

Terrorism offending in New South Wales

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SUMMARY

BUREAU BRIEF

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BACKGROUND

In 2002, Australia introduced new laws to directly criminalise terrorism offending. A motivation for this legislation was the need to react to terrorism proactively, focusing on the deterrence and prevention of terrorist offending rather than the prosecution of terrorism once it had occurred. Since then, there has been a considerable increase in the number of anti-terror laws in Australia but little research examining the extent to which these laws are utilised.

The aim of this brief is to describe terrorism offences finalised in NSW criminal courts since 2002, and to provide an overview of the characteristics and offending history of those convicted of terrorism offences.

KEYWORDS

terrorism

offenders

specialisation

criminogenic risk

KEY FINDINGS

Number of terrorism offences by principal offence type, NSW, July 2002 - May 2020



- From July 2002 to May 2020, 72 proven terrorism offences were finalised in NSW criminal courts, involving a total of 48 offenders.
- Over two-thirds of terrorism offenders were found guilty of planning offences and breaches of control and supervision orders.
- Most terrorism offences occurred after the Federal Government raised the National Terrorism Threat Advisory System threat level from “Possible” to “Probable” in 2014.
- Terrorism offenders appear to be similar in terms of their demographic characteristics. The majority were non-Aboriginal, male, aged between 18 and 30 years at the time of court finalisation, from an area of socioeconomic disadvantage, and resided in a major city.
- 58% of terrorism offenders had prior or concurrent convictions for at least one non-terrorism offence, most commonly offences against justice procedures, government security and government operations. The remaining 42% had no history of committing non-terrorism offences.

CONCLUSION

Terrorism-related charges are uncommon in NSW criminal courts, and most commonly relate to proactive policing.