



SENATOR THE HON GEORGE BRANDIS QC

ATTORNEY-GENERAL

LEADER OF THE GOVERNMENT IN THE SENATE

MEDIA RELEASE

**TURNBULL GOVERNMENT ACCEPTS ALL COMMONWEALTH
RECOMMENDATIONS OF LINDT CAFÉ SIEGE INQUEST REPORT**

Today I announce that the Turnbull Government will accept all Commonwealth related recommendations of the Lindt Café siege inquest report.

Following careful consideration of the report by the Turnbull Government, I have written to the New South Wales Government to advise that we agree to the 12 recommendations that relate to Commonwealth agencies and matters.

The Turnbull Government will work cooperatively with the states and territories, consistent with our already strong national arrangements, to give effect to these recommendations. This includes supporting work to strengthen information sharing in relation to criminal history, including bail and parole, and further consulting with states and territories on ADF call out powers.

The Government has already taken a number of steps following the findings of the Joint Australian and New South Wales Government Review into the Martin Place Siege, which reported in February 2015. Coroner Barnes's report has provided another opportunity to learn more lessons and act upon those lessons.

The Turnbull Government thanks Coroner Barnes for his thorough and constructive report. His recommendations will help us to continue to ensure enforcement and security agencies have the powers they need to keep Australians safe.

8 June 2017

	RECOMMENDATION	RESPONSE
3	I recommend that the Law, Crime and Community Safety Council develop a mechanism to ensure that all information on criminal history (including bail) that is relevant to the investigation and prosecution of criminal offences is readily accessible to police and prosecutors across all Australian jurisdictions.	Accept The Commonwealth supports work to strengthen information sharing in relation to criminal history, including bail and parole. In light of the national implications of this recommendation, the Commonwealth will raise the recommendation with states and territories at the next meeting of the National Justice and Policing Senior Officials Group, the senior officials group providing support to the Law, Crime and Community Safety Council.
14	I recommend that the Secretariat of the ANZCTC prepare guidelines regarding the interpretation and scope of the restrictions contained in Clause 92 of the <i>National Counter Terrorism Plan 2012</i> . The Secretariat should also update relevant ANZCTC documents, and the NSWPF should update State Protection Group documents, to refer to the latest versions of the National Counter Terrorism Plan.	Accept A review of the <i>National Counter Terrorism Plan</i> is underway and is due to report to ANZCTC by August 2017. The Commonwealth will refer the Coroner's recommendation to the ANZCTC for consideration as part of that review. ANZCTC documents have already been updated to refer to the latest version of the <i>National Counter Terrorism Plan</i> .
27	I recommend that ANZPAA and the ANZCTC review the <i>Australia-New Zealand Guidelines for Deployment of Police to High Risk Situations</i> and the <i>Police Tactical Group Operations Manual</i> to ensure that those documents give commanders guidance on how to assess imminent or immediate risk.	Accept The <i>Police Tactical Group Operations Manual</i> is currently being updated as part of a review of ANZCTC documents. The Commonwealth will refer the Coroner's recommendation to the ANZCTC for consideration as part of that review. The Commonwealth will notify the ANZPAA CEO of the Coroner's recommendation regarding the <i>Australia-New Zealand Guidelines for Deployment of Police to High Risk Situations</i> which were updated in 2016. The implementation of this aspect of the recommendation is a matter for ANZPAA.
28	I recommend that ANZPAA and the ANZCTC review the <i>Australia-New Zealand Guidelines for Deployment of Police to High Risk Situations</i> and the <i>Police Tactical Group Operations Manual</i> to ensure that they adequately describe all aspects of the Deliberate Action planning and approval process and present commanders with appropriate guidance on relevant considerations.	Accept The <i>Police Tactical Group Operations Manual</i> is currently being updated as part of a review of ANZCTC documents. In addition, the ANZCTC will soon finalise the Police Command Guidelines which will focus on incident resolutions and associated triggers. The Commonwealth will refer the Coroner's recommendation to the ANZCTC for consideration as part of that work. The Commonwealth will notify the ANZPAA CEO of the Coroner's recommendation regarding the <i>Australia-New Zealand Guidelines for Deployment of Police to High Risk Situations</i> . The implementation of this aspect of the recommendation is a matter for ANZPAA.

	RECOMMENDATION	RESPONSE
30	I recommend that ANZPAA liaise with the ANZCTC to determine whether more proactive policies should be developed for responding to terrorist sieges.	Accept ANZPAA and ANZCTC regularly review counter-terrorism policies, operational manuals, training courses and other materials to ensure they meet the requirements of an evolving operational environment. ANZPAA consults with ANZCTC, including on the 2016 updates to the <i>Australia-New Zealand Guidelines for Deployment of Police to High Risk Situations</i> . The Commonwealth will refer this recommendation to ANZCTC and ANZPAA for consideration.
36	I recommend that the ADF Review confer with state and territory governments about the criteria governing applications for the ADF to be called out pursuant to the <i>Defence Act 1903</i> (Cth) with a view to determining: <ul style="list-style-type: none"> • whether further guidance is required on the criteria to be used by states and territories in determining whether to apply for Commonwealth assistance, and • if so, what criteria ought to be stipulated. 	Accept The Commonwealth will consult with the states and territories in relation to call out of the ADF in the context of the Review of Defence Support to National Counter Terrorism Arrangements (the Defence Review).
37	I recommend that the ADF Review give consideration to amending the ANZCTC protocols to ensure that they provide sufficient guidance as to the respective roles of the ADF and state police tactical groups. Such guidance should accord with the legislative framework in Part IIIAAA of the <i>Defence Act 1903</i> (Cth).	Accept The Commonwealth will refer this recommendation to ANZCTC for consideration, as the appropriate body to consider amending the ANZCTC protocols. While the Defence Review is considering existing guidance materials for call out, ANZCTC would be responsible for any amendments to its protocols. The ANZCTC regularly reviews ANZCTC documentation in light of current national and international experience.
38	I recommend that the ADF Review, in consultation with the police forces of the states and territories, examine the guidance available to ADF officers and state and territory police regarding: <ul style="list-style-type: none"> • the role of ADF liaison officers • the availability of ADF assistance in the absence of a call out, and • the procedures to apply in relation to requests for, and the provision of, equipment or advice by the ADF. 	Accept The Commonwealth will, including in the context of the Defence Review, examine the guidance available to the ADF and state and territory police in relation to the role of ADF liaison, ADF assistance in the absence of a call out, and the procedures to request ADF equipment and advice in consultation with states and territories. ANZCTC is an appropriate mechanism to undertake consultation on these issues with states and territories.

	RECOMMENDATION	RESPONSE
39	I recommend that the Commonwealth Attorney-General, in consultation with the states and territories, review existing arrangements for information sharing between federal, state and territory agencies during terrorist events to determine whether those arrangements (and the guidance provided to officers in respect of them) adequately facilitate the efficient identification and transfer of pertinent information between agencies.	Accept ANZCTC continually considers and facilitates the effectiveness of information sharing between Australian law enforcement and intelligence agencies. The Attorney-General will refer this recommendation to the ANZCTC to consider whether any further improvements are required.
40	I recommend that the Commonwealth Attorney-General liaise with ASIO to develop a policy to ensure that where correspondence is received by a government agency, minister or public office holder, from a non-government entity, and that correspondence is relevant to the security assessments of the author, the correspondence be referred to: <ul style="list-style-type: none"> • ASIO, and • A Fixated Threat Assessment Centre. 	Accept By 2016, all Commonwealth departments had processes in place to bring correspondence with national security implications to the attention of relevant security and intelligence agencies. The Attorney-General will ask his department, in consultation with ASIO, to develop a policy to assist departments and agencies to identify correspondence that may require referral to ASIO. The Attorney-General will also ask his department and ASIO to further consider the best mechanisms for referring correspondence to a Fixated Threat Assessment Centre, including through the current work of the ANZCTC to develop a national approach to assessing and managing fixated threats in Australia.
41	I recommend that: <ul style="list-style-type: none"> • the Commonwealth Attorney-General and ASIO confer with the Australian Psychological Society regarding the restrictions in clause A 5 2 of the <i>Code of Ethics</i> (2007) with respect to radicalisation, terrorism and politically motivated violence, and • the Australian Psychological Society consider amending clause A 5 2 of the <i>Code of Ethics</i> (2007) to enable psychologists to report risks of a terrorist nature. 	Accept Commonwealth agencies have already engaged with the Australian Psychological Society and other stakeholders in the health sector on the issues of radicalisation, terrorism and politically motivated violence, including about restrictions to sharing information and requirements to report. The Attorney-General will ask his department, in consultation with ASIO and other relevant Commonwealth agencies, to continue to engage with the Australian Psychological Society and other health bodies, including on the recommendations of the Coroner.
44	I recommend that ASIO liaise with the Fixated Threat Assessment Centre with a view to both agencies cooperating in the identification, assessment and management of fixated, radicalised individuals.	Accept The Commonwealth will continue working with states and territories through the ANZCTC to ensure there are appropriate national arrangements for information sharing on fixated persons.