

Northern Territory

Emergency Response Planning and Administration

- 4.1 The Northern Territory Government in its Submission to the Committee highlighted the formation of a Counter Terrorism Security Coordination Unit to coordinate all aspects of the Territory's Counter Terrorism policy and response effort. The unit acts as the first contact between the Chief Minister's Department and the Northern Territory Police on all matters related to terrorism and security.¹
- 4.2 During the Hearing, the Northern Territory Police commented that the experience of Cyclone Tracey in 1974 had enabled the Territory to introduce some administrative structures which are only just being implemented by other states. The Northern Territory Police stated:
- the Northern Territory has been acutely aware of the need for integrated consequence management response. In fact, that event was the genesis of the triservice arrangement we have today. The police, fire and emergency services operate as an entity under a single umbrella managed by the Commissioner of Police, as the CEO.²
- 4.3 The Northern Territory Police told the Committee that the Northern Territory Counter Terrorism Response Unit was comprehensive in its resourcing and scope:

1 Submission No 8, Northern Territory Government

2 B Wernham, Transcript, 17 July 2003, p. 30

Again, in keeping with the sorts of needs in the Northern Territory, it not only provides a counter-terrorism response and a response to an urban siege situation but it also has a search and rescue component, a dive component, bomb technicians, and so on.³

4.4 The Police also noted that the physical infrastructure was arranged to reflect this with communications for police, fire, emergency services and the ambulance service managed within a single facility at police headquarters. The emergency operations centre adjacent to this communications centre can be configured to manage multiple events.⁴

4.5 In answer to the Committee's request to provide an outline of the response sequence to be followed in the event of a major terrorist incident the Counter Terrorism Coordination Unit told the Committee that:

The initial response would be that provided by the Northern Territory police in a crisis situation. An assessment would be made quickly as to the nature and scale of the event and whether or not it was terrorist related. If it was such that it could be handled within the confines of our own resources, it would be done without the request to other jurisdictions and the Commonwealth for assistance...Even where it is declared as a national terrorist situation the Northern Territory would still have prime responsibility for the resolution of that incident.⁵

4.6 With respect to the mechanics of first response, the Northern Territory Chief Fire Officer told the Committee that in the event of a hypothetical bomb blast in the centre of Darwin, for example, the fire service would be the initial responder. The Counter Disaster Council would be called in only when the police forward command decided that further resources were necessary:

That would mean that we would then activate the Counter Disaster Council to look at bringing in our resources from the rest of the Territory.⁶

4.7 Counter disaster arrangements in the Northern Territory are headed by the Commissioner of Police as the Territory Counter Disaster Controller. The counter disaster structure overlays the existing police command and control structure so that, as needed, regional commanders and local

3 B Wernham, Transcript, 17 July 2003, p. 47

4 B Wernham, Transcript, 17 July 2003, p. 31

5 M A Stevens, Transcript, 17 July 2003, p. 35

6 D Pepper, Transcript, 17 July 2003, p. 35

officers in charge step aside from their police role and assume responsibility as regional and local counter disaster controllers.⁷

State and Commonwealth Counter-terrorism Legislative consistency

4.8 The Northern Territory Government, in its Submission, outlined the program put in place to implement the terms of the National Counter Terrorism Agreement. The Northern Territory Government agreed that the Commonwealth should enact appropriate legislation enabling it to deal with instances of terrorism in the Territory where appropriate. In addition, the Northern Territory *Terrorism (Emergency Powers) Act* 2003 commenced on 2 July 2003 and provides for the exercise of special powers by police to deal with 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 police to, without warrant, secure and search a relevant target area, vehicle or person for the purpose of locating and seizing evidence. Terrorism provisions contained in the existing Northern Territory *Criminal Code Act* are currently being reviewed to strengthen the jurisdiction’s ability to deal with terrorism. The Submission noted that:

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 arrangements.⁸

4.9 When asked by the Committee to elaborate on the nature of the perceived deficiencies Deputy Commissioner Wernham argued that it was ‘important that police have the ability to at least question individuals engaged in that sort of activity [potential terrorism] and to carry out some sort of checking process’.⁹

4.10 In subsequent correspondence to the Committee on 18 November 2003 the Northern Territory Government confirmed that the legislative requirements of the National Counter Terrorism Agreement had been met. The Committee was told that work was continuing in regard to other counter terrorism related legislative issues including:

- Money laundering issues

7 B Wernham, Transcript, 17 July 2003, p. 31

8 Northern Territory Government, Submission No 8

9 B Wernham, Transcript, 17 July 2003, p. 42

- Maritime security legislation
 - Amendment of the Northern Territory's DNA laws to enhance the ability to share profiles between jurisdictions ¹⁰
- 4.11 National investigative powers including controlled operations and surveillance would continue to be developed under the Standing Committee of Attorney's General Joint Working Group process.

Consequence Management

- 4.12 The Committee inquired about the structures and procedures in place in the Northern Territory to manage the consequences of a serious terrorist incident. In a Submission to the Inquiry the Northern Territory Emergency Service outlined the provisions of the Northern Territory *Disasters Act 1982* which established the Counter Disaster Organisation and sets out its responsibilities including all aspects of disaster preparedness, response and recovery. The organisational framework includes a hierarchy of plans dealing with conditions at the overall Territory, regional and local levels, and with the following functional groups including; medical, public health, utilities, engineering, transport, cyclone shelter, survey and rescue, welfare, communications, food and media.¹¹
- 4.13 The Northern Territory Police emphasised to the Committee the effect of emergency events which have focussed Territory authorities on consequence management issues:
- Emergency response arrangements in the Northern Territory not only are firmly in place but are also well tested by real time events. Apart from cyclones, these have included massive flooding which required the evacuation of entire communities, the reception and management of refugees from East Timor and the recent medical reception and management of the Bali bombing victims in October last year.¹²
- 4.14 The Territory's capacity to manage the consequences of a terrorist attack is primarily affected by the need to maintain service and response coverage over a large geographic area and by a lack of specialist services as Deputy Commissioner Wernham explained to the Committee:

10 Correspondence, Northern Territory Chief Minister's Department, 18 November 2003.

11 Submission No 9, Northern Territory Emergency Service.

12 B Wernham, Transcript, 17 July 2003, p. 31

As a small jurisdiction, the Northern Territory does not have the ability to create and maintain large specialised units within either the triservice or government generally. As a consequence, managers at all levels wear a number of hats and preparedness is...part of our core business.¹³

- 4.15 On the other hand it is clear that a major incident in the Territory would require specialist assistance from interstate sources:

Notwithstanding the ability to manage an initial response to a major terrorist incident...we would as part of this response be considering requests to other jurisdictions and the Commonwealth for assistance to manage both the counter terrorism response and the counter disaster response... It is fair to say that incidents requiring disaster victim identification or specialised urban search and rescue will need an integrated Bali-like response in terms of the specially trained individuals and specialised equipment necessary. Even in large jurisdictions these resources are located in major centres.¹⁴

Mass Casualty Response capability

- 4.16 In evidence to the Committee, the Medical Superintendent of the Royal Darwin Hospital Dr L Notaras emphasised the importance of the integrated nature of any effective response to a major mass casualty event:

if Bali showed one thing it showed the need for a whole of service response, not just an individual response.¹⁵

- 4.17 Dr Notaras told the Committee that the Royal Darwin Hospital operated as one of a network of regional hospitals and health facilities offering a range of specialist and support services:

The hospital approach is closely integrated with the other Top End hospitals...We operate pretty well as an integrated network working closely together.¹⁶

- 4.18 As well as a Territory medical response network, the Northern Territory hospitals 'form part of the national burns network and the national disaster response network...we are all part of that integrated model'.¹⁷

13 B Wernham, Transcript, 17 July 2003, p. 31

14 B Wernham, Transcript, 17 July 2003, p. 31

15 L Notaras, Transcript, 17 July 2003, p. 32

16 L Notaras, Transcript, 17 July 2003, p. 32

17 L Notaras, Transcript, 17 July 2003, p.31

- 4.19 In practical terms the Northern Territory integrated model is dependant on the provision of adequate transport support. In the case of a major event this would require:

in conjunction with others, the C-130s from the RAAF, and we would be using our own aero retrieval service. We have five aircraft in the Top End, and we use the Royal Australian Flying Doctor Service in Central Australia.

- 4.20 Dr Notaras noted that the Northern Territory medical services were able to deal in the first instance with a diverse range of emergencies:

...we do have facilities for chemical, biological and radiological responses as well as mass casualty presentation; disaster victim identification facilities, which is important; and mortuary facilities that can cope with a whole range of challenges.¹⁸

- 4.21 In answer to a question from the Committee about the scale of incident within the Northern Territory's capacity to manage, Dr Notaras said that the nominal capacity of 4 burns beds was immediately upscaled in response to the Bali incident to 55.¹⁹

Chemical, Biological and radiological attack response capability

- 4.22 With respect to chemical, biological or radiological incident response capacity, the Northern Territory authorities commented that adequate equipment was available, enhanced by the additional nationally interchangeable equipment (chemical and biological suits) being made available under the National Agreement:

All of the nine permanent stations in the Territory have chemical suits. There are four chemical suits in each of those, and the staff are trained to use them. Under the Territory legislation we have hazardous chemical responsibility for hazardous chemical loads. Because of that, we are trained in that form of response. CBR enhances the initial response we have for hazardous chemicals. I suppose in the Northern Territory we are gained by the sense that we have the emergency response squadron of the military here. I am sure the committee knows the one in Sydney. They have a detachment of that response squadron here. It has full CBR and fire capabilities.²⁰

18 L Notaras, Transcript, 17 July 2003, p. 33

19 L Notaras, Transcript, 17 July 2003, p. 51

20 D Pepper, Transcript, 17 July 2003, .p 54

- 4.23 In a Submission to the Committee, the Northern Territory Fire and Rescue Service noted that the Commonwealth had allocated \$1.7 million to build a CBR consequence management capacity in the Northern Territory. The delivery of the equipment followed on the signing of a memorandum of understanding with the Commonwealth in 2003.
- 4.24 The Northern Territory Government has set up a working group to develop CBR response capability for consequence management which consists of the Northern Territory police, fire and rescue service, emergency service, Northern Territory health, and St John's Ambulance. The Northern Territory is also represented on the National CBR Working Group together with representatives from the ADF, ASIO and Emergency Management Australia.²¹

Risk Management

Territory specific conditions

- 4.25 In evidence the Northern Territory Police summarised a variety of Territory specific conditions which influence the risk profile for a terrorist threat:

The key word when considering virtually any response in this territory is 'remoteness'. As you know the Territory terrain varies from a coastal and island Top End, off which sits significant oil and gas infrastructure; to a semi-arid and desert centre, housing an important joint Australian-US defence facility. With the advent of the railway, the Territory moves closer to its potential as a South-East Asian hub. Amongst other things, Darwin had become noted for the frequency of visits by United States and other allied warships.²²

- 4.26 The existence of such conditions was fully taken into account in Territory response planning in association with the Commonwealth under the provisions of the National Counter Terrorism Plan and including ADF resources immediately available in the Territory.

Intelligence and Threat Assessment

- 4.27 Terrorism threat assessment in the Northern Territory, as elsewhere, was dependent on the provision of adequate intelligence:

21 Northern Territory Fire and Emergency Services, Submission No 11

22 B Wernham, Transcript 17 July 2003, p. 30

Our strategy... is about preparedness and relying on the business and infrastructure community feeding information back to us...[we] would rely on our intelligence sources - which would include ASIO, our joint intelligence team with the Federal Police - and our ability to read our part of the world...There are a lot of informal networks that exist in remote areas, particularly through the Aboriginal communities, and we have our local Aboriginal community police officers working in those places and dealing with all those small outlying outstations and things like that along the coastline.²³

- 4.28 In response to the Committee raising the issue of intelligence sharing with the Commonwealth, Northern Territory officials said that the flow of intelligence between Territory, States and ASIO had improved greatly since the establishment of joint state and territory intelligence teams which 'add to our ability to read and analyse intelligence so that we are better able to get to an early warning situation'.²⁴ However as Deputy Commissioner Wernham pointed out:

The challenge for us and for them is to work together to localise and value-add the information so that it means something to the Northern Territory... There will always be ways and means of judging information and weighting it for relative risk factors. It is an imprecise science. All I can say is that it is less than perfect. It is getting better and agencies like ASIO are certainly scrambling and trying extremely hard to better localise the information they provide.²⁵

- 4.29 This situation is common to all jurisdictions and has been addressed to a certain extent by the Counter Terrorism Handbook which sets out criteria defining the precise scale of what constitutes a national terrorist situation. The problem remains one of refining and making as usable as possible existing procedural tools.

Critical Infrastructure protection capability

- 4.30 Critical infrastructure in the Northern Territory is related to those facilities mentioned under Territory Specific Conditions above. In evidence to the Committee the Northern Territory Chief Minister's Department noted that they were engaged in a cooperative exercise with the Commonwealth Attorney-General's Department to identify critical infrastructure within

23 B Wernham, Transcript, 17 July 2003, pp. 40-41

24 B Wernham, Transcript, 17 July 2003, p. 41

25 B Wernham, Transcript, 17 July 2003, p. 41

the Territory and that so far 50 candidate facilities had been nominated. The facilities were defined as those:

facilities and establishments which, if they were destroyed or became unavailable, would impact severely on our economic wellbeing or on our social wellbeing for a protracted time.²⁶

- 4.31 The nominated facilities include Territory, Commonwealth and private sector facilities and under national protocols the protection of such facilities is jointly the responsibility of the Territory and the Commonwealth.

Effectiveness of Consequence Management

- 4.32 As a summary assessment of the present effectiveness of the Northern Territory's terrorism response and consequence management capability, the Northern Territory Police told the Committee that:

The unique nature of the Northern Territory offers positives and negatives in terms of both governance and counter disaster and counter-terrorism response. Perhaps as a consequence of its small number—the Territory's population is 197,000—the Northern Territory community consists of a number of close-knit, formal and informal networks involving both the government and the private sector. This situation lends itself particularly well to consequence management...In summary, the Territory state of preparedness is adequate within the inevitable constraints that arise from a small jurisdiction managing a large geographic location.²⁷

26 C G Wrangle, Transcript, 17 July 2003, p. 43

27 B Wernham, Transcript, 17 July 2003, p. 30

