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JOINT COMMITTEE ON FOREIGN AFFAIRS, DEFENCE AND TRADE

Tuesday, 18 November 2003

Members: Senator Ferguson *(Chair)*, Mr Brere ton *(Deputy Chair)*, Senators Bolkus, Cook, Eggleston, Chris Evans, Harradine, Hutchins, Johnston, Sandy Macdonald, O'Brien, Payne and Stott Despoja and Mr Baird, Mr Baldwin, Mr Beazley, Mr Bevis, Mr Byrne, Mr Edwards, Mr Laurie Ferguson, Mrs Gash, Mr Hawker, Mr Jull, Mr Lindsay, Mrs Moylan, Mr Nairn, Mr Price, Mr Prosser, Mr Scott, Mr Snowdon, Mr Somlyay and Mr Cameron Thompson

Senators and members in attendance: Senators Ferguson and Payne and Mr Beazley, Mr Hawker and Mr Price

Terms of reference for the inquiry:

Watching brief on the war on terrorism.

WITNESSES

ANDERSON, Assistant Commissioner John Burton, Director, State Operations, New South Wales Fire Brigades 129

FLYNN, Dr Michael John, Medical Director, Ambulance Service of New South Wales and New South Wales State Health Services Functional Area Coordinator, Department of Health 129

HOWARD, Major General Brian William, Chair, New South Wales State Emergency Management Committee 129

MEERS, Mr Gary John, Manager, Counter Terrorism and Aviation, New South Wales Fire Brigades 129

O'REILLY, Mr Brendan, Deputy Director General, New South Wales Premier's Department and Member, National Counter-Terrorism Committee 129

PARSONS, Mr William, Director, Counter Terrorism and Disaster Recovery, New South Wales Premier's Department 129

ROCHFORD, Mr Gregory John, Chief Executive Officer, Ambulance Service of New South Wales 129

SCHMIDT, Mr John Lance, Deputy Director-General, New South Wales Cabinet Office 129

SCIPIONE, Mr Andrew Phillip, Deputy Commissioner, Support, New South Wales Police 129

STEWART, Dr Gregory Joseph, Chief Health Officer and Deputy Director General, Population Health, New South Wales Health 129

Committee met at 9.30 a.m.

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STEWART, Dr Gregory Joseph, Chief Health Officer and Deputy Director General, Population Health, New South Wales Health

CHAIR—I declare open this public hearing on the watching brief on the war on terrorism. The committee is pleased to welcome representatives of the New South Wales Premier's Department, the New South Wales Cabinet Office, the New South Wales Police, the State Emergency Management Committee, the New South Wales Fire Brigade and health and ambulance services.

This hearing is the sixth in a series of public hearings on Australia's preparedness to manage and respond to the consequences of a terrorist attack in Australia. The committee has heard from Commonwealth agencies about the existing policy and administrative frameworks for coordinating the responses to a terrorist attack. The committee has also heard from agencies in Western Australia, the Northern Territory, Victoria and Queensland about managing the consequences of a terrorist incident in those jurisdictions.

Our hearing today is the next step in the committee's investigation into the response, structures and strategies that exist in all states of Australia. The focus of our interest is the response and management capabilities of each jurisdiction, the capabilities that can be provided

at short notice to supplement local resources and the nature and likely effectiveness of the mechanisms in place to ensure a swift and well-coordinated response.

On behalf of the committee, I welcome all of you to this morning's hearing. The format of the hearing this morning will be a roundtable discussion, but I would ask that all of the comments that you make be made through the chair. I advise you that the proceedings here today are legal proceedings of the parliament and warrant the same respect as proceedings in the respective houses of parliament demand. Although the committee does not require you to give evidence on oath, you should be aware that this does not alter the importance of the occasion. The deliberate misleading of the committee may be regarded as a contempt of parliament.

The committee prefers that all evidence be given in public but, should you at any stage wish to give any evidence in private, you may ask to do so and the committee will give consideration to your request. On a couple of occasions when we have met with other state representatives, there have been certain matters that have been taken in camera, usually in relation to intelligence gathering and things like that. I now invite a representative of each of the organisations to make an opening statement, perhaps signalling your area of interest and responsibility and after which we will proceed to questions and general discussion.

Mr O'Reilly—Thank you. I am pleased to be here today and will provide an introductory overview of the arrangements in place in New South Wales to deal with a terrorist incident. I will then ask each of my colleagues to respond in respect of their organisations. My colleagues today are from police, fire brigade, health and ambulance organisations. Also, Major General Howard, who is the chair of the State Emergency Management Committee, is representing emergency management generally as well as the Critical Infrastructure Review Group.

Over the years, New South Wales has faced many emergencies. It has also planned and hosted the Olympic Games. New South Wales is a willing partner in the national counter-terrorism arrangements and has also taken significant steps to strengthen the overall capabilities of all of its organisations that might be expected to have some role in an incident or the threat of an incident. In the last 12 months, the government has established a cabinet standing committee on counter-terrorism, which is chaired by the Premier. The purpose of that committee is to oversee, further develop and augment the arrangements and capabilities at the state level to deal with a terrorist incident or the threat of a terrorist incident.

The cabinet committee is assisted by the Chief Executives Counter-Terrorism Coordinating Group, chaired by the Director General of the Premier's Department. The involvement of senior ministers in the counter-terrorism arrangements is a reflection of the importance that the government places on this issue. The cabinet committee and the chief executives group assist in the actions of the relevant agencies, and there are very clear lines of communication in place. The police have the responsibility for operational matters, with other agencies contributing to policy formulation and direction on an as required basis. The focal points for the response to an incident are the State Crisis Centre, which has direct links to the Commonwealth, and the Police Operations Centre. Other assistance is also available through the state emergency operations centre, which is the Centre for the Coordinated Response of Emergency Management.

We have a capability that was well rehearsed in the lead-up to the Olympics and which continues to be tested by regular exercises against a variety of scenarios that take account of the

current security environment. In the last 12 months, the New South Wales government has allocated or committed over $34.7 million in special, additional funding towards the improvement of counter-terrorism capability. This is spread across the police, health and emergency service areas. I will let my colleagues explain to the committee what this commitment means for their organisations, if they so wish. I now ask my colleagues to respond to any of the committee's questions or wishes.

CHAIR—Does anyone from any of the other bodies represented here wish to make any statements about their own particular role in relation to the response to a terrorist attack? It appears that nobody else wants to make an opening statement. One of the things that comes to mind immediately is that, in the event of a terrorist attack somewhere in New South Wales, the local services will be the first ones that have to respond. But there will be a stage where it will have to be determined whether you are dealing with a criminal offence or a terrorist attack. Perhaps you could take us through the scenario about how you would determine who makes the decision and at what stage it would be passed on to the federal agencies to respond because it may be a terrorist attack and not a criminal offence.

Mr Scipione—Going to a specific scenario for what you have just put before us, if we were responding to an incident in the city, say we had to deal with a bomb explosion, we would deal with any incident such as that first and foremost as a crime scene. Any act of terrorism is a crime. We would respond accordingly. We would be looking at ensuring that we could secure an area. We would work through the procedures that are well set out for identifying where the threat may be, trying to neutralise the threat, removing people from an area where they may be in some danger and, then, resolving it as a crime scene post, securing it and giving people access out of the area. So, in that regard, whether it would be a gas explosion or a terrorist act, the response would not change.

It is at the time that we decide that there may well be some link to some act or crime that is either racially or politically motivated. It is at that point that we would engage the Commonwealth authorities, particularly with respect to the national counter-terrorist plan. Prior to that, we may well have a need to engage them through our colleagues and through State Emergency Management—through Major General Howard's group—and through Emergency Management Australia. We would respond according to size, nature and location of the incident and early indications to us. For instance, if it was an issue at Kingsford-Smith Airport, we would contact the Commonwealth authorities very early in the piece. It would not be unusual for us to deal with ASIO even prior to our arrival, and it would not be unusual for us to contact the PSCC as soon as we arrived at the airport and realised that an incident involved some crime. So it really does depend on the incident. In conclusion, we always err on the side of safety. It is better for us to advise and to get them involved early than to wait longer than we perhaps should. That is the way we generally operate within New South Wales Police.

CHAIR—Do you wish to add anything, Major General Howard?

Major Gen. Howard—In terms of the emergency management response—when I use the term 'emergency management' I mean the emergency services and all their supporting agencies operating in a coordinated way—we use the 'all hazards' approach, which is a term I am sure you have heard before. It means that the cause of an explosion or whatever does not fuss us. We treat it as a response requirement. If there were a terrorism incident, we would of course be

advised by the police. There may be some controls placed on our response, but our response is standard regardless of the cause.

CHAIR—When you say you do exercises and you run through drills—I guess that is prior to the Olympic Games and since that time—how much do you cooperate with other states in getting information? Although we have not been to South Australia yet, I know that about six or eight months ago they did a whole day operation at the Victoria Park racecourse which was designed to be a trial run of anything that might happen or the consequences of something happening in South Australia. It highlighted quite a few deficiencies, which we will find out about in a couple of days time. Do you do the same sorts of programs? Do you get information from other states on any deficiencies that might exist within their own systems?

Mr O'Reilly—I might just go through the exercise we recently did in concert with Canberra, which involved the states and territories.

Mr Scipione—As you can imagine, the exercise regime in New South Wales was fairly intense in the lead-up to the 2000 games. We took most of what was known then as the SACPAV national exercise program and we exercised regularly. That was at a national level. At a local level we conduct our own operational exercises. There were a number of them last year. Most recently, a local exercise was conducted in December last year that allowed us to simulate an explosive device in and around this location.

In terms of the feedback that we get, we meet regularly. I talk to my deputy commissioner colleagues. Every fortnight we do a national hook-up of deputy commissioners. We talk about current issues and about any issues that might give us some concern and should be communicated across the country. We also talk through local exercise regimes. Those local exercise programs are important to us all, and we certainly pass a lot of information in that regard. Having said that, the level of exchange at the deputy commissioner of police level is very good.

We also involve the Commonwealth. We involve the Protective Security Coordination Centre. Ed Tyrie from the PSCC is involved in those teleconferences. We meet regularly whether it be through the National Counter-Terrorism Committee process, which is twice a year, or more regularly as a member of the NCTC executive committee. I meet more regularly with my colleagues. Certainly there is a good level of exchange from exercises of that type.

Mr O'Reilly—With the new legislative powers of police, part of an exercise was drawn up by New South Wales to test how those powers would be introduced, so the State Crisis Centre was commissioned. It was up and running and it went through all the issues around working out staff rosters, getting linkages between the various sectors and making sure it was fully manned. The Premier participated in that exercise, as did the Minister for Police, so that we could have a real-life scenario. A request came in for the introduction of the powers, who was signing it, the reasons behind it—all the backroom stuff that would have to occur should there be an exercise. At the same time, the police and the various front-line agencies were involved in the exercise at the practical level.

CHAIR—Are there any areas of national policy that you think need review or overhaul from the perspective of New South Wales?

Mr Scipione—Regional aviation—

Mr O'Reilly—We have raised the issue of aviation security. We recently attended a hearing organised by the Commonwealth, and we gave evidence about why we believe there needs to be better risk assessment associated with non-regulated airports. We have given evidence on that, as have the private operators and councils—that sort of thing. The one thing that we are aware of—and certainly the NCTC has taken it up—is the issue of communications. That is an important issue right across the country.

CHAIR—What are the problems?

Mr O'Reilly—Over time, as states have worked independently, one state may have entered into arrangements for a type X communication; another state may have a type B. If something were to happen, and if there is to be a national approach to an issue of terrorism, agencies would be working cross-borders, and we have got to make sure that the communications are linked and people can talk to each other quickly and easily. NCTC has recognised that as a major project; personally, as a member of the NCTC—and Andrew—we think it is a very big issue for a national approach.

Mr Scipione—To add to that: radio interoperability is a primary concern across the country. It has been recognised at the NCTC and, more recently, the Australian Police Ministers Council has given a brief to New South Wales Police to chair a group to look at how we can resolve these interoperability issues. As Mr O'Reilly has indicated, in recent times we have had to move away from what was traditionally known as the 64-channel block for police organisations. This was an allocation of frequencies that was given to police services nationally post-Cyclone Tracy, so that we would have radio interoperability right across the country. As time goes by, and as different state, territory and federal government agencies move towards newer technologies, we have had to look at whole-of-government approaches. Through the introduction of government radio networks in a number of states and territories, there has been some move away from that block. However, each agency still maintains a number of radios that were provided through SACPAV, as part of an issue a number of years ago. In the mid-1990s there were a number of radios allocated to each jurisdiction to ensure that the interoperability would go on.

Increasingly now, those radio receivers are moving towards the end of their useful life; so at this stage we are looking at the future. We acknowledge and understand that there is a need to maintain that degree of interoperability. The New South Wales Police chaired the first meeting of all states and territories as recently as last week to work through a work plan in terms of providing advice both to the NCTC and to the Australian police ministers.

CHAIR—Are you saying that there is interoperability but it is not efficient enough, or that there is not interoperability? What are you actually saying?

Mr Scipione—There is a degree of interoperability. It is something that we are looking at because we need to future proof the arrangements. Whilst there is a current fall back position—that is, if a team had to move into New South Wales, I would be responsible for providing them with communications. That is acceptable at this stage, but into the future we are not quite sure where we may be. The quantity of radios required would be dependent on the size of the

operation we were mounting, so we need to look at how we can best manage this. So whilst there is interoperability, we are always looking to make it better.

CHAIR—Are you saying that if a team came into New South Wales from another state they could not bring their own equipment and use it, because it would not be compatible with yours?

Mr Scipione—That is in part right but in part wrong. They could certainly bring their own equipment but the difficulty may be having them integrate into our communications network. They would have their own stand-alone systems, but that important issue of integration is the thing we are trying to work on. If you had a team of people working on a separate radio network but they could not talk with another team from New South Wales because the technology was different, we would need to look at some way of bridging that arrangement. At the moment we have a number of radios allocated, sitting on a shelf ready to go within the radio networks area of New South Wales Police that we would actually issue.

CHAIR—What other states would use the same pieces of equipment that you use?

Mr Scipione—It is difficult to say. There are contractual issues in, for example, Victoria, where they are in fact out to tender for a new whole-of-government government radio network. I am not sure what system they will adopt, but the Victorian police have been working with us on the understanding that we are looking to ensure that the interoperability goes on. In some states there are systems that are compatible. In a number of other states at the moment their systems are not compatible with ours here and vice versa.

CHAIR—How does that apply with emergency services—for instance, your fire body or whatever it is? Is that interoperable with Victoria, for instance? These days, there is no reason why a terrorist attack could not be by fire. There are lots of ways that things could happen.

Assistant Commissioner Anderson—We suffer similar problems to those faced by the police service. Each state fire service has its own radios. In New South Wales we actually have two fire services—the New South Wales Fire Brigade and the Rural Fire Service—and, to get around the compatibility issues, we have, cooperating in the same frequency bands, dedicated frequencies at command level to work across organisations. But we do not have that ability to work across organisations outside the state borders. We work in a similar way to the police. We have spare radios and, if people come to work with us, we allocate a liaison officer to them with a radio to work in our networks.

CHAIR—So, in the event of a very serious attack where you might require help from outside, or somewhere else might require your help, there would be a real deficiency in communications?

Assistant Commissioner Anderson—There could be a problem.

CHAIR—I know I said 'would be' but I should have said 'could be'.

Mr Scipione—There could potentially be a problem.

Assistant Commissioner Anderson—There are ways around it, but it is not efficient.

Mr O'Reilly—That is probably one of the benefits of the NCTC. Although each state can handle their own issues very efficiently—and I can certainly speak for New South Wales where it has been demonstrated through Thredbo, the fires and whatever, that these situations can be handled very efficiently between the agencies—when you look at it nationally, you recognise that there is an issue there with regard to across states and the need to call on support or assistance. It is something the NCTC has been looking at. The NCTC has said: 'This is a major national issue for us to address. We want all the parties involved in it, setting out the working groups and going through the specs and identifying what sorts of communication arrangements are needed.' It is a big issue. The NCTC has been working on it for about six months insofar as focusing the states. Hopefully, we will be able to get a system that is efficient in the case of cross-state jurisdictional issues or whatever.

Mr BEAZLEY—I would like to keep going on this for a while before going on to one or two other matters. In the program that you are setting down to inquire into what you ought to do about getting common communications across the country, what are the essential impediments, apart from the fact that people have already got themselves alternative systems? Is it a difficulty which could mean that, if you create a special counter-terrorist or emergency net in other states, they are not going to be able to communicate with their own principals? Is it a question of cost? Is there a substantial requirement for the hardware for this to be acquired on a very large scale that is beyond the capacities of the emergency services, police et cetera in the other places? What are the problems that you are identifying now, having had a look at this for six months?

Mr Scipione—Yes. We have really only started to look for solutions in more recent times but, over the six months that we have been considering this issue—in fact, it is probably a little longer—the difficulties that we know of are all of the above. Yes there is a significant capital investment required to put a national network in. Even if you threw all the money you had at it, I am not sure whether that would fix the problem. If we need to talk with our colleagues in fire or ambulance, or in any other area where we need to communicate across government, and they are on a government radio network and the police are not, there is a communication breakdown.

That comes for a number reasons: because the frequency on which the two respective radio networks operate is not close enough to be able to talk or because, and more likely, you are buying equipment from a single, individual provider and they have some proprietary algorithm that stops your system talking to another system. Bearing in mind that, for this type of work in these environments we rely very heavily on encrypted communications. Even if they were working to an industry standard such as the APCO 25 standard, if we do not have the encryption algorithms in each of the radios we still cannot talk. So there are a range of issues. This is a very complex issue, and it is not something that will be easily fixed. It will not just be a commitment of money or a commitment of allocated frequencies. It will take some real thought and understanding to go into this, and a real commitment to actually make it happen.

Mr BEAZLEY—Yes, but it will also end up being a question of money.

Mr Scipione—It will be, significantly. At the end of the day, even if we come up with a solution, the full stop comes just after the dollar sign.

Mr BEAZLEY—Have you started to put figures on it?

Mr Scipione—No, we have not yet. At this stage, rather than determining what we might be looking at in costs for the package, it is more a matter of coming up with the solution and then looking at what that might cost us.

Mr O'Reilly—The other thing could well be the contractual obligations that the various states have entered into that would have to be worked through.

Mr Scipione—There are a range of those issues.

Mr BEAZLEY—If you have a bid, this is the committee where you might as well stick it in. The simple thing is that this is an ongoing, nonstop inquiry. It does not actually come out with some final report. It just keeps on churning the stuff out. It seems to me that, given we are now almost three years into the conscious counter-terrorist response for the country, we ought to be getting some figures on a few of these things and some solutions.

I would like to go back to the other matter you raised where you had a bit of problem—that is, the question of aviation security and the issue of checking, I presume, at minor airports around the state. Have you identified in practical terms a substantial problem? Would you like to elaborate further on what you have had to say? I know you have presented this in other areas, but you might as well get it on the record here.

Mr O'Reilly—We have four airports; is it four?

Mr Scipione—There are four security categorised in New South Wales.

Mr O'Reilly—And there are 30 plus that are not. Federal legislation has the responsibility for security at the airports. The fundamental issue is that, firstly, if we were to put in all the security in the world we could not guarantee 100 per cent safety. Secondly, is the cost of that security to be borne by the Commonwealth or is it to be borne by the operator? If it were to be borne by the operator, a number of regional airports would shut down; there is no doubt about that. So, in relation to the whole issue of risk assessment for airports, we are saying that the best way would be to have a risk assessment developed for airports. It may be at category levels, depending on the throughput of passengers and that sort of thing and where the landing or destination is. But we really need to do some work on that in concert with the Commonwealth and the aviation proprietors to develop a really good risk assessment so that, at the end of the day, if you got on a plane at Merimbula or somewhere you would know that you would have some sort of security process to go through, as you would at any other airport. At the moment it is a bit of a scatter-gun approach.

Mr BEAZLEY—Who do you think should carry the cost responsibility?

Mr O'Reilly—We would always say the Commonwealth.

Mr BEAZLEY—So you should; and you should not be embarrassed about it. You should identify those costs.

CHAIR—What are the four airports that do have security arrangements?

Mr O'Reilly—Mascot—

Mr Scipione—Sydney (Kingsford Smith), Coffs Harbour—

Major Gen. Howard—Ballina—

Mr Scipione—I am not sure whether it is Albury; I think it could be Albury—we would need to check—but there are four that are security categorised.

CHAIR—I just wondered how they picked those four.

Mr Scipione—That is the question that we have asked. We were a little perplexed at the fact that Coffs Harbour is and Bankstown is not; and yet we know that the number of movements from Bankstown Airport is significant. There are more aircraft movements there than Sydney (Kingsford Smith) in terms of numbers.

Mr BEAZLEY—That suggests very strongly that it is a cost issue as opposed to a risk assessment issue. I would have thought that Bankstown would be the most likely airport from which anything would happen—much more so than Kingsford Smith. That is an interesting point.

As you have had your arguments with the Commonwealth on these matters, or as you have done your own assessments, have you put costs on what you think would be an appropriate level of security to be maintained at these various airports?

Mr O'Reilly—We have not, but no doubt the owners and operators of the airports have. They would have been able to advise the committee of the cost implications on their operations were they to have category A, B or C security levels implemented. I am sure that would be available from the *Hansard* reports on the hearing. We do not do that, because of our costing. We do not run the airports, as such. We were giving evidence as a whole-of-government approach to security generally.

Mr Scipione—A number of these regional airports are in fact operated by councils, so it is broken down to that local level. In terms of costings, there is a body of work under way from within the Commonwealth. I understand that DOTARS are working with a number of Commonwealth agencies to do a review of security at a number of regional airports on the basis of concerns raised. I cannot talk for any other jurisdiction but we have certainly raised these concerns in the appropriate forums, and we are awaiting the outcome of that work.

Mr BEAZLEY—On the question of airport security and risk assessments related to it, are you constantly upgrading your own views on that matter, or do you substantially rely on the Commonwealth to do much of the risk assessment? I ask that question having noticed in one of the papers the other day a report that al-Qaeda operatives were changing their perspective on how to evade security arrangements at airports—looking at cargo planes, for example, as opposed to passenger aircraft; looking at less detectability in explosives; looking at weapons that do not show up on the metal detectors. There are constant references in the press—usually products of some leak somewhere in the US that has filtered its way through the system—about what they are looking at as a result of some updated threat that they have. Do you examine these

things yourselves or do you rely on the Commonwealth to come up with the changes that need to happen?

Mr Scipione—We rely on both. Within the Counter-Terrorism Coordination Command we have a dedicated analytical and intelligence group, which is responsible for looking at national and international trends. It looks through open source material, it gets access through our colleagues—through ASIO and through the Australian Federal Police—to restricted information that allows them to come to a conclusion.

Whilst we are not in the business of protecting or securing the working environment of an airport like Mascot—they have their own counter-terrorism first response arrangements in place with the Australian Protective Service—we certainly have a role to respond should there be an incident that happens out there on that patch. So we like to know what we might have to deal with, and we put a lot of time and effort into that sort of planning. The preparation you talked about in terms of knowing what we may well be facing is vitally important to us. Outside of that, we do rely heavily on ASIO in terms of establishing threat levels on the Commonwealth. That is standard across the country. It is those threat assessments that are issued to us that would drive us to another level should that be needed.

Mr BEAZLEY—I would like to broaden out a bit on this. You have the disadvantage of being Australia's No. 1 target but you also had the advantage of preparing yourselves to be Australia's No. 1 target during the Olympics. Have you made many changes to the way you have done things since the Olympics? Have you had a look at the character of the threats since then and changed your mind on a few things and redirected your efforts?

Mr Scipione—We certainly have. The one thing that we can be sure of is that the nature of terrorism is changing—it continually changes. You in fact alluded to advice that you were reading about in the newspaper only recently about a new way of doing things with regard to terrorists. We were very fortunate to have run the Olympics here. As a security operation, it was second to none that has ever been staged anywhere in the world. We know that because a number of countries are in fact using our security model.

For the first time ever in a modern Olympic Games there was a single head or chief of security. That had never happened in the past. The responsibility was on those who were charged with being in control of security. It was done well and we learnt a lot of lessons. We established some very useful contacts from all parts of the world, and we were certainly well prepared for whatever we may have had to face. But time has moved on. September 11 came upon us, and all of the old formulae, all of the old equations, went out the door.

Mr BEAZLEY—You would have had a Munich based type threat assessment—

Mr Scipione—We had a number of different security scenarios that we were capable of delivering on—not all of them hostage based or involving hostage scenario type planning. Certainly September 11 threw all of the old formula out the window to some extent. Whilst we were well prepared in a historic sense, we were not quite so well prepared for the new generation. I think that has been acknowledged right around the world.

Moving on to October 12, it was determined, at least in the New South Wales Police, that we needed to have a look at how we did business. In June and July 2002 there were two major reviews done of our counter-terrorism capabilities. That formed a body of work that allowed us to be ready for some review and upgrade that was to be in October 2002—and, unfortunately, we lived through the horrors of October 12 in Bali.

Post October 12, on 1 November, a new command was created. The Counter-Terrorism Coordination Command was the first of its type in Australia. It was a dedicated group at the time that was responsible for the coordination at a number of different levels of our counter-terrorism response within the New South Wales Police and we also pulled together some other areas.

There is a Tactical Intelligence Collection Unit, which we have already talked about. There is some analysis being done. The dignitary protection arrangements had to be upgraded to cope with threats for internationally protected people and the like. We started to work with Major General Howard on protection of the critical infrastructure and assessments with regard to what formed the critical infrastructure. We put together an investigations group that was responsible for investigating a major terrorist incident.

We pulled together a very large number of people—certainly from a geographic perspective in comparison to other states—and we put them under an assistant commissioner. We have a dedicated assistant commissioner—Assistant Commissioner Norman Hazzard. Norm is the first Assistant Commissioner for Counter-Terrorism in New South Wales. We actually afforded it the level of executive support and acknowledgment that it required. Mr Hazzard came on board on 1 November last year.

More recently, in September, we again looked—we can never stop—at what really fits as part of this counter-terrorism arrangement, and we have brought together the tactical areas. So we now have the State Protection Group tactical operations teams: our negotiators, our explosives detection dogs, our gun detection dogs and our drug detection dogs, a number of those services that previously were not part of counter-terrorism command, forming part of that command now. The number of staff allocated to the Counter-Terrorism Coordination Command is approaching 400, post September this year. Within the counter-terrorism area itself, we have about 110 people who are sworn and unsworn. That is a very big unit by anyone's standards.

I will finish on this note: the other thing we have acknowledged and needed to do, and have worked hard on, is to work with the whole of government. Through the Premiers' Department, through fire and through health we have worked to engage each and every agency because we do realise, certainly from more recent experience, that there is no such thing as a one-man band in this business now. We need to do this together. This needs to be whole of government. It needs to be well coordinated, and you need to acknowledge that you cannot do all of this yourself. Traditionally, that may have been a perspective that some people enjoyed. It is no longer the perspective in New South Wales. The evidence is that we certainly are now in the throes of working with our colleagues from fire and we are sharing assets. We are certainly sharing aviation assets in the form of helicopters that certainly will be dealing specifically with the terrorism threat.

Mr BEAZLEY—You mentioned numbers, and that is a very big commitment that you have made. It is just as well because a terrorism incident would probably begin and end here before

any Commonwealth agencies were actively engaged except, perhaps, ASIO, if there were any intelligence floating around on it, maybe the Federal Police, if they were assisting you in some of these areas, and maybe that response unit at Holsworthy for the clean-up. The probability, looking at experience elsewhere, is that it would be over in a flash. The only people with a real chance of responding would be you. So the numbers are important. How are you finding the numbers? Is this putting a considerable strain on your normal activities in law enforcement? Are you finding it a strain with Commonwealth demands in relation to exercises like the Solomon Islands and, more importantly, Papua New Guinea? Do you have a substantial manpower problem emerging?

Mr Scipione—I could only speak on behalf of police. I certainly cannot speak on behalf of fire and ambulance, because they have had to make significant contributions as well.

Mr BEAZLEY—The question is to everybody.

Mr Scipione—We do not have a commitment in the Solomons; New South Wales police are not represented. We still have a minor commitment to East Timor. Outside of that, we do not yet have any commitment to PNG. In terms of numbers, this is a priority. There is no such thing as a dress rehearsal in this business. It is about being genuinely prepared to move forward to do what has to be done. To suggest that you can move people from other core functions and create a command of almost 100 people, excluding those whom we bring such as the State Protection Group, is certainly a major commitment, but it is one that the Commissioner of the New South Wales Police and the government acknowledge as being necessary and appropriate at this particular time. So whilst it is a large number of people, it is also a commitment that is right up there at the top in priority.

Mr BEAZLEY—But is it putting pressure on?

Mr Scipione—Acknowledging that 100 is a large group, to say that it is not causing us to re-think priorities very carefully would be wrong. The reality is that it is not putting on too much pressure because, at the moment, the police numbers in New South Wales are at the highest they have ever been. We are a very big force. At the moment we are sitting at just under 15,000 sworn officers. That is a very big force in comparison with some of our colleagues in other states. To suggest that you can pull 100 key personnel and not miss them would be wrong.

Mr HAWKER—Mr O'Reilly, in your opening remarks you talked about testing against a variety of scenarios. Could you elaborate on the extent and type of scenarios?

Mr O'Reilly—Sure. In cooperation with the Commonwealth, we have conducted a number of exercises over the last two years associated with different scenarios for terrorism. New South Wales has conducted at least one, which they organised as part of the legislative power changes. For example, there was a scenario where a van was parked out the front of a building to see how long it took the security personnel at that building to pick up that there was a van there and what action they took to have it identified and moved along. Fortunately, that worked very well. Our biggest problem was to make sure that we did not have everyone charge to the van, because of the realism of it.

We then went on from that exercise and said, okay, that part worked well, but now let us assume that the van exploded. We tested things like what sort of damage there would be, what the footprint of the explosion would be and whether there were any chemical substances released. We had the robotics tested at various sites where the robots had to go in to try to identify whatever piece of weaponry it was. We tested the firies' involvement, the health capacity and the ambulance side of things. It was a whole-of-government approach to a particular scenario.

Some of those sorts of exercises are conducted in cooperation with—and written in concert with—the Commonwealth. We also test our communications. So there is a scenario where a call comes through that something has happened, and we make sure that the contact works for everyone who is a key contact. We check how it gets to the Premier, how it gets back to the Commonwealth, the analysis of the situation reports and how often they are being submitted through to the Commonwealth, whether there were any issues associated with Commonwealth powers as against state powers and cooperation arrangements. It is a whole range of exercises to try all those things.

Getting back to your point about what changes have occurred, exercises in the past tended to be a scenario where there is a fire, there is a bomb, there is something, and all of the operational groups got out there to handle that situation. I think we also need to look at: the situation has happened. It is not proceeding live; it has happened. What is the consequence management of all of that now? How do you make sure that the communications to the public are such that they have confidence that the matter is being resolved, who is in what building, how you set up arrangements if there should need to be coroners reviews—and all of that sort of thing. That is the next part of the exercise that we need to focus on as well, because it is equally important.

Mr HAWKER—That is encouraging. When you talk about writing scenarios, you are talking about what we might call the conventional type scenario—which can come in many forms, I know. What about the less conventional?

Mr O'Reilly—Involving chemicals or—

Mr HAWKER—Yes, those kinds of things.

Mr Meers—We are currently working with police, ambulance and State Emergency Management Committee on two scenarios. One is on 3 December, and essentially we are working through an exercise with the Rail Infrastructure Corporation to address an off-gassing CBR device on rail transport. The exercise is planned from the perspective of the police, ambulance and fire to test two things. One is the interoperability the police bomb squad and the New South Wales Fire Brigade Hazardous Materials Unit, to see that their approach, as a joint agency approach, does not compromise their safety and that of the community.

The other aspect for police, fire and ambulance is that we are testing the establishment of the incident management team that was formed as part of the police forward command. In the past, other agencies have put liaison officers with the senior police commander in charge of the crime scene. We have found through past exercises that it is more appropriate to put senior brigade commanders or senior ambulance commanders with the senior police commander so that we can provide a more unified and cohesive approach to managing the emergency and we can have

people who can actually make decisions on behalf of their agencies assisting the police commander people.

They are the two aspects that we hope to test on 3 December. Other issues are being tested with respect to communications and how the information comes out of the incident. The other exercise that is being planned at the moment with the police counter-terrorism command is for next May-June—so it is a fair way down the track. We are going to do an investigation-consequence type exercise where a building has collapsed for whatever reason. In that exercise, we will test the deployment of the state's USAR Task Force. As has been said, with the initial collapse of a building there are certain things that all agencies would do prior to the activation of a task force. The investigation side of the incident would be put into practice by the police. The New South Wales Fire Brigade have to test the deployment of what we call the Alpha Response—that is our initial response to a structural collapse incident—and then undertake a transition from that initial response to the deployment of the taskforce. They are a couple of issues that have not been tested in the past but we plan on testing them within the next year or so.

Mr Scipione—I would just add that we have tested non-conventional terrorist scenarios. Last year we did some work with fire, because fire has the prime responsibility in a CBR environment to deploy hazardous material teams. They support us in police. We have certainly tested that on a number of occasions in different scenarios. The training exercises do not necessarily stop and start with a joint arrangement like pulling fire, ambulance, premiers and police agencies together. Agencies also individually exercise their own key specific roles in some of these more non-traditional type exercises.

Within New South Wales Police, we have full-time forensic scientists who look exclusively at dealing with a CBR type incident. We train them and exercise them. All of them have recently trained offshore with other agencies from around the world. These are dedicated New South Wales Police personnel who are scientists. They specifically go out and provide support both in the investigation phase and in the consequence management phase of any incident. So we do a lot of testing but, in some of these more unusual areas, we do not do much in terms of publicity, simply because it is probably not in our best interests to have too much information out there that might cause people to be concerned.

CHAIR—When you talked about publicity, you raised another issue—that is, that no mention has been made of how you are going to inform the public in the event of a chemical or biological terrorist attack. Going back to the Canberra bushfires, one of the biggest problems in Canberra was actually letting people know what was happening. I think ABC radio finished up doing most of the work at that time in letting people know. What plans do you have in place for media management—for want of a better word; I do not mean control—or for informing the public? It is all very well to have all of these responses from within your own agencies but the public, particularly in the event of a chemical or biological incident, would need to be notified very quickly. What do you have in place for public information?

Major Gen. Howard—When there is an emergency operation that is essentially the responsibility of one of the agencies, such as a bushfire, the information to the public and to the media is generally the responsibility of the lead agency. We have a second system when there is a major emergency to offer assistance to that lead agency. In the sort of scenario that you have

described, there is a very definite system. One of our support areas in our emergency management system is public information. Under a formally endorsed state-level plan, this provides for a public education system that is coordinated on our behalf by the police Public Affairs Branch. They have two hats in that regard: they are still supporting the police, but they will also support that emergency operation. They have direct links to every newsroom of the major networks in this state. This is activated when required. It makes sure that there is coordination. The input from the fire services, the ambulance service, the health services and so forth, which would be necessary in any sort of CBR incident, are included in the plan. So there is a central media or public information group formed, the core of it being the police public affairs unit, and we make sure that the information that gets out is consistent and timely. It does not have to be activated very often, but it has been a couple of times. It is being exercised more often now than in the past.

CHAIR—You have to be prepared for all of these scenarios. Do you have a register that says, 'These are the radio stations that we'll contact immediately. This is the process'?

Major Gen. Howard—Yes, they do.

Mr Scipione—Again, dependent upon what is required, it is about making sure that we provide sufficient advice to the media so that they can inform the public. Not only can they inform the public; they can assist us in controlling an incident. If we were dealing with a major incident, it may well be that we would be appealing to the public to assist us by way of providing information. It would be very useful in our resolving an incident more quickly. So it is very much like that.

What we must realise is that, under the National Counter-Terrorism Committee arrangements, there is a media subcommittee that is responsible for a coordinated media strategy right across the country. If we are dealing with a split or multijurisdictional incident, we need to have consistency in what is going out and in the message that is being provided. The Director of the Public Affairs Branch in the New South Wales Police does sit on the media subcommittee of the National Counter-Terrorism Committee and, in fact, that is the right forum for them to coordinate how they would interact and work together. You might need to bring in media people to assist with the tremendous expectation that we would have, which we saw during the Olympics, of not just local, not just national but international media. So it is certainly more than a single list of broadcasters that we would hit. We know that we would have to deal with broadcasters from right across the world. That is certainly something that we have experience in because of the Olympics but, more recently, we have been concentrating on this. We continually review our counter-terrorist media policies. We are in the throes of yet another iteration. We are working through that right now to ensure that we are contemporary in the types of threats we might be dealing with, the types of messages we might need to get out and the number of outlets with which we might be dealing. So it is contemporary; it is something that is addressed at NCTC.

Mr O'Reilly—We have also tested how long it would take to get the 131 number for information and that sort of thing. We have done all that. I cannot remember what the time frame was—it was about an hour.

Mr Scipione—We got that down when we most recently did that. We have standing arrangements working within the New South Wales Police. This is for the response; you have to understand that this is not single dimensional. When you are dealing with a major incident like this it is not single dimensional. You are dealing not only with the prevention aspects. You are dealing with the response to an incident and you are dealing with the consequence management, and often two of those things are being dealt with simultaneously.

If we were dealing with the response as the primary response agency for the resolution of an incident and at the same time we were managing the consequence of such a problem then, through the State Emergency Management Committee, where there is a body of work being done—and Major General Howard might talk about the PICC, which is a public information centre—we have a responsibility to engage the community through a series of numbers that we have in police that are dedicated and sitting there now. They can be turned active within 30 minutes. So, within 30 minutes of an incident—in fact, it is less, but if we set that 30 minutes as a benchmark—we can certainly have 1800 and 1300 information numbers up and running in large numbers, fully manned and capable of monitoring and managing requests for information direct from the public.

CHAIR—Major General Howard, do you also have a register of things like heavy lifting equipment? In the event of an explosion of a bomb, do you have a register of suppliers of, for example, heavy lifting equipment that you can contact immediately?

Major Gen. Howard—One of our functional areas—that is, a support area—in New South Wales is termed 'engineering'. The engineering services area is responsible for providing to either the emergency service or to the total system a complete range of engineering support from the list of people available to the engineering services area. An example I would give is the situation at Thredbo, where the police actually did this when they needed a geophysicist quickly. Because of the system they had, they were able to find someone very quickly who had already volunteered his services, pick him up in a police aircraft and get him there.

A similar situation occurs with light, medium and heavy engineering equipment. They have contacts because that is what they are there for. Our Department of Commerce—which is the old department of public works and services—actually coordinates the function for us. They have contact with basically every engineering company in Australia. We can get anything we need very quickly indeed.

CHAIR—If something were to happen across the road from here, how long would it take you to get some heavy lifting equipment?

Major Gen. Howard—I could not answer that, but it would not take us very long. I was about to say that the New South Wales Fire Brigade's urban search and rescue capability also has contacts. So that is on top of the other system. We all use the same system, but we do not stop them having their own contacts at individual emergency service levels. There is equipment all over the place in this state. It is a matter of having done the homework—and I would argue that we have done that—knowing where it is and knowing who talk to 24 hours a day. You do not need to own it.

CHAIR—No, I understand that.

Mr O'Reilly—It might be worth while my explaining how the plans come together. We have disaster plans, be it for agriculture or engineering services or whatever. It will only take me a minute, but I will show how it links together.

Major Gen. Howard—Like most states, we have a state disaster plan which, generally speaking, sets out the way things are done. What we are talking about here is anything that requires a significant and coordinated response. We do not interfere in individual agency operations. We only come together when something requires us to work together, and that is under the umbrella of the state disaster plan. Through the state emergency management committee—the principal emergency management committee—we have identified a number of situations where either the rather generic information in the state disaster plan does not provide enough detail or where we need some specialist parts of the plan which you cannot cover in a single state disaster plan. So we have developed a number of what we call 'special hazard plans' which sit beside the state disaster plan. They basically use the same system but have more information and more advice, particularly for the response agencies. All of these are designed to take account of the situation they have to deal with, regardless of the cause—going back to this 'all hazards' notion.

The first one is an animal health emergency plan, which is designed to deal with an exotic animal disease. That, by the way, was exercised nationally this year by the Commonwealth, in Exercise Minotaur. In an aviation emergency, there are some special arrangements that are needed because of the joint responsibilities there. The standard ones are bushfire and flood. Hazardous materials is another one. This would of course apply and does apply in a CBR situation. There is one for terrorist or natural causes and one for major structural collapse, which is our urban search and rescue plan. That involves all agencies. The fire brigade obviously has the lead role, but it includes engineers, medical personnel and so on. We also have one for offshore marine oil and chemical spills.

To back those up, we have a number of supporting plans where we have gone through the sorts of questions that you asked a moment ago: where do you get A, B or C. We have supporting plans covering communications, engineering, environment, health, public information, transport and recovery, and agricultural and animal services—which is actually welfare of livestock and animals. So we have got a fairly comprehensive planning system, I believe. We have a global state disaster plan, generic, which shows the system. Underneath that we have identified a number of emergencies for which we believe additional detail is required; and those are the special hazard plans. To support the whole lot, we have got those supporting plans which I have mentioned, such as the engineering plan.

That means that the controller does not need to know, personally, where to go to get a piece of engineering equipment. There is someone he can ask who knows. That engineering functional area has its own subcommittee, and it contains some 30 different organisations, including non-government ones, to provide the functions. While it is coordinated by a government department, it does include non-government organisations as well, who have signed up to assist.

Mr O'Reilly—We need to stress that these plans are not things that just gather dust. They are reviewed, the players in there get together regularly, they maintain contact lists—all of that sort of thing. We have had to use them regularly in New South Wales over the last 10 years, and they seem to work.

CHAIR—Lucas Heights has had a lot of publicity in the last couple of weeks. Do you have any special arrangements here for Lucas Heights? I do not necessarily want a lot of detail.

Mr Scipione—Let me say that we communicate regularly, we have very good access, they are very cooperative, we understand what the requirements are out there, but in terms of any of the operational detail—

Mr O'Reilly—And the management of Lucas Heights has attended a briefing of the CEOs group and the cabinet subcommittee as well.

Mr BEAZLEY—I know that the chair would like to get onto health and some of these logistic matters fairly soon, but this Lucas Heights issue leads us to one other area I want to cover off on the macro picture; that is, your confidence in the intelligence that you are receiving and the character of your cooperation with the Commonwealth—against recent incidents such as the deportation of that Frenchman in recent times. Are you happy that you have access to Commonwealth information in a timely fashion in its totality in a way that assists you identifying threats like this and dealing with them?

Mr Scipione—In terms of the French gentleman—as you described him—from the time when we were advised by intelligence that there was an issue to the time when officers took this person into custody, it was a very short period—less than two days. In that regard, particularly with reference to that operation, we were satisfied and, in fact, were encouraged by the degree of intelligence flow and the exchanges in a timely and reasonable fashion. If in fact you do not know what you do not know, it is very difficult to make an assessment. Having said that, there is nothing that would suggest to me that, at any time, the Commonwealth authorities have withheld from New South Wales police that information that we should and would reasonably expect to get.

Mr BEAZLEY—That is the point I was trying to get to: do some people know what you do not know, and does it get to you very fast?

Mr Scipione—I cannot answer that.

Mr BEAZLEY—You might be able to in retrospective terms.

CHAIR—I have a couple of issues that I would like to raise under intelligence, but I think they would be better done in camera.

Mr BEAZLEY—Are we going to do an in camera hearing?

CHAIR—I would like to do an in camera hearing at the end, because we have done it with other states. I think it would be a bit more free-flowing if we were in camera.

Mr BEAZLEY—Fair enough. There is just one more thing in relation to the cabinet committee. Does any other state that you are aware of have a separate cabinet committee on terrorism, as you do?

Mr Schmidt—I am not aware of structures in other states. I have a feeling that Victoria may have a similar committee, but I am not sure of the other jurisdictions.

Mr BEAZLEY—Where is this extra $34 million going, above and beyond everything you have done to this point?

Mr O'Reilly—Andrew, you can start on the police side. I have some notes here to look up.

Mr Scipione—Certainly the police have been fortunate in being the recipients of considerable amounts of funding that have allowed us to procure a lot of equipment. Notwithstanding that we were very well equipped for the games, we have been able to go further. It has allowed us to purchase a joint aviation asset, which was a significant step forward, in order to transfer and transport urban search and rescue teams, hazards material people or bomb disposal experts from police. We have been able to procure that and it is about to be commissioned in the very near future. We have also been able to have purpose built an armoured vehicle that will allow us to move into contaminated or dangerous situations with a view to resolving them. They have even been used operationally in recent times.

We have also purchased bomb containment vessels. Certainly we identified a need, and we were fortunate that need was met. It has also allowed us to move past capital. It has allowed us to employ people. We have employed four forensic scientists. We have never been able to have our own officers who would be responsible for providing that sort of assistance to a major organisation like ours, and more widely to the New South Wales government, on tap, 24 hours a day. So the money has been spent in areas that we would see as very useful. We have bought a lot of suits, a lot of chemical, biological and radiological personal protection equipment for our tactical people, for our forensic people and for our crime scene investigators, and we have bought a lot of other restricted equipment that certainly allows us to be on the ball when it comes to prevention in the intelligence gathering area. So the money has been spent right across the board and, as I say, we have been extraordinarily fortunate in receiving it. It has made our lives much easier when it comes to a level of assurance that we are able to match our capability with our people and to get the right outcome for the community of New South Wales.

Mr O'Reilly—I have some further figures around that. There is $5 million for bomb disposal and forensic services detection, inspection and containment; $4.8 million for the acquisition of an 8-seat eurocopter; a BK117 helicopter for the transportation of bomb specialists and forensic analysis et cetera; $2 million for the office, protection, communication and transport for the State Protection Group; $2.5 million for equipment and protective gear to combat biological, chemical and radiological threats; $1.8 million for enhanced electronic surveillance; and part of a five-year $17.3 million plan for increased health capacity to respond, which includes 700 personal protective equipment suits, respirators and special decontamination facilities at hospitals across New South Wales, the upgrading of two laboratories to provide improved diagnostic facilities and the critical infrastructure review group funding for the conduct of that. So that is the sort of flavour of it.

Senator PAYNE—What is the concomitant commitment to training to go with all the new equipment, new kits and that sort of thing? What sort of maintenance, training and then upgrading of training of existing key personnel are you involved in?

Mr Scipione—Certainly from the New South Wales Police perspective, that is a large commitment. You cannot purchase in the volume that we have without providing the appropriate training. Again, we were fortunate that, two years before, we had brought our experts and our specialist areas up to scratch to ensure that they could manage an environment like that. In some regards, we have taken them to the next generation. It was not from a cold start that they had to get across a lot of this equipment and it was not from a cold start that they started to work in personnel protection equipment in those contaminated environments that were foreign to them; it was building on the body of knowledge that already existed—though, in some regards, there was some new equipment.

The training commitment is extensive. To get a new aircraft on the ground—an aircraft which has not yet even been commissioned but is soon to be—has, for the last six or eight months, caused us to be very heavily involved in training aircrews and pilots and working with other agencies to ensure that they have at least the start of a training program. So we have considered it. It is something that we have certainly factored in and we concentrate on—with an understanding that the best piece of equipment in the world is not worth much if you cannot operate it professionally.

Assistant Commissioner Anderson—From the fire brigade perspective, the additional equipment that has been provided has enabled us to deploy resources to other major cities in the state—namely, Newcastle and Wollongong. With that, there has been a training requirement to bring the people in those areas up to scratch with the higher level of equipment that they have received. On top of that, the fire brigade has put out a general training program to all its firefighters to make them aware of urban search and rescue and how to work in those environments and assist the trained operators. With CBR, that is part of our work through hazmat. So all of our firefighters are trained from the time they join the fire brigade to work with breathing apparatus and level A and level B protective clothing.

Senator PAYNE—You have prompted another question: what capacity do we have outside Sydney with well-trained staff or personnel and what is the timetable on the aircraft acquisition? You said it has not been commissioned but is about to be.

Mr Scipione—The aircraft is within the next two or three weeks.

Senator PAYNE—The commissioning?

Mr Scipione—For being operational—here in Sydney.

Senator PAYNE—And trained to capacity outside Sydney?

Mr Scipione—It would be crewed from Sydney. If there were an urban search and rescue need or a hazmat need, a decision would be made through the aviation fire officer—who is actually sitting out there as part of the aviation s support branch with police—as to where you might transport people. If it were perceived that you would need to move a team from Newcastle further up the coast and that an aircraft needed to be deployed, it would mean the time from Bankstown to Newcastle to refuel, a lift and a move. So it would be rapid. Strategically in these areas—and John might talk to this—what has been key and useful for us has been to know that

these hazardous material response arrangements and urban search and rescue services are geographically located in those two locations.

Assistant Commissioner Anderson—Beyond that, we have 13 intermediate hazmat units, which are units that would initially attend a CBR incident. These units are located right across the state. Generally they are within a 100 kilometre radius of each other—starting at Tweed Heads on the far north coast and working down the coast to, say, Coffs Harbour, Port Macquarie, Newcastle and Wollongong. Moving further west, we have units in the major inland cities of Tamworth, Armidale and Dubbo. So we have a network of these units right across the state. They would be the first response with the local fire brigade and they would then be supported by heavy resources from Sydney which would be flown out by either helicopter or charter aircraft.

Senator PAYNE—You mentioned Tweed Heads. Do you work with the Queensland authorities?

Assistant Commissioner Anderson—Yes, we have cross-border arrangements with the Queensland Fire and Rescue Service and also the CFA when working along the Murray River.

Senator PAYNE—Do we all have compatible emergency management arrangements?

Assistant Commissioner Anderson—Generally in those areas, whilst the emergency management arrangements might vary slightly, they normally fit into a common pattern. The local people work with each other, so they understand the cross-border arrangements.

Mr Scipione—Just to add to that: we do work with the different states and territories often. Most recently, if we were to look at the Queensland and Tweed Heads example, we provided all of the aviation support to the Queensland Police for CHOGM, by way of security. Our aviation assets, our crews, our pilots, a number of our technical operatives, and a number of our significant resources were deployed. So that gives us an insight into what we might be dealing with should we have to cross that border. That was a very big commitment by New South Wales Police, but it is certainly one that we insist on, because it is the only way we are going to know how we are going to work together. And it goes further than that. Post-October 12, the New South Wales Police Forensic Services Group sent large numbers of forensic disaster victim identification officers to Bali. We sent large numbers of officers up there.

Senator PAYNE—Working with the AFP?

Mr Scipione—Working with the AFP, working with the Indonesian authorities—and with other states and territories, because other states and territories contributed as well. That was useful for us but, more importantly, we have recently been providing training in this area—and it is an acknowledgment of the level of support that we provided in this investigation. We have trained a number of other countries. The New South Wales Police have been working with the Indonesian police, the Philippines and the Malaysians in giving them an understanding of modern DVI practices that they would need to bring to any crime scene where disaster victim identification is a significant issue. So the training is not just local. It goes beyond states, it goes beyond the national arena; it goes international. We are very fortunate, and we are proud to say that we are part of that support not just within Australia but outside as well.

CHAIR—There is just one issue that I want to raise before the break. I understand that at a leaders summit in April 2002, and in October last year, it was agreed that there would be some legislative changes, which the New South Wales government agreed to, which were expected to be completed within 12 months. Do you know whether those legislative changes have been made or not—in relation to compatibility and a number of other things?

Mr Schmidt—Yes. The New South Wales legislation has been passed to bring our relevant pieces of legislation into line with the Commonwealth framework.

CHAIR—So it has already been done.

Mr O'Reilly—This is the referral of the powers.

Mr Scipione—And New South Wales went further with the creation of the Terrorism (Police Powers) Act 2002 and also some amendments to the State Emergency and Rescue Management Act.

CHAIR—So they have been completed. That is what I needed to know.

Proceedings suspended from 10.52 a.m. to 11.07 a.m.

CHAIR—If the past is any guide to what might happen in the future, the most likely scenario in the event of a terrorist attack is that there will be a significant number of burns victims. Could you give us some indication of how you would handle a significant number of burns victims, what your capabilities are and what plans you have in place to handle burns victims in the event of a terrorist attack?

Mr Rochford—I will put the answer to that question in some context and make some opening remarks about the health response generally and how it fits into the bigger picture. As has already been mentioned, like other agencies in this state and in other states, the level of sophistication, interoperability and overall capability has risen significantly over recent years from the time of the Olympics, where a significant boost to the planning and response capability was made in New South Wales for that one-off event. More recent events have convinced everyone that those sorts of additional resources need to be maintained on a permanent basis rather than just for a one-off major event like the Olympics.

As a result of the recent announcement of investment of some $17 million by the state government in New South Wales Health over the next five years, we have been able to institutionalise many of those operational arrangements. All of our responses are part of the state emergency response preparedness and the State Emergency and Rescue Management Act, as Major General Howard mentioned. We have a standing New South Wales health plan and a standing New South Wales ambulance plan that integrate a whole-of-health response for any major disaster producing mass casualties—from the pre-hospital care response and acute hospital treatment to public health issues which inevitably flow from major events, particularly if a contaminant is involved, and also mental health services required at the time and for any community disaster. These responses have become more detailed, as has our response preparedness.

We have a range of initial response capabilities that will follow a disaster. In particular, we have invested significantly in our ability to respond to a disaster involving a contaminant of any kind—chemical, biological or radiological. Substantial personal protective equipment has been purchased and a vehicle has also been purchased to allow the treatment of contaminated patients without necessarily moving them to the hospital environment and disabling a hospital through subsequent contamination. Those capabilities have involved a substantial training program that allows ambulance officers, nurses and medical first respondents to train together in the use of that equipment in response to a major event and in the exercise of disaster plans. Those joint training exercises have also overlapped to other emergency services, with special casualty access team paramedics with special access skills also being trained in far greater numbers.

All this work has been pulled together by a centralised counter-disaster unit which integrates New South Wales Health and ambulance service planning, training, preparedness and doctrinal development for managing and preparing for major events. This is a permanent unit now housed within the ambulance service. It coordinates all of the equipment, technical analysis and training activities.

As to the question of burns, it is important to note that there is substantial capacity across the New South Wales and national health system to flex and respond to any type of casualty that requires specialised treatment. The capability can be expanded at very short notice—as was demonstrated at the recent waterfall train accident, where over 50 casualties were quickly extricated and moved to specialised treatment in a range of a hospitals from as far west as the Nepean to the more close St George and Sutherland hospitals. The ability of the health system to flex is an important part of our response to any of these sorts of events. The specific capability for burns is available in the number of currently dedicated beds that provide routine care to burns victims across the nation and the ability to designate additional beds in hospitals and to bring on extra staff with skills and expertise in the treatment of long-term burns victims should the number exceed those routine capabilities that are already resident in the system.

CHAIR—How many serious burns victims could you manage within the metropolitan area?

Mr Rochford—I will hand over to Dr Flynn to talk about the actual numbers.

Mr Schmidt—I would like to add something at this point. I think that we should be cautious in detailing with too much precision some operational issues. We do not want to be giving people a heads-up as to some of the limitations or the extent of the operational cover we can give. I would just put that as a caveat that I think we should take into account in answering some of these questions.

Dr Flynn—Should we leave this until we go in camera?

Mr Schmidt—It might be preferable.

CHAIR—I think we asked a similar question in Perth. I remember we were looking at numbers because of the isolation.

Mr Schmidt—We just have a concern that, if you say you can handle up to X or Y and you have X number of capacities, someone who is serious might try to fashion them—

CHAIR—We will leave the actual numbers until we go into the in-camera session.

Mr Rochford—There are two different levels—what we routinely handle and would be able to absorb without any increase in resources and also the ability to flex up additional resources should the need arise so that we can provide a similar level of care over and above what you would normally need to provide to attend to community needs.

CHAIR—Would you rather talk in camera about the capability for chemical decontamination?

Mr Rochford—I think it would be more appropriate to do so.

CHAIR—What about isolating areas? I guess that is not particularly your concern. What plans are in place in for control of areas and cordoning off areas the event of an attack? What do you have in place for that type of restriction? People getting out of areas is of course also important.

Mr Scipione—As I indicated last year, when the Terrorism (Police Powers) Act was brought into play—in December last year—changes were made to the State Emergency and Rescue Management Act which allowed people to be held in areas for decontamination and to be dealt with so that they did not present any further risk to any other members of the community. That is certainly something that operates under Hori's legislation—the legislation that he works to—but it enables us, for the first time, to ensure that we do not have the potential for cross-infection or cross-contamination.

Major Gen. Howard—The act provides for the control authority—which is generally the police acting in a law enforcement role in this case—to establish control over an area by removing people from it or preventing entry into it. As Mr Scipione mentioned, a recent addition allows the control authority to require people to remain in the event that, let us say, they need to be decontaminated. So we have got the three powers we need: one to prevent people entering, one to cause people to leave, and the third one is to cause them to stay.

Mr Scipione—It goes on a little further. It gives police officers the power to remove vehicles that may be contaminated. The quarantine provision is there to support those who might be victims of such a crime.

CHAIR—If you want to isolate an area in order to protect the general public et cetera, who makes the decision where, for instance, the line is going to be? The police?

Mr Scipione—If the advice was provided by a scientist, it may well be police in unison with fire. But in terms of the regulation of an area, the advice that we would take in terms of hazardous material exposure would come from our colleagues in fire.

CHAIR—What about in the event of a bomb explosion? Who determines the perimeters?

Mr Scipione—It depends on what we are dealing with. Again, if you are talking about a crime scene perimeter, that is different. There are a number of perimeters that we would set up around an operation like that. There is an inner perimeter, an outer perimeter and a crime scene

perimeter. That would generally come down to the bomb disposal experts within New South Wales Police, perhaps working in unison with bomb disposal people from the Australian Defence Force—from TAG East at Holsworthy—or, if it were a bomb that had some other concoction attached to it, it might well be in unison with the Incident Response Regiment, which sits out at Holsworthy. But, as a general rule in that regard, we have 20 trained bomb disposal experts in New South Wales, and they certainly would be making some calls in unison with our partners and giving advice to the Commissioner of Police in this regard.

CHAIR—And the police would determine who of the public goes in and comes out. Is that the police's responsibility?

Mr Scipione—Because cordon security is a police responsibility, yes. There may well be some special provisions, and I think the ADF are currently working up what they have termed the Ready Reserve force—the RRF. They may well have some future role with us in cordons; that is still not abundantly clear to us. We would work with them very well, I am sure. But certainly, as a general rule, my view is that predominantly the entry and exit from a cordoned-off area would come under police control.

Mr Meers—The issue of what an exclusion zone might look like is quite complex in that there are a number of factors that the police commander would have to consider. These would include things like debris from a collapse, the risk of a secondary device and where that might be, the structural integrity of the buildings that remain standing and whether there is potential for them to fall, the contamination of people who may be wandering around the site and what needs to be done with them; and there is also a risk of sabotage. So there is not an easy answer to a simple question about what an exclusion zone would look like. It would obviously depend on what type of incident it is and what is involved.

Mr BEAZLEY—I was interested that you mentioned the Ready Reserve force. What have you been told about that so far, in terms of what extra capability it potentially gives you?

Mr Scipione—We have had extensive briefings from a number of senior ADF people. Our understanding is good, in that it will provide us with some extra arms and legs. The first on-the-ground deployment exercise is yet to happen. I am sure you will recall that we did have some similar arrangements during the Olympics. In fact, some legislation was passed that allowed the ADF to control an area and declare a zone. I think it had to be with the Governor-General—I cannot quite recall—but certainly we had some provision that worked very well. If that is any guide to how it may work in the future, we are encouraged. Certainly at a senior level, at the Duncan Lewis level, we are encouraged that we are going to get this right. We will gladly welcome any asset should we need to deploy around any location in New South Wales.

Mr BEAZLEY—Are you being invited to assist them in developing the training for what is essentially constabulary purposes?

Mr Scipione—Yes.

Mr BEAZLEY—It is very different from normal reserve activity.

Mr Scipione—We have had some significant input in this regard. They need to work alongside us, but it is always under police direction.

Mr BEAZLEY—They are really special constables.

Mr Scipione—That is one way you could look at it, but the proof of the pudding is in the eating. I guess we would really like to taste the pudding before we determine how it will actually go.

CHAIR—Some would say that it will never have to go.

Mr Scipione—In an exercise scenario the unfortunate reality in this business is there is no such thing as a dress rehearsal. You either practise and get ready for the event or it is just upon you.

Senator PAYNE—Did you say there is an exercise on the drawing board or you are waiting to plan an exercise in relation to the Ready Reserve work-up process?

Mr Scipione—We have certainly had a number of discussions and we have worked through some of their training options. It is important for them to understand the laws of the state if they are there in part working with the police officers in the state. That has been happening right around the country, not just in New South Wales. We have not yet had an exercise—I am not sure they are in fact trained and on station. Certainly we would be looking to work with them and to exercise the RRF alongside our officers.

Mr PRICE—They are blended units, Commissioner, so it implies there would be a delay in trying to aggregate them and then get them to the point. What sorts of time delays are you factoring in for any use of the RRF?

Mr Scipione—Potentially there would be some extended delays, just simply because they are reserves. Their on-call ready to move arrangements would be different from those of a permanent member of the ADF. I am not in a position to tell you what the difference might be between what is published and what might happen.

Mr PRICE—I accept what you are saying about the reserves but I understand that, for any one platoon, they will be dispersed. They will not necessarily be in the one town and, particularly if you want them in numbers, I would assume they would be in several towns. So they are blended forces, not forward.

Mr HAWKER—One of the things that has become apparent in recent years is that we do not have very good back-up systems for public utilities such as electricity and gas. A few years ago there was a serious accident in East Gippsland that caused major disruptions to metropolitan Victoria over a couple of weeks. You would have seen the power blackout in the United States over a very large area, which I suppose was triggered by a relatively small problem. It is clear that, even without the threat of terrorism, our back-up systems do have some shortcomings. What effort is being made to duplicate essential services in a way that, should you have a problem, you can immediately switch to another one? I am talking about two obvious ones with

electricity and gas, but there are others we could also talk about. What work has been done to develop the alternatives?

Mr O'Reilly—I would suggest that Hori would be able to answer that, because of the critical infrastructure review.

Major Gen. Howard—The national exercise of managing critical infrastructure will to a degree take account of the sorts of problems that you are talking about. As you may be aware, at the direction of the NCTC, every state is undergoing an exercise at the moment. They are looking at their critical infrastructure and identifying them, looking at interdependencies, looking at vulnerabilities and so on. New South Wales is of course a part of that national initiative.

Everything that you have mentioned is part of that project. Further to that, there is going to be a list of national critical infrastructures, which will take it to the next level. I would stress that we are looking at interdependencies, we are looking at what alternatives might be available, as you mentioned, and we are looking at backup systems. It started with the Business-Government Task Force on Critical Infrastructure in March last year, which was held in Sydney. A result was that it was decided that something positive and definite needed to be done about critical infrastructure.

We started in October last year in New South Wales, so we are quite a long way down the track. Obviously I cannot go into any detail, but if the committee sought a briefing from the managers in the Attorney-General's Department, which is the Critical Infrastructure Protection Branch, they might answer these questions very comprehensively indeed. They have much more detail than I would be able to provide you in a short session like this. But there are sectors that cover utilities, energy, transport and so on—all of which are now being managed positively and in a relatively standard way throughout the states and territories. Risk assessments, business continuity plans and emergency planning have been looked at, security is being upgraded and so on. So it is a very big project indeed.

It will of course take account of the natural problems, such as that which happened at Longford, where a standard technological emergency causes an enormous disruption. We believe there is a new suite of risks, having been directed by the NCTC, and that has given us the opportunity to have a look at these issues in a comprehensive, professional way. The benefit to the country, notwithstanding the increased risk of a terrorist attack, will be quite significant across the board in all these areas.

CHAIR—Does anyone want to add to that? If there are no further general questions, we will move into an in camera session.

Mr PRICE—I have a couple of questions. In those briefings by Major General Lewis, did he indicate when the Ready Reserve forces might be available for use? Have you factored in their use?

Mr Scipione—They did indicate but, at this stage, I would be guessing and it would be wrong of me to do so. I would imagine that would have been part of the briefing and accessible by this particular forum in the ADF groupings.

Mr PRICE—I will make sure we do that. In trying to get a dimension on responses to terrorism, and given the important state responsibilities and first-in responsibilities, how do you determine whether we have the balance right for, say, hostage, bomb and chemical and radiation responses?

Mr Scipione—Do you mean the number of resources that can be deployed against a specific threat time?

Mr PRICE—Yes.

Mr Scipione—It is a moving target. It is something we have talked about. Certainly, the emphasis on what we thought we might have had to deal with in an October 2000 setting has changed significantly in an October 2003 setting. The goalposts have shifted. Notwithstanding that the threat we were most mindful of might have diminished, it has not gone away. So it is now a matter of being capable in a whole range of areas whereas, in the past, you might not have had to have that capability. So that puts extra demands on your people. But these are specialists, particularly in some of these support areas. They are key heads of professions, specialists officers who train and train, and they broaden their knowledge base to be able to take on new and emerging threats as well as maintain the capability with the existing threats.

We have to make judgment calls on the deployment of resources. They are based on current threat environments that we see emerging from around the world and nationally. We feel that, if we can concentrate more on the prevention, the response that draws down a lot of the resources will not be as demanding on us. If we can get the prevention right and we stop the attack, we will be well placed to not having to start thinking about deploying officers. But, even then, there is a risk in putting many more resources on the prevention side—although it is a step that we have taken—because if something gets through, if one incident happens and you are not prepared, you will have to live with the consequences for a heck of a long time.

It is for that reason that, through the Commissioner of Police, Ken Maroney, there was a decision taken that we needed to make our group large, professional, competent, well equipped and capable. That proposal was taken forward to government and, accordingly, the component that government had to dole up—being budget, support and legislation—was forthcoming. We think that we have it reasonably well tagged but, again, that is based on—

Mr PRICE—I would like to ask one more question, and please tell me if it has already been covered: looking to the future, do you see any logical shifting of responsibility between the state and the Commonwealth—that is, some of the assets of the Commonwealth becoming a state responsibility or vice versa?

Mr Scipione—Because this covers such a wide area, I think it would do this committee an injustice for me to concentrate on what is happening in a traditional policing environment. We have had a chance to work through this. As we know, the national antiterrorist plan—as it used to be known—had its genesis in the Hilton bombing. So we are talking about back in 1978. As such, we have had a chance to work through this through emerging arrangements—SACPAV and now the National Counter-Terrorism Committee. That degree of maturity might not come in some of the other emergency management arrangements, and it is those areas where there may well be an opportunity to look at who does what and how it is done, for instance Major General

Howard works closely with his colleague in Emergency Management Australia. That is an area that I think may be being considered now in terms of who has what responsibility and where it stops and where it starts. So I do not think that I can necessarily add a lot in response to your question, but some of my colleagues from other disciplines may be able to.

Assistant Commissioner Anderson—One of the areas where there could be assistance from the federal government would be the smaller states. If you look at the resources, you see that the major resources predominantly lie on the eastern seaboard of the nation where the more popular states are and so would attract the resources normally. Should an incident occur in the west or in South Australia, their resilience to a major emergency would be quite small and they would require assistance. That assistance would necessarily come from the east, but the ability to get it there would rely either on a commercial arrangement or, probably more appropriately, on the ADF to support the transporting of resources.

CHAIR—If there are no further general questions, I think we might move into in-camera evidence. I suggest that we do the in-camera evidence in two parts: one which relates to health issues and then only those who wish to respond to questions that we want to ask about intelligence and who are privy to the information that we might seek should remain. I think that is the best way to do it. Before closing this public hearing, I thank you all very much for being part of our hearing today. It is very important for us to get an understanding of the situation in each of the states. Hopefully, by drawing all the information together with what we have been able to learn from Commonwealth agencies, we might be able to, at the end of this series of hearings, come up with some recommendations that we think may ultimately help us in the event of what we hope will never happen; that is, a serious terrorist attack in Australia—but we all know that it is quite possible. So I thank you one and all for your input into today's inquiry, because you have given us some valuable information on some different issues from those that we have gained from some of the other states.

Evidence was then taken in camera—

Committee adjourned at 12.15 p.m.