

**HOME AFFAIRS PORTFOLIO
DEPARTMENT OF HOME AFFAIRS**

PARLIAMENTARY INQUIRY SPOKEN QUESTION ON NOTICE

Parliamentary Joint Committee on Intelligence and Security
Review of AFP Powers

1 December 2020

Subject: VERA-2R trained users

Asked by: Eric Abetz

Question:

Dr Johnson: We have trained 222 people. As to whether 222 are still operating at the moment, we haven't got that figure, but in the last two or three years we've trained up 222 people.

Senator ABETZ: Do we have a register of the names of all these people?

Dr Johnson: No, not publicly available.

Senator ABETZ: So how do we know the number?

Dr Johnson: The department has an internal list of the people we've trained, absolutely. I thought you meant a public register.

Senator ABETZ: No, no, no.

Dr Johnson: But, yes, we do.

Senator ABETZ: So you know the people. How many of them are still—what's the term—operative or practising?

Dr Johnson: We'd have to take that on notice.

Senator ABETZ: If you could, that would be good. Thanks.

Answer:

The Department maintains a register of all Australian certified VERA-2R users. Under the Community of Practice guidelines, users of VERA-2R are required to be recertified every three years. The Department is undertaking a comprehensive inventory of VERA-2R users to confirm: who is due for recertification; and whether they have met recertification requirements, including still being mandated by their agency to undertake assessments.

PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Parliamentary Joint Committee on Intelligence and Security
Review of AFP Powers

1 December 2020

Subject: VERA-2R Questions to Dr Pressman

Asked by: Anne Aly

Question:

1. A number of reviews of different assessment tools including VERA-2R state that the tool was developed based on available literature. Can you please clarify the sources for developing VERA and VERA 2R?
2. What criteria do the developers recommend for participants in VERA-2R training? Do the developers have any input into the expertise, qualifications and professional backgrounds of individuals who are trained to use VERA-2R?
3. You have stated that VERA-2R is not a predictive tool. Can you please clarify if the tool is meant to be used to continually assess individuals at intervals and if so what are the recommended intervals for assessment?
4. Can the VERA-2R be used without an interview with the individual? If so, how is assessor subjectivity excluded?
5. How does the VERA-2R work in the vastly different contexts of individuals who may be exposed to radicalising influences, in the early stages of radicalisation or highly ideologically committed in different settings? To what extent does the tool rely on the expertise of the assessor to be effective across these different contexts and settings?
6. The VERA -2R training consists of a three day training course. How much knowledge and expertise are participants expected to bring to the course? Does the course cover a single case study? How is the case study selected?
7. Does the VERA-2R claim a quantitative assessment of the propensity to commit an act? Referring to your 2015 conference paper in which you presented a Bayesian algorithm to quantify propensity to act, can you confirm that the tool is purely qualitative and should be used as part of a range of measures in assessing risk?
8. Can you confirm if VERA 2-R was developed expressly to assess high level acts of terrorism and not for lower threshold extremists? If so, how is VERA-2R being used to assess candidacy for early intervention initiatives?

Answer:

1. The VERA-2R was developed and informed by over 200 sources or references, drawn from terrorism and violent extremism research and risk assessment methodologies.

The VERA was revised in 2011, 2016 and 2018 in light of emerging information and trends in violent extremism. This included feedback from terrorism experts, national security analysts, law enforcement analysts, and professionals using the VERA with convicted terrorists in high security prison settings.

2. In Australia, the Department of Home Affairs is licensed to administer the use of the VERA-2R. The Department's use of the VERA-2R is consistent with the VERA-2R manual. The VERA-2R manual specifies the expertise required by VERA-2R users. This includes completing a recognised VERA-2R training program, experience conducting interviews and individual assessments and be people whose role includes conducting risk assessments on persons of interest for potential risk in terms of violent extremism. All users should be familiar with the research and operational knowledge of violent extremism and its accompanying characteristics.
3. The VERA-2R assists an analyst or psychologist to evaluate an individual at a given point in time. This is because we are dealing with dynamic indicators where individuals will change over time in either their commitment, intention, social contact or networking.

Risk pathways of violent extremist individuals should be tracked through time to determine increasing or decreasing risk patterns and establish a trajectory of risk and a trajectory on each indicator.

Repeated assessment should be undertaken if the individual's environment changes, if there are observed behavioural changes, or to track change during a disengagement program. We do not specify time intervals for repeated assessments and we expect agencies to develop their own procedures.

4. The VERA-2R can be used without an interview with the individual. This may be necessary during a covert law enforcement operation or in situations where the individual refuses to participate. Where an individual participates, caution must be exercised to assess possible impression management and deception.

The value and purpose of the VERA-2R's Structured Professional Judgement methodology is to minimise assessor subjectivity compared with the subjectivity inherent in unstructured risk assessment. The VERA-2R does this by providing a systematic approach to assessment in which indicators are scored using a protocol. Subjectivity or bias is limited if the indicator protocols are rated in accordance with the manual and user training.

5. The VERA-2R has a comprehensive set of risk indicators and, unlike other violent extremism tools, provides a structured assessment of the person's protective factors. This means the tool can be used in different contexts (such as community or prisons) and apply to all types of violent extremism (such as Islamist extremism or the extreme right wing).

Anyone being trained in to the tool must have experience in conducting risk assessments, knowledge of violent extremism or expertise working with violent extremists. Users can also use other tools, in conjunction with the VERA-2R, to form their expert opinion on the individual's risk.

6. The qualifications of individuals trained in VERA-2R vary, but most are trained psychologists, police, corrections officers and social workers. They are expected to have experience in conducting risk assessments, knowledge of violent extremism or expertise working with violent extremists.

In Australia, the training involves five case studies, several of which have more than one part. The case studies offer user training in different ideologies, genders, ages and settings. I (Dr Pressman) have provided some of the case studies and others have been developed by the Australian VERA Community of Practice.

7. The VERA-2R assessment involves evidence gained from quantitative and qualitative sources.

It is not a predictive tool and does not provide a statistical risk output or quantum. However, it does provide the user with a systematic and rigorous approach to assessing the risks presented by an individual.

8. The VERA was developed in 2009 as an offence specific assessment tool for people who were persons of interest for violent extremism or who had been convicted of violent extremist and terrorism offenses. The tool can be used at earlier stages with persons identifying behaviours or attitudes of concern that would identify the individual for early intervention initiatives. This is because each risk indicator is evaluated independently.

The structured and comprehensive set of radicalisation-related risk indicators and related indicators pertinent to individual needs and vulnerabilities will provide information that is individual specific and relevant to the focus of early intervention initiatives for a candidate.

The current version, the VERA-2R, which was released in 2018, has broadened in scope to further augment the ability of an assessor to identify and evaluate the range, extent and severity of the elements pertinent to a person being radicalised to violence.

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1 December 2020

Subject: VERA-2R use by experts in Court

Asked by: Mark Dreyfus

Question:

1. Has an assessment based on the VERA-2R ever been used by an expert in court? If so, please provide details, including the name of the court and the name of the case.
2. Has any court ever used or relied on a VERA-2R assessment as the basis for the court's decision? If so, please provide details, including the name of the court and the name of the case.
3. Is the professional and theoretical knowledge that underlies the VERA-2R sufficiently organised or recognised to be accepted as a reliable body of knowledge or experience? If so, on what basis?
4. To your knowledge, has any court ever evaluated whether the professional and theoretical knowledge that underlies the VERA-2R is sufficiently organised or recognised to be accepted as a reliable body of knowledge or experience? If so, please provide details, including the name of the court and the name of the case.
5. To your knowledge, has any court ever held that the professional and theoretical knowledge that underlies the VERA-2R is sufficiently organised or recognised to be accepted as a reliable body of knowledge or experience? If so, please provide details, including the name of the court and the name of the case.
6. Is the VERA-2R recognised as credible by others who are capable of evaluating its theoretical and experiential foundations? Please provide details.

Answer:

1. Yes. The VERA-2R has been used by experts in the New South Wales Terrorist High Risk Offender (THRO) scheme. It was also used by experts in the current *Minister for Home Affairs v Abdul Nacer Benbrika* continuing detention order application under the High Risk Terrorist Offender scheme.

Below is a list of New South Wales Supreme Court cases where it appears the Court has actively relied on a VERA-2R assessment to make the orders sought:

State of New South Wales v Barez (Preliminary) [2019] NSWSC 1589 (Fullerton J), [42]-[48], [84].

State of New South Wales v Barez (final) [2020] NSWSC 555 (Walton J), [112]-[144], [151]-[156], [23]-[236].

State of New South Wales v BP (Preliminary) [2019] NSWSC 699 (Wright J), [99]-[101], [111]-[113], [136]-[152]

State of New South Wales v Ceissman (No 2) [2018] NSWSC 1237, [83]-[84], [109]-[113], [156]-[173]

State of New South Wales v Cheema (Preliminary) [2020] NSWSC 876 (Johnson J), [171]-[182], [191]-[192].

State of New South Wales v Dunn [2019] NSWSC 426 (Wilson J), [108]-[118], [132], [172], [193]-[195]

State of New South Wales v Elmir (Final) [2019] NSWSC 1867 (Walton J), [77]-[94], [107]-[118], [167(3)-(5)], [183]-[186], [190]-[192]

State of New South Wales v Fayad (Preliminary) [2020] NSWSC 1681, [222]-[231], [274]-[279]

State of New South Wales v Osman [2020] NSWSC 1646 (Wilson J), [159]-[160], [207], [220]

State of New South Wales v RC (preliminary) [2019] NSWSC 734 (Ierace J), [52]-[54], [58]-[59], [90]-[91]

State of New South Wales v RC (No. 2) [2019] NSWSC 845 (Garling J), [46]-[51], [132]-[136].

State of New South Wales v White (No 1) [2018] NSWSC 1064 (Schmidt J), [41]-[45], [47]-[48]

State of New South Wales v White (Final) [2018] NSWSC 1943 (N Adams J), [76]-[78], [81]-[82], [161], [163], [151]-[152].

2. See answer to question one above.
3. The VERA-2R uses Structured Professional Judgement (SPJ) as its assessment methodology. The academic literature, Council of Europe and the United Nations Office of Drugs and Crime, amongst others, recommend SPJ as the preferred assessment methodology for violent extremists. All current violent extremism risk assessment tools use SPJ.

The VERA-2R manual cites over 200 references, drawn from terrorism and violent extremism research and risk assessment methodologies. It is also based on feedback from terrorism experts, national security analysts, law enforcement analysts, and professionals using the VERA with convicted terrorists in high security prison settings.

4. See answer to question one.
5. See answer to question one.
6. See answer to question three.

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1 December 2020

Subject: VERA-2R Practitioners

Asked by: Kristina Keneally

Question:

1. The Department stated that 220 people have been trained in the VERA-2R tool.
 - a. What are the qualifications of those who have been trained in this tool?
 - b. Are those trained required to sit an assessment on finishing the training? If so, what is the required 'pass mark'?
 - c. Are people required to undertake prerequisite training? If so, what training?
 - d. What other training is provided by the Department? Is contextual training (for example, training on different types of Islamic thought, or historical context in terms of right-wing ideology) provided to these individuals?
2. Dr Pressman said that the VERA-2R tool provides an analyst the ability to make a judgment which relates to risk.
 - a. In the Australian context, how much emphasis is placed on this judgement?
 - b. Is this judgement considered in context with any other variables? If so, what variables are taken into consideration?

Answer:

1.
 - a. The qualifications of individuals trained in VERA-2R vary, but most are trained psychologists, police, corrections officers and social workers. They are expected to have experience in conducting risk assessments, knowledge of violent extremism or expertise working with violent extremists.

VERA-2R users selected as experts for Court matters are expected to have significant expertise in psycho-social risk assessment and behaviour change.

- b. The training involves a three day course and completion of a case study risk assessment after the course, which is assessed by a VERA Community of Practice member. The case study must be assessed as satisfactory for an individual to be certified.
 - c. Individuals are expected to have experience in conducting risk assessments, knowledge of violent extremism or expertise working with violent extremists. VERA-2R users are also expected to engage in peer review and ongoing professional development.
 - d. Separate to the VERA-2R training, the Department supports national countering violent extremism (CVE) capability through: communities of practice, working groups, research, awareness programs, training and information sessions on emerging issues; and a CVE practitioners' course.
2. Australian VERA-2R users are trained by Dr Pressman or trainers certified by Dr Pressman. They perform VERA-2R assessments in accordance with this training, including the making of professional judgements based on VERA-2R assessment as described Part b, question 1 above.

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1 December 2020

Subject: VERA-2R Questions for Dr Pressman

Asked by: Kristina Keneally

Question:

1. You said that the VERA 2-R tool provides an analyst the ability to make a judgement which relates to risk.
 - a. How much emphasis is placed on this judgement?
 - b. Is this judgement considered in context with any other variables? If so, what variables are taken into consideration?

Some academic journals claim that CVE tools should not be used in isolation and that there is no 'one-size-fits-all' tool.

2. Is the VERA 2-R able to be used in conjunction with other tools? If so, which tools?

Answer:

1.
 - a. The VERA-2R assists the individual analyst or clinician to make a risk judgement based on evidence. The VERA-2R does not produce a stand-alone assessment and the risk assessment is made by the analyst or clinician exercising their professional judgement.
 - b. The judgement is reached after completing the VERA-2R assessment, any other assessments considered relevant for the particular individual and taking into account the purpose of the assessment.
2. It is recommended the VERA-2R is used in conjunction with other assessment tools as appropriate to the individual circumstances. This may include other violence assessment tools, forensic and general psychological assessment tools and tools that assess responsivity factors (for example, language and learning styles) that will support recommendations about management and rehabilitation.