



# Army

## Aiding the civil authority: the potential for a broader Army role in domestic counter-terrorism

Australian Army Occasional Paper  
Developmental Series, No. 2

Scott Brady, Paula Hanasz and Patrick Bigland

*Serving our Nation*



# Army

---

## Aiding the civil authority: the potential for a broader Army role in domestic counter-terrorism

Scott Brady, Paula Hanasz and Patrick Bigland

*Serving our Nation*

This research paper was funded by the Australian Army Research Centre's Army Research Scheme (ARS). The ARS funds independent research on topics of importance to Army over a period of one year. Research areas of interest are wide ranging and include operational, technological, social, cultural and organisational topics. Further details on the ARS can be found at <https://www.army.gov.au/our-future/aarc/research-and-development/army-research-scheme>. General ARS enquiries can be sent to Army. Research@defence.gov.au.

© Commonwealth of Australia 2019.

This publication is copyright. Apart from any fair dealing for the purposes of study, research, criticism or review (as permitted under the *Copyright Act 1968*), and with standard source credits included, no part may be reproduced by any process without written permission.

Australian Army Occasional Paper  
Developmental Series, No. 2

ISSN 2651-9666 (Online)

ISSN 2651-9658 (Print)

AARC website: [www.army.gov.au/aarc](http://www.army.gov.au/aarc)

AARC Twitter: @AARCAusArmy

Contact: [AARCAusArmy@defence.gov.au](mailto:AARCAusArmy@defence.gov.au)

# AUSTRALIAN ARMY OCCASIONAL PAPER SERIES

This paper is an Occasional Paper published by the Australian Army Research Centre (AARC). AARC was established by Chief of Army to foster knowledge of, and debate on, the profession of arms. To achieve this, AARC will sponsor research into the future of land power and related topics, and publish the results as either Occasional Papers or Monographs under one of the following seven themes:

1. Future of Army Series
2. Conflict Theory and Strategy Series
3. Command and Leadership Series
4. Human Performance Series
5. Operational Development Series
6. Technical Development Series
7. Ethos and Ethics Series

All papers published in this series will have the aim of advancing knowledge in an area related to Army, or fostering debate which is likely to enhance thinking about the profession of arms.

For further debate in some of these areas please see:  
<https://www.army.gov.au/our-future/aarc/blog>

## OPERATIONAL DEVELOPMENT SERIES

This paper is part of the Operational Development Series and is published in line with the Chief of Army's primary task for AARC: to foster knowledge and debate about the profession of arms. Since warfare began, military leaders have considered what they do and studied the theories behind their actions. Today we study many of these thinkers and writers from the past while considering how their thinking fits into the modern construct of warfare both now and into the future. The unique challenges of modern conflict prompt the military thinkers of today to study the theory of warfare with renewed enthusiasm. This paper, and the others in this series, will add significantly to the body of knowledge in the area of operational development.



---

## Introduction

Terrorist incidents in recent years—including the 2014 Sydney Lindt Café siege, the November 2015 Paris attacks and the 2016 Nice Bastille Day attack—have continued to highlight the vulnerabilities of Western societies to extremist violence. They also demonstrate how some global developments have removed some impediments for groups or individuals to conduct high-profile attacks with local resources and without deep connections to a terrorist organisation. In the wake of recent events, there has been speculation in Australian media about whether the Defence Force should play a bigger role in protecting the Australian public from terrorist incidents.

The Australian Government has indicated an increasing willingness to use Defence for domestic counter-terrorism (CT). In the Defence White Paper 2016,<sup>1</sup> the government's direction for Defence to support domestic CT was more prominent than in previous iterations. More explicitly, in July 2017, then Prime Minister Malcolm Turnbull announced, 'The Australian Defence Force will expand its role in assisting the states to respond to terrorist incidents'.<sup>2</sup> As a part of that initiative, the Government introduced a Bill in June 2018 to amend the *Defence Act 1903*.<sup>3</sup> The changes proposed in the Defence Amendment (Call Out of the Australian Defence Force) Bill 2018 are aimed at strengthening the support that Defence can provide in response to major acts of 'domestic violence'.<sup>4</sup>

The use of Defence capabilities certainly indicates a government's level of resolve in dealing with a terrorist incident. Defence forces are generally understood to bring additional capabilities and capacity that can reinforce a civil authority. However, it is important to clarify what this means in a practical sense. The aim should be to ensure that all parties—government, Defence, first responders etc.—have a consistent expectation of what Defence can actually do in a CT scenario.



*Former Prime Minister Malcolm Turnbull with Air Chief Marshal Mark Binskin AC at Holsworthy Barracks in July 2017, discussing 'call out' powers to allow the military to help local police deal with terror threats. (AAP Image: Brendan Esposito)*

This paper examines what a bigger role for Army in domestic CT response could actually look like. Given the current threat environment, what might a terrorist incident requiring an Army response look like? What types of activities may Army need to perform to assist Australian governments to deter/prevent, respond to or recover from a terrorist attack? Furthermore, what could be some of the implications—for policy, for readiness or for government/public expectations—of this wider role?

The research provides Army with a basis for assessing how its capabilities and preparedness for supporting civil authorities in domestic CT align with government expectations, given the current level of terrorism threat awareness. It provides analysis to support Army's provision of advice to government on how, and the extent to which, Army can make a greater contribution to domestic CT. Finally, this research aims to inform Army decisions regarding capability and preparedness to support domestic CT.

This paper provides an examination of terrorism incidents in comparable nations, using both quantitative and qualitative views. A quantitative survey was designed with the aim of improving understanding of the relative prevalence and consequences

of different forms of terrorist attacks. The qualitative view looked at case studies to examine the details of how these attacks occurred and what security actions were conducted during preparation, response and recovery. The analysis focuses on applying the findings to Australian circumstances.

The scope of domestic CT for this research is incident focused. It only considers Army's potential operational roles in the context of a terrorist attack on Australian soil. This scope excludes Army's role in international CT or incidents in the maritime or aviation domains. An examination of support to CT intelligence or investigations was not possible in open-source research.

This paper is based on open-source, desk-based research conducted throughout 2018. The research consisted of three components.

The first component was a literature review. This surveyed previous material on issues relevant to how nations use security forces for CT incidents domestically. The literature review also examined Australian national, Commonwealth, state and territory legislation, policies and other publicly released documents.

The second component was a quantitative analysis of terrorism incidents in comparable nations in recent decades. The principal source for this component was the Global Terrorism Database (GTD), as produced by the University of Maryland's National Consortium for the Study of Terrorism and Responses to Terrorism (START).<sup>5</sup> This analysis initially considered all incidents recorded in Organisation for Economic Co-operation and Development (OECD) countries during 2001–2017.

The final component was the examination of six case studies derived from the GTD analysis. These were selected to represent different types of incidents that may have relevance for Australia. The focus for the case studies was to investigate the role played by security forces before, during and after each incident. Where available, official government reports on each incident were used as the main reference. In all case studies, the researchers also referenced media reporting and think-tank publications.





---

## Use of Armies for Domestic Counter-Terrorism

There is little academic literature on the use of armies for domestic CT in developed nations. Few pieces of ‘grey literature’—governmental or private sector reports, studies or reviews—cover the issue in great detail. Even less has been written about the Australian context specifically.

Nearly 100 studies of home-grown terrorism, domestic CT laws, homeland security, ‘lone-wolf’ attacks, countering violent extremism and the use of military or paramilitary capabilities for CT and counter-insurgency were examined. Literature on Australia’s involvement in the ‘global war on terror’, terrorist attacks and foiled plans for attacks on Australia, the discourse of securitisation, and experience in the UK, France, Spain, the US and Indonesia were also considered.

### Global Context

Most of the literature about the use of military forces for CT focuses on responses to post-9/11 transnational terrorism. In terms of use of the military in domestic CT, the majority of studies come from countries with ongoing insurgencies, such as Indonesia. Analysis of the effectiveness of these operations—both domestic and international—suggests that the use of army capability tends to perpetuate or intensify violence rather than diminish it.

In addition to studies of domestic and global counter-insurgency operations, there is a body of literature that examines specific types of terrorist attacks. These studies examine attacks on public transport infrastructure, lone-wolf attacks, and attacks on shopping centres or public spaces that tend to be crowded. An analysis of this literature indicates that one-off or isolated incidents in developed countries may not

be situations in which army use is appropriate. There are several reasons for this. First, incidents tend to be over too quickly for army assets to arrive on the scene before an attack has concluded. Second, military responses can add to the public perception of terror and a securitisation of public space—although the converse is also sometimes true. Some literature suggests that the general public may perceive domestic terrorism as a growing threat and prefer more military responses. This is certainly the case in the Australian context.

## Australian Context

The literature suggests that in the Australian context there is little need for military responses to the most likely forms of terrorist attacks. In other words, short of a protracted, complex attack, such as that which occurred in Mumbai in 2008, current police capability and jurisdictional arrangements are sufficient to respond to violent attacks in Australia. This is not necessarily represented in government responses to terrorism or public perception of the risks—particularly since 9/11.

There is an increasing appetite in Australia for military responses, greater fear of terrorist attacks, and a general atmosphere of securitisation. Andrew O’Neil argues that the literature on Australian approaches to domestic terrorism falls into two categories: analysis that warns against securitisation and increasingly harsh measures, and analysis that concludes that the threat of terrorism on Australian soil has been heightened by Australia’s support of and involvement in America’s ‘global war on terror’.<sup>6</sup>

The first camp comprises those who highlight what they regard as the Howard government’s overreaction to the threat of terrorism in the form of unnecessarily draconian legislation at the domestic level. According to this view, the ‘threat’ has been inflated deliberately by a conservative government looking to exploit feelings of insecurity among ordinary Australians.<sup>7</sup> Rebecca Ananian-Walsh and George Williams argue that after 9/11, once exceptional measures become normalised they then extended to new extremes, such as to the ‘war on bikies’.<sup>8</sup> Michael Head’s detailed examination of the legal aspects of an Australian Defence call out also fits into this category.<sup>9</sup> Head questions whether a military-focused response to terrorism is appropriate but also examines the legality of call out in itself and raises issues regarding the legal status of called-out soldiers.

The second camp endorses the view that Australia has seriously compromised its ability to counter extremist narratives by becoming too closely involved in supporting the US-led ‘global war on terrorism’. Advocates of this position argue that Australia’s ‘blind allegiance’ to US global objectives has provoked a backlash

among Islamic jihadists, unnecessarily increasing the risk of further attacks against Australia's onshore and offshore assets.<sup>10</sup> John Bruni, for example, argues that Australia's close relationship with the US, and involvement in America's 'war on terror', has increased the risk of significant terrorist attacks on Australian soil.<sup>11</sup>

However, this is a threat that has not often been realised. Domestic attacks against foreign targets include the Hilton bombing of 1978, the 1980 assassination of the Turkish Consul General in Sydney, and the 1986 bombing of the Turkish Consulate in Melbourne.<sup>12</sup> Bruni points out that Australian laws, surveillance and other operational measures have thus far been adequate in protecting Australians from planned terrorist attacks. He lists nine foiled plans.<sup>13</sup>

Raphael Veit points out that, while many Australian intelligence organisations are responsible for CT:

a significant role is also allocated to the Australian Federal Police (AFP) and state police agencies, particularly as state police and emergency services will respond first to an incident, which may subsequently be identified as a terrorist attack.<sup>14</sup>

The AFP Commissioner acknowledged in 2007 that the Australian Defence Force (ADF) could supplement domestic CT activities. He noted that 'the call out of the ADF actually comprises a fairly specific component of national counter-terrorism activity' and that it 'provides scope for ADF involvement particularly where they have the sole expertise and capability to perform such highly specialised protection and response tasks.'<sup>15</sup>

Furthermore, Veit warns against the potential abuse of rights and constitutional values that 'can emerge when counter-terrorism is viewed primarily from a military perspective'.<sup>16</sup> John Sutton, too, argues that CT has provided a vehicle for the militarisation of the police and the integration of the military into 'internal security'. 'The public is disturbed at seeing police wearing riot gear at demonstrations,' he writes:

When police begin using paramilitary tactics and techniques, the essential nature of their role is redefined, switching from protection and peacekeeping to active aggression. This convergence in roles has coincided with the erosion of a number of geopolitical, economic and social-order assumptions. Principal among these shifts has been the rise of global terrorism and the ushering in of the so-called fourth-generation warfare paradigm.<sup>17</sup>

Katrina Lee-Koo points out that since 9/11 Australian society has become increasingly scared of the threat of domestic terrorism, and that this has led to a normalisation of once extreme or exceptional security measures:

The result ... is an unquestioning acceptance that ... the deprivation of certain liberties and the lack of human empathy when dealing with others are necessary to ensure national security.

Lee-Koo notes that former Australian Security Intelligence Organisation Director-General Dennis Richardson argued that 'a further lowering of the risk tolerance threshold' was necessary. Consequently, the threats of terrorism and the practices of CT have become normalised into everyday life.<sup>18</sup> Christian Hirst agrees that since 9/11 there has been a paradigm shift in national security in Australia, and a transformation in the way in which government decision-makers and the strategic policy bureaucracy think about security threats.<sup>19</sup>

Ananian-Walsh and Williams add that the culture of securitisation following 9/11 may erode constitutional values:

Outside of the anti-terror context, the now-normalised measures can give rise to even more extreme laws that further challenge fundamental values. In this sense the legal responses to the war on terror can continue indefinitely outside of the anti-terror context and have a permanent impact on constitutional values.<sup>20</sup>

Sutton makes the point that:

Historically, a close ideological and operational alliance between the police and military has been associated with repressive regimes. There are also residual concerns about the use of the ADF for domestic security purposes. At its core is the question of whether the government can be trusted to use the ADF legally and wisely and, indeed, whether the ADF can be trusted to respect civil liberties.<sup>21</sup>

With this in mind, Bruni warns against overreacting to the threat of domestic terrorism:

... should we in Australia be driven by moral panic about terrorists in our midst? No. The best counter-terrorism is conducted in the shadows, away from the front pages and the gaze of social media.<sup>22</sup>

Instead of jumping to the 'solution' of using Army in domestic CT, perhaps there first ought to be a rethinking of what security means in the Australian context. As Lee-Koo points out:

While we certainly need to critically reflect upon questions such as, ‘what constitutes terrorism? who are the terrorists? where do we confront them and how?’ we just as urgently need to critically analyse how we think about these questions. In particular, we need to ask: ‘What is this discourse of terrorism? Who generates it? How does it enable the kinds of changes we are seeing in our society, and are they consistent with the broader notions of security to which we aspire?’ It is this second set of questions, so intimately related to the first, which are often neglected despite their centrality to the practice of Australian security.<sup>23</sup>

In other words, the question of how the Army can respond to domestic terrorism is not the same as the question as how Australia can be made safer in the face of the domestic terrorism threat.

## Australian Legislation

There are two main categories of Commonwealth laws of direct relevance to CT.

The first category is legislation regarding the criminal aspect of terrorist activity. These laws criminalise certain actions, either by defining the context for a certain activity as ‘terrorism’ or codifying specific terrorism-related activities as crimes. Hence, they define what acts the government defines as terrorism—and potentially as requiring Defence involvement—as opposed to other crime types.

The most pertinent of these is the Commonwealth *Criminal Code Act 1995*.<sup>24</sup> This Act is particularly relevant because it (in Division 100) defines a ‘terrorist act’ and then (in Divisions 101, 102 and 103) uses this definition as the basis for codifying terrorism offences. This Act provides three criteria for defining a terrorist act: it must include violence or the threat of violence; be made with the intention of advancing a political, religious or ideological cause; and be intended to coerce or intimidate a government and/or the public. This definition was used by the project team in the examination of global terrorism incidents. The Act also (in Divisions 104 and 105) provides the authority for law enforcement to exercise specific coercive powers where dealing with terrorism offences. Other Australian jurisdictions—such as New South Wales in the *Terrorism (Police Powers) Act 2002*<sup>25</sup> and Victoria in the *Terrorism (Commonwealth Powers) Act 2003*<sup>26</sup>—use the same definition to provide additional police powers.

The second category is legislation that authorises the use of Defence for domestic security. Section 119 of the Australian Constitution<sup>27</sup> provides the context in which the Commonwealth may provide security assistance to states where requested by the latter ‘against domestic violence’. Part IIIAAA of the Defence Act<sup>28</sup> provides

a mechanism for call out of the Defence Force for domestic security operations in two contexts: protection of Commonwealth interests; and protection of states and self-governing territories. Call out gives coercive powers to the forces that have been called out. These powers may include powers to recapture locations/things, end acts of violence and protect persons; powers to protect designated critical infrastructure; and general security area powers including search, control of movement and detention. The Defence Amendment (Call Out of the Australian Defence Force) Bill was tabled before Parliament in June 2018<sup>29</sup> to amend these call out mechanisms. Among other modifications to specific details, this amendment should facilitate more proactive Commonwealth support to states/territories. Other mechanisms for Defence call out are provided in *Defence Regulation 2016*,<sup>30</sup> although these are largely consistent with Part IIIAAA of the Defence Act.

It is important to note that none of the legislation relevant to call out is explicitly about terrorism. In all cases, call out is a means by which the Commonwealth can use Defence capabilities (including the use of coercive force) to deal with domestic security situations that are beyond the capacity of the civil authorities. Terrorism is one context for this, but Defence support is also potentially applicable to other domestic emergencies.

---

## Contemporary Terrorism Incidents

As Australia has so far suffered relatively few terrorism incidents, much of the public discussion in Australia of Army's role in 'counter-terrorism' is presented in a generic manner. For example, the National Counter-Terrorism Plan directs the Commonwealth to 'maintain Defence capabilities to assist with domestic terrorist incidents'<sup>31</sup> but it does not define the types of capabilities expected for different types of attacks. Without a shared understanding of what a 'domestic terrorism incident' could look like, this may result in divergent expectations about what role Army may be required to play. This section presents a brief global survey of incidents of contemporary terrorism in developed countries<sup>32</sup> to draw out trends applicable to the Australian context.

According to the GTD,<sup>33</sup> there were a total of 5,724 incidents in OECD countries in the 2001–2017 period. Note that for the GTD an 'incident' is a single occurrence in one location at one time. Hence, a single attack involving several discrete components would be multiple incidents; for example, the four London bombings on 7 July 2005 are counted as four incidents. This figure also only includes incidents that meet all of the GTD's inclusion criteria—which roughly align with the Criminal Code Act's definition of a terrorist act.<sup>34</sup>

For the purposes of this research, it was necessary to exclude certain incidents from further consideration. Turkey and Israel (both OECD nations) together accounted for 2,917 incidents. The sheer number of these incidents, and their occurrence in the context of active insurgencies, means that they are less comparable with Australian circumstances. In-flight aviation and offshore maritime incidents were also discounted. This analysis focuses on types of incidents in which Army could support a state or territory government.<sup>35</sup>



Of the remaining incidents, a considerable proportion (1,346), were scenarios unlikely to require military involvement and have therefore been excluded from further analysis. The bulk (1,176) of these excluded incidents were acts of arson; the rest were attacks with edged or blunt weapons, attacks by unarmed assailants, or public poisonings. The exclusion of these incidents from this analysis is not to discount their seriousness—they are all acts of politically motivated violent crime and collectively account for over 100 deaths. Some of the excluded events occurred in Australia and resulted in death or serious injury.

It should be noted that, given the alignment between the GTD's inclusion criteria and the Criminal Code Act definition, lower impact incidents such as those excluded here could be prosecuted as 'terrorism offences' if they occurred in Australia. This highlights an important limitation in using 'terrorism' as a trigger for potential Defence call out. If 'terrorism', as broadly defined, is taken as a special circumstance necessitating Defence support, this may create an expectation of involvement in incidents where Defence is ill-suited to respond.

## Incidents Analysed

With those exclusions made, there were **2,046 incidents in the 33 nations considered in the 2001–2017 time frame**. Except where specified otherwise, all subsequent analysis was based on this smaller dataset.

This dataset was used to establish a quantitative picture of the contemporary threat from terrorist incidents in developed nations. The analysis specifically examined the years, locations, types and consequences of incidents.

## Incidents by Year

Table 1 presents the number of incidents occurring in each of the years considered. These results show a sharp increase in the number of attacks over recent years. The average number of attacks per year in the 2012–2017 period is almost double that for the preceding 10 years.

**Table 1**—Number of terrorism incidents per year (GTD data)

Year	Number of attacks	Average attacks per year
2001	184	
2002	96	Average for 2002–2011 86.6
2003	101	
2004	52	
2005	77	
2006	73	
2007	72	
2008	95	
2009	88	
2010	128	
2011	83	
2012	177	Average for 2012–2017 166.1
2013	183	
2014	149	
2015	179	
2016	140	
2017	169	
<b>Total</b>	<b>2,047</b>	<b>120.4</b>

## Types of Incidents

Table 2 summarises the attacks by attack type (as per the GTD categorisation) and number of casualties.

**Table 2—**Terrorism incidents by type and consequences (GTD data)

Type of attack	Number of incidents	Fatalities	Casualties	Fatalities per incident
Bombing/Explosion <sup>(1)</sup>	1,574	373	4,217	0.24
Armed Assault	253	464	1,779	1.83
Assassination	61	45	48	0.74
Facility/Infrastructure Attack	52	0	21	n/a
Unarmed Assault <sup>(2)</sup>	49	49	255	1.00
<i>White Powder Incident<sup>(3)</sup></i>	<i>37</i>	<i>7</i>	<i>42</i>	<i>0.19</i>
<i>Vehicle Ramming Attack<sup>(3)</sup></i>	<i>27</i>	<i>162</i>	<i>790</i>	<i>6</i>
Hostage Taking (Barricade Incident)	17	174	308	10.24
Hijacking	17	9	34	0.53
Hostage Taking (Kidnapping)	16	6	10	0.38
Unknown	7	0	4	0.00
<b>Total<sup>(2)</sup></b>	<b>2,046</b>	<b>1120</b>	<b>6676</b>	<b>0.55</b>

1—This figure also includes attempted bombings, where a device either failed to detonate or was successfully recovered.

2—All unarmed assaults that met the inclusion criteria were either white powder incidents or vehicle ramming attacks.

3—Vehicle ramming attacks and white powder incidents are not GTD categories. Ramming attacks were variously categorised as facility attacks, unarmed assaults, armed assaults, hijackings or assassinations, whereas white powder attacks were all either unarmed assaults or facility attacks. These specific incidents are counted against other categories as appropriate. The italicised numbers are not included in the 'Totals' row.

**Bombings.** Bombings were the most frequent type of attack (over 75 per cent of all incidents) and accounted for more than 60 per cent of the casualties. Only a relatively small proportion of the bombings (104 of 1,574) were attacks with major consequences. This is because the vast majority of bombing incidents were defused bombs, failed bombings and/or phoned-in warnings. However, this attack type still accounted for more than one-third of all fatalities. Also, some of these attacks

(particularly when considered as groups of attacks) were among the deadliest. More than half (875 of 1,574) occurred in one of four locations: Northern Ireland (449), Corsica, Attica or Basque Country. This indicates possible association with more traditional separatist/revolutionary groups. Vehicle bombs account for 118 of the total bombings, with 52 of these in Spain (mainly Madrid and Basque Country) and 31 in Northern Ireland. Most of these occurred before 2009. In total, all vehicle bombings caused 23 fatalities.

**Armed assaults.** These types of attacks had fewer incidents (one-sixth) compared to bombings, but collectively they resulted in more fatalities (464 to 373). These attacks also showed a trend of increasing frequency since 2001. All fatal incidents in this category involved firearms, but some (such as Nice 2016) also included a vehicle ramming attack. Several incidents in this category—especially Norway 2011, Paris 2015 and Nice 2016—had very large numbers of fatalities.

**Barricade incidents.** The GTD categorises any incident involving hostage-taking and a stand-off as a 'barricade incident'. Excluding attacks where the assailants did not use a firearm or explosive device, there were only 17 barricade incidents. Although these accounted for a substantial number of fatalities (174) and hence yielded a fatality rate of over 10 per incident, 155 (or 89 per cent) of those fatalities occurred in one of three incidents: the Paris 2015 Charlie Hebdo attack, the Paris 2015 Bataclan theatre attack, or the Florida 2016 Pulse nightclub shooting. Furthermore, it can be noted that these incidents were categorised as barricade incidents only because they included a stand-off with authorities; otherwise they were essentially armed assaults. Only four major incidents in this category—including two in Australia<sup>36</sup>—appear to be premeditated hostage-taking. Only one of these incidents—the 2016 Normandy church siege—had more than one assailant (it had two) and none of them lasted more than 24 hours. The remainder of the incidents in this category (including the capture of the Charlie Hebdo assailants) appear to be 'last stand' hostage-taking incidents, rather than being pre-planned by the attackers.

**Hijackings.** All 17 hijackings targeted either trucks or cars (including taxis and police vehicles). Thirteen of these attacks were in Northern Ireland and resulted in no fatalities. The nine fatalities resulting from hijackings were in four incidents. Three of these involved a vehicle being used in a ramming attack. The other hijacking involved a fugitive seeking to evade capture after the 2013 Boston Marathon bombing, resulting in the death of one assailant.

**Facility/infrastructure attacks.** When arson, unarmed and edged/blunt weapon incidents are excluded, facility attacks are relatively infrequent (52 incidents). These resulted in no fatalities, few casualties and little property damage. Almost half of the facility attack incidents recorded involved firearms (24). These included shootings at

government buildings, political party offices, religious sites and polling places. The only incidents targeting critical infrastructure were several bombings on oil/gas pipelines in Mexico in 2007 and two acts of sabotage on electricity towers in Chile in 2016.

**Vehicle ramming attacks.** For the overall period, there were 27 attacks with a vehicle ramming component. Vehicle ramming is not a specific GTD attack category. Rather, the individual attacks are variously categorised as facility attacks, unarmed assaults, armed assaults, hijackings or assassinations, as appropriate to the situation. They are still proportionately uncommon but are high profile and associated with multiple casualty events. Ramming attacks have also become more frequent and deadlier in the 2016–2017 period. From 2001 to 2015, there were six attacks causing 36 injuries and 10 deaths. By contrast 2016 and 2017 saw 19 attacks causing 754 injuries including 152 deaths. However, a single attack (Nice 2016) accounts for over half of the total casualties (433) and fatalities (87); in this case the ramming also included a shooting with firearms. In all cases these are attacks that had a vehicle ramming component. However, where the ramming was combined with an armed assault, not all of the casualties were caused by the vehicle ramming.

**‘White powder’ incidents.** Attacks with biological substances (such as anthrax or ricin) accounted for 37 incidents. Once again, this was not a GTD category; these individual incidents are included under facility attacks or unarmed assaults. Given that they involve a biological agent, they may be incidents in which Defence resources are required to respond. However, these attacks are no longer prevalent. Most occurred earlier than 2012 and specifically in a single campaign during 2001–02. The US accounts for the largest number (16).

**Assassinations and kidnappings.** Mexico and Greece together account for 40 (or more than half) of attacks of these types. Both attack types target individuals and tend to be associated with more locally focused terrorist groups.

## Incidents by Location

Table 3 presents the numbers of incidents by country. In this table, ‘major attacks’ refers to incidents that resulted in one or more fatalities, five or more other casualties<sup>37</sup> and/or more than US\$1 million in property damage.

Of the 33 countries considered, five—the UK, France, Spain, Greece and the US—accounted for over 73 per cent (1,510) of all attacks. The UK had the most attacks: it alone accounted for more than 30 per cent of the total and more than the next two countries combined. However, France recorded the largest number of fatalities (263) from terrorist attacks, with almost half of these from the November 2015 Paris attacks. Despite being ranked fifth in total number of attacks, the US had the largest number of major attacks. Together, these attacks resulted in 235 fatalities<sup>38</sup> (second only to France).

With several notable exceptions, bombings are the most frequent type of attack. In five of the six countries with more than 100 attacks, bombings account for more than 75 per cent of the total incidents. The first major exception is the US, where the most common form of terrorist attack was armed assault, making up 39 per cent of the total. This type of attack accounted for 140 fatalities (60 per cent of total). In Mexico, unlike other countries, assassinations (15) accounted for the largest proportion of major attacks. Belgium and Australia also had slightly different patterns, but the small overall numbers of attacks make it hard to confirm a trend.

**Key provinces.** One striking finding is that 1,054 incidents (or over 50 per cent of the total) occurred in one of four locations—Northern Ireland, Corsica, Attica or Basque Country. Only 67 (or 6 per cent) of attacks in these provinces resulted in ‘major’ consequences. Further analysis of these incidents shows a preponderance of bombing attacks (875, or 83 per cent). Despite the popular focus on the threat from Islamist extremism, this shows that more traditional attacks by ethno-nationalist or revolutionary groups are still numerically significant in the developed world.

**Table 3**—Number of terrorism incidents per country (GTD data)

Country	Number of attacks	Major attacks	Fatalities	Most frequent type	Notes
United Kingdom	631	33	122	497 bombings	564 attacks (22 major) in Northern Ireland
France	283	41	263	239 bombings	208 attacks (14 major) in Corsica
Spain	227	54	207	210 bombings	111 attacks (24 major) in Basque Country
Greece	219	8	7	183 bombings	171 attacks (7 major) in Attica
United States	150	61	235	59 armed assaults	
Ireland	131	2	2	128 bombings	
Italy	89	7	4	81 bombings	
Mexico	66	33	56	18 assassinations	
Chile	63	3	3	49 bombings	
Germany	53	14	40	27 bombings	
Sweden	24	2	10	17 bombings	
Canada	21	4	14	15 bombings	
Belgium	14	5	43	8 unarmed assaults	
Netherlands	11	4	10	6 bombings	
Australia	9	3	10	3 bombings 3 armed assaults	Ranked 15th of 33 in number of attacks
Others (total)	56	9	135	162 bombings	
<b>Total</b>	<b>2,047</b>	<b>283</b>	<b>1,161</b>		

## Australian Incidents

Australia was the site of nine incidents in the period considered. The major incidents were the 2014 Lindt café siege (barricade incident), the 2015 Parramatta police station shooting (armed assault) and the 2017 Brighton apartment stand-off (barricade incident). An unsuccessful attack during the period was the 2017 attempt to smuggle explosives onto a flight from Sydney airport.

The other five incidents comprised two shootings at mosques (armed assaults), two explosives incidents and one 'white powder' mail attack. None of these incidents resulted in casualties or major property damage.

When the excluded data (i.e. from the initial set of 5,724 incidents) is considered, there were another 30 attacks in Australia. Of these incidents, 26 were arson attacks. The remainder were three stabbing attacks and a stoning of a synagogue. Note that one of these stabbing attacks was the 2014 attack on two Victoria Police officers, a high-profile incident that resulted in the death of the assailant.



*Heavily armed Australian Federal Police onsite at the Lindt Cafe in Martin Place, directly after the 2014 'siege'. (AAP Image: Mick Tsikas)*



## Summary

This survey is intended to provide some context for understanding what form a ‘terrorist attack’ may take in a country like Australia. Hence, it illustrates the most likely circumstances under which a CT response will be required. It is important to recognise that the survey only considered attacks that have occurred or at least been attempted. It did not include plots that have been disrupted or abandoned, as any attempt to quantify these based on open-source information will not be sufficiently comprehensive. So, while this analysis cannot discount the potential threat from other forms of terrorism, it is based on actual attacks.

Overall, bombings and armed assaults are the two main forms of terrorist attack seen in developed countries in recent years. Together, these two types account for 89 per cent of all incidents and 75 per cent of the total fatalities. Looking more closely at the data, a number of salient points are apparent.

The impact of ‘jihadism’ can be seen in the profile of these attacks. Firstly, tactics of the battlefield are increasingly being applied in attacks in the developed world. Armed assaults are more prevalent in developed countries than in the past, reflecting greater access to and familiarity with firearms. These attacks, and the employment of suicide bombings, also demonstrate a greater willingness to maximise casualties by targeting large gatherings with multiple attackers. Secondly, jihadism is apparent in the rise of lone-wolf attacks in which individuals have been inspired to use more readily available weapons, such as vehicles or knives.

Meanwhile, separatist and revolutionary groups continue to make up the majority of attacks in the countries surveyed. Most of these are bomb attacks. They are also less deadly, with many recovered devices or bombs targeted at individuals or small groups. In some contexts, assassinations and kidnappings by these groups are also relatively common. However, given the localised and established nature of separatist groups, attacks in Australia are more likely to be within the jihadist paradigm.

Also notable is the relative absence of the types of high-profile attacks that shaped CT responses in the late 20th century. There were no hijackings of mass transportation in the 2001–2017 period. Few attacks targeted critical infrastructure, and those that did occur attacked transmission/distribution sites rather than large plants. As for the few premeditated hostage barricade incidents, none involved multiple attackers with firearms, none lasted beyond 24 hours and all were in publicly accessible locations.

---

## Case Studies

From the analysis of incidents in the GTD, case studies for qualitative analysis were identified. These case studies provided an opportunity to gain a more detailed understanding of how various types of attacks may transpire. More importantly, they allowed for examination of the responses to these types of incidents. Specifically, this examination looked at what security activities were conducted before the attack, in response to the attack and in the immediate aftermath. This is intended to highlight what operational activities Army may be expected to perform as part of a greater role in dealing with terrorist incidents domestically.

The case studies were selected to give a broad view across several attack types, casualty levels, and scales of response. The primary focus of case study selection was on bombings and armed attacks: the most frequent and deadly types of incidents. Additional case studies cover vehicle ramming, barricade situations and simultaneous attacks, because the data analysis indicates that these are types of attacks that may occur in Australia.

Five case studies are presented below. Two of these—Manchester 2017 and Boston 2013—are standalone case studies. The other three—Paris 2015, Nice 2016 and Normandy 2016—all occurred in France within an eight-month period and have some security arrangements in common.

# MANCHESTER, MAY 2017

The May 2017 attack at the Manchester Arena provides an example of a security response to a single-bomb incident. As the GTD data reveals, these types of incidents pose a credible threat in the developed world. Where employed well, they can be particularly lethal. Despite the use of a single bomb with a single bomber, such attacks can prompt large and high-profile security responses. The response to this attack provides lessons from a nation with political structures similar to Australia's.

## The Attack

At approximately 2230h on Monday 22 May, a suicide bomber detonated a bomb in a crowd outside the Manchester Arena. The detonation occurred in the City Room, which links the arena to Victoria station. A concert attended by 14,000 fans had just finished in the arena.<sup>39</sup> The blast claimed 23 lives (including that of the bomber) and hospitalised 116.<sup>40</sup>

Like many other recent bombings in Western nations (including the November 2015 Paris attacks) the bomb was constructed with homemade triacetone triperoxide (TATP). This incident revealed that manufacture of this explosive, using online instructions and commercially available materials, is easier than previously assumed.<sup>41</sup> The power of a relatively small amount of TATP is demonstrated by the fact that it was used in a suicide vest. Fragmentation was enhanced by the use of 2,000 metal nuts.<sup>42</sup> The attack occurred outside the arena itself, meaning the attacker did not need to penetrate an established security zone.<sup>43</sup>

The bombing was not a pure lone-wolf attack. The bomber was part of network of associates and appears to have drawn on broader expertise. The effectiveness of the bomb indicates the likely involvement of someone trained in manufacturing explosives.<sup>44</sup> There are also indications that the positioning of the bomb was ideal for maximising casualties, suggesting prior reconnaissance and planning.<sup>45</sup>

## Prevention and Preparation

Prior to the attack, the general terrorist alert levels in the UK were high. Since August 2014, the Joint Terrorism Analysis Centre had set the national terrorist threat level as Severe (indicating that Islamist terrorist attacks are 'highly likely').<sup>46</sup> Furthermore, the Manchester attack followed two months after the 22 March Westminster attack, which killed six people and was then the UK's deadliest attack since 2005.

Yet the Manchester Arena only had venue-hired private security. Without any specific threat to the event or the venue, there was little basis for providing additional security arrangements, including military resources.

## Response

The security response built very rapidly at the incident site after the explosion. The British Transport Police (BTP)—who have jurisdiction over Victoria station—had four officers on the scene within two minutes of the explosion and an additional 15 (from the nearby BTP offices) within 10 minutes.<sup>47</sup> Initial actions were shaped by an assumption that additional attacks could occur and, in accordance with protocols for a marauding terrorist firearms attack, gave priority to locating and confronting attackers.<sup>48</sup>

The Greater Manchester Police (GMP) had two armed officers at the arena within 11 minutes of the blast.<sup>49</sup> This had grown to 14 armed GMP officers within a further five minutes.<sup>50</sup> Once the GMP incident commander established that there was no active shooter, the focus of GMP and BTP officers turned to securing the crime scene and assisting casualty treatment.<sup>51</sup> Venue security staff assisted with the evacuation of patrons.<sup>52</sup>

GMP officers commenced establishing a cordon around the vicinity shortly after their arrival. Maintaining a cordon in such complex urban terrain required large numbers of personnel and the conduct of numerous security activities in the vicinity. Police commenced road closures around the arena from 2246h.<sup>53</sup> The cordon incorporated several city blocks, including the National Football Museum and a music boarding school. These facilities were all locked down, requiring police liaison and attention until they were evacuated. Patrons were allowed to leave the museum after 0200h,<sup>54</sup> and boarders were escorted from the school in small groups over two days.<sup>55</sup>

Police also responded to potentially related incidents in the vicinity throughout the first night. This included enforcing a lockdown at Piccadilly station, enforcing a vehicle stop, dispatching officers to incidents at two hospitals, and responding to two separate suspect packages reported adjacent to the cordon (neither package contained explosives).<sup>56</sup> At the peak of activity on the first night, several hundred police officers were required to manage the incident site, the cordon and other activity in the vicinity. This included 63 BTP personnel<sup>57</sup> and 106 armed police who deployed from other parts of the country.<sup>58</sup>

British military liaison officers were present at GMP headquarters. They coordinated support from an Army explosive ordnance disposal team, which disposed of one of the suspect packages three hours after the initial explosion.<sup>59</sup>

The cordon was finally lifted on Tuesday 30 May.<sup>60</sup>

## Recovery

The criminal investigation into the bomber and his network was supported by a series of arrests, raids and evacuations. On the morning of Tuesday 23 May, police raided the bomber's residence in the Greater Manchester area.<sup>61</sup> Police made 22 arrests at 20 addresses over a nine-day period.<sup>62</sup> These were mostly in north-western England<sup>63</sup> but were as far afield as Warwickshire and West Sussex.<sup>64</sup> These operations involved more than 1,000 people—primarily police but also firefighters and other specialists.<sup>65</sup> On at least two of these raids, police used controlled explosions to gain entry.<sup>66</sup> The Army (Royal Logistic Corps) assisted in the disposal of explosives recovered at a raided property in Manchester.<sup>67</sup>

The Manchester Arena bombing also sparked a national-level security response. After a second Cabinet Office briefing room meeting on the evening of Tuesday 23 May, Prime Minister Theresa May raised the national threat level to Critical. Based on police advice, she also approved a military assistance to the civil authorities (MACA) call out.<sup>68</sup>

The call out was effected under Operation Temperer, the UK's standing MACA plan.<sup>69</sup> In the UK, the *Civil Contingencies Act 2004*, the *Emergency Powers Act 1964* and the royal prerogative provide the legal authority for call out.<sup>70</sup> According to the UK's CT strategy, under Temperer 'up to 10,000 military personnel [can] be deployed, within 12 to 96 hours'<sup>71</sup> with three battalions (1,200 soldiers) on 24-hour standby on an enduring basis for an armed response.<sup>72</sup>

In the May 2017 call out, the Ministry of Defence (MoD) deployed approximately 980 military personnel and 390 MoD police<sup>73</sup> on security tasks in support of the police.<sup>74</sup> These were initially deployed on the morning of Wednesday 24 May to 'take over some [police] guarding duties at key fixed locations, freeing up police officers' for other duties to protect the public.<sup>75</sup>

The MoD deployed armed personnel to sites in London (including Buckingham Palace, Westminster, Downing Street and Whitehall), Cumbria (Sellafield nuclear power plant), Hampshire (Atomic Weapons Establishment) and Scotland (12 nuclear sites). The soldiers deployed in London appear to have been from combat units.<sup>76</sup> Notably, no MoD armed personnel appear to have been deployed to the Manchester area. Separately, the Civil Nuclear Constabulary (not part of the MoD) provided armed police officers to support the Merseyside Police (in the greater Liverpool area) from 25 May.<sup>77</sup>

On 29 May, Prime Minister May reduced the threat level to Severe. The Operation Temperer deployment began to draw down the following day.<sup>78</sup> This military call out was in effect for seven days.

On 3 June, four days after the conclusion of the Temperer deployment, an attack at London Bridge and the Borough Market area claimed 11 lives.<sup>79</sup> Less than four months later, a bombing occurred on the London Underground near Parsons Green, prompting another call out.

## Summary

There are a number of points relevant to the Australian Army in this case study. At Manchester Arena, there appears to have been little context for military armed support. The attack being a suicide bombing, there was no threat to neutralise. Even though the initial response in these circumstances must assume the possible presence of a shooter or second bombing, in this case GMP were able to provide more than a dozen armed police on site within 10 minutes. In an Australian situation, the police response times may be different, but Army is unlikely to provide support in a timely manner. A police response in this circumstance—with the potential need to use force among a large number of civilians and then a need to transition rapidly to a situation requiring evacuation, casualty management and crime scene preservation—may be more appropriate.

The cordon in the vicinity of Manchester Arena was established and developed within hours of the bombing. This required large numbers of personnel to maintain and hence (given suitable call out time frames) was a task in which supporting troops could potentially have provided additional capacity. However, as the task included traffic management on major thoroughfares and managing the large numbers of people caught within the cordon, police personnel were more suitable.

Explosive ordnance disposal was one notable role that the UK military provided in security operations in Manchester. This was particularly relevant in the wake of the bombing. This role did not just include disposal of a suspicious package near the arena. Army ammunition technicians also supported the recovery of explosives found in residences after police raids. In the Australian context, this type of support is possible without a Part IIIAAA call out.

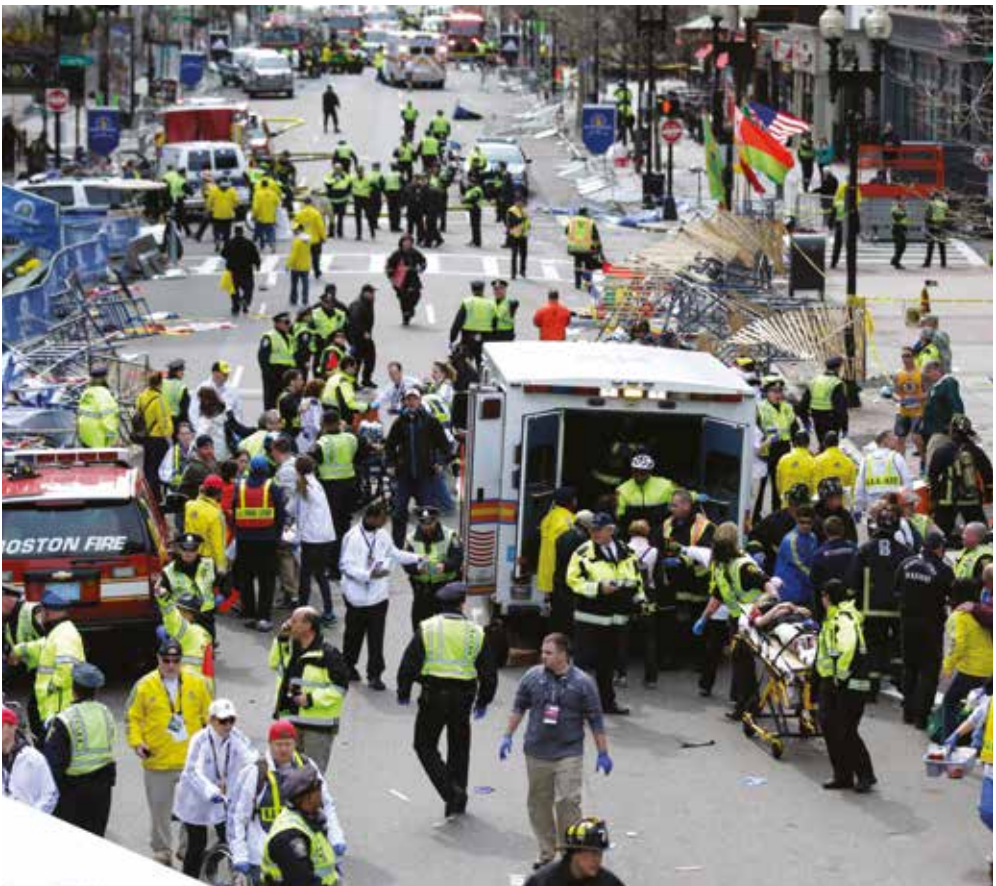
Based on this example, Army may additionally expect to assist police in non-security functions. In an incident of this size, additional emergency medical capacity may be invaluable. Additional logistic support—including transportation and catering—would also assist in managing the incident site, evacuating casualties and maintaining the cordon. Once again, this type of support may not require call out.

The called-out troops appear to have had little direct impact on the Manchester Arena terrorist incident. As a reactive deployment, they were not in a position to prevent, deter or respond to the attack. The Temperer soldiers do not appear to have played a role at the Manchester site or in the raids. The extent to which the Temperer troops prevented any planned or suspected attacks is unknown from the information available. However, any lasting deterrent effect was probably minimal. Another terrorist attack occurred in central London within days of the withdrawal of the soldiers, and another call out was made after the September 2017 Parsons Green incident.

# BOSTON, APRIL 2013

## The Attack

On the afternoon of 15 April 2013, two improvised explosive devices were detonated 12 seconds apart during the annual marathon in Boston, US. The bombs killed three spectators and injured 264 others.<sup>80</sup> The pressure cooker bombs had been placed in backpacks and left in the crowds of spectators by two brothers, Tamerlan and Dzhokhar Tsarnaev, of Chechen descent<sup>81</sup> who had been living in the US since 2002.<sup>82</sup> The attack was ostensibly retaliation for American involvement in wars in Iraq and Afghanistan, but the brothers were self-radicalised by watching Islamist propaganda online.<sup>83</sup>



*Medical workers aid injured people at the finish line of the 2013 Boston Marathon.  
(AP: Charles Krupa)*



## Prevention and Preparation

The Boston Marathon provides a unique challenge for emergency management because it runs across eight separate municipal jurisdictions. Comprehensive multijurisdictional and multidisciplinary planning is conducted each year, beginning in January. This planning aims to ensure streamlined coordination between the Boston Athletic Association and the many federal, state, and local public safety, public health and emergency medical services (EMS) agencies. One of the features of the 2013 planning process was enhanced medical support near the finish line—close to where both bombs detonated—with sufficient capabilities and capacity to handle an increased number of patients so as not to overburden area hospitals with non-critical patients.<sup>84</sup> It was this preparedness and coordination that allowed for a swift and appropriate first response.

A multi-agency coordination centre (MACC) had been established for the marathon with the purpose of coordinating public safety, public health and EMS activities across the jurisdictions, and to provide situational awareness. The MACC was staffed by 80 representatives. In addition to various state and local agencies, including the Massachusetts National Guard, the federal government was represented in the MACC by the Federal Bureau of Investigation (FBI), and the Department of Homeland Security.<sup>85</sup>

## Response

Within two minutes of the explosions, the Boston Regional Intelligence Center shared situational awareness information about the explosions with its intelligence distribution list, which includes local, state and federal law enforcement agencies. The Boston Regional Intelligence Center also received 61 alerts in five hours about suspicious packages and coordinated law enforcement and explosive ordnance disposal (EOD) team responses to these alerts.<sup>86</sup>

Within three minutes of the first bomb, various police assets were deployed. This included police from Massachusetts Bay Transportation Authority Transit Police Department; special weapons and tactics (SWAT) teams from Boston Police Department (BPD), Cambridge Police Department and Massachusetts State Police (MSP); and EOD teams from BPD, Cambridge Police Department and MSP. Airwing units from MSP were also deployed.<sup>87</sup>

Unified command began to form moments after the explosions when senior law enforcement and emergency management officials came together at the incident site and immediately began coordinating priorities. Less than 40 minutes following the

explosions, this shifted to a unified command centre (UCC) established at the nearby Westin Hotel. The UCC made decisions on initial law enforcement response and investigation issues, including securing the crime scene, determining the extent of the ongoing threat, and protecting critical infrastructure, as well as managing the runners evacuated off the course. It remained operational until the following day.<sup>88</sup>

## Recovery

In the two days following the bombing, security was heightened for key infrastructure and selected locations. The Massachusetts National Guard (including military police) assisted BPD and the Transit Police Department with security, especially security planning ahead of a presidential visit to Boston on 18 April.<sup>89</sup>

On the morning of Tuesday 16 April, the FBI confirmed that two devices were detonated, and that the Joint Terrorism Task Force, with support from local and state police, was working to solve the crime. As a result of a public request for tips and leads, the FBI received a large number of photos and videos. By the evening of Thursday 18 April, the FBI had publicised photos of the suspects.<sup>90</sup>

Over the course of the following days, there were three more elements of this incident, requiring three different types of security responses. These were the murder of a police officer, a carjacking that ended in a firefight with police, and a multijurisdictional manhunt.

On 18 April 2013, three days after the Boston Marathon bombing, the Tsarnaev brothers killed a police officer to steal his gun. Around 2228h, a Massachusetts Institute of Technology (MIT) Police Department officer was fatally shot in his marked police vehicle on the MIT campus in Cambridge.<sup>91</sup> A surveillance camera at MIT captured the brothers approaching the car,<sup>92</sup> but police initially assumed that the killing was related to an armed robbery that occurred around the same time in a nearby neighbourhood.<sup>93</sup>

At 2320h that night, the Tsarnaev brothers carjacked a black sports utility vehicle (SUV). Forty minutes later, while they stopped to refuel, the driver of the car escaped and called the police. During his interview with police, the driver revealed that the carjackers may have been involved in the Boston Marathon bombing, that they were planning another attack in another major city, and that the vehicle was equipped with an anti-theft GPS tracking system.<sup>94</sup>

By 0040h on 19 April, police had located and surrounded the stolen SUV. Both brothers fired on police, also throwing homemade bombs. Tamerlan was killed in the exchange and was later positively identified by his fingerprints. Photos in his police files

were then matched with images of the two suspects. Tamerlan's brother Dzhokhar was also positively identified.<sup>95</sup>

Dzhokhar managed to escape in the stolen car. He abandoned the vehicle after half a mile and fled on foot. At the same time, in the same neighbourhood, an unmarked police car—a black pickup truck—was fired upon by uniformed officers in the mistaken belief that it was the car stolen by the fugitives.<sup>96</sup> Law enforcement officers had gathered in the vicinity in response to the call out on the police radio system, and in doing so congested the thoroughfares so much that paramedics struggled to medevac a critically wounded officer to hospital.<sup>97</sup>

A 20-block perimeter was established to search for Dzhokhar. The Massachusetts Emergency Management Agency (MEMA) had authorised the deployment of military police to the area.<sup>98</sup> By 0500h, the National Guard had deployed 21 armoured high mobility multipurpose wheeled vehicles and 120 armed military police to help establish an outer security perimeter in Watertown and to assist in house-to-house searches.<sup>99</sup>

A shelter-in-place order was issued to residents, and public transit ceased for most of the day. More than 2,500 officers from 116 federal, state and local law enforcement agencies arrived at the staging area throughout the day. This complicated the coordination of search efforts and led to some confusion. Numerous false leads were pursued, and residents were inconvenienced. Hospitals were given conflicting



*A heavily armed SWAT team marching through a neighborhood while searching for a suspect in the Boston Marathon bombings in Watertown, Massachusetts. (AP: Charles Krupa)*

information by police about how the shelter-in-place order would affect staff and delivery of essentials such as linens, which were not stored on site.<sup>100</sup>

One of numerous false leads pursued during the day regarded the University of Massachusetts in Dartmouth, where the suspect attended university. To investigate this lead quickly, the FBI needed helicopters to fly agents, BPD officers and MSP SWAT teams. The National Guard quickly coordinated the deployment of three Blackhawk helicopters to fly these assets to Dartmouth. Although the helicopters were flown by combat-trained pilots who were experienced in flying into tight spaces under combat conditions, finding a sufficiently large landing zone in the Watertown district, where the FBI agents and SWAT teams would embark, was challenging.<sup>101</sup>

After the shelter-in-place order was lifted at 1800h on 19 April, a resident of the Waterfront district noticed a disturbance to a boat tarpaulin in his yard. Police arrived within 10 minutes and the first officers on scene requested support from tactical teams and EOD units.<sup>102</sup> Within moments, more than 100 law enforcement officers had self-deployed to the scene after hearing radio traffic about the location of the suspect.<sup>103</sup> They gathered in front of and behind the house.<sup>104</sup>

Almost immediately, a responding officer fired his weapon without appropriate authority in response to perceived movement in the boat. Other officers then opened fire on the boat under the assumption that the initial shot had been fired at them by the suspect. Shooting continued for several seconds until a senior officer ordered a ceasefire.<sup>105</sup> An infrared camera aboard an MSP Airwing helicopter confirmed that the suspect was alive. Officers on the scene used flashbangs in an attempt to coax him out of the boat.<sup>106</sup>

At 2000h, an FBI hostage response team arrived, and the MSP special tactical operations team deployed a Bearcat armoured vehicle with a remote arm to pull back the tarpaulin covering the boat. The FBI hostage response team negotiators took 40 minutes to convince Dzhokhar Tsarnaev to surrender. He was unarmed and injured.<sup>107</sup>

## Summary

The security planning for the Boston Marathon, the first response to the bombings, and initial law enforcement activities are generally considered to have been a success in terms of multi-agency coordination, timeliness and public safety.<sup>108</sup> However, the law enforcement responses to each of the subsequent events were not necessarily equally successful and raise questions about the proportionality of response to CT incidents.

The manhunt on 19 April was a very large-scale operation in proportion to the risk posed by an unarmed, injured man fleeing on foot. An investigation by MEMA noted some breaches of police weapons discipline, lack of coordination between law enforcement agencies—exacerbated by many agencies being self-deployed to the site—and issues relating to the control of information, which further compounded some of the confusion and misinformation (both between law enforcement teams and with the public).<sup>109</sup>

An official investigation into the intelligence sharing about the Tsarnaev brothers revealed that Russian authorities had alerted American intelligence services about Tamerlan's interest in bomb-making, but that this had not been further investigated by the FBI prior to the Boston Marathon, and local police had not been alerted. The same investigation, however, points out that even if more intelligence had been available, this would not necessarily have prevented the attack.<sup>110</sup>

Identifying and deterring terrorist plots by lone wolves such as the Tsarnaev brothers is extremely challenging.<sup>111</sup> Rather than necessarily being centrally directed by an established terrorist network, the conduct of the Boston attack reflects the individual actions of self-radicalised individuals to attack targets in their community.<sup>112</sup> The question, then, is not which place is particularly vulnerable but, rather, how likely anyone in a particular place is to become a violent extremist. However, most plots of this nature also involve attacking public places, which are difficult to protect.<sup>113</sup>

# PARIS, NOVEMBER 2015

The 13 November 2015 attacks in Paris represent a particularly dangerous type of terrorist threat. In a series of related incidents over a period of less than three hours, Paris experienced bombings, active shootings and a hostage stand-off. Together these incidents were the deadliest attacks on French soil since the Second World War.<sup>114</sup> Taken as a single incident, these attacks were complex and deadly. However, just as the Paris perpetrators appear to have studied the 2008 Mumbai attacks,<sup>115</sup> this incident may also provide inspiration to terrorists in other parts of the world.

## The Attacks

The attacks had three components, each conducted concurrently by separate teams. The first component consisted of three suicide bombings outside the Stade de France in Saint-Denis during an international football match. The first bombing occurred at approximately 2119h and the last about 34 minutes later at 2153h.<sup>116</sup> None of the bombers gained access to the stadium and all detonated within 200 metres of each other outside the stadium gates. The three bombings caused four fatalities—all three suicide bombers and one civilian—and dozens of injuries.<sup>117</sup>

The second component, known as the Terraces attacks, was a series of armed attacks on patrons at six restaurants and bars in Paris's 10th and 11th arrondissements. A team of three attackers drove between target locations, making four stops over a 16-minute period between about 2124h and 2140h.<sup>118</sup> In the first three stops, the attackers used assault rifles to shoot patrons, firing several hundred rounds.<sup>119</sup> At the final stop, a single attacker detonated a suicide vest in a restaurant while his two associates departed the scene.<sup>120</sup> The Terraces attacks resulted in 40 deaths and more than 90 injuries.<sup>121</sup>

The final component was an attack by three men at the Bataclan theatre in Paris's 11th arrondissement during a concert. The attackers entered the Bataclan at approximately 2140h<sup>122</sup> and commenced shooting people inside the venue and on adjacent streets.<sup>123</sup> This shooting spree lasted until about 2155h when one of the attackers detonated an explosive vest after being shot by a police officer.<sup>124</sup> The remaining two attackers then took 12 hostages in an upstairs room, resulting in a siege which lasted over two hours. This incident was resolved after police stormed the room at approximately 0018h. One terrorist was fatally shot, while the other self-detonated his explosive device.<sup>125</sup> The Bataclan attack resulted in 93 deaths (including all three terrorists and no police) and more than 200 wounded.<sup>126</sup>

The Paris attacks were conducted by nine assailants working in three teams.<sup>127</sup> Two additional associates provided logistic support. All attackers wore explosive vests, suspected to have been constructed with TATP and bolts.<sup>128</sup> The six men conducting the Terraces and Bataclan attacks were each armed with AK-47 rifles.<sup>129</sup> In total, the attacks caused 135 fatalities and injured over 350 people.<sup>130</sup> Apart from the terrorists who detonated their vests, only one of the deaths was caused by bombings.<sup>131</sup> With the exception of the two terrorists killed during the police raid on the Bataclan, all deaths occurred in a 35-minute period between 2119h and 2155h.

## Prevention and Preparation

Although the authorities did not have any advance warning of these particular attacks, France had been on heightened alert for an extended period. The country—and Paris in particular—had seen several high-profile terrorist attacks in the preceding year. The most notable of these was the shootings at the offices of the satirical magazine *Charlie Hebdo* in January 2015. That incident, together with an attempted shooting attack on the Amsterdam–Paris train in August, highlighted a need to revise the response to future attacks.<sup>132</sup>

Several of the November 2015 attackers had previously been subjects of investigation by French and Belgian authorities. Their broader network had been under surveillance due to connections with previous attacks.<sup>133</sup> In January 2015, concluding that an attack was imminent, Belgian police had raided a property associated with a leader of the Paris attacks, killing two suspected militants and recovering a large cache of weapons.<sup>134</sup> All French nationals among the November attackers had been flagged, investigated, charged or incarcerated at some point by French authorities.<sup>135</sup>

By November 2015, the French Army was already deployed throughout the country for domestic security. The nation had instituted the Vigipirate security program after the 1995 Paris subway bombing. Under Vigipirate, the Army had maintained a deployment of approximately 1,000 soldiers across the country, with most of these at key sites in Paris.<sup>136</sup>

After the Charlie Hebdo attacks, the French Government authorised a much-expanded commitment. Under Operation Sentinelle, the Army initially deployed 10,000 troops and 4,700 police and gendarmes, including 6,000 soldiers in the Paris area (Île-de-France).<sup>137</sup> These primarily protected key transport hubs and sensitive sites (places of worship, religious institutions, schools etc.).<sup>138</sup> Specifically, 950 sites in Île-de-France were under the protection of Sentinelle forces by static or periodic patrols.<sup>139</sup> By June 2015, the numbers had stabilised at approximately 7,000 nationwide<sup>140</sup> and 4,000 in Île-de-France.<sup>141</sup> Before November, Sentinelle was already a substantial commitment



of French Army resources. It was roughly one-quarter of the army's combat strength, and by July more than 50,000 soldiers had rotated through Sentinelle deployments.<sup>142</sup>



*French soldier of France's anti-terror 'Vigipirate' plan, dubbed 'Operation Sentinelle', patrols next to Notre-Dame cathedral of Strasbourg during the state of emergency. (AP: Jean Francois Badias)*

None of the sites attacked on 13 November 2015 were subjects of Vigipirate or Sentinelle security measures. However, the National Police's operational command post at Stade de France was manned for the Germany–France football match. The security arrangements at the gates to the stadium appear to have deterred the bombers from entering and caused them to detonate their devices outside the perimeter.



# Response at Stade de France

Table 4 details the timing of key events in the Stade de France bombings.

**Table 4**—Key events in response to the Stade de France bombings<sup>143</sup>

Time (approx.)	Event
<b>2119h</b>	<b>First bombing (outside Gate D)</b>
2121h	Paris police headquarters alerted
<b>2122h</b>	<b>Second bombing (outside Gate H)</b>
2122h	Seine-Saint-Denis police commander takes control of incident
2127h	Arrival of first ambulances and fire trucks
<b>2153h</b>	<b>Final bombing (100 m south of Gate B)</b>
2253h	Football match ends—start of main evacuation
2351h	Evacuation of last spectators
0158h	Closure of last emergency aid post

The initial response to the attacks commenced very soon after the first explosion at the stadium. Stade de France is in Saint-Denis (immediately north of Paris) and in the jurisdiction of the National Police’s Paris prefecture. Initial incident reports were received at the prefecture within two minutes of the blast.<sup>144</sup> Based on experience from the Charlie Hebdo incident and expecting the possibility of subsequent attacks, police commanders preserved their available resources by not dispatching large numbers of additional police to the stadium.<sup>145</sup>

The principal security actions taken at this time regarded management of the crowd in the stadium. To limit panic and the risk to crowds from further bombers in the vicinity, the stadium was not evacuated and the football match continued.<sup>146</sup>

In the wake of the bombings and without an active threat, the priorities of first responders at the incident sites were commencement of criminal investigations and casualty management and evacuation. Investigators started work immediately with a focus on the suicide vests used. They quickly determined that the explosive TATP was used in the vests; this information was useful later that night as police planned their response to the Bataclan siege.<sup>147</sup>

After the football match concluded (one hour after the final bombing outside the stadium), the police and stadium management evacuated spectators through the south, west and north sectors. This was complete by 2351h.<sup>148</sup>

## Response at the Terraces

As at the stadium, the notification of and response to the Terraces shootings was rapid. Police arrived at each location in no longer than 19 minutes, and often much sooner.<sup>149</sup> A small group of Operation Sentinelle soldiers also reported to the first location and assisted police to secure the site.<sup>150</sup>

Despite the speed of their reaction, none of the first responders intercepted the attackers. At each of the six venues, the police secured the crime scenes and commenced investigations and victim identification. Police also found and neutralised a detonator at the bombing site.<sup>151</sup> Meanwhile firefighters and ambulance officers administered first aid, established medical posts and evacuated casualties.<sup>152</sup>

Specialised police units were involved in the Terraces response. The first police to arrive at the final site were a brigade anti-criminalité (BAC) team. BAC are plain-clothes police who provide an armed ‘flying squad’ type response to criminal incidents. Within 29 minutes of the first bombing at the stadium, the National Police had alerted their specialist CT Recherche, Assistance, Intervention, Dissuasion (RAID) unit<sup>153</sup> based at Bièvres, approximately 20 kilometres south of Paris. Upon arrival at the scene of the second shooting, a RAID team conducted a search of a building in which one of the attackers was erroneously suspected to be hiding.<sup>154</sup>

Table 5 shows the key timings at each of the Terraces attack locations.

**Table 5**—Key events in response to the Terraces attacks<sup>155</sup>

Time (approx.)	First attack— Le Carillon bar and Le Petit Cambodge	Second attack— La Bonne Bière and La Casa Nostra	Third attack— La Belle Equipe	Final attack— Le Comptoir Voltaire
2124h	Shooting			
2126h		Shooting		
2131h	Firefighters and police arrive			
2136h			Shooting	
2138h		Firefighters arrive		
2140h				<b>Bombing</b> Police (BAC) arrive soon after
2145h		Police on site	Firefighters arrive (police soon after)	
2153h				Firefighters arrive
2315h		RAID team on site		
0237h	Rescue activities conclude			

## Response at the Bataclan

The Bataclan incident was the only attack on 13 November at which first responders arrived while the attackers were still present. By the time this attack commenced, they had already been responding to attacks at several Terraces sites within 2 kilometres of the Bataclan. The first firefighters on the scene immediately came under rifle fire from the terrorists. Next to arrive was the BAC squad that had just departed the final Terraces bombing site. They became engaged in an exchange of fire, using shotguns, with one of the terrorists firing an assault rifle from a fire exit in a side alley. Shortly after, four Sentinelle soldiers joined the BAC team. These soldiers played no part in the fighting; the incident was not in their rules of engagement and the Paris prefecture denied the BAC team’s request to task the soldiers.<sup>156</sup>

Table 6 shows the key timings in the Bataclan incident.

**Table 6—Key events at the Bataclan**<sup>157</sup>

Time (approx.)	Event
<b>2140h</b>	<b>Attack commences</b>
2150h	Firefighters arrive BAC team soon after
2154h	Police divisional commander enters Bataclan—shoots one terrorist
2220h	First BRI* team arrives
2248h	First RAID team arrives
2315h	BRI locate terrorists and hostages
0018h	BRI conduct assault
0421h	Evacuation of wounded complete

\* National Police Brigade de Recherche et d'Intervention.

A police divisional commissioner and his driver arrived at the Bataclan shortly after. Violating a standing protocol to await backup, both men immediately entered the lobby.<sup>158</sup> Firing a pistol, the divisional commander was able to shoot and kill one terrorist (whose vest detonated in the process) before being forced to withdraw from the theatre by about 2157h.<sup>159</sup> Joined by other police on the scene—including a second BAC team—the divisional commissioner re-entered the Bataclan before the arrival of specialised response teams. They assisted in the evacuation of people from the ground floor. After a brief exchange of shots, the firing ceased by about 2200h.<sup>160</sup>

These interventions changed the complexion of the incident. Until this point, the three attackers had been actively engaged in shooting people in the theatre and on surrounding streets.<sup>161</sup> After the death of their compatriot, the remaining two terrorists gathered 12 hostages in an upstairs room. Outside, first responders started treatment and evacuation of wounded in the vicinity. By this stage, police investigators had commenced interviewing witnesses and compiling evidence in the surrounding streets.<sup>162</sup>

A 15-person team from the rapid intervention force of the National Police's Brigade de Recherche et d'Intervention (BRI) entered the Bataclan soon after arrival. The BRI are specialist units within the National Police that combine both judicial (investigative support) and response functions related to serious crime. The Paris Police Prefecture's BRI rapid intervention force is the prefecture's SWAT team. This team commenced securing the ground floor, but police did not know the exact number or location of the terrorists.<sup>163</sup> Additional BRI personnel continued to arrive, bringing their total strength to 60 by 2300h.<sup>164</sup> They were joined by a nine-person RAID rapid response team, with



*Police forces and soldiers patrolling in Saint-Denis. (AP: Christophe Ena)*

two more arriving by 2355h.<sup>165</sup> Two RAID doctors (equipped with helmets and body armour) assisted the BRI to treat and evacuate wounded within the Bataclan.<sup>166</sup>

Once the BRI team located the terrorists and the hostages, they commenced negotiations.<sup>167</sup> When it was clear that negotiations would not resolve the situation, the police prefect authorised an assault.<sup>168</sup> Rather than forming BRI and RAID assets into a combined structure<sup>169</sup>—as used after the Charlie Hebdo attacks<sup>170</sup>—the BRI conducted the assault with support from RAID assets on the ground floor.<sup>171</sup> After breaching the door manually<sup>172</sup> and with the use of a tactical shield, the BRI entered the room and rescued all hostages. Both terrorists were killed: one was shot; the other detonated his vest. One BRI officer was seriously wounded.<sup>173</sup>

With all incidents resolved, police focused on detailed and complex investigative work. This involved interviews with hundreds of witnesses,<sup>174</sup> victim identification and examination of evidence across six sites, treated as a single crime scene.<sup>175</sup>

## Recovery

On 14 November the French President declared a state of emergency across the entire country.<sup>176</sup> This gave French police wide-ranging powers, including to search

residences and institute house arrest for suspects without a warrant.<sup>177</sup> The initial declaration was for 12 days; however, this was extended on several occasions<sup>178</sup> (including after the July 2016 Nice attack).

Investigations initially focused on locating the two remaining Terraces attackers. Hence, many of the raids and arrests were made in the immediate aftermath of 13 November. This included at least 168 house searches and 104 suspects under house arrest in the following two days.<sup>179</sup>

A major operation during this period was a raid in Saint-Denis on 18 November. Investigators had identified a row house less than 1,500 metres from the Stade de France as a possible location of the terrorists and associates. Thirty-six RAID officers conducted the operation,<sup>180</sup> with up to 100 police providing support, including evacuations from nearby residences. The army also made available 240 soldiers to assist police in securing the area.<sup>181</sup> The early morning raid developed into a seven-hour stand-off in which police fired about 1,200 rounds and about 50 stun grenades to overpower armed suspects. Five police were injured in the raid.<sup>182</sup> Two suspects were killed—including the leader of the 13 November attacks—and five arrests made.<sup>183</sup>

The aftermath of the attacks also saw the government reinforce Operation Sentinelle. Within 72 hours, the deployment had been reinforced to again number 10,000 nationwide. Of these, 6,500 were in Île-de-France, including 1,500 supporting police at the incident sites. Elsewhere across the Paris region, soldiers secured 350 sites and intensified their patrolling regime. Military health services also treated casualties from the attack.<sup>184</sup> By July 2016, the police and military were securing 11,719 sites across France, including 435 with a permanent presence. Sentinelle soldiers were responsible for 1,697 of these sites.<sup>185</sup>

## Summary

These attacks show the speed with which these types of incidents occur and need to be resolved. Although first responders were on scene at each of the six locations within minutes, only at the Bataclan did they intervene while the attackers were still present. The entire series of Terraces attacks—attacking six premises across two suburbs and causing 40 fatalities—was over within 16 minutes, and two of the attackers evaded capture.

The active shooter situation at the Bataclan created an imperative for security forces to take quick action rather than waiting for more specialised CT units. This was demonstrated by the response of the divisional commissioner, whose actions appear to have stopped the shootings. It was again demonstrated by the use of the

already committed BRI unit to resolve the hostage situation, despite the specialised RAID police already having at least three teams on site. Even though it was the longest event on the night, police had neutralised the threat within three hours.

This also meant that, in terms of resources deployed, the bulk of activity by responders was not engaged in neutralising the terrorist attackers. Immediate priorities at all locations included medical treatment and evacuation, collection of evidence, commencement of investigations, and control of foot and vehicular traffic in the vicinity. At the Stade de France, police and stadium officials also focused on the control and safe evacuation of spectators.

Security forces were also heavily tasked over the days immediately after the attacks. Police across the country were on alert for suspects and involved in raids supporting the investigation. The 18 November Saint-Denis raid was the most significant deliberate recovery activity conducted during the period.

To the extent that the military was involved on 13 November and in following days, it played roles supporting the first responders. This primarily involved helping to secure the incident sites and providing contingency forces for the Saint-Denis raid. However, it can be noted that the French Army does not maintain specialist CT recovery forces. The National Police (RAID as used at Saint-Denis) and the National Gendarmerie have France's pre-eminent capabilities in this field. The military also provided significant medical support to assist treatment of casualties.

# NICE, BASTILLE DAY 2016

## The Attack

On 14 July 2016, Mohamed Lahouaiej-Bouhlel rammed a truck into a crowd celebrating Bastille Day in Nice, France. The Tunisian-born French national opened fire on police officers before being shot and killed. In addition to the assailant, 86 people were killed and 434 injured in the attack.<sup>186</sup> A pistol, a dummy grenade and two replica rifles were found inside the 19-tonne truck.

The attack itself was relatively unsophisticated but targeted a large public gathering on a countrywide day of celebration so as to maximise casualties and make a statement against a national symbol. As an Australian Strategic Police Institute (ASPI) report argues:

France was still reeling from the November 2015 Paris attacks, so Bastille Day was an opportunity for it to demonstrate national strength, resolve and solidarity in a time of crisis. Instead, the attack challenged the effectiveness of the government's security and intelligence apparatus and became an additional friction point in domestic politics.<sup>187</sup>



*Authorities investigate a truck after it plowed through Bastille Day revelers in the French resort city of Nice, France, killing 86 people. (AP: Sasha Goldsmith)*



The annual Bastille Day celebrations in Nice attracted a crowd of approximately 30,000 people. As was the case every year, the Promenade des Anglais was closed to traffic and a long section, including the large hotels, had been converted into a pedestrian zone for the day. A fireworks display was scheduled to occur between 2200h and 2220h.<sup>188</sup>

Lahouaiej-Bouhlel used a 19-tonne cargo truck as his primary weapon in the attack. Just after 2230h, he drove through the crowd along Promenade des Anglais at speeds of up to 90 kilometres per hour. Along the way, the truck accelerated to force its way past a police car, a crowd control barrier and lane separators.<sup>189</sup> Lahouaiej-Bouhlel drove in a zigzag path along the pavement and road, knocking down numerous people. Some people were injured by jumping from the promenade onto the rocks below.<sup>190</sup> Along the way, Lahouaiej-Bouhlel used a firearm to deter members of the crowd from stopping him and to fire at police. The truck came to a halt after sustaining substantial damage, at which point police shot and killed Lahouaiej-Bouhlel.<sup>191</sup>

The entire attack took place over a distance of 1.7 kilometres,<sup>192</sup> and the truck spent four minutes and 17 seconds in the security zone before the driver was killed.<sup>193</sup>

On 16 July, Islamic State claimed responsibility for the attack through a news bulletin on its Al-Bayan Radio. It stated that Lahouaiej-Bouhlel was acting in response to its call for attacks on 'crusader states' fighting in the Iraq and Syria territories of its 'caliphate'.<sup>194</sup>

## Prevention and Preparation

The state of emergency declared after the November 2015 terrorist attacks in Paris was still in force, and France had tightened security further still during the UEFA Euro Cup, which it was hosting from 10 June to 10 July 2016. It is possible that, with resources tied up elsewhere, security during the Bastille Day celebrations in Nice was not as rigorous as it could have been. On 14 July 2016, there were 64 National Police, 42 Municipal Police, and no National Gendarmerie deployed around Nice.<sup>195</sup>

Every year, the Promenade des Anglais in Nice is closed off to traffic during the Bastille Day celebrations.<sup>196</sup> In that regard, the security considerations for the 2016 event were similar to those in previous years. French authorities did not have specific warning indicators of an attack on Nice, and thus were unable to prevent it.<sup>197</sup>

Lahouaiej-Bouhlel was not on any terrorist watch list.<sup>198</sup> He was known to the police for petty criminal offences including theft and domestic violence.<sup>199</sup> His accomplices also had no known links to terrorism before this attack.<sup>200</sup>

## Response

Municipal police had detected and reported Lahouaiej-Bouhlel's vehicle within 400 metres of its journey. Two police officers opened fire when the truck mounted the kerb, but the car merely accelerated.<sup>201</sup>

National Police arrived on site and intercepted the truck about 1000 metres later. Lahouaiej-Bouhlel fired at them several times with his 7.65 mm firearm. The police returned fire with their 9 mm SIG Sauer handguns, and gave chase to the vehicle. The badly damaged truck travelled a further 200 metres before coming to a halt. Some reporting suggests that the truck stalled, rather than being stopped by police bullets.<sup>202</sup> The ASPI report on the incident notes:

Lightly armed municipal police officers unsuccessfully fired upon the fast-moving truck with pistols after it bypassed a police barrier. More heavily armed national police eventually fired upon and killed the driver, but the response was too late to prevent mass casualties.<sup>203</sup>

## Recovery

By 1 August 2016, six suspects had been taken into custody on charges of criminal terrorist conspiracy. Three were also charged for complicity in murder in relation to a terrorist enterprise.<sup>204</sup> The accomplices include an Albanian couple suspected of providing the attacker with a pistol, and a 22-year-old man believed to have received text messages from Lahouaiej-Bouhlel on the night of the attack, discussing the supply of weapons. Police found a Kalashnikov rifle and ammunition at the man's home.<sup>205</sup> On 16 December 2016, three further suspects were charged with the supply of illegal weapons to Lahouaiej-Bouhlel.<sup>206</sup>

On 19 July 2016 the French Government extended the state of emergency, which had been declared following the November 2015 Paris attacks, for an additional three months.<sup>207</sup> This gave the police extra powers to carry out searches and to place people under house arrest.<sup>208</sup> The government also mobilised thousands of additional police and military personnel to enhance domestic security, and called upon citizens to join the military and police reserves.<sup>209</sup>

The extension of the state of emergency may have had same adverse effects on French society. In the first seven months after the declaration, French police conducted more than 3,300 raids, of which 563 resulted in prosecutions. Only five of these prosecutions were related to terrorist activity.<sup>210</sup> Most raids were in connection with drug-related crimes, not terrorism. House arrest had been imposed on over 400 people, mostly Muslims of North African descent, and many of these allegedly lost



*Soldiers patrol on the Promenade des Anglais in Nice, France a week after the Bastille Day attack. (AP: Claude Paris)*

jobs or employment opportunities as a result.<sup>211</sup> By November 2016, some people had been under house arrest for nearly a year during which no judicial inquiry against them had been started.<sup>212</sup>

## Summary

This attack was particularly difficult to foresee for two main reasons. Firstly, the attacker had no known terrorist associations. Secondly, a legally obtained vehicle was the primary weapon. As the ASPI report points out, 'A heavy truck having access to a public space without restriction is conceivable for almost any major city.'<sup>213</sup>

These same factors make it a challenge to minimise the effects of such attacks. It is difficult to shoot an attacker in a heavily populated area, because of the risk of collateral damage.<sup>214</sup> A weaponised vehicle, especially a large one, may be carrying an improvised explosive device, and this possibility could make armed responders reluctant to cause a detonation.

The scenario of a ram-vehicle had not been considered likely by authorities in the lead-up to Bastille Day 2016. Instead, a knife attack or suicide bomber was considered

more probable.<sup>215</sup> An inquiry opened in 2018 by the Prosecutor of Nice is investigating whether Nice was more or less at risk of such an attack than any other French city celebrating Bastille Day, and whether the city had a responsibility to plan specifically for a rampaging vehicle.<sup>216</sup> In the case of public events expected to attract more than 10,000 people, the state makes recommendations to the event organiser, in this case the city administration; therefore it is unclear where the responsibility lies for security preparedness.<sup>217</sup>

A further factor in the security planning is that the UEFA Euro Cup was hosted by France that year. This tournament had concluded only on 10 July. The heightened security measures for that event may have limited the number of specialist police units available for other events.<sup>218</sup>

Furthermore, the material and human resources put in place on the evening of 14 July 2016 in Nice were much smaller in scale than those deployed during Euro 2016. The city provided 200 Municipal Police officers per match for the Euro Cup, but only 42 on Bastille Day. The National Police prefecture had made 55 police officers available, but no specialist police. It is possible that, after the effort and resources required for securing a series of major public events during the Euro Cup, the annual Bastille Day celebrations were an afterthought.<sup>219</sup> Moreover, a possible reason why the Promenade des Anglais in Nice was not blocked off to traffic with concrete barriers was that the vehicles required to install them were still tied up dismantling the security at the Euro Cup sites.<sup>220</sup> Hence, only lightly armed Municipal Police (rather than National Police) were guarding the entrance to a pedestrian zone on the Nice beachfront when the driver sped past.<sup>221</sup>

A further critique of the security arrangements is that the gendarmes were not present. In previous years, a unit of mobile gendarmes had been deployed to the city. In 2016, however, the nearest unit was instead sent to Avignon to protect the French President on a private trip.<sup>222</sup> A further five units of the Gendarmerie Southern Defence and Security Zone (which includes the city of Nice) were deployed in Carcassonne, Montpellier, Toulouse and Marseilles.<sup>223</sup>

Vehicles have commonly been used as terrorist weapons through the 2000s, particularly in the Middle East.<sup>224</sup> The Nice attack illustrates that trucks can be very deadly in crowds. The ubiquity of vehicles makes them a particularly terrifying object — any street or public open space can potentially become the site of violence. Thus, the psychological terror reverberates through the urban population long after an attack has occurred.

The attack in Nice in 2016 may have been the inspiration for several copycat attacks across the Western world. It is possible that terrorist acts using vehicles as weapons —

such as the 2017 Bourke Street incident in Melbourne—may become more common in Australia. As ASPI points out, Australia continues to rate highly on Islamic State's list of target countries.<sup>225</sup> A further lesson from Nice for Australia is that terrorists are increasingly targeting regional centres rather than higher profile and hardened capital cities.<sup>226</sup>

An Army presence may not be feasible, appropriate or necessarily desirable at every regional centre or lower profile event. Yet, as ASPI argues, Australia needs to be prepared for a terrorist attack in a rural town or a regional centre where high-readiness police forces are not based. As such, local responders from all emergency services should be equipped, trained and rehearsed to ensure effective integration when responding to a mass-casualty scenario. Additionally, command, control and communication capabilities need to be tested at all levels during such training exercises.<sup>227</sup>

The attack in Nice illustrates that terrorists 'adapt their methods to available "soft" targets and to use a range of tactics and weapons depending on the environment and availability'.<sup>228</sup> This suggests that CT efforts and security responses should be equally agile. ASPI recommends that all Australian emergency and security responders incorporate lessons learned in responding to a vehicle attack, but also be prepared to respond to the spectrum of low-level attacks promoted by terrorists, including improvised bombs, firearms and bladed weapons.<sup>229</sup> Furthermore, federal, state, territory and local governments should, according to ASPI, conduct a holistic review of first responder capabilities, including of training requirements to cover a spectrum of terrorism scenarios and of equipment, integration, and command and control requirements.<sup>230</sup>

Lastly, Army capability may be unsuited to responding to an incident involving a weaponised vehicle in a crowded public space. The risk of collateral damage is high.<sup>231</sup> Moreover, attacks involving vehicles are likely to be over before an Army call out could realistically be instigated. Furthermore, a militarised response or imposing a state of emergency that extends military rules of engagement may have unintended consequences, such as the potential further radicalisation of citizens.

# NORMANDY, 2016

The July 2016 Normandy church siege is a recent example of a barricade hostage siege scenario. It is one of only four incidents from the GTD analysis in which armed assailants appear to have planned to take hostages as the primary component of their attack. Hence, it provides a useful contemporary case study of this type of attack and CT response. This attack came 12 days after the Nice attack.

## The Attack

At 0943h on Tuesday 26 July 2016, two young men entered the church of Saint-Étienne-du-Rouvray in the Normandy region of France. They were wielding knives and a handgun, later described as an old, non-functioning pistol. One assailant wore a fake explosives belt,<sup>232</sup> and the other carried a backpack as though it contained a bomb.<sup>233</sup> The two men, identified as Abdel Malik Petitjean and Adel Kermiche, had pledged allegiance to Islamic State in a video prior to the attack.

A Catholic mass was being held at the time, and there were six people in the building before the attackers entered. The attackers ordered three nuns and two parishioners to sit together,<sup>234</sup> while the 86-year-old priest, Father Jacques Hamel, was made to kneel by the altar with a knife at his throat.<sup>235</sup> They stabbed him in the chest and slit his throat.<sup>236</sup> Another hostage was made to film the murder. The attackers then stabbed that hostage, leaving him critically wounded.<sup>237</sup> The other hostages were largely unhurt.<sup>238</sup>

After the killing, the two men talked with the nuns about the Koran, and one assailant warned that 'as long as there are bombs on Syria, we will continue our attacks'.<sup>239</sup> They also allegedly preached in Arabic by the altar.<sup>240</sup>

One of the hostages, a nun, was able to escape and alerted the police. The siege was finally resolved when police shot dead the assailants as they exited the church an hour after the attack began.

Within hours of the attack, the Islamic State of Iraq and the Levant (ISIL) linked Amaq News Agency said that it had been carried out by 'soldiers' from the group. The attack was allegedly in response to ISIL's general call to attack countries of the coalition fighting it.<sup>241</sup> This was the same claim made by ISIL following the terrorist attack in Nice, and other attacks around Europe during the same period.<sup>242</sup>

## Prevention and Preparation

Like the Nice attack, this attack occurred during the state of emergency across France. This had been extended as a result of the Nice attack. It also occurred while approximately 7,000 soldiers were deployed nationwide as part of Operation Sentinelle. However, the Saint-Étienne-du-Rouvray church does not appear to have been the subject of any additional security.

Unlike in Nice, both attackers were on the French terrorism watch list. Kermiche was born in Algeria but grew up in Saint-Étienne-du-Rouvray.<sup>243</sup> He allegedly became radicalised following the Charlie Hebdo attacks. In 2015, Kermiche twice attempted to travel to Syria using fraudulent identification.<sup>244</sup> In March 2016 he was released from custody<sup>245</sup> despite objections from the prosecutor.<sup>246</sup> Kermiche's fiancée was one of the Paris plot conspirators.<sup>247</sup>

The court had ordered Kermiche to live at his parents' home near the Saint-Étienne-du-Rouvray church, and to obey a strict curfew.<sup>248</sup> A further condition of his house arrest was that he wear a monitoring device. The electronic tag was found on his body following the deadly church attack, which occurred when Kermiche did not have to be housebound (between 0830h and 1230h).<sup>249</sup>

The second attacker, French-born Petitjean, had also attempted to enter Syria earlier in 2016. Because of this, he was known to the police. His picture was given to French intelligence four days before the church siege, but he was not identified before he was able to carry out the attack.<sup>250</sup> Petitjean had reportedly converted to Islam only a few years before the attack.<sup>251</sup> In the days prior to the attack, he had visited a cousin who was later implicated in the conspiracy.<sup>252</sup>

## Response

Police were alerted to the incident when one of the hostages escaped. While the terrorists were killing the priest, one nun ran outside unnoticed.<sup>253</sup> She stopped a motorist, who called the police.<sup>254</sup> Once the police arrived, they tried to negotiate with the captors through a small window to the sacristy.<sup>255</sup> Armed police then tried to enter the front of the church, but the terrorists had lined the hostages up in front of the door.<sup>256</sup>

A team from the Rouen-based BRI unit arrived and rapidly surrounded the church.<sup>257</sup> At around 1045h, the hostages fled the church, followed by the two attackers, who charged at the police.<sup>258</sup> The pistol they aimed at the police misfired.<sup>259</sup> They were shot dead by BRI officers. An explosives team searched the church and found that the backpack suspected of being a bomb was in fact a dummy.<sup>260</sup>

## Recovery

By the afternoon of Tuesday 26 July 2016, police had carried out raids on the house near the church where Kermiche lived with his parents.<sup>261</sup> Two men suspected of having been aware of the attackers' plans were charged with conspiracy and taken into custody in the weeks following the attack. One was Petitjean's cousin, and the other had travelled from Toulouse to meet the perpetrators two days before the attack.<sup>262</sup>

Police also investigated the members of a closed channel on the messaging app Telegram, through which the perpetrators had met.<sup>263</sup> Kermiche and Petitjean had met on Telegram a mere four days before the attack. Only a day after their online exchange, Petitjean travelled 700 kilometres to Saint-Étienne-du-Rouvray from his hometown Aix-les-Bains.<sup>264</sup> A French Islamic State of Iraq and Syria (ISIS) fighter from Roanne was suspected of using Telegram to influence, if not control, the two perpetrators from his base in Iraq or Syria.<sup>265</sup>

In response to the terrorist acts in France in July 2016, including Nice and Normandy, the French President committed the military to ramp up activities against the Islamic State in Libya. He also announced the planned creation of a new national guard, composed of reservists from different French security forces.<sup>266</sup>

French soldiers deployed under Operation Sentinelle appear to have played no role in the Normandy event. By September 2016, the number of soldiers had declined to 7,000 (with an additional 3,000 on alert)<sup>267</sup> but the deployment is ongoing at the time of writing.

The French Government officially ended the state of emergency on 1 November 2017 —almost two years after the attacks. At this time, the parliament had passed new anti-terrorism laws giving police extended powers of search, surveillance and use of control orders.<sup>268</sup>

## Summary

The incident occurred when France was still mourning the death of 86 people in the Nice terrorist attack.<sup>269</sup> The state of emergency powers were still in place, and an atmosphere of high security alertness prevailed in the country. While attention and security efforts were focused on large population centres and significant events, the terrorists were able to shift focus and strike at a low-profile target, on an insignificant day. It is possible that a small, quiet target was also selected to enable the filming of the violence for propaganda purposes, thereby amplifying the terror impact of an attack that would otherwise have remained relatively localised. At the same time, the attack was unsophisticated and the attackers did not seem to have an exit strategy.





*Police officers standing guard at the back of the Saint Etienne church where Priest Jacques Hamel was killed in Saint-Etienne-du-Rouvray, Normandy, France in 2016. (AP: Francois Mori)*

The security response to this incident was appropriate and effective. All police involved in the response were from within the Rouen arrondissement—local police from Saint-Étienne-du-Rouvray and the BRI unit from Rouen. Given the short duration of the incident and the unsophisticated nature of the attack, these were appropriate personnel to carry out the response and the subsequent arrest of associates. It must be noted, however, that police arrived quickly only because one of the hostages managed to run out of the church unnoticed and call for assistance. If she had not done so, it is possible that more hostages would have been killed, and that the attackers would have escaped and disseminated the footage of their atrocities.

The incident was resolved without involvement of military forces or specialised CT police forces. If soldiers from the Operation Sentinelle deployment had been deployed to the church they would probably have prevented the attack from occurring at this location. However, this reveals a limitation of such defensive deployments, in that the attackers would have just selected another target. Likewise, in the scenario that transpired, a military call out would not have been able to arrive in time to assist the BRI. The siege lasted only one hour.

The incident reveals some shortcomings in the French intelligence system. The attacks in Nice and Normandy in July 2016 expose the inadequacy of coordination and information sharing between French police and intelligence services. Notable rivalry between agencies continues to exacerbate this problem.<sup>270</sup> With more than 10,000

people on the 'fiche S' list, used to flag radicalised individuals considered a threat to national security,<sup>271</sup> coordination between the agencies is imperative if intelligence failures such as those that occurred in relation to the Normandy church siege incident are to be avoided.

On 22 July, four days before the church attack, the National Police's CT task force (Unité de Coordination de la Lutte Anti-Terroriste: UCLAT) circulated a photograph of a man with the warning that he was 'ready to participate in an attack on national territory'. The tip-off had come from an unnamed foreign intelligence agency. The French authorities were unable to identify the man from the photos and footage showing him declaring allegiance to Islamic State.<sup>272</sup> It was only after the Saint-Étienne-du-Rouvray attack that the man was identified as Abdel Malik Petitjean.<sup>273</sup>

A related issue is whether Adel Kermiche, a known extremist, should have been released on house arrest. Manuel Valls, Prime Minister of France at the time of the attack, said the release of Kermiche was a failure of the French justice system.<sup>274</sup> It is likely that Kermiche became further radicalised in prison. Writings found after his death reveal he met his 'spiritual guide' in jail, and that this 'sheikh' gave him radical ideas.<sup>275</sup>

The relevance of this attack to Australia is that it illustrates that Islamist terrorists are increasingly agile and rapidly shifting to more vulnerable targets as security tightens around more obvious objectives. This was also the case with the Nice vehicle ramming attack. Small and unsophisticated acts of terror in regional locations and during minor public events are increasingly likely as CT efforts focus on more prominent targets. The Normandy attack was part of a group of at least four knife attacks in France in a span of 13 months, including the 2017 machete attack at the Louvre and the 2016 stabbing of a police officer and his partner in Magnanville.<sup>276</sup>

The Normandy church siege also demonstrates that even a small town of 27,000 inhabitants may be targeted by terrorism.<sup>277</sup> Churches are also particularly targeted. In April 2015, French police foiled a plan to attack a church in Val-de-Marne, and three months later ISIS called upon readers of its magazine to target churches.<sup>278</sup>

The spate of terrorist attacks in France illustrates that these can inspire copycat attacks or incite other violent extremism. In the case of the Normandy church siege, both of the attackers were radicalised following the security response to the Charlie Hebdo attacks in Paris. This suggests that a militarised response to terrorist acts may have the unintended consequence of further radicalisation. Moreover, a siege situation that lasts only an hour does not provide the time needed to call out an Army response.

# Relevance of case studies to Army

## Army Tasks at a Terrorist Incident

The classic image of a 'CT operation' as a deliberate resolution of an incident by specialised forces is not supported by the analysis. Very few of the attacks in the Western world this century have involved hostages in a stand-off situation. Of those that have occurred, in the higher risk incidents—such as the Bataclan, which developed from an active shooter scenario—the time imperatives meant that waiting for the arrival of 'CT' forces would have created greater risk. By contrast, the barricade situations initiated by assailants this century have presented a lower risk and complexity profile than comparable 20th century incidents. None of them involved more than two attackers, none involved automatic weapons, and all showed little evidence of longer term planning. This was evident in the Normandy case study. Although Australia has seen at least two barricade incidents in recent years, both fit into this lower complexity category.

Except where already deployed, Army is unlikely to be able to play a role in the active resolution of bombings and armed assaults. These are the most frequent and deadliest types of attacks, respectively. These incidents transpire over very short time frames, often less than several minutes. This is also true for vehicle ramming attacks. Even where armed first responders are on the scene within minutes, in most cases they are too late to confront the attackers.

Significant early priorities at these incident sites are for non use of force functions. In the immediate aftermath of a shooting or a bombing, priorities for first responders may rapidly transition to roles such as treating and evacuating wounded, and disposing of explosives. The case studies for Boston, Paris, Nice and Manchester all demonstrated that, once police had established that the threat was neutralised, their focus shifted to these activities. Even at Bataclan, first responders started treating casualties within the theatre and compiling evidence while the siege was still occurring. These are functions in which Army has capabilities and which may be employed without a Defence Act call out. However, these elements would be required at an incident site within several hours at most. In Australia, this means that deployable medical support teams are only likely to be available in cities where regular combat forces are based.

Other key functions at an incident site would be likely to require special training if combat forces are used. These tasks include managing crowds, controlling access and commencing criminal investigations.

In Boston, Stade de France, Nice and Manchester, the incidents occurred at major events, so critical early decisions made by first responders involved managing the safety of large crowds. This required balancing the imperatives of reducing the scope for panic and efficiently clearing the incident site.

Police established traffic control and some form of cordon to restrict access to each of the incident sites examined in the case studies. In Nice, a car-free zone had already been set up as part of the security planning prior to the Bastille Day celebrations. Particularly in built-up urban areas, these are complex tasks that require experience by commanders in control activities and by personnel in dealing with members of the public.

Preservation and compilation of evidence is a task that requires police expertise. French Sentinelle soldiers did perform cordon functions at some of the Paris attack locations, but it can be noted that soldiers had already been deployed in the community for several months by this stage.

## **Army Tasks During Recovery/Consequence Management**

In the event of a reactive call out, Army capabilities are more likely to be available for tasks during the days following an incident. Army may be tasked to provide security at high-risk/high-profile assets. This was the role performed by British soldiers following the Manchester bombing and around France under Operation Sentinelle.

However, the sites assigned to Army for protection may not have any direct relationship to the attack. In the absence of any specific terrorist threats to individual targets, Army can expect to be assigned to protect sites that the government assesses as critical. In the Manchester example, Operation Temperer troops played this role by providing security at key government sites in London and at nuclear facilities. They do not appear to have been used in the Manchester area. Furthermore, the primary publicly stated role of these troops was to free up police for other duties. Except where such troops are targeted for attacks—as seen in several incidents during Sentinelle—this is not a role that is likely to confront terrorists.

Raids to arrest suspects and search associated premises are another type of security operation after a terrorist attack. In most cases, Army elements are unlikely to play a use of force role in these. The Paris, Nice and Manchester attacks all prompted major investigations involving police raids—dozens in the case of Manchester and hundreds in Paris. Although many of these raids would have been assessed as high risk, most were satisfactorily performed by armed police. The Boston case involved a large-scale manhunt (by police and military) in a residential area to capture one of the bombers. Notably, in this example the manhunt did not locate the fugitive; his presence was

reported to police after the shelter-in-place order was lifted. The use of coercive force by Army in raids on residential premises represents a significant militarisation and may only be considered appropriate in Australia under exceptional circumstances.

For particularly high-risk arrests, authorities may seek assistance from Army tactical assault groups. The Saint-Denis raid is one example from the case studies. The suspects were known to be armed and had recently conducted violent crimes. Specialist assault forces were also available and had time to plan the raid. However, the Saint-Denis raid developed into a seven-hour shootout in a suburban street, so it should also serve as a cautionary example. The arrest of the final suspect in the Boston incident is also an example where the assets deployed by police were arguably disproportionate to the threat posed by the subject.

Given the recent common use of homemade explosives by terrorists, Army teams may be required to assist in the disposal of material recovered in these raids. Army ammunition technicians were present at several of the Manchester area raids. Notably, this is not a use of force role and may be performed without call out.

## Defence Call Out

Following the Boston Marathon bombing, National Guard soldiers and military police provided general security assistance and aviation support and assisted other law enforcement officers with the search for the suspects. In the US system, National Guard units are state assets and can be called out by a state governor. This occurs quite regularly for natural disasters and security incidents. In the Boston scenario, the Massachusetts National Guard were already involved in the planning and conduct of the marathon. Given the differences in status of the National Guard versus the Australian Army and the largely non use of force roles the National Guard performed, this example appears to have the least direct relevance to Australian Army call out.

By contrast, the British Operation Temperer deployment after the Manchester bombing is particularly relevant to Australia. Firstly, the nature of the Operation Temperer deployment provides an example of what an Australian government may expect. The UK and Australia have similar political systems, so we can expect similar considerations to affect political decision-making. It should be noted that Australia's ADF call out laws (Defence Act, Part IIIAAA) are much more prescriptive than the UK's equivalent laws governing MACA. However, from the information available, the use of the Australian Army for similar tasks would be possible within Part IIIAAA. An important constitutional difference in Australia is the federal system, which means that the resolution of an incident like the Manchester Arena attack would be a state responsibility. Yet, as the May 2017 call out was specifically to protect national

government sites, such a call out in Australia could be made under the Part IIIAAA provisions to protect Commonwealth interests.

Secondly, the number of military personnel deployed and the time frames involved should be noted. Discounting the MoD Police (who were apparently focused on nuclear sites), Operation Temperer saw about 980 soldiers on task. These numbers appear to have been sufficient for largely static security at a relatively small number of sites. They did not conduct mobile patrolling tasks. The conduct of mobile tasks among the broader civilian community with more proactive use of coercive powers would probably have created greater risks in terms of rules of engagement and greater complexity in command and control.

The soldiers assumed duties within 12 hours of the Prime Minister's call out (within 36 hours of the bombing) and maintained the effort for seven days. Such a deployment is likely to be feasible, but more difficult, for the Australian Army. A deployment of this size would represent effectively one-ninth of Army's combat forces. Whereas the majority of Temperer tasks appear to have been conducted in London by locally based troops, for most circumstances the Australian Army would need to deploy equivalent combat forces from Darwin, Adelaide, Townsville or Brisbane. This means that a similar call out in Australia would be likely to require more time to deploy additional personnel and more cost to support the deployment. Use of locally based troops in each location may address these issues, but the consequent need to rely on reserves, non-combat soldiers and trainees creates other operational risks and additional preparedness requirements. Furthermore, the government may expect the use of regular combat soldiers.

The troops deployed under Temperer were not directly involved in activity related to the Manchester Arena incident. The overt rationale for the call out was to free up police for other duties. However, no armed MoD personnel were deployed to Greater Manchester. Also, given the attacks on London Bridge (3 June) and Parsons Green (15 September), the call out of soldiers in London does not appear to have had any lasting deterrent effect on terrorist activity.

The French Sentinelle example also illustrates some key points regarding military support to domestic security forces. This is a much more extensive, proactive domestic deployment but may not be legally or physically feasible in the Australian context. A call out order made under provisions of Part IIIAAA of the Defence Act must cease within 20 days. Proposed amendments to the Act would allow the Governor-General to extend a deployment, but each extension is still limited to 20 days. Also, a nationwide deployment covering potential targets such as transport hubs and schools as well as Commonwealth interests would require call out orders across nine jurisdictions.

Ongoing preventive deployments of this nature also require a huge investment of military resources. In the case of France, the nationwide deployment of 7,000 to 10,000 soldiers represents about one-quarter of French ground combat forces; for Australia, this would effectively require the bulk of Army's combat forces. Even a call out of a quarter of this size would need the resources of a combat brigade. Sustainment of a call out of this size beyond an initial 20-day period would be likely to cause a massive disruption to training cycles across Army. This may be mitigated by the use of reserves and non-combat soldiers, but again this would create risks in other areas. Furthermore, whereas France can concentrate more than 50 per cent of deployed forces in Paris, a comprehensive preventive deployment in Australia would need to concentrate in at least two major cities.

The Paris, Nice and Normandy case studies also reveal the limits to what even such a large call out can achieve. The deployment of soldiers did not prevent these attacks. In the case of Paris, the assailants were able to attack six sites in the city while more than 3,000 soldiers were already deployed. At two of these sites, Sentinelle soldiers were on site within 10 minutes of the attacks, indicating that these targets were very close to protected locations. A French parliamentary report on the attacks specifically questioned the efficacy of this deployment; it estimated that over 200,000 personnel would be required just to protect schools across France.<sup>279</sup>

Furthermore, Sentinelle soldiers have themselves been targeted for attacks. In some cases during 2017 — such as a machete attack at the Louvre in February; attacks at Orly airport in March and at the Eiffel Tower in May; and a vehicle ramming attack at Levallois-Perret and an attack at a Paris Metro station in August<sup>280</sup> — soldiers were targets of terror attacks. As at July 2016, 17 of the 28 use of force incidents by Sentinelle troops were in self-defence.<sup>281</sup>

In summary, the call out of Defence may not be particularly effective in directly preventing or responding to short-duration terrorist attacks. Except with advance knowledge of a specific target, Army is likely to be called out only after an attack. A more general, preventive call out would be difficult to sustain and would rarely be able to cover all targets.

## **Rules of Engagement and Legal Liability**

Even when soldiers are in the right place to make an impact on an unfolding terrorist attack, having the right rules of engagement is critical. Deploying armed soldiers among the Australian public clearly raises the risk that bystanders may be wounded if force is applied indiscriminately. The Boston Marathon case study illustrates that

when the presence of highly armed security forces increases, so too the chance of unauthorised discharge of weapons increases.

Conversely, the Bataclan example shows that restrictive rules of engagement may mean that soldiers on the scene cannot render assistance. Sentinelle troops on the scene at the Bataclan were unable to assist because of their rules of engagement. These rules have evolved since November 2015 but the use of force is still authorised only in exceptional circumstances.<sup>282</sup> In any case, soldiers can expect to face situations—some dangerous but many mundane—in which they will need to make a split-second decision to use or withhold lethal force. The rules need to be clear, and any soldiers who may be called out should train in their application.

As a related issue, the legal liability for use of force needs to be clarified. Even where soldiers act within their rules of engagement, there is still the potential that innocent people may be killed or injured and/or may be damaged. As Michael Head observes, because these arrangements have not yet been tested in an Australian court, soldiers may face legal liability for their use of force.<sup>283</sup> This could also potentially apply when soldiers do not apply force in circumstances where it may have been warranted. This is a sensitive issue on which the interests of the soldiers need to be balanced with those of the public.

## Conclusion

This study has shown that, in terms of using physical capabilities, the context for Army's direct involvement in prevention of or response to terrorist attacks is actually quite limited. In most cases, Army will only be involved in the recovery phase and—apart from exceptionally high-risk arrests—is unlikely to directly engage the terrorists.

This is not to say that terrorist attacks requiring a broader Army role are unlikely or unfeasible. Looking beyond the scope of our analysis, the 2008 terrorist incident in Mumbai involved a large-scale recovery in a hotel. In an earlier time frame, protracted hostage situations have occurred in Europe. For incidents in the maritime domain and involving in-flight aviation, Defence is likely to be a primary responder. Also, by definition, an analysis such as this cannot account for unprecedented attacks. So Defence (including Army) needs capabilities and plans for these scenarios. However, the attacks considered in this analysis did actually occur within a broad time frame across a range of comparable nations. Thus, expectations about what Army can appropriately contribute in a terrorist attack need to equally account for these more likely situations in which Army might play a much more limited supporting role.

There may be other reasons for requiring an Army response. This analysis has only considered the operational imperatives of the case studies examined. However, the



government may need to call out Defence to help the public feel safe, to protect critical functions, as part of a strategic communications response or to otherwise restore public confidence. Yet even if these considerations demand an Army call out, the limitations highlighted by this research will still shape the response.

The Australian Government has made it clear that it sees a broader role for Army in domestic CT. Hence Army has a responsibility to support national CT initiatives, including preparing responses. However, it is important that expectations about what Army can do are appropriate.

---

## Endnotes

- 1 Department of Defence, *White Paper 2016* (Canberra: Commonwealth of Australia, 2016).
- 2 Prime Minister and Minister for Defence, 'Defence Support to Domestic Counter-Terrorism', media release, 17 July 2017; Prime Minister and Chief of the Defence Force, 'Enhanced Defence Support to Domestic Counter-Terrorism Arrangements', transcript of press conference, Holsworthy Barracks, 17 July 2017.
- 3 Attorney-General and Minister for Defence, 'Defence Call Out Bill', media release, 28 June 2018.
- 4 Parliament of Australia, Defence Amendment (Call Out of the Australian Defence Force) Bill 2018, House of Representatives, introduced 28 June 2018, at: <https://www.legislation.gov.au/Details/C2018B00130>.
- 5 National Consortium for the Study of Terrorism and Responses to Terrorism (START), Global Terrorism Database, at: <http://www.start.umd.edu/gtd>.
- 6 Andrew O'Neil, 'Degrading and Managing Risk: Assessing Australia's Counter-Terrorist Strategy', *Australian Journal of Political Science* 42(3) (2008): 472.
- 7 O'Neil, 2008.
- 8 Rebecca Ananian-Welsh and George Williams, 'The New Terrorists: The Normalisation and Spread of Anti-Terror Laws in Australia', *Melbourne University Law Review* 38(2) (2014).
- 9 Michael Head, *Calling Out the Troops: The Australian Military and Civil Unrest* (Sydney: The Federation Press, 2009).
- 10 O'Neil, 2008.
- 11 John Bruni, "'Team Australia' Reacts to Domestic Terrorism' (SAGE International, 2014), at: <https://www.sageinternational.org.au/personal-observations/team-australia-reacts-to-domestic-terrorism/>.
- 12 Raphael Veit, 'Australia and Counter-Terrorism', *Australian Quarterly* 77(5) (2005): 34.
- 13 Bruni, 2004.
- 14 Veit, 2005, 35.

- 15 Deputy Commissioner John Lawler, 'What are the Most Likely Military and Wider National Responses that May Be Required Over the Next 20 Years?', *Australian Defence Force Journal* 173 (2007): 85.
- 16 Veit, 2005, 37.
- 17 Captain John Sutton, 'The Increasing Convergence of the Role and Function of the ADF and Civil Police', *Australian Defence Force Journal* 202 (2017): 37.
- 18 Katrina Lee-Koo, 'Terror Australis: Security, Australia and the "War on Terror" Discourse', *Borderlands e-journal* 4(1) (2005), at: [http://www.borderlands.net.au/vol4no1\\_2005/leekoo\\_terror.htm](http://www.borderlands.net.au/vol4no1_2005/leekoo_terror.htm).
- 19 Christian Hirst, 'The Paradigm Shift: 11 September and Australia's Strategic Reformation', *Australian Journal of International Affairs* 61(2) (2007): 175–192.
- 20 Ananian-Welsh and Williams, 2014, 363.
- 21 Sutton, 2017, 37.
- 22 Bruni, 2004, 4–5.
- 23 Lee-Koo, 2005.
- 24 *Criminal Code Act 1995* (Cth), at: <https://www.legislation.gov.au/Details/C2018C00386>.
- 25 *Terrorism (Police Powers) Act 2002* (NSW), at: <https://www.legislation.nsw.gov.au/inforce/6f5a8912-c4e1-e5ba-aa92-93c10aa399a9/2002-115.pdf>.
- 26 *Terrorism (Commonwealth Powers) Act 2003* (Vic.), at: [http://www.legislation.vic.gov.au/Domino/Web\\_Notes/LDMS/PubStatbook.nsf/f932b66241ecf1b7ca256e92000e23be/C55BCE31EE4E254BCA256E5B0021405F/\\$FILE/03-014a.pdf](http://www.legislation.vic.gov.au/Domino/Web_Notes/LDMS/PubStatbook.nsf/f932b66241ecf1b7ca256e92000e23be/C55BCE31EE4E254BCA256E5B0021405F/$FILE/03-014a.pdf).
- 27 *The Constitution*, at: <https://www.legislation.gov.au/Details/C2005Q00193>.
- 28 *Defence Act 1903* (Cth), at: <https://www.legislation.gov.au/Details/C2018C00444>.
- 29 Parliament of Australia, Defence Amendment (Call Out of the Australian Defence Force) Bill 2018.
- 30 *Defence Regulation 2016* (Cth), at: <https://www.legislation.gov.au/Details/F2018C00608>.
- 31 Australia New Zealand Counter Terrorism Committee (ANZCTC), *National Counter-Terrorism Plan* (Canberra: Commonwealth of Australia, 4th ed., 2017), 3.
- 32 To give an objectively definable definition of 'developed', the researchers initially included all 35 members of the Organisation for Economic Co-operation and Development (OECD). The research team also considered including Brazil, Russia, India, China and South Africa (BRICS) as well as the Association of Southeast Asian Nations (ASEAN) members. These were excluded from the dataset after initial examination of this data showed a disproportionate impact from active insurgencies.
- 33 START, Global Terrorism Database.
- 34 The basic GTD inclusion criteria are described in the GTD Codebook. Any incident that did not meet all three additional criteria—(1) the act must be aimed at attaining a political, economic, religious, or social goal; (2) there must be evidence of an intention to coerce, intimidate, or convey some other message to a larger audience (or audiences) than the immediate victims; (3) the action must be outside the context of legitimate warfare activities—or that GTD had otherwise recorded as 'doubt terrorism proper' are not included in this figure.

35 In Australia, the Commonwealth has primary jurisdiction over aviation incidents or  
incidents occurring seaward of the territorial sea baseline (ANZCTC, 2017, 17).

36 December 2014 Lindt Café siege (Sydney) and June 2015 Brighton apartment siege  
(Melbourne).

37 Throughout this paper, figures for fatalities and casualties include perpetrators if  
applicable.

38 Note that the 11 September 2001 attacks—as in-flight aviation incidents—are not  
included in this analysis.

39 Lord Kerslake, *The Kerslake Report: An Independent Review into the Preparedness for,  
and Emergency Response to, the Manchester Arena Attack on 22nd May 2017* (2018),  
65, at: [www.kerslakearenareview.co.uk](http://www.kerslakearenareview.co.uk).

40 David Anderson QC, *Attacks in London and Manchester March–June 2017: Independent  
Assessment of MI5 and Police Internal Reviews* (2017), 1.

41 Anderson, 2017, 4–5.

42 Kerslake, 2018, 5.

43 Kerslake, 2018, 35.

44 Kit Nicholl and Otso Iho, ‘Failed Detonation in London Underground Attack Indicates that  
Militant IED Attack Intent Often Exceeds Capability’, IHS Markit, 19 September 2017, at  
<https://ihsmarkit.com/country-industry-forecasting.html?ID=10659122999>.

45 ‘OSINT Summary: Islamic State-Claimed Attack Kills 22 People in the UK’s Manchester’,  
*Jane’s Terrorism and Insurgency Monitor*, 23 May 2017.

46 Anderson, 2017, 2.

47 Kerslake, 2018, 63.

48 Kerslake, 2018, 154–55.

49 Kerslake, 2018, 65.

50 Kerslake, 2018, 67.

51 Kerslake, 2018, 71.

52 Kerslake, 2018, 107.

53 Greater Manchester Police (GMP), ‘Timeline of events—Manchester Arena’, posted on  
GMP Twitter account, 23 May 2017.

54 Kerslake, 2018, 68.

55 Kerslake, 2018, 123.

56 Kerslake, 2018, 68.

57 Kerslake, 2018, 64.

58 Kerslake, 2018, 70.

59 Kerslake, 2018, 68.

60 Kerslake, 2018, 123.

61 ‘Police Raid Suicide Attack Suspect’s Residence in the UK’s Manchester’, [janes.ihs.com](http://janes.ihs.com),  
23 May 2017.

62 Kerslake, 2018, 195.

- 63 V. Dodd, J. Halliday, H. Pidd and agencies, 'Manchester Attack: UK Terror Threat Level Reduced to Severe', *The Guardian*, 28 May 2017.
- 64 'Police Detain Suspect in UK's Warwickshire', [janes.ihs.com](http://janes.ihs.com), 24 May 2017; 'Police Arrest a Man in the UK's West Sussex', [janes.ihs.com](http://janes.ihs.com), 24 May 2017.
- 65 Kerslake, 2018, 212.
- 66 V. Dodd, H. Pidd, K. Rawlinson, H. Siddique and E. MacAskill, 'At Least 22 Killed, 59 Injured in Suicide Attack at Manchester Arena', *The Guardian*, 24 May 2017; *The Guardian*, 28 May 2017.
- 67 *The Guardian*, 28 May 2017.
- 68 Prime Minister Theresa May, 'PM statement following second COBR meeting on Manchester attack' (London: HM Government, 23 May 2017).
- 69 C. Phipps, K. Rawlinson, M. Weaver, A. Sparrow and C. Johnston, 'Soldiers on British Streets as Threat Level Raised to Critical—As It Happened', *The Guardian*, 31 May 2017.
- 70 Louisa Brooke-Holland, *Military Aid to the Civil Authorities*, Briefing Paper CBP 08074 (London: House of Commons Library, 2017) 2.
- 71 HM Government, *CONTEST: The United Kingdom's Strategy for Countering Terrorism* (Crown Copyright, 2018) 67.
- 72 Brooke-Holland, 2017, 3.
- 73 The Ministry of Defence Police (MDP) is a civilian special police force which is part of the UK's Ministry of Defence. The MDP are not military police and should not be confused with the Royal Military Police or any other service police organisation.
- 74 Mark Lancaster, Answer to Counter-terrorism: Written question—3537 (London: House of Commons, 14 July 2017).
- 75 'Army Will Support Police', BBC video interview with Assistant Commissioner Mark Rowley, 24 May 2017, at: <https://www.bbc.com/news/av/uk-40023315/manchester-attack-army-will-step-forward-to-support-police>.
- 76 'First Troops Deployed in Operation Temperer', *Warfare.Today*, 24 May 2017, at: <http://www.warfare.today/2017/05/24/first-troops-deployed-in-operation-temperer/>.
- 77 *Warfare.Today*, 24 May 2017.
- 78 *The Guardian*, 28 May 2017.
- 79 Anderson, 2017, 1.
- 80 Massachusetts Emergency Management Agency (MEMA), *After Action Report for the Response to the 2013 Boston Marathon Bombings* (December 2014) 4, at: [https://www.policefoundation.org/wp-content/uploads/2015/05/after-action-report-for-the-response-to-the-2013-boston-marathon-bombings\\_0.pdf](https://www.policefoundation.org/wp-content/uploads/2015/05/after-action-report-for-the-response-to-the-2013-boston-marathon-bombings_0.pdf).
- 81 I. Nechepurenko, 'Hunt for Boston Clues Reveals Tangled Caucasus Web', *Moscow Times*, 22 April 2013.
- 82 J. Dawsey, E. Perez, D. Barrett and J. Levitz, 'Manhunt Ends With Capture of Boston Bombing Suspect', *The Wall Street Journal*, 8 May 2013.
- 83 Nechepurenko, 2013.
- 84 MEMA, 2014, 4.
- 85 MEMA, 2014, 36.

- 86 MEMA, 2014, 20–21.
- 87 MEMA, 2014, 20–21.
- 88 MEMA, 2014, 38.
- 89 MEMA, 2014, 25.
- 90 MEMA, 2014, 26.
- 91 MEMA, 2014, 26–27.
- 92 T. Feathers, ‘Middlesex County Prosecutors Building Murder Case against Dzhokhar Tsarnaev in Officer’s Slaying’, *Boston Globe*, 25 April 2013.
- 93 MEMA, 2014, 26–27.
- 94 MEMA, 2014, 27.
- 95 MEMA, 2014, 57.
- 96 MEMA, 2014, 57.
- 97 MEMA, 2014, 57.
- 98 The Massachusetts National Guard is a state agency and can be deployed under the authority of the Massachusetts Governor.
- 99 MEMA, 2014, 58.
- 100 MEMA, 2014, 60–61.
- 101 MEMA, 62.
- 102 MEMA, 63–64.
- 103 MEMA, 63–64.
- 104 MEMA, 63–64.
- 105 MEMA, 2014, 64.
- 106 MEMA, 2014, 64.
- 107 MEMA, 2014, 64.
- 108 ‘Boston Marathon Bombing Police Response Criticized in Government Report’, *Chicago Tribune*, 3 April 2015.
- 109 *Chicago Tribune*, 3 April 2015.
- 110 Committee on Homeland Security and Governmental Affairs, *Lessons Learned from The Boston Marathon Bombings: Improving Intelligence and Information Sharing—Hearing Before the Committee on Homeland Security and Governmental Affairs, United States Senate*, 30 April 2014, at: <https://www.gpo.gov/fdsys/pkg/CHRG-113shrg89528/html/CHRG-113shrg89528.htm>.
- 111 Committee on Homeland Security and Governmental Affairs, 2014.
- 112 Brian Michael Jenkins, ‘After Boston, Beware DIY Attacks: Front & Center’, RAND blog, 16 April 2014, at: <https://www.rand.org/blog/2014/04/after-boston-beware-diy-attacks-front-and-center.html>.
- 113 Jenkins, 2014.
- 114 Homeland Security Advisory Council (HSAC), *The Attacks on Paris: Lessons Learned* (QuinnWilliams LLC, 2016) 3.
- 115 HSAC, 2016, 18.

- 116 Assemblée Nationale, *Rapport fait au nom de la commission d'enquête relative aux moyens mis en oeuvre par l'État pour lutter contre le terrorisme depuis le 7 Janvier 2015* [Report of the Commission of Investigation on the Responses by the State for the Fight Against Terrorism Since 7 January 7 2015] (Paris: 2018), 42.
- 117 START, Global Terrorism Database.
- 118 Assemblée Nationale, 2018, 42.
- 119 Assemblée Nationale, 2018, 65.
- 120 Assemblée Nationale, 2018, 48.
- 121 START, Global Terrorism Database.
- 122 Assemblée Nationale, 2018, 42.
- 123 Assemblée Nationale, 2018, 51.
- 124 HSAC, 2016, 17.
- 125 Assemblée Nationale, 2018, 60.
- 126 START, Global Terrorism Database.
- 127 HSAC, 2016, 3.
- 128 Assemblée Nationale, 2018, 62.
- 129 Assemblée Nationale, 2018, 63, 65.
- 130 START, Global Terrorism Database.
- 131 HSAC, 2016, 17.
- 132 HSAC, 2016, 13.
- 133 Assemblée Nationale, 2018, 17.
- 134 A. Higgins and K. de Freitas-Tamura, 'An ISIS Militant from Belgium Whose Own Family Wants Him Dead', *The New York Times*, 17 November 2015.
- 135 Assemblée Nationale, 2018, 145.
- 136 Rémy Héméz, 'The French Army at a Crossroads', *Parameters* 47(1) (2017): 107.
- 137 Île-de-France is the greater Paris area, consisting of Paris and seven surrounding districts including Seine-Saint-Denis.
- 138 Assemblée Nationale, 2018, 22.
- 139 Assemblée Nationale, 2018, 248.
- 140 Ministère des Armées, 'Sentinelle: une opération qui s'inscrit dans la durée', 5 June 2015, at: <https://www.defense.gouv.fr/operations>.
- 141 Ministère des Armées, 'Le soutien Sentinelle évolue à Paris: s'installer dans la durée', 16 July 2015, at: <https://www.defense.gouv.fr/operations>.
- 142 Ministère des Armées, 'Sentinelle: 50 000 militaires déployés depuis le début de l'opération', 9 July 2015, at: <https://www.defense.gouv.fr/operations>.
- 143 All timings are taken from Assemblée Nationale, 2018.
- 144 Assemblée Nationale, 2018, 43.
- 145 HSAC, 2016, 23.
- 146 Assemblée Nationale, 2018, 45.
- 147 HSAC, 2016, 22.

- 148 Assemblée Nationale, 2018, 46.
- 149 Assemblée Nationale, 2018, 47–49.
- 150 Assemblée Nationale, 2018, 49.
- 151 Assemblée Nationale, 2018, 49.
- 152 Assemblée Nationale, 2018, 47–50.
- 153 Assemblée Nationale, 2018, 50.
- 154 Assemblée Nationale, 2018, 50.
- 155 All timings are taken from Assemblée Nationale, 2018.
- 156 Assemblée Nationale, 2018, 52.
- 157 All timings are taken from Assemblée Nationale, 2018.
- 158 HSAC, 2016, 23.
- 159 Assemblée Nationale, 2018, 52.
- 160 Assemblée Nationale, 2018, 53–54.
- 161 HSAC, 2016, 22.
- 162 Assemblée Nationale, 2018, 54.
- 163 Assemblée Nationale, 2018, 56.
- 164 Assemblée Nationale, 2018, 57, 58.
- 165 Assemblée Nationale, 2018, 59.
- 166 Assemblée Nationale, 2018, 58.
- 167 Assemblée Nationale, 2018, 59.
- 168 Assemblée Nationale, 2018, 60.
- 169 When combined into a single operational structure, the RAID and BRI response teams form the National Intervention Force, or Force d’Intervention de la Police Nationale (FIPN).
- 170 Assemblée Nationale, 2018, 37; HSAC, 2016, 23.
- 171 Assemblée Nationale, 2018, 60.
- 172 HSAC, 2016, 24.
- 173 Assemblée Nationale, 2018, 60.
- 174 HSAC, 2016, 22.
- 175 Assemblée Nationale, 2018, 62.
- 176 Delphine Deschaux-Dutard, ‘Parliamentary Scrutiny of Military Operations in France and Germany. The Different Level of Influence of Parliaments’, undated, 7, at <https://ecpr.eu/Filestore/PaperProposal/ca1d8496-d41c-47d7-96c7-d35ef4532c90.pdf>.
- 177 HSAC, 2016, 16.
- 178 Assemblée Nationale, 2018, 262.
- 179 HSAC, 2016, 16.
- 180 Assemblée Nationale, 2018, 68.
- 181 Ministère des Armées, ‘Sentinelle: point de situation au 19 novembre 2015’, 1 December 2015, at: <https://www.defense.gouv.fr/operations>.
- 182 Assemblée Nationale, 2018, 68



- 183 Assemblée Nationale, 2018, 68
- 184 Ministère des Armées, 1 December 2015.
- 185 Assemblée Nationale, 2018, 238.
- 186 'Le bilan de l'attentat de Nice porté à 86 morts', *Le Monde*, 19 August 2016.
- 187 Jacinta Carroll and Ashley Collingburn, *CT Quick Look: Bastille Day Terrorist Attack in Nice, 14 July 2016* (Canberra: Australian Strategic Policy Institute, 2016) 2, at <https://s3-ap-southeast-2.amazonaws.com/ad-aspi/import/ASPI-CT-Quick-Look-1.pdf?EQYvhGraRLj462goBgZNhd33fHFverlN>.
- 188 'Nice Attack: France Calls up 12,000 Reservists', BBC, 17 July 2016, at: <https://www.bbc.com/news/world-europe-36817435>.
- 189 'A Nice, des scènes d'horreur sur la promenade des Anglais', *Le Progrès*, 16 July 2016, at: <http://www.leprogres.fr/france-monde/2016/07/15/a-nice-des-scenes-d-horreur-sur-la-promenade-des-anglais>.
- 190 *Le Progrès*, 16 July 2016.
- 191 'Nice Attack: What We Know About the Bastille Day Killings', BBC, 19 August 2016, at: <https://www.bbc.com/news/world-europe-36801671>.
- 192 'Attaque à Nice: au moins 77 morts, un suspect abattu', *Le Parisien*, 14 July 2016.
- 193 'Attentat de Nice: un nouveau rapport contredit la version des autorités', *L'Obs*, 30 September 2016, at: <https://www.nouvelobs.com/societe/attaque-de-nice/20160930.OBS9101/attentat-de-nice-un-nouveau-rapport-contredit-la-version-des-autorites.html>.
- 194 Carroll and Collingburn, 2016, 1.
- 195 'Ce que dit le rapport de l'IGPN sur le dispositif de sécurité à Nice le soir du 14-Juillet', *Nice-Matin*, 27 July 2016, at: <https://www.nicematin.com/justice/ce-que-dit-le-rapport-de-ligpn-sur-le-dispositif-de-securite-a-nice-le-soir-du-14-juillet-67570>.
- 196 Pierre Alonso, 'La sécurité autour du feu d'artifice de Nice était-elle suffisante?', *Libération*, at: [https://www.liberation.fr/france/2016/07/17/la-securite-autour-du-feu-d-artifice-de-nice-etait-elle-suffisante\\_1466631](https://www.liberation.fr/france/2016/07/17/la-securite-autour-du-feu-d-artifice-de-nice-etait-elle-suffisante_1466631).
- 197 Carroll and Collingburn, 2016, 1.
- 198 'Nice Attack: France to Examine Bastille Day Police Actions', BBC, 21 July 2016, at: <https://www.bbc.com/news/world-europe-36855725>.
- 199 Carroll and Collingburn, 2016, 1.
- 200 Carroll and Collingburn, 2016, 1.
- 201 'Nice Attack' live reporting, BBC, at: <https://www.bbc.com/news/live/world-europe-36799172>.
- 202 *L'Obs*, 30 September 2016.
- 203 Carroll and Collingburn, 2016, 1.
- 204 'Truck Attack in Nice: Three More People Charged With Helping Killer', Sky News, 17 December 2016, at: <http://news.sky.com/story/truck-attack-in-nice-three-more-people-charged-with-helping-killer-10699148>.
- 205 'Nice Attack' live reporting, BBC, at: <https://www.bbc.com/news/live/world-europe-36799172>.
- 206 Sky News, 17 December 2016.

- 207 Carroll and Collingburn, 2016, 1.
- 208 BBC, 21 July 2016.
- 209 Carroll and Collingburn, 2016, 1.
- 210 Human Rights First, 'Fact sheet: France's state of emergency and long-term solutions to combating extremism', July 2016, at: [www.humanrightsfirst.org/sites/default/files/France\\_State\\_of\\_Emergency\\_July2016.pdf](http://www.humanrightsfirst.org/sites/default/files/France_State_of_Emergency_July2016.pdf).
- 211 Kassem, Ramzi, 'France's Real State of Emergency', *The New York Times*, 5 August 2016, at: <https://www.nytimes.com/2016/08/05/opinion/frances-real-state-of-emergency.html>.
- 212 'Jean-Marc Sauvé: "L'état d'urgence ne peut être renouvelé indéfiniment"', *Le Monde*, 18 November 2016, at: [http://www.lemonde.fr/police-justice/article/2016/11/18/jean-marc-sauve-l-etat-d-urgence-est-un-etat-de-crise-qui-ne-peut-etre-renouvele-indefinitiment\\_5033308\\_1653578.html](http://www.lemonde.fr/police-justice/article/2016/11/18/jean-marc-sauve-l-etat-d-urgence-est-un-etat-de-crise-qui-ne-peut-etre-renouvele-indefinitiment_5033308_1653578.html).
- 213 Carroll and Collingburn, 2016, 2.
- 214 Carroll and Collingburn, 2016, 2.
- 215 'L'Obs, 30 September 2016.
- 216 'Attentat de Nice: L'enquête sur les éventuelles responsabilités de la mairie et de l'Etat touche au but', *20 Minutes*, 6 December 2016, at: <https://www.20minutes.fr/nice/1975155-20161206-attentat-nice-enquete-eventuelles-responsabilites-mairie-etat-touche-but>.
- 217 *20 Minutes*, 6 December 2016.
- 218 'Attentat de Nice: La lecture du rapport de l'IGPN amène à se poser des questions', *Les Républicains*, 28 July 2016, at: [https://www.republicains.fr/actualites\\_attentat\\_nice\\_lecture\\_rapport\\_igpn\\_questions\\_20160728](https://www.republicains.fr/actualites_attentat_nice_lecture_rapport_igpn_questions_20160728).
- 219 'Attentat de Nice: l'enquête sur la sécurité ravive la guerre des polices', *Le Parisien*, 30 June 2018, at: <http://www.leparisien.fr/faits-divers/attentat-de-nice-l-enquete-sur-la-securite-ravive-la-guerre-des-polices-30-06-2018-7801755.php>.
- 220 *Le Parisien*, 30 June 2018.
- 221 'Nice Officials Reject Request to Delete Truck Attack Surveillance Footage', *The Guardian*, 22 July 2016, at: <https://www.theguardian.com/world/2016/jul/22/nice-officials-reject-request-to-delete-truck-attack-surveillance-footage>.
- 222 'Nice: le rapport de l'IGPN omet de préciser que des gendarmes protégeaient le président à Avignon', RT France, 16 October 2016, at: <https://francais.rt.com/france/27681-nice-rapport-officiel-omet-que>.
- 223 RT France, 16 October 2016.
- 224 Carroll and Collingburn, 2016, 2.
- 225 Carroll and Collingburn, 2016, 3.
- 226 Carroll and Collingburn, 2016, 3.
- 227 Carroll and Collingburn, 2016, 3.
- 228 Carroll and Collingburn, 2016, 3.
- 229 Carroll and Collingburn, 2016, 3.
- 230 Carroll and Collingburn, 2016, 4.

- 231 Carroll and Collingburn, 2016, 2.
- 232 T. Hume, E. C. McLaughlin and Margot Haddad, 'Hollande: Deadly Church Attack in France Carried Out in Name of ISIS', CNN, 27 July 2016, at: <https://edition.cnn.com/2016/07/26/europe/france-normandy-church-hostage/index.html>.
- 233 'France in Shock Again After ISIS Murder of Priest in Normandy', *The Guardian*, 27 July 2016, at: <https://www.theguardian.com/world/2016/jul/26/france-shock-second-isis-attack-12-days>.
- 234 R. Mendick, S. Smith and D. Chazan, 'Murder of a Priest: How the Horror Unfolded as Two Islamic State Terrorists Took Church by Storm', *The Telegraph*, 26 July 2016, at: <https://www.telegraph.co.uk/news/2016/07/26/murder-of-a-priest-how-the-horror-unfolded-as-two-islamic-state/>.
- 235 CNN, 27 July 2016.
- 236 CNN, 27 July 2016.
- 237 'Extremists Who Attacked French Church Forced Elderly Hostage to Film Priest's Execution Before Slashing Him', *National Post*, 27 July 2016, at: <http://news.nationalpost.com/news/world/extremists-who-attacked-french-church-forced-elderly-hostage-to-film-priests-execution-before-slashing-him>.
- 238 K. Willsher, 'Teenagers Who Killed French Priest Made Film Declaring Allegiance to ISIS', *The Guardian*, 28 July 2016, at: <https://www.theguardian.com/world/2016/jul/27/french-authorities-under-pressure-to-explain-release-of-priests-killer>.
- 239 'France Church Attackers "Smiled" and Talked of Peace, Nun Says', *The Guardian*, 30 July 2016, at: <https://www.theguardian.com/world/2016/jul/30/france-church-attackers-smiled-and-talked-of-peace-nun-says>.
- 240 *The Guardian*, 27 July 2016.
- 241 CNN, 27 July 2016.
- 242 CNN, 27 July 2016.
- 243 A. Sims, 'Normandy Church Attack: Muslim Community Refuse to Bury French Priest Killer Adel Kermiche', *Independent*, 30 July 2016, at: <https://www.independent.co.uk/news/world/europe/normandy-church-attack-muslim-community-refuse-to-bury-french-priest-killer-adel-kermiche-a7164301.html>.
- 244 CNN, 27 July 2016.
- 245 *The Guardian*, 27 July 2016.
- 246 S. Piel and S. Seelow, 'Saint-Etienne-du-Rouvray: pourquoi l'un des auteurs de l'attentat avait été remis en liberté', *Le Monde*, 27 July 2016, at: [http://www.lemonde.fr/police-justice/article/2016/07/27/saint-etienne-du-rouvray-pourquoi-lun-des-auteurs-de-l-attentat-a-ete-remis-en-liberte-en-mars\\_4975134\\_1653578.html](http://www.lemonde.fr/police-justice/article/2016/07/27/saint-etienne-du-rouvray-pourquoi-lun-des-auteurs-de-l-attentat-a-ete-remis-en-liberte-en-mars_4975134_1653578.html).
- 247 A. J. Rubin and A. Breeden, 'Women's Emergence as Terrorists in France Points to Shift in ISIS Gender Roles', *The New York Times*, 1 October 2016, at: <https://www.nytimes.com/2016/10/02/world/europe/womens-emergence-as-terrorists-in-france-points-to-shift-in-isis-gender-roles.html>.
- 248 *The Guardian*, 27 July 2016.

- 249 B. Morenne, 'France Identifies 2nd Man Who Attacked Church and Killed Priest', *The New York Times*, 28 July 2016, at: [https://www.nytimes.com/2016/07/29/world/europe/france-church-attack.html?\\_r=0](https://www.nytimes.com/2016/07/29/world/europe/france-church-attack.html?_r=0).
- 250 K. Willsher, 'Police Were Warned of Normandy Attack but Lacked the Detail to Act', *The Guardian*, 29 July 2016, at: <https://www.theguardian.com/world/2016/jul/28/second-normandy-attacker-was-on-security-register>.
- 251 G. Clarke, 'The Faces of the Two ISIS Sympathisers Who Killed Catholic Priest in France', *Daily Star*, 27 July 2016, at: <https://www.dailystar.co.uk/news/latest-news/533320/ISIS-Adel-Kermiche-Abdel-Malik-Jacques-Hamel>.
- 252 E. Vincent, 'Saint-Etienne-du-Rouvray: un suspect mis en examen et écroué', *Le Monde*, 12 August 2016, at: [http://www.lemonde.fr/police-justice/article/2016/08/12/saint-etienne-du-rouvray-un-suspect-en-lien-avec-lestueurs-mis-en-examen-et-ecroue\\_4982194\\_1653578.html](http://www.lemonde.fr/police-justice/article/2016/08/12/saint-etienne-du-rouvray-un-suspect-en-lien-avec-lestueurs-mis-en-examen-et-ecroue_4982194_1653578.html).
- 253 CNN, 27 July 2016.
- 254 *The Telegraph*, 26 July 2016.
- 255 CNN, 27 July 2016.
- 256 *The Guardian*, 27 July 2016.
- 257 *The Guardian*, 27 July 2016.
- 258 CNN, 27 July 2016.
- 259 *The Telegraph*, 26 July 2016.
- 260 *The Telegraph*, 26 July 2016.
- 261 *The Guardian*, 27 July 2016.
- 262 *Le Monde*, 12 August 2016.
- 263 K. Willsher, 'Police in French Priest Murder Case Investigate Message App Link', *The Guardian*, 1 August 2016, at: <https://www.theguardian.com/world/2016/jul/31/police-in-jacques-hamel-case-investigate-telegram-messaging-app-link>.
- 264 'Prêtre égorgé: les tueurs se sont rencontrés sur Telegram', *Le Figaro*, 31 July 2016, at: <http://www.lefigaro.fr/flash-actu/2016/07/31/97001-20160731FILWWW00014-pretre-egorge-les-tueurs-se-sont-rencontres-sur-telegram.php>.
- 265 'Saint-Étienne-du-Rouvray: les tueurs auraient été en contact avec un djihadiste français en Syrie', *Le Figaro*, 18 August 2016, at: <http://www.lefigaro.fr/flash-actu/2016/08/18/97001-20160818FILWWW00145-saint-etienne-du-rouvray-les-tueurs-auraient-ete-en-contact-avec-un-djihadiste-francais-en-syrie.php>.
- 266 Lewis Jones, 'Attacks reveal gaps in intelligence and security capabilities in France', *Jane's Intelligence Review*, at: <https://janes.ihs.com/Janes/Display/jir12198-jir-2016>.
- 267 Ministère des Armées, 'Point de situation des opérations au 29 septembre 2016', 5 October 2016, at: <https://www.defense.gouv.fr/operations>.
- 268 C. Hartmann, 'Two Years After the Paris Attacks, France Ends State of Emergency', Reuters, 1 November 2017.
- 269 CNN, 27 July 2016.
- 270 Lewis Jones, 'Attacks reveal gaps in intelligence and security capabilities in France', *Jane's Intelligence Review*, at: <https://janes.ihs.com/Janes/Display/jir12198-jir-2016>.

- 271 CNN, 27 July 2016.
- 272 *Independent*, 30 July 2016.
- 273 Lewis Jones, 'Attacks reveal gaps in intelligence and security capabilities in France', *Jane's Intelligence Review*, at: <https://janes.ihs.com/Janes/Display/jir12198-jir-2016>.
- 274 'France Church Attack: Manuel Valls Highlights "Justice Failure"', BBC, 29 July 2016, at: <https://www.bbc.com/news/world-europe-36923981>.
- 275 N. Bisserbe, 'European Prisons Fueling Spread of Islamic Radicalism', *The Wall Street Journal*, 31 July 2016, at: <https://www.wsj.com/articles/european-prisons-fueling-spread-of-islamic-radicalism-1470001491>.
- 276 A. J. Rubin and A. Breeden, 'Assailant Near Louvre Is Shot by French Soldier', *The New York Times*, 3 February 2017, at: <https://www.nytimes.com/2017/02/03/world/europe/louvre-paris-shooting-soldier.html?r=0>.
- 277 *The Guardian*, 27 July 2016.
- 278 'Saint-Etienne-du-Rouvray: comment sont protégés les lieux de culte en France?', Europe 1, at: <http://www.europe1.fr/societe/saint-etienne-du-rouvray-comment-sont-proteges-les-lieux-de-culte-en-france-2808433>.
- 279 Assemblée Nationale, 2018, 239.
- 280 START, Global Terrorism Database.
- 281 Assemblée Nationale, 2018, 252.
- 282 Assemblée Nationale, 2018, 250.
- 283 Head, 2009, 187–199.

