

Opening remarks: Senate Estimates Hearing

11 December 2014

Thank you for the opportunity to provide some opening remarks at this hearing.

Unfortunately the Director-General is unable to attend the hearing today, which would have been his first as the head of ASIO. I speak on his behalf and on behalf of the Organisation in thanking the previous Director-General, Mr David Irvine for his work and contribution to our nation's security over many years.

To begin with I would like to make a few general remarks about the security environment and some challenges facing the organisation and then I would seek to update the Committee on the threat of foreign fighters as it currently presents.

Terrorism

We continue to experience a significantly deteriorating global terrorism threat environment, reflected in the change on 12 September in the national terrorism public alert level from MEDIUM to HIGH.

The Syria/Iraq conflict still resonates in Australia and we do not expect the number of Australians involved in activities of security concern to diminish anytime soon.

ASIO is very concerned about Australians involved in this conflict, placing themselves and others in danger and about the very real prospect of these people returning with connections to networks of extremists and equipped with the intent and capability to conduct attacks on Australian soil. They are likely to return from the Middle-East with experience, attitude and connections and like almost all of those terrorist fighters returning from the war in Afghanistan, they are statistically very likely to present as a security risk.

We can assure you that we are expending every effort and using every tool available to us to protect Australians and Australian interests, but like any security organisation in any country, we can never provide a guarantee that an incident will not occur in Australia.

In concert with our law enforcement agencies and international partners, we continue to cooperate and work closely to identify and counter threats as they present. Our ongoing engagement across the Australian community is vital. ASIO is very grateful for the support it receives, particularly from the Australian Muslim community.

No Australian should live in fear of a terrorist attack. However, as members of the Australian community we should all be alert to the fact that there are Australians who walk and talk, the language of terrorism.

ASIO has been and will continue to work closely with the Australian Federal Police, the police forces of the states and territories, with other agencies in the Australian intelligence and national security community and with international partners to counter this threat and protect Australians wherever they are.

Espionage

Whilst ASIO tends to talk less about the harm from espionage, it continues to be a critical part of our work. In terms of **espionage**, ASIO's investigations continue to reveal more instances of espionage against Australian interests. In short, the more ASIO investigates, the more we expose. This is of course particularly the case in terms of the threat we face from cyber intrusion. Much work is being done and will need to be done with regard to this in the future.

Current Challenge

ASIO's challenges include not only the need to sustain our national security intelligence capability but also to ensure we are able to 'stay ahead' by remaining at the cutting edge of innovation. Technology is constantly changing and we have had to ask the question, 'do we have the tools we need to meet our responsibilities'? These tools do not come cheaply and we must continue to invest wisely in capability.

As well as technical capability we have sought legislative reform to enable us to do our job effectively. That is why we are seeing the current and potentially some further legislative changes being put before this Parliament.

The changes aim to ensure ASIO can fulfil its functions in the most effective way, with the least possible intrusion on the privacy of Australians. We believe the Australian public expect ASIO, their security intelligence agency, an agency charged with protecting them from threats, to have the necessary tools to carry out its function.

It is a simple reality that intelligence agencies must and do operate in secret. This secrecy does not make ASIO any less accountable. ASIO is subject to numerous, layered oversight and accountability mechanisms designed to provide assurance to the Australian people and the Australian Government of the scrutiny and propriety in which ASIO undertakes its business.

I would like to highlight the views expressed by the last Independent National Security Legislation Monitor who noted how proper and compliant ASIO was in its observances of existing legislation and guidelines.

Foreign Fighters

I have spoken a moment ago about terrorism in general. I would now like to make a few remarks about foreign fighters in particular. ASIO is deeply concerned about Australians involved as foreign fighters in the Syria and Iraq conflict placing themselves in harm's way and the domestic ramifications of the very real prospect of these people returning with connections to networks of extremists and equipped with the intent and capability to conduct an attack.

The Syrian and Iraq conflict continues to impact here and we do not expect the number of Australians involved in related activities of security concern to drop anytime soon.

Australians who have travelled to the region have done so for various reasons. Not all of these individuals are joining terrorist groups in Syria; there is a spectrum of activities connected with the conflict, ranging from medical or humanitarian aid through to active engagement in fighting.

The general number of young Australians going to fight in the Middle East is a matter of public interest.

ASIO has identified around 70 Australians fighting with or supporting Islamic extremist groups – most of whom are affiliated with Jabhat al-Nusra or the Islamic State of Iraq and the Levant (ISIL). These 70 Australians are there with the approximately 12,000 foreign fighters from 80 nations – including around 3,000 from Western countries – who have travelled to the region to join terrorist groups there – especially ISIL.

Now, more than a hundred people here in Australia are actively supporting these extremist groups, providing funding, recruiting for them, and in many cases seeking to travel to join these groups.

- There will be others – at home and abroad – whose activities have not been detected.

These figures represent an increase on those noted earlier this year, indicating that engagement in the conflict by Australians is regaining impetus after a period where the numbers seemed to have stabilised. This renewed engagement appears to be largely focused on the most concerning groups – particularly ISIL.

ISIL's ability to recruit and influence people in Australia remains of great concern to ASIO.

I should note that ASIO assesses at least 20 Australians have been killed while fighting in Syria and Iraq so far.

With regard to passport cancellations, ASIO has since mid-2011 made nearly 100 adverse security assessments on Australians who have or intend travelling to Syria/Iraq to join terrorist groups. A significant majority of those adverse assessments have been made since the middle of last year.

The scale of Australian foreign fighters' involvement in the Syria/Iraq conflict far outstrips any previous conflicts. Further, very few of the Australians who travelled to previous conflicts were involved in violence on the scale seen in Syria and Iraq.

While we cannot extrapolate directly from past experience, the behaviours of Australians who returned from the conflict in Afghanistan and Pakistan demonstrates the need for ASIO to consider those involved in the Syria/Iraq conflict as a serious and long-term problem.

Many Australians who trained with al-Qa'ida or affiliates in Afghanistan/Pakistan in the 1990s and 2000s were involved with terrorism-related activities on their return. For example:

- ASIO investigated 30 Australians who travelled to Afghanistan and/or Pakistan between 1990 and 2010 to train at extremist camps and/or fight with extremists.
- Of these, 25 returned to Australia and 19 engaged in activities of security concern after their return to Australia.
- Eight were later convicted of terrorism-related offences, with five still serving prison sentences.
- For these individuals, their behaviour after their return to Australia emerged over an extended period – in some cases, it was not seen until more than 5 years after their return.

Prior to September of this year, ASIO assessed that if a terrorist attack was planned for Australia, it would most likely be a complex, mass casualty attack requiring a long lead time, for example, a vehicle-borne improvised explosive device. ASIO had some confidence that we would be able to detect such an attack early in the planning stage, and alongside law enforcement, work to nip it in the bud as we have done previously.

We now assess a simple, random attack on the street on any Australian using rudimentary weapons is more likely. Such an attack would provide for the terrorists great propaganda mileage. The main point to make is that these sorts of attacks mean we lose much of the lead time in detecting such attacks making it far more difficult to provide advance warning. It was information relating to this new type of attack coupled with the large number of Australians becoming foreign fighters that caused the Australian Government to raise the threat level on 12 September.

ASIO is facing an existential challenge and is working across our community to protect Australians and our Australian interests. We can't of course do it alone. We require the support of the whole Australian and international community using all available instruments to achieve success.

I trust this statement has provided some clarity and perspective to current events, and I again thank you for the opportunity to comment in this hearing on matters of particular significance to ASIO.