

ASIO, Home Affairs contradict Martin Pakula on Shire Ali's passport



Martin Pakula stands by his claim that Victoria Police was never told was never told about the Bourke Street terrorist's cancelled passport. Picture: David Geraghty

Rachel Baxendale, VICTORIAN POLITICAL REPORTER, 12:00AM November 19, 2018

ASIO, the Department of Home Affairs and the federal government have issued statements indicating that crucial information regarding the cancellation of the Bourke Street terrorist's passport would have been passed on to state authorities as a matter of course, as Victorian Attorney-General Martin Pakula stands by his claim that Victoria Police was never told.

Contrary to Mr Pakula's claim, The Australian has been told that Victoria Police was alerted to the cancellation of Hassan Khalif Shire Ali's passport in 2015 after ASIO judged that he was planning to travel to Syria to join Islamic State.

Shire Ali, 30, was shot dead by police on November 9 after he set a ute laden with gas bottles alight, fatally stabbed 74-year-old restaurateur Sisto Malaspina and knifed two others in Melbourne's Bourke Street.

It was revealed on Friday that Victoria Police had extended Shire Ali's bail for driving offences about four weeks before the attack, despite his failure to -

appear in court multiple times, and warrants having been issued for his arrest. Shire Ali had been due back in court in January.

As the Andrews Labor government faces questions in the final week of the state election campaign over what more could have been done to prevent the Islamic extremist's fatal attack, the Victorian opposition described Mr Pakula's claim that counter-terror authorities did not share information about Shire Ali with Victoria Police as "highly dubious".

An ASIO spokeswoman declined to comment directly on Shire Ali's case as it is before the coroner, but said: "As part of the JCTT (Joint Counter Terrorism Team) arrangements, ASIO always shares relevant information with the appropriate authorities." "Information sharing between agencies is of critical importance. It occurs constantly, through both formal and informal mechanisms, always informed by the expert judgment of the relevant agency personnel," the spokeswoman said.

"The JCTTs provide a co-ordinated and consistent approach to combating terrorism and, as in other jurisdictions, the Victorian JCTT has been responsible for the successful disruption of a number of terrorist attack plans. Several - individuals have been convicted of terrorist offences and a number of other cases remain before the courts. The operational working relationships between ASIO, VicPol and the AFP have been key to achieving these outcomes."

A spokeswoman for the federal government provided a similar statement. Victoria Police declined to comment at all, citing the coronial inquiry.

A spokeswoman for the Department of Home Affairs said that under the Australian Passports Act 2005, the foreign minister may cancel an Australian passport for law enforcement and security reasons, following a request from a competent authority (including ASIO). "The perpetrator held radical views and his passport was cancelled in 2015, after ASIO assessed he planned to travel to Syria to join ISIL," the spokeswoman said. "Commonwealth law enforcement and security agencies have very strong relationships with state and territory agencies, including through the Joint Counter Terrorism Teams in each jurisdiction."

Mr Pakula yesterday stood by his claim that "the fact that his passport had been cancelled had not been conveyed to Victoria Police". "Unlike others, I

won't criticise Victoria Police for bailing this individual or ASIO, who had responsibility for monitoring this person," Mr Pakula said. "Following his passport cancellation, federal authorities didn't refer this person for further investigation and Victoria Police officers dealing with his driving offences some years later had no knowledge of those matters. That is our advice and is entirely consistent with my previous comments."

Victorian Coalition counter-terrorism spokesman Robert Clark said Mr Pakula needed to tell Victorians the "full facts about how and why he made claims to the media that now seem highly dubious". "It seems that Mr Pakula's claims were simply part of a desperate ploy to try to distract attention from the Andrews government's failure to act on bail-breach laws," Mr Clark said.

He also highlighted counter-terrorism protection order powers which were recommended by the Harper-Lay review following last year's fatal Brighton terrorist siege. The Andrews government has not enacted the powers, which could see potential terrorists fitted with GPS tracking devices and banned from Melbourne's CBD.

"If these laws had been in place, police could have used them to seek a restrictive order against Shire Ali, which potentially could have prevented his terrorist attack," Mr Clark said.