



Submission No 8

Watching Brief on the War on Terrorism

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Counter Terrorism Coordination Unit

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BRIEFING PAPER

NORTHERN TERRITORY POLICE

Sub No 8

**JOINT STANDING COMMITTEE ON FOREIGN AFFAIRS, DEFENCE AND
TRADE – WATCHING BRIEF ON THE WAR ON TERRORISM**

PUBLIC HEARINGS – DARWIN NORTHERN TERRITORY
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The following is an overview of current and on-going Counter Terrorism related security issues and developments in the Northern Territory.

Since the terrorist attacks in New York on September 11 2001, and Bali 12 October 2002, a number of countries, including Australia, have been reviewing their security arrangements particularly in relation to terrorism. These incidents have prompted governments to think differently about the manner in which terrorist attacks occur. Prudent risk management suggests that Governments must enhance their capacity for dealing with such issues.

The Commonwealth and Governments in all states/territories have implemented and continue to implement initiatives to deal with the threat of terrorism including the establishment of dedicated Counter Terrorism Security units within their respective police forces/services.

COORDINATION ARRANGEMENTS

Northern Territory Police participate at a national level in relation to terrorism issues through membership of the National Counter Terrorism Committee. The NCTC representative is Deputy Commissioner Bruce Wernham, who is also a member of the NCTC Executive Committee.

The NT participates along with all other jurisdictions in the standing arrangements for Counter Terrorism Prevention, Response and Recovery in accordance with the IGA on Terrorism, and the National Counter Terrorism Plan and associated Handbook.

On 19 November 2002, the Commissioner announced the appointment of a full time Counter Terrorism Security Coordinator within this organisation. It is anticipated that the security coordination function will eventually become the role of a recognised Unit. This issue is being pursued with Government at the present time through an umbrella Cabinet Submission for sufficient funding to staff the unit including one Superintendent, one Sergeant, one Senior Constable and one Administrative Support Officer. An interim office has been set up on the first floor of PMC. The telephone contact for this office is 89 223332 and 89223325.

The role of the CT Security Coordination Unit includes:

- Maintaining an ongoing liaison with a nominated contact officer in the Department of Chief Minister on issues related to terrorism and security.

- Taking an active role in strategies aimed at the minimisation of politically motivated harm to government and non-government critical infrastructure. As part of this process take part in the whole of government committee addressing the issue of government and non-government infrastructure. In concert with the committee/s, establish a network aimed at timely communication with the holders/operators of government and non-government infrastructure and to facilitate appropriate protocols and response procedures.
- Acting as a liaison point with other areas of Commonwealth and NT Government in relation to security issues.
- In concert with BCI, assessing information received from ASIO/PSCC and disseminating where relevant, CT information in a timely manner to Regional Commanders and Divisional Superintendents.
- Establishing and maintaining a network within the organisation based upon the divisional structure, to facilitate security audits at local level and to identify risk management strategies aimed at addressing areas of vulnerability. Part of this process will include initiating protocols within the wider community as appropriate.
- Briefing the senior executive as necessary, and fulfilling an advisory role to the Commissioner and/or Deputy Commissioner regarding Counter Terrorism issues.
- In concert with Legal Services, contributing to the development of legislation relating to terrorism offences and associated police powers.
- Coordinating Counter terrorism training for police in the Northern Territory provided through the National Counter Terrorism Committee.
- In concert with the Superintendent, Aboriginal and Ethnic Affairs establishing and maintaining liaison with ethnic and religious groups and ensure that timely communication occurs.
- Carrying out liaison duties for the organisation in relation to the activities of the National Counter Terrorism Committee.
- Carrying out other security related duties as directed by the Deputy Commissioner or the Commissioner.

Counter terrorism preparedness activity undertaken by this organisation has involved, amongst other activity, ongoing attendance at National Counter Terrorism Committee (NCTC) forums, extensive liaison and consultation with Government and non government agencies regarding issues such as Critical Infrastructure Protection, development of security/protection plans and arrangements for government and community organisations and facilities, and arrangements to deal with terrorist incidents including those involving chemical, biological and radiological hazards (CBR).

LEGISLATION

Legislation similar to the recently introduced Commonwealth Terrorism legislation (amendments to Part 5.3 of the *Commonwealth Crimes Act* is deemed to be sufficient/appropriate to be adopted by the Northern Territory. As such, the Northern Territory Government passed legislation in the April 2003 sittings requesting the Commonwealth to enact appropriate Legislation for the Northern Territory. This has the effect of providing the Commonwealth the legislative means to deal with terrorism in the NT when and where appropriate.

In addition, a further piece of legislation, the Northern Territory Terrorism (Emergency Powers) Act was passed during the same sittings of Parliament, and commenced operations on 2/7/03. The Act provides for the exercise of special powers by Police to

deal with and/or minimise the impact of any actual or imminent acts of terrorism. These powers may be utilised under an "authorisation" granted by the Commissioner and will, in the interest of public health and safety, allow members to, amongst other things, without warrant, secure and search a relevant target area, vehicle or person for the purpose of locating and seizing evidence.

In addition, Police may exercise other special powers without reference to the "authorisation". These powers provide for the giving of directions to people to leave or not leave an area, the removal of vehicles from an area, the destruction of a thing which may pose a threat and the carrying out of covert surveillance operations. It also provides police with the power to require persons who have or may have been exposed to a Chemical, Biological or Radiological agent to go to a place and remain there until Health Authorities have decontaminated those persons.

Although this legislation does not contain all those powers that Police consider necessary, it will be subject to ongoing review and possible amendment in line with other Commonwealth/State/Territory legislative developments (ie ASIO Act).

Terrorism provisions contained in the existing Northern Territory Criminal Code Act are currently being reviewed to strengthen this jurisdiction's ability to deal with terrorism.

CRITICAL INFRASTRUCTURE PROTECTION

Northern Territory Police participation in a whole of government Committee (Critical Infrastructure Protection Working Group) aimed at the development and implementation of arrangements for the protection of government and non Government critical infrastructure throughout the Northern Territory.

This has included the provision of training to public sector employees in the area of 'Crime Prevention Through Environmental Design' (CPTED). The Northern Territory Government has developed and implemented of an interim Protective Security Manual that provides guidelines for establishing minimum-security arrangements for government agencies and facilities.

The CIPWG has identified and compiled a database containing a list of critical government and non-government owned or operated infrastructure elements in the Northern Territory. The list provides:

- The name and general description of the infrastructure entity;
- the location of the infrastructure;
- contact details for the infrastructure; and
- an explanation, as to how that infrastructure entity meets the definition of "critical" in accordance with the NCTC Principles for a National Counter Terrorism for Critical Infrastructure Protection Strategy document.

Arrangements are underway for the establishment of a Project Manager position to progress the Critical Infrastructure Protection process, which will see relevant

agencies/organisations involved in the development of contingency/Business Continuity Plans for their operations in the event of a terrorist attack.

NT Police have entered into an agreement with a private Communications company for the acquisition of an electronic automated alert system (Active Alert) which will enable Police to provide operators of Critical Infrastructure timely advice in relation to any changes in threat alert levels, or specific threat information to their operations.

Northern Territory Police and Emergency Services personnel also participate in the National Emergency Management Sector Critical Infrastructure Protection Working Group forums, which deal with issues of critical infrastructure from an emergency services' perspective. The forum commenced in December 2002 and is chaired by Emergency Management Australia (EMA).

CHEMICAL, BIOLOGICAL RADIOLOGICAL ISSUES

The Northern Territory recognises the potential threat posed by the use of Chemical, Biological, Radiological (CBR) agents by terrorists groups or individuals. As such, a Northern Territory Chemical, Biological, Radiological (CBR) Working Group has been established which consists of emergency response agencies including Health, St John Ambulance, NT Police, Australian Defence Forces, and NT Emergency Services. This forum oversees the development of effective CBR response arrangements and capability, in the event of a terrorist action involving that type of material.

A CBR Incident Response Planning sub-committee is in the process of compiling a multi-agency CBR incident response plan for the Northern Territory, clearly setting out the roles and responsibilities of all responding agencies.

In support of capability development for CBR response in the Northern Territory, the first consignment of NCTC provided CBR protective equipment for Police Tactical First Responders (Bomb Technicians and TRG Tactical Operators) arrived in Darwin on 9 May 2003. This included 10 fully encapsulated protective suits and 5 dual-tank self-contained breathing apparatus kits. The remainder of the equipment ordered (78 Level C tactical operators protective suits, and a Blast Guard mitigation system will be delivered in the second half of 2003).

In addition to this equipment for Police Tactical First Responders, the Northern Territory are still negotiating the terms of an MOU with the Commonwealth for the provision by the Commonwealth of \$1.7million of CBR protection and detection equipment, and training for all agency first responders (Police, Fire, Emergency Services, Health, Ambulance). The NT Government will be asked to provide recurrent funding of \$170,000 per annum for repair, maintenance and replacement of this equipment commencing 2006/07.

Northern Territory Police and other Agencies (Health, Fire Services, Emergency Services, and Ambulance) recently sent personnel to Mount Macedon to receive training in the use of this protection/detection equipment. These personnel will conduct training within their respective organisations in the near future.

NORTHERN TERRITORY/COMMONWEALTH LIAISON

Northern Territory Police participate in regular Security Intelligence Exchange meetings with the Australian Federal Police and other Commonwealth agencies such as ASIO, the Australian Defence Forces, and Australian Customs Service on terrorism related issues. Meetings are conducted weekly.

Northern Territory Police also participate in the National Security Hotline arrangements established by the Commonwealth and coordinated by the Protective Security Coordination Centre in Canberra. Calls from the public on terrorism related issues are referred to the NT Police Joint Communications Centre in Darwin where they are referred to the Counter Terrorism Coordination Unit for assessment and further follow-up action where necessary.

Northern Territory Police are engaged with the Australian Federal Police in an arrangement under a Memorandum of Understanding for a Joint Counter Terrorism Team in the Northern Territory. This Joint Counter Terrorism Team commenced operations in Darwin on 2 May 2003 and consists of one AFP member and one NT Police member. These joint teams have been established in every jurisdiction with the primary objective of identifying, oppressing and prosecuting those persons involved in preparatory terrorist activity prior to an incident occurring. The Team members in Darwin liaise closely with their parent organisations to ensure an effective flow of intelligence is maintained.

EXPLOSIVES AND HAZARDOUS GOODS

Northern Territory Police are also providing assistance with the review of security arrangements regarding the storage, handling and transportation of explosives and other hazardous materials, including specific security assessments of government magazines located in Darwin and Alice Springs. ASIO T4 Group has been engaged to conduct a security assessment of explosive magazines in Darwin and Alice Springs that commenced on 7 July 2003.

VISITING US WARSHIPS SECURITY

Due to the fact that United States interests are perceived to be at a greatly heightened risk of terrorist activities, the US Government has sought a higher degree of security surrounding visits to this country by their ships. Water based exclusion zones are maintained in Darwin Harbour by police during the course of those visits and additional land-side security is provided by armed police whilst vessels are berthed at the wharf.

Since 4 May 2002, the Northern Territory has received 21 separate visits by US Warships. A total of 26 vessels have been involved in those visits. Northern Territory Police liaise regularly with the US Naval Criminal Investigative Service (NCIS) through an established intelligence sharing forum held at the AFP offices, to identify and address any perceived or actual security concerns surrounding the visits.

As a matter of course, a threat assessment for each visit is conducted by ASIO and provided to NT Police. All such visits have and will continue until further notice to attract a threat level status of Level 2 (HIGH), which sees both land and water based security arrangements put in place by NT Police. This usually involves the public

gazettal of exclusion zones around where the vessels are berthed or anchored, which is enforced by NT Water Police and General Duties members.

PARTICIPATION IN NATIONAL COUNTER TERRORISM EXERCISES

The Northern Territory participates in a training/exercise regime, under the auspices of the National Counter Terrorism Committee (NCTC), to develop prevention/response/investigation and consequence management capabilities to deal with terrorism.

This participation has been in place for many years under the old Standing Advisory Committee for Protection Against Violence (SAC-PAV) umbrella. A large number of Police members have been trained in counter terrorism disciplines including Command and Control, Police Tactical Response, Negotiation, Bomb Response, Bomb Scene Examination and Counter Terrorism Intelligence. These skills are tested in an on-going cycle of national and local Counter Terrorism exercises.

Northern Territory Police will play a major role when we participate in a major 'multi-jurisdictional' exercise (MJEX) in April 2004. The Northern Territory will be the host jurisdiction, with Tasmania, Victoria and South Australia as the other players. This exercise will be the first of the new MJEX's under the recently revised NCTC exercise regime. It is likely that the scenario will be based on a 'Bali Bombing' type incident, where Consequence Management and Criminal Investigation elements will play a major role in the exercise.
