

Knives are sharpening on the new home affairs office

Tony Walker

July 23, 2017

If you wanted a case study of how media sausages are made – the purveying of news and opinion – you would need to look no further than argument about the establishment of a super department of Home Affairs, modelled on the UK Home Office.

Not much explains better political cross-currents in a beleaguered government than the leaking that has informed much of the commentary about this proposal.

A rule of thumb in Canberra holds that leakages damaging to the prime minister of the day increase in proportion to the trouble they are in. If that's the case, Malcolm Turnbull is in a heap of trouble.

Commentators aligned with former prime minister Tony Abbott have been at the forefront of those lambasting the idea. In office, Abbott rejected setting up a Home Affairs department on bureaucratic advice.

Then there are the ministers who would yield terrain in Canberra's endless turf wars. This principally applies to Attorney-General George Brandis, who would lose responsibility for one of the crown jewels of the intelligence establishment, the Australian Security Intelligence Organisation. I have no idea whether Brandis has been briefing journalists. But I do know he has long opposed the establishment of a mega homeland security department.

Allied with Brandis has been Foreign Minister Julie Bishop, who has been against such a development from the start.

Again, I have no idea whether Bishop has been briefing against the proposal. But she has let it be known she was not present at a meeting of the National Security Committee of the cabinet where the matter was canvassed.

Bishop would have another reason for resistance to the idea as odds shorten on her as an alternative to Turnbull, given the difficulties the government finds itself in.

Turnbull's decision to confer security tsar-like status on her potential rival, Peter Dutton, will not please Bishop. Bishop and Dutton represent polar opposites in more ways than one.

Then there is the bureaucracy. Elements of the bureaucracy will be unhappy about changes that would alter lines of command and areas of responsibility. Canberra bureaucrats will be finding ways to make their views known.

A significant part of the bureaucratic unease about the Turnbull proposal revolves around Michael Pezzullo, head of Dutton's immigration department and in line to be crowned as the most powerful Canberra official in recent memory.

Pezzullo, who has worked for former Labor foreign minister Gareth Evans, and for Kim Beazley in opposition, is a ruthless political operative. Some might believe this would be a necessary attribute for such a job.

At this stage, the Department of Home Affairs is a work in progress, and its future is far from guaranteed. For a start, it will require legislation to make its way through a fractured Senate. However, fearful of being wedged on security issues, Labor may well go along with the bulk of the proposal.

After all, it follows fairly closely a similar package advanced by Beazley as opposition leader under the tutelage of Pezzullo, then his deputy chief-of-staff.

In the grinding of meat, and adding of seasoning and other bits and pieces to be placed in a sausage skin, the Turnbull initiative is far from a finished product. Nor is there an end in sight to negative commentary about his political judgement – exemplified, in the view of some, by his handling of the homeland security issue.

Much of this commentary has centred around Turnbull's perceived machinations to save his own political skin. His alliance with the conservative Dutton is widely regarded as his attempt to take out insurance against moves within his own partyroom.

Whether that is the case or not, it is true that in recent months Turnbull and Dutton have moved close to each other for reasons that might be regarded as serving their respective political aspirations.

Dutton has emerged as the standard-bearer of the right in a prospective leadership tussle, having overtaken Treasurer Scott Morrison for this mantle.

So, the question becomes whether the decision to centralise intelligence and security operations in one department makes sense, or whether it will prove to be an unwieldy response to burgeoning challenges, not least those relating to cyber-security?

This is what Turnbull said when announcing the decision both to establish a Home Affairs department, and also beef up oversight of Australia's intelligence agencies:

The government will establish an Office of National Intelligence headed by the Director-General of National Intelligence, and transform the Australian Signals Directorate into a statutory agency within the Defence portfolio.

The government will also establish a Home Affairs portfolio of immigration, border protection and domestic security and law enforcement agencies.

The new Home Affairs portfolio will be similar to the Home Office in the United Kingdom: a central department providing strategic planning, coordination and other support to a federation of independent security and law enforcement agencies including the Australian Security Intelligence Organisation, the Australian Federal Police, the Australian Border Force and the Australian Criminal Intelligence Commission.

While Turnbull contends the Australian Home Affairs portfolio will have similar responsibilities to those of the UK Home Office, a better comparison may be the US Department of Homeland Security in the breadth of its responsibilities.

US Homeland Security, established in the wake of the September 11 terrorist attacks, has responsibility for a plethora of federal agencies, inviting criticism that it is unwieldy.

When established in 2003, it combined 22 agencies with oversight of everything, from airport security to disaster relief. It is not responsible, however, for the Central Intelligence Agency and the Federal Bureau of Investigation, the latter being the responsibility of the attorney-general.

In the case of the Turnbull proposal, the Australian Federal Police, equivalent to the FBI, would come under the new mega department.

Sceptics might read a contrarian view of the US Homeland Security department by Chris Edwards of the libertarian Cato Institute, who takes issue with an explosion in the DHS budget, and also risks of “mission creep”.

It would seem almost inevitable, given the Australian home affairs office will have such broad-ranging powers, that it would continue to expand. This is one of the immutable laws of bureaucracy.

Finally, the former head of ASIO, David Irvine, has defended of the Turnbull-Dutton proposal, insisting the changes will:

... seek to reorganise the intelligence and law enforcement communities to achieve even greater operational effectiveness.

That remains the hope. The question is whether a department of the dimensions envisaged in the Turnbull reforms will prove as unwieldy as its American counterpart. If it is, we might be in the process of taking one step forward and two steps back.