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## Man Haron Monis and the Sydney Lindt Caf e Siege – Not a Terrorist Attack

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On 15 December 2014, nearly 20 years after he arrived in Australia from Iran, Man Haron Monis took 18 people hostage in the Lindt Caf e in Sydney and announced that Australia was ‘under attack by the Islamic State’. After a 16-hour siege, during which negotiators had no direct communication with him, Monis shot dead one of his hostages, precipitating the police ‘emergency action’ which broke the siege. Although Monis had been a prolific user of the Internet and social media, the subsequent Coroner’s inquest found that Monis made little sophisticated preparation for the siege and did not announce his intention nor did he leave any clear terrorist-inspired message or martyrdom video. Other than demanding a debate with the Prime Minister on radio and have the Islamic State flag delivered to the caf e, Monis made no specific terrorist demands. At the time of the siege, Monis was also on bail, charged with multiple sex offences against women, alleged to have been committed whilst he held himself out as a ‘spiritual healer’. Monis was also charged with being an accessory to the murder of his former partner and had recently failed to obtain custody of his two Australian born children. His professed status as a Shi’a Muslim cleric was fraudulent, and forensic examination of his use of the Internet and social media found no evidence that Monis ever had any contact with Islamic State or any other terrorist organisation and that on the day before the siege, he had only 12 followers on Twitter. The evidence does not support the conclusion that Monis suddenly ‘radicalised’ and committed an act of terrorism. Instead, the evidence shows that Monis was a malignant narcissist whose behaviour can better be formulated as lone-actor grievance-fuelled violence.

**KEY WORDS:** Man Haron Monis; Sydney Lindt Caf e siege; terrorist; Coroner; Islamic State.

### Introduction

Within 24 hours of the end of the Lindt Caf e siege in Martin Place, Sydney, Man Haron Monis was variously labelled ‘deranged’, a ‘lone-wolf extremist’ or a radicalised domestic terrorist. On 17 December 2014, the Department of the Prime Minister and the Premier of New South Wales announced the terms of reference for a Joint Commonwealth–New South Wales Review of

the decisions of government agencies in respect of Monis. On 22 February 2015, the findings of the Review were published.<sup>1</sup>

Despite Monis’ long history of provocative and attention-seeking behaviour and false claims, the Review found no evidence that the Australian Security and Intelligence Organisation (ASIO), the Australian Federal Police (AFP) or the New South Wales Police Force had been complacent about Monis and that security

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and law enforcement agencies assessed new information as it became available and in accordance with extant policies and procedures. The Review found that right up to the siege, and notwithstanding their familiarity with Monis, ASIO and law enforcement agencies never found any information to indicate Monis had formed the intent to commit a terrorist act. While his language and sentiments were offensive, they were not exceptional, either in terms of his previous conduct or other material which was readily available on social media and elsewhere. The Review found that when Monis was assessed by ASIO in early December 2014, on the basis of the information available at the time, he fell well outside the threshold to be included in the highest priority counter-terrorism investigations.

On 14 January 2015, the New South Wales Coroner's Court announced the terms of reference for an inquest, and on 29 January 2015, the inquest began hearing evidence. Controversially, on 5 June 2015, the Coroner decided that the inquest would consider the circumstances of Monis being on bail at the time of the siege, despite facing charges relating to the murder of his ex-wife and numerous sex offences. On 17 August 2016, after 123 witnesses testified over 109 days, the inquest finished hearing evidence.

On 24 May 2017, the NSW Coroner's Findings and Recommendations were published.<sup>2</sup> The Coroner concluded that between August 2008 and November 2014, threat assessments conducted by ASIO were 'adequate and appropriate'<sup>3</sup> and that the management of the National Security Hotline reports on Monis' Facebook page referred to ASIO between 9–12 December 2014 were also 'adequate and appropriate'.<sup>4</sup>

Emphasising that Monis did not have a mental illness, the Coroner concluded that by the time of the siege, Monis had become radicalised and that whilst he had many charges pending against him which were likely to attract a long prison sentence and that he may have felt that his life was 'spiralling

downwards', Monis' personal considerations were separate from his 'increasing religious extremism' which the Coroner found was a 'more significant motivator for his actions'.<sup>5</sup>

As well as reviewing the findings of both the Joint Commonwealth–New South Wales Review and the NSW Coroner's inquest, this paper considers the proceedings in the murder trial of Monis' partner, Anastasia Droudis, and considerable open source material. The paper compares closely the actions of Monis with those of recognised Islamist terrorists. The authors question the assumptions made by the Coroner and refute the conclusion that Monis was a self-radicalised domestic terrorist.

## Chronology

### 1964–1995

On 19 May 1964, Monis was born Mohammed Manteghi in the Iranian city of Borujerd, south west of Tehran. After completing secondary school, he was admitted to Imam Sadegh University in Tehran. In May 1984, Monis married Zahara Mobasheri, whose father was general secretary and deputy to the founder of Imam Sadegh University. In 1986, Monis and his wife had the first of two daughters and lived in a large, luxurious apartment close to the university of Monis' father-in-law. In December 1990, Monis graduated with a Masters degree in Islamic Culture and political science. The inquest heard evidence which suggested that after university, Monis attended a divinity college called the Abdol Azim College of Hadith Sciences and in March 1994 was awarded *hujatolislam* which is an honorific title meaning 'authority on Islam'. In 1995, Monis published a collection of Persian poems entitled *Daroon and Boroon* ('Inside and Outside'). In 1995, Monis' second daughter was born.

### 1996

In April 1996, Monis became the manager of the travel agency *Rahelenoor Tours and Travel* which assisted families emigrating

from Iran. On 1 October 1996, from Iran, Monis applied for a one-month short-stay

Business visa to Australia. On his visa application, Monis falsely described himself as a 'legal consultant' to an Iranian engineering company and stated that the purpose of his visit was to meet with representatives of BHP Billiton. On 10 October 1996, ASIO assessed the application and issued a non-prejudicial assessment, and the Immigration Department granted the Business visa.

On 26 October 1996, without telling his wife or employer, Monis flew out of Tehran. On 28 October 1996, after transiting through Kuala Lumpur in Malaysia, Monis arrived at Sydney International Airport. Monis' former wife later reported that she married Monis shortly after leaving school and that Monis forbade her continuing her education at university and was very secretive about his work.<sup>6</sup> She described Monis as a 'cruel' and violent husband and added that he was not a devout Muslim. She also debunked Monis' later claims that she and her two daughters had been detained by the Government of Iran. The inquest heard evidence which suggested that before he left Iran, Monis defrauded clients of a total sum equivalent to A\$550,000. On 4 November 1996, although ASIO received potentially adverse information about Monis, none of the intelligence related to any terrorist threat. On 18 November 1996, less than three weeks after arriving in Australia, Monis applied for a Protection visa.

### **1997**

Although he never had a gun licence in Australia, from 1997 to 2000, Monis held a security guard licence, which permitted him to carry a pistol whilst he was working and, in April 1997, Monis had basic training in handling a side-arm and was later briefly employed as a security officer at a shopping centre in the western Sydney suburb of Greenfield Park.

In April 1997, in support of his application for a Protection visa, Monis submitted a

number of claims including that as well as being a Shi'a cleric, he had been engaged in gathering intelligence for foreign governments through his high-level political and religious contacts in Iran. Monis implausibly claimed that having also worked for the Iranian Ministry of Intelligence and Security, he had witnessed torture and had knowledge of highly sensitive information about the involvement of Iran in the bombing of the Khobar Towers building in Saudi Arabia on 25 June 1996, which killed 19 United States soldiers.<sup>8</sup> Even though Monis professed to be a Shi'a cleric, he also perversely claimed that he had been victimised for his association with the minority Ahmadi sect, a persecuted stream of Sunni Islam.<sup>9</sup> Monis insisted that if he returned to Iran, he would be summarily executed. He further claimed that he was afraid that if the Iranian Government found out he was in Australia, he would be targeted for assassination.

On 30 April 1997, Amnesty International wrote to the Immigration Department supporting the credibility of Monis' claims and emphasised that it was reasonable to expect that he would face arrest as a prisoner of conscience and may be tortured or executed if he was forced to return to Iran. Later, in 2010, when he again approached Amnesty International as 'Sheikh Haron' complaining about threats he received from the public after he was charged for writing offensive letters to the families of fallen soldiers, Monis' request for assistance was declined. Subsequently, Amnesty International acknowledged that in 1997 it had been misled by Monis.<sup>10</sup>

In July 1997, Monis began receiving support via the Asylum Seeker Income Support scheme. On 16 September 1997, Monis attended the Sydney offices of the Immigration Department and participated in a prolonged interview which was conducted largely in Farsi. The Coroner noted that the transcript of the interview showed that Monis performed poorly during the interview, his answers to searching questions lacked

coherence and when pressed to clarify his claims, Monis changed parts of his account.<sup>11</sup> Subsequently, the Immigration Department reviewed Monis' application and discussed with ASIO a perceived lack of credibility of Monis' claims.

### 1998

On 18 May 1998, Monis contacted the ASIO public line, claiming to have information relevant to the upcoming Sydney Olympic Games. ASIO interviewed Monis on two separate occasions and assessed that he had no information relevant to national security.

On 18 June 1998, the Immigration Department determined that Australia owed protection to Monis under the 1951 Convention Relating to the Status of Refugees. Monis' case was formally referred to ASIO for a security assessment, and on 24 August 1998 the Immigration Department received a certificate from the AFP which confirmed that Monis had no criminal record in Australia. On 23 November 1998, Monis participated in an ASIO-conducted security assessment interview.

### 1999

On 16 July 1999, Monis applied to the Department of Fair Trading to incorporate an association he called *Daftar-e-Ayatollah Manteghi Boroujerdi*. Monis listed the purposes of the association was 'to promote the spiritual matters and teaching and education and engage in humanitarian, religion and charity' by the publication of books and newspapers and establishing schools and 'similar activities'. The Coroner found no evidence that the association ever undertook any of these activities.<sup>12</sup>

### 2000

In early 2000, Monis moved from Sydney to Perth, where he gained employment as a car-pet salesman. On 25 July 2000, after initially recommending against the issue of a

Protection visa, ASIO advised the Immigration Department that it did not assess Monis to be a direct or indirect risk to national security, and ASIO ceased its investigation. On 23 August 2000, Monis was living in Perth when he was granted a Protection visa. The Review later found that 'very few or no checks were made to ascertain the legitimacy' of Monis' Protection visa application.<sup>13</sup>

On 20 October 2000, Monis wrote the first of many letters to public figures and the United Nations. He also began writing to dignitaries and newspapers around the world. Even though he had originally told the Immigration Department that he feared that if the Iranian Government discovered that he was in Australia, he might be targeted for assassination, on 23 November 2000, in his first public protest, Monis chained himself to a pole outside Parliament House in Perth and staged a hunger strike asserting that he was protesting against the Iranian Government for not allowing him to see his children in Iran.

### 2001

On 20 January 2001, having moved to Sydney, Monis began a protest outside the New South Wales Parliament again, with the purported intention of convincing the Iranian Government to allow him to see his children in Iran. By 31 January 2001, Monis' protests had attracted the attention of the media, and he was interviewed on the ABC program 'Religion Report'. Monis, who at that time was using the name Manteghi Boroujerdi, was introduced as follows:

People in Sydney walking past the State Parliament buildings on Macquarie Street in recent weeks might have noticed a tall Muslim cleric who has taken up residence in a tent on the footpath outside. He is Ayatollah Manteghi Boroujerdi, a liberal cleric who fled Iran four years ago after being very critical of the Iranian regime. Ayatollah Boroujerdi's wife and two daughters are now under house arrest in Iran, and he's hoping the Howard government will put pressure on the

regime there to let his family join him here in Australia.<sup>14</sup>

During the interview, Monis claimed that he had been:

[I]nvolved with the Ministry of Intelligence and Security ... more than four years I have not seen my family, and the Iranian regime doesn't let them come out. In fact I can say they are hostage; as a hostage the Iranian regime wants to make me silent, because I have some secret information about government, and about their terrorist operations in the war. I sent a letter to the Secretary-General of the United Nations and somebody on behalf of Mr Kofi Anan sent the answer, and they want to do something.

Later, during a rambling interview, Monis professed his love for the West:

If we explain about the meaning of the word 'Islamic' as a religious society, if we say Islamic society is a religious society, and a society which has a relation with God, and wants to be honest, we can say Australia, Canada, England, USA, so many western countries, they are religious societies.

Whenever I walk in the street, whenever I go out in Australia, I feel I am in a real religious society. I don't want to say it is perfect, we don't have a perfect society on the earth, but when we compare, if we compare Australia with Iran and other countries in the Middle East, we can say it is heaven.

Between 13 February and 13 August 2001, Monis received Newstart payments. On 23 July 2001, less than a year after he was granted a Protection visa, Monis registered the first of a number of businesses. The business activity of Monis' 'Spiritual Power' was listed as 'spiritual consulting' and 'spiritual healing for society'. Monis operated his business from premises in the suburb of Wentworthville and claimed to be an expert in clairvoyance, astrology, numerology, meditation and 'black magic'.

Monis advertised his business in local ethnic newspapers, and subsequent investigations by police showed that Monis had at least 500 clients over the business years from 2002 to 2007. It was later alleged that Monis preyed on vulnerable women who were told that their 'treatment' entailed them undressing and allowing Monis to paint them with water and massage their breasts and genitals. His conduct extended from indecent touching under the guise of massage to full penetration. When his victims objected, Monis overcame their resistance by intimidation including threats that he would impose 'curses' or other harm if the women did not submit to his predations. Monis also took photos and videos of some of the sessions, and it was this cache of incriminating files that later enabled police to establish a strike force to prosecute Monis for multiple offences. Ultimately, by October 2014, Monis was charged with 43 counts of aggravated indecent and sexual assault, allegedly committed between 2002 and 2010 against six victims.

In April 2001, INTERPOL Canberra alerted the Immigration Department that INTERPOL Tehran had advised that Monis was wanted by Iranian authorities. INTERPOL Tehran requested advice on the possible provisional arrest and extradition of Monis for 'fraud-related' offences allegedly committed in Iran. Although the Immigration Department made repeated requests between May and December 2001 to INTERPOL Tehran to provide relevant documentation of the alleged charges, since no extradition agreement existed, it was not possible to arrest Monis with a view to extradition. No arrest warrant or summary of specific charges against Monis was ever received. In the absence of the requested information, INTERPOL Canberra closed Monis' file.

In 1988, during the resistance to the Soviet invasion of Afghanistan, Saudi national Osama bin Laden founded the militant Sunni Islamist organisation al-Qaeda.<sup>15</sup> In 1996 and 1998, because of the United States' support of



the ‘Zionists who occupy Al Quds’ (Jerusalem) and because United States troops were stationed on the sacred land of Saudi Arabia, bin Laden issued a call to target America (which he called the ‘head of the snake’). Bin Laden also claimed that, since the United States was engaged in a war against Muslims, ‘jihad’ was required in the defence of Islam.<sup>17</sup> On the morning of 11 September 2001, airliners hijacked by al-Qaeda operatives crashed into the World Trade Center complex in New York City and the Pentagon in Arlington County, Virginia, claiming nearly 3000 victims.<sup>18</sup>

On 12 September 2001, Monis called the ASIO public line and volunteered information that Iran, whose Government is a Shi’a theocracy and whose population is overwhelmingly Shi’a, funded the attacks on the United States. In late September 2001, October 2001 and January 2002, ASIO again interviewed Monis and assessed his claims as not credible. During one interview, Monis asked whether he might receive a reward from the United States Government for his assistance.

Following the September 2001 attacks, President Bush demanded that the Taliban, which controlled much of Afghanistan, hand over bin Laden and expel al-Qaeda. On 7 October 2001, the United States launched ‘Operation Enduring Freedom’ and invaded Afghanistan, initially with the support of Canada and the United Kingdom, and later by a coalition of over 40 countries. In November 2001, Australia first sent a troop contingent to Afghanistan.<sup>19</sup> In August 2003, the first troops from NATO arrived and later took over the leadership of the coalition forces in Afghanistan.

## 2002

On 16 September 2002, Monis changed his name to Michael Hayson Mavros and, on 11 October 2002, he applied for Australian citizenship. On 18 June 2003, ASIO interviewed Monis after he called the public line to complain about the delay in the processing of his

application. Between September 2003 and July 2007, Monis travelled overseas on 21 separate occasions. His destinations included Fiji, New Zealand and Canada, and he travelled 10 times to Thailand.

The Coroner documented Monis’ history of exploitation of a number of women with whom he had relationships, including some concurrently.<sup>20</sup> In August 2002, after responding to an advertisement about his spiritual healing, Noleen Hayson Pal, a 20-year-old Fijian Indian woman, began a relationship with 39-year-old Monis, who later moved into her parents’ home in Sydney. Monis lied about his age and told Pal and her family that his mother was Egyptian and his father was Greek and that he was a non-practising Muslim. In August 2003, Monis and Pal had a ceremonial wedding, even though Monis was still married to his wife in Iran.<sup>21</sup> In 2004, Monis’ first son was born. In January 2008, Monis’ second son was born. Monis never supported Pal or his two sons and refused to have his name on their birth certificates. Pal’s parents built a granny flat in the backyard of the home for Pal and the children. During a subsequent domestic violence hearing, Pal describing Monis’ controlling behaviour, his insistence that she not leave the flat and that she surrender her mobile phone, and his paranoia and secretiveness. Pal reported that she never knew Monis’ real age and that most nights they slept apart.

## 2003

In February 2003, during his address to the United Nations, as well as warning of dangers of ‘weapons of mass destruction’ in Iraq, United States Secretary of State Colin Powell referred to links between the regime of Saddam Hussein and the Jordanian-born Iraqi-based Sunni extremist Abu Masab al-Zarqawi<sup>22</sup> and al-Qaeda leader Osama bin Laden. On 20 March 2003, ‘Operation Iraqi Freedom’ was launched, and United States and coalition forces invaded Iraq. On 7 August 2003, a huge car bomb destroyed the Jordanian embassy in Baghdad, killing at least

17 people. A week later, a bomb exploded outside the headquarters of the newly installed United Nations Assistance Mission in Baghdad, killing 22 people and, soon after, a massive blast killed the Shi'a leader, Ayatollah Baqer al-Hakim and 83 worshippers outside the Shi'a Imam Ali Mosque in Najaf in southern Iraq.

#### **2004**

In February 2004, bombings during the Ashura festival slaughtered 185 Shi'a celebrants in Karbala and Baghdad and, two weeks later, 102 Iraqi police recruits died in two car-bombings. Al-Zarqawi later claimed responsibility for all these attacks, and he became known as 'the sheikh of the slaughterers'.<sup>23</sup> After the coalition forces toppled Sunni Iraqi leader Saddam Hussein within a month of the invasion, the occupying coalition forces found a natural ally in the Shi'a population which had been brutally repressed and disenfranchised by Saddam's regime. At the same time, the 'deBaathification' and disbanding of Saddam's armed forces alienated tens of thousands of young Sunni Muslim men with military training.<sup>24</sup> In May 2004, the videotaped beheading of kidnapped United States communications contractor Nicholas Berg was the first of a number of atrocities attributed to al-Zarqawi personally<sup>25</sup> as Iraq slowly declined into wholesale sectarian warfare with an unprecedented campaign of indiscriminate bombings and shootings. Although he shared al-Qaeda's goal of killing Americans, al-Zarqawi believed that the subjugation of Shi'as should actually be the jihadists' highest priority.<sup>26</sup>

In July 2004, Monis' legal representatives contacted the Immigration Department to complain about the delay in the processing of his application for citizenship and advised that Monis believed that he was being discriminated against because he was a Muslim. On 1 September 2004, ASIO formally advised the Immigration Department that Monis was assessed as not being a direct or indirect risk

to national security. On 16 September 2004, his citizenship application was approved and, on 20 October 2004, Monis was granted Australian citizenship which was conferred during a private ceremony that Monis requested for 'security reasons'.

#### **2005**

In January 2005, the Australian Customs Service received correspondence from a lawyer representing Monis, who complained about his treatment by Customs Officers when he arrived at Sydney International Airport. On 17 February 2005, Monis called the ASIO public line to ask if it was legal for him, as an Australian citizen, to meet officials of foreign governments.

On 7 July 2005, four Islamist extremists separately detonated three bombs in quick succession aboard London Underground trains and later on a double-decker bus in Tavistock Square. On 15 July 2005, Monis called the ASIO public line claiming to have information relating to suicide attacks. On the same day, ASIO met with Monis, who claimed he had contacts with Sunni al-Qaeda and similar groups and offered to assist ASIO. Subsequently, ASIO assessed the information provided by Monis as not credible. Between 22–26 July 2005, Monis also contacted the United Kingdom High Commission, claiming that he was a Muslim cleric and that he had information about the London bombings.

Throughout 2005, Monis travelled to Bahrain, Canada, New Zealand, Singapore, Thailand and Fiji. Complaining that he had been searched at Sydney airport on his return from overseas, Monis also later claimed that the Australian Government was 'harassing' Muslim clerics. During the inquest, a solicitor who had previously acted for Monis testified that Monis had claimed he was being 'set up' by ASIO and 'picked on' by Australian Customs officials about his frequent trips abroad. The solicitor told the inquest that he did not know why Monis travelled so often. Monis once flew to New Zealand and back in one day to 'bamboozle Customs, to make



people believe that he was doing something'.<sup>27</sup> Monis claimed that after the conviction of Australian Schapelle Corby for drug smuggling in Indonesia, Australian Customs officials 'targeted Muslim clerics' and also wanted 'revenge' for the relatively light sentence given to radical cleric Abu Bakar Bashir, leader of a splinter cell of the Jemaah Islamiyah, for his role in inciting the bombings in the tourist district of Kuta in Bali on 12 October 2002 which killed 202 people, including 88 Australians.

In 2005, after Monis reported symptoms of depression, general practitioner Dr Julie Kusama referred him to psychiatrist Dr Daniel Murray. In his evidence to the Coroner's inquest, Dr Murray reported that when he first attended, Monis presented as a quite legitimate and credible *incognito* Islamic cleric, who was dressed in a suit and tie and was polite and well spoken, with good conversational English. Dr Murray reported that he developed a rapport with Monis, who spoke about his losses, including the family he left in Iran. Whilst Monis did not disclose any specific traumatic life events, Dr Murray assumed that because of his refugee status, Monis had experienced trauma in Iran. Dr Murray told the inquest that Monis did not disclose any concerns about being under surveillance. Dr Murray did not elicit any features of psychosis and made a provisional diagnosis of a paranoid personality disorder. Dr Murray told the inquest that he diagnosed post-traumatic stress disorder and a stress-related depressive disorder and prescribed the anti-depressant Lovan (fluoxetine) and the hypnotic Stilnox (zolpidem).

During the inquest, Dr Murray agreed with counsel assisting the Coroner that Monis may have been 'diagnosis shopping'. The Coroner noted that it was likely that the consultations with Dr Murray were designed to substantiate Monis' claim that he had suffered harm from being victimised by the Australian Customs Service with which he was in dispute.<sup>28</sup>

## 2006

On 21 November 2006, Monis changed his name to Man Haron Monis and, a week later, he was issued a new passport. In February 2007, Monis contacted the ASIO open public line and requested a meeting during which he advised that he wanted to become a 'teacher' in the Islamic community and that he had changed his name to be more readily identifiable as a Muslim and that he intended to help lead Muslim youth away from extremism. Monis advised that he planned to moderate his 'pro-western views' in order to connect with young Muslims. He offered to become a source for ASIO and provided a three-page 'plan' outlining the offer. Citing concern about his motivation and his unusual behaviour and that he had provided no information of security relevance, ASIO internally re-confirmed that contact with Monis should not be pursued.

## 2007

On 30 June 2007, a 4-wheel drive loaded with propane canisters was driven into the glass doors of the Glasgow Airport terminal and set ablaze. Both of the occupants were apprehended at the scene, and police later identified a British-born Muslim doctor of Iraqi descent and an Indian-born engineering student. A suicide note indicated that the two had intended to die in the attack. On 4 July 2007, as he was preparing to leave Australia, Indian-born Muslim Dr Muhamed Haneef, who was a second cousin of two of the terror suspects, was arrested at Brisbane Airport, on suspicion of terror-related activities. Dr Haneef's ensuing detention without charge became the longest in recent Australian history, which caused great controversy in both Australia and India.<sup>29</sup>

On 5 July 2007, using the name Sheikh Haron, Monis wrote his first letter of complaint to Channel 7 about comments made by an academic on the 'Sunrise' program related to the arrest of Dr Haneef and seven 'Muslim doctors' in the United Kingdom<sup>30</sup>. At the same time, Monis also made his first

complaint to the Australian Communications and Media Authority (ACMA), which launched an inquiry to determine whether the Channel 7 program 'discriminated against Muslims'. For years after the Haneef affair, Monis confected outrage and repeatedly made reference to the 'Sunrise' program and handed out flyers critical of Channel 7. Monis later maintained a website on which he posted the statement:

Until 4th July 2007 I was in a deep sleep. Sunrise woke me up! God can awaken a person by many different means even by a terrorist broadcast from the program Sunrise on Channel Seven from the Australian TV! I thank God and I won't give up until the Australian government condemns that broadcast which was instructing terrorism.<sup>31</sup>

On 30 August 2007, Monis registered the domain name 'sheikh.haron.com' with a Melbourne-based register and a United States-based Internet provider. He also created the website '[www.sheikhharon.com](http://www.sheikhharon.com)' and began posting inflammatory and provocative statements, including media releases and copies of his letters and responses. Monis also took out front-page advertisements with the Australian Muslim newspaper *Crescent Times*, directing readers to his 'Sheikh Haron' website. The Coroner also noted that Monis later set up YouTube accounts under the names 'Peaceactivist' and 'Sheikh Haron' as well as a Facebook page.<sup>32</sup> From late 2007, using the name Sheikh Haron, Monis also began sending the first of approximately 60 letters, facsimile messages and media releases to a range of recipients including the Prime Minister, the Federal Opposition Leader, the Federal Attorney-General and the AFP Commissioner.

On 27 November and 12 December 2007, and on 22 March 2008, Monis sent letters to the family of Private Luke Worsley, who died in Afghanistan on 23 November 2007. On 4, 6 and 7 May 2008, Monis sent letters to the family of Lance Corporal Jason Marks, who died in Afghanistan earlier during the same month. On 27 July 2009, Monis sent letters to the

family of Australian trade official Craig Senger, who was killed in the bombing of the Marriott Hotel in Jakarta on 17 July 2009. In his letters, Monis referred to one of the deceased soldiers as the 'son of a dirty pig' and 'dirty animal'.<sup>33</sup> Monis called the soldiers 'murderers' and urged the soldiers' families to petition the government to withdraw

Australian troops from Afghanistan. All of the letters were signed 'Sheikh Haron', and copies of many of the letters were sent to public figures including the Prime Minister, the Minister for Defence, the Federal AttorneyGeneral and the Commissioner of the AFP.

On 28 December 2007, Monis threatened legal action against *The Australian* newspaper over an article published earlier in that month. Through Monis' lawyer, who insisted that he acted for a 'senior cleric', Monis complained that the newspaper misrepresented him as a 'mysterious imam'.<sup>34</sup>

## 2008

Between February 2008 and September 2010, Monis was alleged to have committed further sexual assault offences whilst presenting himself as a spiritual healer.

In February 2008, the office of the New South Wales Premier referred a facsimile message from Monis to the AFP in relation to his previous warnings of potential terrorist-related attacks in Australia and his grievances with the AFP, which he described as 'corrupt'. In January and March 2008, Monis wrote to the Queen of England and to the Pope. On 20 March 2008, the AFP emphasised that Monis exhibited obsessive preoccupations and fixated interest in high-office holders and dignitaries and identified him as a 'person of interest' in relation to the forthcoming visit to Australia by Pope Benedict XVI.

On 28 April 2008, Monis purported to write a 'fatwa' on his website and described United Kingdom and Australian heads of state as 'war criminals'. Although the fatwa was phrased as a general requirement for Muslims

to respond to war crimes and not a specific threat to individuals, given his continuing inflammatory public statements, ASIO again commenced an investigation. In April 2008, officers of the AFP met with Monis and advised him that if he continued to send offensive and harassing letters, he risked being charged with offences. Monis replied that he was within his rights to correspond with whomever he wanted, and he subsequently sent several more letters.

In May 2008, Monis posted on his website a video entitled 'suicide fatwa', in which his new partner since 2006, Anastasia Droudis, appeared wearing a black niqab, so that her eyes only were visible and discussed 'legitimate suicide attacks'. Droudis came from a Greek Orthodox family and had been a hairdresser. She changed her name from Anastasia to Amirah (Arabic for 'princess') and, in July 2008, converted to Islam. Between April 2008 and December 2009, Droudis appeared in 11 videos scripted by Monis in which she appeared wearing a black niqab. In the videos, Droudis praised Osama bin Laden, delivered a fatwa against Presentelect Barack Obama for 'apostasy' (abandoning his Muslim faith for Christianity), expressed her approval of the Holocaust, the '9/11' 2001 terrorist attacks in the United States and the October 2002 Bali bombings, called upon people to join the army of Islam and warned the Prime Minister that Australians would be attacked and killed by Muslims. The material posted on the Sheikh Haron website referred to Droudis as 'Sister Amirah'.

On 21 May 2008, Monis wrote to the then Federal Opposition Leader, claiming that recently reported explosions and fires in shopping centres were the result of terrorist activities. On 6 June 2008, Monis sent a fax to the Israeli Embassy entitled 'Media Release: Sheikh Haron's Fatwa about suicide bombing coming'.

In June 2008, Monis conducted a protest at Parliament House in Canberra, criticising the earlier Channel 7 'Sunrise' program on

'Muslim doctors'. On 16 June and 23 July 2008, Monis held further protests outside the studios of Channel 7 in Martin Place, opposite the Lindt Cafe, complaining about the 'Muslim doctors' program which had been broadcast in July 2007. Monis also made another complaint to the ACMA. After a three-month investigation, the ACMA dismissed the complaint.

The security manager of Channel 7 later told the inquest that in 2008, he called police on several occasions and advised the network's television hosts not to venture outside the Martin Place studio to film segments of the 'Sunrise' program.<sup>35</sup> Monis was often observed in the area handing out flyers headlined 'War on Islam'. On one occasion in 2008 when the television hosts were signing autographs, Monis ran up the Martin Place and shouted abuse at the 'Sunrise' host David Koch.<sup>36</sup>

Between July–August 2008, Monis wrote a series of letters to the then Qantas chief executive officer, claiming recent mechanical faults on airliners were the result of terrorist sabotage. Monis' letter was later sent to the National Security hotline which referred the matter to ASIO, the AFP and all state and territory police forces. On 21 August 2008, ASIO concluded a review and noted 'no information to suggest [Monis] had been engaged, or [is] likely to engage, in politically motivated violence' and assessed that Monis 'has not been in regular contact with individuals of security concern and his main contacts are unlikely to be of security interest'.<sup>37</sup>

In late September 2008, Monis issued a statement on his website in support of the mujahidin in Pakistan, in which he said that he hoped 'one day I will be able to Jihad in the higher levels as you do'.

On 3 September 2008, Mr Monis changed the name of one of his companies from 'Australasian United Muslim Clerics' to 'Hezbollah Australia'. Hezbollah ('Party of Allah') was also the name of the Shi'a Islamist militant group and political party based in Lebanon. No connection has ever been

established between Monis and the Islamist group Hezbollah. On 6 November 2008, 'Hezbollah Australia' sent a letter to the then Commonwealth Attorney General and copies to the then Prime Minister, the Opposition Leader, Foreign Minister and ASIO, stating that the group was now registered in Australia and hoped to begin activity as an Islamic organisation.

On 9 November 2008, four of the Islamist radicals convicted of the Bali bombings were executed. On the same day, Monis sent a letter to the families of the Bali bombers describing them as 'martyrs'. Monis claimed that the actions of the Australian Government made the country 'unsafe' and he 'promised' Muslims would attack Australia and that Australians would be killed. He sent a media release to various outlets, the Saudi Embassy in Australia, the Australian Embassy in Jakarta and Buckingham Palace.

On Christmas Day 2008, Monis used the opportunity of a family gathering to propose to Anastasia Droudis. Within a month of their engagement, they announced that they had married in a private ceremony at a mosque in Queensland.

On 18 November 2008, a DVD featuring Droudis warning of threats to Australians was sent to the Queen. The AFP briefed the Commonwealth Director of Public Prosecutions but no offences were identified. On 5 December 2008, an analysis by ASIO of the results of the investigation of Monis found that there was no information to indicate that Monis or any of his known associates in Australia and overseas were of security concern, Monis was not involved in any politically motivated violence or promotion of communal violence and the '[www.sheikhharon.com](http://www.sheikhharon.com)' website did not pose any significant security threat. The report concluded: 'While [Monis] endeavours to use language that is ambiguous and open to interpretation, he makes sure not to cross lines and tries to ensure he can protect himself from allegations of inciting terrorism'.<sup>38</sup>

In 2008, Australia had begun withdrawing its troops from Iraq. In April 2008, United Kingdom forces left Basra, signifying the end of combat operations.

## 2009

On 31 July 2009, Australia concluded its military commitment in Iraq, leaving only personnel in non-combat roles.

On 12 March 2009, the United States Secret Service contacted the AFP after Monis sent the United States broadcaster NBC a DVD which purported to include a 'fatwa' against President Obama. The Secret Service was advised that Monis was not considered a credible threat to the president. In 2009, Monis registered a warehouse off Canterbury Road in Campsie with the Office of Fair Trading as a prayer hall which he called *Darul Ifta* ('The House of Mufti'). On 1 July 2009, Monis gave a lecture in Farsi to an audience at the Nabi Akram Islamic Centre, a Shi'a centre in Granville in western Sydney in which he said:

'Your intelligence service is not working. There's criminal activity in your country'.<sup>39</sup>

During the inquest, Channel 7 investigative journalist David Richardson testified that after a 2009 television story about Monis sending letters to the families of fallen Australian soldiers, Channel 7 decided to look more closely at Monis. Mr Richardson told the inquest that over six months, an investigation of various companies and addresses associated with Monis failed to find any confirmation from the Iranian community that Monis was a real sheikh or that he belonged to any particular mosque or recognised Islamic organisation.<sup>40</sup> Indeed, it appeared that leading Muslim figures held

Monis in contempt. In August 2009, the expos'e was aired on the 'Today Tonight' program, in which Monis was described as a 'fake sheikh'. Monis complained to Channel 7 and to the ACMA, claiming that the program had 'insulted' Muslims and had invaded his privacy and 'caused danger to his life'.<sup>41</sup> The

ACMA found that although one aspect of Monis' complaint was justified, the statement was not significantly inaccurate and that Channel 7 and the 'Today Tonight' program were not required to take any further action. It has been speculated that Monis' many complaints against Channel 7 which he published on his website indicate a vendetta and that the Lindt Cafe was chosen as the site of his final protest because it was located opposite the studio of Channel 7 in Sydney.

On 16 October 2009, Monis reported to the New South Wales Police Force and the AFP that his residence had been attacked in an attempt to kill him but his attackers were unable to locate him. The AFP invited Monis to attend an interview, but he did not accept. On 17 October 2009, Monis sent the New South Wales Police Force a media release raising the possibility of a terrorist attack in Australia.

On 20 October 2009, the AFP executed a search warrant at Monis' home in Croydon Park home in Sydney's inner-west and subsequently charged him with seven counts of offences related to the use of a postal service to menace, harass or cause offence. The offences related to the letters Monis wrote between November 2007 and August 2009. Monis was released on bail with reporting conditions.

On 22 October 2009, at the request of the NSW Joint Counter Terrorism Team, the Internet service provider removed Monis' 'sheikhharon' website. On 3 December 2009, less than two months later, Monis' website was back online with a service provider in Hong Kong.<sup>42</sup> Monis continued to post items on the website up to the day before the siege.

On 23 October 2009, Prime Minister Kevin Rudd was reported to have said that the prosecution of Monis could lead to major citizenship law changes. The Prime Minister was quoted to have said that the contents of Monis' letters would make 'stomachs turn'.<sup>43</sup> On 2 November 2009, after the first day of his bail hearing at the Downing Centre, Monis chained himself to a railing outside the court house

holding small Australian flags. He stayed there the entire day in front of the media holding the small flags in one hand and a sign above his head calling for Australian troops to be brought home from Iraq and Afghanistan. During the inquest, Monis' solicitor Chris Murphy reported that, outside court after the case was heard, Monis ignored his instructions not to talk to the media and later chained himself to the building. Mr Murphy was reported to have said: 'He didn't strike me as very intelligent. He was entirely self-absorbed with his performance, my recollection is he held a pen in the air and said "this is my sword"'.<sup>44</sup> Mr Murphy was also reported to have claimed that Monis was considered to be a 'pest' by some lawyers and that he and other lawyers later declined to act for him. On 3 November 2009, after his bail was continued, Monis again chained himself outside the court.

On 11 November 2009 (Remembrance Day), Monis addressed assembled journalists outside the court and strongly criticised Australia's military presence in Afghanistan. Referring to a comment reportedly made by the Prime Minister that he could not 'stomach' the allegations, Monis was reported to have said: 'I ask Mr Kevin Rudd, did your stomach turn when you read the news about killing innocent Afghan civilians?'.<sup>45</sup> Monis then produced a second Australian flag and a length of chain which he draped around himself.

Monis later faxed the Prime Minister, claiming that the Victorian bushfires were 'God's punishment because the Australian Government did not oppose the execution of the Bali bombers'. He also claimed that the Australian Government was 'hacking' the Google website to give Muslims a 'bad name'.

On 25 and 27 November 2009, Monis staged further protests outside the Downing Centre including holding up a sign which read: 'Australians don't want war'. On 3 December 2009, Monis was photographed in front of Christmas decorations at an anti-Israel demonstration in Martin Place.



## 2010

On 8 January 2010, Monis began receiving Austudy benefits, having enrolled to complete a Bachelor of Criminology and Criminal Justice degree through Open Universities accredited by the Griffith University in Queensland. In January 2010, Monis posted a video on YouTube claiming that he had sent a letter to the United Kingdom Prime Minister related to the death of British soldiers in Afghanistan. On 19 January 2010 and again on 2 February 2010, after he attended court hearings, Monis protested in front of the media on the steps of the Downing Centre.

The Coroner noted that in the last decade of his life, Monis attended a number of doctors, psychologists and psychiatrists, presented at public hospitals on at least two occasions, attended a community mental health service and was assessed on two occasions in custody by Justice Health and Forensic Mental Health services.<sup>46</sup> It was notable that Monis consulted different health care providers without disclosing his history of earlier presentations, and he often gave differing accounts of complaints and symptoms. On 17 April 2010, after he was reported to have collapsed in a shopping centre car park in Ashfield, an inner-western suburb of Sydney, and complained of weakness and dizziness, Monis was taken by ambulance to

Canterbury Hospital for an assessment. Monis told a non-medical mental health clinician that for the past five years, he experienced pain all over his body when he was stressed and that he was often unable to use his arms and legs. The clinician described Monis as 'quite guarded and reluctant to disclose too much information'. Monis reported that he believed people were watching him and that he was discriminated against at airports. He reported that he did not use his Medicare card because he was worried that people who had access to his medical records would see that he had been prescribed medication and would assume he had a mental illness. After Monis would not provide a phone number or a street address, an appointment was

made for him to attend two days later for an outpatient appointment with community mental health psychiatrist Dr Kristen Barrett.

On 10 May 2010, when he was first interviewed by Dr Barrett, Monis said that he had been forced to close his spiritual business, was \$20,000 in debt and had to change his name for 'security reasons'. Monis told Dr

Barrett that he was being constantly watched by ASIO and the police and that some people could read his mind. Dr Barrett made a provisional diagnosis of 'chronic schizophrenia' and prescribed a low dose of risperidone, an anti-psychotic medication. Dr Barrett said Monis agreed to take the medication and appeared to improve as she saw him at regular follow-up appointments.

Four months later, when Monis reported symptoms of anxiety, Dr Barrett also prescribed the anti-anxiety medication sertraline. Over the course of six months, Monis reported that he had decided to reduce the amount of medication and then stop the medication altogether. Dr Barrett reported to the inquest that over seven consultations, she never had any concerns that Monis had developed any violent ideation. The inquest heard no evidence confirming that the medications prescribed by Dr Barrett were ever dispensed to Monis.

Whilst he was attending Dr Barrett in 2010 and 2011, Monis did not disclose that he also attended Dr Murray on two occasions. Dr Barrett and Dr Murray both told the inquest they were surprised to learn Monis had been seeing another psychiatrist. During the inquest, Dr Murray agreed that a patient telling different stories to two different psychiatrists suggested 'manipulation' and that Monis was possibly 'diagnosis-shopping'. Dr Murray recalled the dramatic transformation when Monis attended five years after the first consultation in 2005, by which time he had changed his name and, instead of a suit, he wore the flowing robes and cloth headpiece of an Islamic cleric. During the inquest, Dr Murray expressed his surprise that Monis had been seeing another psychiatrist who had



reached a starkly different diagnostic conclusion.

In 2010, in the context of being charged with the postal offences, Monis also had two consultations with psychologist Kasim Abaie, who grew up in Iran and spoke several languages, including Farsi. The psychologist told the inquest that Monis described anxiety and depression. The psychologist described Monis as 'controlling' and would only speak to him in English. Monis told the psychologist that he was stressed living alone but that it was 'dangerous' for him to visit his two daughters in Iran. Although Monis attended the psychologist wearing the robes of a 'sheikh', his demeanour and angry complaints were unlike what the psychologist was familiar with from his previous interactions with Muslim clerics. The psychologist told the inquest that Monis said he needed a report to exclude any mental illness. However, from the two brief consultations, the psychologist formed the impression that Monis exhibited 'delusional thinking', that he believed he was being followed by ASIO and the police and that people could read his mind. After providing the report for Monis' general practitioner, the psychologist had no further contact with Monis.

On 11 May 2010, Monis was charged with a further six postal services offences. In July 2010, Monis pleaded not guilty to the postal offences. On 15 November 2010, Monis filed civil proceedings in the New South Wales Supreme Court seeking a declaration that the provision under which he was charged was 'invalid' under the constitution.

On 23 November 2010, in the context of the royal visit to Australia as part of the Commonwealth Heads of Government meeting, the AFP identified Monis as a person of interest given his apparent fixation on Australian high-office holders and assessed that Monis may attempt to embarrass the Australian Government and was likely to come to the attention of the police. In 2010,

when Monis approached Amnesty International, his request for assistance was declined.<sup>47</sup> An Amnesty International official who met Monis in 2010 described his 'delusional selfimportance' including his outrage that the Queen did not personally respond to a letter he wrote her: 'It was very much like he was standing on a soapbox [and] painting himself as a noble victim'.<sup>48</sup>

## 2011

On 8 April 2011, the High Court refused an application by Monis to have his constitutional challenge removed to the High Court.<sup>49</sup> French CJ, Gummow and Crennan JJ held that an order for removal of Monis' matter to the High Court would interrupt the processes of the lower courts and deny the High Court the benefit of the reasons of the lower courts on constitutional issues. The High Court also held that Monis' application raised no constitutional issues that required an urgent decision of the High Court.

On 11 April 2011, Monis applied to quash the indictments relating to the postal charges, arguing that the case against him was 'political' and that it infringed the implied 'constitutional freedom' of public communication. On 18 April 2011, the New South Wales District Court dismissed the motion to have the indictments quashed,<sup>50</sup> and, on 6 December 2011, an appeal from the decision of the District Court was dismissed by the New South Wales Court of Criminal Appeal.<sup>51</sup>

It was reported that on 3 July 2011, Monis attended a conference hosted by Hizbut Tahrir (Arabic for 'Party of Liberation').<sup>52</sup> Hizbut Tahrir is an international, non-violent panIslamic political organization, founded by Sunni Muslim scholars in Jerusalem in 1953, which aims to re-establish the Islamic 'Khilafah' (caliphate) which would enforce Shariah law. Despite being banned in Germany, Russia, China, Egypt, Turkey and most Arab countries, Hizb ut-Tahrir is not banned in many western countries, including

the United Kingdom and Australia. Monis did not address the conference.

On 18 June 2011, Noleen Pal separated from Monis. Within days of the separation, Monis reported that his eldest son had been indecently assaulted by Pal's father. Police who investigated determined that the allegations against the maternal grandfather were false and had been made by Monis with the intention of securing custody of the children.

On 22 July 2011, two days after a late-night confrontation with Monis in the carpark of a fast-food restaurant in Green Valley in western Sydney, Pal reported to police that in the context of disputes over access to his children, Monis had threatened her. She reported that Monis became abusive and said: 'If I can't see the kids more than I am now, you're going to pay, even if I have to shoot you'.

On 27 July 2011, after he was questioned at St Marys Police Station, Monis was charged with stalking or intimidating intending to cause fear of physical or mental harm. A provisional order was made by the police, and an apprehended domestic violence order was made by the court, and Monis was granted bail. On 9 August 2011, Monis commenced custody proceedings against Pal. The effect of the court proceedings was that Monis was deprived of seeing his two sons from July 2011 until after interim orders for supervised access were made in the Federal Magistrates Court on 27 October 2011.

On 21 October 2011, President Obama announced that United States troops would leave Iraq by the end of the year. On 18 December 2011, the last United States combat troops withdrew from Iraq.

## 2012

In January 2012, Pal told a Sydney Magistrates Court that she was concerned for her safety and she believed that Monis held a gun licence. New South Wales Police later confirmed that the Firearms Registry did not have any record of Monis ever holding a gun licence in the state.

On 27 May 2012, Monis, who was by that time living with Droudis and her family, began subleasing a flat in an apartment building in the western Sydney suburb of Werrington which became the address at which his two children were dropped off and collected after the Sunday access visits. Transcripts of the domestic violence hearing in the Campbelltown Local Court during May 2012 documented Pal's claims of Monis' controlling behaviour, his insistence that she not leave the home, that she surrender her mobile phone and pull the blinds at all times. Pal also claimed that in 2010 they separated after Monis had attacked her and had also beaten the elder of their two sons. However, the magistrate found that Pal's evidence seemed 'somewhat evasive', and on 30 May 2012, the charge against Monis was dismissed.

Although New South Wales police made an application for a final apprehended domestic violence order, the court declined to make the order. In July 2012, Monis' application to renew his security licence was refused on the grounds that he was not a 'fit and proper person'.

On 9 June 2012, Monis attended protests organised by Hizb ut-Tahrir outside the Iranian, Saudi and Turkish embassies demonstrating against those countries which supported the regime of Syrian President Bashar Hafez al-Assad, whose army and mostly Alawite *shabiha* militia received direct support from Iran's Islamic Revolutionary Guards and Lebanese Shi'a Hezbollah.

On 5 July 2012, Monis wrote to the presiding Federal Magistrate to advise that he wanted to withdraw his proceedings against Pal. On 27 July 2012, Monis failed to appear at the listed hearing, and on 24 August 2012, final orders were made granting full custody of the children to Pal. Monis was given access only on every second Sunday between 10 am and 4 pm. Monis later posted a website entry:

Man Haron Monis ... has continuously been under attack and false accusation by the Australian government and media since he started his political letter

campaign from 2007. ... His children have been taken away from him by the Australian government ... he is not allowed to visit or even call them.

During 2012, Monis began associating with the Rebels Outlaw Motorcycle Gang (OMCG). He attempted to become a full member of the club and began attending Friday evening social gatherings at the Mt Druitt clubhouse. In September 2012, a female friend took out a loan for nearly \$25,000 to enable Monis to purchase a Harley Davidson motorcycle.

### 2013

During the subsequent trial of Monis' partner Droudis, the court heard evidence that in early 2013, on two occasions, Monis approached members of the Rebels bikies club soliciting assistance in having his ex-wife killed.<sup>53</sup> On 13 January 2013, during a child access visit, Monis drove to his ex-wife's residence, accompanied by two bikies on their motorcycles. Monis' ex-wife's mother was so concerned that she contacted the police to report how intimidated she felt. During Droudis' subsequent trial, Johnson J held: 'I accept the unchallenged evidence that Monis solicited members of the Rebels OMCG in early 2013 to kill [Noleen Pal]. The evidence is that these requests were not taken seriously and were rejected summarily'.<sup>54</sup>

On 27 February 2013, after a two-day hearing in October 2012 on an application on the question of constitutional validity of the postal offences, the Full Court of the High Court arrived at a split judgement.<sup>55</sup> As a consequence, the earlier decision of the New South Wales Court of Appeal that the provision was valid was affirmed.

On 18 April 2013, Monis was reported to have attended a rally protesting against the Syrian regime of al-Assad. The AFP reviewed Monis as part of the project identifying people who may be involved with or connected with the conflict in Syria and Iraq and concluded that there was nothing to suggest that Monis

had any links to any person or organisation involved in the conflict.

On 10 April 2013, Monis took out home contents insurance, including water damage cover, on the third-floor flat he leased in Werrington. On 13 April 2013, Monis contacted friends from Iran with whom he had no communication for some years and made arrangements for a family outing during the following weekend.

During the outing with his two sons on 21 April 2013, using his mobile phone, Monis created 14 separate video clips, many of which filmed clocks or Monis recording himself at a place distant from his Werrington unit. Upon leaving the Penrith public swimming pool, Monis' children got into his friend's vehicle. At 3:56 pm, Monis recorded a 27-second video clip which showed his sons seated in the rear of his friend's vehicle and Monis entering the driver's seat of his Jeep Cherokee in which he was travelling on his own.

At approximately 4 pm, Monis' ex-wife Noleen Pal arrived at the flat to collect her two sons who were then aged seven and four. She activated the intercom, and the security door was opened to allow her entry to the ground floor stairwell. It was later alleged at her trial that Droudis, dressed in a black niqab, waited in the stairwell and stabbed Pal 18 times, then doused her in petrol and set her alight. At the same time as his ex-wife was being murdered, Monis staged a minor motor vehicle accident in which he drove into the rear of a parked vehicle 240 metres away from the Penrith Police Station. A subsequent investigation by the Metropolitan Crash Investigation Unit found that the movements of the Jeep driven by Monis were 'highly consistent with the intentional actions of a cognisant driver'<sup>56</sup> and concluded that the crash was the result of a 'driver commanded divergence'.<sup>57</sup>

At the crash scene, although Monis complained of chest pains, he asked his friends to attend the nearby police station to report the accident. After Monis had been taken to the Nepean Hospital, police arrived and filmed an interview in which Monis appeared to be

shocked when he was advised that his ex-wife had been murdered. Monis complained of chest pain and a 'racing heart' and terminated the interview with police. During Droudis' subsequent trial, Johnson J held 'I am satisfied that Monis' intentional collision with a parked vehicle fortifies a conclusion that his actions that day involved an elaborate charade to prove that he was not at Werrington that afternoon, and particularly after 4.00pm'.<sup>58</sup>

On 22 April 2013, upon application by Pal's parents, a Family Law Recovery Order was issued by the Federal Circuit Court with respect to the two children, and on 23 April 2013, the Order was served upon Monis who was advised that the children were to be returned to their maternal grandparents.

On 29 May 2013, Monis and Droudis attended the Parramatta Police Station and made a complaint that Pal's father had threatened to kill Monis and also maintained the earlier allegation that Monis' former father-in-law had sexually abused one of Monis' children.

On 20 August 2013, a clinical psychologist with the NSW Police Forensic Services Group Behavioural Science Team was given access to police records and correspondence to complete a psychological assessment of Monis. Although she qualified her opinion by emphasising that she had not actually interviewed Monis, in her evidence to the inquest, the psychologist opined that Monis was grandiose, arrogant, lacking in empathy and preoccupied with his own self-importance and that these features were consistent with narcissistic personality disorder (NPD). In her report which was tendered at the inquest, the psychologist added that individuals with NPD often have a fragile sense of self-esteem, which makes them respond badly to criticism.<sup>59</sup>

On 5 August 2013, Monis pleaded guilty to postal services offences and was convicted on 12 counts. On 6 September 2013, after describing the offences as 'deplorable' and noting that the maximum sentence for such offences was two years imprisonment, the sentencing judge sentenced Monis to 300 hours of

community service, a two-year good behaviour bond and a \$1000 surety.

In the week after the Abbott government was elected on 7 September 2013, Monis wrote to the Prime Minister inviting him to participate in a live debate in which Monis said he would 'prove that Australia and Australians will be attacked' as a result of the participation of Australia in the war in Afghanistan. However, Australia had begun withdrawing its troops from Afghanistan much earlier, in October 2008, and the efforts of the Australian Reconstruction Task Force were concentrated on 'capacity building and mentoring' of the Afghan National Army.<sup>60</sup> By August 2009, combat operations by Australian troops in Afghanistan had ended. On 28 October 2013, during a surprise visit to the Australian base in Tarin Kot, Uruzgan province, Prime Minister Abbott announced the withdrawal of all Australian troops from Afghanistan.<sup>61</sup> By the time of the Lindt Cafe siege in December 2014, there were no Australian combat troops in Iraq, and the small Australian contingent in Afghanistan were involved only in training of the Afghan National Army.

On 1 November 2013, less than a week after the Prime Minister's announcement in Afghanistan, Monis again wrote to Mr Abbott arguing that Australia's policy in Afghanistan had 'a significant role in jeopardising security and peace in the world especially in Australia' and challenged the Prime Minister to a debate about the war in Afghanistan. Two weeks later, on 15 November 2013, police arrested Monis and Droudis. Droudis was charged with murder and Monis was charged with inciting, procuring, aiding and counselling Droudis to murder his ex-wife and assisting and harbouring Droudis after the murder.

Whilst in custody, Monis asked two different fellow remandees on different occasions for their assistance in making connections with criminal elements who could assist in murdering his ex-wife's father.<sup>62</sup> Monis suggested to these prisoners that payment for the killing

could come from items of value stolen from the premises of the proposed victim.

During the subsequent trial, Droudis' defence counsel did not contest the Crown case that Monis organised the murder. On 3 November 2016, the trial judge, who heard the case without a jury, held that the overwhelming evidence was that Monis had planned the murder and had gone to 'incredible lengths' to establish an alibi on the afternoon of the murder. Referring to Monis' report to police of thefts of his property and his false insurance claims arising from smoke and water damage to his flat, Johnson J found: 'strong support for a conclusion that Monis planned the murder [and devised] a false theft scenario in the process. It provides support, as well, for a conclusion that Monis did not hire a killer to whom he had paid or owed money for the killing'.<sup>63</sup>

On 15 November 2013, following his arrest, Monis did not apply for bail. On 12 December 2013, when he appeared before a magistrate in the Penrith Local Court, Monis claimed that the Iranian Secret Police and ASIO were trying to frame him for the murder of his ex-wife.<sup>64</sup> The prosecutor told the court that Monis went to 'extreme and elaborate lengths' to create an alibi and that Monis deliberately filmed a clock while asking somebody for the time at a Penrith public swimming pool before the murder and faked a car crash outside Penrith Police station so that he would be taken to Nepean Hospital.

During the inquest, the NSW Director of Public Prosecutions was granted leave to appear before the inquest and questioned whether an examination of Monis' history of bail applications was within the scope of the inquest.<sup>65</sup> The Commonwealth supported the submissions made by the Director of Public Prosecution. The NSW Director of Public Prosecutions also claimed 'legal professional privilege' over communications between legal officers and police officers involved in Monis' prosecution. On 5 June 2015, in dismissing the application by the

Director of Public Prosecutions, the Coroner held that 'had the Inquest not examined this issue, there would have been no independent public examination of the response of prosecuting authorities to Monis' application for grant of bail – matters of considerable concern'.<sup>66</sup> In his findings, the Coroner referred to the transcript of bail proceedings on 12 December 2013 and noted:

- the solicitor employed by the NSW Director of Public Prosecutions failed to advise the magistrate that Monis had been on bail for the Commonwealth postal offences at the time of the alleged murder
- the solicitor erroneously advised the magistrate that Monis did not have to show 'exceptional circumstances' before Monis could be granted bail when the relevant section of the Bail Act in fact imposed such an onus
- the fact that Monis had an alibi was irrelevant (the Crown did not allege that Monis was present at the scene of the alleged murder)
- Monis lacked ties to the community (Monis' children were in the care of their grandparents, he had no other family members in Australia, his passport had been returned to him and he had communicated with an Iranian woman about meeting her in Malaysia)
- Monis posed a flight risk

The magistrate held that the Crown's case was 'weak' and that both Monis and Droudis had advised the court they had alibis, and Monis was granted conditional bail.<sup>67</sup> No application was made to the New South Wales Supreme Court to review the bail decision, and on 17 December 2013, Monis was released from custody.

During an interview with the ABC, lawyer Emanuell Conditsis, who represented Monis after he was remanded into custody in

November 2013, said Monis had described a very unpleasant experience whilst he was in custody.<sup>68</sup> Mr Conditis reported that on one occasion when he visited, Monis broke down and cried 'like a baby' because of how he was being treated in Silverwater prison. During a subsequent interview with BBC Radio 4, Mr Conditis further embellished Monis' account: 'What he said happened is that he was placed into a cell which had a concrete bed, they removed the mattress, there was excrement thrown around the walls and the floor – not by inmates, according to him, but by prison guards. He was then forced to stand in and about the excrement and every time he tried to sit down over a period of 24 hours he would be bashed'.<sup>69</sup> Mr Conditis later said that the Lindt Cafe siege was not the work of an organised terrorist group: 'This was a oneoff random individual. It was not a concerted terrorism event or act. It was a damaged-goods individual who did something outrageous'.

#### **2014**

On 22 January 2014, in an application to vary his bail conditions, Monis appeared at Parramatta Local Court. After informing the magistrate that he was representing himself, Monis began referring to documents that he claimed showed ASIO 'conspired' to have him imprisoned. The magistrate told Monis that she had no power to order the release of documents held by ASIO and advised Monis to desist because the submissions he was making would 'harm' his defence. Following the adjournment, Monis staged a protest outside the court and wore chains and held a sign: 'I have been tortured in prison for my political letters'. Monis was quoted by the media as saying: 'This is not a criminal case. This is a political case'.<sup>70</sup>

In February 2014, during the course of criminal investigations into Monis, New South Wales Police sought through INTERPOL Canberra a copy of Monis' criminal history. On 31 March 2014, INTERPOL Tehran advised that, whilst Monis did not have a

criminal record in Iran, he was wanted for 'defrauding Iranian citizens' but the arrest warrant had lapsed.

On 14 April 2014, Monis was arrested and charged with sexual intercourse without consent and two counts of indecent assault relating to incidents alleged in 2002 and was denied bail. During the bail application,

Monis requested that the Kogarah Local Court investigate his allegation that the New South Wales Police Force and ASIO were involved in the murder of his former partner. Monis also compared the accusations of sexual assault against him to the allegations made against Julian Assange, founder of the whistleblowing website 'Wikileaks'. On 16 April 2014, Monis was refused bail.

On 26 May 2014, the magistrate found that Monis did not pose an 'unacceptable risk' to the safety of any individuals or the community or of interfering with witnesses. The magistrate highlighted that Monis had limited criminal history and no history of violence and had not committed any serious offences whilst on bail. Perversely, the magistrate also highlighted Monis' 'strong community ties'. Notwithstanding the submissions made by the Director of Public Prosecutions, the magistrate granted bail, and Monis was released with daily reporting conditions. On 18 July 2014 and again on 31 July 2014, Monis' bail was continued without objection by the Director of Public Prosecutions.<sup>71</sup>

On the two occasions when he was remanded into custody, Monis was subject to the standard reception screening assessments by the Justice Health and Forensic Mental Health Services. On the first screening assessment in November 2013 after he was charged with offences relating to the murder of his exwife, Monis was cleared as being fit for the correctional centre community. On the second assessment which occurred in April 2014 after he was charged with the sexual assault offences, Monis was again cleared as having no mental health issues and was found to be fit for normal mainstream cell placement. During



both assessments, Monis did not disclose any history of mental health issues. In January and February 2014, after he was released on bail, Monis attended three different general practitioners complaining of depression and insomnia. The Coroner observed that whilst each general practitioner made referrals to psychiatrists, there was no evidence that Monis ever followed up with any these referrals.<sup>72</sup>

On 27 June 2014, Monis attended a lecture at the Lakemba headquarters of Hizb utTahrir. Although he was photographed sitting in the front row of the audience, Monis did not address the audience. It was reported that in July 2014, Monis was photographed in conversation with Hizb ut-Tahrir spokesperson Ismail al-Wahwah in front of the Egyptian consulate in Surry Hills during a protest against the military crackdown on the Muslim Brotherhood in Egypt. However, as the Coroner noted, Hizb ut-Tahrir was not a proscribed terrorist organisation in Australia and actually denies the legitimacy of Islamic State.<sup>73</sup> Conversely, Islamic State considers Hizb ut-Tahrir an obstacle to its aspirations and strongly opposes it. No account of the nature of any conversations Monis may have had with al-Wahwah or anybody else associated with Hizb ut-Tahrir has ever been reported.

Following the death of his predecessor Abu Omar al-Baghdadi, on 16 May 2010, Ibrahim Awad Ibrahim al-Badri, who had taken the name Abu Bakr al-Baghdadi ('The One from Baghdad') claimed leadership of the Islamic State of Iraq and the Levant. After the withdrawal of United States troops from Iraq in 2011, Prime Minister al-Maliki closely identified with the Shi'a population which further alienated the Sunnis, many of whom gravitated towards Islamic State.<sup>74</sup> After its initial military successes in Syria, the forces of Islamic State swept into northern Iraq and eventually gained control over an area larger than Great Britain with more than six million inhabitants. On 12 June 2014, after 30,000 well-armed Iraqi forces fled, leaving massive

quantities of arms and munitions,<sup>75</sup> fewer than 1000 Islamic State fighters captured Mosul, the second largest city in Iraq, and summarily executed and dismembered the Imam of the Grand Mosque.<sup>76</sup> Less than a week later, 12 local Imams were also executed in front of the Al Israa Mosque. On 4 July 2014, al-Baghdadi ascended the prayer niche in the Grand Mosque and declared himself 'caliph'<sup>77</sup> (religious and political leader of the Muslim community).<sup>78</sup>

In August 2014, after Islamic State had seized the Kurdish city of Sinjar and committed genocide against the minority Yazidi population, United States President Obama ordered airstrikes to assist the Iraqi Government forces and the Kurdish Peshmerga. As reprisals, Islamic State released videos of the beheading of captured American journalists James Foley and Steven Sotloff.

On 13 September 2014, Australia's terrorist alert level was raised to 'high', meaning the risk of an attack was 'likely', but not 'imminent'. Prime Minister Abbott said that whilst the government had 'no specific intelligence' of a plot to mount a terrorist attack, security agencies had recommended the increased threat level because of the number of Australians 'fighting with and supporting' terrorist groups in the Middle East.<sup>79</sup>

On 18 September 2014, nearly 500 New South Wales police and 300 AFP officers mobilised for pre-dawn raids on 15 homes in 12 western Sydney suburbs in 'Operation Appleby' which was reported to have foiled a plot to 'commit violent acts' in Australia. Although it was luridly reported that the extremists planned to make a video of 'beheading',<sup>80</sup> it was later alleged only that a police phone intercept had overheard Mohammad Ali Baryalei, a former Kings Cross bouncer who had gone to fight in Syria in 2013, urging 22-year-old Omarjan Azari to recruit 'boys with heart' to commit terrorist attacks, adding that 'British and French backpackers should be targeted'.<sup>81</sup>

On 19 September 2014, during a community rally in the Sydney suburb of Lakemba organised by Hizb ut-Tahrir to protest against the overnight arrests of those suspected of having links to Islamic State, Monis was photographed wearing a white robe and an Islamic headband.

On 22 September 2014, a lengthy video address and a written English translation attributed to Islamic State spokesperson Abu Muhammad al-Adnani were released which called for 'muwahhidin in Europe, America, Australia, and Canada' and across the world to defend the Islamic State against the 'dozens of nations ... gathered against it':

If you can kill a disbelieving American or European – especially the spiteful and filthy French – or an Australian, or a Canadian, or any other disbeliever from the disbelievers waging war, including the citizens of the countries that entered into a coalition against the Islamic State, then rely upon Allah, and kill him in any manner or way however it may be.

Do not ask for anyone's advice and do not seek anyone's verdict. Kill the disbeliever whether he is civilian or military, for they have the same ruling. Both of them are disbelievers.

On 9 October 2014, the Canberra office of the Federal Attorney-General received a letter from Monis under the name 'Sheikh Haron':

I would like to send a letter to Caliph Ibrahim, the leader of the Islamic State, in which (sic) making some comments and asking some questions. Please advise me whether the communication is legal or illegal.

It is unlikely to be coincidental that at that time, police investigations were continuing into further allegations by a number of women who had attended Monis' 'Spiritual Healing' business. The following day, on 10 October 2014, Monis was charged with 37 additional sex offences, including 22 counts of

aggravated sexual assault and 14 counts of aggravated indecent assault in relation to six women. The charges were initiated by serving a court attendance notice rather than by arresting Monis. The Coroner was later critical of this decision which increased the likelihood that Monis' bail would continue.<sup>82</sup> The Coroner noted that in no instance was an application made to review or revisit the grants of bail made in favour of Monis: 'there were deficiencies in the way prosecutions dealt with the question of bail for the sex charges, including not even opposing bail when the most numerous and serious of those charges came before the court'.<sup>83</sup> The Coroner concluded:

As charges against him accumulated, a reassessment of the risk Monis posed was warranted. Instead, with the prosecution's consent, his bail on the initial murder and sex charges was extended, and the fresh sex charges were looked at in isolation.<sup>84</sup>

In examining whether the outcome would have been different if Monis' bail applications had been handled differently, the Coroner highlighted that the inquest 'necessarily focussed on mistakes and missed opportunities' and concluded: 'at times ODPP [Office of the NSW Director of Public Prosecutions] lawyers did not approach Monis' bail application in the most effective way, and that investigating officers made some mistakes that affected the question of bail and then missed opportunities to correct them'.<sup>85</sup>

Between 2010 and 2014, Monis received eight separate grants of legal aid funding.

In October 2014, the Family Court granted full custody of Monis' two children to their maternal grandparents.

On 17 November 2014, Monis posted a brief statement in Arabic on his website:

I pledge my allegiance to God, his Messenger, and the Caliphate of the Muslims. Peace be upon the Commander of the faithful and the Caliph of the Muslims, the Imam/preacher of our time.

In the month before the siege, Monis established a Twitter account and posted 157 Tweets, several of which contained links to videos including confronting images of the bodies of children lying in ruined buildings. In the first week of December 2014, Monis posted a photo of dead children on his Facebook page which was captioned 'evidence for terrorism in America and its allies including Australia, the result of their airstrikes'. Monis also made an obscure post on his website which has been interpreted to suggest that he had converted from Shi'a to Sunni Islam: 'I used to be a Rafidi, but not anymore'. The Arabic word 'Rafidi' can be translated as 'rejectionist' or 'heretic' and is sometimes used by Sunni Muslims as a derogatory term for Shi'ite Muslims.

On 6 December 2014, Monis posted on Twitter: 'Islam is the religion of peace, that's why Muslims fight against the terrorism of America and its allies'. On 8 December 2014, Monis posted: 'This is team Islam against Australian oppression and terrorism'. On 9 December 2014, Monis posted 'Shame on those racist and terrorist Australians who support the governments of America and its allies'.

Between 9 and 12 December 2014, the National Security Hotline received 18 calls and emails related to Monis drawing attention to his Facebook page. All of these calls and emails were referred to ASIO and the AFP, and some were also forwarded to the New South Wales Police Force. The Coroner found that whilst Monis' Facebook page contained confronting and provocative content,<sup>86</sup> they did not indicate a capability, desire or intent by Monis to undertake an act of 'politically motivated action or violence by Monis'. The Coroner made further specific reference to 10 and 11 December 2014 and found nothing on Monis' Facebook page that 'indicated an increased level of threat or imminent plans for politically motivated action or violence'.<sup>87</sup> The Coroner concluded:

There was frequent interaction between various law enforcement and security

agencies and Monis in the years leading up to the siege. The response of the AFP and the NSW [Police Force] was proportionate to what they knew or should have known about Monis at the time.<sup>88</sup>

On 12 December 2014, Monis appeared in the High Court sitting in Sydney in relation to his appeal from the decision of the NSW Court of Criminal Appeal relating to the convictions for the postal offences. Monis' application to remove the appeal to the High Court was given only cursory consideration. In a terse dismissal, the High Court held that it was not desirable to make any further comments on any preclusionary principles in relation to Monis' case.<sup>89</sup> It can be speculated that having exhausted his options for appealing his postal offences and being charged with offences related to the murder of his ex-wife and multiple sex offences, Monis may have had the very real concern that his bail may be revoked at any time.

Two days later, on 14 December 2014, the day before the siege, Monis made his final post on his website with the same photograph of the dead children he had used earlier:

Islam is the religion of peace, that's why Muslims fight against the oppression and terrorism of USA and its allies including UK and Australia. If we stay silent towards criminals we cannot have a peaceful society. The more you fight with crime, the more peaceful you are. Islam wants peace on the Earth, that's why Muslims want to stop terrorism of America and its allies. When you speak out against crime you have taken one step towards peace.<sup>90</sup>

On 14 December 2014, Monis' behaviour appeared unremarkable. During the afternoon, he reported to Campsie Police Station as required by his bail conditions. He withdrew the balance of \$850 from his bank account and purchased the \$70 backpack which he wore during the siege. Since he was found to have only \$120 in his wallet after the siege, it has been speculated that he also purchased the

unregistered 1950s-era Manufrance LaSalle 12-gauge pump-action shotgun, possibly from an acquaintance he made during his association with the Rebels OMCG. The shotgun held three cartridges in the magazine and one in the breach; the butt and barrel had been crudely sawn off. The inquest did not establish what Monis did on the night before the siege or with whom, if anyone, he met or how he got to the Sydney central business district on the morning of 15 December 2014.

### *The Lindt Cafe Siege*

From 8:26 am on 15 December 2014, Monis' movements were captured by eight separate cameras in Martin Place. At 8:33 am, he entered the Lindt Cafe. Sometime before 9 am, he ordered tea and went to the toilet. Shortly before 9:40 am, he asked to speak with the manager and, soon after, he pulled out a sawn-off shotgun and ordered the doors to the cafe locked. At 9:41 am, Monis told the cafe manager Tori Johnson to call the 000 emergency number using Monis' phone and read from handwritten instructions which Monis brought to the cafe. The instructions were recovered intact after the siege:

Australia is under attack by Islamic State. There are 3 bombs in three different locations Martin Place, Circular Q and George Street. I want to contact other brothers and ask them not to explode the other two bombs but I can't contact them because they don't carry mobile phones with them. They have radio with them, I can say through [sic] Radio ABC. The plan is to request Tony Abbot to call them or me, and to have a debate while it is broadcast live on ABC national Radio. So that's why they have radio, and the best way to contact them is by my voice message to announce that they should not explode the bombs. They listen to me anything I tell them. The device placed inside the Radios is another way of exploding the bombs [sic].<sup>91</sup>

The handwritten instructions were scrawled across two pages in a crude, non-cursive style which appeared to have been

composed hurriedly. Monis then addressed the hostages (8 staff and 10 customers), saying words to the effect of:

Everything's going to be all right. You are all safe. The manager is talking to the police so do not panic, everything is going to be all right. There is a bomb here. ... There are other bombs as well. One is at Circular Quay and another one at Town Hall.<sup>92</sup>

Monis told the hostages he had a bomb in his backpack, which he did not take off during the siege. He ordered the hostages to produce their mobile phones which he later ordered them to use to send text and Facebook messages to their families and the media. Monis did not collect all the mobile phones, which enabled some of the hostages to send Facebook and text messages surreptitiously during the siege. Monis first demanded an audience on ABC radio with the Prime Minister. Later, Monis demanded that the flag of Islamic State be brought to the cafe.

At approximately 11:30 pm, a police officer who had been involved in the investigation into the murder of Monis' ex-wife was watching the live television coverage of the siege when he thought he recognised Monis and notified senior police. It was not until approximately 2:30 pm that NSW Police commanders confirmed Monis' identity.<sup>93</sup>

At 12:25 pm, a hostage rang a radio station and at 12:28 pm, the same hostage rang 000 to pass on a demand from Monis for police to move back from the cafe. After Monis ordered a female hostage to hold up a handwritten message ('Leave or he will kill us all. Please go'), police retreated from their forward positions.<sup>94</sup> At 12:56 pm, a hostage rang 000 and conveyed Monis' demand that all vehicles parked near any window of the Lindt Cafe be removed. It was not until 5 pm that all the vehicles including an Armaguard truck was driven out of Phillip Street.<sup>95</sup>

In a special lunchtime edition, *The Daily Telegraph* featured the front-page headline: 'Death Cult CBD Attack: IS takes 18 hostages

in city cafe siege'.<sup>96</sup> At 12:57 pm, referring to what he described as a 'disturbing incident', during a press conference after a meeting of the national security committee in Canberra, Prime Minister Abbott said 'there were some indications that the incident could be politically motivated'.<sup>97</sup>

At approximately 3:37 pm, two hostages escaped through the front entrance of the cafe and a third escaped through the side fire exit. At 4:58 pm, two female hostages escaped through the building foyer entrance of the cafe. Even after five hostages had escaped, although he was angry and increasingly agitated and intermittently threatening towards his hostages, Monis did nothing.

At 6:30 pm, during an ABC radio interview, when asked whether police had been in contact with the gunman, the New South Wales Deputy Police Commissioner (Special Operations) answered:

We've been in contact throughout the day in various forms and it's an important part of our negotiation that we do not talk about some of the tactics or information that is being passed. But this is a very, very well tested system of negotiation that we use, it is world class and it might take a little bit of time but the safety of those people inside is what is paramount.<sup>98</sup>

In fact, police negotiators never had any direct communication with Monis. From the first call police negotiators made to the cafe, they sought to speak directly to the hostage-taker. On some occasions, whilst speaking with hostages, negotiators explicitly asked to speak to the hostage-taker. Monis always refused these requests. At 4:25 pm, after Monis' identity had been established, a police negotiator asked to speak with 'Sheikh Haron', and the call was abruptly terminated. After the fifth hostage escaped, other than again relaying Monis' demand for the Islamic State flag, the hostages had no contact with police negotiators until 8:38 pm, when one of the hostages called the police negotiator and relayed Monis' new demand: 'turn the street

lights off or he will kill a hostage' before the call was abruptly terminated.<sup>99</sup>

At 9:40 pm, Monis' partner, Anastasia Droudis, was detained by police. Although the necessary authorisations for a search of Monis' bail address at Wiley Park had been granted under the Terrorism Police Powers Act 2002 (NSW), police hesitated to commence the search of the property until 11:22 pm.<sup>100</sup> The search found no extremist literature or anything to confirm that Monis had a bomb, and police found no evidence that Monis was connected with or had been communicating with any terrorist organisation or that he had left any terrorist-related message.<sup>101</sup>

During phone calls at 12:35, 12:45 and 12:53 am on 16 December 2014, hostages again relayed Monis' earlier demand that the lights in Martin Place be turned off. At 1:12 am, a hostage called the police negotiators pleading for the lights to be turned off, saying that she would be 'shot in 15 minutes' if that did not occur.<sup>102</sup> The street lights were never turned off.

At 1 am, the police embargo on publically naming Monis as the 'gunman' was lifted. At 1:43 am, Tori Johnson texted his partner: '[Monis] increasingly agitated'.<sup>103</sup> During the early evening, police utilised a covert listening device in the cafe which picked up Monis saying that he would kill any escaping hostages. At 2:03 am, 16 hours into the siege, six hostages fled through the foyer exit, the door of which had remained unlocked since the previous hostage had escaped. As the hostages rushed through the doorway, Monis fired a shot which shattered the glass high above the Martin Place foyer doors. Monis did not appear to have aimed at any of the fleeing hostages and he did not pursue the hostages or take a second shot. At 2:11 am Monis fired another shot towards the kitchen high into the wall and was heard on the police listening device reloading his shotgun. At that time, the twelfth hostage escaped through the front door, leaving only 6 of the original 18 hostages inside the cafe.



At 2:13 am, Monis ordered Tori Johnson to kneel on the floor with his hands on his head.<sup>104</sup> The police listening devices captured Monis saying 'you'll be right, everyone ... you'll be fine' immediately before he shot Mr Johnson from behind before pumping the shotgun to reload. The shooting was witnessed by a police sniper, who reported 'hostage down'.<sup>105</sup> The Night Forward Commander immediately ordered the 'Emergency Action', and police armed with M4A1 carbines deployed 11 'flashbang' stun grenades as they stormed the cafe.<sup>106</sup> Monis fired two shots at police as they entered the cafe, but neither struck any of the officers or hostages. Monis was later found to have 21 assorted shotgun cartridges in his pockets. One of the hostages, Katrina Dawson, was fatally wounded after she was struck by fragments of bullets fired by police.<sup>107</sup> The Coroner noted that Monis' backpack contained 'a stereo speaker with some wires emerging in the usual way from the back'.<sup>108</sup>

## Discussion

### *Definition of 'Terrorism'*

Whilst there is no universally accepted definition of 'terrorism',<sup>109</sup> the passage adopted by the European Union offers a useful foundation:

Intentional acts that are committed with the aim of seriously intimidating a population, or unduly compelling a Government or international organization to perform or abstain from performing any act, or seriously destabilizing or destroying the fundamental political, constitutional, economic or social structures of a country or an international organization.<sup>110</sup>

Stressing the importance of 'fear' and 'intimidation', Poland has offered a more emotive definition of terrorism:

Terrorism is the premeditated, deliberate, systematic murder, mayhem, and threatening of the innocent to create fear and intimidation in order to gain a

political or tactical advantage, usually to influence an audience.<sup>111</sup>

Distinguished professor of psychiatry and political psychology, Jerrold Post, has proposed a more succinct definition:

Terrorism ... is violence or the threat of violence against non-combatants or property in order to gain a political, ideological, or religious goal through fear and intimidation.<sup>112</sup>

In an edition of *Inside Terrorism*, Bruce Hoffman, who gave expert evidence during the inquest, highlighted that the critical distinction between terrorism and other acts of violence is the 'purpose' of the terrorist act.<sup>113</sup> Hoffman emphasised that terrorism is violence, or the threat of violence, which is 'ineluctably political in aims and motives', designed to have 'far-reaching psychological repercussions beyond the immediate victims or targets' perpetrated by 'individuals or a small collection of individuals influenced, motivated, or inspired by the ideological aims or example of some existent terrorist movement'. The terrorist seeks to affect change through the intimidation of a wider 'target audience' of 'non-combatants'.<sup>114</sup>

There is no consensus as to whether 'motive' should be included in any definition of 'terrorist act'.<sup>115</sup> Terrorists can be broadly divided between the categories of religious or political groups. Terrorists engage in asymmetric warfare unrestrained by laws and international conventions. The intention of the terrorist may be to provoke a disproportionate reaction or repression from a government which may trigger a process of escalation.<sup>116</sup> The terrorists' ultimate aim may be far beyond what can reasonably be achieved. Referring to 'absolute terrorists' as those whose attacks are 'non-instrumental', Zartman has emphasised that the self-contained act of the 'absolute terrorist' is completed when it has occurred and is not a means to obtain some further goal.<sup>117</sup> As well as the restoration of the



caliphate and the removal of all western forces from Muslim lands, the aims of Islamic State include the destruction of the state of Israel. It is these unrealistic demands which make impossible any negotiation with Islamic State terrorists.<sup>118</sup>

### ***Definition of 'Terrorism' in the Criminal Code Act 1995 (Cth)***

Prior to the '9/11' attacks in the United States, Australia had no national counter-terrorism legislation. Since 2001, the Federal Parliament has enacted over 40 new counterterrorist statutes. In July 2002, the Security Legislation Amendment (Terrorism) Act 2002 (Cth) amended the Criminal Code (Cth) to include a definition of a 'terrorist act'.

In most criminal offences, 'motive' is considered distinct from the element of 'intention' and may, at most, be only circumstantially relevant to intention. However, motive is a key feature of the statutory definition of a 'terrorist act'. Section 100.1 of the Criminal Code (Cth) defines 'a terrorist act' to be an action (or threat of action) done or made with two specific intentions:

1. the intention of advancing a political, religious or ideological cause, and
2. the intention of coercing, or influencing by intimidation, the government of the Commonwealth or a State, Territory or foreign country or intimidating the public or a section of the public

By s 100.1 (2), to constitute a terrorist act, the action must also do one (or more) of the following:

- cause serious physical harm to a person other than the offender
- cause serious damage to property
- cause death or endanger another's life
- create a serious risk to the health or safety of the public
- seriously interfere with, disrupt or destroy an electronic system (including, but not limited to, an information

system; a telecommunications system; a financial system; a system used for the delivery of essential government services; a system used for, or by, an essential public utility; or a system used for, or by, a transport system).<sup>119</sup>

By s 100.1(3), an action that is 'advocacy, protest, dissent or industrial action' falls outside the definition of a terrorist act.

In *Lodhi v The Queen*,<sup>120</sup> the New South Wales Court of Criminal Appeal emphasised that the intentions in relation to 'advancement' and 'coercion' attach to the terrorist act itself and not to the state of mind of the accused as the accused was engaged in the conduct which constitutes the offence. Spigelman CJ emphasised (at [90]) that the references to 'intention' in the definition of 'terrorist act' were not fault elements of the offence, but rather they identified the character of the action or threat of action that fell within the definition of 'terrorist act' and the prosecution was not required to particularise the person who had the relevant 'intention' because the identity of that person may not be known.<sup>121</sup> As at February 2015, 45 men, almost all of whom identified as Muslim, had been charged under Australia's terrorism laws for preparatory conduct, and 26 had been convicted.<sup>122</sup>

### ***Typology of Domestic Terrorists***

Domestic terrorist attacks can be usefully divided into one of three functional categories—directed, enabled or inspired. The co-ordinated attacks across Paris in November 2015 (the deadliest terrorist attacks on European soil since the March 2004 Madrid bombings which killed 192 people), were clearly an 'Islamic State-directed attack'. The plot was conceived in the 'caliphate' and carried out by well-armed operatives, some of whom had trained in Syria.<sup>123</sup> In an 'enabled terrorist attack', the attacker or attackers have direct, usually online communication with a known terrorist organisation which may include planning or logistical support and may even include the supply

of weapons or bomb components.<sup>124</sup> For example, in April 2017, Lebanese-Australian Khaled Khayat started communicating with an Islamic State operative in Syria and arranged for high-end military-grade explosives to be sent by air cargo from Turkey to Sydney.<sup>125</sup> Khayat subsequently also received instructions on how to construct a bomb concealed in a kitchen meat mincer which he planned to put in his brother's check-in luggage on an Etihad flight out of Sydney to Abu Dhabi on 15 July 2017. In the 'inspired terrorist attack', although the attacker, who is sometimes inaccurately dubbed a 'self-starter', may not have direct contact with a terrorist organisation, by accessing the propaganda material, statements or directions of the organisation, the attacker is inspired to action in support of the aims of that terrorist organisation.

However, closer forensic examination of what may appear to be an 'inspired attack' may also reveal that the violent act was actually motivated solely by some personal issue and that the narrative that the attacker has created, or that has been created for them, are *post hoc* formulations.

### **Islamist Radicalisation**

The term 'radicalisation' refers to the process by which beliefs and motivations change to 'an extremist viewpoint in which an individual or group is willing to countenance or engage in violence in pursuit of their goals'.<sup>126</sup> There is no accepted profile for the radicalised domestic Islamist terrorist.<sup>127</sup> Innes et al have proposed a situational model of Islamist radicalisation in which various circumstances converge to create a 'radicalization window' in which an individual may identify with the *ummah* (an imagined global Muslim community) in the context of a discourse of global injustice against Muslims which is further fermented by jihadist propaganda on the Internet or social media.

The inquest heard expert opinion which cited research by Neumann, who has identified common themes in radicalisation trajectories:

- perception of grievance; for example, conflicted identities, injustice, oppression, or social exclusion, which can make an individual receptive to extremist ideas
- adoption of an extremist narrative or ideology that speaks to the grievance
- and provides a compelling rationale for what needs to be done; and
- social and group dynamics – radicalisation often occurs in a dense, small network of friends, and extremist ideas are more likely to resonate if articulated by a credible or charismatic leader.<sup>128</sup>

Further research into Islamist radicalisation has elaborated other significant factors including 'enabling environments and support structures'<sup>129</sup> and communication and indoctrination over the Internet and social media.<sup>130</sup>

In a study of 12 individuals convicted of terrorist-related offences in Australia, Porter and Kebbell examined a number of features including the ideas and attitudes that legitimised violence against westerners.<sup>131</sup> An obligation to engage in 'jihad' (holy war) to defend their faith 'against infidels' or 'martyrdom' (dying for *jihad* which brought great reward, including the forgiving of all sin and entry into paradise)<sup>132</sup> were identified, as was the theme of 'retaliation' against political and military policies of the West including Australia's troop commitments to the coalition forces in Afghanistan and Iraq. Porter and Kebbell also speculated that some individuals may also be looking for purpose, acceptance or justification for their criminal lifestyle including attitudes that support the use of violence or beliefs of superiority over the *kuffar* or 'non-believers'.<sup>133</sup>

### **Australian Islamic State-Connected Terrorist Plots**

The majority of convicted Australian jihadists have been aged between 18 and 35 at the time of their arrest, and the youngest was aged

20.<sup>134</sup> Monis was aged 50 at the time of the Lindt Café siege. Whilst there are several Australians still awaiting trial for Islamic State-connected terrorist plots, there is a small cohort in which details of the attackers and their planning are known.

The terrorist plotters intercepted by Operation Pendennis in 2005 belonged to a self-contained group which sought guidance from Algerian-born self-proclaimed Sunni cleric Abdul Nacer Benbrika,<sup>135</sup> while the terrorists who plotted an attack on the Holsworthy army base in 2009 had links with Somalian al-Shabaab insurgents and had sought a ‘fatwa’ (religious edict) from a Somalian cleric.<sup>136</sup>

### ***Abdul Numan Haider***

On 23 September 2014, the day after Islamic State spokesperson al-Adnani called for *muwahhidn* in Europe, America, Australia and Canada, 18-year-old Abdul Numan Haider was shot dead by two counter-terrorism officers outside a Melbourne suburban police station. Having agreed to meet the officers to discuss his passport being cancelled the previous day, Haider pulled a knife and stabbed both officers before he was shot dead. The black flag on which was written the words of the *shahada* (‘There is no God but Allah and Mohammed is the messenger of God’) was found in Haider’s clothing. Haider and his family came to Australia as refugees from Afghanistan.<sup>137</sup> Haider had been a good student who played sport and was popular with his peers. His family were devout Muslims, and he regularly worshipped at his local mosque in Hallam. In 2014, Haider began attending lectures at the fundamentalist Al-Furqan Centre in Springvale which was known for its strict interpretation of the Koran. Unlike at the Hallam Mosque, the lectures at the Al-Furqan Centre were politicalised and focused on the conflict in the Middle East and the fate of Muslims. Prominent Islamic State recruit Neil Prakash became associated with the Al-Furqan Centre.<sup>138</sup> In June 2014, Haider first attracted

the attention of security and law enforcement agencies and, on 31 July 2014, ASIO agents visited him in the family home and advised him not to associate with extremists. Haider was one of more than 40 Australian citizens whose passports were cancelled due to concerns that they would leave Australia to join Islamic State. The Victorian Coroner heard that, shortly before his death, Haider accessed websites containing ‘radicalised Islamic ideology’ which showed shooting executions and beheadings and contained recruitment propaganda. Haider also accessed material on his mobile phone including graphic instructions from Islamic State on how to kill and maim. A week before the attack, Haider had been seen by police at a Dandenong shopping plaza waving a black flag. When questioned, Haider told police that whilst he was ‘not going to blow up the shopping centre today’, he was angry about the recent ‘Operation Appleby’ raids across Sydney.

### ***Omar al-Kutobi and Muhammad Kiad***

In 2009, Iraqi-born Omar al-Kutobi arrived in Australia on a fake passport and was granted asylum. In 2012, Muhammad Kiad arrived in Australia on a temporary Spouse visa, having married an Australian citizen in Kuwait. In July 2013, he was granted a permanent Spouse visa. Al-Kutobi and Kiad later lived together in Fairfield and initially did not come to the attention of police or security agencies. After making contact with a person whom they believed to be an Islamic State recruiter, al-Kutobi and Kiad initially indicated an intent to travel to Syria to fight with Islamic State before turning their attention to planning a petrol bomb attack on a Shi’ite prayer centre in western Sydney. They used multiple communication devices and addresses, swore allegiance to Abu Bakr al-Baghdadi, created an Islamic State flag and made a martyrdom video before they were arrested in February 2015.<sup>139</sup>

### **Sevdet Besim**

Sevdet Besim was born in Dandenong in January 1997. Although his Albanian-Australian parents identified as Hanafi Muslims, the family were not strict adherents to their faith.

In year 10 at high school, Besim began attending the Al-Furqan Centre where he befriended Neil Prakash and Abdul Numan Haider. Besim met with Haider only hours before Haider was shot by counter-terrorism officers on 23 September 2014. After Haider's death, Besim decided to go to the Middle East and fight for Islamic State. When his passport application was refused, as had occurred with Haider, Besim turned his attention to plotting a domestic terrorist attack. Subsequent police analysis of Besim's mobile phone revealed that, on 28 January 2015, he created an electronic memorandum which amounted to a *bay-'ah* (pledge) of allegiance to Abu Bakr al-Baghdadi and began downloading digital editions of the Islamic State magazine *Dabiq*. In February 2015, Besim began using the encrypted messaging app Telegram to communicate with another terrorist, 'S', in the United Kingdom. In March 2015, 'S' sent Besim a message referring to a terrorist attack at the National Museum in Tunis, Tunisia in which 22 people were killed. Besim later began making Internet searches on the ANZAC Day commemorations to be held in Melbourne which included references to the Dawn Service, the Shrine of Remembrance and Camp Gallipoli. During his subsequent sentencing, evidence was presented that showed Besim planned to kill a police officer on ANZAC Day by deliberately running him down in his vehicle and then beheading him 'to make sure the dogs remember this as well as [their] fallen heroes'.<sup>140</sup> On 11 April 2015, Besim made the first of a series of social media posts in which he referred to targeting the AFP and Victorian police. On 13 April 2015, Besim made a further social media post quoting the Koran about those who had been killed in the cause of Allah and rejoicing in

their death. He also accessed a video entitled 'The Crisis of ISIS & Black Flag: A Prophetic Prediction'. On 14 April 2015, the home screen on Besim's mobile phone featured the Islamic State flag, and on 17 April 2015, Besim completed a martyrdom message on his mobilephone which set out his reasons for his planned attack and his expectation that he would die in the course of the attack and instructions to his family on how he wished to be buried.<sup>141</sup>

In the early hours of the morning of 18 April 2015, members of the Special Operations Group arrested Besim at his family's home in Hallam. Police searches found a Rambo knife with a 40-centimetre blade under the driver's seat of his vehicle and a locking tactical knife in the glovebox. In the bedroom, police found a Taser disguised as a black iPhone, a large black flag containing the *shahada* in white Arabic writing, 10 Islamic textbooks and various Islamic documents. Analysis of various electronic items revealed an extensive Internet search history of extremist material and numerous images, audio files, videos and pdf documents.<sup>142</sup>

### **Farhad Jabar**

Farhad Khalil Mohammad Jabar was born in Iran of Iraqi-Kurdish descent in January 2000. He was described by his year 10 classmates at Arthur Phillip High School in Sydney as a quiet, often upset-looking solitary youth who was occasionally bullied. He accessed social media via his Arabic name, Abu Zaid. On 2 October 2015, he was aged only 15 when he attended the Parramatta Mosque as he had done frequently. He changed into black robes before walking to the nearby police headquarters where he shot dead civilian police administrator Curtis Cheng. A bloodied suicide note was found on Jabar's body which featured standard jihadist phrases.<sup>143</sup> Jabar's sister Shadi, who drafted the suicide note, left Australia the day before the attack and was reported to have been killed in a United States airstrike in Syria in the following year along

with her Sudaneseborn Islamic State jihadist husband.

All these Islamic State-connected terrorist plots in Australia shared similarities in their preparation, methods and targets, and all demonstrated a clear Islamic State-inspired terrorist intent. Haider and Jabar attacked outside a police station, Besim planned to behead a police officer during ANZAC Day commemorations whilst al-Kutobi and Kiad planned to fire-bomb a Shi'a prayer hall.

### *Terrorist Acts Claimed by Islamic State*

During the uprising against the Assad regime, the plethora of anti-government groups made it difficult to determine enduring group loyalties. Islamic State grew out of the old al-Qaeda in Iraq (AQI)/Islamic State in Iraq (ISI) that established a secret branch in Syria, operating as Jabhat al-Nusra (JAN). A move by the Islamic State leader Abu Bakr al-Baghdadi to rename his group Islamic State in Iraq and ash-Sham (ISIS) and reveal the link to JAN led to an irrevocable split between al-Baghdadi and the al-Qaeda leadership which subsequently saw JAN and ISIS take up arms against the other.<sup>144</sup> But less than a fortnight after the Lindt Cafe siege, despite Monis declaring through one of his hostages that Australia was 'under attack by Islamic State', al-Qaeda was the first terrorist organisation to acknowledge Monis' attack. On 28 December 2014, the al-Qaeda magazine *Inspire*<sup>145</sup> referred to Monis:

After years of peaceful protest in Australia, a... Muslim takes dozens of hostages in a cafe for 16 hours.<sup>146</sup>

On 30 December 2014, the sixth edition of *Dabiq*, the Islamic State online propaganda magazine, also lauded Monis' actions in joining the 'mujahidin' in their 'war against the crusader coalition'.<sup>147</sup> Although Islamic State did not assert any connection with him, Monis was acclaimed for having 'brought terror to the entire nation' and erased his history of

'shirk and transgression'. The magazine featured a full-page colour photograph of Monis and quotations attributed to him.

After inaccurately describing Islamic State as having 'claimed' Monis' siege, the Coroner qualified that observation by adding 'this claim is of questionable significance because it occurred after the siege'.<sup>148</sup> The Coroner referred favourably to the evidence of Bruce Hoffman who opined that 'Islamic State does not arbitrarily claim the acts of anyone asserting *jihadi* objectives, but reserves its avowed affiliations for those who have some degree of connection to [Islamic State]'.<sup>149</sup> This assertion by Hoffman is quite erroneous. It is well recognised that Islamic State needs no connection with perpetrators of violence to claim an attack in its name.<sup>150</sup> Surpassing al-Qaeda,<sup>151</sup> Islamic State has become adept in its use of the Internet, social media platforms and viral marketing<sup>152</sup> for both recruitment and propaganda, including its strategy of portraying itself as an organisation with a global reach.<sup>153</sup>

By opportunistically claiming responsibility *post hoc* for lone-actor attacks outside of the Middle East war zones, Islamic State hopes to maintain its relevance as it continues to be degraded.<sup>154</sup> Typically, Islamic State first claims the 'attack' on the *Amaq* news agency via social media and then posts video,<sup>155</sup> audio, text messages, tweets<sup>156</sup> or screenshots from the perpetrators pledging an oath of 'allegiance' or loyalty (*bay'ah*) to al-Baghdadi, the 'caliph'. Subsequently, the perpetrators are extolled in the Islamic State online magazines – originally in *Dabiq*<sup>157</sup> which was first published in four languages through the Al-Hayat Media Centre in July 2014, or after September 2016, the more polished *Rumiyah*<sup>158</sup> – using stock format phrases like 'soldiers of Islam' responding to the call to target the 'crusaders' or 'citizens of the coalition countries'.<sup>159</sup> In November 2014, Islamic State released a short film featuring Mohammed 'Jihadi John' Emwazi and the infamous mass decapitation of 22 captured Syrian Army soldiers. The highly professional production was likely to have taken up to six



hours of filming and editing and was estimated to have cost US\$200,000 to produce.<sup>160</sup>

In July 2016, Islamic State distributed a video which appeared to show the Eiffel Tower on fire and claimed responsibility for the attack.<sup>161</sup> However, French police promptly released a statement confirming that the dramatic image actually depicted a Bastille Day firework display.

In June 2017, Jessie Carlos was a 42-year-old married father of three and former government Filipino finance employee who had lost his job owing more than US\$80,000. After his family had arranged for him to be banned from casinos because of his gambling addiction, he entered a casino hotel near the airport in Manila and fired shots and set fire to gambling tables before stuffing casino chips worth more than US\$2 million into his backpack. Most of his 23 victims died of suffocation from smoke. *Amaq* announced that 'Islamic State fighters carried out' the attack and a later statement boasted about the number of 'Christians killed or wounded' before the gunman 'took his life'.<sup>162</sup>

Within a week of the then deadliest mass shooting in United States history in October 2017, in which nearly 60 people were killed in Las Vegas, *Amaq* claimed that 64-year-old real estate millionaire and high-stakes gambler Stephen Paddock was 'a soldier of the Islamic State' and had carried out the 'operation in response to targeting coalition countries'.<sup>163</sup> Jihadoscope, which monitors jihadi cyber activity, confirmed that *Amaq* also claimed that the 'Attacker of Las Vegas converted [to Islam] several months before'. The FBI and Paddock's family have debunked any suggestion that he had converted or had any connection with any Islamist extremist group.<sup>164</sup>

### ***The 'Lone Actor' Terrorist***

In nature, wolves are social animals that usually hunt in mated pairs or packs. In wolf packs, the dominant alpha male and female may victimise the submissive omega wolf, the lowest in the pack hierarchy, who may end up

leaving the pack to hunt alone.<sup>165</sup> Jenkins has argued that the term 'lone wolf terrorist' is a 'romanticising term' that suggests a 'cunning and deadly perpetrator when this is not often the case'.<sup>166</sup>

There is a burgeoning literature on lone-actor terrorists.<sup>167</sup> The anomic lone actor negotiates a different radicalisation. As Spaaji has suggested, unlike in the small conspiratorial terrorist group or cell, the lone actor often becomes radicalised within their own attainable means, including violent online sermons and an idiosyncratic reverence for some identified terrorist movement or leader, and adopts tactics and methods without any direct outside command or direction.<sup>168</sup>

The lone-actor terrorists may have a range of personal grievances and may adopt or seek validation or legitimisation by identifying with a recognised terrorist organisation or terrorist agenda even though the individual may have no direct or indirect communication or even any real affinity with any terrorist organisation or agenda.<sup>169</sup>

Pantucci has emphasised that whilst they may appear to act alone and without any external instigation or support, most so-called 'lone actors' demonstrate some degree of contact with operational extremists.<sup>170</sup> '[T]hey may appear to be troubled individuals who seek solace in the extremist ideology – an ideology that while for the most part remains self-taught, also appears to be reinforced through online contact with extremists'.<sup>171</sup> A study of 112 cases of individuals indicted for Islamic State-related terrorist offences in the United States between March 2014 and August 2016 found that more than 80% watched Islamic State propaganda videos including lectures by terrorist leaders or execution videos.<sup>172</sup>

Highlighting the ease with which an individual may access extremist dogma on the Internet or social media and even technical information or online manuals for bomb-making, Sageman has observed: 'The internet has



dramatically transformed the structure and dynamic of the evolving threat of ... terrorism'.<sup>173</sup> Brachman has coined the term 'jihobbyists' to disparage those individuals who relate anonymously with others online in support of real-world extremists.<sup>174</sup>

### ***The 'Lone Actor' Terrorist – 'Leakage' and Broadcasting Intent***

An early study of foiled terrorist attacks in America suggested that more than 80% were initially discovered by law enforcement agencies or the general public.<sup>175</sup> A subsequent study found that, on average, terrorist incidents are preceded by at least two activities that authorities register.<sup>176</sup> Hamm found that even skilled terrorists leave clues as to their violent intentions, either through poor 'tracraft',<sup>177</sup> or to deliberately attract notoriety.<sup>178</sup>

Operational security refers to the behaviours by which a lone-actor terrorist minimises the likelihood of detection whilst planning or preparing an attack. 'Leakage' refers to behaviours by which a 'would-be' lone actor intentionally or unintentionally divulges their motivation, capability or resolve to commit a terrorist attack.<sup>179</sup> The most surprising finding of a recent study of the attack-planning and preparation of 55 lone-actor terrorists was the infrequency with which lone actors took operational security.<sup>180</sup> The study found:

- 86% communicated their radical or extremist convictions to others including family members, friends, colleagues or strangers online
- 58% indicated to others that they were involved in suspicious and potentially violent activities
- one-third communicated a desire to commit an as-yet unspecified attack
- 49% came in contact with the authorities during the planning and preparation phase<sup>182</sup>

A study of 69 'post-9/11' cases which satisfied the strict criteria for 'lone-wolf

terrorists' found that in 70% of instances, the terrorists broadcast their intent before initiating the attack.<sup>181</sup> Hamm and Spaaij concluded that 'on balance, broadcasting intent is a trademark of lone wolf terrorists and, as an observable phenomenon, it can help (at least) give insight into lone wolf terrorism'.<sup>182</sup>

### ***The Case of Man Haron Monis – Not a Radicalised Terrorist***

Whilst noting that Monis' radicalisation was 'atypical, in that radicalisation is most commonly a social process and it is rare for a person to become radicalised alone',<sup>183</sup> the Coroner was satisfied that by the time of the siege, Monis had become radicalised.<sup>184</sup> The Coroner concluded that by adopting 'extreme violence' to influence government action and/or public opinion concerning Australia's involvement in the Middle East, that 'clearly brings his crimes within the accepted definition of terrorism'.<sup>185</sup>

However, all of the major assumptions made by the Coroner can be questioned. Fundamental to whether his actions constituted an act of terrorism is the question of Monis' intent. It is clear from his past history that Monis was entirely self-serving in the way he contrived to present himself in different contexts. His original visa application was fraudulent, and he later fabricated his claim for asylum to obtain a Protection visa. At the same time as he was very publically protesting and proselytising as a self-styled Shi'a cleric, Monis was operating as a 'spiritual consultant' which was a sham for his perversions as he victimised vulnerable women. Throughout his life, Monis was a compulsive liar. When he arranged the murder of his ex-wife, he developed an elaborate alibi for himself and continued to adopt the mantra of a principled anti-government protester. On this background, it is difficult to accept as genuine Monis' protestations against western foreign policy and the oppression of Muslims.

The inquest heard expert opinion evidence on fundamentalist Muslim extremism and

more particularly the most extreme form of radical Salafi Islam of Islamic State which is marked by its rectitude and intolerance. It is similarly difficult to reconcile Monis' narcissistic personality traits with him embracing a radical Islamist ideology which required his worshipful subordination.

As soon as he arrived in Australia, Monis actively pursued publicity and notoriety including contriving knowledge of sensitive intelligence. He was a prolific user of the Internet and social media, and he made inflammatory statements and sent offensive letters. But it is clear that his repeated and often erratically confected information linked to current affairs and world events was designed to attract not only police and security agencies but, more importantly, the attention of the media. Having staged sham protests and written offensive letters, Monis could portray himself firstly as a 'liberal cleric refugee' and later an 'anti-war' protester who was being harassed and discriminated against by the government and authorities. During his appeals against the postal offences, Monis claimed that he was 'persecuted' by the Australian Government and invoked spurious 'freedom of speech' arguments. Monis' protests can be clearly characterised as pretence. Whilst his florid protests and pronouncements would have been likely to have alienated the genuine pacifist or committed anti-war demonstrator, Monis' posturing was calculated to attract the attention of the media which he could manipulate later in his favour.

Arguably, Monis' greatest fears were that he would be extradited back to Iran to stand trial for the fraud offences or that he would be charged with sex offences against women who had attended his 'Spiritual Healing' business. Later, he would also have been preoccupied with the prospect of having his bail revoked after he was charged with aiding and abetting the murder of his ex-wife. In this context, Monis' attention-seeking can be reframed as disingenuous attempts to create the highly publicised *persona* of the victimised activist

and protester to which he could revert in the event that his past indiscretions caught up with him and he was remanded into custody.

### ***Man Haron Monis – Not a Devout Muslim, no Connection with the Islamic Community***

In 1997, when he first arrived in Australia, despite professing to be a Shi'a cleric, Monis also claimed that he was victimised in Iran for his association with the minority Ahmadi sect, a persecuted stream of Sunni Islam. Less than a year after he was granted a Protection visa, Monis began operating as a self-styled 'spiritual consultant' practising clairvoyance, astrology, numerology and 'black magic' which are activities entirely antithetical to his professed Muslim faith.

There is no evidence that Monis demonstrated any genuine religious zeal or commitment. During the inquest, no witness testified to observing Monis in solemn prayer or devotion. There was a short video that purported to show Monis and others receiving their white turbans during a religious ceremony in a *hawza* (a centre for scholarly learning in Iran). There are several levels of qualification that can be attained by those studying Shi'a. Whilst Monis may have achieved the level of *hojjat al-Islam*, there is no indication that he was ever actually granted an *ijaza* (certificate of scholarly achievement) issued by any teacher at any *hawza*.

Monis had no substantive links to the Islamic community. Indeed, during an interview on ABC, the founder of the Islamic Friendship Association of Australia said that Monis was considered 'damaged goods' and had been rejected by the Sydney Muslim community.<sup>186</sup> During an interview with the BBC, the Director of the Forum on Australian Islamic Relations described Monis as 'isolated' from the Muslim community in Australia. On 28 December 2007, the Australian Federation of Islamic Councils (AFIC) urged 'Sheikh Haron' to identify himself and stop exploiting freedom of speech to

attack mainstream Australia under the banner of Islam.<sup>187</sup> AFIC president Ikebal Patel said Muslim leaders feared that ‘Sheikh Haron’, whose website provided no insight into his identity or religious qualifications, would encourage others to adopt the *persona* of an Islamic spiritual leader to ferment controversy. Mr Patel said senior Muslim spiritual leaders from around Australia, including executives of the Australian National Imams Council, had been unable to confirm the identity of ‘Sheikh Haron’.

On 28 January 2008, after Monis attracted attention by sending offensive letters to the families of fallen Australian soldiers, the president of the Supreme Islamic Shi’a Council of Australia, Sheikh Kamal Mousselmani, told *The Australian* that Monis, who at that time referred to himself as ‘Ayatollah Manteghi Boroujerdi’, was not a genuine Shi’a spiritual leader (‘You take one look and think, he is an idiot’).<sup>188</sup> Sheikh Mousselmani was reported to have canvassed the Shi’a community in Australia and also inquired of religious schools in Iran (‘I’ve talked to our community and asked if they knew him, but they did not and even over there in Iran, they had not heard of him’). After highlighting that the content of Monis’ website showed what he described as, at best, ‘an amateur knowledge’ of Islam, Sheikh Mousselmani characterised Monis’ behaviour as ‘erratic ... not like a real sheikh’ and urged the AFP to investigate Monis’ identity.<sup>189</sup>

His appearance in Shi’a clerical garb at rallies and protests and his inane and prolix pronouncements could not mitigate the reality that Monis had no following and was held in contempt by his own Shi’a community and the broader Muslim community. Immediately after the siege, Dr Jamal Rifi, a senior Muslim community leader in Sydney, said Monis was not a sheikh: ‘He had no religious qualifications whatsoever. He has never been associated with any mainstream mosque, and he is not associated with any of our religious leaders whatsoever’.<sup>190</sup> Monis’ apparent association with

Hizb-ut-Tahrir was also likely to be nothing more than cynical opportunism. It has never been shown that Monis had any standing within Hizb-ut-Tahrir.

Whilst Monis had a long history of attention-seeking behaviours related to a number of causes, he demonstrated no deep attachment or commitment to any of these, and it is erroneous to conclude that any apparent connection with any group indicated any strongly held belief in that group’s ideals or objectives.<sup>191</sup>

After Channel 7 highlighted his pretensions as risible and his criticism of Australia’s foreign policy and military involvement in Iraq and Afghanistan as specious, Monis’ vitriol escalated as he vainly sought attention and credibility.

#### *Man Haron Monis – The Website*

An examination of Monis’ prominent website is also particularly revealing. The statements and proclamations on his website never demonstrated a sophisticated understanding of Islamic theology. The often rambling and obtuse references mixed up Sunni, Shi’a, Sufist and other Muslim terminology. Perversely, at one stage, an image of Osama bin Laden appeared on Monis’ website. Bin Laden, an adherent of Wahhabism, the strict doctrinaire form of Sunni Islam, had actually proclaimed that Shi’a Muslims (of which, at the time, Monis professed to be a cleric) were ‘heretics’ and, along with ‘America and Israel’, were the principal ‘enemies of Islam’.

#### *Man Haron Monis – The Request to Write to Caliph Ibrahim of Islamic State*

On 7 October 2014, the Federal Attorney General received correspondence from Monis in which he asked whether he could write to ‘Caliph Ibrahim’ of Islamic State. Referring to Monis’ letter, the Coroner found: ‘Monis exhibited a familiar behavioural pattern of writing controversial letters to holders of high office. Again this letter in itself is not necessarily suggestive of terrorist

intentions, but it does suggest a shift in Monis' thinking and perhaps an increasing identification with radical interpretations of Islam'.<sup>192</sup> This finding of the Coroner shows a very unsophisticated interpretation of a quite fatuous gesture by Monis on the day before he was charged with a further 37 sex offences. This gesture by Monis showed no shift in his thinking, only a shift in his attention to the most recent high-profile event on which he hoped to attract further attention to himself.

Rather than clearly declaring his allegiance to the 'caliph' (the leader of the Muslim community) or his support of Islamic State, Monis was ostensibly asking whether it was 'legal' for him to make some 'comments' and ask 'some questions' of the leader of Islamic State. Monis, who at that time professed to be a Shi'a cleric, was purporting to write 'a letter' to the leader of the militant Sunni forces which had been systematically destroying mosques and other sacred Shi'a sites and slaughtering minority Shi'a populations across northern Iraq.

### ***Man Haron Monis – Conversion from Shi'a to Sunni Islam?***

Less than two weeks before the Sydney siege, Monis self-identified as a Shi'a Muslim, the arch enemy of the Sunni extremist organisation Islamic State. The obscure reference Monis made in December 2014 to not being 'Rafidi anymore' can be characterised as the self-serving ploy of a fantasist who parlayed the jargon of Islamic extremist rhetoric in his disparate denouement. Pointedly, the Coroner did not make a finding that Monis had actually converted. In his findings, the Coroner referred to the evidence of an 'academic in Islamic studies' who was dubious about Monis' purported conversion from Shi'a to Sunni, given that Sunni Islamic State was well documented as having committed repeated atrocities against Shi'a Muslims in Iraq and Syria.<sup>193</sup> In this regard, the inquest was very poorly served by this opinion evidence.

It is impossible to overstate the importance of sectarianism in the strategic doctrine of Islamic State. Al-Zarqawi referred to Shi'a Muslims as 'a sect of treachery and betrayal'.<sup>194</sup> From the outset, al-Zarqawi believed that Islamic State attacks on the Shi'a populations in Iraq would not only undermine the new Iraqi Government and local support for the coalition forces, but the provocation would also highlight to Sunnis the perfidy and vindictiveness of the Shi'a.<sup>195</sup> Even after al-Zarqawi's death in June 2006, Islamic State's sectarian violence continued without restraint, targeting both Shi'a religious and political leaders as well as Shi'a civilian populations.<sup>196</sup> In May 2012, Islamic State spokesperson Abu Muhammad al-Adnani issued a statement: '[y]our first enemy is the [Shi'ites], and after them the Jews and the Crusaders'.<sup>197</sup> A year later, Abu Bakr al-Baghdadi announced: 'So rise, O lions of the Islamic State in Iraq and the Levant, and cure the frustration of the believers and attack the hateful Rafidah [Shi'ites], the criminal Nusayris, the Party of Satan [Shi'a Hezbollah] and those who come from Qum, Najaf and Tehran'.<sup>198</sup>

On 12 June 2014, it was reported that Islamic State captured and executed 1566 Shi'a Iraqi Air Force cadets in a base in Tikrit in north west Iraq.<sup>199</sup> In the five months between June 2014 when it announced the 'caliphate' and December 2014, Islamic State also committed mass atrocities on Shi'a minority civilian populations in Syria. The United Kingdom-based Syrian Observatory for Human Rights reported that in five months, 1429 people were pitilessly beheaded or shot dead in mass killings including women and children in the provinces of Aleppo, Deir Ezzor, Hama, Homs, Hasakah and Raqqa.<sup>200</sup>

### ***Man Haron Monis – No Pledge of Loyalty to Abu Bakr al-Baghdadi***

An oath of *bay'ah* (loyalty) is a regular feature of Islamic State terrorists.<sup>201</sup> The *bay'ah* is a pledge of loyalty to an individual, not to an organisation and may be recorded in a number

of ways.<sup>202</sup> In June 2012, 29-year-old Omar Mateen, who was born in New York to Afghan parents, was employed as a security guard when he phoned 911 dispatchers and pledged fealty to ‘Abu Bakr al-Baghdadi ... on behalf of the Islamic State’ before attacking a gay nightclub in Orlando, Florida and shooting dead 49 people.<sup>203</sup> Fellow jihadists used the Telegram app to promptly disseminate pictures of Mateen praising him as a martyr and ‘soldier of the Caliphate’. A trend soon developed on Telegram in which attacks were referred to under the hashtag ‘dar al-kuffar’ (home of disbelievers) as opposed to ‘dar al-Islam’ (home of followers of Islam).<sup>204</sup> Less than a fortnight after Tunisian-born Mohamed Lahouaiej-Bouhlel drove a truck through crowds celebrating Bastille Day in Nice, the killers of an 85-year-old French priest in Normandy recorded a video in which they pledged their loyalty to ‘Abu Bakr al-Baghdadi al-Husseini al-Qurayshi’ before the background of a handmade paper Islamic State flag.<sup>205</sup> In the week of the December 2015 mass shooting in San Bernardino, California, Syed Rizwan Farook and Tashfeen Malik, who were both of Pakistani descent, left a Facebook post in which they pledged allegiance to ‘Khalifah Abu Bakr al-Baghdadi al-Quraishi’.<sup>206</sup> In June 2016 during Ramadan, 25-year-old Frenchman Larossi Abballa stabbed to death a French police officer and his partner in their home in Magnanville, east of Paris. Three weeks earlier, Abballa had pledged allegiance to ‘Abu Bakr al-Baghdadi’ on Facebook, saying he would answer the call to ‘kill the infidels, at their homes with their families’. Before police stormed the house and killed him, Abballa made a video, which was the first live feed of an Islamist terrorist attack posted on Facebook.<sup>207</sup> *Amaq* news agency also later released the video. In December 2016, four days after Tunisian-born Anis Amri drove a truck into the Breitscheidplatz Christmas market in Berlin, killing 12 people and injuring 56 others, *Amaq* released a video

in which Amri had pledged allegiance to ‘Abu Bakr al-Baghdadi’.<sup>208</sup>

The wording of the brief pledge which Monis posted on his website on 17 November 2014 reveals more about his sense of self-importance and narcissism than any loyalty to the ‘caliph’. The Coroner incorrectly found that Monis pledged ‘allegiance to the [Islamic State] “Caliph” four weeks before the siege.’<sup>209</sup> In fact, Monis pledged allegiance only to ‘God, his messenger’ (presumably the prophet Muhammad) and ‘the Caliphate of the Muslims’, which suggests that Monis saw himself so self-importantly that he was not beholden to any mortal leader. Monis never referred to al-Baghdadi by name when he offered the generic salutation: ‘Peace be upon the Commander of the faithful and the Caliph of the Muslims, the imam/preacher of our time’. The wording of Monis’ pledge fell well short of implying any sense of a subordinate relationship.

***Man Haron Monis – No Leakage, no Broadcast of Intent, no Terrorist Message***

Nothing has ever been demonstrated to substantiate that Monis was even inspired by Islamic State. Contemporary Islamist terrorists in Australia who have self-affiliated with Islamic State have typically shown a propensity to download online video or audio material or social media content, including *anasheed* (Arabic poetry sung without music).

For their networking and clandestine communications, jihadists commonly use encrypted apps, like Telegram, WhatsApp or Zello.<sup>210</sup> However, Monis posted all his messages and correspondence on his publicly accessible website, presumably so that he could attract the widest lay audience. Narcissistically, Monis created videos that cobbled together excerpts of news reports of his activities and protests and his turgid monologues and correspondence to public figures.

There was no record of Monis ever having downloaded or viewed on his computer or mobile phone any videos or speeches from



radical Salafist clerics (as did convicted Australian terrorists Tamim Khaja, Ali al-Talebi, Omar Succarieh, Omar al-Kutobi and Mohammad Kiad) or any of the vast material produced by Islamic State or other extremists organisations.

Both the Joint Commonwealth–New South Wales Review and the New South Wales Coroner found that right up to the siege, as ASIO and law enforcement agencies continued to monitor his website and Facebook page, Monis gave no indication that he had formed an intent to commit a terrorist act. Although he had become a proficient and prolific user of the Internet and social media, Monis did not broadcast his intent before the siege, and he left no clear ‘terrorist message’. In his evidence to the inquest, a fraud- and cyber detective testified that he had examined Monis’ YouTube accounts and the websites Monis visited and his use of social media platforms and found no evidence of any online or social media ‘footprint’ or that Monis had any contact with Islamic State or any extremist or terrorist organisation.

Monis had a twitter account with the handle ‘@sheikh\_haron’ which was linked to an email account with the username ‘peaceactivist’. The cyber detective was able to use Twitter analytics to determine that, before the siege, Monis had only 12 followers. His first tweet in November 2014 was ‘please connect to me’, and his last tweet on 14 December 2014, the day before the siege, was a link to his website.

### ***Man Haron Monis – No Martyrdom Video, no Propaganda Message***

The ‘martyrdom video’ has become virtually synonymous with the preparation of Islamic State extremists before launching an attack.<sup>211</sup> Although Monis was prolific in his Internet postings and had also become quite adept at creating videos to upload on YouTube or on his website, he created no martyrdom video and left no propaganda message. An increasingly common feature of Islamic State-inspired terrorist attacks is the use of hand-held cameras (GoPro or phone

camera) to capture images or film to upload to Facebook in real-time.<sup>212</sup> Even during the siege, Monis did not record any video or deliver any message on either his or any of the hostages’ mobile phones which could have been used as propaganda by Islamic State.

### ***Man Haron Monis – Not Mentally Disordered***

There is actually very limited research into the possible associations between terrorism and mental illness. Whilst substance use disorders, depression, post-traumatic stress disorder and personality disorders, particularly narcissistic and anti-social personality disorder,<sup>213</sup> are likely to be over-represented in studies of terrorist offenders, most case series and studies have significant limitations.<sup>214</sup> Small sample sizes, unreliable collateral history from informants, poorly worded or broad definitions and selection and hindsight biases are likely to contribute to over-diagnosing of mental illness in ‘psychological autopsies’ of terrorists who are killed or take their own lives.<sup>215</sup> Interviews and assessments of captured or would-be terrorists may also be prejudiced by confirmation bias, or the assessments may elaborate features that reflect malingering or the deterioration of the mental state of a person who has failed in his or her mission and is detained in custody contemplating a long prison sentence.<sup>216</sup>

Characteristics vary across different forms of terrorists – suicide bombers,<sup>217</sup> lone-actor shooters or members of a small terrorist cell – and the prevalence of serious mental illnesses in terrorists is not clear.<sup>218</sup> Mentally disordered persons may have overvalued ideas and paranoid delusional beliefs of religious or political content, and they may arm themselves and make threats as terrorists do.<sup>219</sup> Mentally disordered persons are also vulnerable to being targeted and manipulated by terrorist organisations who may encourage them to commit a dramatic violent act that may otherwise be characterised as ‘rational’, purposeful and organised.<sup>220</sup> An example is Khaled Sharrouf, the 33-year-old Australian-born son of



Lebanese migrants, who later shocked the world by releasing a photo of his seven-year-old son holding the severed head of a Syrian soldier and was imprisoned for his role in the Pendennis terror plot. In 2005, a psychiatrist who visited Goulburn prison reported that Sharrouf had schizophrenia and experienced hallucinations and was secluded in the 'high-risk management unit' before he had treatment for his mental illness in the prison.<sup>221</sup>

Since he arrived in Australia, Monis attended a number of doctors, psychologists and psychiatrists and was assessed on two occasions in custody by Justice Health and Forensic Mental Health Services. The Coroner noted that Monis consulted different healthcare providers without disclosing his history of earlier presentations, and he gave differing accounts of complaints and symptoms.<sup>222</sup>

Monis is likely to have been guarded, hypervigilant and paranoid, given all the women he had victimised and the many people he had offended, including customs officials and particularly the families of the Australians to whom he had sent vile letters. Monis' actions also attracted the attention of police and security agencies, and he may have had reality-based concerns that he was intermittently under surveillance by different agencies. However, there is no evidence that Monis ever developed a major mental illness even when he experienced the stressors of being arrested, detained in watch houses and remanded to prison awaiting court hearings.

### ***Man Haron Monis – Malignant Narcissist***

After reviewing the evidence from all the health care providers who had actually had contact with Monis, the Coroner had the benefit of the opinion of the NSW Police Forensic Services clinical psychologist, who concluded that Monis demonstrated features of narcissistic personality disorder. The inquest also had an expert report from senior forensic psychiatrist Dr Jonathan Phillips, who examined all of Monis' antecedents and history of contact with mental health services and found no convincing

evidence that Monis suffered from any diagnosable categorical psychiatric disorder at the time of the siege.<sup>223</sup> Dr Phillips opined that Monis had for many years led 'a secretive, self-serving life [in which he was] driven at all times by his own idiosyncratic desires [and that he lacked] any sense of understanding of the sensitivities of others'<sup>224</sup> and concluded that Monis had a severe personality disorder with anti-social, narcissistic and paranoid features.<sup>225</sup>

The Coroner concluded that Monis began the siege 'in a controlled, planned and quite methodical manner marked by deliberations and choice'. The Coroner emphasised that Monis did not have a mental illness and that he 'fully understood that the deaths of hostages were a real possibility and that the prospect of such an outcome was of no concern to him'.<sup>226</sup>

During her murder trial between 22 August and 5 October 2016, Droudis' defence counsel did not contest the Crown case that Monis organised the murder of his ex-wife, the mother of his two adolescent children. The trial judge found overwhelming evidence that Monis had planned the murder. At the time of the siege, Monis was also charged with a total of 43 sexual offences against six victims. The Coroner later noted that, since a number of women, who did not know one another and were from different ethnic backgrounds, all described assaults that were remarkably similar, it was likely that Monis would have been convicted of multiple offences had he stood trial.<sup>227</sup> Since the High Court had just dismissed his appeal from the postal charges, it is likely that Monis became concerned that at any time he may be charged with further offences and that his bail would be revoked and he would be remanded into custody to await trial.

The Coroner highlighted that, in contrast to his previous publicity-seeking behaviour, during the siege Monis sought to maintain anonymity and responded negatively by telling hostages to hang up when police negotiators began using his name.<sup>228</sup> The Coroner also pointed to Monis not mentioning or

making any demands in relation to his ‘personal grievances’ during the siege.<sup>229</sup> But it can be argued that being identified as a ‘fake sheikh’ who was charged with multiple sex offences and was also implicated in the murder of his ex-wife would not have served Monis’ grandiose pretensions. To be dismissed simply as a serial pest or predatory sex offender would have detracted from Monis’ self-aggrandisement and diminished the notoriety he sought.

***Why did Monis Take a List of Muslim Prisoners to the Siege?***

After the siege, a note was found in Monis’ pocket. The note had a list of contact details and inmate ‘master index numbers’ of some Muslim prisoners in Long Bay Correctional Centre whom Monis met between May–April 2014 whilst he was held on remand.<sup>230</sup> As the Coroner noted, the finding of the list suggests that Monis anticipated surviving the siege and becoming a notorious prisoner.<sup>231</sup> The finding of the list of prisoners’ names further points to the conclusion that the overriding consideration for Monis was to conduct a dramatic siege which would enhance his standing even after he was imprisoned. Rather than being disparaged as a psychopathic sex offender, the siege would enable Monis to cast himself as a ‘lone wolf’ jihadist who would be admired and respected, at least by his fellow Muslim inmates.

**The Lindt Cafe’ Siege – Not Characteristic of an Islamic State Attack**

Between 2014 –2016, there were more casualties (273) from extremist violence in Europe than in all previous years combined, as jihadists launched mass-casualty attacks in which large numbers of civilians were targeted: 13 November 2015, Paris attack (130 killed); 22 March 2016, Brussels airport and metro station bombings (32 killed); 28 June 2016, Istanbul airport attack (45 killed); 16 July 2016, Nice truck attack (84 killed); 24 December 2016,

Berlin truck attack (12 killed).<sup>232</sup> It has been estimated that since its inception, Islamic State has been connected with more than 5000 terrorist attacks worldwide.<sup>233</sup>

The quite explicit aim of any Islamic State terrorist act is to cause fear and terror by killing as many ‘unbelievers’ as possible. But the Lindt Cafe siege clearly did not follow this very basic direction. Whilst Monis had armed himself with over 20 shotgun cartridges, before police stormed the Lindt Cafe, Monis fired his shotgun only three times and deliberately killed only one hostage. Clearly, as the siege was drawn out over nearly 17 hours, Monis’ original aim was not to terrorise the community by killing hostages.

Very rarely have Islamic State-inspired attacks resulted in hostage or siege situations. An exception was in January 2015, when, having already killed a police officer on the previous day, Amedy Coulibaly entered a kosher supermarket in the Porte de Vincennes area of Paris and shot dead four Jewish hostages. The ensuing siege lasted four and a half hours before Coulibaly deliberately ran toward massed police and was shot dead. In a video released after his death, Coulibaly pledged allegiance to al-Baghdadi and announced that his actions were co-ordinated with the Charlie Hebdo attacks which had occurred two days earlier in Paris.<sup>234</sup> He made a martyrdom video and a further video using GoPro whilst he was holding hostages and attempted to upload the images to broadcast on the Internet. On 13 June 2016, Larossi Abballa, a Frenchman with previous terrorism convictions, killed a police officer and then held his wife and child in their house for several hours, during which time he killed the wife with a knife, which he filmed and uploaded onto Facebook. He told negotiators that he had pledged allegiance to Abu Bakr al-Baghdadi and was following Islamic State’s instructions to kill non-believers in their homes with their families.<sup>235</sup>

Sieges by followers of Islamic State have occurred, but these have all been part of a complex attack. On 7 January 2015, 12 people were killed in the attack on the Paris offices of the satirical newspaper *Charlie Hebdo*. During the Bataclan nightclub attack in Paris on 13 November 2015, nearly 100 civilians fell victim to the well co-ordinated and brutally executed shootings and bombings near the Saint-Martin canal in Paris. In both these instances, the sieges followed mass killings. At no time during the brief sieges did the attackers make any demands, and there was never any negotiation over the fate of any hostages. The sieges ended only when the remaining terrorists were unable to escape and blew themselves up or were killed by police.<sup>236</sup>

### **The Lindt Cafe' Siege – Not a Well-Planned Attack, no Islamic State Flag, no Jihadist Vernacular**

The Coroner cited with approval the opinion of Hoffman that Monis' planning for the siege included bringing an Islamic banner and headband to the siege, and that his offer to exchange hostages for his demands was indicative of an act of terrorism.<sup>237</sup> But Monis' preparation was actually very rudimentary.

Although the Coroner did not hear any expert evidence on Monis' crudely scribbled hostage demand note, and its content has never been subject to any critical neuro-linguistic analysis, the note appears to have been written hurriedly. In the backpack he only bought on the previous day, Monis carried a speaker box with wires roughly soldered to the terminals. As Monis envisaged, the media coverage highlighted the hostages being forced to hold up a black flag with Ara-bic writing in the window of the Lindt Cafe.

But the *shahada* is a central tenet of Islam which, in itself, is not synonymous with extremism or jihadists. Monis did not have the Black Standard of the Islamic State,<sup>238</sup> and the headband he wore during the siege was one that he had previously been photographed

wearing at a rally ('We are your soldiers Muhammad. ... May Allah honour him and grant him peace') and is not emblematic of the adherents of any particular Islamic extremists group.

By contrast, before their planned attack in Sydney, Kutobi and Kiad made a stencil and created an Islamic State flag which was the backdrop to their martyrdom video in which they vowed to strike 'unbelievers'. In Besim's case, police found that the home screen of his mobile phone featured the Islamic State flag.

From the outset of the siege, Monis' aim appeared to be to draw attention to himself rather than any cause. The handwritten note he ordered cafe manager Tori Johnson to read is particularly instructive in this regard. In the note, Monis referred to 'Islamic State' only in the first sentence and only to announce that it was an 'attack' on Australia. Monis made no explicit reference to any terrorist objective. During the siege, Monis never used any of the vernacular characteristic of Islamist jihadists (*kuffar* – infidels, *murtaddin* – apostates, *tawaghit* – tyrannical rulers, *sahwat* – Syrians or Iraqis who collaborated with the United States-led coalition or 'crusaders' – the West or Christians) and neither did he cite any verses from the Koran and Hadith or refer to any of the prophetic Islamist episodes from the medieval era to justify the case for *muwahhidin* or martyrdom (*istishhadi*). Instead, Monis demanded to 'debate' the Prime Minister live on ABC Radio.

### **Why Target the Lindt Cafe'?**

Martin Place, in the heart of Sydney's central business district, is one of the most intensively monitored precincts in Australia and is occupied by the Reserve Bank of Australia, the United States Consulate, the studios of the Channel 7 television network and an entrance to a busy railway station. The Sydney Cenotaph, the city's most prominent monument to Australia's fallen service men and women, is also located nearby. Since he was vilified as the 'fake sheikh' in the 2009

television program, Monis' many protests resulted in a high level of security at the Channel 7 studio. From 8:26 am on the morning of the siege, during the usual live morning broadcast of the 'Sunrise' program, exterior surveillance cameras captured Monis walking past the building.

Monis' choice of target and his conduct were also not indicative of an Islamic State-inspired or directed attack. Unlike the offices of *Charlie Hebdo*, a kosher supermarket in Paris or the Canadian Houses of Parliament, the Lindt Cafe had no particular social, political or religious significance. Its significance however, lay in the fact that it was located directly opposite the studio of Channel 7, an organisation that Monis believed had maligned and disrespected him in the past. Monis' choice of target appears to have been motivated by a deep personal grievance, rather than to advance any terrorist agenda.

### **The Lindt Cafe' Siege – Not a Lone-Actor Terrorist Attack**

For an act to be properly described as a 'terrorist attack', it must be possible to elaborate a clear intention to advance 'a political, religious or ideological cause'. The 'cause' cannot be abstract, equivocal or ill-defined, because the threatened or actual violence is intended to advance that cause. Any violent criminal activity or indeed any violence that is simply fuelled by a grievance or motivated by protest or vengeance cannot be appropriately labelled as a 'terrorist act'.

Instead of critically examining Monis' many personal grievances and his prominent narcissism, the NSW Coroner defaulted to a simplistic orthodoxy that Monis had suddenly converted from the Shi'a to Sunni faith and, in total social isolation, 'self-radicalised' before embarking on a 'lone actor' terrorist attack. In the chapter entitled 'A Terrorist Incident', the Coroner briefly considered an alternative hypothesis:

Whether Monis was motivated to act by public calls from the leaders of Islamic State for followers to undertake atrocities is impossible to know. His pledge of allegiance to the [Islamic State] 'Caliph' four weeks before the siege suggests this might have been the case. However, equally, he may have been on a personal crusade: frustrated by being dismissed when he adopted relatively benign means of protesting. He may have decided to use [Islamic State] to make himself seem more dangerous; did he cloak himself in the [Islamic State] rhetoric so he would not be mocked or ignored but feared?<sup>239</sup>

Unlike other [Islamic State] terrorists, Monis did not immediately kill those he had taken hostage, but that is equally consistent with his belief that his best chance of achieving his political ends was by prolonging the siege.<sup>240</sup>

Even with the benefit of expert evidence, it remains unclear whether Monis was motivated by [Islamic State] to prosecute its bloodthirsty agenda or whether he used that organisation's fearsome reputation to bolster his impact.<sup>241</sup>

However, the reality is that the 'lone actor' Islamic State-inspired terrorist attacks are almost universally characterised by a sudden 'spree' of violence, usually a concentrated shooting or bombing attack or the use of a motor vehicle to kill as many victims as possible in a relatively short space of time.<sup>242</sup> Even after he killed Tori Johnson and waited for the police to burst into the cafe, Monis did not turn his shotgun on the remaining hostages.

In the ninth edition of *Rumiyah* published in May 2017, Islamic State provided a justification for the bombing of two major churches which killed 45 Christian worshippers. Another article was entitled 'Just Terror Tactics':

The objective of hostage-taking in the lands of [the disbelievers] ... is not to hold large numbers of the kuffar hostage in order to negotiate one's demands. Rather, the objective is to create as much carnage and terror as one possibly can

until Allah decrees his appointed time and the enemies of Allah storm his location or succeed in killing him. This is because the hostile kafir only understands one language and that is the language of force, the language of killing, stabbing and slitting throats, chopping off heads, flattening them under trucks, and burning them alive.<sup>243</sup>

In seeking to restore the ‘caliphate’, Islamic State adheres to the rigidly fundamentalist Sunni position that the only religion and law is *sharia* which is based on the precepts derived from the Qur’an and Hadith.<sup>244</sup> For Sunni jihadists, there can never be any accommodation or compromise either with Islamic minorities (Druze, Sufis, Kurds, Alawites, Ahmadis and Yazidis) or with the ‘hated Shi’a’, Christians, Jews and other ‘nonbelievers’.<sup>245</sup> Followers of Islamic State or those inspired by Islamic State have no ‘negotiating position’.<sup>246</sup> Their aim is to cause terror by killing as many victims as quickly as they can. They do not take hostages or conduct prolonged sieges.<sup>247</sup> They do not threaten to detonate bombs in multiple sites if their demands for a live radio ‘debate’ with the leader of the government are not acceded to.

## Conclusion

All Islamic State-inspired terrorists demonstrate most of the following salient features:

- download extremist sermons, speeches, propaganda material
- view violent extremist videos including bombings, shootings and beheadings
- network and communicate with other jihadists by encrypted apps (e.g. Telegram, WhatsApp, Zello)
- develop an online or social media ‘footprint’
- broadcast an intent (‘leakage’) to commit a terrorist attack
- pledge loyalty (*bay’ah*) to Abu Bakr al-Baghdadi (the caliph of Islamic State)

- use images of the Islamic State Black Standard flag
- leave a terrorist or propaganda message
- leave a martyrdom video
- send messages or upload images or video during the attack

In the 472-page report of his findings, the Coroner emphasised that the inquest was ‘the largest critical-incident investigation’ in the history of Australia.<sup>248</sup> However, in failing to consider systematically the chronology of Monis’ behaviour in the weeks before the siege, the Coroner overlooked the opportunity to highlight that Monis demonstrated none of the features that characterise Islamic State-inspired terrorists.

In a more nuanced and critical examination, there is abundant evidence that rather than simply being a self-radicalised domestic terrorist, Monis demonstrated all the prominent features of a malignant narcissist. He was behaviourally arrogant, grandiose and pretentious. He was callous and interpersonally exploitative. Since Kernberg first suggested that the ‘malignant narcissist’ demonstrated a core narcissistic personality disorder as well as antisocial behaviour and a deeply paranoid orientation toward life,<sup>249</sup> the association between narcissistic personality disorder and violence has become well recognised.<sup>250</sup> The proclivity of the narcissist to react to humiliation of a ‘narcissistic injury’ with an intense fury is well recognised.<sup>251</sup> Kohut first described ‘narcissistic rage’, in which the frustrations of a narcissistically perceived reality and a vulnerable sense of self precipitate anger and aggression.<sup>252</sup> After the Channel 7 program exposed him as a fraud and showed his criticism of Australia’s military involvement in Iraq and Afghanistan as insincere, Monis’ wounded narcissism would have struggled to cope with his increasing irrelevance.

Monis also satisfied the criteria of a much more prosaic and ubiquitous profile – that of an embittered middle-aged divorcee with no gainful employment and no social supports. After allegations of domestic violence and a



family law dispute in which he lost custody of his children, he was finally charged with historical sex offences. More significantly, Monis was also charged with aiding and abetting the murder of his ex-wife and could envisage conviction and a long prison sentence. In sentencing Monis' partner Droudis to 44 years with a non-parole period of 33 years, Johnson J pointedly emphasised: 'Monis is dead and cannot face justice for his own large part in the murder of his former wife'.<sup>253</sup>

When the narcissistic archetype is subjected to the stressors that Monis experienced leading up to 15 December 2014, it is hardly surprising that he would resort to a dramatic and violent protest. As he achieved none of his banal demands and slowly lost control of the 16-hour siege, the flight of the last group of hostages just after 2 am on the morning of 16 December 2014 was the tipping point for a murderous and self-destructive rage.<sup>254</sup>

**Ethical Standards – Declaration of Conflicts of Interest**

Dr Scott has declared no conflicts of interest. Dr Shanahan has declared no conflicts of interest.

**Ethical Approval**

This article does not contain any studies with human participants or animals performed by any of the authors.

**Notes**

1. *Martin Place Siege: Joint Commonwealth-New South Wales Review* (Canberra, January 2015) <https://www.nsw.gov.au/news-and-events/news/martin-place-siege-joint-commonwealth-new-south-wales-review> accessed 24 June 2018
2. NSW Coroner Inquest Findings, 'Inquest into the Deaths Arising from the Lindt Cafe Siege: Findings and Recommendations' (May 2017) <<http://www.lindtinquest.justice.nsw.gov.au/Documents/findings-and-recommendations.pdf>>
3. NSW Coroner Inquest Findings (n 2) 400 para 70.

4. NSW Coroner Inquest Findings (n 2) 401 para 86: 'While Monis' public Facebook page (being the subject of the reports) did contain confronting and protent, there was nothing indicative of adesire or intent to undertake an act of [politically motivated violence] nor suggestive of a capability or intention to commit [politically motivated violence].
5. NSW Coroner Inquest Findings (n 2) 240 para 87.
6. C Miranda, 'How Martin Place Siege Killer Man Haron Monis Went from Being a Dodgy Travel Agent in Iran to Becoming a Terrorist' *News Corp Australia Network* (16 January 2015) <<http://www.news.com.au/world/middle-east/how-martin-place-siege-killer-man-haron-monis-went-from-being-a-dodgy-travel-agent-iran-to-becoming-a-terrorist/news-story/394d885356a9979c3e67f8ac37b5803a>>
7. NSW Coroner Inquest Findings (n 2) 58 para 28.
8. The attack was in fact masterminded by Saudi Shi'ite Ahmed al-Mughassil, the military commander of Saudi Hezbollah, a terrorist organisation close to Lebanon's Hezbollah and the Iranian Revolutionary Guard Corps which operated training camps in Lebanon and Iran. See also J Teitelbaum, 'Terrorist Challenges to Saudi Arabian Internal Security' (2005) 9(3) *Middle East Review of International Affairs* 1–11; T Matthiesen, 'Hezbollah al-Hijaz: A History of the Most Radical Saudi Shi'a Opposition Group' (2010) 64(2) *Middle East Journal* 179–97; J Teitelbaum, 'The Shiites of Saudi Arabia' (2010) 10 *Current Trends in Islamist Ideology* 72–86.
9. The Ahmadi or Ahmadiyya community are followers of Mirza Ghulam Ahmad (1835–1908), a charismatic leader whose claims of spiritual authority brought him into conflict with most other Muslim leaders. The movement originated in rural India and is best known for challenging current conceptions of Islamic orthodoxy. Despite missionary success and expansion throughout the world, particularly in western Europe, North America and parts of Africa, Ahmadis have effectively been banned from Pakistan, Indonesia and other Muslim countries. See AH Khan, *From Sufism to Ahmadiyya: Muslim Minority Movement in South Asia* (Indiana University Press, Bloomington, Indiana



- 2015); AM Irawan, "'They Are Not Muslims": A Critical Discourse Analysis of the Ahmadiyya Sect Issue in Indonesia' (2017) 28(2) Discourse and Society 162–81.
10. T Auerbach, 'How Amnesty International was "Conned" by Lindt Cafe Killer Man Haron Monis' *Daily Telegraph* (6 January 2015) <<http://www.dailytelegraph.com.au/news/nsw/how-amnesty-international-was-conned-by-lindt-cafe-killer-man-haron-monis/news-story/8ae57da156398ae148d549ae03559c42>>
  11. NSW Coroner Inquest Findings (n 2) 60 para 40.
  12. NSW Coroner Inquest Findings (n 2) 50 para 50.
  13. *Martin Place Siege: Joint Commonwealth-New South Wales Review* (n 1)28.
  14. S Crittenden, 'New Cardinals for Rome, George Bush, Muslims in Australia' ABC Radio The Religion Report (31 January 2001) <<http://www.abc.net.au/radionational/programs/religionreport/new-cardinals-for-rome-george-bush-muslims-in/3478556>>
  15. See also Y Fouad and N Fielding, *Masterminds of Terror: The Truth Behind the Most Devastating Terrorist Attack the World Has Ever Seen* (Arcade Publishing, New York 2003); P Bergen, *The Longest War: The Enduring Conflict between America and al-Qaeda* (Free Press, New York 2011); AB Atwan, *The Secret History of al Qaeda* (University of California Press, Berkeley 2008); B Hoffman and F Reinares (eds), *The Evolution of the Global Terrorist Threat: From 9/11 to Osama bin Laden's Death* (Columbia University Press, New York 2014).
  16. Combatting Terrorism Centre, *The Osama bin Laden Files: Letters and Documents Discovered by SEAL Team Six during their Raid on bin Laden's Compound* (Skyhorse, New York 2012) 161.
  17. Osama bin Laden, 'Text of Fatwah Urging Jihad Against Americans' World Islamic Front Statement, 23 February 1998 'Declaration of War against the Americans Occupying the Land of the Two Holy Places' <<http://www.mideastweb.org/osamabinladen1.htm>>
  18. National Commission on Terrorist Attacks Upon the United States, *The 9/11 Commission Report: Authorised Edition* (Norton, New York 2004) <<https://www.9-11.com/mission.gov/report/>>
  19. More than 26,000 Australian soldiers served in Afghanistan on Operation Slipper (2001-2014), and 41 Australian Army soldiers died in Afghanistan. Australian Army in Afghanistan, 'Australian Army' <<https://www.army.gov.au/our-history/history-in-focus/australian-army-in-afghanistan>>
  20. NSW Coroner Inquest Findings (n 2) 62 paras 65–84.
  21. On 26 July 2006, Monis' Iranian wife Zahara divorced him *in absentia*.
  22. In 1999, al-Zarqawi founded *Jama at al-Tawhid wal-Jihad* of 'Organisation and Monotheism' which waged an insurgency against the US occupation of Iraq. In 2004, al-Zarqawi took command of 'Al Qaeda in the Land of the Two Rivers' (Iraq).
  23. Zawahiri's Letter to Zarqawi, *Combating Terrorism Center at West Point* (West Point, NY 2005) <<https://www.ctc.usma.edu/posts/zawahiris-letter-to-zarqawi-english-translation-2>>
  24. See C Malkasian, 'The Role of Perceptions and Political Reform in Counterinsurgency: The Case of Western Iraq, 2004–2005' (2006) 17 *Small Wars and Insurgencies* 367–94; D Byman, 'An Autopsy of the Iraq Debacle: Policy Failure or Bridge too Far?' (2008) 17(4) *Security Studies* 599–643.
  25. L Khatib, *The Islamic State's Strategy: Lasting and Expanding* (Carnegie Endowment for International Peace, Washington, DC 2015) <<http://carnegie-mec.org/2015/06/29/islamic-state-s-strategy-lasting-and-expanding-pub-60511>>
  26. Cited in W McCants, *The ISIS Apocalypse: The History, Strategy and Doomsday Vision of The Islamic State* (Martin's Press, New York 2015) 10; see also MA Weaver, 'The Short, Violent Life of Abu Musab al-Zarqawi' *The Atlantic* (July/August 2006) <<https://www.theatlantic.com/magazine/archive/2006/07/the-short-violent-life-of-abu-musab-al-zarqawi/304983/>>; AN Celso, 'Zarqawi's Legacy: Al Qaeda's ISIS "Renegade"' (2015) 26 (2) *Mediterranean Quarterly* 1–14.
  27. B Ryan, 'Sydney Siege Inquest: Man Haron Monis Claimed he Was Being "Set Up" by ASIO and "Picked On" by Customs' ABC News (26 May 2015) <<http://www.abc.net.au/news/2015-05-26/>>

- sydney-siege-gunman monis-claims-set-up-asia/6496936>
28. NSW Coroner Inquest Findings (n 2) 70 para 162.
  29. In B Hoffman, *Inside Terrorism* (Columbia University Press, NY 2017) 410, Dr Haneef and his second cousin Sabeel Ahmed are incorrectly described as two of the Glasgow Airport terrorists. See also *Haneef v Minister for Immigration and Citizenship* [2007] FCA 1273; M Rix, 'The Case of Dr Mohamed Haneef: An Australian "Terrorism Drama" with British connections' (2009) 2 *Plymouth Law Review* 126–47; M Rix, 'The Haneef Case and an Independent Reviewer of Terrorism Law' (2009) 34 *Alternative Law Journal* 50–51; S Pickering and J McCulloch, 'The Haneef Case and Counter-terrorism Policing in Australia' (2010) 20(1) *Policing and Society* 2138; LK Vogel and MR Kebbell, 'Judgement and Decision-Making in the Controversial Dr Haneef Counter-terrorism Operation: A Simulation Approach' (2011) 18(4) *Psychiatry, Psychology and Law* 612–25.
  30. "D Gardham and others, 'Seven doctors held over al-Qaeda bomb plot' *The Telegraph* (3 July 2007) <<https://protect-us.mimecast.com/s/kdKTCKrY6nH2Z8wmrUMbKfFo?domain=telegraph>>
  31. J Carney, 'Was Sunrise the Real Target of Cafe Siege Gunman? Man Monis' Ranting Letters about Channel 7 Breakfast Show Presenters' "Comments on Terrorism" revealed' *Daily Mail Australia* (27 December 2014) <<http://www.dailymail.co.uk/news/article-2888017/Sydney-siege-gunman-vendetta-Channel-7-s-Sunrise-program.html#ixzz5E1jwKxWL>>
  32. NSW Coroner Inquest Findings (n 2) 66 para 133.
  33. *Monis v The Queen* [2013] HCA 4 (27 February 2013).
  34. R Kerbaj, 'Call to Probe Mystery Shia Cleric' *The Australian* (28 January 2008) <<https://www.theaustralian.com.au/national-affairs/defence/call-to-probe-mystery-shia-cleric/story-e6frg8yx-1111115413357>>
  35. J Wells, 'Sydney Siege Inquest: Man Haron Monis Branded David Koch a "Killer", Posed Security Concerns for Channel 7 Staff' *ABC News* (2 June 2015) <<http://www.abc.net.au/news/2015-06-02/sydney-siege-gunman-posed-concerns-for-channel-7-staff-inquest/6514728>>
  36. M Safi, 'Sydney Siege Inquest: Gunman Accused TV Hosts of being "Killers and Terrorists"' *The Guardian* (2 June 2015) <<https://www.theguardian.com/australia-news/2015/jun/02/sydney-siege-inquest-gunman-accused-tv-hosts-of-being-killers-and-terrorists>>
  37. NSW Coroner Inquest Findings (n 2) 397 para 34.
  38. NSW Coroner Inquest Findings (n 2) 398 para 37.
  39. T Auerbach, 'Taped Granville Lectures Give Glimpse Inside the Crazy Mind of Sydney Terrorist Man Haron Monis' *Daily Telegraph* (1 January 2015) <<http://www.dailytelegraph.com.au/news/nsw/taped-granville-lectures-give-glimpse-inside-the-crazy-mind-of-sydney-terrorist-man-haron-monis/news-story/ba689a340b50fc4cf41fe9c6fefa892>>
  40. Wells, 'Man Haron Monis Branded David Koch a "Killer"' (n 34), posed security concerns for Channel 7 staff.' *ABC News*. Retrieved from <http://www.abc.net.au/news/2015-06-02/sydney-siege-gunman-posed-concerns-for-channel-7-staff-inquest/6514728>
  41. J Dowling, 'Man Haron Monis' Litany of Complaints Against Today Tonight' *Herald Sun* (6 March 2015) <[http://www.herald\\_sun.com.au/news/law-order/man-haron-monis-litany-of-complaints-against-today-tonight/news-story/eca5c7753ca3366998773e68ff0a5208](http://www.herald_sun.com.au/news/law-order/man-haron-monis-litany-of-complaints-against-today-tonight/news-story/eca5c7753ca3366998773e68ff0a5208)>
  42. NSW Coroner Inquest Findings (n 2) 99 para 57.
  43. M Farr, 'Kevin Rudd to Ponder Citizenship Laws as Sheik Haron Accused of Harassing Dead Digger Families' *Daily Telegraph* (22 October 2009) <<http://www.dailytelegraph.com.au/kevin-rudd-to-ponder-citizenship-laws-as-sheik-haron-accused-of-harassing-dead-digger-families/story-e6freuy9-1225789920643>>
  44. J Wells, 'Sydney Siege Inquest: Lawyer Says Man Haron Monis Was a Pest and Not Very Intelligent' *ABC News* (29 May 2015) <<http://www.abc.net.au/news/2015-05-29/lindt-cafe-siege-man-haron-monis-lawyers-give-evidence/6506312>>
  45. Australian Associated Press, 'Controversial Sheik in Chains Outside Court' *SBS News* (24 February 2015) <<http://www.sbs.com.au/news/article/2009/11/10/controversial-sheik-chains-outside-court>>
  46. NSW Coroner Inquest Findings (n 2) 15 para 159.

47. Auerbach, 'How Amnesty International was "Conned"' (n 10). *Daily Telegraph*. Retrieved from <http://www.dailytelegraph.com.au/news/nsw/how-amnesty-international-was-conned-by-lindt-cafe-killer-man-haron-monis/news-story/8ae57da156398ae148d549ae03559c42>
48. Ryan (n 27). 'picked on' by Customs' *ABC News*. Retrieved from <http://www.abc.net.au/news/2015-05-26/sydney-siege-gunman-monis-claims-set-up-asio/6496936>
49. *Monis v Regina; Droudis v Regina* [2011] HCATrans 97 (8 April 2011).
50. *R v Monis*; *R v Droudis* [2011] NSWDC39.
51. *Monis v R; Droudis v R* [2011] NSWCCA 231.
52. E Orofino, 'Intellectual Radicals Challenging the State: The Case of Hizb ut-Tahrir in the West' (2015) 10(4) *Contemporary Social Science* 401–12.
53. *R v Droudis* (No 13) [2016] NSWDC 1350 at [31].
54. *R v Droudis* (No 14) [2016] NSWSC 1550 at [646].
55. *Monis v The Queen; Droudis v The Queen* [2013] HCA 4.
56. *R v Droudis* (No 14) [2016] NSWSC 1550 at [278].
57. *R v Droudis* (No 14) [2016] NSWSC 1550 at [281].
58. *R v Droudis* (No 14) [2016] NSWSC 1550 at [283].
59. NSW Coroner Inquest Findings (n 2) para 172.
60. Parliament of Australia, Parliamentary Library, 'Australia's Military Involvement in Afghanistan Since 2001: A Chronology' <[http://www.aph.gov.au/About\\_Parliament/Parliamentary\\_Departments/Parliamentary\\_Library/pubs/BN/1011/MilitaryInvolvement\\_Afghanistan](http://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/BN/1011/MilitaryInvolvement_Afghanistan)>
61. M Brissenden, 'Tony Abbott Makes First Visit to Afghanistan as PM, Says Australia's Longest War is Ending' *ABC News* (29 October 2013) <<http://www.abc.net.au/news/2013-10-29/tony-abbott-makes-first-visit-to-afghanistan-as-prime-minister/5051242>>. In his speech, the Prime Minister reflected on Australia's longest military engagement which had begun in 2001 as a mission to hunt down al-Qaeda and which gradually morphed into a protracted fight against the Sunni Taliban insurgents.
62. *R v Droudis* (No 14) [2016] NSWSC 1550 at [339].
63. *R v Droudis* (No 14) [2016] NSWSC 1550 at [324].
64. B McClellan, "'Hate" Sheik Man Horan Monis and Girlfriend Amirzh Droudis Granted Bail on Murder Charges' *Daily Telegraph* (12 December 2013) <<http://www.dailytelegraph.com.au/news/nsw/hate-sheik-man-horan-monis-and-girlfriend-amirzh-droudis-granted-bail-on-murder-charges/story-fni0cx12-1226781623998>>
65. NSW Coroner Inquest Findings (n 2) 76 para 17: On 15 June 2015, in an outline of submission, the Crown Solicitor, on behalf of the Office of the NSW Director of Public Prosecutions (ODPP), stated that the questions about bail in the provisional issues list were beyond the proper scope of the inquest and if the inquest sought to investigate these questions, the inquest would fall into jurisdictional error.
66. NSW Coroner Inquest Findings (n 2) 76 para 20. In relation to the question of 'legal professional privilege' over communications between legal officers and police officers, the claim was rejected in parts and upheld in others. The Coroner noted 'As a result of the claim, however, the Inquest was prevented from fully examining all relevant aspects of Monis' bail history' NSW Coroner Inquest Findings (n 2) 76 para 23.
67. NSW Coroner Inquest Findings (n 2) 78 para 41.
68. Whilst noting that the presiding magistrate 'took an interventionist approach' and frequently interrupted, the Coroner concluded that the solicitor employed by the NSW Director of Public Prosecutions 'failed to prepare diligently or effectively for the bail application', failed to tender a document containing a list of objections from the Homicide Squad and gave the overall impression of 'an inadequate response' to the applications for bail for both Monis and Droudis, NSW Coroner Inquest Findings (n 2) 79 para 43.
69. L Knowles, 'Sydney Siege: Man Behind Martin Place Stand-Off was Iranian Man Haron Monis, Who Had Violent Criminal History' *ABC News* (16 December 2014) <<http://www.abc.net.au/news/2014-12-16/iranian-man-haron-monis-named-as-man-behind-sydney-siege/5969246>>
70. Wells, 'Lawyer Says Man Haron Monis Was a Pest and Not Very Intelligent' (n 43). Retrieved from <http://www.abc.net>.

- au/news/2015-05-29/lindt-cafe-siege-man-haron-monis-lawyers-give-evidence/6506312
71. L McNally, 'Controversial Sheikh Haron Faces Accessory to Ex-wife's Murder Charge' *ABC News* (22 January 2014) <<http://www.abc.net.au/news/2014-01-22/controversial-sheikh-haron-faces-accessory-to-ex-wife27s-murder/5212862>>
  72. NSW Coroner Inquest Findings (n 2) 85 para 118.
  73. NSW Coroner Inquest Findings (n 2) 70 para 169.
  74. NSW Coroner Inquest Findings (n 2) 234 para 22.
  75. P Cockburn, *The Jihadis Return: ISIS and the New Sunni Uprising* (OR Books, New York 2014).
  76. AS Hashim, 'The Islamic State: From al-Qaeda Affiliate to Caliphate' (2014) 21 (4) *Middle East Policy* 69–83.
  77. J Zarocostas, 'Imam of Mosul Mosque Executed Before "Caliph" Gave Sermon' *The Sydney Morning Herald* (8 July 2014) <<https://www.smh.com.au/world/imam-of-mosul-mosque-executed-before-caliph-gave-sermon-20140708-zsqtq.html>> .In June 2017, the 850-year-old Grand Mosque of Mosul and the famous leaning al-Hadba minaret were demolished by retreating Islamic State militants. K Omar and A Rasheed, 'Anger in Mosul as Islamic State Destroys Historic Mosque' *Reuters World News* (22 June 2017) <<https://www.reuters.com/article/us-mideast-crisis-iraq-mosul/anger-in-mosul-as-islamic-state-destroys-historic-mosque-idUSKBN19D18O>>
  78. The term *khalif* (caliph) appears in a number of passages in the Qur'an and can mean 'successor' or 'deputy of the messenger of God', see P Crone and M Hinds, *God's Caliph: Religious Authority in the First Centuries of Islam* (University of Cambridge Oriental Publications 1986); H Kennedy, *Caliphate: The History of an Idea* (Penguin Random House, United Kingdom 2016).
  79. HA Hanieh and MA Rumman, *The 'Islamic State' Organization* (Friedrich Ebert Stiftung, Jordan & Iraq 2015); Y Alexander and D Alexander, *The Islamic State: Combating The Caliphate Without Borders* (Lexington Books, London 2015); P Cockburn, *The Rise of the Islamic State: ISIS and the New Sunni Revolution* (Verso, London 2015); FA Gerges, *ISIS: A History* (Princeton University Press, Princeton and Oxford 2016); M Nance, *Defeating ISIS: Who They Are, How They Fight, What They Believe* (Skyhorse Publishing, New York 2016); D By man, 'Understanding the Islamic State - A Review Essay' (2016) 40 (4) *International Security* 127–65; H Soloman, *Islamic State and the Coming Global Confrontation* (Palgrave Macmillan, London, UK 2016); E Stakelbeck, *ISIS Exposed: Beheadings, Slavery and the Hellish Reality of Radical Islam* (Regnery Publishing, Washington DC 2015); FA Gerges, *ISIS: A History* (Princeton University Press, Princeton 2016).
  80. See also A Zammit, 'Australian Jihadism in the Age of the Islamic State' (2017) 10(3) *Combating Terrorism Center Sentinel* 23–29.
  81. L Carter, 'Authorities Thwart "Beheading" Plot in Australia's Biggest Ever Counterterrorism Raids' *ABC News* (19 September 2014) <<http://www.abc.net.au/news/2014-09-18/authorities-thwart-beheading-plot-in-australias-biggest-raid/5754276>>
  82. English transcript of speech given by Abu Muhammad al-Adnani al-Shami on 23 September 2014, cited by A Zammit, 'The Role of Virtual Planners in the 2015 Anzac Day Terror Plot' (2017) 13(1) *Security Challenges* 41–58, 54.
  83. NSW Coroner Inquest Findings (n 2) 87 para 114.
  84. NSW Coroner Inquest Findings (n 2) 91 para 194.
  85. NSW Coroner Inquest Findings (n 2) 91 para 195.
  86. NSW Coroner Inquest Findings (n 2) 91 para 198.
  87. NSW Coroner Inquest Findings (n 2) 38 para 233.
  88. NSW Coroner Inquest Findings (n 2) 101 para 82.
  89. NSW Coroner Inquest Findings (n 2) 101 para 84.
  90. *Monis v The Queen; Droudis v The Queen* [2014] HCATrans 280 (12 December 2014); M Figg, 'The Implied Freedom of Political Communication in *Monis v The Queen*: "A Noble and Idealistic Enterprise which has Failed, is Failing, and Will Go on Failing?"' (2013) 32(1) *University of Tasmania Law Review* 125–34; M Head, 'High Court Further Erodes Free Speech' (2013) 147 *Alternative Law Journal* 147–51.
  91. NSW Coroner Inquest Findings (n 2) 68 para 156.

92. NSW Coroner Inquest Findings (n 2) 142 para 86.
93. NSW Coroner Inquest Findings (n 2) 144 para 103.
94. NSW Coroner Inquest Findings (n 2) 390 para 84.
95. NSW Coroner Inquest Findings (n 2) 162 para 339.
96. NSW Coroner Inquest Findings (n 2) 162 para 343.
97. M Godfrey, 'Tele Got It Right on Lindt Coverage' *Daily Telegraph* (10 July 2015) <<http://www.dailytelegraph.com.au/news/nsw/tele-got-it-right-on-lindt-coverage/news-story/62632f0798a67dc3ce39acace6de8c6e>>
98. L Cox, 'Sydney Siege: Tony Abbott Urges Australians to "Go about Business as Usual"' *Sydney Morning Herald* (15 December 2015) <<http://www.smh.com.au/federal-politics/political-news/sydney-siege-tony-abbott-urges-australians-to-go-about-business-as-usual-20141215-127f8t.html>>
99. D Mark, 'NSW Deputy Police Commissioner Says Negotiation Efforts Continue' *ABC PM* (15 December 2014) <<http://www.abc.net.au/pm/content/2014/s4149170.htm>>
100. NSW Coroner Inquest Findings (n 2) 176 para 522.
101. NSW Coroner Inquest Findings (n 2) 264 para 76.
102. NSW Coroner Inquest Findings (n 2) 265 para 87.
103. NSW Coroner Inquest Findings (n 2) 186 para 638.
104. NSW Coroner Inquest Findings (n 2) 307 para 260.
105. NSW Coroner Inquest Findings (n 2) 208 para 74.
106. NSW Coroner Inquest Findings (n 2) 194 para 728.
107. One officer fired 17 times and a second officer fired 5 times: NSW Coroner Inquest Findings (n 2) 197 para 772.
108. NSW Coroner Inquest Findings (n 2) 222 para 124.
109. NSW Coroner Inquest Findings (n 2) 197 para 772.
110. L Zedner, 'Securing Liberty in the Face of Terror: Reflections from Criminal Justice' (2005) 32 *Journal of Law and Society* 507–15; B Saul, *Defining Terrorism in International Law* (OUP 2006); JR White, *Terrorism and Homeland Security* (Wadsworth, Belmont, California 2014); R Grozdanova, 'Terrorism - Too Elusive a Term for an International Legal Definition' (2014) 61(3) *Netherlands International Law Review* 305; G Ramsay, 'Why Terrorism Can, but Should Not be Defined' (2015) 8(2) *Critical Studies on Terrorism* 211–28; J Striegher, 'Violent-Extremism: An Examination of a Definitional Dilemma' (2015) *Edith Cowan University Research Online* 75–96 DOI 10.4225/75/57a945ddd3352 <<http://ro.ecu.edu.au/asi/47/>>
111. Council of the European Union, *Council Framework Decision of 13 June 2002 on Combating Terrorism* (Council of the European Union, Brussels 2002) 3; see also L Weinberg, A Pedahzur and S Hirsch-Hoe-fler, 'The Challenges of Conceptualizing Terrorism' (2004) 16(4) *Terrorism and Political Violence* 777–94; AP Schmid, 'The Definition of Terrorism' in *The Routledge Handbook of Terrorism Research* (Routledge 2011); AB Krueger, 'What Makes a Homegrown Terrorist? Human Capital and Participation in Domestic Islamic Terrorist Groups in the U.S.A.' (2008) 101 *Economics Letters* 293–96; MJ Borgers, 'Framework Decision on Combating Terrorism: Two Questions on the Definition of Terrorist Offences' (2012) 3 *New Journal of European Criminal Law* 68–82; Saul (n 110); E MacDonald and G Williams, 'Combating Terrorism: Australia's Criminal Code Since September 11, 2001' (2007) 16(1) *Griffith Law Review* 27–54.
112. JM Poland, *Understanding Terrorism: Groups, Strategies, and Responses* (Englewood Cliffs, NJ 1988) 11; see also A Merari, 'Terrorism as a Strategy of Insurgency' in G Chaliand and A Blin (eds), *The History of Terrorism from Antiquity to al-Qaeda* (University of California Press, Berkeley 2007); JA Lynn, 'Fear and Outrage as Terrorist Goals' (2012) 42(1) *Parameters* 51–62.
113. J Post, *The Mind of the Terrorist: The Psychology of Terrorism from the IRA to al-Qaeda* (Palgrave Macmillan, New York 2007) 8. See also AP Schmid and AJ Jong-man, *Political Terrorism: A New Guide to Actors, Authors, Concepts, Data Bases, Theories and Literature* (New Holland, Amsterdam 1988); A Silke (ed), *Terrorists, Victims and Society: Psychological Perspectives on Terrorism and its Consequences* (John Wiley & Sons Ltd, West Sussex 2003); J Victoroff,



- 'The Mind of the Terrorist: A Review and Critique of Psychological Approaches' (2005) 49(1) *Journal of Conflict Resolution* 3–42; D Wright-Neville and D Smith, 'Political Rage: Terrorism and the Politics of Emotion' (2009) 21(1) *Global Change, Peace and Security* 85–98; J Victoroff and A Kruglanski (eds), *Psychology of Terrorism: Classic and Contemporary Insights* (Psychology Press, New York 2009).
114. Hoffman, *Inside Terrorism* (n 29).
115. In the latest edition of *Inside Terrorism*, although Hoffman referred briefly to ISIS 'claiming responsibility for an attack in Melbourne' without naming Abdul Haider (p 42), there is no mention of Monis or the Lindt Caf e siege. Hoffmann makes only eight very brief references to 'lone wolf terrorists' (pp 1, 7, 39, 42, 43, 44, 125, 136) and lists the December 2015 San Bernadino and June 2016 Orlando shootings and the July 2016 truck killings in Nice, France as attacks by 'lone wolves' (p 313). In the final chapter which is entitled 'Terrorism Today and Tomorrow II: New and Continuing Challenges', there is no discussion of lone-actor terrorism.
116. B Golder and G Williams, 'What is "Terrorism"?' *Problems of Legal Definition* (2004) 27 *University of New South Wales Law Journal* 270; J Blackburn, 'The Evolving Definition of Terrorism in UK Law' (2011) 3(2) *Behavioral Sciences of Terrorism and Political Aggression* 131–49.
117. JM Weinstein, *Inside Rebellion: The Politics of Insurgent Violence* (CUP, Cambridge 2007) 198–259.
118. IW Zartman (ed), *Negotiating with Terrorists* (Martinus Nijhoff Publishers, Leiden 2006); see also M Sageman, *Understanding Terror Networks* (University of Pennsylvania Press, Philadelphia, PA 2004); see also P Butler, 'Terrorism and Utilitarianism: Lessons from, and for, Criminal Law' (2002) 93 *Journal of Criminal Law and Criminology* 1–22.
119. PR Neumann, 'Negotiating with Terrorists' (2007) 86(1) *Foreign Affairs* 128–38; GO Faure, 'Negotiating with Terrorists: A Discrete form of Diplomacy' (2008) 3 *The Hague Journal of Diplomacy* 179–200; See also B Barron and DL Maye, 'Does ISIS Satisfy the Criteria of an Apocalyptic Islamic Cult? An Evidence-Based Historical Qualitative Meta-analysis' (2017) 8(1) *Journal of Terrorism Research* 18–33; E Beevor, 'Coercive Radicalization: Charismatic Authority and the Internal Strategies of ISIS and the Lord's Resistance Army' (2017) 40(6) *Studies in Conflict and Terrorism* 496–521.
120. See also M Gani and G Urbas, 'Alert or Alarmed? Recent Legislative Reforms Directed at Terrorist Organisations and Persons Supporting or Assisting Terrorist Acts' (2004) 8(1) *Newcastle Law Review* 23; B McSherry, 'Terrorism Offences in the Criminal Code: Broadening the Boundaries of Australian Criminal Laws' (2004) 27(2) *University of New South Wales Law Journal* 354, 364–69; B McSherry, 'The Introduction of Terrorism-Related Offences in Australia: Comfort or Concern' (2005) 12 (2) *Psychiatry, Psychology and Law* 27988; A Lynch and G Williams, *What Price Security? Taking Stock of Australia's Antiterror Laws* (UNSW Press, Sydney 2006) 14–28; MacDonald and Williams (n 111); G Syrota, 'The Definition of "Terrorist Act" in Part 5.3 of the Commonwealth Criminal Code' (2007) 33(2) *University of Western Australia Law Review* 307–50.
121. *Lodhi v Regina* [2006] NSWCCA 121; See also N J Broadbent, 'Faheem Khalid Lodhi v Regina [2007] NSWCCA 360' (2007) 14 *Australian International Law Journal* 22737; S Sorial, 'Guilt By Association: The 'Anti-Terrorism' Case of Regina v Lodhi [2007]' (2007) 32(3) *Alternative Law Journal* 160–64; G Syrota, 'Australia's Counter - Terrorism Offences: A Critical Study' (2008) 34(1) *University of Western Australia Law Review* 103–44; A Pyne, 'The Mood and Temper of the Public: R v Lodhi and the Principles of Sentencing in the War on Terror' (2011) 23 (2) *Current Issues in Criminal Justice* 163–182; G Williams, 'A decade of Australian Anti-terror Laws' (2011) 35 (3) *Melbourne University Law Review* 1136–76.
122. In 1998, Pakistan-born architect Faheem Khalid Lodhi migrated to Australia and began living in Lakumba in Sydney. In October 2003, following an investigation by ASIO and the NSW police, raids on Lodhi's home and workplace discovered



- evidence of a plot to commit a terrorist act. In *R v Lodhi* [2006] NSWSC 584 (Unreported, Whealy J, 14 February 2006), Lodhi was charged with (1) possessing a thing (a document about how to make bombs) connected with a terrorist act (2) collecting or making documents (collecting maps of the electricity supply system and making aerial photos of Australian Defence Force establishments including the Victoria Barracks, the Holsworthy Barracks and the *HMAS Penguin*) connected with terrorist acts and (3) doing an act (seeking information about the availability of materials that could be used to make bombs) in preparation or planning a terrorist act.
123. A Lynch, N McGaritty and G Williams, *Inside Australia's Anti-terrorism Laws and Trials* (UNSW Press 2015) 96; see also C Smith and M Nolan, 'Post-sentence Continued Detention of High-Risk Terrorist Offenders in Australia' (2016) 40(3) *Criminal Law Journal* 163-179.
  124. J Brisard, 'The Paris Attacks and the Evolving Islamic State Threat to France' (2015) 8 (11) *Combating Terrorism Center Sentinel* 5-8; see also P Nesser, *Islamist Terrorism in Europe: A History* (Hurst, London 2016); G van Vlierden, 'Profile: Paris Attack Ringleader Abdelhamid Abaaoud' (2015) 8(11) *Combating Terrorism Center Sentinel* 30-33; see also A Tausch, 'Estimates on the Global Threat of Islamic State Terrorism in the Face the 2015 Paris and Copenhagen Attacks' (2015) 19(1) *Middle East Review of International Affairs* 37-58; M Abrahms, M Ward and R Kennedy, 'Explaining Civilian Attacks: Terrorist Networks, Principal-Agent Problems and Target Selection' (2018) 12(1) *Perspectives on Terrorism* 23-45.
  125. See also S Hughes and A Meleagrou-Hitchens, 'The Threat to the United States from the Islamic State's Virtual Entrepreneurs' (2017) 10(3) *Combating Terrorism Center Sentinel* 1-8; J Mueller, 'The Cybercoaching Of Terrorists: Cause for Alarm?' (2017) 10 (9) *Combating Terrorism Center Sentinel* 2934.
  126. R Olding and A Benny-Morrison, 'Catastrophic: How Australia Narrowly Escaped Two "Sophisticated Bomb Plots"' *Sydney Morning Herald* (4 August 2017) <<http://www.smh.com.au/nsw/catastrophic-how-australia-narrowly-escaped-two-sophisticated-bomb-plots-20170804-gxp4f.html>>
  127. M Innes and others, *Hearts and Minds and Eyes and Ears: Reducing Radicalisation Risks Through Reassurance-Oriented Policing* (Universities Police Science Institute, Cardiff, Wales 2007); see also H Gordon, 'The "Suicide" Bomber: Is it a Psychiatric Phenomenon?' (2002) 26 *Psychiatric Bulletin* 285-87; J Stern, *Terror in the Name of God: Why Religious Militants Kill* (HarperCollins, New York 2003); A Silke, 'Courage in Dark Places: Reflections on Terrorist Psychology' (2004) 71(1) *Social Research* 177-98; J Horgan, *The Psychology of Terrorism* (Routledge, New York 2005); C McCauley and S Moskalkenko, 'Mechanisms of Political Radicalization: Pathways Towards Terrorism' (2008) 20(3) *Terrorism and Political Violence* 415-33; C McCauley and S Moskalkenko, *Friction: How Radicalization Happens to Them and Us* (OUP, New York 2011); RH Rahimullah, S Larmar and M Abdallah, 'Radicalization and Terrorism: Research within the Australian Context' (2013) 2 *International Journal of Criminology and Sociology* 180-85; C McCauley and S Moskalkenko, 'Toward a Profile of Lone Wolf Terrorists: What Moves an Individual from Radical Opinion to Radical Action' (2013) 26(1) *Terrorism and Political Violence* 69-85; A McGilloway, P Ghosh and KA Bhui, 'Systematic Review of Pathways to and Processes Associated with Radicalization and Extremism amongst Muslims in Western Societies' (2015) 27 *International Review of Psychiatry* 39-50; C McCauley and S Moskalkenko, 'Understanding Political Radicalization: The Two-Pyramids Model' (2017) 72(3) *American Psychologist* 205-16; KR Sarma, 'Risk Assessment and the Prevention of Radicalization from Nonviolence into Terrorism' (2017) 72(3) *American Psychologist* 278-88.
  128. P Lentini, 'Antipodal Terrorists? Accounting for Differences in Australian and "Global" Neojihadists' in R Devetak and C Hughes (eds), *The Globalisation of Political Violence: Globalisations Shadow* (Routledge, Australia 2008); E Bekker, *Jihadi Terrorists in Europe: Their*

- Characteristics and the Circumstances in which They Joined the Jihad: An Exploratory Study* (Netherlands Institute of International Relations, Clingendael 2006); S Copland, *Psychological Profiling of Terrorists: A Case Study of the Bali Bombers and Jemaah Islamiyah* (Australian National University, Canberra 2005); G Dean, 'Criminal Profiling in a Terrorism Context' in R Kocsis (ed), *Criminal Profiling: International Theory, Research, and Practice* (Humana Press, Totowa, NJ 2007) 169-88; M Keibell and L Porter, 'An Intelligence Assessment Framework for Identifying Individuals at Risk of Committing Acts of Violent Extremism Against the West' (2012) 25(3) *Security Journal* 212-28; P Lentini, *Neojihadism: Towards a New Understanding of Terrorism and Extremism?* (Edward Elgar, Cheltenham 2013); Rahimullah, Larmar and Abdalla (n 127).
129. P Neumann, *Briefing Note - Radicalisation, CVE and Counter-radicalisation: Core Issues and Questions* (International Centre for the Study of Radicalisation, Kings College, London 8 August 2015); see also P Neumann and S Kleinmann, 'How Rigorous is Radicalization Research?' (2013) 9 (4) *Democracy and Security* 360-82; PR Neumann, 'The Trouble with Radicalisation' (2013) 89 *International Affairs* 873-93; P Neumann, *Radicalised: New Jihadists and the Threat to the West* (IB Tauris and Co, London 2016); KM Sarma, 'Risk Assessment and the Prevention of Radicalization from Nonviolence into Terrorism' (2017) 72(3) *American Psychologist* 278-88; AW Kruglanski and others, 'To the Fringe and Back: Violent Extremism and the Psychology of Deviance' (2017) *American Psychologist* 217-30.
130. SJ Mullins, 'Islamist Terrorism and Australia: An Empirical Examination of the "Home-Grown" Threat' (2011) 23(2) *Terrorism and Political Violence* 254-85; M Hafez and C Mullins, 'The Radicalization Puzzle: A Theoretical Synthesis of Empirical Approaches To Homegrown Extremism' (2015) 38(11) *Studies in Conflict and Terrorism* 958-75; see also M Silber and A Bhatt, *Radicalization in the West: The Homegrown Threat* (OccupylBawlStreet.com Press, New York 2015); ML Stroink, 'Processes and Preconditions Underlying Terrorism in Second-Generation Immigrants' (2007) 13(3) *Peace And Conflict: Journal of Peace Psychology* 293-312; M Chulov, *Australian Jihad: The Battle against Terrorism from Within and Without* (MacMillan, Sydney 2006); J Horgan, 'From Profiles to Pathways and Roots to Routes: Perspectives from Psychology on Radicalization into Terrorism' (2008) 618 *Annals of the American Academy of Political and Social Science* 80-94; AS Wilner and C Dubouloz, 'Homegrown Terrorism and Transformative Learning: An Interdisciplinary Approach to Understanding Radicalization' (2010) 22(1) *Global Change, Peace and Security* 33-51; C Crossett and JA Spitaletta, *Radicalization: Relevant Psychological and Sociological Concepts* (Johns Hopkins University, Baltimore 2010); R Borum, 'Radicalization into Violent Extremism: A Review of Social Science Theories' (2011) 34(4) *Journal of Strategic Security* 7-36; J Bartlett and C Miller, 'The Edge of Violence: Towards Telling the Difference Between Violent and Non-violent Radicalization' (2012) 24(1) *Terrorism and Political Violence* 1-21; A Richards, 'From Terrorism to "Radicalization" to "Extremism": Counterterrorism Imperative or Loss of Focus?' (2015) 91(2) *International Affairs* 371-80; A Dalgaard-Nielsen, 'Violent Radicalization in Europe: What We Know and What We Do Not Know' (2010) 33(9) *Studies in Conflict and Terrorism* 797-814; A Aly and J Striegher, 'Examining the Role of Religion in Radicalization to Violent Islamist Extremism' (2012) 35(12) *Studies in Conflict and Terrorism* 849-62; N Ferguson and E Binks, 'Understanding Radicalization and Engagement in Terrorism through Religious Conversion Motifs' (2015) 8(1) *Journal of Strategic Security* 16-26; J Klausen and others, 'Toward a Behavioral Model of "Homegrown" Radicalization Trajectories' (2016) 39(1) *Studies in Conflict and Terrorism* 67-83; O Honig and A Reichard, 'The Usefulness of Examining Terrorists' Rhetoric for Understanding the Nature of Different Terror Groups' (2017)

- Terrorism and Political Violence 1-20 DOI 10.1080/09546553.2017.1283308
131. JD Simon, *Lone Wolf Terrorism: Under standing the Growing Threat* (Prometheus Books, Amherst, NY 2013); P Bergen, *United States of Jihad: Investigating America's Homegrown Terrorists* (Crown, New York 2016); C Archetti, 'Terrorism, Communication and New Media: Explaining Radicalization in the Digital Age' (2015) 9(1) *Perspectives on Terrorism* 49–59; P Gill and others, 'Terrorist Use of the Internet by the Numbers: Quantifying Behaviors, Patterns and Processes' (2017) 16(1) *Criminology and Public Policy* 99–117.
  132. LE Porter and M Kebbell, 'Radicalization in Australia: Examining Australia's Convicted Terrorists' (2011) 18 *Psychiatry, Psychology and Law* 213-21; see also Lentini, 'Antipodal Terrorists?' (n 128); Rahimullah, Larmar and Abdalla (n 127).
  133. See also Stern (n 127); R Pape, *Dying to Win: The Strategic Logic of Suicide Terrorism* (Random House, New York 2005); F Ali and J Post, 'The History and Evolution of Martyrdom in the Service of Defensive Jihad: An Analysis of Suicide Bombers in Current Conflicts' (2008) 75(2) *Social Research* 615-54; A Moghadam, *The Globalization of Martyrdom: Al Qaeda, Salafi Jihad, and the Diffusion of Suicide Attacks* (Johns Hopkins University Press 2008); A Merari, *Driven to Death: Psychological and Social Aspects of Suicide Terrorism* (OUP, New York 2010); S Cottee and K Hayward, 'Terrorist (E)motives: The Existential Attractions of Terrorism' (2011) 34 (12) *Studies in Conflict and Terrorism* 963–86; A Lankford, *The Myth of Martyrdom: What Really Drives Suicide Bombers, Rampage Shooters, and Other Self-Destructive Killers* (Palgrave Macmillan, New York 2013). O Roy, *The Failure of Political Islam* (IB Travis, New York 2007); O Roy, *Globalized Islam: The Search for a New Ummah* (Columbia University Press, New York Press 2007); O Roy, *Secularism Confronts Islam* (Columbia University Press, New York 2007); O Roy, *Jihad and Death: The Global Appeal of Islamic State* (Hurst and Company, London 2017)
  134. See also P Lentini and M Bakashmar, 'Jihadist Beheading: A Convergence of Technology, Theology, and Teleology?' (2007) 30 *Studies in Conflict and Terrorism* 303-25; McGilloway, Ghosh and Bhui (n 128); AS Wilner and C Dubouloz, 'Transformative Radicalisation: Applying Learning Theory to Islamist Radicalization' (2011) 34 *Studies in Conflict and Terrorism* 418–38; N Bolt, *The Violent Image: Insurgent Propaganda and the New Revolutionaries* (Columbia University Press, New York 2012); P Lentini, *Neojihadism: Toward a New Understanding of Terrorism and Extremism?* (Edward Elgar, Cheltenham 2013); G Ramsay and D Holbrook, 'The Representation of Violence by Insurgent Political Actors: The "Violent" Part of "Violent Extremism"?' (2014) 7(1) *Behavioral Sciences of Terrorism and Political Aggression* 84–96; DP Eisenman and L Flavahan, 'Canaries in the Coal Mine: Interpersonal Violence, Gang Violence, and Violent Extremism through a Public Health Prevention Lens' (2017) 29(4) *International Review of Psychiatry* 341–49; S Lakhani, 'Extreme Criminals: Reconstructing Ideas of Criminality through Extremist Narratives' (2018) *Studies in Conflict and Terrorism* DOI 10.1080/1057610X.2018.1450613.
  135. S Harris-Hogan, 'Violent Extremism in Australia: An Overview' (2017) 491 *Trends and Issues: Australian Institute of Criminology* 1–14 <[http://aic.gov.au/media\\_library/publications/tandi\\_pdf/tandi491.pdf](http://aic.gov.au/media_library/publications/tandi_pdf/tandi491.pdf)>; see also A Zammit, 'Explaining a Turning Point in Australian Jihadism' (2013) 36(9) *Studies in Conflict and Terrorism* 739–55; A Zammit, 'New Developments in Australian Foreign Fighter Activity' (2014) 7(9) *Combating Terrorism Center Sentinel* 5–8; A Zammit, 'Australian Foreign Fighters: Risks and Responses' *Lowy Institute for International Policy*, 16 April 2015 <[http://www.lowyinstitute.org/publications/australian-foreign-fighters-risks-and-responses#\\_edn42](http://www.lowyinstitute.org/publications/australian-foreign-fighters-risks-and-responses#_edn42)>
  136. B Schuurman and others, 'Operation Pendennis: A Case Study of an Australian Terrorist Plot' (2014) 8(4) *Perspectives on Terrorism* 91–99.
  137. B Malkin, 'Australian Police "Foil Terror Plot" to Storm Sydney Army Barracks' *The Telegraph* (4 August 2009) <<https://www.telegraph.co.uk/news/worldnews/australiaandthepacific/australia/597133/Australian-police-foil-terror-plot.html>>

138. Inquest into the death of Ahmad Numan Haider, Coroners Court of Victoria (31 July 2017) <[http://www.coronerscourt.vic.gov.au/resources/a2408200-0e96-47c1-b6aa-ebee1bb3622/ahmadnumanhaider\\_491714.pdf](http://www.coronerscourt.vic.gov.au/resources/a2408200-0e96-47c1-b6aa-ebee1bb3622/ahmadnumanhaider_491714.pdf)>
139. J Stapelton, *Terror in Australia: Workers' Paradise Lost* (A Sense of Place Publishing, Australia 2015).
140. On 9 December 2016, both were sentenced 20 years imprisonment: *R v al-Kutobi and Kiad* [2016] NSWSC 1760.
141. *R v Besim* [2016] VSC 537 at [1].
142. 'In the name of Allah the beneficent, the Merciful, a while ago world leaders declared war on Islam and Muslims, invading lands, dividing us into separate nations, installing puppets, killing and torturing Muslims. This war had always had a[n] impact on me, however recently my brother Numan (may Allah accept him) carried out his attack, this opened my eyes up to the reality of who the enemy is. Since then a growing feeling within me had led me to decide to carry out my own. To establish my jihad in Australia, to fight the oppressors, those who have implemented man made law, to fight to make Allah's word known and the highest, to defend Islam and put fear into those who are enemies to Allah and his religion Insha'Allah. At first I wanted nothing else but to leave this country and live in the Islamic State, however after many complications with my passport I realised this could not be done. So I started to prepare myself for my attack against the enemies of Islam' cited in *R v Besim* [2016] VSC 537 at [109].
143. Besim ultimately pleaded guilty to one count of doing acts in preparation for, or planning, a terrorist act contrary to s 101.6 (1) of the Criminal Code (Cth) and was sentenced to 10 years imprisonment: *R v Besim* [2016] VSC 537 at [179]; see also Zammit, 'The Role of Virtual Planners' (n 82).
144. 'Soon by the will of God ... your nights will turn into nightmares, your days into hell. By the will of Allah I have come today to put terror into your hearts and soon the majahideen will do the same, by the will of Allah': cited by N Ralston (1 May 2017); 'Farhad Jabar Captured Giving Islamic State Salute before Curtis Cheng Shooting' *Sydney Morning Herald* <<https://www.smh.com.au/national/nsw/farhad-jabar-captured-giving-islamic-state-salute-before-curtis-cheng-shooting-20170501-gvwn36.html>>
145. N Kazimi, 'Zarqawi's Anti-Shi'a Legacy: Original or Borrowed?' (2006) 4 *Current Trends in Islamist Ideology* 53-72; B Haykel, 'Al-Qa'ida and Shiism' in A Moghadam and B Fishman (eds), *Fault Lines in Global Jihad* (Routledge, London 2011); B Fishman, 'Revising the History of al-Qa'ida's Original Meeting with Abu Musab al-Zarqawi' (2016) 9(7) *Combating Terrorism Center Sentinel* 29-33; C Watts, 'Deciphering Competition between al-Qa'ida and the Islamic State' (2016) 9(7) *Combating Terrorism Center Sentinel* 1-6; W McCants, 'The Polarizing Effect of Islamic State Aggression on the Global Jihadist Movement' (2016) 9(7) *Combating Terrorism Center Sentinel* 20-23; TR Hamming, 'The al Qaeda-Islamic State Rivalry: Competition Yes, but No Competitive Escalation' (2017) *Terrorism and Political Violence* DOI 10.1080/09546553.2017.1342634, 1-18.
146. *Inspire* was first published by al-Qaeda in the Arabian Peninsula in January 2010; see HJ Ingram, 'An Analysis of Inspire and Dabiq: Lessons from AQAP and Islamic State's Propaganda War' (2017) 40(5) *Studies in Conflict and Terrorism* 357-75.
147. J Dowling, 'Al-Qaeda's Brutal Warning after Sydney Siege' *Herald Sun* (28 December 2014) <<http://www.heraldsun.com.au/news/alqaedas-brutal-warning-after-sydney-siege/news-story/2ec7c640bf6d976488a3f20f1daa0f8a>>
148. M Knott, 'Sydney Siege Gunman Man Haron Monis Glorified in Islamic State Propaganda Magazine Dabiq' *Sydney Morning Herald* (30 December 2014) <<http://www.smh.com.au/federal-politics/political-news/sydney-siege-gunman-man-haron-monis-glorified-in-islamic-state-propaganda-magazine-dabiq-20141229-12fdg6.html>>
149. NSW Coroner Inquest Findings (n 2) 236 para 49.
150. NSW Coroner Inquest Findings (n 2) 236 para 49.
151. See also AM Hoffman, 'Voice and Silence: Why Groups Take Credit for Acts of Terror' (2010) 47(5) *Journal of Peace Research* 615-26; M Abrahms and J Conrad, 'The Strategic Logic of Credit Claiming: A New Theory for Anonymous

- Attacks' (2017) 26(2) Security Studies 279-304.
152. SC Sivek, 'Packaging Inspiration: Al-Qaeda's Digital Magazine *Inspire* in the Self-Radicalization Process' (2013) 7 International Journal of Communication 584-606.
153. NJ O'Shaughnessy and PR Baines, 'Selling Terror: The Symbolisation and Positioning of Jihad' (2009) 9(2) Marketing Theory 227-41; G Michael, *Lone Wolf Terror and the Rise of Leaderless Resistance* (Vanderbilt University Press, Nashville, Tennessee 2012); G Weimann, *New Terrorism and New Media* (Wilson Centre and Commons Lab, Research Series, Washington, DC 2014); D Byman, *Al Qaeda, the Islamic State and the Global Jihadist Movement: What Everyone Needs to Know* (OUP, New York 2015); C Galloway, 'Media Jihad: What PR Can Learn in Islamic State's Public Relations Masterclass' (2016) 42 Public Relations Review 582-90; TH Tonnessen, 'Islamic State and Technology - A Literature Review' (2017) 11(6) Perspectives on Terrorism 101-11; MC Benigni, K Joseph and KM Carley, 'Online Extremism and the Communities that Sustain it: Detecting the ISIS Supporting Community on Twitter' (2017) 12(2) PLoS ONE <<https://doi.org/10.1371/journal.pone.0181405>>; MG Zekulin, 'More than the Medium: How the Communication Literature Helps Explain ISIS's Success in Recruiting Westerners' (2018) 13 (1) Journal of Policing, Intelligence and Counter Terrorism 17-37.
154. Y Tsifti and G Weimann, 'www.terrorism.com: Terror on the Internet' (2002) 25 Studies in Conflict and Terrorism 317-32; MRT Soriano, 'The Vulnerabilities of Online Terrorism' (2012) 35(4) Studies in Conflict and Terrorism 263-77; G Weimann, 'Lone Wolves in Cyberspace' (2012) 3(2) Journal of Terrorism Research DOI 10.15664/jtr.405; C Archetti, *Understanding Terrorism in the Age of Global Media: A Communication Approach* (Palgrave Macmillan 2013); G Hussain and EM Saltman, *Jihad Trending: A Comprehensive Analysis of Online Extremism and How to Counter it* (Quilliam Foundation, London 2014); RHeickero, 'Cyber Terrorism: Electronic Jihad' (2014) 38(4) Strategic Analysis 554-65; AB Atwan, *Islamic State: The Digital Caliphate* (University of California Press, Oakland, California 2015); D Talbot, 'Fighting ISIS Online' (2015) 118(6) Technology Review 72-77; HJ Ingram, 'The Strategic Logic of Islamic State Information Operations' (2015) 69(6) Australian Journal of International Affairs 729-52; J Melki and M Jabado, 'Mediated Public Diplomacy of the Islamic State in Iraq and Syria: The Synergistic Use of Terrorism, Social Media and Branding' (2016) 4(2) Media and Communication 92-103; B Ganor, *Global Alert: The Rationality of Modern Islamist Terrorism and the Challenge to the Liberal Democratic World* (Columbia University Press, New York 2015); G Weimann, *Terrorism in Cyberspace: The Next Generation* (Columbia University Press, NY 2015); MM Kraidy, 'Revisiting Hypermedia Space in the Era of the Islamic State' (2017) 20(3) Communication Review 165-71.
155. AY Zelin, 'Picture or it Didn't Happen: A Snapshot of the Islamic State's Official Media Output' (2015) 9(4) Perspectives on Terrorism 85-97; G Siboni, D Cohen and T Koren, 'The Islamic State's Strategy in Cyberspace' (2015) 7(1) Military and Strategic Affairs 127-43; W Marcellino and others, 'Measuring the Popular Resonance of Daesh's Propaganda' (2016) 10(1) Journal of Strategic Security 32-52; C Smith and others, 'The Islamic State's Symbolic War: Da'esh's Socially Mediated Terrorism as a Threat to Cultural Heritage' (2016) 16 (2) Journal of Social Archaeology 164-88; A Watkins, 'Losing Territory and Lashing Out: The Islamic State and International Terror' (2016) 3 Combating Terrorism Center Sentinel 14-18; M Bloom, 'Constructing Expertise: Terrorist Recruitment and "Talent Spotting" in the PIRA, Al Qaeda, and ISIS' (2017) 40(7) Studies in Conflict and Terrorism 603-23; Z Tziarras, 'Islamic Caliphate: A Quasi-state, a Global Security Threat' (2017) 12(1) Journal of Applied Security Research 96-116; T Maurer, 'Islamic State of Iraq and Syria's Terrorism: A Universal Instrument of Asymmetric Warfare and the New Battlefield in Europe' (2017) 9 Defence Against Terrorism Review 61-76.



156. A Salem, E Reid and H Chen, 'Multimedia Content Coding and Analysis: Unravelling the Content of Jihadi Extremist Groups' Videos' (2008) 31(7) *Studies in Conflict and Terrorism* 605-26; E Reid, 'A Comparison of Jihadi Extremist Groups' Videos' (2009) 11(3) *Forensic Science Communications* <[https://www.fbi.gov/about-us/lab/forensic-science-communications/fsc/july2009/index.htm/research\\_tech/2009\\_07\\_research01.htm](https://www.fbi.gov/about-us/lab/forensic-science-communications/fsc/july2009/index.htm/research_tech/2009_07_research01.htm)>; JM Berger, 'Tailored Online Interventions: The Islamic State's Recruitment Strategy' (2015) 8(10) *Combating Terrorism Center Sentinel* 19-23; A Gendron, 'The Call to Jihad: Charismatic Preachers and the Internet' (2017) 40 (1) *Studies in Conflict and Terrorism* 44-61; A Aly, 'Brothers, Believers, Brave Mujahideen: Focusing Attention on the Audience of Violent Jihadist Preachers' (2017) 40 (1) *Studies in Conflict and Terrorism* 62-76; M Conway, 'Determining the Role of the Internet in Violent Extremism and Terrorism: Six Suggestions for Progressing Research' (2017) 40 (1) *Studies in Conflict and Terrorism* 7798; M Abrahms, N Beauchamp and J Mroszczyk, 'What Terrorist Leaders Want: A Content Analysis of Terrorist Propaganda Videos' (2017) 40(11) *Studies in Conflict and Terrorism* 899-916.
157. M Maggioni and P Magri (eds), *Twitter and Jihad: The Communication Strategy of ISIS* (Italian Institute for International Political Studies, Milan 2015) <<http://www.ispionline.it/en/articles/article/twitter-and-jihad-communication-strategy-isis-13105Marlin>>; J Klausen, 'Tweeting the Jihad: Social Media Networks of Western Foreign Fighters in Syria and Iraq' (2015) 38(1) *Studies in Conflict and Terrorism* 122; A Hoffman and Y Schweitzer, 'Cyber Jihad in the Service of the Islamic State (ISIS)' (2015) 18(1) *Strategic Assessment* 71-81; N Prucha, 'IS and the Jihadist Information Highway - Projecting Influence and Religious Identity via Telegram' (2016) 10 (6) *Perspectives on Terrorism* 48-58.
158. Dabiq, a small town in Syria approximately 10 km from the border with Turkey, features in Islamic apocalyptic prophecies as the site of an end-of-times confrontation between Muslims and their 'Roman' enemies. The Prophet Muhammad is believed to have said that 'the last hour will not come' until Muslims vanquished the Romans at 'Dabiq or al-Amaq' on their way to conquer Constantinople (modern-day Istanbul). On 16 November 2014, Islamic State distributed a 15-minute video showing British militant Mohammed Emwazi ('Jihadi John') standing over the severed head of captured American aid worker Peter Kassig: 'Here we are, burying the first American Crusader in Dabiq, eagerly waiting for the remainder of your armies to arrive'; See also M Vergani and A Bliuc, 'The Evolution of the ISIS Language: A Quantitative Analysis of the Language of the First Year of *Dabiq* Magazine' (2015)2 *Sicurezza, Terrorismo e Societa* 720.
159. On 31 July 2016, the town of Dabiq was lost to Syrian rebels with support from Turkish forces. In September 2016, the new online magazine *Rumiyah* first appeared. *Rumiyah* (Arabic for 'Rome') is a reference to the Hadith in which the Prophet Muhammad declares that after Constantinople, the Muslim armies will conquer Rome.
160. HJ Ingram, 'An Analysis of Islamic State's Dabiq Magazine' (2016) 51(3) *Australian Journal of Political Science* 458-77; CMI Novenario, 'Differentiating al Qaeda and the Islamic State through Strategies Publicized in Jihadist Magazines' (2016) 39(11) *Studies in Conflict and Terrorism* 953-67; L Shamieh and Z Szenes, 'Propaganda of ISIS/DAESH through the Virtual Space' (2015) 7(1) *Defence Against Terrorism Review* 7-30; J Burke, 'The Age of Selfie Jihad: How Evolving Media Technology is Changing Terrorism' (2016) *Combating Terrorism Center Sentinel* 16-22; R Mahzam, 'Rumiyah - Jihadist Propaganda and Information Warfare in Cyberspace' (2017) 9(3) *Counter Terrorist Trends and Analyses* 8-14; Meleagrou-Hitchens and Hughes (n 125); NM Rocca, 'Mobilization and Radicalization through Persuasion: Manipulative Techniques in ISIS' Propaganda' (2017) 5(11) *International Relations and Diplomacy* 660-70.
161. Terrorism Research and Analysis Consortium, 'More than Just Beheadings: How the Islamic State Sells Itself' (8 December 2014) <<https://www.trackingterrorism.org/content/https://time>

- com/3624976/isis-beheading-technology-video-trac-quilliam/%22>
162. N Morley, 'Isis are Claiming Responsibility for Acts They Didn't Commit' *Metro News* (17 July 2016) <<http://metro.co.uk/2016/07/17/isis-are-claiming-responsibility-for-acts-they-didnt-commit-6012302/>>
  163. RC Paddock and F Villamor, 'Manila Casino Attacker was a Gambling Addict, the Philippine Police Say' *New York Times* (4 June 2017) <<https://www.nytimes.com/2017/06/04/world/asia/philippines-casino-resorts-world-manila-jessie-carlos.html>>
  164. J Moore, 'ISIS Claims Las Vegas Shooting, Says Stephen Paddock Converted to Islam' *Newsweek* (10 February 2017) <<http://www.newsweek.com/isis-claims-las-vegas-shooting-says-stephen-paddock-converted-islam-675504>>
  165. N Bucci, 'Las Vegas Shooter Stephen Paddock, Islamic State and the Mystery of Motive' *Sydney Morning Herald* (6 October 2017) <<http://www.smh.com.au/world/las-vegas-shooter-stephen-paddock-islamic-state-and-the-mystery-of-motive-20171006-gyvkav.html>>
  166. LD Mech, 'Alpha Status, Dominance, and Division of Labor in Wolf Packs' (1999) 77 *Canadian Journal of Zoology* 1196-203.
  167. BM Jenkins, *Stray Dogs and Virtual Armies: Radicalization and Recruitment to Jihadist Terrorism in the United States Since 9/11* (RAND, Santa Monica California 2011) 21; see also JR White, *Terrorism: An Introduction* (Wadsworth, Belmont, California 2003) 'The term glorifies their actions and should not be used' p 4.
  168. S Moskalkenko and C McCauley, 'The Psychology of Lone-Wolf Terrorism' (2011) 24 *Counselling Psychology Quarterly* 115-26; P Gill, *Lone-Actor Terrorists: A Behavioural Analysis* (Routledge, New York 2015); JD Simon, *Lone Wolf Terrorism: Understanding the Growing Threat* (Prometheus Books, Amherst, NY 2013); DM Zierhoffer, 'Threat Assessment: Do Lone Terrorists Differ from Other Lone Offenders?' (2014) *Journal of Strategic Security* 48-62; OE Danzell and LM Maisonet Montanez, 'Understanding the Lone Wolf Terror Phenomena: Assessing Current Profiles' (2016) 8(2) *Behavioral Sciences of Terrorism and Political Aggression* 135-59; McCauley and Moskalkenko (n 127); JA Capellan, 'Lone Wolf Terrorist or Deranged Shooter? A Study of Ideological Active Shooter Events in the United States, 1970-2014' (2015) 38(6) *Studies in Conflict and Terrorism* 395-413; M Becker, 'Explaining Lone Wolf Target Selection in the United States' (2014) 37(11) *Studies in Conflict and Terrorism* 959-78; R Spaaij and MS Hamm, 'Key Issues and Research Agendas in Lone Wolf Terrorism' (2014) 38 *Studies in Conflict and Terrorism* 167-78; J Kaplan, H Loow and L Malkki, 'Introduction to the Special Issue on Lone Wolf and Autonomous Cell Terrorism' (2014) 26(1) *Terrorism and Political Violence* 1-12; BP Alakoc, 'Competing to Kill: Terrorist Organizations Versus Lone Wolf Terrorists' (2017) 29 *Terrorism and Political Violence* 509-32; K Beydoun, 'Lone Wolf Terrorism: Types, Stripes and Double Standards' (2018) 11 *Northwestern University Law Review* 187-215; P Gill and others, 'Terrorist Decision Making in the Context of Risk, Attack Planning, and Attack Commission' (2018) *Studies in Conflict and Terrorism* DOI 10.1080/1057610X.2018.1445501
  169. R Spaaij, 'The Enigma of Lone Wolf Terrorism: An Assessment' (2010) 33(9) *Studies in Conflict and Terrorism* 854-70; R Spaaij, *Understanding Lone Wolf Terrorism: Global Patterns, Motivations and Prevention* (Springer, New York 2012); Spaaij and Hamm (n 168).
  170. JT Alderdice, 'Sacred Values: Psychological and Anthropological Perspectives on Fairness, Fundamentalism, and Terrorism' (2009) 1167 *Annals of the New York Academy of Sciences* 158-73; MA Hogg, 'Self Uncertainty, Social Identity and the Solace of Extremism' in HA Hogg and DL Blaylock (eds), *Extremism and the Psychology of Uncertainty* (Blackwell Publishing, London 2012); J Gruenewald, S Chermak and J Freilich, 'Distinguishing "Loner" Attacks from other Domestic Extremist Violence' (2013) 12 *Criminology and Public Policy* 65-91; J Reid Meloy and J Yakeley, 'The Violent True Believer as a "Lone Wolf"- Psychoanalytic Perspectives on Terrorism' (2014) 32(3) *Behavioral Sciences and the Law* 347-65; JM Post, 'Terrorism and Right-Wing Extremism: The Changing Face of Terrorism and

- Political Violence in the 21st Century: The Virtual Community of Hatred' (2015) 65 *International Journal of Group Psychotherapy* 242-71; B Moreng, 'ISIS Virtual Puppeteers: How They Recruit and Train Lone Wolves' *Foreign Affairs* (21 September 2016) <<https://www.foreignaffairs.com/articles/2016-09-21/isis-virtual-puppeteers>>; J De Roy van Zuijdewijn and B Edwin, 'Analysing Personal Characteristics of Lone-Actor Terrorists: Research Findings and Recommendations' (2016) 10(2) *Perspectives on Terrorism* 42-49; C Ellis, 'With a Little Help from My Friends: An Exploration of the Tactical Use of Single-Actor Terrorism by the Islamic State' (2016) 10(6) *Perspectives on Terrorism* 41-47; P Joosse, 'Leaderless Resistance and the Loneliness of Lone Wolves: Exploring the Rhetorical Dynamics of Lone Actor Violence' (2017) 29(1) *Terrorism and Political Violence* 52-78.
171. R Pantucci, *A Typology of Lone Wolves: Preliminary Analysis of Lone Islamist Terrorists* (International Centre for the Study of Radicalisation and Political Violence, London 2011).
172. Pantucci (n 171) 20.
173. R Pape and others, 'The American Face of ISIS: Analysis of ISIS-Related Terrorism in the US March 2014-August 2016' Chicago Project on Security and Threats <<https://www.aspi.org.au/report/american-face-isis-analysis-isis-related-terrorism-us-march-2014-august-2016>>
174. M Sageman, *Leaderless Jihad: Terror Networks in the Twenty-First Century* (University of Pennsylvania Press, Philadelphia 2008) 109; see also A Stenersen, 'The Internet: A Virtual Training Camp?' (2008) 20(2) *Terrorism and Political Violence* 215-33; M Sageman, 'The Stagnation in Terrorism Research' (2014) 26 *Terrorism and Political Violence* 565-80.
175. J Brachman, *Global Jihadism: Theory and Practise* (Routledge, New York 2008).
176. K Strom and others, *Building on Clues: Examining Successes and Failures in Detecting U.S. Terrorist Plots, 1999-2009* (Institute for Homeland Security Solutions, Durham, NC 2010) <[https://sites.duke.edu/ihss/files/2011/12/Building\\_on\\_Clues\\_Strom.pdf](https://sites.duke.edu/ihss/files/2011/12/Building_on_Clues_Strom.pdf)>; see also EH Kaplan, 'Estimating the Duration of Jihadi Terror Plots in the United States' (2012) 35 *Studies in Conflict and Terrorism* 880-94; A Seidl and others, 'Optimal Control of a Terror Queue' (2016) 248(1) *European Journal of Operational Research* 246-56; J Hartley and A Cherney, 'Forming Partnerships to Tackle Terrorism and Violent Extremism: Insights and Experiences from Australia' (2016) 8 (4) *Counter Terrorist Trends and Analyses* 4-9; S Mullins, 'Counter-terrorism in Australia: Practitioner Perspectives' (2016) 11 (1) *Journal of Policing, Intelligence and Counter Terrorism* 93-111; S Harris-Hogan, K Barrelle and A Zammit, 'What is Countering Violent Extremism? Exploring CVE Policy and Practice in Australia' (2016) 8 (1) *Behavioral Sciences of Terrorism and Political Aggression* 6-24; K Buggy, *Under the Radar: How might Australia Enhance its Policies to Prevent 'lone wolf' and 'fixated person' Violent Attacks?* (Centre for Defence and Strategic Studies Commonwealth of Australia March 2016) [http://www.defence.gov.au/ADC/Publications/IndoPac/Buggy\\_IPSP\\_Final.pdf](http://www.defence.gov.au/ADC/Publications/IndoPac/Buggy_IPSP_Final.pdf).
177. BL Smith, KR Dampousse and P Roberts, *Pre-incident Indicators of Terrorist Incidents: The Identification of Behavioral, Geographic and Temporal Patterns of Preparatory Conduct* (Arkansas University Fayetteville, Terrorism Research Centre Fulbright College 2006) <<https://www.ncjrs.gov/pdffiles1/nij/grants/214217.pdf>>
178. See also M Kenney, "'Dumb" yet Deadly: Local Knowledge and Poor Tradecraft among Islamist Militants in Britain and Spain' (2010) 33(10) *Studies in Conflict and Terror* 911-32.
179. MS Hamm, *Terrorism as Crime: from Oklahoma City to al-Qaeda and Beyond* (New York University Press, New York, NY/London, UK 2007).
180. JR Meloy and ME O'Toole, 'The Concept of Leakage in Threat Assessment' (2011) 29(4) *Behavioral Sciences and the Law* 513-27; JR Meloy, A Guldman and D James, 'The Role of Warning Behaviors in Threat Assessment: An Exploration and Suggested Typology' (2012) 30 *Behavioral Sciences and the Law* 256-79; B Schuurman and Q Eijkman, 'Indicators of terrorist intent and capability: Tools for threat assessment' (2015) 8 (3) *Dynamics of Asymmetric Conflict* 215-31.
181. B Schuurman and others, 'Lone Actor Terrorist Attack Planning and Preparation: A Data-Driven Analysis' (2017) *Journal*

- of Forensic Sciences <<https://doi.org/10.1111/1556-4029.13676>>
182. See also B Bennet, 'The Terrorist's Preparation for an Attack' in *Understanding, Assessing, and Responding to Terrorism: Protecting Critical Infrastructure and Personnel* (2nd edn, 2017) <<https://doi.org/10.1002/9781119237792.ch5>>
  183. MS Hamm and R Spaaij, *The Age of Lone Wolf Terrorism* (Columbia University Press, New York 2017) 153.
  184. Hamm and Spaaij (n 183) 155; See also E Orehek and others, 'Fully Committed: Suicide Bombers Motivation and the Quest for Personal Significance' (2009) 30 (3) *Political Psychology* 331-57.
  185. NSW Coroner Inquest Findings (n 2) 239 para 82.
  186. NSW Coroner Inquest Findings (n 2) 239 para 83.
  187. NSW Coroner Inquest Findings (n 2) 17 para 71, 240 para 88.
  188. A Heber, 'There Will be an Investigation Into How "Damaged Goods" Gunman, Man Haron Monis, Remained on the Streets' *BBC World News* (16 December 2014) <<http://www.bbc.com/news/world-australia-30484419>>
  189. R Kerbaj, 'Sheik "Faked" to Stir up Ill-Feeling' *Week-end Australian* (28 December 2007) <<http://www.theaustralian.com.au/national-affairs/defence/sheik-faked-to-stir-up-ill-feeling/story-e6fgr8yo-1111115203676>>
  190. T Elliot and S Wood, 'Martin Place Gunman Deranged, Deluded and Dangerous' *Sydney Morning Herald* (16 December 2014) <<http://www.smh.com.au/nsw/martin-place-gunman-deranged-deluded-and-dangerous-20141216-128j42.html>>
  191. R Kohn, 'Radical Muslim Cleric Goes Unchecked' *ABC News* (16 December 2014) <<http://www.abc.net.au/news/2009-11-09/radical-muslim-cleric-goes-unchecked/1135594>>
  192. M Innis, 'Sydney Hostage Siege Ends with Gunman and 2 Captives Dead as Police Storm Cafe' *The New York Times* (15 December 2014) <<https://www.nytimes.com/2014/12/16/world/asia/sydney-australia-hostages.html>>
  193. A Aly, 'Sydney Siege: Don't Call Man Haron Monis a 'Terrorist' - It Only Helps Isis' *The Guardian* (16 December 2014) <https://www.theguardian.com/commentis-free/2014/dec/16/sydney-siege-dont-call-man-haron-monis-a-terrorist-it-only-helpsisis>; W Aly, 'Sydney Gunman Man Haron Monis a Real Sheikh Only to Himself' *Sydney Morning Herald* (17 December 2014) <https://www.smh.com.au/opinion/sydneygunman-man-haron-monis-a-real-sheikhonly-to-himself-20141216-128h9x.html>; B Kampmark, 'Releasing the "Terror Genie": Man Haron Monis and the "Sydney Siege"' (2017) 37 (4) *Journal of Muslim Minority Affairs* 496-510.
  194. NSW Coroner Inquest Findings (n 2) 235 para 26.
  195. NSW Coroner Inquest Findings (n 2) 235 para 30.
  196. J Warrick, *Black Flags: The Rise of ISIS* (Doubleday, New York 2015) 127.
  197. The provocation would 'show the Sunnis their [Shi'ites] rabies and bare the teeth of their hidden rancor' quoted in M Weiss and H Hassan, *ISIS: Inside the Army of Terror* (Regan Arts, 2015) 29; In a letter to al-Qaeda leaders in 2004, al-Zarqawi wrote: 'If we succeed in dragging them [Shi'a] into the arena of sectarian war, it will become possible to awaken the inattentive Sunnis as they feel imminent danger and annihilating death at the hands of these Sabeans [descendants of the ancient Semitic civilization of Saba in Southern Arabia]', 'Zarqawi Letter' (February 2004) 2001-2009 Archive for the US Department of State <<http://2001-2009.state.gov/p/nea/rls/31694.htm>> Dabiq, issue 13, 41-42; See also 'The Rafidah: From Ibn Saba' to the Dajjal' Dabiq, issue 13, 32-45 'The Rafidah are mushrik apostates who must be killed wherever they are to be found, until no Rafidahi walks on the face of the earth'. Cited in R Manne, *The Mind of the Islamic State* (Redback, Schwartz Publishing, Carlton, Victoria 2016); see also AH Kydd and BF Walter, 'The Strategies of Terrorism' (2006) 31(1) *International Security* 49-80; VP Fortna, 'Do Terrorists Win? Rebels' Use of Terrorism and Civil War Outcomes' (2015) 69(3) *International Organization* 138; N Gonzalez, *The Sunni-Shia Conflict: Understanding Sectarian Violence in the Middle East* (Nortia Press, California 2009); P Chambers, 'Abu Musab Al Zarqawi: The Making and Unmaking of an American Monster (in



- Baghdad' (2012) 37 (1) Alternatives: Global, Local, Political 30-51; G Abdo, *the New Sectarianism: The Arab Uprisings and the Rebirth of the Shi'a-Sunni Divide* Brookings Institute Washington DC (April 2013) <https://www.brookings.edu/wp-content/uploads/2016/06/sunni-shia-abdo.pdf>.
198. J Turner, 'Strategic Differences: Al Qaeda's Split with the Islamic State of Iraq and al-Sham' (2015) 26(2) *Small Wars and Insurgencies* 208-25; The February 2006 bombing in the Iraqi city of Samarra of the al-Askari Mosque, one of the holiest sites in Shi'a Islam, was followed by retaliatory violence which left over 100 dead by the next day: RF Worth, 'Muslim Clerics Call for an End to Iraqi Rioting' *New York Times* (25 February 2006) <<http://www.nytimes.com/2006/02/25/world/middleeast/muslim-clerics-call-for-an-end-to-iraqi-rioting.html>>; In September 2017, Islamic State gunmen and suicide bombers killed more than 80 people in Nasiriyah, south of Baghdad. Most of the victims were pilgrims traveling north to the Shi'a shrines in Karbala and Najaf. In November 2017, the bodies of thousands of civilians executed by Islamic State were found in mass graves in Syria and Iraq: L Hinnant, 'Survivors Give Evidence as Mass Graves Discovered in Syria and Iraq' *BBC News* (31 August 2016) <<http://www.bbc.com/news/av/world-37235823/survivors-give-evidence-as-mass-graves-discovered-in-syria-and-iraq>>
199. Abu Muhammed al-Adnani, 'I Exhort You to One Thing Only' *Al-Furqan Media Foundation* (May 2012) <<http://jihadology.net/2012/05/21/al-furqan-media-presents-a-new-audio-message-from-the-islamic-state-of-iraqs-shaykh-abu-mu%E1%B8%A5ammad-al-adnani-i-exhort-you-to-one-thing-only/>>
200. Abu Bakr al-Baghdadi, 'Remaining in Iraq and the Levant' *Al-Furqan Media Foundation* (14 June 2017) cited in TR Hamming, 'Jihadi Competition and Political Preferences' (2017) 11(6) *Perspectives on Terrorism* 63-88, 69.
201. J Muir, 'Iraq Crisis: Islamic State Accused of Ethnic Cleansing' *BBC News* (2 September 2014) <<http://www.bbc.com/news/world-middle-east-29026491>>
202. Syrian Observatory for Human Rights, 'ISIS Executes Nearly 1,500 People in Syria in 5 Months' (31 December 2014) <<http://www.syriaahr.com/en/?pD8509>>; See also NG Bowie, 'Terrorism Events Data: An Inventory of Databases and Data Sets, 1968-2017' (2017) 11(4) *Perspectives on Terrorism* 50-72.
203. D Milton, 'Pledging Bay'a: A Benefit or Burden to the Islamic State?' (2015) 8(3) *Combating Terrorism Center Sentinel* 4-7.
204. J Wagemakers, 'The Concept of Bay'a in the Islamic State Ideology' (2015) 9(4) *Perspectives in Terrorism* 98-106.
205. S Ackerman, 'Omar Mateen Described Himself as "Islamic Soldier" in 911 Calls to Police' *The Guardian* (21 June 2016) <<https://www.theguardian.com/us-news/2016/jun/20/omar-mateen-911-calls-orlando-shooting-fbi-release-isis>>; Subsequently, *Dabiq* (issue 15, 43) announced 'On the 7th of Ramadan our brother Omar Mateen, one of the soldiers of the caliphate in America carried out an attack on a nightclub for sodomites in the city of Orlando, Florida. He succeeded in massacring the filthy Crusaders, killing more than 100 of them before he was killed'. See also S Scott, 'The Enduring Influence of Anwar al-Awlaki in the Age of the Islamic State' (2016) 9(7) *Combating Terrorism Centre Sentinel* 1-8.
206. Prucha (n 157).
207. A Sims, 'ISIS Posts Video "Showing Two Normandy Attackers Pledging Allegiance"' *The Independent* (27 July 2016) <<https://www.independent.co.uk/news/world/europe/isis-posts-video-showing-two-normandy-attackers-pledging-allegiance-a7158961.html>>
208. See L Vidino and S Hughes, 'San Bernardino and the Islamic State Footprint in America' (2015) 8(11) *Combating Terrorism Center Sentinel* 34-36.
209. C Dewey and S Parnass, 'For the First Time, An Alleged Terrorist has Broadcast a Confession in Real Time on Facebook Live' *Washington Post* (14 June 2016) <[https://www.washingtonpost.com/news/the-intersect/wp/2016/06/14/for-the-first-time-an-alleged-terrorist-has-broadcast-a-confession-in-real-time-on-facebook-live/?utm\\_termD.215160afae1e](https://www.washingtonpost.com/news/the-intersect/wp/2016/06/14/for-the-first-time-an-alleged-terrorist-has-broadcast-a-confession-in-real-time-on-facebook-live/?utm_termD.215160afae1e)>; see also R Gunaratna, 'Global Terrorism Mid-year Review' (2016) 8(/) *Counter Terrorist Trends and Analyses* 3-8.
210. Mahzam (n 160).
211. NSW Coroner Inquest Findings (n 2) 239 para 85.



212. A Fisher, 'Swarmcast: How Jihadist Net works Maintain a Persistent Online Presence' (2015) 9(3) *Perspectives on Terrorism* 3-20; Hoffman and Schweitzer (n 157); M Weiss and H Hassan, *ISIS: Inside the Army of Terror* (Phaidon Press, London 2016); Prucha (n 157); Ingram, 'An Analysis of Islamic State's Dabiq Magazine' (n 160); B Colas, 'What does Dabiq Do? ISIS Hermeneutics and Organizational Fractures within Dabiq Magazine' (2016) 40(3) *Studies in Conflict and Terrorism* 173-90; L Bertram, 'Terrorism, the Internet and the Social Media Advantage: Exploring How Terrorist Organizations Exploit Aspects of the Internet Social Media and How these Same Platforms Could be Used to Counter-Violent Extremism' (2016) 7 *Journal for Deradicalization* 225-52; NF Johnson and others, 'New Online Ecology of Adversarial Aggregates: ISIS and Beyond' (2016) 352 *Science* 1459-63; A Shehabat, T Mitew and Y Alzoubi, 'Encrypted Jihad: Investigating the Role of Telegram App in Lone Wolf Attacks in the West' (2017) 10(3) *Journal of Strategic Security* 27-53; Meleagrou-Hitchens and Hughes (n 125); R Pelzer, 'Policing of Terrorism Using Data from Social Media' (2018) *European Journal for Security Research* 1-17 <<https://doi.org/10.1007/s41125-018-0029-9>>
213. MM Hafez, 'The Alchemy of Martyrdom: Jihadi Salafism and Debates over Suicide Bombings in the Muslim World' (2010) 38 *Asian Journal of Social Science* 364-78; M M Hafez, 'Martyrdom Mythology in Iraq: How Jihadists Frame Suicide Terrorism in Videos and Biographies' in J Horgan and K Braddock, eds., *Terrorism: A Reader* (Routledge, New York 2012); SP Perry and JM Long, 'Why Would Anyone Sell Paradise?': The Islamic State in Iraq and the Making of a Martyr' (2016) *Southern Communication Journal*, doi: 10.1080/1041794X.2015.1083047.
214. Burke (n 160).
215. RM Pearlstein, *The Mind of the Political Terrorist* (Scholarly Resources, Wilmington 1991); WHR Martens, 'The Terrorist with Antisocial Personality Disorder' (2004) 4(1) *Journal of Forensic Psychology Practice* 45-56; see also M Gallagher, "'Criminalised" Islamic State Veterans - A Future Major Threat in Organised Crime Development?' (2016) 10(5) *Perspectives on Terrorism* 51-67; O Roy, *Jihad and Death: The Global Appeal of the Islamic State* (Hurst, London 2017); R Basra and PR Neumann, 'Crime as Jihad: Developments in the Crime-Terror Nexus in Europe' (2017) 10(9) *Combating Terrorism Center Sentinel* 1-5; V Ljubic, JW van Prooijen and F Weerman, 'Beyond the Crime-Terror Nexus: Socio-economic Status, Violent Crimes and Terrorism' (2017) 3(3) *Journal of Criminological Research, Policy and Practice* 158-72.
216. RR Corrado, 'A Critique of the Mental Disorder Perspective of Political Terrorism' (1981) 4 *International Journal of Law and Psychiatry* 293-309; A Silke, 'Cheshire-Cat Logic: The Recurring Theme of Terrorist Abnormality in Psychological Research' (1998) 4 *Psychology, Crime and Law* 51; A Silke, 'The Devil You Know: Continuing Problems with Research on Terrorism' (2001) 13 *Terrorism and Political Violence* 1-14; D Weatherston and J Moran, 'Terrorism and Mental Illness: Is there a Relationship?' (2003) 47(6) *International Journal of Offender Therapy and Comparative Criminology* 698-713; L Miller, 'The Terrorist Mind: I. A Psychological and Political Analysis' (2006) 50 *International Journal of Offender Therapy and Comparative Criminology* 121-38; FJ Stoddard and others, 'Psychiatry and Terrorism' (2011) 199 *Journal of Nervous and Mental Disease* 537-43; SJ Baele, 'Are Terrorists "Insane"? A Critical Analysis of Mental Health Categories in Lone Terrorists' Trials' (2014) 7 (2) *Critical Studies on Terrorism* 257-76; P Gill and others, 'Indicators of Lone Actor Violent Events: The Problems of Low Base Rates and Long Observational Periods' (2016) 3(4) *Journal of Threat Assessment* 165-73; SL Desmarais and others, 'The State of Scientific Knowledge Regarding Factors Associated with Terrorism' (2017) 4(4) *Journal of Threat Assessment* ISO- 209; P Gill and E Corner, 'There and Back Again: The Study of Mental Disorder and Terrorist Involvement' (2017) 72 (3) *American Psychologist* 231-41.
217. L Lankford, 'A Psychological Autopsy of 9/11 Ringleader Mohamed Atta' (2012) 27(2) *Journal of Police and Criminal Psychology* 150-59; A Lankford, 'A

- Psychological Reexamination of Mental Health Problems among the 9/11 Terrorists' (2017) *Studies in Conflict and Terrorism* <<https://doi.org/10.1080/1057610X.2017.1348742>>
218. A Howell, 'Victims or Madmen? The Diagnostic Competition Over "Terrorist" Detainees at Guantanamo Bay' (2007) 1 *International Political Sociology* 29-47; See also J Horgan, *The Psychology of Terrorism* (2nd edn, Routledge, Oxon, England 2014).
219. E Salib, 'Suicide Terrorism' (2003) 1S2 *British Journal of Psychiatry* 475-76; I Orbach, 'Terror Suicide' (2004) S *Archives of Suicide Research* 115-30; D Lester, B Yang and M Lindsay, 'Suicide Bombers: Are Psychological Profiles Possible?' (2004) 27 *Studies in Conflict and Terrorism* 2S3-95; D Lester, 'Suicidal Protests: Selfimmolation, Hunger Strikes, or Suicide Bombing' (2014) 37(4) *Behavioral and Brain Sciences* 372 doi 10.1017/S0140525X13003439; see also E Townsend, 'Suicide Terrorists: Are They Suicidal?' (2007) 37(1) *Suicide and Life-Threatening Behavior* 35-49; LA O'Rourke, 'What's Special about Female Suicide Terrorism?' (2009) 18(4) *Security Studies* 6S1; JM Post and others, 'The Psychology of Suicide Terrorism' (2009) 72(1) *Psychiatry* 13-31; A Lankford, 'Do Suicide Terrorists Exhibit Clinically Suicidal Risk Factors? A Review of Initial Evidence and Call for Future Research' (2010) 15(5) *Aggression and Violent Behavior* 1359- 7S9. J Victoroff, JR Adelman and M Matthews, 'Psychological Factors Associated with Support for Suicide Bombing in the Muslim Diaspora' (2012) 33 *Political Psychology* 791-809.
220. K Bhui, N Warfa and E Jones, 'Is Violent Radicalisation Associated with Poverty, Migration, Poor Self-Reported Health and Common Mental Disorders?' (2014) *PLoS ONE* 9(3) e90718. doi10.1371/journal.pone.0090718; E Corner, P Gill and O Mason, 'Mental Health Disorders and the Terrorist: A Research Note Probing Selection Effects and Disorder Prevalence' (2016) 39(6) *Studies in Conflict and Terrorism* 560-68; S Knight, K Woodward and GLJ Lancaster, 'Violent Versus Nonviolent Actors: An Empirical Study of Different Types of Extremism' (2017) 4(4) *Journal of Threat Assessment* 230-48; E Corner and P Gill, 'Is there a Nexus between Terrorist Involvement and Mental Health in the Age of the Islamic State?' (2017) 10(1) *Combating Terrorism Center Sentinel* 1-9; Kruglanski and others (n 129).
221. K Bhui, A James and S Wessely, 'Mental Illness and Terrorism' (2016) *British Medical Journal* 354 i4869 doi 10.1136/bmj.i4869
222. R Borum, 'Informing Lone-Offender Investigations' (2013) 12 *Criminology & Public Policy* 103-12; P Gill, J Horgan and P Deckert, 'Bombing Alone: Tracing the Motivations and Antecedent Behaviors of Lone Actor Terrorists' (2014) 59(2) *Journal of Forensic Sciences* 425-35; E Corner and P Gill, 'A False Dichotomy? Mental Illness and Lone-Actor Terrorism' (2015) 39(1) *Law and Human Behavior* 23-34.
223. R Olding, 'Khaled Sharrouf Mental Health Problems Left Untreated in Prison' *Sydney Morning Herald* (14 August 2014) <<http://www.smh.com.au/national/khaled-sharroufmental-health-problems-left-untreated-in-prison-20140814-1044n7.html>>
224. NSW Coroner Inquest Findings (n 2) 69 para 159.
225. NSW Coroner Inquest Findings (n 2) 71 para 175, 218 para 72.
226. NSW Coroner Inquest Findings (n 2) 71 para 179.
227. NSW Coroner Inquest Findings (n 2) 71 para 178.
228. NSW Coroner Inquest Findings (n 2) 72 para 185.
229. NSW Coroner Inquest Findings (n 2) 66 para 123.
230. NSW Coroner Inquest Findings (n 2) 236 para 46.
231. NSW Coroner Inquest Findings (n 2) 237 para 56.
232. NSW Coroner Inquest Findings (n 2) 129 para 37.
233. NSW Coroner Inquest Findings (n 2) 239 para 86.
234. P Nesser, A Stenersen and E Oftedal, 'Jihadi Terrorism in Europe: The IS-Effect' (2016) 10(6) *Perspectives on Terrorism* 3-24.
235. E Miller, 'Patterns of Islamic State-Related Terrorism, 2002-2015' National Consortium for the Study of Terrorism and Responses to Terrorism (START) August 2016 <<http://www.start.umd.edu/news/patterns-islamic-state-related-terrorism-2002-2015>>

236. G Woo, 'Understanding the Principles of Terrorism Risk Modelling from Charlie Hebdo Attack in Paris' (2015) 7(1) *Defence Against Terrorism Review* 31-44.
237. See also Abrahms, Ward and Kennedy (n 124).
238. E Miller, 'Mass-Fatality, Coordinated Attacks Worldwide, and Terrorism in France' National Consortium for the Study of Terrorism and Responses to Terrorism (START) November 2015 <[http://www.start.umd.edu/pubs/START\\_ParisMassCasualtyCoordinatedAttack\\_Nov2015.pdf](http://www.start.umd.edu/pubs/START_ParisMassCasualtyCoordinatedAttack_Nov2015.pdf)>; Ed Bakker and L van der Heide, 'Mumbai- Style Attacks in Paris' The International Centre for Counter-Terrorism - The Hague (ICCT) November 2015 <<https://icct.nl/publication/paris-mumbai-style-attacks-with-a-different-outcome/>>
239. NSW Coroner Inquest Findings (n 2) 236 para 41.
240. M Bahari and M Hassan, 'The Black Flag Myth: An Analysis from Hadith Studies' (2014) 21(4) *Middle East Policy* 69-83.
241. NSW Coroner Inquest Findings (n 2) 238 para 85.
242. NSW Coroner Inquest Findings (n 2) 238 para 86.
243. NSW Coroner Inquest Findings (n 2) 238 para 88.
244. PJ Phillips, 'The Lone Wolf Terrorist: Sprees of Violence' (2012) 18(3) *Peace Economics, Peace Science and Public Policy* 111; M Pitcavage, 'Cerberus Unleashed: The Three Faces of the Lone Wolf Terrorist' (2015) 59(13) *American Behavioral Scientist* 1655-80; BJ Phillips, 'Deadlier in the U.S.? On Lone Wolves, Terrorist Groups and Attack Lethality' (2017) 29(3) *Terrorism and Political Violence* 533-49.
245. AY Zelon, *Rumiyah* (9th edition) New release of The Islamic State's magazine 'Rome #9' *Jihadology* (4 May 2017) <<https://azelin.files.wordpress.com/2017/05/rome-magazine-9.pdf>>
246. A Silverman, 'Just War, Jihad and Terrorism: A Comparison of Western and Islamic Norms for the Use of Political Violence' (2002) 44 *Journal of Church and State*; see also N Cox and H O'Farrell, 'Terrorism, Shari'a and the Isolating of Islam' (2016) 90 (4) *Australian Law Journal* 255-74; See also D Cook, *Understanding Jihad* (U Cal Press 2005); J Rehman, *Islamic State Practices, International Law and the Threat from Terrorism: A Critique of the 'Clash of Civilisations' in the New World Order* (Hart Publishing Ltd 2005); J Esposito, 'Terrorism and the Rise of Political Islam' in Louise Richardson (ed), *The Roots of Terrorism* (Routledge 2006); M Khadduri, *War and Peace in the Law of Islam* (Lawbook Exchange 2006); P Ahmed, 'Terror in the Name of Islam - Unholy War, Not Jihad' (2008) 39(3) *Case Western Reserve Journal of International Law* 759; JR Henderson, 'Home-Grown Jihadism and the Factors of Terror' (2009) 4 *Yale J Intl Aff* 59; M Muthuswamy, 'Shari'a as a Platform for Espousing Violence and as a Cause for Waging Armed Jihad' (2014) 7 *Albany Government Law Review* 347; AN Celso, 'Dabiq: IS's Apocalyptic 21st Century Jihadist Manifesto' (2014) 2 *Journal of Political Sciences & Public Affairs* 1-4; AN Celso, 'The "Caliphate" in the Digital Age: The Islamic State's Challenge to the Global Liberal Order' (2015) 10 *International Journal of Interdisciplinary Global Studies* 1-26.
247. I Taymiyya, *The Religious and Moral Doctrine of Jihad* (Maktabah al Ansaar, Birmingham, England 2001); M Bonner, *Jihad in Islamic History: Doctrines and Practice* (Princeton University Press, Princeton, New Jersey 2008); J Stern and JM Berger, *ISIS: Inside the Army of Terror* (HarperCollins, New York 2015); C Bunzel, *From Paper State to Caliphate: The Ideology of the Islamic State* (Brookings Institution, Washington, DC 2015).
248. R Shanahan, 'Sectarian Violence: The Threat to Australia' (Crawford School of Public Policy, National Security College, Australian National University. Occasional Paper 7 July 2014) <<https://ssrn.com/abstract/D2745647>>
249. See also A Dolnik, 'Fighting to the Death' (2010) 155(2) *Royal United Services Institute Journal* 60-68; A Dolnik, 'From Sydney to Paris: The Return of the Terrorist Barricade Hostage Incidents?' (2015) 8(1) *Combating Terrorism Center Sentinel* 5-8.
250. NSW Coroner Inquest Findings (n 2) 425 para 26: over 1200 witness statements, 200 hours of media footage, canvassing 14,690 individuals including through 'doorknocking', 1000 hours of CCTV footage, 172 phone calls to 'triple zero',

- 1500 reports to the National Security Hotline and 1712 calls to the Public Information and Inquiry Centre.
251. OF Kernberg, *Severe Personality Disorders* (Yale University Press, New Haven, CT 1984); O Kernberg, *Borderline Conditions and Pathological Narcissism* (Jason Aronson, New York 1985); O Kernberg, 'Pathological Narcissism and Narcissistic Personality Disorder: Theoretical Background and Diagnostic Classification' in EF Ronningstam (ed), *Disorders of Narcissism: Diagnostic, Clinical and Empirical Implications* (American Psychiatric Press, Washington, DC 1998) 29-52; OF Kernberg, 'The Narcissistic Personality Disorder and the Differential Diagnosis of Antisocial Behaviour' (1989) 12 *Psychiatric Clinics of North America* 553-70; OF Kernberg, *Aggression in Personality Disorder and Perversions* (Yale University Press, New Haven, CT 1992); OF Kernberg, *Aggressivity, Narcissism, and Self-Destructiveness in the Psychotherapeutic Relationship* (Yale University Press 2004).
252. PL Hart and CE Joubert, 'Narcissism and Hostility' (1996) 79(1) *Psychological Reports* 161; RF Baumeister and others, 'Self-Esteem, Narcissism, and Aggression: Does Violence Result from Low Self-Esteem or from Threatened Egotism?' (2000) 9(1) *Current Directions in Psychological Science* 26; RF Baumeister, 'Violent Pride: Do People Turn Violent Because of Self-Hate or Self-Love?' (2001) *Scientific American* 96-101; JG Gunderson and E Ronningham, 'Differentiating Narcissistic and Antisocial Personality Disorders' (2001) 15 *J Personal Disorder* 103-109; JM Ruiz, TW Smith and F Rhodewalt, 'Distinguishing Narcissism and Hostility: Similarities and Differences in Interpersonal Circumplex and Five-Factor Correlates' (2001) 76(3) *Journal of Personality Assessment* 537-55;
- S Fisher and G Hall, "'If you Show a Bit of Violence they Learn Real Quick": Measuring Entitlement in Violent Offenders' (2011) 18(4) *Psychiatry, Psychology and Law* 588-98; M Larson and others, 'Narcissism, Low Self-Control and Violence among a Nationally Representative Sample' (2015) 42(6) *Criminal Justice and Behavior* 644-61; J Lowenstein, C Purvis and K Rose, 'A Systematic Review on the Relationship between Antisocial, Borderline and Narcissistic Personality Disorder Diagnostic Traits and Risk of Violence to Others in a Clinical and Forensic Sample' (2016) 3 *Borderline Personality Disorder and Emotion Dysregulation* 14.
253. S Freud, 'Libidinal Types' (1932) *The Psychoanalytic Quarterly* V1; LM Bogart, EG Benotsch and JD Pavlovic, 'Feeling Superior but Threatened: The Relation of Narcissism to Social Comparison' (2004) 26 *Basic and Applied Social Psychology* 35-44.
254. H Kohut, 'Thoughts on Narcissism and Narcissistic Rage' (1972) 27 *Psychoanalytic Study of the Child* 360-400; RF Baumeister, L Smart and JM Boden, 'Relation of Threatened Egotism to Violence and Aggression: The Dark Side of High Self Esteem' (1996) 103 *Psychological Review* 5-33, 8; see also S Vazire and DC Funder, 'Impulsivity and the Self-Defeating Behaviour of Narcissists' (2006) 10 *Personality and Social Psychology Review* 154-65; K Geukes and others, 'Puffed-Up but Shaky Selves: State Self Esteem Level and Variability in Narcissists' (2017) 112(5) *Journal of Personality and Social Psychology* 76986.
255. *R v Droudis* (No. 16) [2017] NSWSC 20 at [78].
256. See also R Scott and I Freckelton, 'Narcissistic Rage and the Murder of Allison Baden-Clay' (2018) 25(1) *Psychiatry, Psychology and Law* 131-51.