Australian police monitoring journalists' travel and internet data

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Revelations this week point to intensive Australian Federal Police (AFP) surveillance of journalists, aimed at prosecuting journalists, as well as their sources, to stop the publication of leaks about abuses committed by the military-intelligence apparatus.

First came a report that the AFP obtained an Australian Broadcasting Corporation (ABC) journalist's flight records from Qantas. This was part of a government-ordered investigation of the leak of documents revealing illegal killings and other abuses by Australian Special Forces as part of the US-led invasion and occupation of Afghanistan.

By all indications, this is just the tip of the iceberg, involving vague and sweeping police powers. The revelation came just weeks after AFP raids on the Sydney headquarters of the ABC and the Canberra home of a News Corp political editor, Annika Smethurst. At both locations, police spent hours poring through and seizing material.

This is part of escalating efforts to criminalise exposures about key military and intelligence operations. Significantly, the Special Forces are on the frontline of all Australian military interventions, while Smethhurt reported plans to legalise domestic surveillance by the Australian Signals Directorate, the country's US-linked electronic spy agency.

Qantas handed over to the AFP the 2016 travel records of ABC reporter Dan Oakes, one of the two journalists involved in the exposure of the Afghanistan war crimes. An AFP statement dated April 1 this year, obtained by Nine Media outlets, was titled "Statement in the matter of R v Daniel Michael Oakes."

That points to the police pursuing a prosecution of Oakes, contradicting earlier comments by Attorney-General Christian Porter. In an attempt to quell the public outrage over the two police raids, Porter had told the media there was "absolutely no suggestion that any journalist is the subject of the present investigations."

In response to the AFP request on March 15, a Qantas legal officer accessed the airline's internal booking system three days later in search of two flights, in June and September 2016.

The AFP request came roughly six months after former military lawyer David McBride was arrested for allegedly leaking the war crimes information to the ABC. That further indicates that Oakes faces prosecution, not just McBride, whose trial is already in its preliminary stages.

By what power the AFP demands access to airline records, apparently frequently, is entirely unclear. A Qantas spokesman said on Sunday: "Like all airlines, Qantas receives numerous requests for information from law enforcement agencies and we comply with these requests in accordance with our legal obligations and privacy legislation."

Qantas's privacy policy statement declares it can disclose a customer's private information to "law enforcement agencies, regulatory authorities and governments around the world and their service providers in connection with their investigations, screening or other functions."

Nine Media outlets last week revealed that Smethurst also could be prosecuted. In an internal document, the AFP's "sensitive investigations" unit sent a thank you note to staff after the raid on Smethurst's home. One staff member wrote back: "Reporting hasn't caught up on the publishing offence."

The "publishing offence" refers to legislation, which was expanded by the Liberal-National government last year with the Labor Party's backing, that means journalists can be jailed for "dealing with" leaked information that might "harm Australia's interests."

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The AFP documents also revealed that police were armed when they conducted the two raids, and that the AFP had planned a similar raid on News Corp's Sydney headquarters, then decided not to proceed.

Separately, the AFP released documents showing it obtained two secret "journalist information warrants" in the 2017-18 financial year, and then accessed journalists' on-line metadata on 58 occasions.

The AFP used 2015 metadata retention laws that force telecommunications companies to store their customers' phone and internet records for two years. The entire process is shrouded in secrecy. Government agencies can obtain warrants to access journalists' data without their knowledge. Anyone who even reports the existence of a warrant faces two years in jail.

Significantly, throughout the corporate media coverage of these revelations, there has been no mention of the case that set the global precedent for such assaults on journalists, free speech and basic democratic rights. That is the April 11 arrest of WikiLeaks founder and journalist Julian Assange, who faces extradition to the United States.

By authorising police raids against journalists, Prime Minister Scott Morrison's government followed the lead of the Trump administration in charging Assange, an Australian citizen, with 17 counts under the US Espionage Act.

Nor has there been a word in the media about why the police raids were conducted. At a media conference, AFP acting commissioner Neil Gaughan declared the raids were necessary to protect the information that the Australian police and intelligence agencies receive from their "Five Eyes" counterparts. This network of surveillance agencies, from the US, Britain, Canada, Australia and New Zealand, is central to US-led war planning and operations.

These silences are not accidental. The media proprietors are just as committed as the government to supporting the US military alliance, which underpins the predatory operations of Australian imperialism throughout the Asia-Pacific.

A delegation of six media chiefs made another attempt last week to defuse the public anger over the police raids. Led by ABC managing director David Anderson, Nine chief executive Hugh Marks and News Corp corporate affairs chief Campbell Reid, they met Attorney-General Porter and Communications Minister Paul Fletcher to push their case for minor "reforms" to media laws.

They came away empty handed. Porter and Fletcher refused to guarantee there would be no prosecutions of journalists, and rejected the "reform" plea. Instead, they referred the complaints to the government-controlled joint parliamentary intelligence and security committee. This same committee, headed by former Special Forces officer Andrew Hastie, rubber-stamped all the government's metadata, "security" and "foreign interference" legislation.

Nevertheless, the media executives agreed to meet with the two ministers again in three months' time, hoping to wear down the public outrage, including that of media workers.

Both Prime Minister Morrison and Labor Leader Anthony Albanese are closely involved in these efforts to suppress public opposition. In a sign of their mutual concern, they met to discuss the affair last week, during the first week of parliament since the May 18 election. After initially expressing reservations about the credibility of the parliamentary committee inquiry, Albanese accepted it, in keeping with Labor's long record of bipartisan backing for the US alliance and the ramping up of "security" laws.

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