

# Let's find out from our spooks in Iraq

## Canberra observed

Laura Tingle

**C**ast your minds back to late March. Then let's play a spooky game of join the dots. In late March, Labor had screamed ahead of the coalition on the primary vote for the first time and, as the month waned, was leading by a gap of 5 percentage points.

But Mark Latham was about to run into some trouble. During March, he had made his declaration that Labor wanted to bring Australian troops home by Christmas. US Ambassador Tom Schieffer brought into the local political debate, and the government sensed an opportunity to try to damage the new kid on the block.

The government charged that Latham's troops policy was policy on the run, made by an uninformed and inexperienced leader who, most seriously, had lied about receiving bureaucratic briefings on Iraq.

The following days were among the most dramatic we have had in the parliament in recent times.

At issue were Latham's claims that he had met with and discussed Iraq with Defence and Foreign Affairs officials.

On March 30, the Prime Minister told parliament there had been no such briefings.

Latham hotly disputed this and provided dates for the meetings. Howard returned to the chamber at 7pm and took the extraordinary step of reading from two letters from two of Australia's "spook" organisations and the overseas spy agency, the Australian Secret Intelligence Service (Asis) — which he said contradicted Latham's claims.

The brawl went on for days. But what is the significance of these events?

Well, for the past couple of weeks the issue of what Australia knew about Iraqi war prisoners has been bobbing in and out of the headlines and occupying a great deal of parliamentary time.

The focus has been on what Defence and its agencies knew.

But on March 30 John Howard opened a window on the as yet largely untold story about what Asis

— which is connected to Foreign



photo: PENNY BRADFIELD

**Lifting the lid . . . John Howard could hardly complain when Mark Latham also discussed Asis.**

that does not rule out what actually happened — discussion of Asis security matters relevant to Iraq."

And this is where we start playing join the dots.

It's an unwritten rule in federal parliament that politicians don't speculate too widely on the activities of our intelligence agencies.

But having used them improperly for political purposes on March 30, the Prime Minister could hardly complain when Latham also spoke about Asis in his own defence.

"On the question of the Asis briefing," he told the House on March 31, "my briefing with Asis on February 11 included substantial security matters relevant to Iraq.

"As the Prime Minister knows full well, Asis has relevant responsibilities beyond those mentioned in the Prime Minister's statement at 7pm yesterday."

Latham continued in a subsequent censure debate that Howard had made much of the fact that the letter from Asis director-general David Irvine had said that, "according to my recollection, there was no discussions [with Latham] on strategic policy relating to Iraq".

Latham observed: "Of course

from Iraqi detainees subjected to brutal interrogation by US intelligence officials.

Although Toohey's report said the Asis reports did not say how the interrogations were conducted, they said some of the material was of low value because of the circumstances in which it was collected.

Toohey's sources in Canberra said it was unclear from the reports if Asis officers were referring indirectly to the use of torture and other abuses under investigation by

US authorities, and it was not known if any Asis officers were present while detainees were interrogated.

"The Asis officers in Baghdad work with CIA and US military intelligence officials, analysing interrogations, which one US general has described in an official report as 'sadistic' in some cases," the report said.

It added: "Canberra sources familiar with the Asis reports say it is difficult to believe that well-trained intelligence officials in Baghdad could not have deduced what was happening in some of the interrogations conducted by the organisations with which they were closely liaising."

Toohey's report observed that the public controversy about the prisoner abuse scandal, and the government's defence of diplomats and military officers, "has made no reference to its most important source of information about the unusually large Asis contingent in Baghdad".

Toohey said the Asis detachment in Baghdad was the biggest ad hoc

bunch of spooks in Iraq who directly and indirectly are seeking to gain intelligence from Iraqi prisoners.

That means, despite all the legalistic nonsense about how we are not an occupying or detaining power, we have a legal and moral obligation to know about how those prisoners are being treated and ensure that they are protected, and it means we have a much greater vested interest in the prisons issue in Iraq than the government has let on to date.

The second is that the 86 soldiers at the greatest risk in Iraq are the ones guarding the six people in the Australian representative office.

The government insists this protection squad can't leave and leave those six unprotected.

Well, what about all those Asis officers? Who's protecting them? Iraq as a political issue will wobble back and forth across the party divide for months. But be assured we haven't heard the last of those unfortunate prisoners yet.

And the Prime Minister may long regret bringing Asis into the public domain.

■ **Laura Tingle** is The Australian Financial Review's chief political correspondent.

deployment by the organisation so far, to the point where there "have often been more Asis officers in Iraq than diplomats". (This wouldn't be hard, since there are just six or seven diplomats in our representative office there.) Another intriguing insight into what Australia might be up to in Iraq comes from oblique references in documents tabled by Defence Minister Robert Hill on Wednesday. According to those, there was a range of Defence "non-legal" officers visiting Abu Ghraib and other prisons on "orientation tours", visiting as part of their duties and "witnessing the prisoner receipt process". Senior legal officers visited a number of jails, including "to interview two Ukrainian criminal detainees", for a "criminal detainee interview", and for "info re killed Spanish officers". Now, your guess is as good as mine about what all this means. But seriously, *orientation tours*? In Baghdad?

The point here? Well, there are several.

The first is, we have a whole bunch of spooks in Iraq who directly and indirectly are seeking to gain intelligence from Iraqi prisoners.

That means, despite all the legalistic nonsense about how we are not an occupying or detaining power, we have a legal and moral obligation to know about how those prisoners are being treated and ensure that they are protected, and it means we have a much greater vested interest in the prisons issue in Iraq than the government has let on to date.

The second is that the 86 soldiers at the greatest risk in Iraq are the ones guarding the six people in the Australian representative office.

The government insists this protection squad can't leave and leave those six unprotected.

Well, what about all those Asis officers? Who's protecting them? Iraq as a political issue will wobble back and forth across the party divide for months. But be assured we haven't heard the last of those unfortunate prisoners yet.

And the Prime Minister may long regret bringing Asis into the public domain.

■ **Laura Tingle** is The Australian Financial Review's chief political correspondent.

# Naval contracts chart new course in tendering

**R**eal competition, not industry outcomes or political considerations, must guide the new round of naval ship-building tenders, writes **Mark Thomson**.

**T**here's up to \$8 billion worth of naval construction up for grabs. South Australia is landlord to the Commonwealth-owned Australian Submarine Corporation, which needs extra work to remain viable.

Mitsubishi has just dealt a blow to manufacturing employment in the state, which also happens to be home to three senior cabinet members, including Defence Minister Robert Hill. So it's just a matter of time before the election-year announcement of big ships being built down there — right?

Not necessarily so. The government says that if the next generation of naval ships is built in South Australia it will be because a competitive tender has been won.

This is a marked departure from the Department of Defence's 2002 plan, which envisaged a monopoly prime contractor and strongly implied that Adelaide would be the site for

Instead, the government has accepted the recommendations of a report it commissioned from

as Leighton and Austal, which have both shown an interest, can partner on the run, made by an uninformed and inexperienced leader who, most seriously, had lied about receiving bureaucratic briefings on Iraq.

The following days were among the most dramatic we have had in the parliament in recent times.

At issue were Latham's claims that he had met with and discussed Iraq with Defence and Foreign Affairs officials.

On March 30, the Prime Minister told parliament there had been no such briefings.

Latham hotly disputed this and provided dates for the meetings.

Howard returned to the chamber at 7pm and took the extraordinary step of reading from two letters from two of Australia's "spook" organisations and the overseas spy agency, the Australian Secret Intelligence Service (Asis) — which he said contradicted Latham's claims.

The brawl went on for days.

But what is the significance of these events?

Well, for the past couple of weeks the issue of what Australia knew about Iraqi war prisoners has been bobbing in and out of the headlines and occupying a great deal of parliamentary time.

The focus has been on what Defence and its agencies knew.

But on March 30 John Howard opened a window on the as yet largely untold story about what Asis

— which is connected to Foreign

— which is connected to Foreign