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HOUSE OF REPRESENTATIVES

PROOF

BILLS

**Home Affairs and Integrity Agencies
Legislation Amendment Bill 2017**

Second Reading

SPEECH

Tuesday, 8 May 2018

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

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Questioner
Speaker O'Brien, Ted, MP

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Mr TED O'BRIEN (Fairfax) (13:05): It is a pleasure to rise today to speak to this bill. I was somewhat disappointed by the comments from the member for Isaacs, who has suggested that this bill is an experiment. He uses the word 'experiment', a word, I think, that uncovers Labor's clear willy-nilly experimental approach on matters of national security.

Mr Dreyfus: What are you talking about?

Mr TED O'BRIEN: The member for Isaacs wishes to know what it is I'm speaking of. Well, I would like to ensure that the good member is advised that there were 50,000 illegal arrivals in Australia under the last Labor government on 800 boats, and at least 1,200 people died at sea; 1,200 people drowned at sea. There has not been an illegal boat arrival in Australia for 1,381 days, as of this morning. Over 3,481 visas of serious criminals have been cancelled, and yet the member for Isaacs wishes to interject, in absolute confusion. This sort of policy area should never be an experiment, because we are talking about national security.

That is why I am rising to support the Home Affairs and Integrity Agencies Legislation Amendment Bill 2017. Indeed, there is no more fundamental responsibility of a federal government than the security of this nation, nor is there any greater expectation from the Australian people of their federal government than doing everything in its power to ensure their security and that of their families. This is what underpins the establishment of the Home Affairs portfolio and the bill we see before us today, the most significant reform to our intelligence and national security system in decades.

Our security agencies face a never-ending battle to protect Australians against the ever-changing face of terrorism and to defend our national security and our freedoms. Gone are the days when our enemies were relatively easy to identify, wearing uniforms of an opposing power, standing on foreign shores accessible only by boat or plane. Today's enemies are far better camouflaged and include cyberhackers, terrorists and lone-wolf attackers. They are elusive, hiding online in the dark web and at times in our very neighbourhood. The world today is very different from that of 40 years ago, when much of our intelligence infrastructure was conceived as a result of the Hope royal commission. In 2016, 77 countries experienced at least one terrorism related death, more than any other year since 2001. The rise of the internet gives terrorist groups and criminal organisations unlimited global reach. We're seeing increased vulnerability of critical infrastructure, including financial systems, to cyberattack, and we all know the increase in violent extremism now shaping the world we live in.

Recognising these threats and the complex changes faced by our security agencies in responding to them has led to this bill and the establishment of the Office of National Intelligence and the Department of Home Affairs. These are changes that further strengthen our security arrangements as well as the integrity and oversight of our security agencies, changes that recognise the need for closer cooperation between our domestic security and law enforcement agencies, and changes that enable an adaptive infrastructure, limit duplication, and set priorities and shared security goals across the portfolio. Although we speak of changes, I'm sure all of my colleagues would agree that Australia's law enforcement, intelligence and security agencies are nonetheless second to none. Indeed, Australia's domestic situation is more secure than ever, with—and I repeat for the sake of the member for Isaacs—no illegal boat arrivals in almost four years, or, more precisely, 1,381 days as of this morning; with more than 3,481 serious criminals having had their visas cancelled since December 2014; with national security agencies having been responsible for 37 counterterrorism operations since September 2014, resulting in 85 people being charged with terrorism and other offences; and, more importantly, with the prevention of six attacks and 14 major counterterrorism disruption operations in response to potential attacks planned here in Australia.

We do face challenges, though. There are more than 100 Australians fighting or engaged with terrorist groups in Iraq and Syria and 190 people providing support and funding from Australia. Our intelligence agencies are currently managing around 400 high-priority counterterrorism investigations, and so it is essential that we continually invest in and support our national security agencies. This bill before the House today provides for this

continued investment to ensure we stay ahead of the game, ahead of the terrorists, ahead of the people smugglers and ahead of the cyberhackers. Furthermore and importantly, this bill confirms that each agency retains full statutory independence while reporting to one single minister, the Minister for Home Affairs—a single point in cabinet who will provide comprehensive and integrated advice to government on the challenges and threats we face and how we should respond.

Strengthening the Attorney-General's capacity is also an essential element of the changes reflected in this bill. This bill sees the Attorney-General take responsibility for the Inspector-General of Intelligence and Security and for the Independent National Security Legislation Monitor. This will provide oversight and accountability to give Australians confidence not only that our agencies will safeguard our nation's security but that they will do so respecting the rights and freedoms of all. Security and freedom, it must be said, are not conflicting or contradictory forces. Despite the usual neo-Marxist drivel coming from the Australian Greens, who claim that Australia is becoming a police state, there is no dichotomy between security and freedom in this country. To claim otherwise is just a shallow excuse. Failing to support a robust national security apparatus is nothing short of an abrogation of duty—

Mr Bandt interjecting—

Mr TED O'BRIEN: Thank you to my honourable colleague from the Greens, who has made a positive contribution finally in this House. Indeed, it shows precisely that, when it comes to the substance, why the Greens are actually not fit for government—because they refuse to support the robust national security apparatus being put forward in this bill. Security and freedom are in fact interrelated and reinforcing and must, therefore, be considered together, side-by-side, in balance and in full realisation of the threat posed. To better enable and empower this relationship is the clear intention of the reforms put forward in this bill. Indeed, to be free is to be secure, and to be secure is to be free.

It's worth noting that we are not alone in this fight. After all, centralised intelligence coordination has been established in the USA, the UK, Canada and New Zealand—key allies of ours in the fight against global terrorism and criminal organisations. It's also worth noting that this bill enacts a key mandate of the 2017 independent intelligence review to take 'individual agency excellence to an even higher level of collective performance through strengthening integration across Australia's national intelligence enterprise'.

This bill will ensure better strategic planning and coordination for our immigration, border protection, law enforcement and domestic security agencies while preserving their operational strength and independence. It will allow them to continue to detect, prevent and respond to acts of terrorism and organised crime within Australia—threats that are ever evolving and complex, driven by new technologies and the expansion of cyberspace. This bill underpins the coalition government's determination and commitment to keep all Australians safe and secure—a fundamental right enjoyed by all Australians. It's on this basis that I'm happy to commend the bill to the House.