

Australian Labor government to expand police-state ASIO interrogation powers

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This week, on the first business day of parliament after the May 3 election, the Albanese Labor government introduced legislation to make permanent and significantly expand the compulsory questioning powers of the domestic political spy agency, the Australian Security Intelligence Organisation (ASIO).

This was done without any prior public notice. It was never mentioned throughout the election campaign. Moreover, with rare exceptions, the media has not even reported on the two bills tabled by Home Affairs Minister Tony Burke on Wednesday. The population is being kept in the dark as much as possible about this chilling development.

Unprecedented powers to forcibly interrogate people were first handed to ASIO in 2003 during the supposed “war on terrorism.” Under Labor’s amendments to the ASIO Act, these powers will be extended and broadened indefinitely. The first bill will overturn a “sunset” clause that set an expiry date for the powers on September 7. The second bill will scrap “sunset” clauses altogether, making the powers permanent, and broaden the powers to cover four new war-related fields.

ASIO will be handed the power to coercively and secretly question people, as young as 14, for up to 24 hours, or longer with breaks in “questioning time,” to demand that they provide “information,” including documents or other material allegedly relating to four further topics: (1) sabotage, (2) promoting communal violence, (3) attacking defence facilities and (4) threatening border security.

This is in addition to three extra fields of interrogation, beyond “terrorism,” added to ASIO’s powers by the previous Morrison Liberal-National Coalition government, with Labor’s support, in 2020: (1) espionage, (2) foreign interference and (3) politically-motivated violence. That covers any political activity that the government and ASIO deem “extremist” or coordinated with a “foreign” or international organisation.

The four latest fields for ASIO interrogation clearly indicate that the Labor government is preparing to try to suppress the growing political dissent and opposition to its agenda of complicity in the worsening US-backed Israeli genocide in Gaza, its escalated commitment to US war plans against China, and its repulsion, detention or removal of asylum seekers.

“Sabotage” could cover any possible damage to military or

other infrastructure. “Promoting communal violence” could include anti-genocide protests, with governments falsely accusing participants of being antisemitic. “Attacking defence facilities” could extend to demonstrations against military bases, weapons or supplies. “Threatening border security” could mean protests against immigration detention or deportations.

The ASIO Act permits the agency to readily obtain warrants, even orally, from the attorney-general, to question a person to obtain “information” that would “substantially assist the collection of intelligence.” No charge or even allegation of a criminal offence is required.

If anyone fails to comply or hand over material, or provides misleading information, they face up to five years’ imprisonment. Those interrogated also face five years’ jail if they tell anyone, except an ASIO-vetted lawyer, over the next two years what has happened to them, thus helping to keep ASIO’s operations shielded from public scrutiny.

ASIO and the police also have powers to forcibly enter premises to grab people for questioning and to seize material, including items such as phones or other communication devices. The legislation also permits repeated questioning periods.

ASIO’s ever-expanding powers are of a police-state character. They overturn fundamental democratic rights, including the right to silence, the right not to incriminate oneself and the principle of no detention without charge or trial.

ASIO and the federal and state police forces already have a vast array of powers to secretly place people under surveillance and to question people without charge. Until 2003, however, they could not force people to answer.

That was in line with the centuries-old presumption of innocence, and the right to a trial based on the prosecution having to prove a criminal case beyond a reasonable doubt—basic protections, resulting from massive political struggles, against arbitrary detention and dictatorship.

These so-called “extraordinary” and initially temporary powers were first introduced in the name of combatting terrorism after the still unexplained September 11, 2001 Al Qaeda-linked attacks on New York’s World Trade Center buildings, followed by the barbaric US-led invasions of

Afghanistan and Iraq.

The WSWS warned from the outset in 2003 that the interrogation powers would be broadened far beyond the extensive and vague range of criminal offences introduced under the banner of “counter-terrorism.” A broader assault on dissent is underway, and accelerating.

Introducing the bills on Wednesday, Burke insisted that ASIO “performs an essential role in protecting Australia and Australians from threats to their security” and its compulsory questioning powers provided ASIO with “a unique and necessary tool to investigate the most significant threats confronting Australia today.”

In fact, since its establishment by the Chifley Labor government in 1949, ASIO has had a long record of political witch hunts and frame-ups, particularly directed against socialist and left-wing voices.

Citing ASIO’s 2025 “Annual Threat Assessment,” Burke declared: “Australia is facing multifaceted, merging, intersecting, concurrent, cascading threats, and if we are to ensure that Australians are safe, and feel safe, ASIO must be properly equipped to respond.”

Burke did not elaborate. But ASIO chief Mike Burgess, in February’s threat assessment speech, said he expected sabotage to pose an increasing threat in the next five years, referring specifically to the military weaponry, like nuclear-powered long range attack submarines, to be acquired under the AUKUS agreement for use against China.

“An attempt to physically damage a nuclear-powered submarine could simultaneously be an act of sabotage, an act of politically motivated violence, an act of foreign interference and an attack on a defence system,” Burgess said.

The Labor government is allocating hundreds of billions of dollars for military spending, particularly for the AUKUS submarines and other weaponry, and for upgrading bases across northern Australia for greater US access. Facing demands from the Trump administration to ramp up spending far more, the government is also anxiously vowing to go further.

Burke claimed that “ASIO has used these powers judiciously” but they remained “a valuable intelligence collection tool.” According to the official record, ASIO has invoked the questioning power four times since 2002. No details have been made public, however.

In reality, as one of Burke’s predecessors as home affairs minister, the ex-Coalition leader Peter Dutton, alluded to in 2020, these powers are utilised more frequently to coerce people into collaborating with ASIO, under threat of being hauled in for formal interrogation.

Dutton told parliament in 2020 when moving the last expansion of interrogation powers: “[A]lthough they are rarely used, these powers have produced valuable intelligence that could not have been obtained through other methods.”

Prime Minister Anthony Albanese revamped his ministry after winning the May 3 election with just over a third of the

primary vote. One of the most revealing moves was to place Burke in charge of ASIO, as well as the Australian Federal Police and the Australian Border Force, creating what amounts to a Home Affairs super-ministry.

ASIO and the other Australian intelligence agencies operate as part of the global US-led “Five Eyes” mass surveillance network, which is increasingly focussed on Washington’s aggressive confrontation with China. These agencies systematically swap data, especially with their US counterparts.

Labor is proposing to send its second bill for fine-tuning by parliament’s secretive and ASIO-vetted joint intelligence and security committee, whose members are all Labor or Coalition. Yet the passage of the bill is guaranteed with the Coalition’s support.

The Greens have initially criticised the bill, but they are proposing that it be referred to the Senate’s legal and constitutional committee, in which the Greens participate. Predictably, when the Greens’ spokesperson Senator David Shoebridge moved a motion to that effect on Thursday it was defeated 36 to 12, by the Labor, Coalition and far-right senators.

In the past, the Greens have postured as opponents of some of the expansions of ASIO’s powers, while voting for crucial measures and repeatedly appealing for partnerships with Labor, as they joined under the Gillard Labor government from 2010 to 2013.

The Labor government’s expansion of ASIO’s draconian powers is another warning of preparations for wartime-like conditions of political suppression and censorship as the government further commits itself, despite widespread anti-war sentiment, to what would be a catastrophic war against China for supremacy over the Indo-Pacific and the world.



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