



23 September 2021

Your Ref: COR 2018 005661

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Our Ref: A20185295

Kate Sanderson
Coroner's Registrar | Coroners Support Services
Coroners Court of Victoria
65 Kavanagh Street
Southbank VIC 3066

Email: cpuresponses@coronerscourt.vic.gov.au

Dear Ms Sanderson

Investigation into the deaths of Sestilio Malaspina and Hassan Shire Ali

I refer to the Court's request of 28 June 2021 for the Australia Security Intelligence Organisation (ASIO) to provide a written response to Recommendation 6 of the State Coroner Judge Cain's Finding with inquest into the deaths of Sestilio Malaspina and Hassan Shire Ali.

The Recommendation is "*that Victoria Police and its national security intelligence partners consider developing a joint review process where an actual or attempted terrorist incident has occurred to identify any opportunities for improvement*".

ASIO is supportive of working with Victoria Police and national security law enforcement partners to consider the development of a policy for review mechanisms, following an actual or attempted terrorist incident, to identify opportunities for improvement.

The counter-terrorism threat environment and national counter-terrorism framework is inherently multi-jurisdictional, which includes the development of policy that would have implications for multi-jurisdictional partners through the national counter-terrorism governance arrangements.

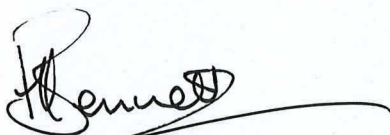
This is due to the complex nature of counter-terrorism information sharing arrangements in each jurisdiction and nationally, where counter-terrorism information sharing does not always occur within/via a single jurisdiction's Joint Counter-Terrorism Team (JCTT). There are regular bilateral agency exchanges of counter-terrorism information occurring outside the JCTT framework.

As a result, ASIO will collaborate with Victoria Police and AFP on Victorian arrangements, and will also refer this recommendation to the Australia and New Zealand Counter-Terrorism Committee (ANZCTC) for consideration nationally. The ANZCTC's role is to coordinate effective national counter-terrorism capabilities, structures and policy, and is responsible for maintaining effective arrangements for the sharing of relevant intelligence and information between all relevant agencies and jurisdictions.

ASIO reaffirms its commitment to proactively reviewing its processes following any actual or attempted terrorist incident to ensure lessons are learned and the appropriate adjustments are made which enhance ASIO's ability to continue to protect Australians from threats to their security. ASIO also remains ready and willing to assist any external legal processes, such as coronial investigations, just as we have in this inquiry relating to the 9 November 2018 Bourke Street attack.

Please contact ASIO at Legal@asio.gov.au if you wish to discuss this matter.

Yours sincerely,



Hazel Bennett

Acting Director General