PRESS STATEMENT;

THE BRENNER CASE

October 22nd, 1961

Over the last two or three weeks there has been a fair bit of publicity throughout Australia about the Brenner case. The substance of this case is that Mr. Brenner applied for positions in at least one Australian University. The Minister for Immigration, Mr. Downer, refused to supply Mr. Brenner with a visa on grounds of security.

This kind of situation imposes grave difficulties on any Government. The practice that Mr. Downer has followed and other Ministers of the present Government was first laid down by Mr. Chifley, who founded the Security Service and who recognised the need for it. Mr. Chifley, later Dr. Evatt, and later again Ministers of the present Government, all refused to reveal the reasons for decisions which were based on Security reports.

The present Opposition seems to have departed from this rule, laid down by its predecessors, because they have pressed more than once for Mr. Downer to give the reasons for his refusal. The Opposition knows, as did Mr. Chifley and Dr. Evatt in their day, that the reasons cannot be given because once you give the reason, which is based on a Security report, you betray your sources of information. When this happens, at the very least your source of information dries up. At the worst, it could mean the death of a British agent somewhere not necessarily behind the Iron Curtain.

There are other reasons why the traditions which have been established in our Security Service should be maintained. The United States and Great Britain both have a very high regard for security arrangements inside this country. For this reason, they give us information which would not otherwise be available to the Australian Government. This information is often most valuable.

If any Australian Government started to give away information that was obtained as a result of a Security report, we would receive much less co-operation and much less information from our Allies.

It has been suggested that a Tribunal should be created at which a person could hear the charges against him and argue about them. Even if such a Tribunal sat in camera this would achieve the very purpose that enemies of this country would want. Assuming that the Security reports were accurate and that a grave security risk is involved in allowing a person to come to Australia, in this secret Tribunal all the evidence would be told the person concerned. He would pass this information on to other people who would like to hear it and our source of information would still be betrayed with the consequences that I mentioned.

It has been said in Parliament that Mr. Downer has been more liberal in the visas he has issued than previous Ministers. Having regard to this, when he gets up in Parliament and says that a grave Security risk is involved I am prepared to take his word for it.
and in matters of this kind it is essential to believe in someone.

I would sooner believe in Mr. Downer, who is a known patriot, than in Mr. Brenner who, in his own confession, said he was a member of the Stern Gang for 5 years, who became a Sergeant Instructor in the Stern Gang, again on his own confession, and who most certainly would not have received this distinction if he had not been adept in the methods employed by this terrorist group. Murder and assassination were the specialty of the Stern Gang.

Mr. Brenner's membership of the Stern Gang alone would have been enough for a great number of people to keep him out of the country. Since Mr. Downer has said that this is not the basis of Mr. Brenner's rejection, the charges must be serious indeed.

It is a strange thing in regard to public reaction in these matters. Very often if there has been a European type brawl in Melbourne in which somebody gets knifed, we see charges in the press that our screening methods are not sufficiently strict, that our Immigration program is allowing people into this country who should not come in, and then when a person who, on his own admission, has belonged to the Stern Gang in the past and is refused a visa, there are many people who jump up and say an injustice has been done. I wonder how the Mothers and Fathers of the Undergraduates who would have been taught by Mr. Brenner at Adelaide University would feel about it, knowing only the fact that he was an active member of the Stern Gang for 5 years. My own children are a long way off University age but I don't think I'd like it very much.

There are some interesting aspects of this particular case. To try and prevent the public outcry which is designed to bring the Security Service into disrepute, Mr. Downer offered to show Mr. Calwell the Security files in confidence. Other members of the Labor Party would not allow Mr. Calwell to look at the files because they felt that if he was shown the files in confidence his hands would be tied. At least Mr. Calwell would have been able to reassure his own hot-headed supporters that Mr. Downer had acted justly, as I am confident he has. I do not believe his hot-headed supporters wanted to be so reassured because this looked like being a good opportunity for embarrassing the Government. It is significant that Mr. Calwell has not once spoken on this issue. As a former Minister of Immigration and as the founder of the Australian Immigration program he probably has a pretty good idea of the kind of report on which Mr. Downer has based his decision.

By refusing to look at the files Mr. Calwell made it possible for some of the hot-heads in his Party to make great play of this issue. In doing so, unwittingly, they can only assist enemies of this country.

This kind of situation always places democratic countries in a dilemma. The actions that they must take for their own security seem, at times, to contradict the principles of Democracy. It can look like convicting a man without trial, but if anyone does think in this fashion they must know and they must believe that the prime
duty of any Government is to protect its own people and every Government has the right and the responsibility to do this and the right and responsibility to decide who shall or who shall not come into the country, having this in mind.

There is one final point. Some people have asked why do we refuse to give a person a visa when that same person has been allowed into the United Kingdom. There are several reasonable answers to this and it should not be difficult to guess what they are. Is it not possible that British Security or Australian Security have discovered something about such a person since he went to the United Kingdom? Is it not possible that the United Kingdom authorities do not want to go to Court to cancel that person's visa because, in Court, British Security's information and, consequently, its source would have to be revealed with the same consequences that would be involved in the publication of Security reasons in Australia? Further, is it not possible that the United Kingdom authorities would wait for a visa to expire when it would quietly not be renewed; and, finally, if a person was known to be an agent of some foreign power in the United Kingdom it might well be that his freedom of movement in the United Kingdom was allowed to remain because, through him, British Security were gaining knowledge of other agents. Any one of these reasons would explain why a person might be allowed to remain in the United Kingdom at least temporarily and will explain why that same person could legitimately be refused a visa into Australia.