



Australian Government

Attorney-General's Department

**Deputy Secretary
National Security and Criminal Justice**

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The Secretary
Senate Select Committee on Agricultural and Related Industries
PO Box 6100
Parliament House
CANBERRA ACT 2600

Dear Secretary

Inquiry into the incidence and severity of bushfires across Australia

I am pleased to provide the following background information to assist the Senate Committee's inquiry into bushfires in Australia. This identifies the role of the Attorney-General's Department in supporting and supplementing State and Territory capability for emergency management and more specifically bushfire management on behalf of the Commonwealth.

Australian Government

The Constitutional responsibility for the protection of lives and property of Australian citizens lies predominantly with the States and Territories. The Australian Government accepts that it has a role in supporting the States in promoting community resilience, developing emergency management capabilities and supporting States and Territories when disasters exceed their capacity to respond. The Attorney-General exercises Commonwealth responsibility for emergency management matters through the Attorney-General's Department (AGD).

Comprehensive and integrated emergency management is based on a partnership between the Commonwealth and the States and Territories. In the development of Government capabilities the principles of the All Hazards Approach, the Comprehensive Approach, the All Agencies Approach, and the Prepared Community are followed.

The Commonwealth continues to provide support to the States and Territories with the development of emergency preparedness and mitigation activities. In particular it facilitates education, training, research, public awareness, information collection and dissemination activities.

The Commonwealth provides specialised warning and monitoring services for meteorological and geological hazards as appropriate. On request it will provide and coordinate physical assistance to the States in the event of a major natural, technological or security emergency. Such physical assistance will be provided when State and Territory resources are inappropriate, exhausted or unavailable.

The Commonwealth also recognises that the effects of emergencies last long after the immediate effects of the physical impact have been relieved. It supports State and Territory measures to facilitate the recovery of communities from these effects. It also provides financial assistance to the States and to individuals to assist in the recovery from disasters.

National Disaster Resilience Strategy

In the face of a likely escalation in disaster risk, protecting Australia from the impacts of disasters is a shared responsibility that cannot be borne by the emergency management sector alone. A national effort is required to make Australia better able to withstand a disaster, and have an enhanced ability to recover from impacts. A more disaster resilient Australia would recognise current and future risk, have a reduced exposure to those risks, and be better able to adapt to change and bounce back from disasters.

In November 2008, the Ministerial Council for Police and Emergency Management – Emergency Management (MCPEM-EM) agreed that the future direction for Australian emergency management should be based on achieving community and organisational resilience.

To implement this resolution, the Australian Emergency Management Committee (AEMC) is developing a national disaster resilience strategy and supporting action plans. The aim of this strategy is to strengthen communities, individuals, businesses and institutions to minimise the effects of disasters on Australia.

The strategy will seek to improve national coordination of disaster resilience across government, in order to guide national policy and programs for natural disaster management.

The National Disaster Resilience Strategy is expected to be considered by the MCPEM-EM in November 2009.

Attorney-General's Department

The AGD has responsibility for whole of government coordination of emergency management activities and crisis management on behalf of the Commonwealth. This includes direct responsibility for the provision of a range of mitigation, crisis management and recovery activities in support of the States and Territories in managing bushfires.

- Disaster Resilience Program. In the 2009 Budget the Australian Government announced funding of \$79.3 million over four years for a new Disaster Resilience Program (DRP).

The Program will consolidate the existing Bushfire Mitigation Program (BMP), the Natural Disaster Mitigation Program (NDMP) and the National Emergency Volunteer Support Fund (NEVSF). This will enable States and Territories to more effectively prioritise and address the risks of a range of disasters and streamline the associated administrative processes.

The DRP is a national program aimed at identifying and addressing disaster risk priorities, including through:

- **disaster mitigation** works, measures and related activities that contribute to safer, sustainable communities better able to withstand the effects of disasters and emergencies, particularly those arising from the impact of climate change;

- **support for volunteers**, particularly to address the challenges of volunteer recruitment, retention and training. Projects may include initiatives to increase the recruitment and retention of volunteers to emergency services and other groups that contribute to individual and community resilience. They may also be directed at improving operational capability;
- **support for local government**, to assist them to effectively discharge their emergency management responsibilities; and
- **encouraging partnerships** with business and community groups to improve their ability to assist communities and be integrated in response and recovery activities and arrangements. The private sector owns many of the critical services that underpin communities, and have capacity to help communities prepare for disasters.

The Commonwealth is currently working with State and Territory governments to develop and implement the Program. It is expected that the Prime Minister and jurisdictional First Ministers will soon be signing the National Partnership Agreement on Disaster Resilience.

- Bushfire Mitigation Program (BMP). Since 2004, the Commonwealth has offered funding through the BMP to identify and address bushfire mitigation risk priorities across the nation. The Program funds construction and maintenance of fire trails and associated accessibility measures that contribute to safer, sustainable communities better able to prepare for, respond to and withstand the effects of bushfires. The program has created effective fire trail networks and increased options available in implementing bushfire hazard reduction to protect communities and their social, cultural, environmental and economic assets.
- Arson Forum. The Commonwealth Attorney-General held a forum on the reduction of bushfire arson, the outcomes of which are to be discussed at the MCPPEM-EM in November 2009. Responses relating to law enforcement agencies will be discussed at the Police Ministers' branch of MCPPEM, known as MCPPEM-P.

This follows consideration by the Standing Committee of Attorneys-General in April 2009 of new offences carrying penalties of up to 25 years for bushfire arson causing death or serious harm.

- Crisis Management. The AGD through Emergency Management Australia (EMA) is responsible for maintaining situational awareness across Australia's sphere of influence and improving coordination during times of crisis. It also has responsibility for activating Commonwealth crisis coordination and assistance arrangements post impact. Crisis coordination is achieved across the whole of government and within an all hazards environment.

When the total resources (government, community and commercial) of an affected State or Territory cannot reasonably cope with the needs of the situation, the State or Territory government can seek assistance from the Commonwealth through EMA.

- Natural Disaster Relief and Recovery Arrangements (NDRRA). Under the NDRRA, administered by the AGD through EMA, the Commonwealth provides partial reimbursements of expenditure on a range of eligible State and Territory natural disaster relief and recovery measures.

These measures include eligible personal hardship and distress (food, clothing and accommodation, emergency repairs to housing and replacement of essential household items and personal effects), psychological and financial counselling expenditure, restoration or replacement of essential public infrastructure such as roads and bridges, and concessional interest rate loans and clean up and recovery grants to small business, primary producers and voluntary non-profit bodies.

- Development of a national telephony-based emergency warning capability. The AGD is responsible for coordinating the implementation of the Council of Australian Governments (COAG) agreement on building a National Emergency Warning System (NEWS). Overall \$26.3 million has been allocated to this capability.

Following the 30 April 2009 COAG meeting, the Commonwealth agreed to provide up to \$15 million to the States and Territories to enable them to build a NEWS capable of sending messages to fixed line telephones, and mobile telephones based on their billing address. On 14 July 2009 the Victorian Government, on behalf of the States and Territories (except Western Australia which will use its own system, StateAlert) announced the release of a selective tender for the NEWS to two telecommunications providers - Optus and Telstra. That tender closed on 31 July 2009.

The NEWS and StateAlert will use the AGD funded and operated Location Based Number Store (LBNS), which will provide telephone numbers and geocoded addresses to enable geographically targeted warnings to be sent. Funding for this was provided by the Commonwealth as part of the \$26.3 million overall initiative.

It is important to note that telephone based warnings will not be the sole source of information to communities, and should not be the only trigger for individuals to make preparations.

The Commonwealth has also committed funding to enable States and Territories to undertake research into the feasibility of establishing a capability to deliver emergency warnings to mobile telephones based on the location of the handset.

The Attorney-General's Department would be happy to provide relevant officers to elaborate on these issues should the Inquiry find this advantageous.

Yours sincerely

Miles Jordana
Deputy Secretary
National Security and Criminal Justice