

Senate Select Committee on Covid-19
Answers to questions on notice
Agriculture, Water and the Environment Portfolio

Committee: Senate Select Committee on Covid
Inquiry: Australian Government's response to the COVID-19 pandemic
Hearing Date: 18 August 2020
Division/Agency: Department of Agriculture, Water and the Environment
Topic: Minister's media release on 14 August 2020 on the impacts of border closures
Question Date: 21 August 2020
Question Type: Written

Senator Rice asked:

In relation to the Minister's media release 14 August on the impacts of border closures (<https://minister.awe.gov.au/littleproud/media-releases/cross-border-issues>)

- What analysis has the Department undertaken on the impacts of border closures on agricultural supply chains? Including in relation to supplies for the agriculture sector, and impacts on food supply for consumers?
- Has the Commonwealth offered to assist state governments with the impacts of border closures on agricultural supply chains? If so, through what mechanisms? What assistance has been offered?

Answer:

In relation to the Minister's media release 14 August on the impacts of border closures:

1. What analysis has the Department undertaken on the impacts of border closures on agricultural supply chains? Including in relation to supplies for the agriculture sector, and impacts on food supply for consumers?

The Department has been working closely with the agriculture sector and states and territories to understand the impacts of border closures on agriculture, including on supply chains. Officials, led by the Department, prepared a paper on the impacts of border arrangements for a National Coordination Mechanism discussion, focusing on arrangements in Queensland, New South Wales, Victoria and South Australia. The paper analysed current impacts, including for animal welfare particularly for cross-border farmers, for workers including but not limited to veterinarians, shearers, and forestry workers. This work informed National Cabinet consideration of border issues of 21 August 2020.

The Department's understanding of impacts of border closures is also informed by the Senior Industry Engagement Officer who acts as a central point of contact for industry groups across the agriculture, fisheries and forestry sectors. The Officer also works with other Commonwealth agencies, and state and territory governments to ensure industry perspectives inform decisions.

The Department's understanding of the impact of border arrangements on food supply for consumers is informed by the Food and Grocery Sector Group as part of the Government's Critical Resilience Network. The Department also participated in the Supermarkets Taskforce and the National Coordination Mechanism discussions on Food and Grocery, and Supply Chains which had a watching brief to ensure supply chains operate efficiently.

2. Has the Commonwealth offered to assist state governments with the impacts of border closures on agricultural supply chains? If so, through what mechanisms? What assistance has been offered?

Commonwealth Ministers and officials meet regularly with state and territory counterparts to discuss changing arrangements at borders, and the impacts these have on agriculture. Given states and territories are responsible for their border arrangements, the Commonwealth's role is to support those jurisdictions in implementing solutions.

The most recent and substantive assistance to address the issues is being provided through the Department leading work on the Agriculture Workers' Code for consideration by the National Cabinet.

Other support and management of issues related to border closures is provided through the Agriculture Ministers' Forum, Agriculture Senior Officials' Committee, the COVID-19 National Incident Management Team (made up of officials from Commonwealth, States and Territories), and through the National Coordination Mechanism.

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Topic: Minister's media release on 4 August 2020 on the Seasonal and Pacific Worker pilot programme
Question Date: 21 August 2020
Question Type: Written

Senator Rice asked:

In relation to the Minister's media release 4 August on the Seasonal and Pacific Worker pilot programme (<https://minister.awe.gov.au/littleproud/media-releases/seasonal-pacific-worker-pilot-programme-trialled-top-end>):

- Does the Department have any estimates of the impacts of existing changes to visa programmes to provide extensions for seasonal workers, announced in April?
- Has the Department undertaken any independent analysis of potential shortages in the Northern Territory? If yes, please provide a copy.
- Has the Commonwealth offered to provide financial assistance to this programme?
- Has the Commonwealth offered to provide any financial assistance to support Australian residents who wish to relocate to undertake agricultural work?
- Who will cover the additional costs associated with quarantine?

Answer:

Does the Department have any estimates of the impacts of existing changes to visa programmes to provide extensions for seasonal workers, announced in April?

On 4 April 2020, the Australian Government announced temporary changes to visa arrangements that would allow workers under the Seasonal Worker Programme (SWP), Pacific Labour Scheme and Working Holiday Maker program to continue working in the agriculture sector. These changes included:

- Working Holiday Makers who have completed three or six months of specific work in Australia can apply for a second or third Working Holiday Maker visa;
- Workers that are part of the Pacific Labour Scheme with visas due to expire can apply for a new Temporary Work (International Relations) (subclass 403) Pacific Labour scheme stream visa; and
- SWP Workers with visas due to expire can apply for a Temporary Activity (subclass 408) Australian Government Endorsed Events visa.

SWP workers already in Australia are being redeployed as their placements end, with their agreement, to meet seasonal labour demand. These movements are subject to labour market testing to ensure Australian workers have the first opportunity to apply for seasonal work. As at 24 August 2020 over 4,800 SWP workers have been redeployed.

The Department of Home Affairs estimates that more than 4,000 people on temporary visas have been granted a COVID-19 Temporary Activity visa to extend their time in Australia while they work in critical industries such as health, disability, aged and child care and agriculture and food processing. This includes 604 former Working Holiday Makers and 3,806 SWP visas.

Has the Department undertaken any independent analysis of potential shortages in the Northern Territory? If yes, please provide a copy.

On 4 August, the Australian Government announced a trial recruitment under the Seasonal Worker Programme (SWP) to bring up to 170 workers to Australia to help meet critical workforce shortages in the Northern Territory mango industry. The Northern Territory Government and the mango sector are seeking workers from Vanuatu to fill these vacancies.

The Department of Agriculture, Water and the Environment has not undertaken independent analysis of potential workforce shortages in the Northern Territory. Advice from the Northern Territory Farmer's Association forecast a need for up to 1000 workers for the upcoming harvest season.

Existing labour market testing requirements under the SWP, must be met. That is, to participate in the trial employers must first test the domestic market and provide Australians with an opportunity to apply for, and be recruited to, these seasonal jobs.

Has the Commonwealth offered to provide financial assistance to this programme?

The Australian Government is facilitating the trial through the reopening of the SWP, processing and approval of necessary visas.

Has the Commonwealth offered to provide any financial assistance to support Australian residents who wish to relocate to undertake agricultural work?

The Australian Government provides financial assistance to support Australians to relocate for work through both the Relocation Assistance to Take Up a Job program and jobactive, both administered by the Department of Education, Skills and Employment.

Relocation Assistance to Take Up a Job

Relocation Assistance to Take Up a Job (RATTUAJ) is an Australian Government program that assists eligible participants to relocate to take up an offer of full time, ongoing employment. Relocation assistance helps participants accept work outside of their area by removing the financial barriers that can prevent people relocating. A participant can receive assistance of up to:

- \$6000 (GST exclusive) if relocating to a regional area
- \$3000 (GST exclusive) if relocating to a capital city
- an extra \$3000 (GST exclusive) if relocating with a dependent.

Funding can be used for a range of relocation costs. For example, up to two months' rent, rental bond, removalist costs, travel costs, food during relocation and some employment-related expenses.

Jobactive

Jobactive connects job seekers with employers through a network of providers across Australia (excluding remote areas) and helps them find a job.

Jobactive providers are able to access a range of assistance to help place job seekers into work, including wage subsidies and assistance from the Employment Fund (e.g. training, mentoring and post-placement support, relocation assistance where a job seeker is not eligible for assistance from the Relocation to Take Up a Job program). Assistance from the Employment Fund is at the discretion of jobactive providers.

Who will cover the additional costs associated with quarantine?

The costs of quarantine are the responsibility of the Northern Territory Government and/or industry and are not passed on to the Seasonal Worker Programme workers.

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Committee: Senate Select Committee on Covid-19
Inquiry: COVID-19
Hearing Date: 18 August 2020
Division/Agency: Department of Agriculture, Water and the Environment
Topic: Additional written QoNs - Australian Government's response to the COVID-19 pandemic
Question Date: 21 August 2020
Question Type: Written

Senator Keneally asked:

1. Please provide the date (prior to 19 March 2020) on which the last Traveller with Illness Checklist was administered to an ill passenger arriving on a cruise ship, per Agriculture policy, at each port of entry in Australia.

2. Noting evidence given by Ms Canning to the Committee on 18 August 2020:

Senator KENEALLY: Can we try to get some clarity about when pratique was granted?

Mr Metcalfe: This is the actual authorisation for disembarkation?

Senator KENEALLY: For people to leave the ship.

Ms Canning: That was done, I guess, verbally between Tracey [sic] and those on board at the time, before she was able to submit it on the system due to the connection issues that we had onboard.

Senator KENEALLY: Is there any evidence that she gave oral pratique?

Ms Canning: That's my understanding from our submission, yes.

Please indicate what part(s) of the Commonwealth submissions to the Special Commission Inquiry into the Ruby Princess Ms Canning relied upon to form the basis of this evidence?

3. Per the contention outlined in Question 2:

- a. Which Agriculture biosecurity officer granted oral pratique to the crew of the Ruby Princess?
- b. To whom did they communicate this to?
- c. At what time did they grant this?
- d. Did they communicate this to any Australian Border Force Officers present?
- i. If so, to whom, how and at what time?

4. Noting evidence given by Secretary Metcalfe to the Committee on 18 August 2020:

Mr Metcalfe: I would just repeat that the practical pratique was granted, and one way that it was granted was by my officers not seeking to prevent the departure. So they were on the vessel—

On what legislative basis is the Secretary relying upon when he claims that pratique can be granted by “not seeking to prevent the departure” of passengers?

5. Noting evidence given by Secretary Metcalfe to the Committee on 18 August 2020:

Senator KENEALLY: It was communicated after people started leaving the ship, though, wasn't it?

Mr Metcalfe: No, it had been communicated prior—

Senator KENEALLY: At 7.31?

Mr Metcalfe: That was a reconfirmation; there had been earlier advice. Ms Ressler's email earlier in the situation was the critical factor.

Please table a copy of the email referenced in this evidence.

6. In relation to the email referred to in Q5:

- a. To whom was Ms. Ressler's email sent to?
- b. If not an Agriculture biosecurity officer, how did an Agriculture biosecurity officer become aware of this email?
- c. At what time did an Agriculture biosecurity officer become aware of this email?
- d. How was an Agriculture biosecurity officer provided with a copy of this email?
- e. At what time was an Agriculture biosecurity officer provided with a copy of this email?

Answer

1. The last time the Department of Agriculture, Water and the Environment (DAWE) administered the Traveller with Illness Checklist with an ill traveller on board a cruise ship was 14 March 2020 in Melbourne. In all other ports, except Sydney the Traveller with Illness Checklist is generally conducted with the ships doctor or crew in relation to cruise ships.
2. Ms Canning's answer refers to the Commonwealth's voluntary statement to the NSW Special Commission of Inquiry on 16 July 2020. Ms Canning was referring to the practical pratique reference in paragraph 52.1.

The witnesses inadvertently referred to 'oral pratique' when they should have consistently referred to 'practical pratique'.

The grant of pratique was not communicated orally. Instead, it was understood by the people involved in the disembarkation of the vessel that pratique would be granted; the Commonwealth's submission described that understanding as 'practical pratique'. That intention to provide a formal grant of pratique was correctly understood by the vessel's crew on the basis that biosecurity officers did not seek to prevent the disembarkation of passengers or indicate that pratique would not be granted.

The evidence to the Senate relied on this concept of 'practical pratique' to explain that while the formality of the grant of pratique was absent, nevertheless it is accepted that pratique was granted, and that disembarkation was permissible under those circumstances.

At 7:37am a biosecurity officer updated the Maritime Arrivals Reporting System (MARS) which then automatically issued a Biosecurity Status Document to the ship's operator, thereby formally communicating that grant of pratique at 7:39am. Prior to this, practical pratique was granted in that there were biosecurity officers on the vessel and they did not prevent people from disembarking.. This was confirmed in our voluntary statement to the Special Commission of Inquiry, as well as our answers to questions at the Senate Select Committee.

Pratique in practice, in many situations, is automatically granted under the *Biosecurity Act 2015*. DAWE biosecurity officers are therefore often not required to make a pratique decision.

The automatic pratique decision is replaced by a need for a DAWE biosecurity officer to make an actual decision, where pre-arrival reporting does not happen, or where pre-arrival reporting signals a possible listed human disease.

The Ruby Princess indicated in its pre-arrival reporting that there was some illness on board (or at least symptoms that could be connected to one of the listed human diseases) therefore a decision was needed to grant or refuse pratique.

We know that when DAWE and Australian Border Force (ABF) officers boarded the vessel they went about performing their duties, checking passengers and the vessel. Relevant checks and passenger processes take several hours.

These processes include a routine vessel inspection, which was commenced by a DAWE biosecurity officer at 6am and we know must have been completed between 6.45am to 7.00am, as that was the time that the DAWE biosecurity officer disembarked the ship. That inspection was in relation to plant, animal, sanitation and ballast water biosecurity risk and involves checking for any signs of disease or pests on the vessel or in the storage or cargo areas of the ship.

DAWE biosecurity officers also ensured that 'On-Arrival Announcements' were played and the 'Novel coronavirus (COVID-19): Information for international travellers' fact sheets were handed out before passengers and crew disembarked.

3. (a) The evidence to the NSW Special Commission of Inquiry from the Ruby Princess crew was that they spoke to both ABF and DAWE staff about whether it was okay to start disembarking. They were told by ABF that it was. The Commonwealth's submission notes that the ABF officer remembers that conversation, but the DAWE officer does not recall it happening at all. It is possible that a DAWE Biosecurity officer may have given an indication that disembarkation was okay; certainly no one gave an indication that it was not okay.

A DAWE biosecurity officer could not upload into MARS the pratique notification due to system issues, so had to enter it later, which indicates that the biosecurity officer had intended to grant pratique at an earlier time.

There was no 'red cord' to be lifted, disembarkation is a process that officials and crew are familiar with and they understand that the checks and clearances are required before they can let anyone off the ship. There was no formal process of 'granting pratique' to wait for.

(b) see 3 (a).

(c) see 3 (a).

(d) see 3 (a).

4. Pratique is granted under section 49 of the *Biosecurity Act 2015*. Practical pratique is not a concept contained in the Act, but a way of describing the clear intention of the Biosecurity officer to grant pratique, but for the technology issues, on which everyone on the vessel could rely.

As there is not always a need for an officer to grant pratique, the absence of a specific conversation about the grant of pratique would not be considered unusual. It was well understood that the checks and clearances would have been stopped if there was an intention not to grant pratique or allow disembarkation. Over the several hours that these processes took, no DAWE biosecurity officer, at any stage, stopped and informed officials or crew that disembarkation was not to proceed. On that basis disembarkation occurred.

Animal and plant biosecurity risks are the main reason the DAWE has staff at the dock. The inspection process by a biosecurity officer includes matters of sanitation, and whether there are any biosecurity risks that are associated with goods and the vessel.

DAWE biosecurity officers also implement various health processes to assist health officials in managing risk in relation to specific human health diseases. On boarding a vessel DAWE biosecurity officers would normally check with a member of crew (like the environmental officer), or the ship's doctor (if they are available) to see if there is anything to worry about and alert health authorities to it.

Based on a long-standing protocol, DAWE biosecurity officers would have known that if NSW Health arrive at the dock then there is a human biosecurity issue that will be managed by them, as the medical professionals. Conversely, and under current review, DAWE biosecurity officers would assume that if NSW Health does not show up then the risk is low.

Health protocols for cruise ships were reinforced when the pandemic hit, making DAWE biosecurity officers even more conscious of relying on health advice. This was especially so in NSW where our officers had relied on a health risk assessment from NSW Health for several years. That risk assessment was the key way for DAWE biosecurity officers to be guided in how they managed the ship from a human health biosecurity perspective.

5. Refer Attachment A for the email referenced in evidence of 18 August 2020.

When a cruise ship docks, biosecurity officers are part of a group of officials that meet the ship and provide clearances and inspections according to their responsibilities. In the case of the Ruby Princess there were four biosecurity officers present. Those officers understand that they are attending the cruise ship to conduct various inspections and ensure that biosecurity is not compromised. They also know that if NSW Health arrive at the dock then there is a human biosecurity issue that will be managed by them, because they are medical professionals. Although unsatisfactory, and under current review, the biosecurity officers assume, through years of this kind of work, that if NSW Health does

not show up then the risk is low. NSW Health sent an email on 21 February 2020 confirming this was the approach (Attachment A).

6. (a) Ms Kelly-Anne Ressler's email of 21 February 2020 was sent to Mr Franz Odermatt.

(b) Mr Franz Odermatt is a DAWE biosecurity officer.

(c) Refer Attachment A.

(d) Not relevant as the email was directed to a DAWE biosecurity officer.

(e) Not relevant as the email was directed to a DAWE biosecurity officer.

Also relevant to these questions, at around 7.30am, the team leader for the biosecurity officers was told by another officer that swabs had been taken from the vessel. He immediately sent a text message (at 7.31am) to the NSW senior epidemiologist, with whom he usually dealt, asking her if she knew swabs had been taken and if the risk assessment changed:

DAWE team leader: Hi Kelly 18 samples for testing came off the Ruby Princess this morning Do you know about this and should we, Agriculture & Borderforce be concerned Franz

NSW Health: Hi Franz yes they are sending samples, no concern. The ship was assessed as low risk but we're going to test them anyway, they did have elevated numbers of flu. All are ok to debark but all to go into home isolation due to the new rules. Do you know if ABF are enforcing this?

DAWE team leader: Yes, we are handing out the notice for isolation to all disembarking pax and crew here at seaports, I'm not sure how this is monitored once they get home

NSW Health: Thanks Franz

This was a key opportunity for NSW Health to reassess its original assessment – or seek further information from the biosecurity officer. The NSW Health officer did not seek further information or indicate any change to the risk assessment.

The department acknowledges that better processes need to be in place in future to ensure that pratique decision-making is clear and is formally communicated to a vessel agent prior to the disembarkation of travellers.

Attachement

A. Email referenced in evidence of 18 August 2020

From: Kelly-Anne Ressler (South Eastern Sydney LHD)
Sent: Fri, 21 Feb 2020 09:40:04 +1100
To: Odermatt, Franz
Cc: [REDACTED]
Subject: RE: Schedule of ships for health assessment [SEC=UNCLASSIFIED]

sure

From: Odermatt, Franz [REDACTED]
Sent: Friday, 21 February 2020 9:18 AM
To: Kelly-Anne Ressler (South Eastern Sydney LHD)
Cc: [REDACTED]
Subject: RE: Schedule of ships for health assessment [SEC=UNCLASSIFIED]

Thanks Kelly

Could you send me txt or e-mail once the risk assessment is done and your team decides to attend a vessel for both OPT and WHB

Thank you

Regards

Franz Odermatt

Team Leader Seaports Sydney | Regional Vessel Coordinator

Inspection Group | Biosecurity Operations Division

Mobile: [REDACTED] Phone: [REDACTED]

Department of Agriculture, Water and the Environment
[REDACTED]

From: Kelly-Anne Ressler (South Eastern Sydney LHD) [REDACTED]
Sent: Friday, 21 February 2020 8:15 AM
To: Odermatt, Franz [REDACTED]
Cc: [REDACTED]
Subject: Schedule of ships for health assessment [SEC=UNCLASSIFIED]

Hi Franz

A risk assessment is undertaken for every ship coming in to Sydney.

A decision is made whether or not to board the morning before (we used to make this decision at 4pm, but are aiming now at 9:30).

It all depends on how much information the ship can provide.

So unfortunately I can't send you a list of ships we will be attending.

Your management can contact [REDACTED] if there are any concerns.

Regards

Kelly

Kelly-Anne Ressler

Epidemiologist | **Public Health Unit**

[REDACTED]

Tel [REDACTED] | Fax [REDACTED] | Mob [REDACTED] | [REDACTED]

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In office Monday Tuesday Thursday Friday



Health
South Eastern Sydney
Local Health District