

## **MARTIN PLACE SIEGE REVIEW RELEASED**

22 February 2015

Prime Minister

Premier of New South Wales

The Commonwealth Government and the Government of New South Wales have released the [\*Martin Place Siege Joint Commonwealth – New South Wales Review\*](#). Both governments accept all of the review's recommendations in full.

The Martin Place siege on 15 and 16 December last year was both an atrocity and a tragedy. We extend our deepest sympathies to the families and friends of Katrina Dawson and Tori Johnson. And we commend the bravery of everyone who was caught up in that ordeal, including the police and emergency services.

The review found that there were no major failings of intelligence or process in the lead up to the siege. It is nonetheless important we learn whatever lessons we can from this horrific attack. We must do everything we can to prevent anything similar happening in future.

The review shows that officials who dealt with the perpetrator of the Martin Place siege, Man Haron Monis, from the time of visa application in 1996 until last December, were not complacent or naïve. Individually, each decision was reasonable, or at least defensible, taking into account the existing legal and regulatory frameworks.

However, the inescapable conclusion is that the system as a whole let the community down. Monis was given the benefit of the doubt every time. He gamed the system. He consistently fell beneath any threshold which would have triggered greater scrutiny or a rejection of his applications when it came to immigration, residence and citizenship, terrorism offences, national security powers and bail.

As the review notes, changes to laws and policies in relation to national security involve judgments about public safety and personal liberty. The history of Man Haron Monis suggests there is a risk the system currently may lean too much towards favouring the rights of the individual as opposed to the broader interests of society as a whole.

The good intentions that made the Martin Place siege possible reflect our generosity as a country and our commitment to a fair go for all. The open, accepting nature of our society makes Australia the country it is. But the review raises serious issues in a High terrorist threat environment.

We need to ask ourselves whether we have got the balance right between the safety of our community and the rights of the individual, including those who seek to join our community.

The review has therefore recommended some measured changes to laws and government processes to mitigate public security risks.

Monis consistently misled immigration authorities, including when he secured the initial visa he used to come to Australia. Because it is possible this could still happen, the review recommends tightening up visa and citizenship processes and laws, including improving the risk assessment policies and information verification processes which inform revocation of visas or citizenship.

The review found Monis never legally owned a firearm or had a license to hold one. It appears that he procured a firearm from the illicit or grey market. Therefore, the review also recommends that the regulation of the National Firearms Agreement be strengthened and simplified. This probably would not have stopped Monis from procuring a firearm but it would facilitate prompt access to accurate firearms information and assist police in dealing

with firearms related offences. In addition to implementing the Review's recommendations on firearms, the NSW Government will undertake further work to reduce the number of illegal firearms in NSW.

Monis was on bail for serious violent offences at the time of the siege. NSW has already brought into force new bail laws to strengthen the court's hand in assessing unacceptable risk where a person is charged with serious offences. This was recognised by the review.

The review proposes strengthening bail laws to take into account an accused person's links with terrorist organisations or violent extremism. The Commonwealth Attorney-General will be working with his State and Territory counterparts to recommend these changes to all jurisdictions. NSW is seeking to go further than the Review's recommendations by compelling authorities to refuse bail where they are satisfied an accused person is an identified terrorist risk.

Monis was consistently on the radar of police and national security agencies from the time he arrived in Australia. However, he was never assessed as being a threat to national security. He did, however, make highly offensive extremist comments on social media.

Separately, he was found guilty of using postal services to menace, harass and offend the families of dead Australian soldiers. He was also charged with numerous sexual assaults and with being an accessory to the murder of his former partner.

In the last months of his life, apparently inspired by the so-called Islamic State group, he appears to have rapidly radicalised to the point of being prepared to commit a terrorist act last December.

That said, the Review found that right up until the siege, and notwithstanding their familiarity with Monis, ASIO and law enforcement agencies never found any information to indicate Monis had the intent or desire to commit a terrorist act.

The review notes that waiting until at-risk individuals develop into high threats is not an appropriate strategy, particularly in the current heightened terrorism threat environment. The review therefore recommends that Commonwealth and State and Territory counter-terrorism officials should support communities and front-line service providers in recognising signs of radicalisation, and expedite work on a countering violent extremism referral programme. These officials should report back to the Council of Australian Governments (COAG) in June this year.

The review also recommends that States and Territories review relevant legislation, in particular with respect to privacy and health, to ensure appropriate access by ASIO. The results of this review should also be reported back to COAG in June.

It further recommends that counter-terrorism officials monitor the operation of control orders and preventative detention orders, to ensure they meet evolving operational needs. The review further recommends improvements to national identity proofing processes and systems, including greater use of biometrics.

The National Security Committee has carefully considered all of the findings of the review and the Commonwealth will work closely with NSW and other States and Territories to implement all of the recommendations.

Unfortunately, governments cannot promise that a brutal act of terror will never occur again.

But we are determined to learn whatever lessons we can and take whatever action is required to address the threat of such an event because the first priority of government is to keep our country safe.

The Prime Minister will make further announcements tomorrow about the Commonwealth's response to this review and a parallel review of Australia's counter-terrorism machinery.

The full NSW response to the *Review* can be found at [www.nsw.gov.au/siegereview](http://www.nsw.gov.au/siegereview)  
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