

# What you should know about terrorism in Australia

Terrorism is the unlawful use of violence and intimidation, especially against civilians, in the pursuit of political aims – Oxford Dictionary.

## What is a terrorist act?

A terrorist act is an act or a threat to commit an act that is done with the intention of advancing a political, religious or ideological cause and intimidating the public or coercing or influencing the government by intimidation; and

1. *Causes death or serious harm or endangers life*
2. *Causes serious damage to property*
3. *Creates a serious risk to the health or safety of the public or*
4. *Seriously interferes with, seriously disrupts or destroys critical infrastructure such as a telecommunications or electricity network*

## Associated Crimes

Terrorism does not occur in isolation. There are often associated activities that support terrorism. These activities are also designated criminal offences in Australia.

They are:

- Planning or preparing for a terrorist act
- Financing terrorism or terrorists
- Providing or receiving training connected with terrorist acts
- Possessing things connected with terrorist acts, or
- Collecting or making documents likely to facilitate terrorist acts.

It is also an offence to travel overseas to commit a terrorist act.

## Terrorist Organisations

Terrorist organisations are directly or indirectly engaged in preparing, planning, assisting in or fostering a terrorist act. A list of terrorist organisations is available on the Australian National Security website at <https://www.nationalsecurity.gov.au/Pages/default.aspx>

It is an offence to associate with a terrorist organisation. However exemptions from the association offence apply if the association occurs during the course of religious worship in a public place such as a mosque or church, and if it is with a close family member for the purpose of a family or domestic matter.

## Financing terrorism

A person has financed terrorism if that person has intentionally provided or collected funds, and the person was reckless as to whether the funds would be used to facilitate or engage in a terrorist act.

This definition applies even if the terrorist act does not occur. For more information on counter-terrorism financing, please visit the Attorney-General's Department website at <https://www.ag.gov.au/CrimeAndCorruption/AntiLaunderingCounterTerrorismFinancing/Pages/default.aspx>.

## Counter-terrorism laws

Australia has developed specific counter-terrorism laws to prevent and take action against terrorist attacks.

### 1. *The Criminal Code Amendment (High Risk Terrorist Offenders) Act 2016*

The Attorney-General can apply to a Supreme Court to make an order for the ongoing detention of high risk terrorist offenders approaching the end of the custodial sentences.

### 2. *The Criminal Code Amendment (War Crimes) Act 2016*

These laws provide the Australian Defence Forces with legal certainty needed to target members of organised armed groups with lethal force.

### 3. *The Counter Terrorism Legislation Amendment Act (No. 1) 2016*

The age at which a person of security concern can have a control order placed on them has been reduced to 14 years, from 16 years.

### 4. *The Citizenship Act 2015*

Australian citizenship can be stripped from dual citizens who are involved in terrorist conduct overseas, or convicted of a terrorism offence in Australia.

### 5. *The Data Retention Act 2015*

Telecommunications companies are required to keep a limited set of metadata about the circumstances of a communication for use in investigations.

### 6. *The Counter Terrorism Legislation Amendment Act 2014*

This Act expanded the grounds upon which a control order can be requested to include the prevention of support for the facilitation of a terrorist act, or engagement in a hostile activity in a foreign country.

### 7. *The Foreign Fighters Act 2014*

This Act provided law enforcement with powers to respond to the threat posed by Australians returning from fighting in the Middle East.

### 8. *The National Security Legislation Amendment Act 2014*

The Act modernised and streamlined the powers of the Australian Security Intelligence Organisation.

For more information on these laws, visit the National Security Section on the Attorney-General's Department website at

<https://www.ag.gov.au/NationalSecurity/CounterterrorismLaw/Pages/AustraliascounterterrorismLaws.aspx>