

Parliamentary Joint Committee on Intelligence and Security

Attorney-General's Department

Hearing date: 14 March 2024

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Josh Wilson asked the following question:

Ms Hartigan: I can add a point of clarification, and I will ask Ms Davidson to help with this answer. We are aware of other research into the VERA-2R tool which is also being disclosed as part of court processes.

Ms Davidson: There are a range of other reports that we're aware of that have been disclosed, as Ms Hartigan mentioned, that go to risk assessment tools writ large. That's part of the material that's now disclosed in post sentence order proceedings.

Mr JOSH WILSON: Has that material you are talking to been disclosed to this committee?

Ms Davidson: I don't believe it would have been. I am aware that where it is disclosed in court proceedings there are protective orders over some of that material that would be relevant.

Mr JOSH WILSON: I trust that will be dealt with in an appropriate way. It just goes to the larger issue. It's very difficult for us. We don't know what we don't know. When this committee was, last time, undertaking its serious responsibility to provide advice to government about these regimes, which are of quite significant gravity, it did so while not having the benefit of a very salient and significant piece of work, which the department, based on its own processes, decided that this committee should not have. All we can ask, knowing that was the case in the past, is: is there anything else? In a sense, unfortunately, we then take it on trust. It is worth considering. It is very difficult. When we get told the process, ultimately what changes is some serious person saying to everyone, 'Listen, guys. Let's not do that again.' We are doing this review now. We are going to give advice on this regime. If there are other things that we should be able to have regard to in providing that advice, I certainly encourage people to think about whether it is possible, subject to all those proper considerations of things that are involved in court processes, that we can see them or at least understand their substance in some acceptable form.

Ms Hartigan: Mr Wilson, we can take that on notice and work with colleagues at the table here. Apologies; I wasn't aware of the request by the committee before to see that material. We will see what we can provide in response to what you have just mentioned.

The response to the question is as follows:

The department is aware of four other reports relating to violent extremist risk assessment tools. All of these reports have been provided to the courts and the defendants in the context of recent proceedings.

As these reports are currently the subject of suppression orders by the court, the department is unable to disclose them at this time.

The department is also aware of a new report into violent extremism risk assessment commissioned by the Australian Institute of Criminology, that is currently in the publication

process. A draft of this report has been disclosed to the courts and defendants in recent proceedings. We anticipate this report will be made publicly available once it is published by the Australian Institute of Criminology.