



Submission No 1

Watching Brief on the War on Terrorism

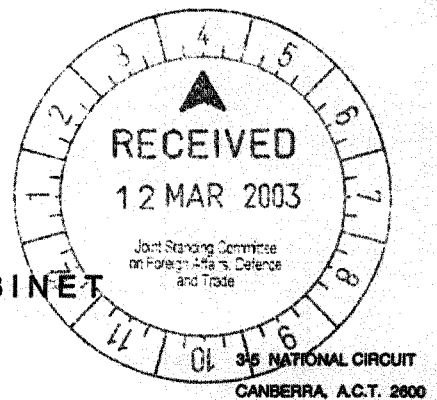
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THE DEPARTMENT OF
THE PRIME MINISTER AND CABINET



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Dr M Kerley
Committee Secretary
Joint Standing Committee on Foreign Affairs, Defence and Trade
Department of the House of Representatives
Parliament House
CANBERRA ACT 2600

Submission: 1

Dear Dr Kerley

Below are some comments expanding on matters raised at the hearing of the Joint Standing Committee on Foreign Affairs, Defence and Trade on 9 December 2002.

Reference Mr Beazley's request for information on powers to enforce quarantine and evacuation

This request is best directed to the states and territories at the Committee's state hearings. Enforcement powers in relation to quarantine and evacuation vary between states.

Reference Mr Price's request for information on Commonwealth agencies' engagement with counter-terrorism arrangements and a diagram of crisis management arrangements
Attached is a list of Commonwealth agencies with a role in countering terrorism. Also attached is a diagram of the crisis management arrangements and a list of coordination bodies involved in either counter-terrorism preparedness or crisis response.

Reference Mr Beazley's question on a Counter-Terrorism Centre to be based in Kuala Lumpur

It has been proposed that a regional counter-terrorism training centre be established in Kuala Lumpur. The centre is expected to be established in the latter part of this year. Australian agencies will be looking for opportunities to support the centre.

Reference Mr Byrne's question as to who would authorise the military to shoot down aircraft

Special security arrangements were made in respect to the Commonwealth Heads of Government Meeting (CHOGM) in March 2002. These arrangements included the deployment of Australian Defence Force (ADF) resources to provide air security:

- these arrangements were authorised by the Minister for Defence in response to the particular security circumstances of CHOGM where a large number of heads of government were gathered in one place;
- the circumstances in which force could be used were determined in advance and very clear arrangements were in place.

Without planned predeployment, it is unlikely that ADF resources would be standing by and able to respond to a hijacking in flight in a suitable timeframe.

There are no standing protocols that would allow civilian aircraft to be shot down. The only circumstances whereby it could happen would be for the Minister for Defence or the Prime Minister to authorise measures to defend the country and the military authorities to determine this as an appropriate strategy. In these circumstances the military would not have the protections from civil law that would accompany actions under the provisions of Defence Force Aid to Civilian Authorities (part IIIAAA of the *Defence Act*).

The Commonwealth has focussed efforts on prevention – increased baggage and passenger screening, Air Security Officers and other initiatives – intended to prevent any requirement to shoot down civilian aircraft.

Reference Mr Jull's question on public alerts during radio down times

As advised during the hearing, the ABC has the capacity to override taped broadcasts on unmanned ABC radio stations to broadcast emergency messages. While the ABC does not have the technical capacity to break into and broadcast emergency messages on commercial radio stations, on request from emergency management authorities those commercial stations would either staff their stations, if the matter for concern were of a local nature, or broadcast through their syndicated network if it were of a general nature with wider community impact.

All available media would be used to pass an alert to affected communities in times of emergency, whether that emergency is natural, human-caused (including terrorist related) or technological in origin. This would not guarantee that everyone would be informed, particularly during certain hours of the day. If warranted, emergency services would organise street by street notification of the need to evacuate or remain inside. That notification would be backed by police, or if circumstances warranted, military cordons around affected areas.

Reference Mr Price's question on counter-terrorism expenditure

The following is taken from the 2001-2002 Budget papers.

Funding for domestic security (\$m):

Measure	2001-02	2002-03	2003-04	2004-05	2005-06	Total
Aviation security	21	31	31	31	32	145
Border control agencies		7	7	13	6	33
Explosive detector dogs		1	1	1	1	4
Air safety		2	2	2	2	8
Technical capability		15	12	12	8	47
Protective security	6	27	27	28	28	116
Defence communications	5	26	19	25	39	114
Other intell. measures	9	42	60	72	80	263
AFP strike team		5	14	13	13	44
ADF TAG	23	33	38	29	33	156
Incident response		37	30	23	25	114
Other response measures	64	39	1	2		106
Total	130	292	291	304	291	1308

This funding is in addition to pre-existing expenditure on a range of key agencies engaged with counter-terrorism.

After the bombings in Bali, the Prime Minister announced the following expenditure:

- up to \$0.5m reward for information leading to a conviction on a counter-terrorism offence
- \$2m reward for a information leading to a conviction for the Bali bombings

- \$12.3m over five years for DIMIA to increase its Airline Liaison Officer program
- \$15m over four years to Customs to assist in the detection of fraudulent travel documentation
- \$31.7m over five years for DFAT to improve security at Australia's overseas posts
- further enhancement of ASIO's and ASIS's capabilities and
- expansion of the Air Security Officer program.

On 19 December 2002 the Prime Minister announced the establishment of the Special Operations Command consolidating military counter-terrorism capacities and involving an additional commando company and an additional 310 combat personnel with support teams.

Suggested corrections to the draft transcript

We suggest that National Anti-Terrorism Plan, National Counter-Terrorism Plan, Special Incident Task Force, Critical Infrastructure Advisory Council, Tactical Assault Group, TAG, State Crisis Centre and Secretaries' Committee on National Security should be capitalised throughout.

Page 3

The sentence beginning "The agreement establishes the National ..." should read "...National Counter-Terrorism Plan, provides strategic and policy advice to governments, coordinates national counter-terrorism capability, enables sharing of relevant intelligence information and reports to COAG ..."

Page 21

The sentence "it was chemical and radiological testing" should read "It tested responses to chemical and radiological incidents."

Page 42/43

The transcript refers to Mr Templeman speaking but I believe that I was the speaker. The two references to "chemical weapons were tested" (Mr Metcalfe and Mr Tyrie) should read "Responses to chemical weapons were tested".

I hope that this clarifies matters for the Committee. Should you have any further questions, please contact Dr Wendy Southern, Acting Assistant Secretary, Domestic Security and Border Protection Unit (6271 5422).

Yours sincerely



Andrew Metcalfe
Deputy Secretary
Government and Corporate

10 March 2003

Commonwealth agencies engaged in counter-terrorism activity

Attorney-General's Department provides legislative advice, and policy coordination on critical infrastructure protection, including national information infrastructure. The PSCC and EMA are divisions of the department.

Australian Customs Service facilitates and monitors the movement of people and goods across the border in a manner that protects the community, intercepts prohibited and restricted items, identifies illegal movement of people and maintains compliance with Australian law.

Australian Defence Force maintains capabilities to assist civil authorities in emergencies under Defence Aid to the Civil Community and Defence Force Aid to Civilian Authorities arrangements (part IIIAAA of the *Defence Act 1903*). DACC and DFACA may apply when a specific threat or incident is beyond the capabilities of the civil authorities. DACC applies where the use of force is not envisaged; DFACA, where force may be required. Call-out under DFACA must be authorised by the Governor-General, on the advice of the Executive Council.

Australian Federal Police investigates Commonwealth terrorist offences, provides an overseas liaison network, provides protective services and performs a state policing function in the ACT.

AFP includes the *Australian Protective Service*, which provides physical protection services and counter-terrorism first response including Airline Security Officers, and the *Australian Bomb Data Centre*, which collects data and advises on the illegal use of explosives.

Australian Radiation Protection and Nuclear Safety Agency is responsible for protecting the health and safety of people and the environment, from harmful effects of radiation.

Australian Safeguards and Non-proliferation Office, within DFAT, regulates nuclear safeguards within Australia to ensure that Australia meets non-proliferation and security treaty commitments and implements the Chemical Weapons Convention and Comprehensive Test Ban Treaty. ASNO is also involved in the development of domestic verification arrangements for the Biological Weapons Convention.

Australian Secret Intelligence Service obtains intelligence on the capabilities, intentions and activities of people or organisations outside Australia.

Australian Security Intelligence Organisation is the national security intelligence body and the authority for assessing threats to security. It collects, analyses and distributes relevant intelligence. It manages the National Intelligence Group during an incident and maintains a Technical Support Unit to provide technical intelligence to police or the ADF at the scene of a terrorist incident.

Department of Communications, Information Technology and the Arts is responsible for regulating elements of the communications sector, including interception, radio spectrum and submarine telecommunications cables.

Department of Foreign Affairs and Trade conducts international liaison that seeks to enhance international counter-terrorism arrangements and provides advice in relation to the protection of foreign dignitaries and ensures appropriate consultation with their governments.

Department of Health and Ageing maintains stockpiles of antidotes and vaccines and plans for dealing with disease outbreaks.

Department of Immigration and Multicultural and Indigenous Affairs maintains the Movement Alert List and enforces Australia's visa regime.

Department of Industry, Tourism and Resources has particular policy responsibility for offshore petroleum infrastructure and installations and a strong coordinating role with respect to onshore energy infrastructure.

Department of the Prime Minister and Cabinet coordinates Commonwealth policy responses to terrorism, chairs the NCTC, participates in risk management decisions on dignitary protection, provides the secretariat for SCNS and NSC and advises the Prime Minister on matters relating to countering terrorism.

Department of Transport and Regional Services coordinates national transport security policy and provides advice on the impact of security developments on the transport industry. It also regulates the security of airports, airlines, sea ports and, with State and Territory authorities, other forms of transport.

Emergency Management Australia coordinates emergency and consequence management assistance to States and Territories and maintains the Crisis Panel of Experts and a reserve of equipment.

Office of National Assessments provides intelligence assessments on terrorist activities outside Australia.

National Office of the Information Economy contributes to the protection of the national information infrastructure.

Protective Security Coordination Centre, a division of AGD, coordinates protective security and counter-terrorism arrangements between Commonwealth, State and Territory agencies and channels communications between the Commonwealth, States and Territories during an incident.

Counter-terrorism coordination and crisis management bodies

Commonwealth

National Security Committee of Cabinet (NSC), chaired by the Prime Minister, determines policy, strategy and resources relevant to the Commonwealth's security interests and responsibilities, including in the event of a national terrorist situation.

Secretaries Committee on National Security (SCNS), chaired by the Secretary of PM&C, advises the NSC.

Commonwealth Counter-Terrorism Committee (CCTC), chaired by the Protective Security Coordination Centre (PSCC), shares relevant information among member agencies and establishes the level of national counter-terrorism alert.

Commonwealth Counter-Terrorism Policy Committee (CCTPC), chaired by PM&C, ensures that the development of policy that affects counter-terrorism is coordinated at the Commonwealth level.

State and Territory

State or Territory ministerial level coordination determines State or Territory security and consequence management policy and broad strategy.

State or Territory security coordination body comprises relevant senior officials and supports relevant ministers and determines State or Territory whole-of-government responses to terrorism.

State or Territory Crisis Centre (SCC) is established by the State or Territory Government when an incident occurs or a significant threat is manifest to centralise information and support

decision-makers.

Inter-jurisdictional coordination

National Counter-Terrorism Committee is co-chaired by PM&C and a State/Territory senior official and comprises senior representation from relevant Commonwealth agencies, Premiers' and Chief Ministers' departments and police services from each jurisdiction. It was established by an inter-governmental agreement on national counter-terrorism arrangements on 24 October 2002 to:

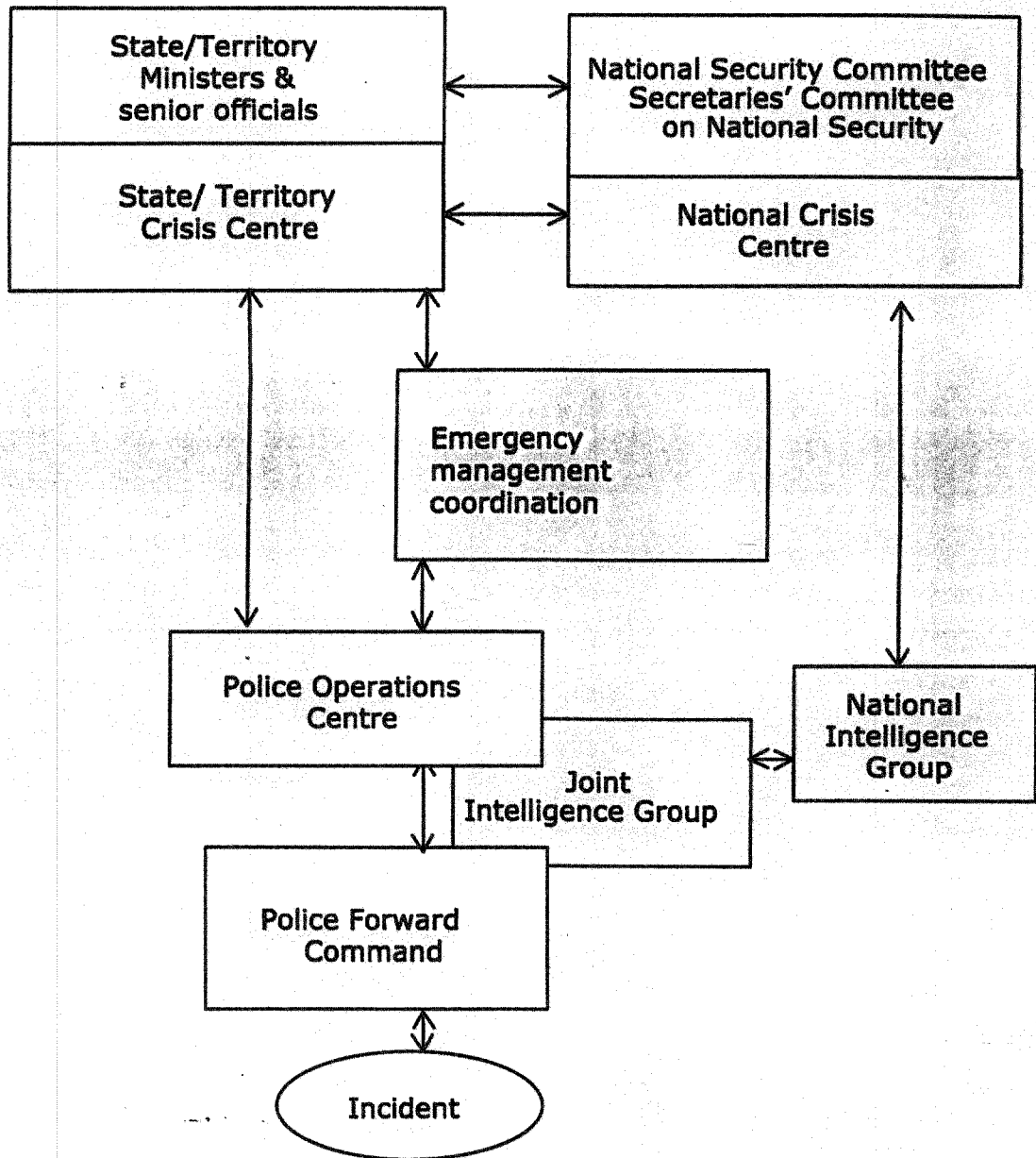
- provide strategic and policy advice to heads of government and relevant ministers;
- coordinate an effective nation-wide counter-terrorism capability;
- maintain effective arrangements for sharing relevant intelligence and information between all relevant agencies in all jurisdictions;
- provide advice in relation to the administration of the special fund; and
- maintain the National Counter-Terrorism Plan and associated documentation.

Protective Security Coordination Centre is a division of the Commonwealth Attorney-General's Department (AGD), which coordinates protective security and counter-terrorism arrangements between Commonwealth, State and Territory agencies and channels communications between the Commonwealth, States and Territories during an incident.

Inter-jurisdictional police coordination will occur through discussion between the relevant Commissioners, including the Commissioner of the Australian Federal Police, to determine the national police response to an incident or the resulting investigation.

Security intelligence coordination ASIO coordinates security intelligence relating to terrorism and, in the event of an incident, establishes the National Intelligence Group to coordinate security intelligence relevant to the incident.

Counter-terrorism management arrangements



•Note States and Territories have different arrangements to coordinate consequence management.