



Australian Government
Department of Home Affairs

Joint Standing Committee on Foreign Affairs Defence and Trade

Inquiry into the Implications of the COVID-19 pandemic on
Australia's Foreign Affairs, Defence and Trade

20 June 2020

Introduction

The Department of Home Affairs (Home Affairs) and the Australian Border Force (ABF) thank the Joint Standing Committee on Foreign Affairs, Defence and Trade for the opportunity to provide a submission into the Inquiry into the Implications of the COVID-19 Pandemic on Australia's Foreign Affairs, Defence and Trade.

Home Affairs has a central role in the Government's agenda to achieve a prosperous, secure, and united Australia, and complements the Government's foreign and defence policy functions. Home Affairs has diverse responsibilities in delivering the security and social cohesion that underwrites economic prosperity, these include: managing and responding to civil contingencies and national emergencies; domestic elements of national security; critical infrastructure security, including transport security; federal law enforcement; criminal justice; cyber security; intelligence; border control; immigration and citizenship; humanitarian issues; multicultural affairs and trade related functions.

In preparing this submission, Home Affairs has considered the Terms of Reference in the context of the above.

What policy and practical measures would be required to form an ongoing effective national framework to ensure the resilience required to underpin Australia's economic and strategic objectives

The National Coordination Mechanism (NCM) was commissioned by the Government on 5 March 2020 to coordinate the non-health related aspects of the whole-of-nation response to COVID-19. The NCM is led by Home Affairs and coordinates and works with Commonwealth, State and Territory government agencies and with industry to identify and resolve complex issues, and undertakes preparedness planning across a number of sectors.

This is the first time that a cross-government coordination point of this scale has been established to respond to a significant cross-cutting domestic and global issue such as COVID-19, noting DFAT is responsible for leading the Australian Government response during an international crisis.

From 6 March to 9 June 2020, the NCM has coordinated 91 meetings across more than 30 themes between Commonwealth, States/Territories and industry representatives.

Key themes raised at these meetings, pertaining to foreign affairs, defence and trade, include:

- **Managing returns to Australia NCM:** this forum developed and implemented a National Framework for Managing Returns to Australia, agreed by Government and National Cabinet, which required working with government agencies in all jurisdictions to support the safe return of Australian citizens, permanent residents and visa holders to Australia. The NCM continues to work with government agencies across all jurisdictions regarding the management of policy settings on international arrivals.
- **Temporary visa holders:** in the early stages of the pandemic, the NCM addressed concerns of temporary visa holders unable to return home due to international border closures and cancellation of flights into Australia.
 - In response, Home Affairs has implemented changes to the temporary visa program allowing for pathways to remain in Australia and changes to visa conditions (i.e. work limits) where required in essential services such as healthcare.
- **Domestic border movements:** the NCM has provided States and Territories with a forum to raise and resolve issues relating to the movement of critical workforce, essential services and movement of freight across domestic borders, following the implementation of cross-border restrictions and local quarantine arrangements.
- **Supply chain:** the NCM has facilitated discussions with relevant stakeholders relating to food production, distribution methods, access to critical medicines and cleaning products, water planning and maintenance, the movement of fly-in fly-out workers for critical industries and resolution of supermarket issues including support to vulnerable persons and those living in remote and regional communities. Reduced and/or the cancellation of commercial flights also put significant pressure on air freight logistics, including the movement of cash for the Reserve Bank of Australia.
 - The NCM has collaborated with the International Freight Assistance Mechanism chaired by Austrade, to assist with each jurisdiction's issues and priorities around importation of medical and pharmaceutical products.
 - The Supermarkets Taskforce has resolved issues with the supply of food and groceries to vulnerable people, including engaging with charitable organisations and food delivery services for customers unable to leave home. In addition, the supply of essential items was resolved through engagement with major supermarket players and distribution companies to ensure provision of food and groceries to remote and regional communities.
- **Resources sector:** NCM coordinated discussions on the compounding challenges facing the resources sector at the height of the pandemic, including the impact of border restrictions and supply chain security on the resources workforce, safety at worksites and availability of PPE.

Supply chain integrity / assurance to critical enablers of Australian security (such as health, economic and transport systems, and defence)

The significant drought and recent bush fires, followed by COVID-19, has placed critical infrastructure in Australia under stress. However, with industry working alongside government where necessary, our critical infrastructure has proven to be resilient.

In the early stages of the pandemic, there was growing public concern that essential goods such as protective gear and disinfectants were not reaching those with the greatest need, due in part to individuals purchasing these goods in large quantities from retailers with the intention of re-selling them at extortionate prices (a practice known as 'price gouging').

Following receipt of reports of this exploitative practice, the Australian Government took steps to prohibit price gouging and impose requirements to ensure that those who breach relevant restrictions surrender these goods to law enforcement.

On 31 March 2020, the Biosecurity (Human Biosecurity Emergency) (Human Coronavirus with Pandemic Potential) (Essential Goods) Determination 2020 (the Essential Goods Determination) came into effect. The Essential Goods Determination prohibits any person from re-selling (or offering to re-sell) certain disinfectants or personal protective gear ('essential goods') purchased at retail on or after 30 January 2020 for more than 120% of the original purchase price. Contravention of the Essential Goods Determination attracts a criminal offence.

These measures apply to alcohol wipes, hand sanitiser and any of the following equipment that, when worn, is capable of limiting the transmission of organisms to humans: disposable face masks; disposable gloves; disposable gowns; goggles, glasses or eye visors. The measures only apply to essential goods that were originally purchased 'in a retail transaction' ensuring that legitimate businesses that are integral to maintaining Australia's supply chains are not captured.

To support the broader effort to ensure the supply of these essential goods reached those Australians with the greatest need, on 30 March 2020 the *Customs (Prohibited Exports) Amendment (COVID-19 Human Biosecurity Emergency) Regulations 2020* (the Regulations) came into effect. To avoid disrupting supply chains, these temporary Regulations were designed specifically to target exploitative export practices and avoid affecting normal commercial exports.

Unusual behaviours in supermarkets such as panic buying and hoarding resulted in a surge in demand. While Australian Bureau of Agricultural and Resource Economics notes that Australia has ample food supply, logistical difficulties were experienced in moving products from primary production to supermarket shelves due to the unprecedented demand for key products. Essential food supplies, particularly rice, flour and flour-based products such as pasta, as well as sanitary items (especially toilet paper, tissues and hand sanitiser) came under stress. For example:

- Lack of availability or delay in packaging for food and grocery products impacted Australia's ability to increase supply of some products which came under stress, including those which are primarily produced in Australia. For example, specialised packaging elements which are primarily imported from overseas were unable to be sourced, such as plastic closures and hand pumps. In some cases, the factories that produce these items had closed due to the pandemic.
- International export limits, reduced the supply available to Australia.

Implications for Australia's Foreign Affairs, Defence and Trade Policy, particularly with respect to strategic alliances and regional security

COVID-19 has impacted the ability of the Department and the ABF to deliver in country Official Development Assistance funded capacity building and technical assistance in the Indo-Pacific region to combat human trafficking and modern slavery, money laundering and terrorism financing through the Indo-Pacific Justice and Security Program. COVID-19 has also impacted the Department's capacity to deliver the Supporting PNG's Effective AML/CTF Reform programs. It has affected both the ability of Australian government officials to travel and deliver assistance, as well as the ability of our partner countries to engage and absorb assistance.

The Department and ABF delivered online and desk-based assistance and support partner governments to protect financial systems and address new and heightened transnational crime risks arising from COVID-19.

The impact on Human Rights

Current data shows that the COVID-19 pandemic has heightened the risk of child sexual abuse and continues to have an impact on child protection.

The restrictions initiated to slow the spread of COVID-19 resulted in children and young people spending more time at home and online, increasing both their emotional vulnerability and their exposure to harmful contact. These risks are amplified by the reduction in normal protective factors, such as children's regular contact with teachers and other mandatory reporters. The measures have increased the risk of both online offending, such as viewing and sharing child abuse material, and grooming or extortion for self-generated material; and contact offending against children, including abuse that is livestreamed online from home environments.

Globally, dark web activity related to child sexual abuse has increased. Australian and foreign law enforcement agencies have witnessed opportunistic offenders creating new COVID-19-specific chat forums on the dark web. These forums are used to exchange methodologies for abusing and grooming children online and in their custody, as well as to share tips on how to evade detection.

On 7 April 2020, United Nations human rights experts called upon member States to bolster child protection measures to combat the increased risk of child sexual abuse, violence, exploitation and trafficking to ensure that "no child bears the collateral consequences of this unprecedented pandemic".

Australian Commonwealth, state and territory law enforcement and policy agencies are working together, and with international partners, in response to this increased risk and activity. The Australia Federal Police (AFP) is using its full suite of law enforcement powers and prioritising investigations into serious crimes like online child sexual abuse. The AFP bolstered resources within the Australian Centre to Counter Child Exploitation (ACCCE) Child Protection Triage Unit and Covert Online Engagement Team to monitor, assess and triage the incoming referrals received during COVID-19.

Home Affairs and Portfolio agencies have supported the development and promotion of a range of educational and awareness-raising materials to help both children and their parents and caregivers stay informed and stay safe online during COVID-19, including a 'family seven day safety challenge' for parents, carers and children to undertake simple daily tasks to encourage safer online experiences. The eSafety Commissioner also released to Five Country Ministerial partners a *Global online safety advice for parents and carers – COVID-19* pack as an editable PDF so international organisations and governments could adapt it to include local in-country contacts and information.

Published data does not yet provide an empirical national picture on COVID-related domestic and family violence. However, early evidence suggests it is likely increasing overall. For example, initial results in a related Australian Institute of Criminology survey show prevalence of sexual and physical violence by a cohabiting partner since COVID-related restrictions were introduced in Australia is significantly higher than the previously reported annual rate. This aligns with research documenting the exacerbation of gender-based violence during emergencies.¹ Regarding the COVID-19 pandemic, aggravating factors for rising domestic and family violence rates include emotional upheaval, economic strain, and measures mandating extended time spent in closed and isolated environments (including the family home). Previous research focussed on domestic and family violence in Australia in the wake of large-scale emergencies has shown that violence may worsen once the 'peak' of the crisis has passed.²

¹ Centre for Global Development (2020) [Pandemics and violence against women and children](#).

² Parkinson & Zara (2013) 'The hidden disaster: Domestic violence in the aftermath of natural disaster', *Australian Journal of Emergency Management*, Volume 28 (2).

The Australian Institute of Criminology will publish research in July 2020 reporting on the COVID-19 domestic and family violence-related experiences of approximately 15,000 surveyed women.