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Wednesday, 22 October 2025

Senator Raff Ciccone
Chair, Parliamentary Joint Committee on Intelligence and Security
Parliament House
Canberra ACT 2600

Dear Chair,

Thank you for the opportunity to provide a submission to the Committee on the review of the Criminal Code Amendment (State Sponsors of Terrorism) Bill 2025 (the Bill).

Australia is the target of sophisticated and persistent espionage, foreign interference and terrorist activities. Geopolitical instability and shifting international relations are being exploited to deteriorate Australia's social cohesion and amplify political or issue-specific violence. The AFP continues to work with our National Intelligence Community, state, territory and international policing partners to share criminal intelligence, information and evidence relating to threats to Australia's national security and social cohesion.

Any foreign state conducting, planning and directing terrorism against Australians and Australian interests is entirely unacceptable. Unfortunately, as determined by Australian Security Intelligence Organisation (ASIO), this conduct has occurred in the form of two arson attacks in Australia – against the Adass Israel Synagogue in Melbourne and the Lewis' Continental Kitchen in Sydney. The AFP, along with Victoria Police and ASIO continues to investigate the Adass Israel Synagogue arson attack as a politically motivated crime through the Victorian Joint Counter Terrorism Team (JCTT). Not only do acts like these cause fear and anxiety in the community, but they also challenge Australia's sovereignty and social cohesion.

The new offences set out in the Bill send an important message of deterrence, and a warning to those who seek to harm to Australia and to undermine our democracy.

State sponsors of terrorism are likely to be well resourced and employ sophisticated tradecraft, ensuring involvement in illegal activities is obscure to avoid detection and attribution. In terms of onshore activity, there may be complexities where those doing the conduct are unaware of the origins and purpose of the directed conduct, due to the use of 'proxies'. In terms of offshore activity, it can be very difficult to collect admissible evidence (influenced by factors such as local legislation and relationship in country). We note the importance of the Australian intelligence community in detecting foreign state involvement. However, the AFP understands and supports the policy intent of the Bill, including a global message about Australia's views on this activity and intolerance for this to occur within our borders.

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The Bill seeks to address the threat of foreign state actors directing terrorist attacks in Australia, through the listing of foreign state entities as a state sponsor of terrorism where they have directly or indirectly engaged in, or otherwise supported or advocated for the doing of terrorist acts targeted at Australia.

The AFP recognises the Bill introduces a range of offences which mirror existing terrorist and terrorist organisation offences in the *Criminal Code Act 1995* (Cth) Schedule 1 (the Criminal Code (Cth)). The AFP, through the JCTTs, has investigative experience with these offences and several prosecutions have been finalised. The AFP works with ASIO through the Counter Foreign Interference Taskforce to investigate threats of espionage, sabotage and foreign interference and to prosecute, where appropriate. The AFP's experience and partnerships remain enduring and, across the agency, will ensure appropriate disruptive action occurs.

Consequential legislative amendments in the Bill will ensure that relevant police powers relied on in terrorism investigations are applicable for these offences, including the terrorism arrest threshold. This will ensure the AFP maintains the same investigative tools and powers to investigate these offences as other terrorism offences in the Criminal Code (Cth).

I trust this information is of assistance to the Committee and its review of the Bill.

Kind Regards,



Nigel Ryan APM
Performing the duties of
Deputy Commissioner National Security