



VICTORIA POLICE

**Parliamentary Joint Committee on Intelligence and Security Inquiry into
Extremist Movements and Radicalism in Australia**

Victoria Police submission

Introduction

Victoria Police welcomes the opportunity to make a submission to the Parliamentary Joint Committee on Intelligence and Security's (the Committee) *Inquiry into Extremist Movements and Radicalism in Australia*. In this submission, Victoria Police addresses the following focus areas of the Committee's Inquiry:

- the nature and extent of the threat posed by extremist movements and persons holding extremist views in Australia;
- key activities undertaken by Victoria Police to respond to the threat posed by extremist movements and individuals;
- how the motivations, objectives and capacity of extremist groups and individuals for violence have change during the COVID-19 pandemic; and
- opportunities for improvement and key reforms to enhance the capacity of law enforcement agencies to respond to the threat posed by extremist movements and persons holding extremist views in Australia.

Nature and extent of threat

The threat to public safety in Victoria from politically and ideologically motivated violence has evolved in the recent past, influenced by events overseas, but restricted to some extent by our unique circumstances. In Victoria, terrorism inspired by Salafi-jihadi ideology remains the primary threat.

Social media has extended the reach of this ideology and amplified its impact on those vulnerable to radicalisation. Images of conflict and skilfully crafted propaganda from groups like Islamic State of Iraq and Syria (ISIS) have encouraged a small number of Victorians to attempt travel to the conflict zone, plot local attacks or provide funds to extremists.

The propaganda that influences these people also continues to encourage low capability, lone actor attacks, a call that has been heeded throughout the world. These attacks often occur in crowded places for the purpose of maximising casualties and amplifying their propaganda value or are directed at high value targets such as law enforcement, crowded places, institutions and locations of public significance.

However, it is also important to acknowledge that the threat of terrorism can come from multiple sources and be inspired by a range of ideological or political causes. The emerging threat of right-wing forms of violent extremism (RWE) and its interplay with left wing forms of violent extremism (LWE) demonstrate that the threat of extremist movements and individuals is highly dynamic and often influenced by local and international forces that can shape the environment. These threats have manifested in notable events such as:

- Operation Fortaleza – which occurred in 2016 and saw the successful conviction of right wing violent extremist for collecting or making documents likely to facilitate terrorist acts; and doing other acts in preparation for, or planning terrorist acts contrary to sections 101.5 and 101.6 of the Commonwealth Criminal Code
- Protest movements encompassing a range of issues which have emerged in many parts of the world, including Australia, and while generally peaceful, fringe elements may be inclined to engage in various forms of violence, including acts of terrorism

Moreover, many of these forces are interactive, which presents challenges in anticipating how the threat will evolve. Despite this, Victoria Police remains alert to the possibility of threats emerging from new and unexpected sources, regardless of religious, political or ideological roots.

Critically, this attentiveness must also extend to changes in the dynamics of terrorism, including methods of operation, the application of new technologies and individuals' highly idiosyncratic and personal motivations. In this way, Victoria Police, with the support of government and other agencies, continues to invest in its capabilities to place itself in the strongest position to meet the challenges ahead, regardless of the form they might take.

Victoria Police response to identified and emerging threats

Victoria Police requests that the Committee note the following identified and emerging challenges, as well the activities undertaken by Victoria Police to address them.

New and emerging forms of violent extremism

Since the Christchurch mosque attack in March 2019, there has been a notable increase in focus on the threat of right-wing extremism (RWE) and Victoria Police's capability to respond to this emerging threat.

In Victoria, individuals and groups who adhere to RWE ideologies have diverse and multifaceted ideological views. It is not a cohesive cohort, and there are differing attitudes towards support for violence, solutions to societal issues and perceptions the degree to which society is perceived to be corrupted or decayed.

The ideological spectrum can be divided into three categories, being the moderate, far and extreme right; with the extreme right being the most open to using violence to influence change. Within these definitions, there is a broad range of groups that adhere to ideas associated with civic nationalism¹, ethno-nationalism² and/or national socialism³.

The RWE threat does not exist in a vacuum and is directly influenced by a symbiotic relationship with the threat of left wing extremism (LWE). In addition to violent conflict at organised RWE events and public demonstrations, Victorian-based LWE movements and individuals are mimicking overseas based LWE movements (such as ANTIFA) to justify the use of violence to promote civil unrest and target perceived enemy groups.

Expansion of Victoria Police countering violent extremism (CVE) activity

In response to these new and emerging forms of violent extremism, Victoria Police has developed the Network for Intervention and Tailored Engagement (NITE), a tailored CVE intervention program designed to divert individuals exhibiting indicators of radicalisation to violent extremism.

¹ Civic Nationalism (Moderate Right Wing) – A form of nationalism which values the notion of citizenship and cultural integration over ethnic forms of nationalism. Civic Nationalists often defend the value of national identity by promoting the view that individuals need a national identity in order to lead meaningful, autonomous lives. Membership in a civic nation is open to anyone who shares the same values. Civic Nationalism is often associated with various 'patriot' or anti-Islam groups and political parties found in Victoria, who view an adherence to an Islamic faith as incompatible with traditional Australian values

² Ethno Nationalism (Far Right Wing) – A form of nationalism wherein the nation is defined solely in terms of ethnicity. The central theme for ethnic nationalists is that nations are defined by a shared heritage, which usually includes a common language, a common faith and a common ethnic ancestry. Groups and individuals in Victoria who adhere to this ideology often promote a return to the White Australia Policy, under which only those of European ancestry could migrate to and live Australia

³ National Socialism (Extreme Right Wing) – The ideology of the German National Socialist Workers' (Nazi) Party. An authoritarian political and social theory based on ideas of European racial supremacy. National Socialism is a form of fascism that promotes disdain for liberal democracy and the parliamentary system, also incorporating fervent antisemitism, anti-communism, scientific racism and eugenics. Groups and individuals in Victoria who adhere to this ideology desire the complete reformation of the Australian Government and society under an authoritarian National Socialist system

The NITE leverages a variety of service providers and suitable mentors to deliver intervention plans that are tailored to the needs of each identified individual, considered to be at risk of radicalisation to RWE and other forms of violent extremism.

NITE employs a multidisciplinary approach together with a focus on the 'Pro-Integration Model' which identifies five key domains that are crucial to the process of disengagement from extremism:

- a fundamental change in social relations
- an openness to the 'other'
- a disillusionment from radical ideas
- physical and/or psychological support
- pro-social engagement.

NITE complements the existing Victoria Police CVE intervention program, the Community Integration Support Program (CISP), which delivers tailored intervention to individuals exhibiting indicators of radicalisation to Islamist forms of violent extremism. CISP has been delivered in partnership with key community-based service providers since 2010.

Independent evaluations of CISP have found that a significant percentage of participants exhibited indicators of moderate to significant positive change as a result of their engagement with the program, and that the program's success can be attributed mostly to the partnerships between community, law enforcement and other agencies that underpin the program.

Enduring and residual risk

Managing the residual or enduring risk associated with persons of interest (POI) that are assessed as either 'low risk' or 'inactive' remains a continuing challenge for Victoria Police, due to an absence of contemporary intelligence suggesting a heightened level of risk.

This challenge can also be exacerbated by the durability of extremist beliefs, and the potential that such beliefs are held by POIs for indefinite periods. Naturally, there would be a shared resource impost across law enforcement agencies, should the monitoring of POIs extend beyond its current parameters, such as if periodic investigations or intelligence gathering was required once a POI becomes classified 'inactive'.

An extension of this is the risk posed to the community by high risk terrorist offenders (HRTTO), and those who have served a period of time in prison for terrorism offences or have been radicalised within a correctional setting.

Release of terrorist offenders following a custodial sentence

In partnership with state and federal agencies, Victoria Police will be in part responsible for the management of terrorist offenders released from prison and their impact on the wider community – both as part of the HRTTO scheme, and as part of the broader Victoria Police remit to protect the community from the threat of violent extremism.

Victoria Police is currently involved in consultations with state and federal stakeholders to develop a framework for the management of HRTTO offenders subject to a continuing detention order (CDO) as well frameworks to support the implementation of the extended supervision order (ESO) scheme which is currently in development.

As the number of terrorist prisoners eligible for release is expected to increase in the next 5 years, it is not yet clear what medium to long term impact these individuals may have on family members, associates and the broader community. Management of this risk will require joint CVE and CT operational risk and needs assessments that will be informed by shared information from state and federal intelligence, law enforcement and corrections agencies.

Due to the nature of their offending, terrorist offenders are assessed for suitability and referred to CVE programs during imprisonment and post-release. The process involves collaboration between Victoria Police and Corrections Victoria. Where a terrorist engages with a CVE program, Victoria Police CVE practitioners and personnel are increasingly accountable for evaluating and monitoring individual risk. This responsibility often overlaps with that of state and federal intelligence, law enforcement and corrections agencies who play a role in monitoring and managing terrorist offenders pre and post release. As these cases increase, a greater need for transparency, role clarity and accountability between agencies will be required to adequately assess and manage risk.

Victoria Police has also witnessed cases where extremists released from prison have moved interstate, after having previously spent substantial time in Victoria. Additional considerations may need to be made for how inter-agency information is shared to assess post-release risk in these circumstances.

Mental health and suicidal ideation

Victoria Police notes the increased prevalence of incidents, both local and international, in which individuals with suicidal tendencies or aspirations seek to invoke a religious or ideological motivation in the process of giving effect to their desire to end their lives.

Reasons for invoking such a religious or ideological motivation may include providing legitimacy to actions that may otherwise be considered religiously illegitimate or prohibited; seeking the cleansing or redeeming benefits offered by acting in the name of a religious or ideological cause; and/or heightening the likelihood that police will be provoked into responding to a situation through the application of deadly force.

Victoria Police strategic intelligence practitioners continue to explore the relationship between belief and action, as well as the impact of behaviours that are at odds with a perceived extremist ideology and their potential to escalate an individual's pathway to violence as a form of redemption.

Exploitation of welfare payments and Commonwealth-funded program fraud

Monitoring the exploitation of Commonwealth-funded subsidy schemes, examples of which included childcare subsidy schemes, vocational education and training, unemployment services and grants programs are of ongoing interest to Victoria Police. As previously detected the vulnerability of some schemes has been exploited.

Rather than being purposely utilised to fund terrorist activities offshore (or even domestically), intelligence suggests that it is more likely that exploitation of such schemes is used to fund a lifestyle that allows extremists to commit more time to nurturing and furthering their religious, political, or ideological activities.

Geographical spread of extremist movements and links to international organisations

In the future, custodial releases may include individual cases where terrorist offenders have had their Australian citizenship revoked, resulting in possible deportation upon their release.

This is likely to have a notable impact within particular communities, such as where an offender facing deportation has family members and associations that will remain in Australia. Due to the global nature of terrorist networks and the ease of online communications, there is a further risk that the influence and reach of deported terrorist offenders with like-minded associates in the Australian community may not diminish. Over time, the existence of strong cooperative arrangements with international agencies to identify and mitigate this risk will be of increased value.

Victoria Police notes that similar issues may arise with foreign fighters who have their Australian citizenship revoked and can no longer return to Australia. The type of influence foreign fighters are likely to maintain (via communications, monetary transfers or by increasing foreign networks) will present ongoing challenges to intelligence and law enforcement to monitor. Again, strong cooperative arrangements between Australia and international intelligence and law enforcement agencies will be of increased value.

Returning foreign fighter families

It is not yet possible to accurately determine the level of risk that will be posed by returning women and children from foreign conflict zones. It is conceivable that, though not having participated directly in combat, many women were likely trained in the use of weapons, have acquired international networks, and potentially hold ideological views that remain undiminished. These individuals may seek to reconnect with local associates and supporters upon their return, and their influence on the local environment could manifest in the medium to long term.

In partnership with the community and other government agencies, Victoria Police has developed a framework for the reception, rehabilitation and reintegration of women and children returning from foreign conflict zones. This framework has received in principle endorsement from key Victorian Government stakeholders and will undoubtedly be tested in the proceeding years. One of the key outstanding issues that will likely impact the ability of Victorian agencies to reintegrate returning families relates to financial support for the development of, and increase demand for, appropriate therapeutic and rehabilitative services.

Effect of the COVID-19 pandemic on extremist groups and individuals

Experience of counter-terrorism practitioners within Victoria Police indicates that the COVID-19 pandemic has been exploited by extremist groups to validate long-held hostilities toward particular identity groups and systems.

COVID-19 has been framed as a confirmation of existing beliefs in LWE, RWE and Islamist circles. The role of social media in promoting disinformation and conspiracy theories that may assist in radicalisation has been highlighted during COVID-19. For example, online commentary on COVID-19 has provided a recruiting tool for RWE groups, linking those interested in alternative wellness, anti-vaccination and anti-authority conspiracy theories with white supremacist ideologies. For those already adhering to extremist ideologies, COVID-19 is seen as an indication of societal collapse and the validity of the 'accelerationist' mind-set.

Locally, Victoria Police has identified an increase in anti-establishment views and the expression of negative sentiment toward politicians and law enforcement, particularly during the COVID-19 pandemic where reduced public freedoms fed into the narrative of those with an anti-government or anti-authority agenda.

Continued restrictions and border closures despite relatively low COVID-19 cases has continued to fuel the perception that restrictions are primarily a tool for authoritarian control, rather than for prevention of the spread of COVID-19.

Extremists will continue to exploit the pandemic in order to draw greater attention to a cause, share propaganda, exacerbate communal tension and/or call for increased dedication and activity from their followers. Additionally, it should be noted that some of the conditions engendered by COVID-19 (such as economic hardship, declining mental health, feelings of uncertainty and isolation) may impact an individual's susceptibility to radicalisation to violence.

The far left has presented the pandemic in various forms, from a manifestation of the human impact on the environment (for example, a symptom of a 'worsening ecology' brought about by an 'over-populated planet') on the one hand, to a deliberate attempt by governments to achieve authoritarian control over their populations on the other.

LWE groups and individuals have also been particularly vocal in calling for action and encouraging unlawful activity during the pandemic. Their willingness to flout government restrictions for 'the greater good' has already been evident in Victoria, with protest activity occurring despite warnings that it represented a breach in emergency COVID restrictions and that participants would be fined.

Victoria Police also notes an identified trend during COVID-19 where individuals traditionally holding RWE or LWE ideologies join online extremist and/or conspiracy groups that espouse conflating ideologies. For law enforcement, this has presented a challenge in effectively tasking and investigating these individuals as they do not fit neatly into pre-existing tasking and coordination frameworks.

Identified opportunities for improvement

Deterrence of hate speech

While Victoria Police is not able to comment on steps which could be taken at a Commonwealth level, practitioner experience within Victoria Police is that localised, established and trusted mechanisms of cross-community collaboration have provided vital advice on the sources of hate speech as well as effective solutions that may effectively counter it.

Victoria Police has two key consultative mechanisms which can assist with this process, the Multicultural Portfolio Reference Group (PRG) and the Victoria Police Multi Faith Council (the Council). The PRG contains key state-wide sector and ethno-peak bodies, whilst the Council has nominated representatives from major faith groupings.

These entities have informed potential instances of hate speech by providing local community perspectives and sharing local perceptions; explaining the context of relevant international conflicts and/or issues and their influence on local behaviour; and demonstrating leadership by making public media statements calling for unity.

Reinforcement of social cohesion

While Victoria Police is not able to comment on steps which could be taken at a Commonwealth level, Victoria's own experience is that locally based initiatives have the greatest potential for reinforcing social cohesion.

The outcomes of the Social Cohesion Partnership Project, which produced 18 initiatives across Victoria based on needs identified by Victoria Police and communities, assisted in strengthening trust in civic structures, enhancing mutual understanding and producing new and innovative approaches to local challenge.

Further, Victoria Police notes that many culturally and linguistically diverse (CALD) communities provide ready-made mechanisms for identifying and countering violent extremism. Some specific groups already have sophisticated community-based approaches to monitoring social, educational, and faith-based infrastructure. These structures may also include the monitoring of on-line and published material that acts to incite hate and prevent unity.

Due to the identified effectiveness of these approaches, there exists further potential for reinforcing social cohesion among groups that may not possess funded advocacy structures or established pathways of engagement with government agencies.

Legislative reform

Victoria Police notes that legislative restrictions on speech, symbols, ideas and associations can, in certain instances, have the effect of confirming victimhood and oppression narratives common to most extremist groups and viewpoints. Consideration of these potential outcomes, and mitigation of such risks remains a continual focus for Victoria Police when advocating for and contributing to discussion on reforms of this nature.

Victoria Police has generally adopted an approach of identifying criminal offending through behaviour, with second order indications of radicalisation to violent extremism (associations, objectionable views which fall short of inciting violence, hate speech, use of extremist symbols, etc) being viewed as opportunities for intelligence gathering, civil litigation or CVE intervention.

Victoria Police also remains actively involved in discussions at both a state and national level on the possible merits of further offences for the possession of objectionable material (for example materials depicting or glorifying terrorist acts, that are non-instructional in nature).

Victoria Police's Counter Terrorism Command notes that ongoing opportunities do exist for jurisdictions to work together to consider enhanced provisions for the handling of counter terrorism information, intelligence and CVE program reporting; something which remains a continuing focus for Victoria Police.

Victoria Police notes that in recent applications for Continuing Detention Orders (CDO) under the Commonwealth High Risk Terrorism Offender (HRTTO) scheme has highlighted the extent to which law enforcement agencies are required to make highly sensitive information such as CVE program reporting and counterterrorism intelligence available to the court and the respondent.

Via the appropriate Victorian Government channels, Victoria Police welcomes the opportunity to contribute to any formal consultation on future legislative reform, regarding the protection of this material in proceedings involving extremists, which may be considered as an outcome of this Inquiry.

Encrypted communications

As result of current efforts of large social media platforms to remove objectionable forms of speech, encrypted communication will be the primary method of communication for most extremist groups and individuals. The ability of law enforcement agencies to access encrypted applications will therefore be important to disrupt the activities of all violent extremists.

While Victoria Police is not able to comment on steps that could be taken at a Commonwealth level methods which may be effective include the following:

- implementation of agreements with application developers to access applications under certain public safety conditions, supported by legislation;
- enhance technical development and capacity of police and intelligence agency covert online capabilities to penetrate the extremist milieu; and
- encourage community reporting in closed forums through continued education and support for community cohesion that is not labelled as CVE or counter terrorism.

Additionally, Victoria Police notes the current difficulty for law enforcement agencies obtaining evidentiary material from overseas based social media providers such as Facebook and Twitter. The current process of Mutual Assistance Requests (MAR) is onerous and introduces the added complexity of liaising with international law enforcement and government agencies, as well as potential issues at court with continuity and accuracy of material adduced by the MAR process.

Victoria Police understands that some countries have adopted treaties that sit outside of the MAR process and allow for direct engagement and reception of evidence from social media platforms.

Via the appropriate Victorian Government channels, Victoria Police welcomes the opportunity to contribute to formal discussion on any future reforms in relation to the collection of evidence from offshore social media companies, that may occur as an outcome of this Inquiry.

CVE capability framework development

Experience of Victoria Police practitioners is that consistent CVE capability frameworks, which outline the preferred qualifications and training required to be a CVE practitioner are beneficial for all parties involved. The extension of these frameworks to frontline/case management roles, as well as managerial roles such as jurisdictional intervention coordinators and executive sponsors would help ensure consistency across all levels of interaction.

Via the appropriate Victorian Government channels, Victoria Police welcomes the opportunity to contribute to the future development of awareness and frontline learning packages relating to radicalisation and CVE, particularly in relation to RWE and LWE.