

Victoria

Emergency Response Planning and Administration

- 5.1 The details of the Victorian Government's terrorism response planning and administration were outlined in the State Government's Submission to the Committee. The Victorian Government claimed that it had well developed emergency management arrangements based on the 'all hazards, all agencies' approach that incorporates counter terrorism planning and arrangements into wider emergency management arrangements.
- 5.2 A review of whole of government response arrangements after the Longford gas plant explosion in September 1998 resulted in the establishment of a Central Government Response Committee composed of senior departmental officials as a permanent fixture of the State's infrastructure for responding to major incidents.
- 5.3 This initiative had been enhanced since the September 11 attacks by the establishment of a new counter terrorism coordination unit in the Victoria police, by the provision of additional specialist equipment for fire and emergency services and the police special operations group, and by the establishment of a State Crisis Centre (with secure communications capability). In addition, a Security and Emergencies Unit was established within the Department of Premier and Cabinet to coordinate a response

between State Government agencies and to liaise with other states and the Commonwealth.¹

- 5.4 In his opening remarks to the Committee at the hearing in Melbourne on 15 August 2003, the Secretary of the Victorian Department of Premier and Cabinet, Mr T Moran, said:

Department of Premier and Cabinet has assumed the role of the lead agency for Victoria's policy coordination with the Commonwealth, including participation in the National Counter Terrorism Committee and its Executive, and participation in the Leaders' Summit and in the negotiation of the Inter-Governmental Agreement signed in October 2002...In the event of a terrorist attack, Victoria's emergency management arrangements provide that the Department of Premier and Cabinet would provide strategic coordination and manage the State Crisis Centre.²

- 5.5 In terms of the mechanics of a response to an incident the Victoria Police had the primary role. Mr Bruce Esplin, Victorian Emergency Services Commissioner, told the Committee:

There are two connection points in our relationship with the Commonwealth—one through the counterterrorism arrangements, the other through the emergency management arrangements—but in both cases Victoria Police is the coordinating point.³

- 5.6 Deputy Police Commissioner Bill Kelly outlined the administrative and planning arrangements under which the Victoria Police coordinate their counter terrorism incident response:

Victoria Police has conducted a thorough examination of existing operating procedures and protocols, with a priority focus on intelligence and prevention strategies, threat assessment and incident control to ensure an effective response capability and capacity. All counter-terrorism incidents will be run within the emergency management framework under the Emergency Management Act for Victoria based on prevention, response and consequence management.⁴

1 State of Victoria, Submission No 13, pp. 4-5.

2 T Moran, Transcript, 15 August 2003, p. 64.

3 B Esplin, Transcript, 15 August 2003, p. 68.

4 W Kelly, Transcript, 15 August 2003, p. 59.

State and Commonwealth Counter Terrorism Legislative Consistency

5.7 The Victorian Government's Submission detailed the legislative measures put in place in response to the National Agreement to ensure consistency in Australia's anti terrorism laws. In Victoria the *Terrorism (Community Protection) Act 2003* provides new powers to Victoria Police and new obligations to assist in preventing and responding to potential terrorist acts, including obligations on the owners and operators of critical infrastructure. *The Terrorism (Commonwealth Powers) Act 2003* refers special powers to the Commonwealth to give effect to the Federal Government's legislative powers to strengthen Australia's position against terrorism. The *Crimes (Property Damage and Computer Offences) Act 2003* includes new offences of sabotage and threatening sabotage and the *Australian Crime Commission (State Provisions) Act 2003* to allow the operation of the Australian Crime Commission within Victoria.⁵

5.8 Deputy Commissioner Kelly provided the Committee with an assessment of the efficacy of the new anti terrorism legislative framework in Victoria:

What I can say about the state legislation is that it has considerably enhanced our capacity in counter-terrorism capability and prevention. The key piece is to make sure that the various state legislations that have been passed since September 11 and Bali, along with the Commonwealth legislations, are both seamless and complementary, so that there are not any issues of investigating criminal elements of a terrorist act or just criminal elements here that might be overridden by other pieces of legislation.⁶

5.9 As well as providing for seamless coverage between State and Commonwealth jurisdictions, the new legislation provides a necessary enhancement of police powers to investigate and prevent terrorist activity as Commissioner Kelly pointed out to the Committee:

The legislation gives us a greater capacity than we had before. We have very good capacity in terms of criminal legislation in Victoria anyway, particularly in terms of warrants and other technical aspects of policing, but this enhances our capacity on the prevention and intelligence side. As I said earlier on, our focus is heavily on prevention and intelligence, in terms of counter terrorism. These powers—aside from the power to detain

5 State of Victoria, Submission No 13, p.3

6 W Kelly, Transcript, 15August 2003, p.74.

contaminated people—certainly support very heavily the capacity of prevention and intelligence gathering to prevent a catastrophe in Victoria.⁷

- 5.10 On 1 December 2003, the Victorian Department of Premier and Cabinet informed the Committee that Victoria had acted to fulfil the terms of the Intergovernmental Agreement in reviewing all of the relevant State legislation giving effect to counter-terrorism arrangements.

Consequence Management

Response capacity

- 5.11 In reply to the Committee's inquiry about the State of Victoria's capacity to respond immediately to a terrorist attack, Deputy Police Commissioner Kelly noted that the response by Victoria Police had been tested over the past 20 years by a series of major emergencies and natural disasters:

The command, control and coordination functions and roles are regularly tested in an all-agency, all hazards approach under the Emergency Management Act framework and requirements. One of those requirements is an accountable and reportable performance measure in all local and senior level police managers' plans.⁸

- 5.12 The Committee was told that the management arrangements put in place in Victoria relied on high level committees coordinating input from the relevant Departments and agencies on the ground. It was argued that monolithic 'command and control' arrangements 'probably will not work' and that:

A more networked management arrangement which takes advantage of existing agencies and so forth at both levels of government, where relationships between them are well established and trialled through various exercises...our experience is that that works reasonably well.⁹

7 W Kelly, Transcript 15 August 2003, p. 75

8 W Kelly, Transcript, 15 August 2003, p. 60

9 T Moran, Transcript, 15 August 2003, p.67

- 5.13 In answer to a question from the Committee, Deputy Police Commissioner Kelly detailed the sequence of events which would be set in train in immediate response to a terrorist incident (a hypothetical explosion at a gas plant) in the State:

The operational forward command post for the police that would be set up at such a site, along with the command posts of the other emergency services, would be informing us of the circumstances there, and we would be making value judgements on whether it was a local criminal act or had more sinister connections...If it turned [out to be] a terrorist act the procedure, in terms of the investigation and management of coordination, probably would not change. However the spectrum of people involved at the national level would change.¹⁰

- 5.14 At this point the response arrangements would follow those under the National Counter Terrorism Plan:

our joint intelligence groups would be working with the Commonwealth agencies, both in the forward command post and at the police operations centre.¹¹

Infrastructure protection

- 5.15 The Victorian Government's Submission detailed the role of the Department of Infrastructure as being responsible for Victoria's road and rail transport services and infrastructure, the ports and marine sectors, for developing and implementing information and communication technology policy, providing strategic advice on energy policy and managing the delivery of large scale development and construction projects for the Victorian Government. The Department of Infrastructure is currently completing a security risk assessment of the energy sector and a strategic risk assessment for the transport sector including road, maritime, and public transport. It has established a security and emergency management unit with dedicated resources to coordinate security and emergency management across the department.¹²
- 5.16 Under the terms of the National Counter Terrorism Agreement, Victoria has identified and developed a database of more than 600 items of critical infrastructure. The Victoria Police told the Committee that Victoria was

10 W Kelly, Transcript, 15 August 2003, p. 65

11 W Kelly, Transcript, 15 August 2003, p. 66

12 State of Victoria, Submission No 13, p. 11.

following a risk management strategy with reference to infrastructure protection planning:

The counter-terrorism unit has been working with owners and operators of critical infrastructure, including all energy installations and transport systems, to ensure that they are aware of their responsibility to provide adequate security and undertake risk management planning. The new *Terrorism (Community Protection) Act* provides that the operators of essential services must prepare risk management plans to identify and mitigate the risk of terrorist acts, which is an augmentation of the long-term emergency management plans that have been in place for many years. Under the legislation, Victoria Police will supervise exercises by those installations intended to test their risk management plans.

- 5.17 The Victorian Government has developed a coordinated approach to the protection of critical infrastructure which allows for the fact that public utilities are often privately owned and managed. The Victorian Emergency Services Commissioner noted that two reviews of infrastructure protection planning had been undertaken since the Longford gas plant explosion in 1998 and a policy of risk management and cooperative planning involving the private sector, put in place:

I think the thrust of our activities is about recognising that this is risk management, disaster recovery planning and business continuity planning...By taking that approach we are able to engage with the private sector in a very complete way. It is an appropriate way for them to do their risk management. It is about sharing intelligence and sharing systems of understanding. But we were a long way down the track when some of this work was started on a national basis.¹³

- 5.18 The Victorian Government's Submission to the Committee noted that following the Security Alert of 19 November 2002, Secretaries of Victorian State Government Departments were required to undertake a review of the infrastructure, events and locations within their portfolios and to implement a program of prevention strategies to minimise the opportunity for terrorist related incidents involving critical infrastructure.¹⁴

13 B Esplin, Transcript, 15 August 2003, p.76

14 State of Victoria, Submission No 13, p. 3

Maritime and Aviation Security

- 5.19 In response to the Committee's inquiry about the preparedness of the Victorian authorities to meet a terrorism threat to maritime or aviation security, the Victoria Police pointed out that the

counter-terrorism coordination unit's brief is to coordinate activities to ensure the best possible maritime and aviation security within Victoria. We have a very close relationship with the APS and the Federal Police at Tullamarine airport. We also have a police station there.¹⁵

- 5.20 Victoria Police have been working actively with the Federal Police to coordinate arrangements for security at Tullamarine and at regional airports since September 11. Their priorities have been:

To re-establish and reinforce the current protocols in terms of air services, aircraft in flight and notification. We have been working in support of the Australian Protective Service and the Federal Police to supply intelligence and investigative support in terms of the controlling agencies because of the difference between state and federal responsibility at the airport. We are also working, through the counter-terrorism coordination unit, on the two reviews that are currently taking place in terms of aviation security, and we are working very closely with the Department of Transport and Regional Services because they are one of our key partners on the National Counter-Terrorism Committee. That is looking at the security of regional airports and also our major airports here. So we believe that we are making very good progress with that.¹⁶

- 5.21 Victoria Police assured the Committee that there was clear understanding of the relative roles of Victorian and Australian Protective Service officers in the provision of airport security and that the relationship had already been tested by recent incidents and was working effectively. Victoria Police stated:

The issues that we have been working through with APS in the airport since APS took over the role of airport security are through the counterterrorism coordination unit in terms of training awareness from both sides—from the APS side and from our side—to make sure that our members understand their complete

15 W Kelly, Transcript, 15 August 2003, p. 73

16 W Kelly, Transcript, 15 August 2003, p. 73

role and APS officers understand their role. It is support in a common cause. It is about personal security for people at airports and the extrication of offenders who might disrupt that. So we have arrangements with APS to support them in their role and we are currently going further on the enhancement of that.¹⁷

- 5.22 Victoria Police cited as examples the recent incidents involving passengers on Qantas and Virgin flights where first responders from the Victoria Police were at the scene within five minutes.¹⁸

Intelligence and Threat Assessment

- 5.23 In response to the Committee's inquiry about the Victorian authorities' access to and efficient utilisation of intelligence information, the Victoria Police provided an account of existing arrangements:

In the intelligence field, Victoria Police has refocused its intelligence and its preventative strategy. The Security Intelligence Group, known as SIG, focuses on the prevention of terrorist threats or acts through the analysis and provision of timely and accurate intelligence. It is the primary conduit of threat advice from the Commonwealth and of security liaison with other states and agencies.¹⁹

- 5.24 Additional surveillance and communication equipment had been provided to enhance the Victoria Police's intelligence and risk analysis capacity which would help with the timely detection of terrorist activity. Increased funding had also allowed for the employment of 12 additional intelligence officers and technical support staff.²⁰

- 5.25 With respect to the sharing of information between State and Commonwealth authorities, including intelligence, in the event of a terrorist incident, this had recently been tested in Victoria by the *New Dawn* exercise where senior Commonwealth agency representatives were involved with State Crisis Centre meetings. The Secretary of the Department of Premier and Cabinet commented in evidence to the Committee that:

Ultimately, though, these arrangements in a crisis depend upon established relationships and an openness in communication. This

17 W Kelly Transcript, 15 August 2003, p. 74

18 W Kelly, Transcript, 15 August 2003, p. 74.

19 W Kelly, Transcript, 15 August 2003, p. 59.

20 W Kelly, Transcript, 15 August 2003, p. 59.

can always vary over time...but I think that our reading of it would be that relationships across government boundaries are more numerous, more professional, better based and more informative than perhaps they were previously.²¹

The Role of the ADF

- 5.26 The Committee inquired about the extent of cooperation in an emergency management situation between the Victoria Police and the Australian Defence Forces. Police Commissioner Kelly commented that the Victorian Special Operations Group would be capable of handling most siege or hostage situations likely to occur within the State. If a terrorist incident were beyond the capacity of the State's resources the protocols set out in the National Counter Terrorism Plan would be followed. These protocols provide for the deployment of the ADF Tactical Assault Group (TAG) East:

There is a protocol of the police forward command post then engaging with the ADF if they are to be deployed. That is handled at a national level, and the request would go up through the State Crisis Centre to the national level. If and when the approval was given, the TAG commander would consult with the forward commander. There is then some documentation that is processed and an official handover is done to the ADF. When the incident has been completed, there is a hand-back. So there is a process there that is well tried and tested.²²

- 5.27 Relations between State emergency management authorities and the ADF were subject to regular exercises. The Victoria Police pointed out:

The SAC-PAV exercises on a number of occasions have included the ADF and I would imagine that will continue. The more recent one that we did with New Dawn, which was a multiple incident exercise, clearly included ADF, as did quite a number of the exercises that the state forces played a role in preceding the Olympic Games.²³

21 T Moran, Transcript, 15 August 2003, p. 65

22 W Kelly, Transcript, 15 August 2003, p. 86.

23 W Kelly, Transcript, 15 August 2003, p. 86

Mass casualty response capacity

- 5.28 The Victorian Government's Submission to the Committee's Inquiry detailed the capacity of the State to respond to a mass casualty incident. The Department of Human Services has specific responsibilities in the consequence management of terrorist incidents within Victoria's emergency response and community recovery arrangements. These are:

Mass casualty management through the role of the Chief Medical Coordinator, Area Medical Coordinators, ambulance services, medical and health services and hospitals identified in the State Medical Emergency Response Plan.

Incident control responsibilities for biological (infectious disease) and radiation incidents, and food and water contamination and other environmental and public health events through the role of the Chief Health Officer within the Public Health Emergency Response Plan.

Specialist community recovery services including psychological first aid, support to victims of trauma, community information and redevelopment programs, health surveillance and public health programs – through the role of the State Recovery Coordinator within the State Emergency Recovery Plan.²⁴

- 5.29 In evidence to the Committee Victorian officials provided details of the operation of the emergency management arrangements relating to mass casualty incidents:

The medical aspects of mass casualty incidents are managed through a partnership arrangement with the Chief Medical Coordinator and ambulance services. Integrated central and site communication and response systems provide a response model for the triage of casualties, first aid, oversighting contamination of casualties and coordination of transfers to hospitals. Victorian hospitals also provide additional on-site capacity through the deployment of trained disaster teams resourced with specially designed mobile kits.²⁵

24 State of Victoria, Submission No 13, p. 10.

25 B Joyce, Transcript, 15 August 2003, p. 62.

- 5.30 With respect to high volume casualty requirements as a result of a terrorist incident, Victorian authorities were confident that capacity could be expanded rapidly to the extent of 300 beds in the short term and 1,500 state wide within 24 hours:

Victoria's hospitals have no built-in redundancy for casualties. A contingency planning system is used to establish capacity. Hospital capacity for casualties is managed through a combination of burns beds, critical care beds and multi-day and same-day beds... Additional hospital, nursing and medical specialist personnel are accessed via health services and the medical community outside the hospitals directly associated with the casualties. We are very confident that we have a surge capacity in terms of providing the capacity for the treatment of casualties.²⁶

Chemical, biological and radiological (CBR) event response capacity

- 5.31 In response to a request from the Committee the Victorian Chief Health Officer, Dr R Hall outlined the process of response to a CBR event in Victoria:

Essentially, we see a two-phase process where, if there were an incident that required decontamination on the scene, the fire service would have the primary responsibility for conducting that decontamination on the scene. We also have systems within our hospitals to ensure appropriate decontamination of people as they arrive. It may well be that some people will self-present to hospitals, where we can arrange to have decontamination of those people as they present.²⁷

- 5.32 Dr Hall told the Committee about recent developments in Victoria with respect to enhancing the State's capacity to respond to CBR events:

We have embarked on a process of increasing the capability in the ambulance service with regard to personal protective equipment. Also, we are increasing the capability of hospital emergency departments to deal with chemical, biological and radiation incidents. We have detection equipment, which can be deployed at the scene of an incident to examine the nature of radiation and the kind of response that would be required to deal with it. We also have equipment to deal with that issue in hospital emergency

26 B Joyce, Transcript, 15 August 2003, p. 62

27 R Hall, Transcript, 15 August 2003, p. 80.

departments, again to guide the response to radiation issues. With regard to the pharmaceutical stockpile, we are developing our pharmaceutical stocks to respond to issues such as the anthrax issue that came up in the United States and the white powder incidents that we had in Australia. We are working with the national arrangements to refine exactly the kinds of drugs needed. That process is ongoing. That is for both antibiotics for biological agents and drugs for chemical agents.²⁸

- 5.33 In addition to the resources detailed above the Victoria Police listed a first response capacity including '80 tactical suits and 10 fully encapsulated gas suits. Further suits will be supplied through the national counter-terrorism arrangements under the Emergency Management Australia framework.' ²⁹

Risk Management

- 5.34 Key aspects of Victoria's approach to the risk management of counter terrorism capacity in the State are scenario based planning, an 'all hazards all agencies' approach to service provision and planning and participation in exercise and training programs.

- 5.35 The Victorian Emergency Services Commissioner, Mr B Esplin elaborated on the first of these concepts:

We would call it looking over the horizon. In Victoria we are trying to use a process of scenario based planning... the sort of process that enables us to shape, based ultimately on risk assessment, just what the scenarios are that we will need to respond to. We need to think outside the square and think over the horizon of the sorts of risk environments that might confront us.³⁰

28 R Hall, Transcript, 15 August 2003, p. 79

29 W Kelly, Transcript, 5 August 2003, p. 60

30 B Esplin, Transcript, 15 August 2003, p. 83

- 5.36 The Secretary of the Victorian Premiers' Department also drew the Committee's attention to the 'more substantial and more frequent exercises' engaged in by the police and emergency services in the State as an important aspect of its risk management response.

