



COMMONWEALTH OF AUSTRALIA

Proof Committee Hansard

SENATE

FOREIGN AFFAIRS, DEFENCE AND TRADE REFERENCES
COMMITTEE

Reference: Security threats to Australians in South-East Asia

WEDNESDAY, 23 JUNE 2004

CANBERRA

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SENATE
FOREIGN AFFAIRS, DEFENCE AND TRADE REFERENCES COMMITTEE

Wednesday, 23 June 2004

Members: Senator Hutchins (*Chair*), Senator Sandy Macdonald (*Deputy Chair*), Senators Hogg, Johnston, Marshall and Ridgeway

Substitute member: Senator Stott Despoja

Participating members: Senators Abetz, Boswell, Brandis, Brown, Carr, Chapman, Collins, Conroy, Coonan, Denman, Eggleston, Evans, Faulkner, Ferris, Fifield, Forshaw, Harradine, Harris, Kirk, Knowles, Lees, Lightfoot, Mackay, Mason, McGauran, Murphy, Nettle, Payne, Santoro, Stott Despoja, Tchen, Tierney and Watson

Senators in attendance: Senators Hutchins, Johnston, Kirk, Santoro and Stott Despoja

Terms of reference for the inquiry:

To inquire into and report on:

The performance of the Department of Foreign Affairs and Trade (DFAT) and other relevant agencies of the Commonwealth Government in the assessment and dissemination of threats to the security of Australians in South-East Asia in the period 11 September 2001 to 12 October 2002, including:

- a) The assessment made by DFAT and other relevant agencies of the Commonwealth Government of the threat to Australians in South-East Asia from al Qaeda (and associated terrorist organisations) prior to 11 September 2001
- b) Any change in the assessment of the threat to Australians in South-East Asia from these terrorist organisations arising from the terrorist events of 11 September 2001 and the decision by Australia to participate in military actions with other coalition partners against al Qaeda in Afghanistan in November 2001.
- c) Any further changes in the assessment of the threat to Australians in South-East Asia from these terrorist organisations arising from the arrest and interrogation of the so-called 'Singapore bombers' in the period December 2001 to February 2002.
- d) Any further change in threat assessments to Australians in South-East Asia arising from the arrest and interrogation of Omar al-Faruq.
- e) Any subregional variations on the assessment of the threat to Australians in South-East Asia in the period 11 September 2001 to 12 October 2002, in particular within Indonesia including Jakarta and Bali.
- f) Any differences between the assessments of the threat made by DFAT and other related agencies of the Commonwealth Government agencies, and the assessments of the threat made by the United Kingdom, the United States, New Zealand, Singapore and Canada over the security of their nationals for the same period.
- g) Any differences between the assessments of the threat made by DFAT and other related agencies of the Commonwealth Government and the content of the travel advisories, embassy bulletins and travel bulletins provided by DFAT over the period 11 September 2001 and 12 October 2002.
- h) Any differences between DFAT travel advisories, travel bulletins and embassy bulletins between the period 11 September 2001 to 12 October 2002.
- i) DFAT's conclusion on improvements to the dissemination of travel advisories, travel bulletins and embassy bulletins to the Australian travelling public in the future.

WITNESSES

FARMER, Mr David Michael John, Senior Analyst, South-East Asia Branch, Office of National Assessments 507

GORDON, Mr Richard Alexander, Former Branch Head, Pacific Branch, Office of National Assessments 507

VARGHESE, Mr Peter, Director General, Office of National Assessments 507

23/06/20041CanberraSenateFOREIGN AFFAIRS, DEFENCE AND TRADE REFERENCES COMMITTEESecurity threats to Australians in South-East Asia507

Committee met at 9.14 a.m.

unknownunknown507FARMER, Mr David Michael John, Senior Analyst, South-East Asia Branch, Office of National Assessments

unknownunknown507GORDON, Mr Richard Alexander, Former Branch Head, Pacific Branch, Office of National Assessments

unknownunknown507VARGHESE, Mr Peter, Director General, Office of National Assessments

10000507CHAIR0**CHAIR**—I declare open this meeting of the Senate Foreign Affairs, Defence and Trade References Committee. Today the committee is holding what it expects to be its last public hearing into the assessment and dissemination of threats to the security of Australians in South-East Asia during the period 11 September 2001 to 12 October 2002. The committee expects to table its report before 5 August. Today's hearing is open to the public. This could change if the committee decides to take any evidence in private. This hearing will adjourn at approximately 11.00 a.m.

Witnesses are reminded that the evidence given to the committee is protected by parliamentary privilege. It is important for witnesses to be aware that the giving of false or misleading evidence to the committee may constitute a contempt of the Senate. If at any stage a witness wishes to give part of their evidence in camera they should make that request to me as chair and the committee will consider that request. Witnesses will be invited to make a brief opening statement to the committee before the committee embarks on its questions.

I welcome witnesses from the ONA this morning. Gentlemen, we have asked you to come back today because after you left when you last appeared before the committee there was a bit of dispute about dates from the Department of Foreign Affairs and Trade. We would like to pursue that with you. I might ask my colleague Senator Kirk to open the batting in that area.

00A00507Kirk, Sen Linda0**Senator KIRK**—Have you had the opportunity, Mr Varghese, to read the *Hansard* record of the hearing of 28 May, in particular the evidence given by DFAT?

unknown507unknown1**Mr Varghese**—Yes, I have.

00A00507Kirk, Sen Linda0**Senator KIRK**—As you will be aware, there appeared to be some kind of conflict between the evidence given by you and the evidence given by DFAT in relation to a meeting that may or may not have occurred following the 18-19 June oral briefing with Minister Downer. Could you again give the committee an account of your recollection in relation to whether or not there was a meeting following the 18-19 June meeting or whether or not it was prior to the 18-19 June meeting.

unknown507unknown1**Mr Varghese**—I am not sure there is very much more that I can add to the testimony that we gave when we last met with you. I will ask my colleagues to also comment if they feel like it. I was not director general at that time, so I am going off the records that ONA

has and basing this on discussions with my colleagues. You will be aware from our previous appearance that our recollection was that there was a meeting with DFAT both before and after the June briefing with the foreign minister. The meeting after the June meeting with the foreign minister was intended essentially to cover the same ground as the briefing that was provided to Mr Downer.

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I am conscious that the committee has before it two quite different views on whether that second meeting was held or not. I am afraid I cannot provide you with any further information that might help you reconcile that. I appreciate that it is an issue which the committee might find untidy. I cannot really offer you an explanation as to why there are two such different recollections of what happened. I can only repeat, and I confirmed this with both Mr Gordon and Mr Farmer this morning, that they both have a very clear recollection of attending a meeting with DFAT after the briefing with Mr Downer.

10000508CHAIR0**CHAIR**—In the *Hansard*, Mr Kemish says quite clearly on a number of occasions:

As far as DFAT is concerned this meeting did not happen.

He says:

The meeting as described by ONA did not happen.

You might be the director general now, but you were not then. Mr Gordon, were you at these meetings?

unknown508unknown1**Mr Gordon**—Yes.

10000508CHAIR0**CHAIR**—So you were at the meetings that DFAT says did not occur?

unknown508unknown1**Mr Gordon**—Yes. There were two meetings. There was one before we saw Mr Downer and, to my recollection, one subsequent to that. It was arranged in fact as we were coming out of Mr Downer's office. That is my recollection.

10000508CHAIR0**CHAIR**—Have you seen the *Hansard* of this?

unknown508unknown1**Mr Gordon**—Yes.

10000508CHAIR0**CHAIR**—And you saw how emphatic, to use my words, Mr Kemish was that this meeting did not occur and that he had gone—

unknown508unknown1**Mr Gordon**—He was not present, to my recollection.

10000508CHAIR0**CHAIR**—Okay. But he says that he has looked at sign-in records and diaries of the DFAT officers and said that it did not occur on that date. It is for me, and I am sure for my colleagues, quite perplexing that we have a senior bureaucrat saying a meeting did not occur—and particularly in this security conscious area—and you are saying it did. In particular—

unknown509unknown1**Mr Gordon**—That is my recollection, yes.

00A00509Kirk, Sen Linda0**Senator KIRK**—Are you aware of the date of this subsequent June meeting? Were there any notes or records taken at that meeting?

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unknown509unknown1**Mr Gordon**—It would not be our practice to record meetings of that nature. Let me put it into a broader context. Our contacts with DFAT over this issue went back to after 11 September. There was an extraordinary range of contacts with them during this whole period. We were in fact particularly keen, especially as our own thinking evolved, to keep DFAT abreast of it and not to rely on the impression that our written word only would have conveyed. We were quite active throughout this whole period in seeking to ensure that DFAT understood our perspectives. We would see these meetings as part of that broader context but looking at the specific issues raised in Mr Downer's briefing.

One reason that I personally recollect the second meeting is that David used, when talking to the DFAT officers, the briefing notes that he had prepared for Mr Downer. I remember them particularly because on both occasions the question of the use of powder and the amount of explosive material required to create an explosion was discussed. He cited the experience of the Oklahoma bombing, with which I was not personally familiar, not having much of a mind for these technical aspects at all. I certainly recall that that issue was discussed and I was not aware of it until the matter was discussed with Mr Downer.

00A00509Kirk, Sen Linda0**Senator KIRK**—Do we have a date for the subsequent meeting, as far as you are aware?

unknown509unknown1**Mr Gordon**—Not to my recollection.

00A00509Kirk, Sen Linda0**Senator KIRK**—Do you think it was one week after the 19 June meeting, two weeks or what?

unknown509unknown1**Mr Farmer**—It was about two to three weeks after the minister's brief.

00A00509Kirk, Sen Linda0**Senator KIRK**—Who was present? You and Mr Farmer?

unknown509unknown1**Mr Gordon**—There were six people present. There were two ONA officers and four officers from DFAT.

00A00509Kirk, Sen Linda0**Senator KIRK**—Do we have their names? Who were they? Do you recall which officers from DFAT were present?

unknown509unknown1**Mr Farmer**—I do.

00A00509Kirk, Sen Linda0**Senator KIRK**—Could you tell us who they were?

unknown509unknown1**Mr Farmer**—Mr Paterson, Mr Nethery, Mr Engel and Ms Millington. This is how I can recall that there were two meetings, because the attendance at the first meeting before the minister's brief was actually different. It was more made up of members of the South-

East Asia Branch, whereas the subsequent meeting was mostly made up of officers from the international security area.

[unknown510unknown1](#)**Mr Gordon**—In that respect, DFAT itself was changing. Indeed, with our own role in this, it was a very difficult issue for us, our not being terrorist experts but really political security analysts, in the broad old-fashioned sense of that word. Our past dealings had been more or less exclusively with the South-East Asia Branch. But DFAT was changing its arrangements for the handling of these issues and it then transferred to Bill Paterson's division. I had many conversations with Bill over the phone about these issues and otherwise.

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[00AOO510Kirk, Sen Linda0](#)**Senator KIRK**—Do we have a date for the meeting earlier in June that you have referred to, the one prior to the briefing with Mr Downer?

[unknown510unknown1](#)**Mr Farmer**—I believe that DFAT have said it was the 9th or the 7th; I cannot exactly recall.

[00AOO510Kirk, Sen Linda0](#)**Senator KIRK**—What persons were present at that?

[unknown510unknown1](#)**Mr Farmer**—It was a larger group, and I know it was a different group because there were different individuals there. No, I could not tell you who exactly was there.

[00AON510Johnston, Sen David0](#)**Senator JOHNSTON**—You said it was the 9th or 7th?

[unknown510unknown1](#)**Mr Farmer**—Of June.

[00AOO510Kirk, Sen Linda0](#)**Senator KIRK**—June 7. You say that at neither of those meetings were notes taken by anyone from ONA?

[unknown510unknown1](#)**Mr Farmer**—We were in transmission mode. We were actually giving the brief rather than receiving the brief. We would not normally be taking notes in those circumstances.

[00AOO510Kirk, Sen Linda0](#)**Senator KIRK**—Do you recall whether or not at that second meeting—if we can call it that—notes were taken by anyone from DFAT, whether it was Mr Paterson, Mr Engel or Ms Millington?

[unknown510unknown1](#)**Mr Farmer**—I cannot recall, no.

[10000510CHAIR0](#)**CHAIR**—Was it at that second meeting you mentioned the Oklahoma bombing?

[unknown510unknown1](#)**Mr Gordon**—Yes.

[10000510CHAIR0](#)**CHAIR**—That was the second meeting which is disputed by DFAT; is that right?

[unknown510unknown1](#)**Mr Gordon**—That is my recollection, yes.

[unknown511unknown1](#)**Mr Farmer**—And mine. Indeed, I only acquired that information on the day we went for the briefing to Minister Downer. That is how I know that the two briefings we had were subsequent to that particular period.

[00AOO511Kirk, Sen Linda0](#)**Senator KIRK**—Where did the meeting take place?

[unknown511unknown1](#)**Mr Farmer**—In an upstairs office with windows, looking out the courtyard toward Parliament House, in the mid-to late afternoon, but I could not tell you on what date.

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[unknown511unknown1](#)**Mr Gordon**—In Mr Paterson's office.

[unknown511unknown1](#)**Mr Farmer**—I had not been in the office before.

[00AOO511Kirk, Sen Linda0](#)**Senator KIRK**—You say that it took place in Mr Paterson's office?

[unknown511unknown1](#)**Mr Gordon**—Yes.

[00AOO511Kirk, Sen Linda0](#)**Senator KIRK**—In the DFAT building?

[unknown511unknown1](#)**Mr Gordon**—Yes.

[00AOO511Kirk, Sen Linda0](#)**Senator KIRK**—I wonder why then DFAT told us that there are no records of any ONA people or anyone coming into the building at that time.

[unknown511unknown1](#)**Mr Farmer**—Because at that stage there would be no record of ONA people in the building, in the same way that we have ONA issued parliamentary passes to enable us to get into this building and there would be no record of my presence here right now. That was the system in DFAT at the time. ONA had a number of courier passes. ONA officers who were required to be in DFAT for whatever purpose would use the courier passes and they would not be registered. Our actual presence would not be on any of their records were they to search for them. In the same way, I think DFAT have identified that they agree there was a meeting on 7 June; I am sure that if they did a search they would not find our presence on their records for that meeting either.

[unknown511unknown1](#)**Mr Gordon**—In those days neither David nor I had personal passes to DFAT. DFAT tightened up its pass system because there were too many passes. One had to have, I think, an argument that you would be in the foreign affairs building a couple of days every week to qualify for a pass. So, to help them out with their work in the area of security, many of us resolved—other than the director general—to use the courier passes.

[10000511CHAIR0](#)**CHAIR**—When you went to the disputed meeting in Mr Paterson's office, was the minister there as well?

[unknown511unknown1](#)**Mr Gordon**—Who?

[10000511CHAIR0](#)**CHAIR**—I am sorry; I am mixed up.

unknown512unknown1**Mr Gordon**—Certainly not, no.

10000512CHAIR0**CHAIR**—The disputed meeting: when you went into this building, did you know where to go to get to it?

unknown512unknown1**Mr Gordon**—Yes.

10000512CHAIR0**CHAIR**—So you just walked in and walked past security and all that?

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unknown512unknown1**Mr Gordon**—Yes.

00A00512Kirk, Sen Linda0**Senator KIRK**—The meeting had been prearranged?

unknown512unknown1**Mr Gordon**—Yes. My recollection is that a time was tentatively set or a meeting at least certainly was discussed when we came out of Mr Downer's office with Mr Paterson. Subsequent to that I think, following on from foreign affairs' own work in response to the meeting with Mr Downer, they sent us a series of questions.

BOT512Santoro, Sen Santo0**Senator SANTORO**—Mr Gordon or Mr Farmer, do you record things like that in a physical diary? I, for example, have two diaries: an electronic diary and a hand-held diary. Did you record in a hand-held diary, pocket diary or electronic diary that you were going to such a meeting?

unknown512unknown1**Mr Gordon**—No.

BOT512Santoro, Sen Santo0**Senator SANTORO**—Your evidence coincides with the evidence of the DFAT people that they also have no record, electronic or physical, of any meeting. I find it incredibly unusual—in fact I just find it incredible—that you have up to seven or eight participants in a meeting and none of them can trace within either a physical diary or an electronic diary an entry saying that that meeting has taken place. I will come back to the issue of making notes about the meeting, because I also find it incredible that at such a meeting nobody took notes. Do you find it unusual, or as incredible as I do, that all of these people—particularly when it was supposed to be a meeting subsequent to a briefing given to a minister—kept no record? I assume that the meeting would have had some status above and beyond that of a normal meeting; it would have had very important status. Is that usual practice within ONA? I want to come back to the issue of taking notes at meetings or keeping a record of at least some of the issues raised at meetings, but do you find it incredible that all of these people from both agencies do not record that the meeting has taken place, particularly subsequent to a meeting with the minister where the issue being discussed was raised? Sorry to be so longwinded. I just want to stress that it is highly unusual that busy people—key people in organisations—have no record of a meeting.

unknown512unknown1**Mr Gordon**—Yes.

BOT512Santoro, Sen Santo0**Senator SANTORO**—Doesn't that militate against the suggestion that the meeting did take place—your contention that the meeting did take place?

[unknown513unknown1](#)**Mr Farmer**—I do not find it unusual at all that people did not record it. It certainly was not my practice at the time to make diary records of that type.

[BOT513Santoro, Sen Santo0](#)**Senator SANTORO**—So all the meetings that you attend—

[unknown513unknown1](#)**Mr Farmer**—Now I do. My frequent appearances before this committee have taught me that lesson.

[BOT513Santoro, Sen Santo0](#)**Senator SANTORO**—So you are telling me that if we went through your electronic diary and any physical diaries that you kept prior to that meeting—

[unknown513unknown1](#)**Mr Farmer**—I did not keep physical diaries.

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[BOT513Santoro, Sen Santo0](#)**Senator SANTORO**—Electronic diaries?

[unknown513unknown1](#)**Mr Farmer**—I do not keep electronic diaries.

[BOT513Santoro, Sen Santo0](#)**Senator SANTORO**—So you just wandered from meeting to meeting and went about your official, and presumably also unofficial, business each day off the top of your head?

[unknown513unknown1](#)**Mr Farmer**—No; I used to use my flip calendar. I would write down what meetings I had on my flip calendar, and at the end of the year I used to throw my flip calendar out.

[BOT513Santoro, Sen Santo0](#)**Senator SANTORO**—So the flip calendar is not there—okay. I do not know what I can add to that line of questioning other than to repeat that I find it incredible. I am not trying to be flippant or even sarcastic; I am just saying that it is a very unusual way of—

[unknown513unknown1](#)**Mr Farmer**—If I could describe it a bit for you—

[BOT513Santoro, Sen Santo0](#)**Senator SANTORO**—I have kept each one of these diaries for the last 25 years.

[unknown513unknown1](#)**Mr Farmer**—In your job, I would too.

[1000513CHAIR0](#)**CHAIR**—Have they ever been used in court?

[BOT513Santoro, Sen Santo0](#)**Senator SANTORO**—If they ever have to be, they will be there. If they ever have to be used at an inquiry such as this, they will be there.

[unknown513unknown1](#)**Mr Farmer**—There were regular meetings with members of DFAT on a range of issues, not just on terrorism, in South-East Asia. These were generally held on a fairly informal basis. Often there would be no record. There would simply be a phone call saying, ‘We’re coming over next Wednesday; can you fit us in?’ or whatever. That would be the normal case.

[BOT514Santoro, Sen Santo](#)**Senator SANTORO**—And you would remember because it would be in the flip diary?

[unknown514unknown1](#)**Mr Farmer**—I would write it down in my flip diary if such a meeting was organised. On the fact that we do not have anything written down—any record or any notes taken—I go back to the point I made earlier: we were in transmission mode and would not be taking notes in that circumstance. So I do not find it unusual at all.

[00AOO514Kirk, Sen Linda](#)**Senator KIRK**—You say that it was when you were leaving the meeting with Minister Downer that there was a suggestion that there be the subsequent meeting: is that correct?

[unknown514unknown1](#)**Mr Farmer**—That is correct.

[00AOO514Kirk, Sen Linda](#)**Senator KIRK**—Who suggested that?

[unknown514unknown1](#)**Mr Farmer**—Mr Paterson.

[00AOO514Kirk, Sen Linda](#)**Senator KIRK**—Was the time and place of that subsequent meeting determined then and there?

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[unknown514unknown1](#)**Mr Farmer**—No.

[00AOO514Kirk, Sen Linda](#)**Senator KIRK**—When was it determined then, and by what method?

[unknown514unknown1](#)**Mr Farmer**—As I recall, it was through a telephone call saying, ‘Can you be here? We have a window, can you come and see us.’ Ahead of that meeting, the email from Ms Millington, which I believe was dated 28 June, was sent across to us to identify areas they would like us to cover in that brief, and we did so.

[00AOO514Kirk, Sen Linda](#)**Senator KIRK**—Perhaps we will come back to that. So you say that it was Mr Paterson who suggested the meeting. Was there a sense of urgency?

[unknown514unknown1](#)**Mr Farmer**—Very much so. He came out of our brief—after listening to the brief to the foreign minister—and said that a lot of this was new to him and he was concerned that we were so agitated about the issue, and he asked if we could come and brief members of his division.

[10000514CHAIR](#)**CHAIR**—This is the meeting they now say did not occur?

[unknown514unknown1](#)**Mr Farmer**—No. This was immediately following our briefing to the foreign minister. In the anteroom of the foreign minister’s suite we had this discussion, and Mr Paterson asked us to come and brief members of his division, which to me is a little inconsistent with previous testimony that Mr Paterson had been at this 7 June meeting. Had that been the case, this would not have been new information to him.

00A00515Kirk, Sen Linda0**Senator KIRK**—So it was he who initiated it, there was a sense of urgency and he felt that his officers needed to be briefed further on this urgent matter?

unknown515unknown1**Mr Gordon**—We had had conversations with Mr Paterson going back some time on this issue. He is a very sensitive, very professional officer.

00A00515Kirk, Sen Linda0**Senator KIRK**—Yes, but following the meeting with Minister Downer he felt as though there was further information that he required?

unknown515unknown1**Mr Gordon**—Yes. I think he was concerned in this case over some time that we were on the same wavelength—that they fully understood the basis on which we were shifting our analysis of the nature of the threat. That was a process, as you would recall from our initial statement, that went over a period of three to four months even. I think it was in about April that we became more definitive, as my recollection goes, but I have not been working on this subject for over 12 months now.

00A00515Kirk, Sen Linda0**Senator KIRK**—Okay, so there was a sense of urgency and a wish to set up a meeting quite quickly, and then what you have told us is that it was by telephone correspondence that the meeting was subsequently set: is that correct? Was it at Mr Paterson's initiation?

unknown515unknown1**Mr Farmer**—He initiated the meeting itself. I am not sure whether he actually made the telephone calls to say that it would be on this day or at this time. I simply cannot recall who that was. But I know that the email was sent across to us as a primer for that particular meeting.

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00A00515Kirk, Sen Linda0**Senator KIRK**—I want to go to that email now. Is that the email dated 28 June?

unknown515unknown1**Mr Farmer**—Yes, I believe so.

00A00515Kirk, Sen Linda0**Senator KIRK**—And that email was sent from DFAT to yourselves?

unknown515unknown1**Mr Farmer**—That is correct.

00A00515Kirk, Sen Linda0**Senator KIRK**—And it was headed, 'Terrorism questions'?

unknown515unknown1**Mr Farmer**—Yes.

00A00515Kirk, Sen Linda0**Senator KIRK**—What was the response of ONA to the email?

unknown515unknown1**Mr Farmer**—We did not make a written response, because we addressed the questions in the subsequent brief.

00A00515Kirk, Sen Linda0**Senator KIRK**—We do not have a date for the second meeting, but it must have been post 28 June?

unknown516unknown1**Mr Farmer**—That is right.

00AOO516Kirk, Sen Linda0**Senator KIRK**—So in early July or thereabouts?

unknown516unknown1**Mr Farmer**—Or later on the day of 28 June, I suppose, but any time from that day on.

00AOO516Kirk, Sen Linda0**Senator KIRK**—So is it your recollection that, upon receiving this email dated 28 June, the meeting that was supposedly occurring or took place was shortly after 28 June, because of the sense of urgency?

unknown516unknown1**Mr Farmer**—Yes, that would be my sense of it. I said earlier that I think the meeting itself was about two to three weeks after our briefing to the foreign minister so, based on those figures, it would not have been too long afterwards.

00AOO516Kirk, Sen Linda0**Senator KIRK**—You say that the meeting that took place was to respond to the questions set out in the email entitled ‘Terrorism questions’—

unknown516unknown1**Mr Farmer**—In part. The subsequent meeting was actually to brief members of ISD in DFAT and bring them up to speed with our concerns of the growing risks of terrorism in South-East Asia in the same way we had done with the foreign minister. I actually used the same briefing notes that I had used for the foreign minister for that subsequent meeting and, in addition, we covered the questions that had been sent across in the email from Ms Millington.

00AOO516Kirk, Sen Linda0**Senator KIRK**—I understand that there were six questions or thereabouts in the email.

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unknown516unknown1**Mr Farmer**—Yes, thereabouts.

00AOO516Kirk, Sen Linda0**Senator KIRK**—What did you say in this meeting that you say answered the following question? How did you answer the following question:

‘What evidence/theory is behind the idea that terrorists would most likely target western interests in Bali?’

unknown516unknown1**Mr Farmer**—My recollection is that I basically revisited the same points we had made to the foreign minister in answering the question of what sorts of targets there would be in South-East Asia. I addressed why I thought Bali would fit the profile as a target for terrorists in South-East Asia. Basically we addressed relevant parts of that question.

unknown516unknown1**Mr Gordon**—On the question of evidence, Senator, there was no evidence that Bali was a specific target.

00AOO516Kirk, Sen Linda0**Senator KIRK**—How long did you spend discussing the specific issue of Bali during the course of this meeting?

unknown516unknown1**Mr Farmer**—Ten minutes maybe.

00A00517Kirk, Sen Linda0**Senator KIRK**—What was the length approximately of the meeting?

unknown517unknown1**Mr Farmer**—It went for about two hours, from my recollection.

unknown517unknown1**Mr Gordon**—It was quite a long meeting. I do not recall the exact time.

10000517CHAIR0**CHAIR**—Two hours, and they have disputed it even happened!

BOT517Santoro, Sen Santo0**Senator SANTORO**—If I could follow up the additional questions. You said that you used the briefing notes that assisted you during the meeting with the minister—

unknown517unknown1**Mr Farmer**—That is correct.

BOT517Santoro, Sen Santo0**Senator SANTORO**—and that there were additional questions that were asked of you by the department. Did you consult anybody else within ONA as you put together answers, or material that would have helped you answer those additional questions?

unknown517unknown1**Mr Farmer**—No, Senator. There was no need for me to do so. Some of the questions that were put to us in the email we did not respond to because, in the normal course of giving the same brief we had given to the minister, they were answered. They were well and truly encompassed in that brief.

BOT517Santoro, Sen Santo0**Senator SANTORO**—So you consulted nobody else. Did you consult Mr Gordon in preparing material that made up the answers to the extra questions?

unknown517unknown1**Mr Farmer**—On the questions, we both felt there was no problem for us to answer those sorts of questions off the top of our heads.

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BOT517Santoro, Sen Santo0**Senator SANTORO**—So you went into the meeting without having discussed with each other the type of advice that you would be giving?

unknown517unknown1**Mr Varghese**—Could I make some comments about this whole process. One is that I accept that it is an untidy situation for the committee to be given essentially conflicting advice about whether a meeting was held or not.

00A0N517Johnston, Sen David0**Senator JOHNSTON**—That is a very nice word—‘untidy’. I do not think that is appropriate. I have got to tell you it is of great concern to us.

unknown517unknown1**Mr Varghese**—Thank you, Senator.

10000517CHAIR0**CHAIR**—He is a government senator too.

unknown517unknown1**Mr Varghese**—I thank all senators. We can only answer your questions to the best of our recollection. We have given you as much information about that meeting as we are able to, but can I say this about the whole process of recording what is said and what is not said. ONA produces formal written product which is its authoritative view on the nature of the issues that we address, and we stand by our written product. In the course of our daily working

life, we have lots of conversations with lots of people who are interested in ONA's perspective and they always remain informal. They remain informal because we have a very clear process of writing down our judgments so that people can read them and make what they will of them. The idea that, every time in our day-to-day contact that we were offering perspectives on issues, we would record what we say is simply not part of our work practice and would be quite inconsistent with the way in which the office operates. I would not want the committee to have the impression that ONA is engaged in a whole lot of formal oral advice to policy makers or decision makers that goes unrecorded, because our advice is always written and is always circulated in that form. So, while it may appear somewhat surprising that we attend meetings and do not record it, it is actually not all that surprising when you look at the way in which national assessments and current assessments are actually formulated.

10000518CHAIR0**CHAIR**—What we are surprised about is that Mr Kemish came in here and was quite emphatic that this meeting never took place: he went to great lengths to tell us that it did not take place.

unknown518unknown1**Mr Varghese**—I understand that. It would not be the first time in anyone's life where people have had different recollections of something—but I am not diminishing the issue.

10000518CHAIR0**CHAIR**—I know that you joined ONA only recently. We appreciate Mr Farmer and Mr Gordon, in particular, coming here today to tell us that their recollection is that this meeting did in fact occur.

unknown518unknown1**Mr Varghese**—Exactly.

10000518CHAIR0**CHAIR**—But we have the people who are in charge of the travel advisories to the government saying that it did not and in particular, as a result of an email that went out expressing concern about the developments of terrorism in South-East Asia.

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unknown518unknown1**Mr Gordon**—But it is not clear to us that it came from the travel advisory people, and it was never put to us in those terms.

10000518CHAIR0**CHAIR**—No. These people are in charge of developing travel advisories to the government. I am saying to you that these people say they never had any discussions at all with you.

unknown518unknown1**Mr Gordon**—If we did not, they certainly never came back to ask us why we had not responded to their message, in that case. I received no communications, and I do not think David did, from Foreign Affairs as to what happened to the message. We would take, in any case, indications from Foreign Affairs of that nature as briefing guidance for us to shape our product. We welcome it and we think it is most important that we get it. In fact, to my recollection, this was one of the first real expressions of interest we had had from DFAT on the subject in those quite specific terms.

[unknown518unknown1](#)**Mr Farmer**—As for travel advisories, at neither the 7 June meeting, the briefing to the minister nor the subsequent meeting that we held with DFAT were any members of the consular branch present.

[unknown519unknown1](#)**Mr Gordon**—Nor were they meetings about consular warning, advice or travel. That was not a subject of discussion. What the meetings were about—the first and the second one—was our trying to explain the nature of our concerns about terrorism in South-East Asia and why we were concerned. The question of Bali did arise, including from the DFAT question, because that was a natural question to ask. But at both meetings, as I recall, we specifically said that we had no information or intelligence on possible or specific targets, beyond the general concerns we had that Western targets of opportunity would be at issue.

[BOT519Santoro, Sen Santo0](#)**Senator SANTORO**—There are two issues here. One is the recording or part-recording of what transpired at the meeting. The reason I was pursuing whether you, Mr Farmer and Mr Gordon, had talked with each other or anybody else in preparing material for the alleged—or the subsequent—second meeting, or for the meeting after the meeting with the minister, was just to see whether there is anybody else who can support your claim that that meeting did take place. In terms of trying to get evidence at least from your organisation's perspective that the meeting took place, did you have executive support at the time? Did you have a personal assistant or an executive assistant? Was there a pool secretary or a pool executive assistant that helped you in your administrative duties?

[unknown519unknown1](#)**Mr Gordon**—Yes.

[BOT519Santoro, Sen Santo0](#)**Senator SANTORO**—If that is the case, let me ask you this question: if I wanted to make an appointment with you and you were not there, presumably I would go to an executive assistant and say, 'Can I meet with Mr Gordon or Mr Farmer on such-and-such a day?' How would she ascertain whether you were available or not, if she did not have access to a diary? Would she go to a flip diary?

[unknown519unknown1](#)**Mr Gordon**—It was actually a he at the time.

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[BOT519Santoro, Sen Santo0](#)**Senator SANTORO**—Whatever. I meant to be non-specific in a gender sense. If you go about organising any number of formal or informal meetings and do not record them in a diary, how would an executive assistant help somebody making inquiries about your availability?

[unknown519unknown1](#)**Mr Gordon**—That would be done routinely. But the circumstances in which this meeting was first talked about were, I think, a bit unusual.

[BOT519Santoro, Sen Santo0](#)**Senator SANTORO**—But it presumably would have occurred some time after the arrangements were made, and there could have been any number of inquiries.

[unknown519unknown1](#)**Mr Gordon**—I really do not recall, but my executive assistant normally did a weekly schedule for me.

[BOT519Santoro, Sen Santo](#)**Senator SANTORO**—Did your executive assistant do a weekly schedule for you, Mr Farmer?

[unknown520unknown1](#)**Mr Farmer**—No, I do not have that luxury. In fact, when the branch PA wanted to ask if I was available for a meeting, they would normally stick their head around the corner and ask, and I would check my flip diary.

[BOT520Santoro, Sen Santo](#)**Senator SANTORO**—Mr Gordon, or any of you: is your weekly diary kept electronically or as a hard copy? Would that be available? Because this question of whether this meeting took place is obviously of significance to the committee, otherwise we would not be here today. I am trying to prise out of you whether there is some evidence of it still in existence from your perspective. Because the difficulty that I, and I think other members of the committee, have is that we have DFAT, with the relevant officer demonstrably being and also claiming to be very meticulous in the way that he takes notes. You have somebody who has a work practice that seems to be different, even if it can be explained away by you. One could almost accept, Mr Varghese, that that is the way ONA operates, and when they really want to be definitive they go on the record. That is fine. Even accepting that, you have this very scrupulously detailed person from the group that you were having this meeting with but absolutely nothing, in either the administrative or the practical sense, from the meeting. That is the difficulty that I am having.

[unknown520unknown1](#)**Mr Gordon**—But keeping records of a minister's meeting would be different from keeping records of an ordinary, routine, bureaucratic meeting.

[BOT520Santoro, Sen Santo](#)**Senator SANTORO**—A two-hour meeting?

[unknown520unknown1](#)**Mr Gordon**—I do not know that the length means all that much.

[10000520CHAIR0](#)**CHAIR**—As you may have seen in the *Hansard*, at the last hearing Senator Kirk had a discussion with Mr Kemish. I will relay to you the exchange:

Senator KIRK—But there were discussions between officers following on from that email?

Mr Kemish—There were ongoing discussions between the two agencies, particularly between the South and South-East Asia Division and ONA.

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Senator KIRK—Were the specific issues that you raised in the email answered to your satisfaction or not?

Mr Kemish—I have no knowledge of that specific issue being addressed in any subsequent discussion.

What is your response to that?

[unknown520unknown1](#)**Mr Farmer**—He was not at the subsequent meeting so, if no-one from the meeting passed on notes or debriefed Mr Kemish specifically after the meeting, then I could understand why he would have no recollection of it, but that is not evidence that it did not exist.

[10000520CHAIR0](#)**CHAIR**—The issues that were to be discussed at that meeting were those surrounding the email, weren't they?

[unknown521unknown1](#)**Mr Farmer**—The issues that were to be discussed at the brief were, effectively, the briefing we had given to the foreign minister, because this was the next level up, and the questions that were addressed in the email.

[10000521CHAIR0](#)**CHAIR**—That is quite terrifying information or assessments, and then Mr Kemish from the department of foreign affairs says that, to his knowledge, they were not addressed—I am assuming—in any subsequent discussion. Regarding this meeting that DFAT claims did not occur on those dates, are we to assume that at that meeting there was a high degree of concern on your part—both of you—about the development of terrorism in South-East Asia that you conveyed to DFAT? Mr Gordon, you were in charge of that desk at the time.

[unknown521unknown1](#)**Mr Gordon**—Absolutely. And we were concerned, as I said earlier, that we took DFAT along with us—that they understood the grounds on which we were shifting our judgment, in which the question of local capability in Indonesia was terribly important. The real shift that occurred in our thinking was that up until March or April of that year we were uncertain in our own minds as to the distinction to be drawn between the two things—al-Qaeda operating in Indonesia with some local assistance as distinct from a local capability. That issue was never entirely resolved, but the concerns we had lay in trying to get the message across to DFAT that what we were saying by April 2002 was that we were concerned there was a local capability in Indonesia that was not necessarily reliant on al-Qaeda. Our concern was to try to untangle the issue and separate the two things out.

This perspective had bogged us down and troubled us from the beginning—1 September. It was an issue we debated at great length in the context of the nature and character of another extremist movement in Indonesia called the Laskar Jihad. The nature of its links with al-Qaeda were very difficult to disentangle, and it posed a real problem for us when we were discussing the question of the nature of the supposed training facility at Poso in Kalimantan. We had information from the Spanish arrest of some Maghrebisan Muslims that this was in fact an al-Qaeda camp. So the issue of the extent of homegrown extremist movements as distinct from implants into the region from extremist movements in Saudi Arabia in particular was dogging us from the beginning and in fact had dogged us for some years. I think one of the great discoveries for us was the extent to which in South-East Asia we were in fact dealing with a homegrown movement—one that certainly had links with al-Qaeda but was not necessarily an implant, as we had originally thought. We were very concerned to get those sorts of perspectives across, to the point, in fact, of being accused on occasion of being a bit zealous about it.

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[10000521CHAIR0](#)**CHAIR**—Who accused you of being zealous?

[unknown521unknown1](#)**Mr Gordon**—Various people, but I do not wish to—

[10000521CHAIR0](#)**CHAIR**—People in DFAT?

[unknown521unknown1](#)**Mr Gordon**—The suggestion was that we were losing perspective a bit and seeing communists under beds or whatever—you know, reds under the beds or whatever the usual jargon you get on these sorts of occasions is.

[unknown521unknown1](#)**Mr Farmer**—This was a pretty hard message to sell at the time, because—

unknown522unknown1**Mr Gordon**—Very hard to sell.

unknown522unknown1**Mr Farmer**—it flew in the face of conventional wisdom about Islam in South-East Asia and in Indonesia in particular. So this is why we would go back and try to revisit this issue, just to make sure the message got across.

1000522CHAIR0**CHAIR**—This 1 September meeting, Mr Gordon—you said 1 September—was that 2001 or 2002?

unknown522unknown1**Mr Gordon**—The first exchanges with DFAT on this issue began in September 2001—after 11 September.

unknown522unknown1**Mr Varghese**—I think it is worth noting, as our written submission makes quite clear, that this is an evolving sense of what the nature of terrorism in South-East Asia is. I do not think that anyone looking at the history of writing by ONA over the last two and a half years or so on terrorism in South-East Asia would be left in any doubt that, like everybody else, we had an understanding that was continually evolving. There was no magic day where everything was revealed, it was a question of bit by bit trying to understand something that was difficult to understand.

1000522CHAIR0**CHAIR**—Are you saying that you were having difficulty convincing people that these Islamic extremists had become terrorists?

unknown522unknown1**Mr Gordon**—Yes. I might explain to the point of perhaps going into a bit of detail—

1000522CHAIR0**CHAIR**—Because we get told that, just because someone is an extremist, it does not mean they are a terrorist.

unknown522unknown1**Mr Gordon**—That is precisely my point.

1000522CHAIR0**CHAIR**—Were you trying to alert our people that that bridge had occurred—they had gone from being extremists to terrorists?

unknown522unknown1**Mr Gordon**—Yes, and that comes back to the point I made about Laskar Jihad. We concluded at some stage—I think towards the end of 2001—that Laskar Jihad, while a radical or extremist movement, in the sense that it was prepared to use violence to achieve domestic ends, was not a terrorist organisation as we understood it—and indeed was not linked to al-Qaeda, as many people at the time thought.

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But the fascination or preoccupation with Laskar Jihad was to some extent obscuring the extent to which there were other groups that were working very secretly at the time and about which we had very little intelligence reporting. I think that our first indication that groups other than Laskar Jihad were involved was in about November 2001. They did not have a name, but the reporting spoke rather loosely of ‘Afghan returned people who maintained links.’ We then began to get more confirmation, with the Singapore and Malaysia things. Even Singapore and Malaysia, to whom of course it was a surprise, were very short on detail. It took us another

couple of months to put flesh on the bones to enable us to come definitively to the opinion that there was a homegrown threat based on Indonesia.

[BOT523Santoro, Sen Santo](#)**Senator SANTORO**—But it would not be unfair to reiterate at this point that, even in those early days, let alone close to the day when the bombs went off in Bali, there was no hard specific evidence at all available to you or any other agency—

[unknown523unknown1](#)**Mr Gordon**—That is quite true.

[BOT523Santoro, Sen Santo](#)**Senator SANTORO**—that these groups, which you thought were emerging groups and possibly threats, had any plans or designs on the bars and nightclubs of Bali?

[unknown523unknown1](#)**Mr Gordon**—That is right. It was a very confusing picture. In retrospect, one can reconstruct all sorts of things.

[BOT523Santoro, Sen Santo](#)**Senator SANTORO**—I am asking about what you knew.

[unknown523unknown1](#)**Mr Gordon**—I am coming to that. I think we were to some extent misled in our reading of the 2000 bombings in Indonesia on Java and Sumatra. We concluded—and we put this in a formal assessment—that Indonesia was facing a period of sustained urban terrorism. We drew that conclusion from the bombings, but we had no real sense or intelligence to bring out that this was part of a much more broadly organised conspiracy. I think that part of the problem was that a lot of the responsibility for reporting on this was with the Indonesian police and not with the normal security agencies. When we went back to look at the record, we found a couple of items where the police were speaking to the media, which gave us a bit of a sense of a different emphasis to the one that perhaps we had originally read into it.

[unknown523unknown1](#)**Mr Farmer**—We wrote a piece very late in May—it might even have been in the first couple of days in June. That particular report, which is in our original submission, was quite a quantum shift upwards in our level of concern from a lot of the material we had produced, simply because new information became available to us at that time.

[1000523CHAIR0](#)**CHAIR**—This is May 2002?

[unknown523unknown1](#)**Mr Farmer**—Yes.

[1000523CHAIR0](#)**CHAIR**—Who did that report go to?

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[unknown523unknown1](#)**Mr Farmer**—It would have had the normal wide distribution—reasonably wide.

[1000523CHAIR0](#)**CHAIR**—So about a dozen people get ticked off. Would that have gone to the minister's office as well? Inevitably it would have, I suppose.

[unknown523unknown1](#)**Mr Varghese**—It would have.

[unknown524unknown1](#)**Mr Gordon**—In fact, my recollection is that a month or so after our meeting with Mr Downer we did a full reassessment.

[unknown524unknown1](#)**Mr Farmer**—But this piece we wrote in late May or very early June—I cannot recall the dates; it will be in our original submission—highlighted quite a change in the level of seriousness with which we were looking at viewing this problem, because of information that had come to light. That was the reason we were quite committed to ensuring that we took DFAT and others with us in the shift and that they were aware of the differences.

[10000524CHAIR0](#)**CHAIR**—I cannot recall it from your submission but, Mr Gordon or Mr Farmer, did you identify this shift you refer to? I think you said that there was a preoccupation—I think that was the term you used—with Laskar Jihad and that then you were starting to get information about other obscure groups. Was that in this May report?

[unknown524unknown1](#)**Mr Farmer**—No. By that time we were well and truly talking about Jemaah Islamiah almost in its entirety. It was not just that we were talking about Jemaah Islamiah; we were also identifying that it was not simply homegrown—that there were linkages and that those linkages were actually two-way: Middle Easterners were looking at South-East Asia and South-East Asians were looking back at the Middle East. That was quite new to us, and that actually raised the seriousness of our concerns.

[unknown524unknown1](#)**Mr Gordon**—It is hard to recapture the sense of it. Until the Singaporean and Malaysian uncovering of Jemaah Islamiah, we knew very, very little. Abu Bakar Bashir, the so-called spiritual head of Jemaah Islamiah, I was aware of, because he had been a bomb thrower back in the 1980s. I was unaware that he was back in Indonesia but he had certainly gone to Malaysia. We had regularly talked to the Malaysian and Singaporean counterparts about the nature of these movements. It was really the late December-January revelations about JI that were terribly important in that respect in reshaping our whole focus, assessment and understanding of these things.

[00A00524Kirk, Sen Linda0](#)**Senator KIRK**—So at the conclusion of the second meeting, if we call it that, were you satisfied that DFAT were satisfied that the issues that had been raised in the email had been covered comprehensively?

[unknown524unknown1](#)**Mr Gordon**—It was not said.

[00A00524Kirk, Sen Linda0](#)**Senator KIRK**—Sorry, it was not ‘set’?

[unknown524unknown1](#)**Mr Gordon**—I do not recall it being said.

[00A00524Kirk, Sen Linda0](#)**Senator KIRK**—Were you satisfied that you had conveyed to them the seriousness and the urgency of the matters that Mr Paterson had raised concerns about at the conclusion of the Downer meeting?

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[unknown524unknown1](#)**Mr Farmer**—They certainly did not come back to us with any subsequent questions or concerns.

00A00525Kirk, Sen Linda0**Senator KIRK**—So did Mr Paterson say anything which suggested that the issues had now been covered satisfactorily and that he would be able to return to DFAT armed with the information that he required?

unknown525unknown1**Mr Gordon**—It was in DFAT.

00A00525Kirk, Sen Linda0**Senator KIRK**—Sorry, ‘that he would be able to relay to other DFAT officials’ is perhaps what I should have said.

unknown525unknown1**Mr Gordon**—I do not recall him explicitly stating that.

unknown525unknown1**Mr Farmer**—They would discuss that within DFAT.

unknown525unknown1**Mr Gordon**—Those meetings usually ended on a very good note of expressions of thanks, as I recall

10000525CHAIR0**CHAIR**—Gin and tonic or something like that?

unknown525unknown1**Mr Gordon**—Certainly not.

BOT525Santoro, Sen Santo0**Senator SANTORO**—So at no other time, after the conclusion of that meeting until this inquiry, was any reference made to this alleged second meeting?

unknown525unknown1**Mr Gordon**—No.

BOT525Santoro, Sen Santo0**Senator SANTORO**—Because what you have told us this morning, in terms of what thoughts you were developing, is quite interesting. Certainly from an intelligence point of view, it was potentially strategically very important. So, given the contents of your briefing and your explanations, you would have had other meetings with these people, presumably, from that second meeting until this inquiry started.

unknown525unknown1**Mr Varghese**—I think the contents of those sorts of judgments were reflected in subsequent ONA reports, and I draw your attention in particular to paras 27 and 28 of our written submission, where we actually run through the 27 June report we did in 2002, which picks up a number of the points that Mr Farmer and Mr Gordon have been making. That was the point I was making earlier. All of our thinking on these issues is eventually reflected in considered written product, and that is the main—

BOT525Santoro, Sen Santo0**Senator SANTORO**—But I was talking with particular reference to the meeting and what was discussed at the meeting. I appreciate that what was allegedly discussed at the meeting and any other meeting eventually finds its way into a form of formal advice from ONA.

unknown525unknown1**Mr Varghese**—To the extent that they involve key judgments they do, yes.

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BOT525Santoro, Sen Santo0**Senator SANTORO**—I appreciate that.

[unknown526unknown1](#)**Mr Gordon**—The answer to your question is that we were not approached, to my recollection, subsequent to that meeting, by DFAT, about the substance of that meeting.

[BOT526Santoro, Sen Santo0](#)**Senator SANTORO**—We obviously have to make a judgment as to who has the best recollection of what really happened, let alone who is telling the truth in all of this. How do you think the committee should go about making its judgment when there is on both sides a lack of a record of any such meeting taking place? I listened to your explanation, Mr Varghese, when you made it, and it is the reason I have been trying to see whether an executive assistant or a PA or somebody in your organisation has a shred of detail or evidence that this meeting took place, from your perspective. You have a very detailed note taker—record keeper—in the department. How is a committee like ours to make a judgment? You can probably gather in which direction I am leaning, and I am just making one last-ditch attempt to get you to assist me to make a judgment that is different from the one I am thinking of making. I probably should not be declaring my predisposition, but I feel quite frustrated by—

[unknown526unknown1](#)**Mr Varghese**—I can understand that, but I do not think there is anything more we can offer you, by way of supporting evidence or proof, that we have not already covered. We are just truthfully recounting the recollection of the two officers who were there—no more and no less. Needless to say, it is up to the committee to make a judgment about how that stacks up with other evidence that you have held. But can I also make this point: the contents of the meeting, whether or not it was held, do not really, in a sense, add very much to this story. That meeting was to go over the ground that ONA officers had gone over with Mr Downer in the middle of June.

[10000526CHAIR0](#)**CHAIR**—Mr Gordon, were you at that meeting with Mr Downer?

[unknown526unknown1](#)**Mr Gordon**—Yes.

[unknown526unknown1](#)**Mr Varghese**—So I hope the committee would also have sense of perspective of just how important that meeting was.

[316526Stott Despoja, Sen Natasha0](#)**Senator STOTT DESPOJA**—Just on that issue, because I am not sure how much further—certainly from my perspective—we can tease out whether it took place, I think we are all conscious of the fact that informal meetings take place in many institutions, with and without record. For us, the content is part of our deliberations, but also, where you have two organisations with such contrary stories, the frustration that Senator Santoro refers to arises. But I am interested in whether or not this has influenced future practice. Is this something you will be wary of for future reference? I bear in mind and respect greatly your comments about how ONA operates and the fact that you do provide written evidence and views substantiating your positions, but in terms of this kind of event occurring again is this a warning of some kind?

[unknown526unknown1](#)**Mr Varghese**—It is, and I, frankly, share some of your frustration at the fact that there is not some hard evidence that we can point to to back up what we are saying. I have now instituted within the office procedures where attendance at meetings is at least recorded, together with at least the issues that were discussed—not a record; I do not want to get into the business of spending all our time writing notes of what we say on a day-to-day basis. But, as I say, I share your concerns about the fact that there is no clear record on this, and I have asked

that officers now clearly record when they attend meetings and provide at least a broad description of what that meeting covered.

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10000527CHAIR0**CHAIR**—The notes you made weren't edible ones were they, Mr Farmer?

unknown527unknown1**Mr Farmer**—No, I have learnt my lesson. I now use a very detailed electronic diary on a computer system.

10000527CHAIR0**CHAIR**—You have seen Mr Kemish's statements to us—have you taken them up with DFAT at all, Mr Varghese?

unknown527unknown1**Mr Varghese**—No, I have not.

10000527CHAIR0**CHAIR**—Not at all?

unknown527unknown1**Mr Varghese**—No.

10000527CHAIR0**CHAIR**—You have not sought to say that this is wrong?

unknown527unknown1**Mr Varghese**—DFAT are aware of our view and we are aware of their view.

10000527CHAIR0**CHAIR**—How would they be aware of your view?

unknown527unknown1**Mr Varghese**—They would have seen and read our testimony.

10000527CHAIR0**CHAIR**—But they have said that they did not hold that meeting. You said, before them, that it did: you came in the morning, and then they came in the afternoon and said that it did not happen.

unknown527unknown1**Mr Varghese**—That is correct. We say—

10000527CHAIR0**CHAIR**—How would they know your view, except for the fact that they said it did not occur? You have not rung up Mr Kemish and said, 'You're wrong'? You have not done that at all?

unknown527unknown1**Mr Varghese**—They would know our view because they would have heard our testimony in the morning before they gave their testimony.

10000527CHAIR0**CHAIR**—I think the business world would conduct itself a bit differently.

00AON527Johnston, Sen David0**Senator JOHNSTON**—I think I need to talk to Mr Gordon and Mr Farmer about this. When did you become aware that there was a difference between your understanding of the meetings and DFAT's understanding of the meetings?

unknown527unknown1**Mr Farmer**—Essentially during DFAT's testimony at the last appearance.

00AON528Johnston, Sen David0**Senator JOHNSTON**—Which was roughly when?

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10000528CHAIR0**CHAIR**—It was on 28 May.

00AON528Johnston, Sen David0**Senator JOHNSTON**—Upon realising that you say there were three meetings—one prior to Mr Downer’s meeting and one after Mr Downer’s meeting—and they say that there were two meetings at the material time, what have you done to corroborate the existence of the third meeting? It is a very long pause.

unknown528unknown1**Mr Farmer**—I have sat down and had a long hard think about what I recall of that particular period.

00AON528Johnston, Sen David0**Senator JOHNSTON**—So you are telling the committee that, in terms of these meetings with DFAT, there is no paper trail, electronic record, surveillance videotape, car pool documentation, telephone messages or diary notes whatsoever?

unknown528unknown1**Mr Farmer**—No, and neither would there be for any of the meetings that I held two years ago.

00AON528Johnston, Sen David0**Senator JOHNSTON**—Yet we are talking about national security matters that you travel some distance to have meetings to discuss with DFAT. A couple of you got out of your offices and went over—you left your desks, you went downstairs and got in a car and drove over—and sat down with four other people and talked about matters of national security, and yet there is not one shred of evidence to support the existence of that meeting?

unknown528unknown1**Mr Farmer**—We have already described what was discussed in the meeting.

00AON528Johnston, Sen David0**Senator JOHNSTON**—You have known that DFAT say something different to you, which is very material to this committee’s inquiry.

unknown528unknown1**Mr Farmer**—It was never in question that there was the meeting subsequent to the Downer briefing—in my mind or in the minds of others in ONA. When we were putting together our submission a year or so ago, there was never any doubt then and nor is there doubt now, because it was our recollection at the time that that was the sequence of events.

00AON528Johnston, Sen David0**Senator JOHNSTON**—As soon as you heard that DFAT had sent you an email to which they alleged there had been no response and no subsequent meeting, you have simply been prepared to say, ‘I remember that there was.’

unknown528unknown1**Mr Farmer**—I recall that there was an email.

00AON528Johnston, Sen David0**Senator JOHNSTON**—To which they allege there was no response. You are saying that there was a response and that there was a meeting.

unknown528unknown1**Mr Farmer**—That is right.

00AON528Johnston, Sen David0**Senator JOHNSTON**—Don’t you think that is pretty important?

[unknown529unknown1](#)**Mr Farmer**—As I said, we have discussed the meeting and the content of the meeting.

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[00AON529Johnston, Sen David0](#)**Senator JOHNSTON**—The allegation is that 93 people were blown up in a bar in Bali and the Minister for Foreign Affairs was given a warning by you blokes that this was likely to happen. That is the allegation.

[unknown529unknown1](#)**Mr Varghese**—I would like to say very clearly that no-one—not DFAT, not ONA and not anybody else—is suggesting that there was at any time in any discussion either with the minister or with DFAT any suggestion that there was any specific actionable information that related to the possibility of a bomb in Bali. It is very important that we all understand that.

[00AON529Johnston, Sen David0](#)**Senator JOHNSTON**—Good. I am glad, because I do not know where you have been, but there are some senators sitting on this committee that make that allegation.

[unknown529unknown1](#)**Mr Varghese**—I cannot control what the senators on the committee—

[00AON529Johnston, Sen David0](#)**Senator JOHNSTON**—I know, and that is the point I am making. You have to understand what the committee's motivation is here, and yet, when you see a difference between DFAT that goes directly to that allegation—

[unknown529unknown1](#)**Mr Varghese**—With respect, I do not think the difference goes to that allegation; the difference goes to whether there was a meeting or not to discuss the broader issues of terrorism in South-East Asia. I do not think there is in any difference of view between ONA and DFAT.

[00AON529Johnston, Sen David0](#)**Senator JOHNSTON**—It goes to the credibility of the public servants who were charged with the responsibility of bringing in information and then using the information. That is what it goes to. Now you are telling us there was a third meeting. DFAT are saying there was not. You are saying that there were four people there and their names are Paterson, Engel, Nethery and Millington. They are saying no such meeting took place. I am saying you knew that there was a divergence, from 28 May of this year, and you have been prepared to simply say, 'I remember there was a meeting.'

[unknown529unknown1](#)**Mr Varghese**—I do not know what you would expect ONA to do in this situation.

[00AON529Johnston, Sen David0](#)**Senator JOHNSTON**—I will tell you what I expect you to do. There is a long list of things. Firstly, I would expect you to go through every conceivable record to support your contention. You have given me nothing.

[unknown529unknown1](#)**Mr Varghese**—We have said to you that we do not have any documentation, either in the form of diary entries or of written records, to support our recollection. But, short of you asking us to unremember something that my two colleagues clearly remember, we will continue to have a difference of view on whether or not this meeting was held.

00AON530Johnston, Sen David0**Senator JOHNSTON**—I am asking you, reasonably, in my humble opinion, to corroborate that memory. People get it wrong. I am asking you to make some effort to show me what you have done to corroborate your memory—and you give me nothing! What are we supposed to make of that?

unknown530unknown1**Mr Varghese**—What you make of it is that there was a meeting held which was not included in any diary and has no record. We have been through diary entries to try to establish whether there was. We know that there was no record made. If you say, ‘What efforts have you taken,’ those are the efforts we have taken. But, as I say, we cannot come to you here and unremember something that we remember. That might be a way to resolve it, but—

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00AON530Johnston, Sen David0**Senator JOHNSTON**—Isn’t there a video camera in the lobby of the DFAT building? Aren’t you interested in finding out?

unknown530unknown1**Mr Varghese**—There isn’t.

00AON530Johnston, Sen David0**Senator JOHNSTON**—Have you made inquiries about that?

unknown530unknown1**Mr Varghese**—I worked in the Department of Foreign Affairs and Trade for over 25 years.

00AON530Johnston, Sen David0**Senator JOHNSTON**—What other efforts have you made to corroborate your memories? Just tell me that.

unknown530unknown1**Mr Varghese**—I will go through it again. We checked for diary entries: there were none. We checked for a record: there was none.

00AON530Johnston, Sen David0**Senator JOHNSTON**—Okay. You tell me that when your product is to be taken seriously and relied upon you commit it to writing.

unknown530unknown1**Mr Varghese**—That is correct.

00AON530Johnston, Sen David0**Senator JOHNSTON**—So am I to understand that all of these meetings were not to be taken seriously?

unknown530unknown1**Mr Varghese**—That would be a rather strange leap in logic.

00AON530Johnston, Sen David0**Senator JOHNSTON**—What are we supposed to think? You have told us that when you have a product that is supposed to be relied upon you put it in writing. There is not a single shred of writing, on your statement to us, to support these three meetings. There is not a single shred of evidence to support your visitation—who attended. You are saying one thing, and DFAT has given us a completely different story. Am I supposed to assume from that—is the inference clear—that what you said was simply speculation that was not intended to be relied upon?

unknown530unknown1**Mr Varghese**—No, that would be quite inaccurate. What I said about ONA’s approach to written product is that we have a very formal process for recording the substance of

our judgments for government and policymakers. They go out in published ONA reports that are circulated to the policymaking community. We have many conversations with many people about the issues of the day. Often they are conversations that flow from policymakers wanting to talk about issues in the broad or to follow up on specifics, and they are interested in what ONA is thinking about issues. We do not record those, and nor do we see a requirement to record those, because, as I said before, when we make judgments we make judgments in a formal written way. That is the appropriate way to deal with it.

[00AON531Johnston, Sen David0](#)**Senator JOHNSTON**—So no judgment was made on these three occasions?

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[unknown531unknown1](#)**Mr Varghese**—Judgments are made in the course of conversations all the time.

[00AON531Johnston, Sen David0](#)**Senator JOHNSTON**—But they are different judgments to the ones made in writing?

[unknown531unknown1](#)**Mr Varghese**—No, they would not be different judgments to the ones made in writing. Judgments are things that evolve and are finetuned. But, when we make them, we write them down.

[00AON531Johnston, Sen David0](#)**Senator JOHNSTON**—So the inference is that because nothing is written down in these three meetings there are no judgments made. That is what you have just told me, isn't it?

[unknown531unknown1](#)**Mr Varghese**—Senator, that is an inference that you draw.

[00AON531Johnston, Sen David0](#)**Senator JOHNSTON**—I think it is obvious, isn't it—logical, reasonable? Tell me what you have done to change your process now with respect to these meetings with DFAT. Have there been any changes?

[unknown531unknown1](#)**Mr Varghese**—I responded to a question from Senator Stott Despoja by saying that I was unsatisfied with the fact that there were no records kept of attendance at meetings. I have asked now that ONA officers, and particularly branch heads, who attend meetings should have a diary record of the attendance at the meeting and the main topics discussed—not a record of the actual discussion but a record of the main topics discussed.

[00AON531Johnston, Sen David0](#)**Senator JOHNSTON**—Why do you want that?

[unknown531unknown1](#)**Mr Varghese**—I think it is just good practice.

[00AON531Johnston, Sen David0](#)**Senator JOHNSTON**—So you are suggesting that the practice employed in 2002 was not good practice?

[unknown531unknown1](#)**Mr Varghese**—I am suggesting that we learn all the time.

[00AON531Johnston, Sen David0](#)**Senator JOHNSTON**—Do I take that as a yes?

[unknown532unknown1](#)**Mr Varghese**—I am suggesting that we learn all the time.

[00AON532Johnston, Sen David0](#)**Senator JOHNSTON**—So you have improved what was going on in 2002?

[unknown532unknown1](#)**Mr Varghese**—We constantly seek to improve our processes—and, yes, we are continuing to improve them.

[00AOO532Kirk, Sen Linda0](#)**Senator KIRK**—I would like to ask some questions in relation to the briefing with Minister Downer. I don't think we have heard yet whether or not Mr Gordon was present. You were present?

[unknown532unknown1](#)**Mr Gordon**—I was, yes.

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[00AOO532Kirk, Sen Linda0](#)**Senator KIRK**—Could you tell the committee what your recollection is of the meeting; in particular the question that the minister asked as to whether we should change the consular advice in relation to Indonesia with the unfolding threat to Bali. We have not had the benefit of your evidence on this, Mr Gordon. Perhaps you could tell us what you recall.

[unknown532unknown1](#)**Mr Gordon**—There were two meetings, in fact. It is a bit blurred. As I recall, we did not respond directly to that question so much as indirectly by saying there was no evidence in respect of Bali.

[00AOO532Kirk, Sen Linda0](#)**Senator KIRK**—So when the question was put, ONA responded that there was—

[unknown532unknown1](#)**Mr Gordon**—I think he was talking to his DFAT officers. That is my recollection.

[10000532CHAIR0](#)**CHAIR**—I imagine they recorded that.

[unknown532unknown1](#)**Mr Varghese**—Senator, this is covered fully in our written submission, in paragraphs 29 and 30. I could read paragraph 30 to you:

Notes taken at the meeting by a DFAT officer indicate that Mr Downer then asked whether consular advice should be changed. According to the notes ONA responded that there was no specific intelligence.

[10000532CHAIR0](#)**CHAIR**—What notes were they? Mr Paterson's?

[unknown532unknown1](#)**Mr Varghese**—They were the notes taken by the DFAT officer.

[10000532CHAIR0](#)**CHAIR**—They are DFAT notes, not your notes?

[unknown532unknown1](#)**Mr Varghese**—Not our notes, no.

[10000532CHAIR0](#)**CHAIR**—Because you don't keep notes?

unknown533unknown1**Mr Varghese**—That is correct.

10000533CHAIR0**CHAIR**—Or you didn't keep notes.

00A00533Kirk, Sen Linda0**Senator KIRK**—So they were notes taken by Mr Paterson?

unknown533unknown1**Mr Varghese**—That is correct.

00A00533Kirk, Sen Linda0**Senator KIRK**—The notes that were taken by Mr Paterson that you have just quoted to us correspond with your recollection of what occurred at the meeting?

unknown533unknown1**Mr Varghese**—I think, Senator—

00A00533Kirk, Sen Linda0**Senator KIRK**—You were not there, Mr Varghese.

unknown533unknown1**Mr Varghese**—Can I just explain that this issue has been covered exhaustively at previous hearings by my predecessor, by Mr Farmer and by other officers of ONA. All of them have said the same thing, which is that they have no reason to doubt the accuracy of the note taken by Mr Paterson.

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00A00533Kirk, Sen Linda0**Senator KIRK**—Thank you, Mr Varghese. I just wanted to clarify that, seeing that we have not had Mr Gordon before the committee until today.

unknown533unknown1**Mr Gordon**—No, I came the first time and then I retired, so I missed the second one.

00A00533Kirk, Sen Linda0**Senator KIRK**—It was an opportunity to clarify the matter with you.

unknown533unknown1**Mr Gordon**—On this question of travel advisories, at no stage in our discussions with DFAT was that an issue, nor would it necessarily be an issue, because it is not properly our business. I do not recall ever being spoken to or approached by the relevant consular division seeking our views on it.

00A00533Kirk, Sen Linda0**Senator KIRK**—There was nobody present from consular branch at the meeting with Mr Downer?

unknown533unknown1**Mr Gordon**—No, certainly not.

00A00533Kirk, Sen Linda0**Senator KIRK**—And there was nobody present from consular branch at the second meeting either?

unknown533unknown1**Mr Gordon**—No.

00A00533Kirk, Sen Linda0**Senator KIRK**—But the persons who were at the second meeting—

[unknown534unknown1](#)**Mr Gordon**—Were all from Mr Paterson's division. There was someone from the South-East Asia branch too, and the head of the South-East Asia branch was meant to be there but could not be there.

[00A00534Kirk, Sen Linda0](#)**Senator KIRK**—Nobody from the consular branch was there?

[unknown534unknown1](#)**Mr Gordon**—No.

[316534Stott Despoja, Sen Natasha0](#)**Senator STOTT DESPOJA**—Mr Gordon, I have a query regarding the processes that took place post May—the June period in 2002 when there was a reassessment of evidence.

[unknown534unknown1](#)**Mr Gordon**—I think it started a bit earlier, in April.

[316534Stott Despoja, Sen Natasha0](#)**Senator STOTT DESPOJA**—A document was then produced in May which reflected that reassessment?

[unknown534unknown1](#)**Mr Gordon**—No. The reassessment of the product goes through fairly systematically. I think it is quoted in our submission.

[316534Stott Despoja, Sen Natasha0](#)**Senator STOTT DESPOJA**—I apologise if I am not recalling that. My question relates to my curiosity as to what that reassessment coincided with, particularly in relation to new or expanded intelligence information or networks. Given the current context, I think the committee is also interested in ONA's reliance on or work with the International Crisis Group, particularly the work of Sidney Jones in relation to Jemaah Islamiah.

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[unknown534unknown1](#)**Mr Gordon**—A sterling woman.

[316534Stott Despoja, Sen Natasha0](#)**Senator STOTT DESPOJA**—Indeed. During that period of time when renewed assessments were emerging, were there new contacts, new intelligence information? You have referred to the police and the kind of information being ascertained from the Indonesian police.

[unknown534unknown1](#)**Mr Gordon**—It is a very good question. We have always been conscious of testing our views, to the extent that we can, of people who are perhaps using or exploiting different sorts of information from our own. We certainly have been in touch with the academic community, although we found them quite unchanged. The academics were very passionate about defending the line on moderate Islam. I have known Sidney Jones for many years. She is a very worthwhile, expert person. In fact, she has been a visitor to ONA. We have talked to Sidney over many years. Sidney herself has changed, of course. She began to change in May—or perhaps a bit earlier, but her first real piece came out in May. Before that, she was inclined to a more charitable view, seeing Indonesian Islamic extremism as the creation of Ali Moertopo, who used to be their intelligence chief and used to run what were known as special operations. She felt at that early stage that Indian Muslims had had a bad run and that much about the extremist angle had been a bit exaggerated, including what she subsequently rewrote about the importance of the school, Al Mukmin, in Java. She herself, as we were going through, reinterpreted. But her first piece on it was spot on as far as we were concerned. It was an exceptionally good piece of

work from Sidney, given what she was working on and what she was working with, given the resources available to us.

The thing that was extremely influential with us—and I cannot go into any detail about it, of course—was receiving the reports of interrogations of people interned in Malaysia and Singapore. That is why, in a more general way, I did emphasise the importance of the Malaysian and Singapore discoveries to our whole understanding of the nature of the movement. They started to come through up to April. It was not really until then that we were beginning to gather what turned out to be an absolute flood. We were terribly hard pressed during this period simply to cope with the amount of information we were getting—to sift and absorb it properly, knowing that really quite important judgments rested on it.

[unknown535unknown1](#) **Mr Farmer**—There was a build-up, too, by that stage. We had started to get a more regular flow of reports based on interrogations of people who had been detained in South-East Asia. By early June—from memory, 12 June—Umar Faruq was arrested and taken into custody. We started to get a flow of information based on relevant discussions that they had with him. All of these started to paint a more worrisome picture. I think we have always described our view as evolving, and it was evolving. As each new piece of information came through, it forced us to go back and test all of our assumptions, just to see if we were reading this correctly. It was a watershed at that time.

[unknown535unknown1](#) **Mr Gordon**—It is part of ONA's charter—and I think we have always attached importance to it—to consult non-official sources. I think it is very important. For example, we sent David Farmer to Indonesia at one stage to talk to as many of these extremists as he could, to get some sort of first-hand impression of it, including meeting some of the Laskar Jihad. Whenever we visited London or Washington, which was not very often, we would always try to meet with experts in the area. I refer particularly to London, and the experts on South-East Asia at the School of Oriental and African Studies. We also talked to our own academics here. We held reasonably regular seminars with them. In terms of my personal responsibilities, at the time I was also in charge of the South Pacific area, which was then a considerable nightmare. Subsequently that has been broken up so that the person within the office who now looks at Indonesia has an ability that was not available to me at the time to focus more on Indonesia and the broader region.

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[316535Stott Despoja, Sen Natasha0](#) **Senator STOTT DESPOJA**—In relation to this watershed period and, to use Mr Farmer's description, these new assumptions that obviously were being reached or had evolved, I am curious, Mr Gordon, to go back to your comments earlier about how information was being received by government, other departments or what have you. You were a bit reluctant to specify who would not necessarily believe your assumptions previously—reds under the beds and those kinds of comments. After this information came through, what kind of response did it receive, in a general sense? Do you feel that that watershed period was understood by people in other departments?

[unknown535unknown1](#) **Mr Gordon**—I think so, gradually, yes. Personally, I refer to the importance of the relationship with Bill Paterson in that regard. Bill is a very professional officer, and he could see the implications for policy that we were trying to draw to his attention—as indirectly as we do.

316536Stott Despoja, Sen Natasha0**Senator STOTT DESPOJA**—So there was no sense of underestimating the work of ONA in this regard, in terms of its assumptions at that time?

unknown536unknown1**Mr Gordon**—Yes, our admirers were not universal. There were critics, too, and fair enough; that is what you expect. To have views contested is a very important and healthy part of the debate. That is where our contribution occurs. We cannot take it beyond the next stage, of course, to policy. That is another matter altogether. The whole thing has been an amazing experience in terms of what we have learnt about the whole process. Particularly in regard to Indonesia, it has been a very challenging game, for a number of reasons. During the Suharto period we were used to a very structured, corporatist state. There was then a period when there was a more democratic government. Where centralised control is much weaker, a lot of notions had to be rethought. The whole process of how we looked at Indonesia had to be rethought. The role of Islam in the Indonesian state was a very central issue.

There are still two issues in Indonesia which I think it is very important from our point of view that we try to disentangle. One is that there are Muslim parties in Indonesia who would like to see Indonesia become an Islamic state but choose to do it through the ballot box or at least by democratic means. There are intermediate groups, and beyond that there is this fringe which is dedicated to pulling the whole house down and is very antidemocratic in its impulses. Again, the whole problem of terrorism and our ability to assess that had to be seen in the context of our evolving thinking about Indonesia and the changes there. There was the fact that we were getting no messages from counterpart agencies in South-East Asia that there was a problem to worry about in the sense of a terrorist threat.

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10000536CHAIR0**CHAIR**—It may not be fair to ask you to comment but, from evidence we have picked up and from reading, I do not think Australians appreciate the impact of our involvement in East Timor on our relationship with Indonesia—I mean the fact that we were accused of being a crusader state by certain people. I do not think the way that that has in a way disrupted our relationship with Indonesia has worked through the Australian mentality or psyche. Mr Gordon, you might be able to comment, since you are no longer on the payroll.

unknown536unknown1**Mr Varghese**—He is, actually.

10000536CHAIR0**CHAIR**—Is that written down?

unknown536unknown1**Mr Gordon**—I am on long service leave in retirement.

10000536CHAIR0**CHAIR**—Is it recorded somewhere that you are on the payroll?

unknown536unknown1**Mr Gordon**—It is not the Indonesian payroll.

10000536CHAIR0**CHAIR**—It is recorded now. I do not know if I have blown your cover or anything.

unknown536unknown1**Mr Gordon**—I think that is a fair point.

[unknown537unknown1](#)**Mr Farmer**—Are you talking about from a terrorist's perspective or the government in Jakarta's perspective? The terrorists use the attack in Andalusia in 1290 as justification for their actions too. They will use anything in that regard.

[unknown537unknown1](#)**Mr Gordon**—There are no flamenco dancers in East Timor. Osama bin Laden specifically mentions Australia seizing one of the lands of Islam as a reason for making us a target. My own sense is, however, that, apart from outside government, it would be questionable, at least to the extent that I do not recall very hard evidence that East Timor was a rationale in terrorist activity within Indonesia—or for Bali. But my memory may be wrong.

[unknown537unknown1](#)**Mr Farmer**—I do not think so.

[10000537CHAIR0](#)**CHAIR**—Thank you for coming along today. We may consider bringing back Mr Kemish to see what he has to say, considering that he has not said anything to you and you have not said anything to him.

[316537Stott Despoja, Sen Natasha0](#)**Senator STOTT DESPOJA**—We will be selling tickets to that meeting.

[10000537CHAIR0](#)**CHAIR**—Thank you.

Committee adjourned at 10.43 a.m.