

# The Sydney Morning Herald

POLITICS FEDERAL CRIME

## FBI training Australian police officers to catch out foreign spies

By Anthony Galloway

September 30, 2020 – 6.00pm



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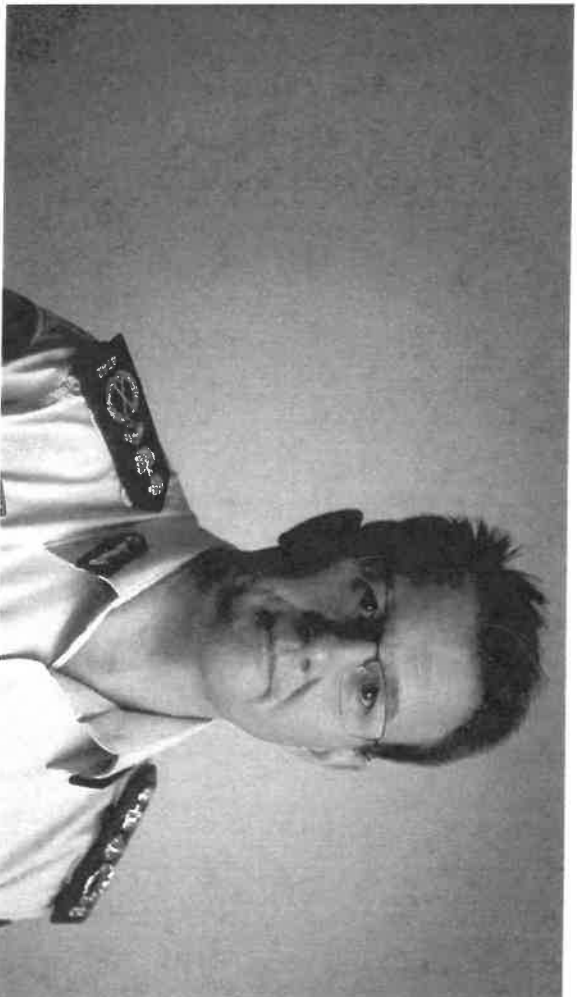
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The FBI has been training Australian Federal Police officers in how to catch foreign spies as a specialist unit set up to counter foreign interference and espionage becomes due for expansion.

AFP Commissioner Reece Kershaw revealed he had asked FBI director Chris Wray for help in training officers in the new unit, which has 65 officers.



AFP Commissioner Reece Kershaw says he expects the AFP to be finding its own foreign interference cases. ALEX ELLINGHAUSEN

Security and law enforcement agencies do not discuss which countries are the biggest offenders in foreign interference, but Chinese nationals are believed to be a major target of the joint AFP-ASIO Foreign Interference Task Force.

The AFP and ASIO raided NSW upper house MP Shaouquett Moselmane's home and office in June over an alleged plot to influence Australian politics, while it also executed warrants on the homes of four Chinese journalists.

In an interview to mark his first 12 months as the nation's top law enforcer, Mr Kershaw said foreign interference and espionage was a new challenge for the AFP after laws were passed in 2018 to crack down on covert influence.

"I reached out to Director Wray, the FBI director, asked him for assistance... around training our people and looking at how we could deliver our own package perhaps modelled on the US," Mr Kershaw said.

"He was great, sent his people out, we did that early on in the piece."

He said foreign spies were different from organised crime and counter-terrorism targets because "they're fully trained" and "know where to look".

"It is an area that the team is busy," Mr Kershaw said.

"The challenge with that area is how do you convert intelligence into evidence. We have a fantastic relationship with ASIO and the intelligence community about how we wash that into a brief of evidence."

He said the dedicated AFP unit currently had 65 officers but it had the budget to expand beyond that number.

While the AFP is currently investigating a number of foreign interference cases based on intelligence from ASIO, Mr Kershaw predicted his agency would eventually be following up its own cases as well as referrals from state police forces.

He also confirmed right-wing extremism was a growing concern for the AFP, but stressed that his agency did not differentiate between counter-terrorism cases.

"We've become pretty experienced... We've been able to do lots of disruptions and prevent attacks," he said.

Mr Kershaw said one of his biggest achievements so far in the job was putting in a new "decentralised" operating model which sped up decision-making by moving assistant commissioners outside of Canberra.

"It's taken almost a year to build the team - refresh those areas and also going to new crime-types like espionage and foreign interference, we're new to that, and also dealing with the increase in child protection, fraud and serious and organised crime," he said.

Mr Kershaw conceded the AFP still had some "residual issues" of trust with the media and public following last year's raids on ABC and News Corp journalists but said he believed it now had a better relationship with the media.

"If we've made a mistake, then let's admit it," he said.

"We've been far more open and transparent, we've shared more of our stories.

"Cops inherently just want to get on with the job and don't think they need to tell anyone about it. But I think we've been able to explain to our workforce that that's really important."

The long-awaited report handed down by Parliament's intelligence and security committee endorsed changes to Australia's search warrant regime that would expand the role of a public interest advocate to contest agencies' applications for warrants against the media for publication of leaked material.

Mr Kershaw said the AFP would apply whatever the government decided to put into law, but he thought a proposed "notice to produce" regime — whereby media organisations would have the opportunity to raise concerns about handing over material to police before it had to be provided — would be better.

"Where the journalist is not the necessarily the target, that's where that framework would come in, but it doesn't mean we would never say 'no' to executing a search warrant," he said.

The AFP boss said he recently set up the Sensitive Investigations Oversight Board, which is made up of senior executives and chaired by a deputy commissioner, will be critical in making the final decision on whether to execute warrants against journalists as well as in other sensitive cases.

Before taking on the AFP role, Mr Kershaw spent five years managing the Northern Territory police through a period of turmoil after his predecessor, John McRoberts, was forced to resign in 2015 amid serious fraud allegations. McRoberts was later found guilty of attempting to pervert the course of justice and he was sentenced to three years in prison suspended after 12 months.

Mr Kershaw said the AFP had its challenges with integrity like any organisation, but it should not be compared with what he had to deal with in the NT.

"I haven't had to confront perhaps what I did in the NT - and I think that's a one-off, probably since going way back in time - that's probably the most serious thing in 25 years in Australian policing," he said.

"That's been really pleasing for me [not having to deal with the same integrity issues]. I spent a lot of my years up there [the NT] doing almost the job of almost a mini-royal commission at times."

*The Sydney Morning Herald* and *The Age* last month revealed former AFP boss Mick Keelty admitted he passed on confidential information given to him by his ex-colleagues to former special forces soldier Ben Roberts-Smith, just days after the AFP had launched inquiries into the Afghan veteran and Victoria Cross recipient.

Asked about the revelations, Mr Kershaw said Australian Commission for Law Enforcement Integrity boss Jaala Hinchcliffe was investigating the issue and he was confident no officers in the AFP had acted improperly.

"It's an ongoing investigation, there's not much I can say there, but I'm confident that whatever's been referred to ACLE — that's a matter for the commissioner over there, and I have every confidence in her [Ms Hinchcliffe]," he said.

"We've supplied all the material, I'm very confident there's no one in our organisation who did that."



**Anthony Galloway**



Anthony is foreign affairs and national security correspondent for The Sydney Morning Herald and The Age.