

TALKING POINTS
SENATE LEGAL AND CONSTITUTIONAL AFFAIRS
ADDITIONAL ESTIMATES
20:15 hrs 24 FEBRUARY

Thank you Chair, I am sure we would all acknowledge that much has happened both at home and overseas since this committee last heard from ASIO. I would like to take the opportunity to provide the Committee with an update on the current security environment and also talk about some recent significant announcements and events.

First, I would like to convey my sympathy to the victims of the Martin Place siege and their families. I would also like to acknowledge the response of law enforcement, emergency services and my own agency in what was an extremely difficult and dangerous situation.

We are facing challenging times and I note that other countries have also suffered at the hands of those who wish to do us harm. I would like to assure the community that ASIO and its intelligence and law enforcement partners are doing all they can to protect our fellow Australians.

General Security Environment

- As you are aware on 12 September last year, the National Public Alert level for Australia was increased to HIGH, meaning a terrorist attack is assessed as likely. This decision related to a range of factors indicating an escalation in the threat environment. Unfortunately, these factors have persisted and in some cases worsened. It is difficult to overload the fact that the decision to lift the alert level has been vindicated by subsequent events.
- Beyond Australia, there have been a number of attacks in Canada, the US, Europe and Africa.
- For example, last October in Ottawa, Corporal Nathan Cirillo was gunned down

whilst on ceremonial duty at the Canadian National War Memorial. The gunman [Michael Zehaf-Bibeau] then entered the Centre Block of the Canadian Parliament where he was challenged by an unarmed security guard [Samearan Son]. The security guard was shot and injured, buying valuable time. The gunman was then stopped by the Commons Sergeant at Arms, Kevin Vickers, shot and killed before he could cause further harm.

- Early last month, the world watched in horror as armed gunmen butchered French policeman[Ahmed Merabet] in a street in Paris en route to attacking staff at the offices of the *Charlie Hebdo* magazine. The terrorists, brothers, Said and Cherif Kouachi carried out their attack with brutality and complete disregard for humanity. This was followed on January by a hostage situation at a kosher supermarket in east Paris undertaken by Ahmedy Coulibaly (a known associate of Cherif Kouachi). French authorities also identified Coulibaly as responsible for the killing a policewoman in the street the day before.
- On 15 January, the Belgian Federal Police undertook operations in several locations in that country in an ongoing counter-terrorism investigation linked to foreign fighters who had returned to Belgium from Syria. In some cases the raids were met with armed resistance and two of the suspected returned foreign fighters were reported killed during the operations. Belgian police have stated the group was suspected of planning attacks on Belgian police stations.
- On the 3rd of this month,, an assailant wielding a knife attacked three soldiers guarding a Jewish community centre in Nice, France. At least two soldiers were injured before the perpetrator was arrested. He has been reported to be Mousa Coulibaly [*FOR INFORMATION: Coulibaly is a common Malian surname and there is currently no information linking Mousa Coulibaly to Amedy Coulibaly*], of Malian origin.
- On 14th and 15th of this month (just 10 days ago), a lone-gunman conducted two separate firearm attacks in Copenhagen before being shot and killed by police after he fired at officers during an attempted arrest. The attacker has been reported as Omar El-Hussein, Danish born of Palestinian descent, who was released from jail two weeks before the attacks and reportedly radicalised during his incarceration.

These attacks demonstrate a current trend of lone-actor attacks, in Europe and other Western countries, by individuals using easily obtained weapons and inspired by an extremist Islamist ideology.

- And of course, that brings me to the shocking events in Australia: the violent attack on two police officers in Melbourne at the Endeavour Hills police station in late September last year, and the siege in Martin Place, in Sydney last December. As you know eighteen people were taken hostage in the Lindt cafe, with three people killed—including the hostage taker. This event was appropriately declared an act of terror by the Australian Government.
- I also note the, litany of murderous, barbaric acts being carried almost daily by ISIL in Syria and Iraq. Most recently, the immolation of the Jordanian fighter pilot First Lieutenant Moaz al-Kasasbeh. Finally just days ago we saw the killings of Egyptian Coptic Christian fishermen kidnapped and killed in Libya.
- I mention these acts to highlight the violence and complete disregard for humanity, but also reference the relative sophistication of proscribed terrorist organisations in their ability and capacity to promulgate their warped narrative and savage imagery via online publication and social media [e.g. ISIL online magazine *Dabiq* and *al-Hayat media* as well as al-Qa'ida' *Inspire* magazine].
- These attacks demonstrate a concerning trend of relatively crude lone-actor attacks by individuals using easily obtained weapons having been inspired and instructed by extremist ideologies online.
- Such attacks demonstrate that the tensions from the conflict in Syria and Iraq are reverberating across the world including here in Australia.
- I wish to highlight that there are more Australians involved with groups fighting in Syria and Iraq than in any previous conflict involving non-state actors. We can expect that the consequences for Australia will be commensurably greater than previously seen with say, those Australian foreign fighters who returned from Afghanistan.

- There have been at least 140 Australians identified as having travelled to Syria/ Iraq to support extremist groups. Of these, around 90 Australians are currently in the region fighting with or providing support to these groups – especially ISIL; at least 20 have been killed in the conflict; and around 30 have returned to Australia.
- There has been much public attention on the issue of Australians travelling to Syria and Iraq, however this is part of a broader problem and we must also focus on individuals who do not travel but are radicalised at home.
- There is an increasing number of these Australians—connected with or inspired by terrorist groups, who are currently living in Australia. Many of them are born and raised here.
- The threat from within Australia does not only exist from individuals affiliated to terrorist groups, or even from those on the fringes. It comes from anyone with a grudge who wishes to react under the banner or name of terrorism.
- The lone actor can operate independently; may have no contact with other extremists; but may be inspired by an ideology promulgated by others. It is this autonomy which makes them difficult to detect.

The Prime Minister announced on Sunday and Monday the findings of two significant reviews relating to counter terrorism. The findings of the Martin Place Siege Joint Commonwealth New South Wales Review was announced on Sunday and yesterday the Prime Minister released the Review of Australian counter Terrorism Machinery.

Martin Place Siege Review

ASIO provided its full support to the external review into the Martin Place Siege. The review identified:

- The judgements made by government agencies were reasonable.
- Relevant information was shared in a timely and appropriate fashion between the various police and security agencies.
- Information that should have been available to decision-makers was available.

The review did not identify any deficiencies in ASIO's policies or practices, and it found our approach and systems were sound and appropriate. While the findings are reassuring from a procedural point-of-view, I understand that there are improvements to be made. From a community perspective, the Martin Place Siege has had a profound social impact and on our Australian spirit, the reverberations will be felt for some time. I acknowledge and accept this responsibility. We remain focused on making improvements wherever we can—for ASIO, it is a continual process.

CT Review

The Government conducted a review into counter terrorism governance and policy management in response to the threat from terrorism.

As part of that review the government has agreed that it will develop a national counter-terrorism strategy, in consultation with states and territories through the Australia New Zealand Counter-Terrorism Committee.

The government has also agreed to measures to strengthen leadership and coordination of the Commonwealth government's CT arrangements including the announcement of the position of a National CT Coordinator.

The government will also boost activities to counter violent extremism and develop a strategy for responding to the challenge presented by the return of foreign fighters to Australia.

ASIO supports these initiatives and will work closely with government and our Commonwealth and state national security partners to ensure their successful implementation.

Legislation

It is imperative that Australia's intelligence agencies are appropriately equipped to protect Australia's vital national security interests. The legislative powers available to ASIO and partner agencies need to respond to ever-evolving challenges in the security environment. And we are already utilising these powers — by way of example, we have already requested eight passport suspensions on security grounds since the introduction of the respective legislation.

In relation to data retention we need to ensure we keep abreast of changing technology. I recently attended a public hearing for the PJCIS inquiry into the Telecommunications [Interception and Access] Amendment [Data Retention] Bill 2014. In that forum I stressed the importance of historical communications data to ASIO's work in protecting the security and safety of Australians and Australian interests. The Committee is delivering its report at the end of the month and it would not be appropriate to comment any further until that has happened.

In closing, ASIO takes its role to investigate and provide advice on threats to Australia's national security seriously. In doing so we remain mindful of the importance of employing the least intrusive means of collection with respect to the level of threat present. ASIO is subject to numerous, layered oversight and accountability mechanisms designed to provide assurance to the Australian public and the Australian Government of the scrutiny and propriety in which ASIO undertakes its business. Notwithstanding the regulatory burden of this oversight, I and my leadership team welcome this. These are the checks and balances which give the community confidence in their security intelligence organisation.

Finally I, like you, have heard the Prime Minister's national security address yesterday. There are a number of issues he raised which remain before government for further consideration and decision so I know the committee will understand if I am not able to expand on those issues.