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MEDIA STATEMENT

NEW LAWS TARGETING FOREIGN FIGHTERS COME INTO EFFECT

The cowardly attacks this week in Paris and late last year in Sydney are an affront to the values of all Australians and demonstrate the significant threat posed by terrorism and lone wolf extremists. The attack in Paris was not merely an exercise of barbarism, it was an assault on freedom of expression, which is the lifeblood of free societies.

People who support and assist others to engage in fighting with terrorist organisations overseas will now be subject to the same control orders as those who return from fighting with terrorist groups themselves, under new legislation which came into effect in Australia this week.

Legislation recently passed by the Parliament has strengthened our ability to arrest, monitor, investigate and prosecute returning foreign fighters and anyone who facilitates or supports that activity.

Provisions which came into effect this week continue to strengthen our control order regime, which make it easier for our security and intelligence agencies to monitor people who are a potential threat to the Australian community. The new laws allow courts to impose control orders that prevent returned foreign fighters from associating with certain people where that would assist in preventing a terrorist attack on Australian soil.

Stopping people who enable terrorism and foreign fighting will greatly inhibit the ability of others to commit acts of terrorism.

Let there be no doubt, if you leave Australia to engage in terrorism and you come back, you will be brought to justice.

The Australian Government is doing everything it possibly can to keep Australia safe. Last year, we committed more than \$630 million in additional funding to help our agencies monitor individuals of interest and disrupt terrorist attacks.

The Government has also introduced a broad range of new counter-terrorism laws that give our law enforcement and security agencies the tools they need to disrupt and combat terrorism, including the threat posed by returned foreign fighters.

Our law enforcement and security agencies continue their work to prevent and disrupt any individuals who may seek to do us harm.

The Australian Government believes that its paramount obligation is to keep Australians safe. In doing so, we must never sacrifice the values of our free and democratic life. The strong measures which we have introduced, which are subject to robust safeguards and parliamentary oversight, protect our citizens without jeopardising our freedoms.

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An overview of the Australian Government's legislative response to the heightened security threat in Australia

Declared area – Returning fighters who have intentionally been in a declared area face a maximum of 10 years imprisonment.

Listed terrorist organisations – Returning fighters linked to listed terrorist organisations face up to 25 years imprisonment depending on the offence. Offences include being a member of the listed terrorist organisation; directing its activities; recruit for, train or receive training from the organisation; get funds to, from or for the organisation; provide support to, or associate with the terrorist organisation.

New Advocating Terrorism Offence – Prohibits intentionally counselling, promoting, encouraging or urging the doing of a terrorist act or the commission of a terrorism offence. The offence carries a maximum penalty of 5 years imprisonment.

Control orders – Can now be sought where a court is satisfied that the order would greatly assist the prevention of a terrorist act or where a person has engaged in hostile activities overseas and/or participated in training with a listed terrorist organisation.

Lower arrest thresholds - Will allow the police to arrest on reasonable suspicion, rather than reasonable belief, for foreign incursion and terrorism offences. This will enable law enforcement agencies to disrupt terrorist activity at an earlier stage.

Collection and admissibility of evidence from overseas - Greater flexibility for courts in deciding whether or not to admit foreign evidence in court proceedings.

National facial biometric matching capability - Strengthen the integrity of credential issuing processes and track terrorists in Australia that hide their travel across borders to avoid detection while planning attacks.

ACC Foreign Fighters Task Force – Funding for another 22 investigators and analysts for ACC. Boost to identify additional terrorist suspects or their facilitators, domestically and offshore. Also ensure Australia has the relationships necessary to effectively obtain foreign evidence for the prosecution of those engaged in terrorist activity (particularly returning foreign fighters).

Retaining metadata (still in front of the Parliament) - A further Bill, currently before Parliament, seeks to consolidate current arrangements for lawful access to data by asking telecommunications companies to retain limited data for two years. This is a vital investigative tool that will help the police to track and prosecute people plotting terrorist offences.