COMMONWEALTH OF AUSTRALIA

Official Committee Hansard

SENATE

FOREIGN AFFAIRS, DEFENCE AND TRADE REFERENCES COMMITTEE

Reference: Matters relating to the Torres Strait region

FRIDAY, 18 DECEMBER 2009

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SENATE FOREIGN AFFAIRS, DEFENCE AND TRADE

REFERENCES COMMITTEE

Friday, 18 December 2009

Members: Senator Trood *(Chair)*, Senator Mark Bishop *(Deputy Chair)*, Senators Ferguson, Forshaw, Kroger and Ludlam

Participating members: Senators Abetz, Adams, Back, Barnett, Bernardi, Bilyk, Birmingham, Boswell, Boyce, Brandis, Bob Brown, Carol Brown, Bushby, Cameron, Cash, Colbeck, Jacinta Collins, Coonan, Cormann, Crossin, Eggleston, Farrell, Feeney, Fielding, Fierravanti-Wells, Fifield, Fisher, Furner, Hanson-Young, Heffernan, Humphries, Hurley, Hutchins, Johnston, Joyce, Lundy, Ian Macdonald, McEwen, McGauran, McLucas, Marshall, Mason, Milne, Minchin, Moore, Nash, O'Brien, Parry, Payne, Polley, Pratt, Ronaldson, Ryan, Scullion, Siewert, Sterle, Troeth, Williams, Wortley and Xenophon

Senators in attendance: Senators Mark Bishop, Boyce, Forshaw, Kroger and Trood

Terms of reference for the inquiry:

To inquire into and report on:

The administration and management of matters relating to Australia's northern air, sea and land approaches in the region of the Torres Strait, including:

(a) the provisions of the Torres Strait Treaty;

(b) the role of the Torres Strait Regional Authority in respect of treaty and border issues, including how the authority interacts with the governments and people of Papua New Guinea (PNG);

(c) the extent of cooperation with, and between, Australia's northern neighbours, PNG and Indonesia, in relation to the health, welfare and security of the Torres Strait region and communities in and around this region; and

(d) the challenges facing this region in relation to:

  (i) the management of fisheries,

  (ii) the contribution of international trade and commerce to regional economic sustainability,

  (iii) the maintenance of strong border security across the Torres Strait region, including but not limited to, issues related to Australia's defence, bio-security, public health, immigration and customs,

  (iv) cooperation between federal, state and local levels of government, and

  (v) air, sea and land transport linkages.

WITNESSES

Committee met at 9.03 am

BRUER, Mr Jeremy, Assistant Secretary, Papua New Guinea and Fiji Branch, Pacific Division, Department of Foreign Affairs and Trade

COPPEL, Mr Nicholas, Assistant Secretary, Pacific Regional and New Zealand Branch, Pacific Division, Department of Foreign Affairs and Trade

YOUNG, Mr Brett, Torres Strait Treaty Liaison Officer, Thursday Island, Torres Strait, Department of Foreign Affairs and Trade

CHAIR (Senator Trood)—Good morning, ladies and gentlemen. I declare open this public hearing of the Foreign Affairs, Defence and Trade References Committee into the matters relating to the Torres Strait Region. These are public proceedings. The committee, however, may agree to a request to have evidence heard in camera or may determine that certain evidence should be heard in camera. I remind all witnesses that in giving evidence to the committee they are protected by parliamentary privilege. It is unlawful for anyone to threaten or disadvantage a witness on account of evidence given to a committee, and such action may be treated by the Senate as a contempt. It is also a contempt to give false or misleading evidence to a committee. If a witness objects to answering a question, the witness should state the ground upon which the objection is taken and the committee will determine whether it will insist on an answer, having regard to the ground which is claimed. If the committee determines to insist on an answer, a witness may request that the answer be given in camera. Such a request may, of course, also be made at any other time.

I remind witnesses that the Senate has resolved that an officer of a department of the Commonwealth or of a state shall not be asked to give opinions on matters of policy and shall be given reasonable opportunity to refer questions asked of an officer to superior officers or to a minister. This resolution prohibits only questions asked for opinions on matters of policy and does not preclude questions asking for explanations of policies or factual questions about when and how policies were adopted. I also remind you that any claim that it would be contrary to the public interest to answer a question must be made by a minister and should be accompanied by a statement setting out the basis for the claim.

Welcome. It is good to see you again, Mr Young. The committee has before it submission No. 23 from the department. It is a public document. Do you wish to make any amendments to your submission, Mr Bruer?

Mr Bruer—No.

CHAIR—I invite you to make an opening statement if you would care to do so.

Mr Bruer—As you know, DFAT has overall policy responsibility for the Torres Strait treaty at the bureaucratic level within the Australian government. The department coordinates the overall bilateral relationship with Papua New Guinea. It operates the Treaty Liaison Officer on Thursday Island, which is where they day-to-day frontline implementation of the treaty occurs. It co-chairs the Torres Strait Joint Advisory Council set up under the treaty and chairs the treaty interdepartmental committee process.

The treaty was signed, as you know, in 1979 and entered into force in 1985. It defines the territorial boundaries between Australia and PNG. There are two aspects to that: the seabed jurisdiction line and the fisheries jurisdiction line. The treaty is much more than a simple border delimitation agreement: it also establishes a protected zone to acknowledge and protect the traditional way of life and livelihood of the traditional inhabitants who live there. They—the traditional inhabitants—can travel across the border without passports or visas for traditional activities like fishing for food, traditional trade and ceremonial activities. That would include marriages, funerals and the like. The protected zone also protects and preserves the marine environment and commits Australia and PNG to cooperation in fisheries management and in the regulation and exploitation of seabed mineral resources.

Importantly, the treaty also sets out a comprehensive consultative framework for the management of the common border area. DFAT's main role in this is to protect the unique lifestyle of the region's traditional inhabitants while at the same time advancing Australia's broader national interests and preserving our good relationship with PNG. That involves coordinating effectively with a wide range of agencies and groups at the federal, state and local levels, and also with the traditional inhabitants to ensure a coherent approach to the management of the common border.

Implementation of the treaty at the operational level involves the efforts of a number of other line agencies—a number of whom I expect you will be talking to—the main ones being the Department of Immigration and Citizenship; Defence; Australian Customs and Border Protection Service; the Federal Police; the Australian Fisheries Management Authority, AFMA; and AQIS, the Australian Quarantine Inspection Service. We also liaise extensively with traditional inhabitant representatives and their groups, including the Torres Strait Regional Authority and the Torres Strait Islands Regional Council. We also cooperate very closely with the PNG government to manage the border and to implement the treaty. By and large, we think the treaty has worked well over time, as our submission says, and the Australian and PNG governments work hard and have a shared commitment to the proper and sensitive management of the region through the Torres Strait treaty. We are happy to answer any questions that you have.

CHAIR—Thank you, Mr Bruer. I might begin before I ask my colleagues to ask you some questions. I want to begin by looking at the review arrangements for the treaty. I think you make the point in your submission that there is not a formal review process and the evidence we had from the Attorney-General's Department made the point that it was unusual in a treaty of this kind for there to be a review clause, but article 19 of the treaty talks about the advisory council and then talks about review from time to time as may be necessary. I am just wondering whether or not DFAT, as the lead agency here, has ever undertaken any formal process of review in the period of time that it has been in place, or whether or not there is a process of regular assessment of aspects of the treaty. I appreciate there are a large number of mechanisms by which liaison between ourselves and Papua New Guinea in relation to the traditional inhabitants takes place. I am not interested so much in the day-to-day management of the treaty; I am interested in looking at the wider situation with regard to the treaty and whether or not you have ever thought about undertaking a comprehensive review of the way in which all of the elements of it are working.

Mr Bruer—As you say, the various aspects of the treaty and the ways in which they are implemented are subject to constant review in many ways and we always review and monitor the way in which those things work. I am not aware of any substantial review of the treaty itself that

has occurred in the past. I suppose doing that would require a political decision by both the Australian and PNG governments.

CHAIR—I see. I realise that if a review were to be undertaken which led to a change or some additions to the treaty then of course it would require bilateral consideration, but I am interested to know whether or not the Australian government has come to the view that there is a need for Australia to reassess the way in which the treaty is operating, because it has now been in place for 20 years or so. Have you given thought to that at all?

Mr Bruer—We think that the treaty has operated pretty well over time, that it is very flexible and adaptable and that the mechanisms for consultation that exist within the treaty enable the necessary fine tuning that happens sometimes at the operational level to be done. I suppose it has not been considered necessary in the past.

CHAIR—So you are very comfortable with the way in which the treaty is operating and you consider that any need for change can be a matter of fine tuning using the existing mechanisms of the treaty. Is that right?

Mr Bruer—We are comfortable with the way it operates.

CHAIR—Can I ask you then about the import of the remarks in your submission where you talk about the treaty in contemporary circumstances. You say that the treaty has worked well, but you go on to say:

> More recently, changing economic and social circumstances on both sides of the border … have placed the Treaty under pressure.

Perhaps you could elaborate for the committee what kind of pressure you think the treaty is under and whether or not the extent of that pressure requires, in your view, there to be any changes to either the treaty itself or the mechanisms which operate under the treaty.

Mr Bruer—The media reporting that you may be aware of in recent times that covers reports about—and I am using the words that have appeared in the media reports—PNG nationals pouring into the Torres Strait and those kinds of things could, I suppose, be classed as pressure. We think that the responses that we have been able to put together to be able to deal with those issues have been adequate and that the provisions of the treaty have made it possible for us to do that. The pressure we are talking about means the pressure of the issues that are covered by the treaty. The treaty has proved to be resilient and flexible enough for us to devise means and mechanisms. The consultative processes that form such an important part of the treaty have provided us with avenues to deal with the kinds of things that we are discussing here.

CHAIR—There have been a lot of media reports, particularly recently, of activities up in the Torres Strait. The committee at this stage is in no position to assess the veracity of those reports. I am just relying upon the remarks in your statement to the committee, in which you make specific reference to pressures building independently of what may be in the news reports. I am anxious, so could you give us some examples of the changing economic and social circumstances that you were contemplating when you prepared the report? Perhaps Mr Young, who is on the ground up there, might be able to fill that out in some way.

Mr Young—The government has reacted to some of those pressures both perceived and real. For instance, access to health services is much less on the Papua New Guinean side than on the Australian side. There has been considerable media in relation to that. As a response and within the framework of the treaty, the package of measures was developed and has been funded. We have a commitment from Papua New Guinea to also work to reduce the pressure on Australian health services. That is one example. To jump to another area, turtle and dugong fisheries are a fishery in this context—so I am talking about them as a fishery rather than an environmental resource—and a management program has been established on a large number of islands. Bilateral consideration is being given to those, as well as consultation with Papua New Guinean communities to work within the bounds of those management plans. There has been funding given to the management of those plans as well as to the compliance that is required. By nature of population as much as anything, there has been pressure placed on fisheries which was not there in the past. But the treaty allows this level of engagement at all levels of government to work through some of these issues to resolve them, and I believe that is happening.

CHAIR—So you share Mr Bruer's position that the changing economic and social circumstances have placed some pressure on the treaty but that they are not sufficiently strong or troublesome that there needs to be any significant change in the way in which you do business there.

Mr Young—It is self-evident there is a wealth disparity across that border. Any border agreement is going to be subject to pressure, but the treaty to date has allowed us to manage those issues and put in place programs to deal with them.

CHAIR—Are you troubled by that wealth disparity to the point where you think that is going to become an increasingly difficult challenge to meet in managing the treaty affairs?

Mr Young—I do not know if I can look to the future and see what will happen. I can really only refer to what has happened to date, and to date it has worked well.

CHAIR—Is the implication of your observation about wealth disparity that one of the things that the Australian government should be contemplating is more targeted aid in the western province and those villages that are part of the treaty area?

Mr Young—I am not really qualified to answer that question, but AusAID could certainly do that. They have a significant program in Papua New Guinea, as you would know, and Western Province is but a small element of that. So I think that question might be better put to AusAID.

CHAIR—We will see them shortly and will no doubt put that question to them. I do not ask you to declare yourself on the delivery of AusAID programs, but do you feel able to give your opinion in relation to the principle of whether or not Australian aid might be of assistance targeted to that area?

Mr Young—With respect, I really do not. The treaty area and our border relationship are one small part of a major bilateral relationship, and I cannot from this context comment on the broader aims and objectives that governments have in place when they discuss that bilateral relationship. I could not speak with any authority on that point.

CHAIR—How long now have you been there as the DFAT officer?

Mr Young—Almost 11 months.

CHAIR—So you have been there nearly a year, and in that period of time you have obviously had an opportunity to determine how effectively the various agencies of the Australian government operate on the ground up there. Perhaps you could give the committee the benefit of your observations about that interaction between those agencies.

Mr Young—I think this is a high point of whole-of-government operations that I have seen in a bilateral context or in a foreign relations context. Agencies work extremely well. We need to; it is a way of increasing efficiencies and making sure that across government people know what is going on. To some extent we have divided up the resource pie in the Torres and enabled agencies to do more than they normally would be able to self-resource. For those reasons, I would have no hesitation in declaring whole-of-government operations and cooperation in the Torres very successful.

CHAIR—Does that include relations between levels of government? You are speaking primarily about Commonwealth agencies; how about the relationships between the state and federal governments—the Commonwealth and Queensland governments—and also the local governments that are there?

Mr Young—Likewise—and I think a lot of people might be surprised—one of the pillars and successes of the treaty is the input of the state and local representatives and traditional inhabitants, and that happens in a productive way on a day-to-day basis. There are a few examples. Queensland Health obviously have a significant role to play in the cross-border health issues. We work very closely with them on that. The traditional inhabitants' participation in the treaty process occurs through the Torres Strait Regional Authority. Their board, which is made up of members from the various islands in the Torres Strait—some are not treaty communities, but most are—makes up the body of traditional inhabitants' representatives which attend the traditional inhabitants meeting and also the Joint Advisory Council. So necessarily we have a very close working relationship. Indeed, the traditional inhabitants meeting is for and by those traditional inhabitants, who are the board, led by the chair of the TSRA with me and my counterpart in Papua New Guinea as the secretariat. We are all forced to work well together, and we do; we have a common aim and a common goal and, as I mentioned before, there is a resource efficiency generated by us all working so closely together.

Senator MARK BISHOP—Thank you for those comments. Your submission has the heading, which Senator Trood has been discussing, of 'The Treaty in contemporary circumstances'. You have a discussion of the traditional inhabitants and the like in your submission and you refer to the strength and the effectiveness of the role of the traditional inhabitants in being the bulwark of the treaty: as long as they are paying attention, being treated seriously and having input, the treaty retains its contemporary relevance. You then have a discussion on free movement and potential for abuses. Are there any significant levels of abuse of the free-movement provisions of the treaty? Have they been brought to your attention or is it just an incidental thing?

Mr Bruer—We are aware of reports suggesting that there are large numbers of people arriving unexpectedly and we are aware that there have been what you might call 'overstayer problems' in the past, but our sense is that there has been some pretty effective outreach by the Department of Immigration and Citizenship to island communities and to traditional visitors. The number of overstayers has been reduced substantially. There has been a set of guidelines agreed to recently by traditional inhabitants on both sides of the border which we are hopeful will prevent future large numbers of overstaying cases. Those guidelines are designed to ensure that traditional visitors understand the conditions under which the free-movement provisions operate.

Senator MARK BISHOP—Let me briefly shift away from the overstay provisions. I refer to the large movement of people that has developed in more recent times, and you referred to it in the first part of your comment. Is that of concern to the TIs, the traditional inhabitants, up there?

Mr Bruer—There have been some expressions of concern and I think that these mechanisms that I have just mentioned have been designed to address those.

Senator MARK BISHOP—How long have those new guidelines and mechanisms been in place?

Mr Young—If I may respond, through the chair, they were agreed at the last traditional inhabitants meetings. The guidelines have been created by and for the traditional communities. They have been agreed and endorsed at the traditional inhabitants meeting of 2009, in March, and subsequently endorsed by the Joint Advisory Council.

Senator MARK BISHOP—Are they now in place?

Mr Young—They are in place.

Senator MARK BISHOP—And they have now been given effect, so are working?

Mr Young—There are a couple of elements to this. One is the production of a finished product to be distributed—a colour brochure, if you like—and to some extent we have been waiting to make sure. Consultation is obviously very important. The guidelines have been distributed widely. We are just waiting for input from communities. So far it has been all positive and all in agreeance with what principles are stated in the guidelines. So they will be turned into a glossy brochure, if you like, over the next few months—but the guidelines are out there and in force.

Senator MARK BISHOP—The guidelines were created and they are by and from the communities and have gone through the appropriate levels of authority within the consultative bodies. The guidelines are now in force and you are in the final stages of preparation of dissemination of communication as to how the guidelines will work in practice.

Mr Young—Yes.

Senator MARK BISHOP—Whilst all of this has been going on from March 2009 through to the present time, has the incidence of abuse been reduced or has it continued at the previous level?

Mr Young—I am not sure that 'abuse' is the right word. The numbers of visitors to the Torres area from Papua New Guinea has not changed markedly over recent years, and you would be best placed to talk to the Department of Immigration and Citizenship.

Senator MARK BISHOP—I used the word 'abuse', Mr Young, because your submission uses it. So I am asking questions directly arising from your submission. It says:

Abuses of the Treaty's free movement provisions could lead to tensions between traditional visitors from Papua New Guinea …

So I did not create that.

Mr Young—On the visit guidelines, they are not really new guidelines. All they really are is a consolidation of the views and the rules that were already there in oral form and put onto a piece of paper. So it is part of the grab bag of information we deliver to communities during our treaty awareness visits.

Senator MARK BISHOP—So are you really saying that this incidence of free movements of some peoples has been not properly adhered to in more recent times, it has become of concern to the traditional inhabitants up there, there has been a process whereby what were existing practices have fallen into disuse and they are now being reaffirmed and you hope that they are going to be given more and proper effect to as we go into the future? Is that the net total of what you are saying?

Mr Young—I think it is important, as part of our advocacy of the treaty and of a public education program to make sure everyone knows the rules and the guidelines, that we have a document so that we can clearly outline to communities what their obligations are when they visit Australian communities. That is what the guidelines aim to do.

Senator MARK BISHOP—But I have been hearing you saying those guidelines are simply the written form of what has come to be the practice in the past. Is that correct?

Mr Young—Yes.

Senator MARK BISHOP—Okay, so we have now codified what was custom and we are disseminating that information and it is by and from the traditional inhabitants. Do you then anticipate that potential abuses will now be significantly reduced?

Mr Young—I think the aim of the guidelines is to make sure that everyone knows what the expectations are of communities that Papua New Guinean nationals visit. We will see how that will pan out over time. But obviously the aim of the guidelines was to make sure that all those that had access to the treaty provisions knew what the expectations of the communities were.

Senator MARK BISHOP—All right then. Your submission says, and I quote:

Abuses of the Treaty's free movement provisions could lead to tensions between traditional visitors from Papua New Guinea and Torres Strait Islander communities, and exacerbate pressure on local infrastructure and resources, thereby eroding support for the Treaty among traditional inhabitants.

In some respects that is a statement of real concern that you are foreshadowing to us. I refer to the work that you have been doing for the last 12 months in terms of this codifying and consolidating and communicating. Is that maintaining support for the treaty amongst traditional inhabitants?

Mr Young—In my experience there is overwhelming support for the treaty. I think the chairman of the board of the Torres Strait Regional Authority mentioned in his covering letter that there was no contemplation by that board that there would be a review of the treaty. There are issues. There are ongoing pressures. We have a lot of work to do to manage what is a complex treaty and a complex border. We try to do that as effectively as we can. As I say, there are ongoing management issues that I confront every day—and my colleagues from other agencies do too—but generally speaking there is support for the treaty's existence.

Senator MARK BISHOP—Thank you, Mr Young.

CHAIR—Mr Young, have the guidelines that have been codified never been written down previously?

Mr Young—I cannot answer that. There may have been forms.

CHAIR—Not to your knowledge—is that it?

Mr Young—Not to my knowledge.

CHAIR—Why do you think that is necessary now?

Mr Young—It is not really what I think is necessary; it is what the traditional inhabitants have decided. They have decided, through their process and their meetings—the traditional inhabitants meetings—that this was required, that we needed an instrument by which it can be made clear to everyone in the treaty area what the obligations and rules are. So they have generated it.

CHAIR—I think the committee would be grateful, Mr Young and Mr Bruer, if you would perhaps give us a record of the guidelines. I realise the brochure is not completed yet, but since the guidelines have actually been written down I think we would like to see what they are. We do not have those before us now.

Mr Bruer—We would be happy to do that.

CHAIR—Thank you.

Mr Young—If I could add this, the guidelines are a living document. They will be updated.

CHAIR—Well, as they stand at the moment, Mr Young, would be helpful. Thank you for that.

Senator KROGER—This is a follow-up to one of your responses. I think it was your response, Mr Bruer, to Senator Bishop. You were talking about overstayers. Could you give us an indication of what length of time we are talking about with overstayers? Are you talking a few days or are you talking weeks or months? What sort of period of time are we talking about?

Mr Bruer—I do not have that information. It is probably better addressed to the department of immigration. We can talk to them, but I am not sure what the answer to the question is.

Senator KROGER—Through these mechanisms is there an analysis done by any agency as to the reasons for overstaying, whether they be economic or social or political—so what the reasons for those overstayers are?

Mr Bruer—Again, I do not have that information to hand and I would have to respond at some time in the future, if that was helpful. I suspect that is done by the immigration department, if anybody.

Senator KROGER—It would be good to know whether it is Immigration that is involved not just in the monitoring but in analysis of the reasons behind it.

Mr Bruer—I think in the first instance it would be Immigration that would deal with those things.

Senator KROGER—It would be good if you could provide that, thank you.

Senator BOYCE—Mr Bruer, on page 143 of your submission you point out that the treaty has an important dual role and you say that this dual role:

… has sometimes led to confusion and poor understanding on the part of the stakeholders and the general public.

Could you expand a little on what you mean there by confusion and poor understanding?

Mr Bruer—As Mr Young has said, the treaty is a very complex document and it does have those dual purposes. With such a large amount of traditional movement across the border permitted under the treaty—free movement of traditional people for traditional purposes—there is, I suppose, room for people to see grey areas between what is permitted and what is not permitted and to confuse what is permitted with what is not permitted. We think that there is scope for confusion between those two things. At the working level we try to minimise that confusion by continual work, through the sorts of things that Mr Young does, in liaising and negotiating and talking to and with outreach efforts to the various communities on both sides of the border to make sure that the requirements and obligations and responsibilities of people under the treaty are all understood well.

The complexity of the treaty, its dual purpose, the number of people who are living in and subject to the treaty itself, and the broader community in Australia particularly looking at what happens in the Torres Strait provide scope for confusion. Our role is to try to minimise that confusion.

Senator BOYCE—So you are not so much saying that the confusion is between the dual roles, one being to define the border and one being to allow traditional activity, but you are saying there is confusion about what constitutes traditional activity.

Mr Bruer—I think there is confusion about the way in which people perceive those things.

Senator BOYCE—Traditional activities?

Mr Bruer—I think people perceive confusion, and our role is to try to explain and to diminish that confusion.

Senator BOYCE—Of course, there would be the possibility of turning that statement around and suggesting that perhaps there is something wrong with the treaty if it is causing confusion and poor understanding on the part of the stakeholders and the general public.

Mr Bruer—I think the role of the treaty is reasonably well-defined and, as we have indicated, we think that the treaty fulfils its roles reasonably well. The beauty of the treaty, really, is in that dual role. It is a matter of us continuing to work closely with the communities that are in the region and affected by it.

Senator BOYCE—Have you consulted the stakeholders on what they feel about this dual role of the treaty?

Mr Bruer—We consult with stakeholders on a day-to-day basis about all aspects of the treaty.

Senator BOYCE—And what do they say?

Mr Bruer—Mr Young has said he thinks there is great support to the treaty, which to me suggests that there is support for the dual role that it has.

Senator BOYCE—I am just having trouble about how your comments regarding the treaty leading to confusion and poor understanding go with the idea that it is a well understood and appreciated document amongst the stakeholders.

Mr Bruer—I am saying that the dual role of the treaty contains in it scope for confusion.

Senator BOYCE—You say here it 'has sometimes led'—

Mr Bruer—People confuse the fact, I think, that there is a dual role, I suppose.

Senator BOYCE—But you do not see the confusion in the dual role being between its border definition role and its traditional activity definition role?

Mr Bruer—They are the dual aspects of the treaty.

Senator BOYCE—Yes, but I cannot understand how that has confused the stakeholders. That is what I am trying to say.

Mr Bruer—I do not know. Look, maybe I have been—

Senator BOYCE—Are they confused about the border aspects of it, or are they confused about the traditional activity aspect?

Mr Bruer—I think there is scope for confusion and I think our role is to continue to keep clarity in there for them.

Senator BOYCE—So how does the border definition role of the treaty confuse stakeholders?

Mr Bruer—I am saying there is scope for it.

Senator BOYCE—Yes. In what way would there be confusion?

Mr Bruer—The permission that is granted in the treaty for free movement to occur is, I suppose, unusual in a border treaty, because most border treaties do not provide for free movement—

Senator BOYCE—It is unique in Australia, this one, isn't it?

Mr Bruer—Yes, it is. As I was saying, it is unusual for a border treaty, which is usually designed to prevent free movement, in effect, to contain provisions that permit free movement. So that unusualness is, I suppose, conceivably a matter that might confuse some.

Senator BOYCE—So you think the scope for confusion might be that people do not understand which activities and which groups are subject to the treaty and which are outside the treaty, so to speak?

Mr Bruer—Yes, I think so. What I am saying is I think the scope for confusion generally is among people outside the region. I think that, generally, people within the region understand it, but that does not mean that we should not continue to make sure of that. There are outreach programs, which are a very important part of what Mr Young's office does and what his colleagues in other agencies do, to try and make sure everyone understands how the provisions of the treaty apply to them.

Senator BOYCE—And one of these outreach programs is the treaty awareness visit program; is that right?

Mr Bruer—Indeed, yes.

Senator BOYCE—How long has that program been going for? I could not find any dates to show how long it has been functioning.

Mr Bruer—Mr Young can provide an answer to that, but I am pretty sure it has been going for many years. Mr Young?

Mr Young—Senator, it has been going since the eighties. It is a difficult thing to do. It is a remote area, with unsurveyed waters, dangerous seas, reefs and so forth, so the visits are fairly sporadic rather than regular.

Senator BOYCE—But it happens once a year, to the three areas? That is the aim?

Mr Young—That is correct. The aim is to visit every treaty community every year.

Senator BOYCE—So that has been going on for more than 20 years now?

Mr Young—Yes.

Senator BOYCE—I would have thought, if it were simply about making people aware of the treaty and its provisions, that over 20 years they would have picked that up, so what else is happening on treaty awareness visits?

Mr Young—One of the pillars of the treaty is the input of the traditional inhabitants, and it is about the relationships and, if you like, the rules for, the obligations on and the expectations of traditional inhabitant communities that change from time to time, as pressures change, as issues change. It is often those expectations that we are communicating. The treaty is a legal document, and people can read it but not always understand the detail. The detail is often decided at local level and it is not always understood beyond that local level. So one of our roles is to explain what those obligations and expectations are. Across government, rules change—quarantine rules change, Customs rules change—and part of the treaty awareness visits is also to talk about all those obligations that visitors to Australia, regardless of whether or not they are travelling under the treaty, still need to follow. So there are a whole range of ongoing issues that we need to communicate to communities.

Also, while I said that every year we aim to visit every community, that does not always take place, so it may take two or three years, for instance, to get back to a community. There will be new people in the community and people who have forgotten, and some communities visit Australia more than others. So there are a whole range of reasons for the treaty awareness visits. There are ongoing issues and changes in the rules and regulations both at the official federal level and at the local level.

Senator BOYCE—Would this include things like telling communities that coming to Australia or coming to the Torres Strait for medical reasons is not acceptable, or that coming for a footy match does not constitute a traditional activity?

Mr Young—Health is not mentioned as a provision or a reason for travelling to Australia, and we make it very clear at every community we visit that you are not to visit Australia for health purposes, that you will be turned around by an immigration officer, that immigration officers are on the ground in the Australian communities, and we draw a line under that. It is quite clear.

Senator BOYCE—And your new guidelines set out what constitute traditional activities and what do not?

Mr Young—That is correct.

Senator BOYCE—Okay. Thank you.

CHAIR—Your submission, in the challenges section, says:

A future challenge, will be to balance the needs and aspirations of Torres Strait Islanders with the demands and sensitivities of the bilateral relationship with Papua New Guinea.

There is some evidence that the traditional inhabitants are not necessarily very pleased at the moment with the way in which that balance has been struck. A Dr O'Donnell, who has done some PhD research in this area, suggests that in the cycle of meetings that traditional inhabitants undertake there is a constant expression of views about their needs and their concerns, but they are frequently not being given voice; they are not being reflected in the decisions that are taken in the management of the treaty area. Dr O'Donnell says that they feel frustrated because they believe that their message is being filtered out according to the Commonwealth's wider regional agenda, which she seems to say is the agenda between Australia and Papua New Guinea. In other words, it is precisely this problem that you allude to you in your submission—the need to strike this balance. What do you say to that view that she has expressed that these concerns are not being reflected in the way in which the treaty is being managed and to the proposition that the treaty area is really hostage to the wider Australia-Papua New Guinea relationship?

Mr Bruer—I cannot comment on the individual cases that you mention, but there are many avenues for people's views to be conveyed. The consultative process is an extensive one; it reaches down into many levels and involves large groups of people. It involves many different mechanisms, including regular visits. It involves different layers of government at all three levels. It involves representative groups of individuals from the communities. I cannot say that every single person's views are taken into account, but I would say that at the broader level the Australian-PNG bilateral relationship is a very large, important, close and complex one. It is also a very positive one. The number of areas in which we work very positively, constructively and cooperatively with Papua New Guinea is as large, I would think, as it is with any other country. One of those areas is the Torres Strait, through the Torres Strait treaty. I would not say and I would not characterise the treaty as being hostage to the relationship. Rather, I would describe it as being another example of the positive, deep and cooperative relationship that we have with Papua New Guinea.

CHAIR—Are you aware of strong expressions of dissatisfaction from traditional inhabitants, particularly on the PNG side, about the management of some of these issues relating to travel et cetera? I acknowledge that there may well be individuals who, from time to time, are discontented. It would be surprising if there were not. But the question is whether not there is a body of discontent or, in your view, a level of dissatisfaction which might exist and whether or not, if there is, that has changed over time.

Mr Bruer—Issues arise and people become exercised by those issues. We have discussed some of those already today. There are mechanisms to deal with that. I am not aware—and Mr Young may have different or further information—of any particular dissatisfaction on the PNG side.

CHAIR—Mr Young?

Mr Young—As Mr Bruer noted, there are issues from time to time and there is discontent voiced in quite strong terms from time to time. I think the mechanisms in place under the treaty do give air to grievances. The traditional inhabitants meetings especially, with agendas drafted by the traditional inhabitants of the treaty area, do give voice to those. Sometimes those issues are acted upon at the national level. For instance, there are two examples from the previous traditional inhabitants meeting in March. Two recommendations were handed down by that group. One was requesting a ban on beche-de-mer fishing. The government of Papua New Guinea subsequently imposed a ban. Another was that Australian communities asked the Papua New Guinea communities if they would respect and endorse turtle and dugong management plans in Australian waters, which would impose restrictions on those communities. They subsequently endorsed those and have gone back to their national department of environment asking for a parallel action plan. Those are two examples of significant issues managed through the treaty process. Obviously there are always going to be other issues which people disagree on, but I have not seen a body of disagreement, as you characterise it.

Senator MARK BISHOP—You have a diagrammatic in your submission. Could you turn to it, please. I want to discuss it with you. When you look at that diagrammatic you will see that PNG border liaison officer slots over to PNG government agencies, and their reports go directly up to the Australian and PNG foreign ministers. Those are the reporting lines, if you like. If you go into the diagrammatic you will see it includes a meeting of the traditional inhabitants and you refer to two outcomes from it. The outcomes of the traditional inhabitants meetings go through the Joint Advisory Council and then up to the meeting of foreign ministers of the two countries. I have a couple of questions. Firstly, is the role of the Joint Advisory Council simply to be a post box to receive the comments of the TIs meeting and faithfully replicate them up to the foreign ministers meeting? Or is the role of the Joint Advisory Council to be a sieving mechanism whereby submissions are received from the TIs but might be altered or amended as the Joint Advisory Council, in its wisdom, determines? What I have seen in this diagrammatic is that government agencies on both sides can report directly to foreign ministers and the foreign ministers' forum but thoughts, considerations and deliberations of TIs appear to be sieved through another committee level. Can you comment on that for us. I would like an exact picture of how issues TIs raise in their meetings are addressed in terms they consider important.

Mr Young—That is a good question. I should open by apologising for this diagram that I banged together. It needs a lot more lines and it really should look like a bowl of spaghetti rather than—

Senator MARK BISHOP—I thought it might. It is funny. I can remember the one that we put out some years ago.

Mr Young—It is a question I am asked regularly: can you put down some kind of a flow diagram of how the committees all fit together? This is far from perfect, but it gives a basic idea of where things sit, especially the subcommittee system. The outcomes of the traditional inhabitants meeting are a list of recommendations, a rollcall of recommendations. They go to the Joint Advisory Council. They are not affected by the Joint Advisory Council. They exist as a document in their own right and they are distributed widely. They are the findings of that subcommittee.

Senator MARK BISHOP—So it is not the role of the Joint Advisory Council, in its wisdom, to amend or alter, to downplay or upgrade the recommendations or findings of the TI meeting?

Mr Young—Not at all and I should stress that at the Joint Advisory Council in fact a significant number of the quorum required are traditional inhabitants also. So they are not going to let us, as public servants, do that anyway.

Senator MARK BISHOP—I suppose that is what I was getting at.

Mr Young—Of course there are different recommendations coming from the traditional inhabitants meeting which need to be dealt with at different levels. Some of them are simply community-to-community issues; they can be dealt with in that meeting.

Senator MARK BISHOP—At a local level, yes.

Mr Young—Others are national decisions which need to be made, such as the beche-de-mer fishery closure which was incorporated in—it did not need to be, actually, because it reached the government before it went through the Joint Advisory Council. Normally decisions that need to be made nationally would be included in the recommendations from the Joint Advisory Council. I should note that the findings, the recommendations of those three subcommittees would occupy a small wheelbarrow and there are really does need to be some consolidation before they are passed to ministers. I can assure you that the participation of traditional inhabitants and/or their representatives are on all those committees, including the Joint Advisory Council, and they make sure that none of what you suggest happens.

Senator MARK BISHOP—The deliberations of the TIs meeting, you say, are thoroughly and properly fed up to the Joint Advisory Council for consideration by ministers at a later stage. So it is one process. We also have the more formal institutional track of PNG government agencies and Australian government agencies going straight to the ministers meeting.

Mr Young—Also, the Joint Advisory Council notes and endorses the outcomes of the traditional inhabitants meeting. So it is an appendix to the Joint Advisory Council report anyway. It is not distilled; it is added to and those issues which need to be considered at the national level will form part of the Joint Advisory Council.

Senator MARK BISHOP—Is it within the remit of the Joint Advisory Council to reject a recommendation of the TIs meeting?

Mr Young—Not really because the traditional inhabitants meeting has recommendations and findings. It would be up to the secretariat at the traditional inhabitants meetings if, for legal reasons, one of the recommendations was inappropriate or did not follow the law. In terms of in principle, that is not the role of the Joint Advisory Council.

Senator MARK BISHOP—Thank you, Mr Young. That has been useful commentary.

CHAIR—On this theme, Mr Young, and looking at your diagram again and consultative processes, where in this process do the concerns or the views of the Torres Strait Islands Regional Council fit?

Mr Young—The Torres Strait Regional Authority forms the secretariat, if you like, of the board of the TSRA, which is made up of the representatives of the traditional inhabitants. It appears at an official level at interdepartmental committee meetings. The members appear at the Traditional Inhabitants Meeting. They participate in the Joint Advisory Council meeting. At officials level, they participate in the Environment Management Committee, which is very much a technical meeting. At an officials level, they participate in the Health Issues Committee meeting. So they participate in every meeting of the treaty process. The Torres Strait Islands Regional Council has an open invitation, with observer status, to the Traditional Inhabitants Meetings and the Joint Advisory Council meetings.

CHAIR—Do they typically take up that invitation?

Mr Young—I can only speak of the recent history. Last year, when both of those meetings were in Australia, they participated. This year both of those meetings have been in Papua New Guinea—at Daru and Alotau—and they did not participate. It was a resources issue, I expect.

CHAIR—Neither one of the councils is specifically in your consultative program map.

Mr Young—No. That is because they have observer status.

CHAIR—Both have only observer status rather than any particular status?

Mr Young—That is correct.

CHAIR—In that context, you have no doubt read the submission of the TSRA and perhaps also the TSIRC. Both of them allude to behaviour problems in relation to the Papua New Guinea residents. The TSRA talks about a silent burden, as they choose to characterise it, on Torres Strait communities with regard to education and welfare services. They also talk about the concerns expressed by residents of Boigu and Saibai about the conduct of PNG nationals in relation to drunkenness and threatening behaviour in relation to disputes. The TSIRC talks about activities in relation to methylated spirits travelling from Torres Straits community to PNG and theft et cetera. In other words, there are a range of allegations in relation to behaviour. I take it that these concerns have been raised because they do not regard them as trivial. In fact, they have quite clearly expressed these concerns to us in their submission and they have drawn very specific attention to them. How seriously do you take the observations that are contained in their submissions?

Mr Bruer—We take very seriously any observations that they make. We certainly take seriously any reports about criminal activity. We take seriously the reports that there has been drug-running and that people have been terrorising other people. Generally, we take seriously reports about all kinds of activities that are undesirable or illegal. We think some of the reports have possibly been overstated. Our information is that the level of criminality in the general region of the Torres Strait and in the region covered by the Torres Strait Treaty is relatively low. We would be concerned if that were to change. We would hope that the work of the AFP and the Queensland Police and the various border control agencies would be able to contribute to keeping that situation relatively stable.

CHAIR—I think we all share that view, but I am interested in why you think these concerns are overstated. Is there a political motivation behind the remarks that have been included in the submissions? The committee properly accepts that these are instances of behaviour which are at very least of concern to the councils. They believe it is sufficiently serious to draw it to our attention. Do you concede that there may have been one or two instances of the behaviour they are talking about but that it is not serial misbehaviour, or do you suggest that there has in fact been none of this kind of behaviour?

Mr Bruer—I do not suggest that there has been none of it, by any stretch of the imagination. I suppose that in any community, particularly one where there is a large deal of movement in and out, you can expect that there will be a level of criminality.

Senator FORSHAW—That is the second time you have used the word 'criminality' or 'criminal'. I take from the question that is being asked and the submissions that the complaints may not necessarily be about what could be considered criminal behaviour or serious criminal behaviour. Let me give you another example. I think it is pretty well acknowledged that there are serious issues to do with antisocial behaviour and binge drinking in Sydney, which is where I come from. That does not necessarily mean that there is a high level of criminal activity. But, at the same time, it could involve some and that sort of behaviour is also a matter of serious concern to a lot of residents, for instance, and shopkeepers. That is the context in which you should address the question, from my perspective, rather than just saying, 'If there is not much evidence of what would be considered criminal activity then there is no problem or at least there is an overstating of the problem.'

Mr Bruer—Fair enough. We would be concerned by any level of antisocial behaviour, especially that which would give rise to concerns expressed by the TSRA in their submission.

Senator MARK BISHOP—What they are saying is that drunkenness, larrikinism, antisocial behaviour and those sorts of things are of such a level of concern that they are drawing it to our attention. We are enquiring of you what you or other agencies are doing to address that. It is no different to what louts and larrikins were doing in Perth on Saturday nights when the government decided to get tough to stop it. It is not acceptable behaviour for people to be drunk, throwing up and abusing people in public. That is what the complaint is, as I understood it. Is that right, Chair?

CHAIR—In part that is true, but the TSIRC talks about major theft. That may well be criminality.

Senator MARK BISHOP—We are not leaving that out.

CHAIR—Perhaps Mr Young can help us on this since he is on the ground there and lives within the community. He might have some experience of this situation.

Mr Young—Those issues, as they are in Sydney or anywhere else, are essentially state issues. The agencies that get involved might be health, community, welfare, police et cetera. I know that the committee is intending to speak more widely with agencies; perhaps you might be able to get some better data from state agencies.

CHAIR—That is true at one level but the particular allegation is that the source of this behaviour is not from within the community; the source of this behaviour is from PNG, which makes it, in one sense, an international issue.

Mr Young—It is not my experience that this kind of behaviour is widespread or ongoing. My view is the same as Mr Bruer's—that to some extent what may be an issue of great note to a small community could be taken in a different context at another level.

Senator FORSHAW—I can concede that. I do not know; that is why we are asking the questions. But I do know, to use the other example I referred to, that it is quite true that you can get a reaction from a population in a particular area that believes that a problem is worse than it is and is caused by people coming from outside. But you can usually then find out whether that is true or not. In some cases it is and in other cases it is actually not. But the people of a particular community may, for example, say, 'It is all the fault of all those people who come from this part of Sydney and go to the city or to the beaches.' The issue then, as Senator Trood has raised, is that this is a specific allegation about people from another country, which does make it a matter that is within your department's purview; it is not just a state matter.

Mr Young—Certainly. As Mr Bruer said, with lots of visitors you are going to get incidents, especially since one of the provisions of the treaty is to travel for social events. Many of the people travel to attend parties and other types of social events, so these kinds of incidents are going to happen. They are of great concern. If they get to the level of criminality then police agencies, either state or federal, would get involved. But, as I said before, it is not my experience that this is a widespread, ongoing, large-scale problem. I think it is local and occasional. That does not diminish its importance and the need for us to monitor it and constantly work with other agencies.

CHAIR—Just finally, on this topic, do you think there are enough policing resources there to deal with the problem?

Mr Young—I am not really qualified to answer the question. I think, like most people, we would like a lot of things in a lot of places, but I do not know the resource issues that Queensland police face. I do not know their structure; I do not know how they work.

CHAIR—I appreciate that it is not your responsibility to understand how the Queensland government goes about the allocation of its resources, but you do live there and you do live in the community and you do know what policing resources are available, so I assume you can make an intelligent assessment as to whether or not, in your view, there are sufficient resources within the community to deal with these difficulties from time to time.

Mr Young—Senator, I do work with the Queensland police on an ongoing basis. We have a very good working relationship. They are well resourced on Thursday Island. They have just received a new boat, an open-water operational based boat, and a new fixed-wing aircraft. They are constantly reviewing their presence in the Torres Strait, and I trust that they are best placed to be able to make a sensible comment about whether their police numbers are adequate and their general resources are adequate. But it is certainly obvious to me that they are very responsive when I contact them about specific issues, and on a larger resource base they seem to be doing quite a bit to constantly review and upgrade their presence in the Torres Strait.

CHAIR—Okay. Thank you, Mr Young. We are going to have to move on; we have run out of time. Thank you, gentlemen, for appearing before the committee this morning. It has been of great assistance to us. There are a couple of things we have asked you to do, and I do not think you have taken anything on notice other than the guidelines but please check the transcript to make sure. We would be grateful if you could do those things we need you to do as soon as possible. Thank you.

Mr Bruer—Thank you, senators.

[10.14 am]

LEAN, Ms Jennifer, Manager, Cross-cutting Analysis, Program Quality and Review, Papua New Guinea Branch, Australian Agency for International Development

SHIPLEY, Ms Ellen, Director, Partnerships and Program Coordination, Papua New Guinea Branch, Pacific and Papua New Guinea Division, Australian Agency for International Development

CHAIR—I welcome witnesses from AusAID. A copy of the committee's opening statement has been shown to you. Do you have any questions about that opening statement?

Ms Shipley—No.

CHAIR—We have your submission, which is numbered 21. Do you wish to make any amendments to that submission, which is by now a public document, of course.

Ms Shipley—No.

CHAIR—I invite either one of you or both to make an opening statement if you would care to do so.

Ms Shipley—In addition to the submission that we made to the inquiry, I would like to make these remarks. PNG and Australia are committed to close cooperation in the Torres Strait, including strengthening health systems in the Western Province of Papua New Guinea. Western Province is identified as a special case province in the development assistance program due to its proximity to Australia. The resultant cross-border health issues make it of strategic importance to Australia.

The Papua New Guinea National Economic and Fiscal Commission's work on intergovernmental financing reforms indicates that Western Province is one of the few provinces that have access to adequate funds for service delivery in the province, including basic health services. However, the combination of poor administration and the challenges of geography and low population have contributed to the categorisation of Western Province as seriously disadvantaged compared with the rest of PNG. Australia committed $13.8 million over four years in the 2009-10 budget to the Torres Strait health protection strategy that forms part of the joint Australia-PNG package of measures to address cross-border health concerns. This funding is managed by the Department of Health and Ageing. Other direct support from Australia to support Western Province in the health area includes $1.2 million to establish sexually transmissible infection clinics in Daru, Morehead and Kiunga; $500,000 for a health radio network in South Fly district to strengthen health surveillance and responsiveness on both sides of the border; a TB officer to help roll out the national Stop TB program; a communications medical officer based in Daru with funding to undertake patrols and liaise with Torres Strait health services; and an adviser working with the provincial government to improve reliable flows of funding for health service operations.

In the 2010 PNG development budget the PNG government committed 5 million kina for the Torres Strait package of measures with a view to increasing this funding to 12 million kina in 2011. This demonstrates a welcome and increased commitment from the government of PNG towards the package of measures. We expect that the 5 million kina will be used for scoping and planning activities that will subsequently be undertaken with the 12 million kina in future financial years.

In concrete terms, AusAID's other funding towards the package of measures has contributed towards the introduction of second-line drug treatments for treating multi-drug-resistant tuberculosis, providing treatments for individuals on site in Western Province, which prevents the need for border crossing to receive treatment; the training and payment of retired nurses to treat people with tuberculosis, which ensures that treatment can be received on both the Australian and PNG sides of the border; facilitation of the movement of aid post building materials from Port Moresby to the community; and the establishment of the Western Province health agencies working group, which brings together representatives of all the agencies to plan and prioritise health activities to avoid duplication and to maximise the impact of our combined resources. We have also supported regular review missions added by the national department of health focusing on the implementation of the package of measures.

The Australian government through AusAID also supports service delivery in Western Province through other national sector programs in PNG, including assistance to education through the basic education development program to improve school infrastructure and the education capacity building program to support teacher training, curriculum development, HIV and AIDS education, gender equity, technical and vocational education, human resource management and information systems.

Assistance to community, media and church organisations is provided through the Democratic Governance program. Financial management training is provided to provincial administration and Treasury officials through the Provincial Capacity Building Program. Agricultural research and projects, including small animal health surveillance, village agricultural production and barramundi aquaculture is provided through the Australian Centre for International Agricultural Research.

CHAIR—Thank you, Ms Shipley. You mentioned that the Western Province of Papua New Guinea is a 'special case province' and 'seriously disadvantaged'. Are they AusAID designations or Papua New Guinean designations?

Ms Shipley—The special case province designation is an AusAID designation in terms of our entire aid program to PNG. 'Seriously disadvantaged' I think is a PNG designation based on the Economic and Fiscal Commission's work.

CHAIR—What are the implications of so describing the province in those ways? Does it mean that a particularly energetic effort is put into delivery of aid there? Does it mean that there are some specific expectations about the quantum of the aid that is delivered there? Does anything follow from the fact that the Western Province is recognised as being disadvantaged in this way?

Ms Shipley—I would have to say that what we do is to focus more attention on Western Province from the Australian aid side in terms of looking to make sure that they do access and are able to use some of our other programs in addition to the normal flowthrough of funding from the aid program to the government of PNG. This is reflected in the efforts that we have made working primarily from our post in Port Moresby to facilitate work in engaging the national Department of Health with the provincial government and with the local government to ensure that funds flow. So we do give it special attention in that regard. The figures and amounts that I outlined with reference to Western Province in my opening statement reflect that additional attention for Western Province.

CHAIR—But your efforts there are necessarily through the mechanism of the Papua New Guinea government, I assume—

Ms Shipley—Yes.

CHAIR—You do not have any individual capacity to go directly to the Western Province to deliver aid, do you?

Ms Shipley—We do not directly implement activities in Western Province. Part of what I was saying in my opening statement reflects the fact that the main development challenges in Western Province could be addressed constructively with improved governance in the province. If funds flowed appropriately within the province and they had better service delivery within the province they could actually meet their needs. They have resources available to them and, in addition, have a number of development actors active in the province: the provincial government, Ok Tedi Mining Ltd and the PNG Sustainable Development Program. So there are a number of players who could combine effectively to deliver services much better in Western Province. Our aim, by working to improve the relationships between the national Department of Health, the province and at the local level, is to improve those flows and to enable them to actually use the resources that they have.

CHAIR—Are the shortcomings in governance a consequence of difficulties that the Papua New Guinea government has in coordinating its activities there?

Ms Shipley—I think that is true. I think there is a perception broadly in Papua New Guinea that the province is well off because of the resources that it does have from mining revenues and that therefore it should be able to manage. But, as we know, relationships between national and provincial governments are difficult and the PNG government, in its capacity to ensure flows straight through from national government to local service delivery, does not perform well.

CHAIR—Sometimes there are frustrations in a federation!

Senator KROGER—You mentioned in your opening comments that there was an increase in the budget in 2010 and then in the following year for Western Province. Was that provincial or national?

Ms Shipley—That is a national government budget.

Senator KROGER—They clearly have identified that there is an issue in the Western Province, notwithstanding that they consider that it is relatively well off due to the benefit of having Ok Tedi Mining there. From that, one could reasonably say that they have determined that it is in need of greater support through an increase in budget. Am I right in saying that?

Ms Shipley—I think that is true. It also reflects the joint agreement by the government of Papua New Guinea and the government of Australia under the package of measures which was agreed last year that we would jointly contribute to the work that needs to be done in Western Province. There was no money in last year's budget, if I am correct, from the national Department of Health, but this year they have been successful in securing five million kina and 12 million kina in the coming two or three years.

Senator KROGER—Would it be wrong of me to deduce that that is through discussions through agencies such as yours that would encourage them to invest?

Ms Shipley—Yes. It is also, I think, a reflection of the PNG-Australia Partnership for Development, which was signed by our prime ministers in 2008 and underpinning which we established in 2009 a health schedule which committed both governments to resourcing for health to help PNG meet its obligations or its goals under the Millennium Development Goals. So it is part of an increased process of looking at mutual obligations and mutual accountability under our aid program.

Senator KROGER—In your opening statement you described the whole approach of improved flows of aid and in your submission you suggested that there are significant financial resources to fully meet the service delivery obligations. Obviously service delivery could be so much better applied in the area given the funds that are being directed into the area through AusAID alone. Are there very real, concrete ways in which that could be immediately improved so the benefits on the ground were so much greater that people could appreciate it?

Ms Shipley—I think that is one of the things that we have been doing through applying resources to the Capacity Building Service Centre, which provides advisors to the government of PNG. We have one based in Daru who actually works with the provincial government and the district and local governments to help them work through the systems in terms of getting funds flowing to enable activities to occur.

Senator KROGER—So that is not just health related; that could be in infrastructure building—all sorts of things—or is it more health focused?

Ms Shipley—It is particularly focused on health in this particular activity, but we do have other activities more broadly with the government of PNG, through our Strongim Gavman program, that assist the Treasury and Finance functions. In 2009 that was responsible for I think a 40 per cent increase in the flows of funding generally from the national government to provincial governments. So we are working on several fronts in that regard.

Senator KROGER—Moving on to the health area because it continues on from what you have covered: I noted that you have set up that clinic, which has obviously been quite successful. What is the incidence of identification of AIDS now in the area?

Ms Lean—It is very low. I think the most they have had in hospital in Daru testing positive is seven people and none of those have contracted HIV from within the province. They are people who have brought it into the province. Every PNG national who does go to the Australian health services is tested for HIV and there has never been a case of HIV identification.

Senator KROGER—That is very promising.

Senator BOYCE—In Daru?

Ms Lean—On the Saibai and Boigu side, people going across and using health services are automatically tested for STIs and HIV and there have been no incidences of positive diagnosis of HIV from people in the treaty villages.

Senator KROGER—What is the mortality rate of infants now in that area?

Ms Shipley—I think we might have to take that on notice. I do not have those figures with me.

Ms Lean—We can get those figures for you.

Senator KROGER—Thank you.

Ms Lean—One of the things about Western Province and the South Fly is that, compared to the rest of PNG, it actually does better on its health statistics. It is common across PNG to have high levels of child mortality.

Senator KROGER—Is primary education and encouraging the flow of information on what services are available part of your activities?

Ms Shipley—Certainly the province benefits from our Basic Education Development Project, but I would have to get you specific details of the ways in which the province benefits.

Senator KROGER—Thank you very much.

Senator FORSHAW—As I understand it, there was some evidence given to a previous inquiry by a House of Representatives committee that the funding duration of AusAID programs was one, two or three years. The view was expressed that in some programs, such as those dealing with TB, it should be out over a longer duration to deal with the problem and that if you did not renew a program to divert the funds to something else then it did not have any real impact. Can you make a comment about that broad proposition?

Ms Shipley—I think that statement probably reflects an older view of AusAID funding. We do look to do more multi-year, significant-length programming. I think we have just finished a five-year, sector-wide health approach, so we do look to increase the length of our programs to five years or so. They are always subject to appropriations from parliament of course but, with the aid program moving from the project or annual basis that we would have operated under a decade or so ago, we have been recognising the disadvantages and the problems that result from short-term interventions that are then not followed up. With reference to Western Province, I

would expect that our funding would be a rolling program of funding and would continue to support key activities such as tuberculosis prevention.

Senator FORSHAW—I do not have a direct quote, but that view was cited in the *Hansard* on 31 August this year, in evidence given by a Dr Konstantinos to the House of Reps Standing Committee on Health and Ageing, so it is very recent evidence. What is the duration of health programs that are currently being funded, do you know?

Ms Lean—For the TB program that we have funded, we have provided funding to DOHA, who in turn subcontract to Queensland Health. That runs out at the end of this year, but it is on the agenda of the Torres Strait Health Issues Committee to review that.

Senator FORSHAW—What has been the duration of the program that is about to finish?

Ms Lean—It was funding the first 18 months of what was always designed as a three-year program although due to delays in implementation and absorptive capacity issues in PNG it is expected that it will be always anticipated to be at least a five-year program, and it was always the intention that we would review how it went before asking the government of PNG to allow us to put money into that program. The kick-off money for that came from another budget line within AusAID, not from the PNG budget.

Senator FORSHAW—Okay. I appreciate that this is often the subject of some debate, even for programs within Australia, but the view has been put by someone and it is good to have your response. But at least it is longer than three years; it is five years. Thank you.

Ms Lean—Yes.

Senator FORSHAW—Could I just clarify: this is probably something that we would have covered in our earlier inquiry, but our aid to PNG used to be largely budgetary aid, didn't it?

Ms Shipley—Yes, that is correct.

Senator FORSHAW—Now, it is not, is it?

Ms Shipley—No. We made a transition, beginning in the early to mid-nineties, from budget support to project and now program support. Under the Cairns compact, which was agreed at the Pacific Islands Forum in August of this year, we have undertaken to follow the Paris declaration and Accra principles to try and work more through partner government systems which has led in some respects to more budget support. That is something that we will look to do but in a way that ensures that there are appropriate safeguards for Australian funding.

Senator FORSHAW—I asked that because I wanted to then ask: is there a capacity in the aid funding from AusAID—or elsewhere, I suppose, but let us say AusAID—that is given to PNG to include requirements or gain undertakings that some of it be specifically directed to works which have some application in the Torres Strait? In other words, I hate to use the word 'tied'—

Ms Lean—We call it 'earmarked'!

Senator FORSHAW—Earmarked, yes.

Ms Shipley—Yes, it is possible and as I say it does flow from the partnership for development that we have with PNG and the health schedule underneath that. The issues that are of particular relevance to Western Province and the Torres Strait area are very similar to those priorities identified under that and we do have quite significant consultations with the government of PNG to make sure funding flows.

Senator FORSHAW—I was probably looking at a subtle difference, but I understand what you are saying. Thank you.

Senator BOYCE—I want to go back initially to your comments around the financial resources of the Western Province. To your knowledge, is there significant unexpended funding each year in the budget of the Western Province?

Ms Lean—Yes, there is. A large amount of the money provided through both AusAID and the government of PNG into the provincial treasury is unspent.

Senator BOYCE—Are you able to give us a sense of what the figure is?

Ms Lean—No, I cannot, but I could get it for you. We know how much is allocated through our own trust fund arrangements and through the government of PNG.

Senator BOYCE—If you could take that on notice that would be good. You had a comment in here about doing a trial with Queensland Health to have a communications officer on Thursday Island who liaised with the South Fly health officer. How did that trial go? Has it become permanent?

Ms Lean—The trial went very well. It was appreciated by the health services in the Torres Strait and in PNG. The ongoing financing of the communications officer position on the Australian side is now picked up under the DoHA package of measures contribution.

Senator BOYCE—Presumably it is Queensland's DoHA.

Ms Lean—That is right. AusAID kicked that off as a trial and then we did a review of that position and other initiatives to improve cross-border health management.

Senator BOYCE—And what does the communications officer do as you had it set up?

Ms Lean—They interpret PNG people coming across to the health services, so they were highly valued on the Australian side for explaining some of the diseases—

Senator BOYCE—So is there one officer?

Ms Lean—There is one officer on the Australian side and one officer on the PNG side. Both of them are medically trained doctors. The person on the Australian side is also a PNG citizen and has worked in PNG as a doctor. Queensland and our own programs in Western Province have equipped them with mobiles and they basically keep tabs on who is coming across, what

are they diagnosed with, what are their treatments, how do they get followed up on the PNG side of the border. It is a surveillance mechanism. It was initially funded under our emerging infectious diseases program because it is very much a surveillance issue, helping to protect Australia if you like.

Senator BOYCE—So it is basically if someone is being treated for TB in Australia, the communications officer would then ring the person in Daru and say, 'This guy's coming back, so you'll need a case management procedure for him'?

Ms Lean—Yes.

Senator BOYCE—We have some evidence from a Professor Simpson who spoke to a House of Representatives committee around the drug resistant TB in the region and he said that in fact the communications officer had ended up working as a 'carrier pigeon'. Communications were so bad in the area that this person had to physically go to see the other communications officer. Are you aware of that? I noted your comment on terms of mobile phones, so (a) are you aware of it and (b) has it been fixed?

Ms Shipley—Certainly both AusAID and Department of Health and Ageing were aware of some of those communication difficulties. It was raised at the health issues committee meeting in September. I understand that appropriate equipment has now been provided to both officers and there is a protocol being developed for communication to make sure that things flow smoothly.

Ms Lean—It has been seriously disrupted by the different regulatory environments on both sides. We have been trying for many years to have a frequency channel opened between the Torres Strait and PNG, and Queensland Health are just about there. They have put a lot of effort into getting the legal permissions to have a frequency communications channel.

Senator BOYCE—What sort of communications would that allow?

Ms Lean—I believe it is some form of telephone communications. I do not really know. It is something that is being funded and supported through the DoHA ROU, but it is Queensland Health who have been taking it forward. If you are interested we can follow that up.

Ms Shipley—It might actually be best to refer that to the Department of Health and Ageing.

Senator BOYCE—I am happy to do that. We heard evidence earlier this morning from the Department of Foreign Affairs and Trade that people in the western province are regularly made aware of the fact that health reasons are not a traditional reason to travel to the Australian part of the Torres Strait. How does that gel with what you have just been telling us about medical treatment and communications on health treatment between the two groups?

Ms Shipley—It gels in terms of dealing with the practical realities of life. Those messages are certainly out there that looking for health services is not a traditional activity. Having spoken to a delegation from the House of Representatives health and ageing committee on its return from a visit to Daru reinforced what we understand to be, as I said before, the practical realities. When there is a health clinic available a short distance away by boat and people need to travel four or

more hours or several days to access the same or similar types of services on the PNG side, they make choices and it is very difficult to argue with that. But, as I say, what we do is to reinforce those messages. We are reinforcing the provision of adequate services and outreach to the villages on the western province side with a view to extending those services. But, human nature being what it is, it will continue to be an issue.

Senator BOYCE—Are you aware of anyone who has been turned back from making a traditional visit in their terms because it was considered that their only purpose was a health or medical one?

Ms Shipley—From the aid program's perspective I am afraid I could not comment on that. It is not an area that we look at.

Senator BOYCE—It is not something you know or hear about.

Ms Shipley—No.

Senator BOYCE—Wouldn't it be known within Daru itself if this was happening?

Ms Shipley—It might well be, but I just do not think I could comment. I am not aware of whether or not it has occurred.

Ms Lean—From the health issues committee, Queensland Health have a policy of humanitarian response to PNG citizens. So they see it as a public health issue to respond to health needs of people who rock up at the health facility.

Senator BOYCE—So as far as you are aware, if someone did come over from western province—

Ms Lean—And looked to be ill, they would treat them.

Senator BOYCE—They would be treated and allowed in by Queensland Health, at least.

Ms Lean—Yes.

Ms Shipley—Again, I think that issue should be referred to Queensland Health. It is not part of the aid program's responsibility.

CHAIR—On this matter of telecommunications, Ms Shipley, have you read the submission from Mr Smith to the committee?

Ms Shipley—Yes.

CHAIR—Ms Lean is aware of it. He cites the example of the South Fly Telecommunication Project. Are you familiar with this at all, Ms Lean?

Ms Lean—Yes.

CHAIR—The question obviously is: what happened there? That project, as I understand it from his evidence, was completed in 2000. There was a project towards 1998 or 2000. His evidence to us in his submission is that it failed for want of continuing funding rather than for any kind of technical failure. So I suppose the question is: what happened in relation to that project and are you contemplating reviving it, or have circumstances changed and you no longer see a need for a telecommunications network of the kind being created? But, given the observations you have made about the difficulties of communications, I am wondering whether or not something of that kind perhaps needs to be reinstated.

Ms Shipley—There are a couple of issues. Yes, we are certainly aware of the activity.

CHAIR—Sorry—when you say 'the activity', you are familiar with the project?

Ms Shipley—We are familiar with the project. Let me start by saying that, under a memorandum of understanding between Australia and the government of PNG, all the recurrent costs for the operation, maintenance and repair of the network under the South Fly Telecommunications Project were to be met by the PNG government. This responsibility was deliberately emphasised in the Joint Advisory Council minutes to ensure that PNG's responsibility was acknowledged by them in 2001.

Continual problems with the operation of the network and unattended repairs were raised at a number of Torres Strait treaty meetings, and a core issue with the project was the failure of the government of PNG to provide funds for maintenance and repair. During site visits to locations in Western Province in August 2006, it was noted that no stations were using the network because the majority of the equipment had been stolen or damaged. AusAID was advised at the time that the network was just not operational.

This is actually indicative of an ongoing problem that we face within a number of areas, particularly infrastructure, with the government of PNG where agreements are made and large infrastructure programs are sought, but the government of PNG does not allocate the recurrent costs necessary to maintain the networks. I mentioned earlier our partnerships for development and the mutual obligations under those. We have watched very carefully the 2010 PNG budget to see where allocations are being made against their obligations under the partnerships for development. Some of those are appearing, but because of the convoluted nature of the PNG government budget it is often quite difficult to track through the financing. We have officers working in PNG to do that following the budget being brought down in November.

I make that statement as an example of the kinds of problems we are trying to work through with the government of PNG. I think this project is an example of that failure to provide recurrent costings. It is regrettable that the commitments were not forthcoming from the government of PNG to make that system continue.

What we are also doing, though, is to fund PNG's own National Health Services Radio Network, which is a different system which the original South Fly project was not linked into. As a result of that network, we have supported the installation of radios at 40 sites in Western Province. This is specifically geared towards health communications and is part of our broader work in health. The two systems operate under different technologies and they are in no way related, but I think it is a reflection of the learnings that we have made over our long

collaboration with the government of PNG, looking for ways to ensure that what we do is sustainable. I think the Health Services Radio Network is one example of something that is owned by them and seems to be functioning well.

CHAIR—Can we be confident that they will put the recurring funding into that so it will be sustained?

Ms Shipley—I think we are seeing evidence that they are supplying funding to that regional network.

CHAIR—In relation to the South Fly Network, is it your view that that would still be a valuable network of communications for the region, if it were operating?

Ms Shipley—I would have to do more research on it but my sense is that, as a solution, I think it has been overtaken by other, more practical solutions. The cost of the investment to re-establish the network without significant government of PNG buy-in would not be a wise investment.

CHAIR—I can see the point of that. The wider question is whether or not there is a need for a communications network in the area of a general kind rather than just a focus on health, as you have made the point, and whether or not this might provide the foundation for that network.

Ms Shipley—I would have to get some more technical advice on that. I do not know how this system would integrate with other movements that have taken place in telecommunications in the last couple of years, particularly with the opening up of the PNG mobile network to DigiCel. A number of factors would need to be taken into account.

CHAIR—Can you provide any enlightenment here, Ms Lean, on this question?

Ms Lean—Not really. I agree with what Ms Shipley is saying. I think technology has sort of bounded ahead of what was pretty expensive clunky high-maintenance technology which suffered the same regulatory issues in cross-border communication. So it never functioned as a technology to enable cross-border communication.

CHAIR—Are you aware of an adequate system of cross-border communication that fulfils the function that the network was supposed to fulfil?

Ms Lean—I think the legal parameters have just been negotiated. That has been the major stumbling block because Telstra owns some part and Telecom PNG another part. It has been a very complicated legal minefield.

CHAIR—We might pursue that elsewhere. I hope we have learnt the lesson of the consequences of not ensuring that there is in fact recurring funding for these kinds of projects. Obviously, we do not want to keep tipping Australian dollars down the drain without results.

Ms Shipley—As I say, I think the frameworks that we are operating under with the partnerships for development, which have very high-level support, give us another reassurance

that we will see those contributions. But it is something that we monitor very closely and look at against each individual initiative.

CHAIR—Thank you for your attendance before the committee this morning. We are grateful for your evidence and we appreciate the time you have given us. I think you have undertaken to do a couple of things and we would be grateful if you could do them as soon as you possibly can.

Proceedings suspended from 10.59 am to 11.21 am

BUTLER, Dr James, Leader, Landscapes and Livelihoods Group, Sustainable Ecosystems, Commonwealth Scientific and Industrial Research Organisation

SHEPPARD, Dr Andy, Theme Leader, Invasive Species and Biosecurity, Commonwealth Scientific and Industrial Research Organisation

SKEWES, Mr Timothy Donald, Research Scientist, Marine and Atmospheric Research, Commonwealth Scientific and Industrial Research Organisation

CHAIR—Welcome. You have seen a copy of the committee's opening statement. Do you have any questions about the opening statement?

Dr Sheppard—No.

CHAIR—We do not have a solution from your organisation are in light of the circumstances it is good for you to come and appear before. I invite you to make an opening statement.

Dr Sheppard—Thank you. There are a number of CSIRO research activities related to the Torres Strait that are of relevance to the inquiry's terms of reference. These are in the areas of fisheries, biosecurity and climate change impacts. I will briefly describe this research, highlighting where it has been completed or is underway or is about to start. The CSIRO has carried out fisheries research in the Torres Strait since about 1980, primarily on the tropical rock lobster and beche-de-mer fisheries. Most of this research has been for, and funded by, the Australian Fisheries Management Authority and focused on sustainable fishery exploitation. Some studies have also focused on the allocation issues between the traditional and non-traditional sectors and the relative strengths of PNG and Australian stocks. The CSIRO has a long history of engagement with our counterparts at PNG's National Fisheries Authority. This research has included interactions and liaison with Torres Strait island communities, including traditional fisheries. However, research is still evolving because of occupational health and safety and other technical challenges.

One area of research is investigating the benefits of fisheries co-management, where decision-making is shared between local government and islander communities. The potential livelihood benefits for communities include more sustainable fishing practices, improved income and application of traditional knowledge and empowerment. Annual CSIRO surveys since 1988 and associated research across the Torres Strait rock lobster fishery have generated data for models to provide stock assessment advice and to set the sustainable total allowable catch. This research indicates that the rock lobster fishery is currently sustainably managed. A move to a quota management system is currently scheduled for 2011.

The CSIRO has also carried out surveys and formulated sustainable management strategies for the beche-de-mer fishery since 1995. This fishery is focused on about a dozen species, including high-value species that can potentially provide sustainable income for islanders. While three high-value beche-de-mer species have been classified as overfished and have been closed to fishing, one of these is recovering and could form the basis of a locally important fishery. Another important stock species, the Warrior Reef sandfish, is shared with PNG. It is vital to

continue coordinated research with the PNG's National Fisheries Authority for its sustainable exploitation.

The CSIRO has also conducted numerous biodiversity surveys throughout this interesting and diverse region, including deepwater habitats, reef habitats and mudflat seagrass communities. These have been used for mapping, marine habitat characterisation and environmental impact and sustainability studies, particularly of the Torres Strait prawn fishery. Generally, the Torres Strait marine environment is in relatively good condition despite recent reductions in live coral cover in the east Torres Strait and an increase in the number of crown-of-thorns starfish.

As the Torres Strait is Australia's closest geographic and human bridge to South-East Asia, the CSIRO is also undertaking significant biosecurity research associated with the risk from mosquitoes as vectors of human diseases. The mosquito research, carried out in collaboration with the local defence force services and a range of funding agencies, has focused on the range expansion of the Asian tiger mosquito, a potential vector of flaviviruses, including dengue and chikungunya, and Australian viruses, which include things like Ross River virus and Barmah Forest virus. The Asian tiger mosquito has expanded from PNG to most islands in the Torres Strait since about 2004, which may be linked to climate change. In Far North Queensland, dengue fever is vectored by the dengue mosquito, an exotic but very human-associated species. Last reported in the Torres Strait in 2005, the dengue virus is not endemic but arrives via a human reservoir from outside the region. The dengue mosquito is outcompeted by the Asian tiger mosquito. The Asian tiger mosquito is a poorer vector of dengue but, as it feeds on more hosts, it can vector many more zoonotic diseases and there may be other health risks to the people of the Torres Strait associated with its expansion.

Another disease, Japanese encephalitis, is endemic to PNG. The virus occurs each year in the Torres Strait. There are four cases of the disease on Badu Island and it has twice been found on mosquitoes in Cape York, which has led to one case of the disease. This diseases is vectored by other mosquitoes. The distribution of one of these mosquitoes may explain why the disease has not permanently spread to the Torres Strait islands and from there to Australia. The spread of this species further south under climate change will be the subject of further investigation.

The Torres Strait is influenced by a number of climate drivers such as the Australian monsoon, the El Nino southern oscillation, the Pacific decadal oscillation and, from time to time, tropical cyclones. Climate variables such as sea surface temperature, rainfall, wind, mean sea level pressure, solar radiation, cloudy days, humidity, evaporation and apparent temperature play an important role in human and marine life and the ecosystems of the region. However, how these variables will alter with climate change and what future impacts they will have on ecology and livelihoods in the region is not clear.

Our predictive capacity is hampered by a lack of high-quality observational data. Accordingly, CSIRO will be commencing detailed modelling to downscale a range of regional climate change projections and predict direct impacts and changes on marine ecosystems, island infrastructure and communities. The short-term impacts on sea level rise are likely in the northern islands, which are less than one metre above sea level and already subject to high tide inundation. Longer term, indirect impacts on the region could include increased competition and demand for services and natural resources such as fisheries. As population moves in response to the climate impacts and economic pressures such as increased fuel and energy prices, potential future

scenarios in 2050 and 2100 based on climate and ecosystem modelling will be constructed, allowing the identification of potentially vulnerable community sectors and appropriate adaptation options.

In summary, CSIRO's research shows that, despite certain information gaps, the Torres Strait marine environment looks to be in reasonable condition and the fisheries are reasonably managed. A move to a co-management model of fisheries may benefit sustainability and maximise the livelihood benefits for local islanders. CSIRO's research also suggests the main biosecurity threat to the Torres Strait islands comes from the climate change associated southern movement of key disease vectoring mosquitoes from PNG and their potential to increase disease type and incidence.

Finally, CSIRO's research will be modelling the potential range of direct and indirect climate change impacts on the region's ecosystems, communities and economy, and these will allow predictions of possible future scenarios for the Torres Strait's vulnerable communities and appropriate adaptation options. For today's hearing, we can answer questions relating to the areas of research that I have just outlined. Thank you very much.

CHAIR—Thank you, Dr Sheppard. Were you planning to put in a submission now or not?

Dr Sheppard—We were informed that it was rather late for a submission and therefore we couched our presentation around the relevant information that we have.

CHAIR—All right. That is fine. You have read that into the record now, so that is very helpful, actually. Do you have any current research projects in the Torres Strait region?

Dr Sheppard—Yes, the research going on around the fisheries and the research going on around the mosquitoes is current, and the research that I outlined around the regionalisation of the climate, future climate mapping and modelling, is about to start.

CHAIR—I see. Are they part of your continuous program of research activity or are they related to particular projects or programs that you are undertaking at the moment?

Dr Sheppard—Those three separate areas of activity are actually in quite different parts of CSIRO, but the climate change components associated with all of them rather bring them together as being relevant, and the research is most likely going to be coordinated through the CSIRO's Climate Adaptation National Research Flagship.

CHAIR—In all cases or just the climate work?

Dr Sheppard—The only aspect of the research that I highlighted that is not currently directly in the flagship is, I believe, the fisheries research.

CHAIR—All right. The three areas you have highlighted are very useful, thank you. Perhaps I could deal with them seriatim. In relation to the fisheries research, am I right in assuming that you have concentrated only on these two species, the beche-de-mer and the rock lobster? Or have you looked more closely at fisheries throughout the Torres Strait?

Mr Skewes—Certainly, the rock lobster and the beche-de-mer have been the focus of a lot of our research. There are several other fisheries in the Torres Strait, as I am sure you would be aware. There are other research providers that provide assessments of those other species. For example, the finfish fishery in east Torres Strait is being researched by people from James Cook University, and dugong by Helene Marsh at James Cook University. But we have done research in the past on the traditional catch of Torres Strait Islanders. We have done a small amount of research on trochus and also on the bycatch of the Torres Strait Prawn Fishery. That would be about all of the research that we have focused on.

CHAIR—How old is that research, Mr Skewes?

Mr Skewes—Some of it is quite old. The traditional fisheries monitoring that we did was done in 1990 and the prawn bycatch work was in the 1980s. The rock lobster work is the longest continuous research that we have done; we have basically done it every year since the mid-eighties. The beche-de-mer research we have probably done every two or three years. The traditional fisheries work was over a period of probably about a decade, but the main research was done in about 1990, as I said. Our research priorities come through various avenues. For example, the work we do on rock lobsters and sea cucumbers comes through AFMA, the Australian Fisheries Management Authority, or the Torres Strait Scientific Advisory Committee. That is on an as-needed basis. So they set priorities according to various stakeholders and various reasons, and we react to those priorities.

CHAIR—So do you do most of AFMA's scientific research on fishery?

Mr Skewes—We do quite a bit of their research, probably half of it, but the AFMA Research Fund also funds research on the traditional catch—the dugong and turtle fishery and also the finfish fishery. It gets a little bit mixed up, because there was a Torres Strait CRC a few years ago that AFMA did contribute to and then there was fisheries research that came out of the CRC, and there is also the MTSRF more recently, which has funded some fisheries related research. So it is a bit of a mixed bag there, but AFMA is central to funding.

CHAIR—You mentioned it in passing, but have you done any research on turtle fishery?

Mr Skewes—Only on the turtle catch. There have been other people who have done research on turtles in the Torres Strait. I think that was being done by Queensland DERM, as it is called now, I believe; Colin Limpus and his team have done some work on, I think, fishing of turtle eggs. But I think they also integrate the Torres Strait population into their broader turtle research on the east coast of Australia and into the Gulf of Carpentaria.

CHAIR—Apart from the beche-de-mer, and I realise you have not done research on some of the fishery, is it your general assessment that the fishery in the strait is reasonably sustainable and reasonably well managed and that the stocks are sound enough for the kind of activity and exploitation that is taking place?

Mr Skewes—It is a bit of a value judgement. I compare it to fisheries in PNG as well and, in terms of that regional scale, I would say they are in very good shape. There are some overexploited species there. In the beche-de-mer fishery there are three species that we have

concerns about out of about a dozen. That gives you a bit of context about that problem. I would classify the rock lobster fishery as well managed and sustainable at this stage.

CHAIR—I wanted to ask you about the beche-de-mer because I understand it has just been closed. Has it been closed just for these three over fished species or has the whole of the fishery been closed?

Mr Skewes—Just the three over fished species.

CHAIR—I do not know much about beche-de-mer I must confess, so maybe you can help me. How easy is it to close three species out of 12 species? Are these three species significantly different from each other so that they are readily identifiable and anybody exploiting the fishery could not be in any doubt that they are doing the wrong thing if they take these three protected species?

Mr Skewes—They are reasonably easy to identify in the field. They also do occur in different regions in the Torres Strait. For example, the Warrior Reef sandfish fishery is, as the name suggests, almost exclusively found on Warrior Reef. I think the ability to close those species and to have reasonable compliance is quite good from what I have seen. There may be some confusion because there is a Papua New Guinea section of the Torres Strait beche-de-mer fishery. That is managed by Papua New Guinea and it is managed under a different set of arrangements. That fishery is actually closed indefinitely. Actually, Papua New Guinea as country has closed its entire beche-de-mer fishery countrywide for three years, starting quite recently.

CHAIR—Have you done any research on that fishery?

Mr Skewes—Yes, we have, but we have done much less research on the Papua New Guinea side than we have on the Australian side. Where possible, we try to include Papua New Guinea when we do our research and we do joint cruises. We have done at least one significant joint cruise in the Torres Strait to do with the sea cucumber fishery.

CHAIR—This fishery has been closed. How troubled is it? How much risk is there to the fishery?

Mr Skewes—The sandfish fishery, which was a very important early fishery in the Torres Strait, was quite heavily depleted. The other two closed species, black teat fish and surf redfish, were probably more precautionary in terms of their closure. They are not as depleted and are not in as bad a shape, so we would expect them to recover more quickly.

CHAIR—How difficult are the three species of beche-de-mer that have been closed, or are they different names for the things you just referred to?

Mr Skewes—They are the three closed species that I was just referring to. The sandfish fishery was closed over a decade ago now. That was the first big beche-de-mer gold rush that occurred in the Torres Strait. The modern beche-de-mer fishery is only quite a recent fishery. It was fished quite extensively in the century before last. The sandfish fishery was depleted in the mid-nineties and it was closed in 1998. We have been watching the recovery, which has been

very slow, but the Papua New Guinea section of that sandfish fishery has remained open most of that time—they have closed if from time to time. The black teat fish population and the surf redfish population were closed more recently—I think it was in 2002—on a more precautionary basis. We have been monitoring that population and we think there has been a recovery, at least in the black teat fish population in the Torres Strait. So that is good news.

CHAIR—Good. Are you due to do any further research up there in any of the fisheries in the foreseeable future?

Mr Skewes—Yes, we have a survey planned for early next year to have a look at the sandfish fishery again. There was some concern that the reason the Australian population was staying so low was that there was some poaching from the Papua New Guinea side. Since there has been the closure of the entire Papua New Guinea fishery and increased surveillance in the Torres Strait, hopefully, there is a chance that the sandfish population will show recovery. We will go up there in February. We will collaborate with our Papua New Guinea colleagues to try to do a joint survey. That is looking a little bit difficult at the moment, but we will still endeavour to do a joint survey, so they will survey their side and our side at the same time.

CHAIR—And who is paying for that?

Mr Skewes—AFMA, the Australian Fisheries Management Authority, and CSIRO co-invest some resources towards that survey.

CHAIR—On the question of biosecurity. Dr Sheppard, your remarks about the Asian tiger mosquito seem to be both a good and a bad story from the point of view of the dengue carrying mosquito. This might not be the right word entomologically, but does the Asian tiger mosquito prey on the dengue mosquito? It is more virulent, is that right? Is it more dangerous as a vector?

Dr Sheppard—As I did not directly do the research myself I do not have a definitive answer for your question, but I do believe it is to do with the competition of the larvae in the aquatic environment.

CHAIR—We better not go too far down that track. Perhaps you can answer a broader question. How much of a risk is there from these insect borne diseases in this part of the world? You have made very specific observations about the Asian tiger mosquitos, for example, but can you make a general observation about the risks we are exposed to as a result of the easy vectoring of diseases up there?

Dr Sheppard—I cannot really because the research is very much ongoing. In fact, the research started only about 12 to 18 months ago because of a perceived level of increased risk. So, while we believe the risk is on the increase, we have not been able to take it to the point where we can actually define how it might impact the local community. One reason we cannot do that is because there is a lack of detailed localised climate data that allows us to do climate modelling around the biology of the vector and the interaction between the vector and humans. We have these clear observations that the mosquitoes are on the move and we know about the biology and the interactions between mosquitoes as to how that might change the impact on the diseases, but I am afraid at the moment the rest is rather speculative and it really is dependent upon us having better data for some good biological modelling.

CHAIR—Are you in the process of acquiring that better data?

Dr Sheppard—Yes, this project is part of a much larger area of activity in the climate adaptation flagship. The flagship funds these clusters that actually bring in collaboration with universities. It is part of a collaboration between CSIRO, the University of Queensland and the ANU around the general impacts of climate change on human health.

CHAIR—Do you have a time frame for completion of an early phase of this work so we might have a better idea of the risks that we are facing?

Dr Sheppard—It really depends on how quickly we can have access to the regional climate modelling data. James might be in a better position to suggest when that would be available, but I suggest it would be a five- to 10-year time frame.

CHAIR—You seem to be placing a lot of emphasis on the climate data as being the key variable here in this environment—

Dr Sheppard—Yes.

CHAIR—as being the crucial variable that is going to change the impact or the virulence of this problem. Is that a fair assumption?

Dr Sheppard—Yes, that is. The insects are very sensitive to small environmental changes, so the ability of mosquitoes to survive and also transmit the diseases will be heavily temperature dependent.

CHAIR—I see. So is that a more crucial question than the movement of human beings back and forth through the strait?

Dr Sheppard—It is a very complex question because it is not just a question of the impact of the climate change or increasing temperatures on the mosquito populations. It is also about that interaction between the mosquitoes and their ability to transmit the viruses. That is why we have started this research. It is to really bring the virologists and the entomologists back together to better understand the system.

CHAIR—In this rather complex environment do I understand you to say that quite a small change in climate could have quite a significant impact on these populations and their activities?

Dr Sheppard—The changes in climate that are broadly predicted could have a significant impact, yes.

CHAIR—So the broad changes that you are alluding to are the general changes that have been identified within Australian studies and within the context of the IPCC work or is it mainly—

Dr Sheppard—It is in terms of the broader scale national climate models that CSIRO has been involved in. The kinds of predictions for that area suggest that there may well be a link

between the observations we have seen and climate change. So we have not got a definitive answer on it yet.

CHAIR—I understand what you are saying. But you do seem to be saying that if the predictions of those models, which in some cases are quite serious, were to be realised then potentially they are going to have quite a serious impact on these problems and the risks which we are exposed to in the Torres Strait area.

Dr Sheppard—That is correct. If those changes are realised at the level of the Torres Strait, yes.

CHAIR—You may not be able to answer this. Let me put it this way. Does it follow that if the extremes of climate prediction were not realised then the risk would fall correspondingly?

Dr Sheppard—That is also possible. That depends on the degree to which climate change is driving the changes we observe.

CHAIR—Yes, I see.

Dr Sheppard—I will point out that the direct evidence is the increase in the number of incidents of the disease, as outlined in our presentation and our document. There have been increases in the incidence of some of these diseases.

CHAIR—So that has taken place already?

Dr Sheppard—Yes.

CHAIR—Is that within an anticipated range? Maybe there are not normal parameters here. Is it the kind of incidence of the disease that you would expect to see without there being significant change or does it reflect, in your view, some suggestion that something is happening there that is of quite a significance and is affecting the —

Dr Sheppard—We believe it may be significant. My discussions with the direct scientists who have been doing this research is that to some degree they cannot understand why we have not had a longer incursion and a more amount of incursions of mosquitoes and these diseases into Northern Australia. That is a bit of an enigma. Maybe it is driven by climate. We still just do not know.

CHAIR—Although given the dengue fever outbreak, which is not due to the Asian tiger mosquito—I gather it is borne by some other species—there has been a spike in that in the last few years, has there not?

Dr Sheppard—That is right. There was a dengue outbreak around Cairns which was driven—

CHAIR—That comes from Papua New Guinea as well, doesn't it?

Dr Sheppard—I do not know whether the individual that brought into Cairns the dengue virus that caused the outbreak came from PNG. But certainly in the one instance that dengue was noticed in the Torres Strait—in 2005, I think—it was assumed to have come from PNG.

CHAIR—With regard to the broader questions as to climate, I wonder—and you have not mentioned this in your remarks—whether you are familiar with a paper that was published by Donna Green from your organisation in 2006 which was entitled *How might climate change affect island culture in the Torres Strait?* Are you familiar with that paper?

Dr Sheppard—I will pass it over to Dr Butler.

Dr Butler—Yes, I am.

CHAIR—Dr Butler, I wonder if you could outline for us what the general thrust of the findings of that paper were.

Dr Butler—As the title suggests, Donna's focus is really about island culture and the cultural perspectives of climate change, which is certainly obviously an important part of the way of life in the Torres Strait. And it is a question as well because we basically do not know what the impacts of climate change are going to be on culture there, let alone the broader issues of economy, ecosystem, fisheries and everything else that rely upon the ecosystem. It is really a very open question.

CHAIR—I have not seen the paper. If you are familiar with it, what does she speculate as being the likely outcomes?

Dr Butler—I know from Donna's work that there is an assumption perhaps that Torres Strait Islanders and Aboriginal people as a whole are more vulnerable to climate change impacts because of their socioeconomic status, and very often that is related to being isolated as well. So whether you are in remote areas of the desert or right on the edge of Australia's borders, one way and another you are isolated politically or geographically. So the question really is: to what extent are these isolated communities going to be affected by climate change and how? For example, is their health going to be affected? One of Donna's key interests is the fact that if country is sick or unhealthy or is suffering from some sort of new phenomena, that therefore affects, psychologically speaking anyway, the people who depend on that country and have very close cultural ties with that country. That is the open question that she is posing: to what extent will the wellbeing of people in the Torres Strait be affected because of the changes to the environment around them?

CHAIR—Would it be possible for you to table that paper?

Dr Butler—Sure.

CHAIR—It might be a useful document. It is from 2006, so it is three years old. Has she done any follow-up work do you know?

Dr Butler—There has been some follow-up work through the Marine and Tropical Sciences Research Facility. Donna no longer works for CSIRO; she now works with the University of

New South Wales. Because of the work that we do up there, I am very familiar with what she is doing. She has been trying to find out what traditional knowledge there is of climate change in the past and how people have developed their own traditional responses to environmental change with a view to seeing if those same responses can be applied to future climate change. Of course part of that process is recording that knowledge because if the knowledge gets lost then it is basically gone forever.

CHAIR—You made the point that her work is primarily directed to cultural consequences or impacts. What about the wider question. I do not know whether you have had an opportunity to look at some of the submissions that we have received for the inquiry, but some of the submissions allude very directly to anxieties that exist within local communities about the impact of climate change and rising sea levels and extreme weather conditions, extreme storm surges. There is a range of anxieties that are there. Are you in a position to give the committee a view as to whether or not these are perhaps the result of either overexcited individuals, or that they represent realistic, sound, sensible reactions to the changes that might be taking place in the climate?

Dr Butler—You are probably right, it is probably a combination of all of those factors. I would not put myself forward as an expert to be able to divide up what is perception and what is real. But what we can say is that there is an enormous amount of uncertainty around the whole issue. You are well aware that there are huge variations in the climate models that are put forward at a global scale, let alone trying to bring them down to a local scale. The science of that is relatively young, and that is one of the issues raised in this paper for the Torres Strait. What we would say is that one way to tackle the uncertainty is to apply technical scenario planning where you look at all of the possible outcomes of future climate change plus the other things that go on anyway in terms of population growth and global economic forces and political processes and so on to try to tease out, if you will, what the future trajectories for the Torres Strait might be. Clearly a lot of what happens to the Torres Strait may be influenced by what happens in PNG, particularly along the southern coast of PNG, whether those are climate impacts and the knock-on effects of them or broader political and economic issues.

We have just completed a study in the Great Barrier Reef, which as you know is right next door, in fact abuts the Torres Strait, looking at exactly this and applying some of the IPCC models for climate change and trying to predict what the knock-on effects of those might be, plus population growth. This is a work that we are just starting—

CHAIR—That research has excited some attention as I understand.

Dr Butler—Yes—well, I am not sure about the Great Barrier Reef stuff, but generally, of course, climate change has got a lot of attention.

CHAIR—Does the research that Dr Sheppard was referring to in relation to climate include work with regard to these wider questions that I have been asking you about?

Dr Butler—It could. I am hoping that we will be able to pull all these different strands together. I think you have probably been hearing that a lot of the research that goes on is very focused, let us say, on beche-de-mer or a species of beche-de-mer or a species of mosquito. The research that we are trying to start at the moment in the Torres Strait is really about pulling all of

those different strands together to make a broader picture of what might happen and translate that or enunciate that in terms of human livelihoods, wellbeing and health and the economy as a whole up there.

CHAIR—Would you expect that that might include assessments of inundation, storm surges and the range of things that are thought likely to be a consequence of climate change?

Dr Butler—Yes, absolutely. I think it is important to recognise that those are the sorts of short-term, tactical—if you like, 'in your face'—effects of climate change and the sorts of things that you have heard in the other submissions. But there are likely to be more indirect effects. For example, simply the price of fuel is going to be a major driver of how the economy of the region operates. That may be driven to some extent by climate change issues as well. So I think we would like to broaden up the question to the indirect issues as well as those very short-term direct problems that you have just mentioned.

CHAIR—Finally—from my perspective, anyway—do you have a time frame for that research and when we might expect to see something? I suppose it is, 'How long is a piece of string?'

Dr Butler—And how much money, yes. The answer is that ideally, in a perfect world, we would like to get it done within the next three, four or five years depending on availability of resources. Some of that work we will be starting anyway, in terms of assessing the effects on the marine ecosystem. We have a postdoctoral student who has been funded by the Australian Research Council, so that work will begin in tandem with some of the downscaling modelling, which was mentioned earlier by Andy. So that will be going. The broader picture of how we turn that into a sort of broader futures analysis of the Torres Strait will require, probably, some more resourcing.

CHAIR—I said 'finally', but this is finally! Are you confident of the funding for this research? Is it underwritten already or is that still a question in your mind?

Dr Butler—Some of it is; some of it is not. Again, how long is a piece of string?

CHAIR—We have an enormous amount of potential in this country to do fabulous things with science and research, of course, but there is often a question about funding for it, and I guess it is important in this area. How much of the funding for this is certain? Are you seriously in need of further funding support to be able to conduct this research?

Dr Butler—Well, it is Christmas!

CHAIR—Unfortunately, I am not Santa Claus!

Dr Butler—There is a serious point there. Tim mentioned earlier that the Torres Strait CRC was a very solid funding base not for this particular kind of research but for research generally in the Torres Strait until, I think, 2006. The Marine and Tropical Sciences Research Facility, which is funded or organised by DEWHA, has been in place since then, and that is coming up for, hopefully, renewal—but we do not know for sure yet—sometime in this next financial year. If

that all comes to fruition then hopefully those funds will be available, but if it does not then it is not quite so clear how this will go.

CHAIR—We will see; okay. I think we can liberate you! Thank you, gentlemen, for coming this morning. It has been very helpful to us and we are grateful for your submission.

Dr Butler—Thank you.

[12.00 pm]

COLQUHOUN, Mr Lachlan, Acting First Assistant Secretary, Regional Engagement, Department of Defence

HALLETT, Mr David, Director, Papua New Guinea, Department of Defence

McCANN, Ms Linda, Acting Director-General, Pacific and East Timor Branch, Department of Defence

SARA, Mr Tyson, Director, Indonesia, Department of Defence

WHITE, Captain Brad, Director, Joint Amphibious Capability Implementation, Department of Defence

CHAIR—Welcome. The committee's opening statement has been shown to you. Do you have any questions about that?

Mr Colquhoun—No.

CHAIR—We have noted your submission, which is numbered 12, from the department. Do you wish to make any amendments to that submission?

Mr Colquhoun—No.

CHAIR—I am happy to invite one or all of you to make an opening statement, if you care to do so.

Mr Colquhoun—We will just make one opening statement, thank you, Chair, and we will try and keep it brief. Noting the terms of reference of the inquiry concerning the administration and management of matters relating to Australia's northern air, sea and land approaches in the region of the Torres Strait, I will try and focus in the opening statement on terms of reference (c) and (d), which seem to have the most direct relevance to Defence. I will start with term of reference (c): the extent of cooperation with and between Australia's northern neighbours, Papua New Guinea and Indonesia, in relation to the health, welfare and security of the Torres Strait region and communities in and around this region.

The Defence white paper released by the government in May this year reaffirmed that Australia's most important strategic interest is the defence of Australia against armed attack. Meeting this important interest requires control over the air and sea approaches to Australia, which is particularly relevant here given that Torres Strait is the narrowest part of that air-sea gap. To make sure this region remains secure and stable it is essential that Defence works closely with our nearest neighbours, Papua New Guinea and Indonesia.

Defence plays a key role in providing assistance to the PNG Defence Force through the Defence Cooperation Program, which is managed by the International Policy Division. The

program's budget for PNG averages around $12 million per financial year and focuses on improving the PNG Defence Force's ability to self-sustain and to make them a more professional and efficient military. The activities we fund include bilateral exercises, training and infrastructure projects focusing on core areas including border and maritime security, which is relevant to this inquiry.

A substantial part of our assistance focuses on the PNG Defence Reform Program, which is broken into two phases. Defence provided assistance with phase 1, which involved downsizing the PNGDF into a smaller and more efficient defence force without losing the ability to meet its vital security needs. Phase 2 focuses on re-establishing the PNGDF's border security role by further developing and sustaining forward operating bases and border patrols. This will involve infrastructure upgrades, capital equipment and personal military equipment assistance. For example, in 2006 Defence helped renovate forward operating base facilities in Kiunga, which is located in Western Province. The renovation work has allowed the re-establishment of a PNG DF presence along the southern PNG-Indonesian border in the region.

We also provide support to the PNGDF's maritime surveillance capability through the Pacific Patrol Boat Program. The Royal Australian Navy has deployed maritime surveillance experts and technicians to Papua New Guinea to help maintain and operate four PNGDF Pacific-class patrol boats. Those carry out surveillance of PNG's maritime borders and exclusive economic zone, an area that includes the Torres Strait region. In addition, the Defence Cooperation Program funds training and joint exercises designed to enhance the PNGDF's surveillance and border protection capacity.

Australia's defence relationship with Indonesia continues to progress positively. In January 2009 the Chief of the Defence Force signed a joint statement on defence cooperation with his Indonesian counterpart which sits under the umbrella of the Australian-Indonesia Lombok Treaty on security cooperation. The signing of this statement was a significant achievement as it formalises practical cooperation in areas such as counterterrorism, maritime security, peacekeeping and governance support.

Over recent years our senior defence leaders developed close relationships with their counterparts, which have also resulted in improved levels of cooperation and information sharing. The current Minister for Defence, the Senator the Hon. John Faulkner, recently met his new Indonesian counterpart in Jakarta. Both ministers agreed that the bilateral defence relationship is based on a foundation of mutual respect and trust and focused on ways to protect mutual security interests in the region.

Our defence cooperation program budget for Indonesia is approximately $5 million per year, and this funds a program of senior defence visits, strategic and military dialogue, exercises and exchanges, military training and postgraduate education. Approximately $3½ million of that funding is spent on education and training alone, which includes postgraduate scholarships, Australian Defence Force courses and seminars, and support to Indonesia's academic security institutions. Our program has an ongoing focus on human rights awareness, accountability, governance and respect for the rule of law, which contributes to greater professionalism and reform within Indonesia's armed forces and department of defence.

Regarding terms of reference (d)—the challenges facing the Torres Strait region in relation to the maintenance of strong border security across the Torres Strait region, including but not limited to issues related to Australia's defence, biosecurity, public health, immigration and customs—in our approach to the Torres Strait region it is important that we understand the challenges this region is likely to face, particularly those that may impact Australia's defence, biosecurity, public health, immigration and customs. Our region remains susceptible to economic stagnation and political and social instability. We anticipate that these factors, combined with governance mechanisms which are still developing, crime and other social challenges, will continue to pose risks to economic development and community resilience. Further, we recognise that on occasion these factors may lead to security problems that Australia may need to respond to with appropriate forms of humanitarian and security assistance, including, on occasion, ADF deployments.

In the context of the Torres Strait, we note that PNG, although possessing considerable potential with its large population and land area and valuable natural resources, faces a number of significant challenges. These include high rates of unemployment, high rates of crime and HIV-AIDS infection and the continuing decline in many social and economic indicators. A major effort will be required to improve essential infrastructure and improve the delivery of government services within PNG and, in this process, contribute to the security of the Torres Strait region.

In the context of Indonesia, the defence relationship between Indonesia and Australia is the most important in our immediate region and we will continue to work closely to build Indonesia's capacity to address common threats, including terrorism, people smuggling and illegal fishing in the Torres Strait. Defence recognises that the administration and management of matters relating to Australia's northern air, sea and land approaches in the region of the Torres Strait require a whole-of-government approach to ensure the ongoing maintenance of a secure and stable Torres Strait region, and we will continue to work closely with stakeholders to achieve this aim.

CHAIR—Can you tell us briefly—it is not in your submission—what assets you have in the Torres Strait area? What naval, Army and Air Force assets do you control there?

Mr Colquhoun—The question of control is the important one there, because on many occasions in this region ADF assets come under the command and control of Border Protection Command when they have been assigned to Operation Resolute, which is the ADF contribution to border security. I will ask Captain White to address Navy assets, but the only asset other than Navy's that permanently operates within the region is 51 Far North Queensland Regiment, which is a reserve regional force surveillance unit which operates throughout the Torres Strait region. Captain White might comment on Navy assets.

Capt. White—There are the assets assigned to Op Resolute, as Mr Colquhoun has just said, but we also have a resident naval officer organisation on Thursday Island, which is a group of three—one officer and two sailors. They work there and they have some support craft. Their history has been to support the patrol boats operating in that area when they need fuel et cetera.

CHAIR—How many patrol boats did you say you had there?

Capt. White—There are no patrol boats permanently stationed at Thursday Island. The RNOTI has one support craft and a light utility boat as well, but the support craft is effectively a dive tender which he uses to support his operations up there.

CHAIR—I see. But are any naval patrol boats deployed up there as part of Border Protection Command?

Capt. White—They patrol the region. They are not permanently there. There was a Thursday Island response vessel—a mine hunter coastal vessel—which was in that region permanently until recently, but that requirement has gone away and that vessel is no longer permanently stationed on Thursday Island.

CHAIR—Where are the vessels that deploy in that region based?

Capt. White—They will come from Cairns or Darwin.

CHAIR—And how many are there?

Capt. White—There are seven Armidale class patrol boats assigned to Operation Resolute at any one time, and there is a surge capacity should there be SIEV activity increasing. They will surge those with two additional boats. Also, there is a standby major service combatant that can be deployed up there and, while not linked to Operation Resolute but contributing, any deploying or transiting vessel will contribute to the surveillance operations in that region.

CHAIR—So the seven patrol boats that are assigned to Resolute are presumably not just across the Torres Strait.

Capt. White—No, that is across the whole of Northern Australia.

CHAIR—I understand that. I presume that the Torres Strait is not the most immediate area of demand. Most of Resolute's actions are further west, I would have thought.

Capt. White—I think the answer to that is that boats are deployed depending upon what the intelligence at the time indicates. So they will move them around as required.

CHAIR—Are there any boats patrolling the Torres Strait on a regular basis? I acknowledge that they are part of Resolute, but as part of Resolute is there a plan or program which demands or requires that there be a patrol boat in the vicinity of the region or patrolling on a daily or weekly basis through the region?

Capt. White—I have not been personally involved in Operation Resolute for some 2½ years. I would have to take that question on notice.

CHAIR—Would you mind? I would like to get some sense of how much surveillance activity is taking place there through use of the patrol boats.

Mr Colquhoun—If you do not mind, that answer may come from Customs, because those assets operate under them. We will work with them to make sure that you get the right answer.

CHAIR—So you have essentially relinquished any control over them.

Mr Colquhoun—Once they are assigned to Operation Resolute they come under the operational command of Borer Protection Command, and where they go, the frequency of their parols and how they respond are matters for—

CHAIR—They gave evidence yesterday, and we did ask for some information about surveillance activity. It may come in that, but perhaps you might—

Mr Colquhoun—We will ensure that this answer is coordinated, yes.

CHAIR—Thank you. I want to ask a couple questions about the 51 Far North Queensland Regiment, which is a reserve regiment, I think you said, Mr Colquhoun.

Mr Colquhoun—Yes, that is correct.

CHAIR—What do you see as the functions of that regiment that is deployed there?

Mr Colquhoun—In terms of border security, 51 Far North Queensland Regiment can be assigned to Operation Resolute even though it is a land based unit. I will read some of this answer if that is okay. 'In 2009, 51 FNQR conducted 115 days of patrols in the Torres Strait region under Op. Resolute. The geographic focus of patrolling and the tempo of the unit in any give year varies according to requirements and intelligence and information on the ground. The focus in the Torres Strait in 2009 is not an accurate reflection of the normal rate of effort for this unit and represents a tempo and focus at the upper limit of the unit's capacity to both mount and sustain. The unit has permanent facilities based at Horn Island, Yorke Island, Boigu Island and Bamaga, but the two regional force surveillance units that operate across the north of Australia undertake a broad surveillance and community engagement program.' They work closely with communities that live and exist in the region. They often have personnel from Indigenous communities who have lived and been brought up in the region. They perform a broad-ranging, long-range surveillance role, but as reserve units they are not permanently formed and not permanently operating.

CHAIR—I understand that. All members of the units are reserve officers; do they have any permanent officers?

Mr Colquhoun—I would have to take on notice the exact form and structure of 51FNQR.

CHAIR—Maybe you could do that for me.

Mr Colquhoun—No problem. My understanding—this is subject to what we take on notice—is that they come under the operational control of Northern Command. They normally have a permanent ADF member in command of each patrol and then the body of the patrol is made up of reservists.

CHAIR—I see. Do you have information on the days they patrol or how often—

Mr Colquhoun—In 2009 there were 115 days of patrol conducted in the Torres Strait region.

CHAIR—Did you say that that was the upper limit of the capability?

Mr Colquhoun—Yes.

CHAIR—I see. That is for the whole unit?

Mr Colquhoun—Yes. That is in the Torres Strait region.

CHAIR—You said that was part of Resolute.

Mr Colquhoun—When they are undertaking border protection duties they are assigned under Resolute, yes.

CHAIR—Can you tell us what percentage of their deployed time—if that is the right term—is used in relation to Resolute activities?

Mr Colquhoun—To get the exact figures I would have to take that on notice but I would note that obviously when they are undertaking training and other functions that would not be assigned under Resolute. That is a significant component of their time. If I understand your question correctly it is: how much of their actual deployment and patrolling is done as a Resolute function? Is that correct?

CHAIR—That is correct. I visited up there for a time and the question that was posed was whether or not the FNQ regiment might take a more active role than it is currently taking in the Operation Resolute activities, the border security surveillance and a range of activities up there. Are you able to respond to that question?

Mr Colquhoun—I am afraid that I am not. I will take it on notice and will get you an answer.

Senator BOYCE—I would like to follow up on that question. You noted that this was a higher level of activity for the FNQ regiment. Why was that?

Mr Colquhoun—I presume it is in response to Operation Resolute tasking but, again, because of the way these assets are tasked Defence does not manage their operation. So, in relation to Resolute tasking we will have to talk to BPC and get you an answer for that.

Senator BOYCE—Okay. Thank you. My next question is about trying to understand Defence's role within the Border Protection Command.

Mr Colquhoun—Please excuse me if I used 'Op Resolute' and 'border protection' interchangeably because they are not interchangeable. Op Resolute is the ADF's contribution to border protection so from a Defence perspective we always refer to Op Resolute, but ADF assets are assigned to Op Resolute and when they are assigned to that operation they come under the operational day-to-day command of Border Protection Command. Border Protection Command, is headed by a rear admiral from the ADF but he does not work for the ADF when he has that hat on. He has command of those ADF assets as well as Customs, AFP, fisheries and a range of other assets. He can pick and choose which asset he uses to respond to a border protection contingency. If he has intelligence relating to activity in a particular area—say, the Torres

Strait—he might use an Armidale class patrol boat that is assigned to him or he might use 51FNQR, but equally he might use a Customs vessel.

That is why border protection was constructed that way—to ensure that there was adequate synchronisation between all the different surveillance and response options that we had in the north of Australia. There are assets that are permanently assigned to Opposition Resolute, but as Captain White alluded to earlier, additional assets can be assigned if there is a particular threat or a particular concern. For example, if they had information that there was a particular threat in the Torres Strait, additional assets could be assigned to Border Protection Command in order to respond. Does that clarify it?

Senator BOYCE—Yes, I think so. We have had submissions suggesting that the availability of border protection command assets for non-essential biosecurity functions, for example, were periodically constrained because of higher priority functions. What involvement would the pulling in of extra—

Mr Colquhoun—Commander Border Protection Command has the capacity, at any time when he needs additional assets, to request those assets from the ADF.

Senator BOYCE—So they would request them from you. Has that occurred?

Mr Colquhoun—I am sure it has, but I cannot speak to specifics.

Senator BOYCE—Would you be able to take that question on notice.

Mr Colquhoun—Specifically how many times Commander Border Protection Command—

Senator BOYCE—How many times it has occurred and for what sorts of resources. And, if possible, what the object of the exercise was. I realise that may not be possible; that is why I said 'if possible'.

Mr Colquhoun—I think it may be a quite exhaustive list, because I think it is quite a routine matter for Commander Border Protection Command to ask for an additional boat or additional access to a plane.

Senator BOYCE—Just provide whatever you can that will give us a sense of it. As I said, a number of submitters have said that what they perceive to be important but not urgent activities are constrained by the lack of assets or the lack of resources available in terms of ships and such. It would be useful for us to have a picture of what does happen and how often things are pulled in and out.

Mr Colquhoun—We will certainly get that for you, Senator. I would also note that Commander Border Protection Command also has the capacity to request additional assets for the other agencies that contribute to his command. So it is not just a Defence question, but we will certainly answer it from a Defence perspective.

Senator BOYCE—Thank you. The other thing I want to ask a few questions about is phase 2 of the reform package, which you were talking about and which allowed PNG to 'reconstitute its

border security role through forward operating bases and border patrols'. How many border patrols would the PNGDF undertake in the Torres Strait in their side of the border between Australia and PNG?

Mr Colquhoun—I might defer to Ms McCann on that one.

Ms McCann—The short answer is probably not many. The Torres Strait is not really a focus for Papua New Guinea at the moment, given that they really only have responsibility for the very top part of the Torres Strait. I do not know the exact percentage, but responsibility for most of the Torres Strait is our responsibility. I do know that in 2009 Papua New Guinea used one of their Pacific class patrol boats to patrol for one sea day in the Torres Strait area.

Senator BOYCE—For one sea day?

Ms McCann—Yes.

Senator BOYCE—What is a sea day?

Ms McCann—It is one day that their patrol boat is out at sea.

Mr Colquhoun—It is actually at sea.

Ms McCann—Yes, out at sea—'S, E, A.'

Senator BOYCE—Yes, I realised it was 'S, E, A', but I wondered if it was the same length as other days! That was where I was going, Ms McCann. Border security patrols between Australia and PNG would presumably not be a very high priority for PNG, would they?

Ms McCann—No, we do work with them in that area. We do a bit of skills transfer and their maritime element exercises with our Navy. Brad might be the better person to answer on specifics in terms of exactly what sorts of training our Navy does with the PNGDS maritime element. We do work with them at a working operational level just on basic skills transfer, but in terms of joint patrolling—

Senator BOYCE—Are you aware if the PNGDF is in fact attempting to stop people who would not be considered traditional inhabitants undertaking traditional activities from entering our area of the Torres Strait?

Mr Colquhoun—I think it is safe to say that that would not be a focus of the PNGDF's activities. The deployment of their Pacific patrol boats is primarily to protect their fisheries. That is what the boats are designed for. They are not about border interdiction so much as patrolling for illegal fishermen. That is their focus.

Senator BOYCE—So the border patrols are really about fishing.

Mr Colquhoun—They are patrolling their waters and their borders, but they are largely looking for illegal fishing. They look for other criminal activity, but it is about border security and protecting their marine resources.

Ms McCann—Most of the tuna stocks are to their north rather than in the Torres Strait area.

Senator BOYCE—What about the patrols that we undertake in the Torres Strait—what is the primary focus of those?

Mr Colquhoun—Again, that would be a matter for Border Protection Command. Whether it is illegal fishing, people-smuggling or the interdiction of the drugs trade, it all comes under Border Protection Command. It is their responsibility—hence their structure, with the multi-agency focus. You have different agencies concerned about different things.

Senator MARK BISHOP—We had a discussion yesterday about uncharted waters. Defence has a program to chart some or all of the uncharted waters in the Torres Strait. Can you tell us, Captain, why significant areas up there remain uncharted? I was a bit surprised to hear that yesterday.

Capt. White—Charting is very time consuming and takes a lot of assets. The process of gathering and then processing the information to produce charts is very time consuming. It takes a significant amount of time. Additionally, in that area there are many areas which are difficult to navigate. It is difficult for hydrographic vessels to get in there and achieve accurate and safe charting. Conducting a charting operation is very hazardous. The hydrographer goes through a process of risk assessment, and they have to go through that quite significantly. I have some data on, for example, what percentage of the region the various ships can operate in.

Senator MARK BISHOP—More particularly, I am interested in how much of the area that ships need to navigate through remains uncharted, and what sorts of problems that raises for other agencies.

Capt. White—The Torres Strait and the navigable channel is well charted. My understanding is that, other than Australian naval vessels, every vessel has to carry a pilot through that region. The actual strait and the channel through that region is thoroughly charted, so that should not present a navigation hazard to transiting vessels.

Senator MARK BISHOP—The discussion yesterday was in the context of waters surrounding various islands requiring policing, and vessels fleeing into uncharted areas. Policing agencies are unable to pursue vessels into uncharted areas and, hence, vessels escape.

Capt. White—That is correct.

Senator MARK BISHOP—That was the nature of the discussion we had.

Capt. White—There have been efforts to improve those charted waters, for that very reason. In 2006-07 the government allocated $18.34 million to allow Defence to supplement its charting capability up there with commercial contractors. The processing information is ongoing, but the work done up there was completed in October of this year. They have upgraded a number of charts and produced two charts specifically for Australian agencies to use for law-enforcement activity up there. That said, there are still a significant number of areas that require charting. That is an ongoing plan. They have a plan in place to continue that charting activity with the Hydrographic Service assets for the next three years. That would obviously be improved or sped

up if additional funding was available with which they could employ contractors, as they have done over the past three years.

Senator MARK BISHOP—That is clearly a decision for government in due course. If we carry on with the current program and the current level of funding for the next three years and the same rate of work, if you like, will that conclude all the necessary areas that need to be charted or will we still have outstanding work to be done?

Capt. White—I cannot give you an accurate answer. I know they have a program scheduled for the next three years. What percentage that will bring the area up to 100 per cent charting I cannot answer. I will have to take that on notice.

Senator MARK BISHOP—Do you mind taking that on notice? If there are significant areas remaining uncharted at the end of the current three years, could you advise the committee how much remains uncharted, what degree of risk or hazard it continues to pose for law enforcement agencies and the likely time and money that would be required to attend to that task?

Capt. White—Yes, Senator.

Senator MARK BISHOP—Thank you.

CHAIR—Captain White, do you have a map which indicates how much of the waters are charted? Perhaps you would care to table that. We do not have a map which indicates that. I am happy for you to take that on notice if you have not got one immediately available.

Capt. White—I have a small picture of the area that has been done under the contract, phase 1 and phase 2 to date. Then I have another small picture which details the areas that are scheduled over the next three years.

CHAIR—I leave it in your hands to provide the committee with some material that indicates how much of the waters have been charted and what are the plans for the next three years that you mentioned.

Mr Colquhoun—We might include them as part of the answer, if you agree.

CHAIR—I do not know whether you have looked at the submission from the Queensland government to the inquiry, Mr Colquhoun, but there is a suggestion in the submission in relation to the Horn Island airport. We heard yesterday that funds have been committed for the upgrade of the Horn Island—

Senator BOYCE—An announcement.

CHAIR—Or an announcement has been made of a commitment. Thank you, Senator Boyce. We hope it will be fulfilled. But there is a suggestion in the Queensland government submission that Horn Island has the potential to be used for wider border security and defence type activity. Does the department have any plans to do that, or is it actively used in these fields at the moment?

Mr Colquhoun—None that I am aware of. I will have to confirm for you that there are no plans, but there are certainly none that I am aware of.

Senator BOYCE—Presumably the department would have been asked for input before the type of upgrade and the funding required for an upgrade were decided.

Mr Colquhoun—I am not going to pretend to be an expert on the Horn Island airport, but not necessarily. It depends on the size of the airport. The Department of Defence does not operate many small aircraft. I presume it is a fairly small airstrip. I would not think that that was a matter of course.

Senator BOYCE—I believe that the runway is one of the sticking points around the size of the Horn Island airport.

Mr Colquhoun—The aircraft that are used, for example, for Operation Resolute are P3 maritime patrol aircraft, which have an extremely long range and tend to be based out of South Australia. So there is not an immediate need for those aircraft to have nearby air steps for refuelling or any other sort of purposes.

Senator BOYCE—But they would only overfly the Torres Strait; they obviously cannot undertake anything—

Mr Colquhoun—They undertake patrolling in support of Operation Resolute. That is their function. But I will confirm for you whether the department (a) was consulted, or (b) has a view. But there is none that I am aware of.

Senator BOYCE—Thank you. My questions were around the fact that the Prime Minister has suggested that, amongst other things, climate change has the potential to cause unregulated movement of people within the Torres Strait area. What work has been done around security and potential for unregulated movement of people into Torres Strait?

Mr Colquhoun—The movement of people would be a matter for Border Protection Command and any forward planning about impacts of climate change or otherwise again would be a matter for Border Protection Command. I am not aware of any specific work having been done by Defence.

CHAIR—As there are no further questions, thank you, Mr Colquhoun, and your officers for attending this morning. We appreciate the work you have done for the committee. We would be grateful if you would respond to those questions we have asked as soon as you possibly can.

Mr Colquhoun—Thank you.

[12.35 pm]

ZUCCATO, Assistant Commissioner Kevin, National Manager, Border and International, Australian Federal Police

CHAIR—I welcome Assistant Commissioner Zuccato from the Australian Federal Police. You have been given a copy of the committee's opening statement, I think, from this morning. Do you have any questions about that?

Assistant Commissioner Zuccato—No, sir.

CHAIR—You have actually given a submission to the committee, a revised submission, I understand, which will in due course be published. Do you wish to make any amendments to that submission?

Assistant Commissioner Zuccato—No.

CHAIR—I invite you now to make an opening statement, if you would care to do so.

Assistant Commissioner Zuccato—Thank you, sir. Thank you for the opportunity to appear before you today. The Australian Federal Police have quite a long history with PNG, in particular through having a liaison officer and staff in Port Moresby over quite a number of years—over 20 years, I believe. We have also had officers in Darwin, Cairns and Townsville who respond to issues in the Torres Strait from time to time and work collaboratively with the Royal Papua New Guinea Constabulary on criminal enterprises and criminal investigations.

We participate in a number of forums. One is the combined intelligence group, which has been around for many years. Its participants are the Australian Federal Police, Queensland Police Service and Customs and Border Protection, and they look at collective intelligence assessments of criminal threats in the region and develop operational responses to those threats. We also participate on a regular basis in the Transnational Crime Conference, which brings together a variety of organisations from both PNG and Australia—law enforcement, Customs, immigration et cetera—to discuss issues relevant to both countries. We also participate, with Customs and Border Protection, in the joint cross-border patrols that occur in the region from time to time. Last year I think there were four; this year I think there have been three. The AFP support that activity.

We also have capacity building programs within PNG through our International Deployment Group, and we also support PNG law enforcement through certain law-enforcement cooperation programs through our liaison officers in Port Moresby. We also make a very significant contribution to the Pacific Islands Chiefs of Police forum, which brings together not only the commissioner from PNG but also all the chiefs of police from the region itself.

The main areas that the AFP focuses on from a law enforcement perspective are cross-border movement of prohibited goods from Australia. These include firearms and ammunition—

Senator BOYCE—From Australia?

Assistant Commissioner Zuccato—To and from PNG, predominantly from PNG, although we have not seen a significant movement of firearms and ammunition, certainly not in the last little while. One program that was conducted in relation to firearms and ammunition has since ceased, given the lack of apparent movement.

Trafficking dangerous drugs, including cannabis, is probably the main focus of the AFP with respect to PNG. We also look at drug-related property crime to obtain commodities in exchange for narcotics. We look at some people-smuggling issues and also trafficking in people within the region. We look at crimes against the person committed by PNG nationals visiting on either a passport and visa or a traditional visitor pass, and all other criminal activities deemed a priority by the local criminal intelligence management group.

To break it down, our concern with PNG as a very near neighbour is to ensure that we maintain very close collaboration with PNG, which we believe we have, to share as much information as we possibly can and to work collegiately and collaboratively on criminal investigations, while at the same time endeavouring to assist them in building their capability and capacity to police PNG.

CHAIR—Thank you. Do you have any staff or officers permanently deployed in the Torres Strait region?

Assistant Commissioner Zuccato—We have a senior liaison officer in Port Moresby.

CHAIR—What about in the Torres Strait area particularly?

Assistant Commissioner Zuccato—No.

CHAIR—You said you participate in the cross-border visits on regular occasions. Do you have any other staff on periodic activities in the Torres Strait region particularly, not Papua New Guinea?

Assistant Commissioner Zuccato—We do, on a needs basis. If it is required, we will deploy staff from either Darwin or Townsville to assist in any activity that is occurring within the strait.

CHAIR—Your submission, and it has been raised in a couple of other submissions to the inquiry, talks about how photo identification might better enable identification of people travelling back and forth across the border. How important do you think that might be to improving identification of people moving back and forth across this border?

Assistant Commissioner Zuccato—Obviously from a policing perspective knowing who is travelling to and from Australia is very important. The absence of biographical identity documentation means that it is challenging for us to know whether suspects are travelling within the region and making their way down from PNG as a way of circumventing normal immigration procedures. Indeed, if we have an investigation that we are conducting and we have information that people are travelling within the region, it would be of extreme benefit to us for

there to be some form of document of identity, including a photograph, fingerprints or whatever, so that we are aware of who is coming into and out of Australia.

CHAIR—Have you pressed this suggestion through any of the councils which relate to the management of the Torres Strait region?

Assistant Commissioner Zuccato—I understand that we have. I do not know which specific ones. I can take that notice.

CHAIR—Would you do that. I gather you so far have not been successful in persuading people this is a necessary development.

Assistant Commissioner Zuccato—No.

CHAIR—Are you persevering with it, or have you dropped it for the time being?

Assistant Commissioner Zuccato—In the three months that I have been in the position I have not heard of it being progressed in any forums.

CHAIR—You work in conjunction with other forces and other agencies, but does the AFP of itself make an assessment of the nature of the risks that exist to Australian security through the Torres Strait between Australia and Papua New Guinea and, indeed, Indonesia?

Assistant Commissioner Zuccato—We do.

CHAIR—How high or low do you assess that risk?

Assistant Commissioner Zuccato—The risk of transnational crime within the region is significant. In particular, the ease with which folks can travel down through Indonesia and through the strait indicates to us that there is a significant risk. We certainly try and address that risk through the presence that we have in Indonesia and also in PNG. A lot of what we do is also based on the work that we do with other government agencies like Border Protection Command, Immigration and so forth. Whilst there is certainly a risk, in terms of our knowledge of the region we have a very good appreciation of what the threat picture looks like. Through the work that the Pacific transnational crime network has undertaken in terms of developing a crime assessment, we understand some of the threats that are posed in the strait through PNG and Indonesia.

CHAIR—Thank you.

Senator KROGER—What, if any, documentation is required for traditional visits?

Assistant Commissioner Zuccato—My understanding is that there is none.

Senator KROGER—So it really does make your task, I would suggest, very difficult, particularly if you are saying that drug trafficking—not firearms so much anymore—is one of the bigger issues you are dealing with at the moment.

Assistant Commissioner Zuccato— It most definitely is, predominantly cannabis. Over the last 24 months there have been 26 individuals arrested for trafficking some form of narcotics and the most recent was—

Senator BOYCE—That was very significant, the most recent one, was it not?

Assistant Commissioner Zuccato—Correct. There were 18½ kilograms of cannabis seized in PNG and several folk were charged with conspiracy to import 500 kilograms of cannabis.

Senator KROGER—So I would presume that in sourcing—using that one as an example because it is one we have been aware of publicly—it is through the so-called investigative chain that those are identified, rather than through the volume of people on boats, through traditional visits, and so on, the general commute.

Assistant Commissioner Zuccato—That is right. If through normal immigration procedures an individual comes through an airport, for example, or enters the country via a vessel through a prescribed port, there is a network called the PACE alert system. If I have a suspect, I can put that suspect's name into the PACE alert system so that when that individual or person of interest comes through that border crossing, it triggers a notification to law enforcement or to the agency which has put the notice on the system that this individual is entering or departing Australia. Through the other processes which do not require a visa, through traditional entry, that obviously is an option which is not open to us. Also, it is an option which is open to certain forms of abuse. If I were to purport to be someone who does not require a visa coming into the country, then obviously that does cause us some issues.

Senator KROGER—So it would be reasonable to suggest that that would be a No. 1 priority to have some sort of formalised documentation, at the very least photo ID and so on for every one who is commuting, for whatever purpose.

Assistant Commissioner Zuccato—I would think that would be a commonsense approach.

Senator KROGER—You mentioned human trafficking, as opposed to people smuggling. To what extent is that an issue or a problem?

Assistant Commissioner Zuccato—We have not seen a lot of human trafficking through PNG. However, I was up there are a few months ago and the issue was raised by our Customs colleagues, in particular because of the growing presence of the Chinese community and the potential to establish those routes whereby you could traffic human beings through PNG and down into Australia. I do not know how successful that would be, given that there are other ways through which they can bring in particular women to Australia. I do not know whether the return on investment would be enough to explore that. Certainly it is something which was brought to my attention when I was there.

Senator FORSHAW—Have the AFP ever recruited any personal from the Torres Strait Island communities? I suspect not, but I do not know. I am just interested.

Assistant Commissioner Zuccato—I would have to take that on notice.

Senator FORSHAW—There was one other issue, which I think you have probably covered. Maybe you could go to Senator Boyce, Chair; I will try and find the other question.

Senator BOYCE—Thank you. You mentioned three cross-border patrols conducted in the previous year. Were they just Australia-PNG or Australia-Indonesia-PNG?

Assistant Commissioner Zuccato—My understanding from the documentation I have is that it was Australia-Torres Strait.

Senator BOYCE—Okay—but it was cross border with PNG?

Assistant Commissioner Zuccato—With PNG.

Senator BOYCE—Okay. You also noted earlier, I think, that you have some statistics there on the number of seizures of narcotics and that over the past two years—is that it?

Assistant Commissioner Zuccato—I think it was two years. May I check?

Senator BOYCE—Yes, you may. If it is easier to just give us a quick summary and then perhaps give us the figures on notice, that would be useful.

Assistant Commissioner Zuccato—Significant operational outcomes have been realised in the last 24 months; they have a direct correlation to the outcomes of the dialogue that occurs through the Transnational Crime Conference. Twenty-four Torres Strait and Papua New Guinea residents were detained in relation to trafficking and importation of border controlled narcotics. We have had an increase in intelligence product being derived from Indigenous communities in relation to narcotic trafficking and illegal cross-border movements of people and commodities—so it is 24 in total.

Senator BOYCE—Would you be able to give us any sense of the quantities or value of those—on notice if necessary?

Assistant Commissioner Zuccato—I can get you the exact quantities on notice, but I can tell you that they would not be huge. They would not be significant seizures.

Senator BOYCE—But the recent seizure was valued in the millions of dollars, was it not?

Assistant Commissioner Zuccato—The potential—

Senator BOYCE—Or the street value, so to speak.

Assistant Commissioner Zuccato—Correct. The potential realisation of 500 kilos of marijuana would have been in the millions of dollars, but in fact we seized 18½ kilos, which in the scheme of things is not what we would consider a large seizure—in particular given the commodity. It is not a commodity that is high on the list of our priorities, if you will. ATS is a different story. However, there has been a proliferation of—

Senator KROGER—What is ATS?

Assistant Commissioner Zuccato—Amphetamine-type substances—your ecstasy or MDMA. I am glad that you are not aware of what they are! Well done!

Senator BOYCE—It is a different story in that there is more or in that there is less?

Assistant Commissioner Zuccato—Our indications are that because of the lack of strong and significant legislation in Papua New Guinea on the possession or distribution of precursor chemicals—which are those chemicals that are used in the manufacture—that is something that we are certainly concerned about and are doing work on to determine what the threat is within Papua New Guinea. In particular, if you are able to get those chemicals into Papua New Guinea or they are available there, there is the likelihood of establishing labs or superlabs, which would then be able to—

Senator BOYCE—So you would be far better off manufacturing, so to speak, in PNG and then importing to Australia if that were your aim, would you? I am talking about ecstasy-type tablets.

Assistant Commissioner Zuccato—It is certainly something that you would consider. However, it is obviously not as simple as just saying, 'We're going to build a lab,' because you are still going to need to have the place to do it, the contacts to do it et cetera. So, because of the fact that the legislation exists, the environment may be too hostile to actually do that.

Senator BOYCE—I was trying to characterise whether we see the openness of that border as a risk or as a definite and actual threat.

Assistant Commissioner Zuccato—I would have to say that, given the relatively low incidence of seizures and arrests for serious types of crime within that region, there appear to be factors that inhibit that occurring, whether or not that is because we have extensive surveillance in that area. I would possibly defer to Border Protection Command to answer those types of questions, as did my Defence colleagues prior to this, but we do not see a lot of importations, for example, utilising the narrow gap that exists between our two countries.

Senator BOYCE—Do you think that would require support from locals in the Torres Strait itself?

Assistant Commissioner Zuccato—Not necessarily. It is still a vast expanse of water. I do not know that you would need to have folks who would be complicit. In particular, if you are going to hide 20, 30, 40, 50 kilos of heroin it is not difficult, even on a small vessel, because the volume is not big. If you are going to import large quantities of marijuana, that is a different story, because it is in bales. But to bring in amphetamine type substances, coke or heroine, volume wise it is not that difficult. You can conceal it. Even if you are refuelling/revictualling someone could do that quite easily and people would not have any idea what you were up to.

Senator BOYCE—You talk about the other focus of your work being on illegal cross-border movements. Is this related to people, who are not considered traditional inhabitants, arriving for traditional activities or is it related to people who might have a larger criminal activity in mind?

Assistant Commissioner Zuccato—It is to do with folks who are coming here to advance or to commit criminal offences. As far as I can recall, we have had occasions—and they are historical—where folks do exit Australia through that crossing, that area, to evade scrutiny by Immigration and Customs.

Senator BOYCE—Who come into Australia or who leave Australia?

Assistant Commissioner Zuccato—Both. I recall many years ago an individual who rode a boat from the tip of Cape York over to PNG to pick up a load of heroin. He was not that successful, because he forgot to put on his sunscreen. He made it back.

Senator BOYCE—So we let him in as a humanitarian health—

Assistant Commissioner Zuccato—He was subsequently detained by me and some of my colleagues. It is something that is doable, that is possible. But, again, I guess it comes down to: do you need to go to those lengths? Do you need to travel all the way up north or do you utilise other importation methodologies for, in particular, narcotics that may be even safer than doing that and where you do not come to the attention of the locals. That is a very important thing, too. Whilst it is a very large expanse of—

Senator BOYCE—That is what I was getting at in my earlier question: whether the locals were—

Assistant Commissioner Zuccato—The locals may not be complicit, but it is like a Neighbourhood Watch thing. If the locals up there notice something suspicious they are more likely to notify the law enforcement officers than somebody living in Port Macquarie, for example. Put it this way, as far as I can recollect, we have not seen that type of activity for some time.

Senator BOYCE—Some of the submissions we have had from groups who are not within the group considered to be traditional inhabitants on the PNG side but who believe they should be have suggested that their community members have been jailed in Australia for coming into our Torres Strait region. Are you aware of that?

Assistant Commissioner Zuccato—No, I am not.

Senator BOYCE—Do you know of anyone who has been jailed for crossing the border?

Assistant Commissioner Zuccato—I would imagine that would be an issue for DIAC.

Senator BOYCE—I assume that, for a start, the AFP might or might not have had some involvement in their apprehension?

Assistant Commissioner Zuccato—Not that I am aware of. I would find that very unusual and unlikely.

Senator FORSHAW—We have learned another acronym today, which, in this area of foreign affairs et cetera is quite a regular thing.

Assistant Commissioner Zuccato—I have many more that I could toss out if you—

Senator FORSHAW—No, thank you. Community police officers are engaged by the Queensland government, as I understand it. I do not want to cover any ground that you have already covered in other answers, but how much interaction, liaison does the AFP have with them?

Assistant Commissioner Zuccato—I would imagine that the only interaction that we would have with those individuals would be through our Cairns and Townsville offices in the normal course of duties that they have within those two geographic locations.

Senator FORSHAW—But not on an island, if AFP officers visit an island?

Assistant Commissioner Zuccato—If we visit the islands we would see them and speak to them. That would be a given. But I do not recollect—

Senator FORSHAW—The role of the AFP is quite separate and distinct with regard to the sort of work that the community police officers do on the islands.

Assistant Commissioner Zuccato—Yes, very distinct.

Senator FORSHAW—Which is not necessarily the case with state police in other states and capitals.

Assistant Commissioner Zuccato—That is correct.

Senator FORSHAW—One of the reasons I asked that question was that the Queensland government in its submission made a statement that you may be able to comment on—but if you cannot, I understand. It said:

The Queensland government notes that it is not appropriate for community police officers in the outer islands of the Torres Strait to be considered as having a border security role.

I have asked other witnesses and departments this as well: are they being required to or expected to do some border security duties as distinct from community policing? You would not be aware of that, I take it.

Assistant Commissioner Zuccato—I am not aware of that, no. That would be a matter for the Queensland police and the Queensland government.

Senator FORSHAW—In terms of border security, the AFP could have some role, depending obviously on who the intruders are and the purpose for which they are arriving.

Assistant Commissioner Zuccato—Correct, and we would deploy with Customs, if that was the case.

Senator FORSHAW—Which is standard practice.

Assistant Commissioner Zuccato—And which you have seen in people-smuggling to date, yes.

Senator FORSHAW—Okay. I thought maybe in that context officers may have come across some of the community police officers. That is fine, thank you

CHAIR—Assistant Commissioner Zuccato, thank you very much for appearing before the committee today. We very much appreciate the time you have given us and the AFP submission. There are one or two matters you have taken on notice and we would be grateful if you could respond as soon as you can.

Assistant Commissioner Zuccato—Certainly.

CHAIR—We will release you now from further duty. Thank you.

Committee adjourned at 1.02 pm