a person for questioning for 24 hours without laying a charge. Since 2004, the AFP has had the power to detain an individual for 48 hours for suspected terrorism offences and apply to a magistrate for multiple extensions. In effect, with rest breaks and other permitted interruptions, the Act now allows interrogation without trial for at least seven days.

To trigger these powers under Part 1C of the Crimes Act, an AFP officer only has to “suspect on reasonable grounds” that a terrorism offence has been committed. This hands the police powers to round people up for interrogation without any credible evidence of terrorist activity, particularly when the legislation defines terrorism in sweeping terms, such as to “advocate” a terrorist act.

Wednesday’s raids were conducted with unprecedented media coverage, not only of heavily-armed police bursting into homes, but of young men, aged from 16 to 22, being manhandled and handcuffed, placed in paddy wagons and locked in police cells. With the help of a complicit media, the operation was clearly designed to convince the public that the youth were dangerous Islamists, inflaming both anti-Muslim prejudice and fears of terrorism.

According to a typical media report: “Police allege the four men arrested in the counter-terrorism operation are directly linked to the fatal shooting of police accountant Curtis Cheng outside the Parramatta police HQ last Friday.”

A fifth person, a 24-year-old man, was also arrested but for an outstanding warrant, not for alleged links to the shooting. Another 16-year-old boy, from the same

secondary school as Jabar, who was arrested earlier amid similar publicity on his way to school, was released on bail, charged with threatening police.

Only one of those arrested, 18-year-old Alou, who reportedly prayed at the same Parramatta mosque Jabar attended and went to the same school, remains in custody, facing prolonged questioning under the 100 hour detention order.

Greg Barnes from the Australian Lawyers Alliance said the teenager's detention was "extremely concerning" for several reasons. "Firstly, this young man is a youth. Secondly the rights of lawyers in these types of cases to ensure that their client is safe are extremely limited. And thirdly you have to say any information that's gathered from a person in circumstances where they've been held incommunicado, they are young and vulnerable, you have to wonder about the quality of any information that is gathered. In some circumstances it could certainly amount to torture."

Reportedly, this is the first time that these powers have been used since the 2007 frame-up against Gold Coast doctor Mohamed Haneef, an innocent man who was detained by the AFP for 12 days without trial.

Media headlines at that time accused Haneef of plotting to bomb a Gold Coast skyscraper. Prime Minister John Howard's Liberal-National government seized on his arrest to mount a major "terrorism" scare campaign in the lead-up to the 2007 election.

Once his lawyers released police transcripts showing there was no evidence against Haneef, the entire case collapsed. Its unravelling dealt a major blow to the Howard government, contributing to its landslide defeat in 2007, and pointed to the fraudulent character of the entire post-9/11 "war on terrorism."

In 2008, in an effort to "restore confidence" in the police and intelligence agencies, Prime Minister Kevin Rudd's Labor government convened an inquiry into the Haneef debacle. That inquiry was a whitewash, clearing the Howard government of any culpability for the operation to railroad Haneef to jail and making only cosmetic changes to the Crimes Act. It ensured that the AFP interrogation powers remained intact.

Wednesday's police raids form part of an escalating pattern, aimed at re-stoking the "war on terrorism." Three of the homes raided were subjected to a massive "counter-terror" operation in September last year, with

most of those arrested also later released. Such large-scale police operations are being conducted to generate "terrorist" scares to justify new police-state powers, as well as to try to whip up support for the Australian government's escalating involvement in the US-led military offensive in Iraq and Syria, under the cover of combatting Islamic State.

Over the past year, repeated alleged "terrorist plots," notably last December's Sydney café siege by a clearly demented individual, Man Haron Monis, have been cited as proving the need to boost the budgets of the police and intelligence agencies and provide them with a further plethora of powers, including to hack into computer networks, trawl through phone and Internet "metadata" and recommend the stripping of citizenship from selected individuals.

Whatever 15-year-old Farhad Jabar's immediate motivations for the brutal and senseless killing of Curtis Cheng—and they remain unclear—working class youth of his generation, Muslim or otherwise, face a likely future of unemployment, poor quality education, unaffordable housing, constant police harassment and escalating militarism.

Behind the talk, from Prime Minister Malcolm Turnbull down, of taking action over the "radicalisation" of young people stands the building up of the police and security apparatus, and an ever-greater trampling over legal and democratic rights.



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