

## Tasmania

### Emergency Response Planning and Administration

- 8.1 At the Hobart hearing on 19 November 2003, the Committee was reminded by the Tasmanian Police Commissioner that some of Australia's most significant disasters had occurred there including the collapse of the Tasman Bridge, the Port Arthur massacre and the 1967 bushfires.<sup>1</sup> In addition the Committee was mindful of the fact that Tasmania's unique island status had significant implications for its terrorist response capacity.
- 8.2 Current Tasmanian administrative arrangements for counter terrorism are based, like those in the other states, on the terms of the Inter governmental Agreement on Australia's Counter Terrorism Arrangements and on the National Counter-Terrorism Plan. Since the implementation of the Agreement and the Plan, the Tasmanian Government has set up a Ministerial Security Committee chaired by the Premier. The State Security Advisory Group reports to the Ministerial Security Committee and provides policy advice from the range of executive Departments concerned with law and order, emergency services and public health.<sup>2</sup>
- 8.3 In evidence to the Committee, the Tasmanian Police Commissioner explained the role of the State Security Unit within the Police Department:

The Tasmanian government has created a unit of 18 new positions to support the whole-of government response to counter-terrorism. The State Security Unit is located within my

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1 R McCreadie, Transcript, 19 November 2003, p. 160.

2 Tasmanian Government Submission No 15, pp. 2-3.

department, the Department of Police and Public Safety, to ensure that the whole-of-government policy development of emergency responses to the recovery arrangements are truly aligned. The SSU has a budget of \$3.7 million a year and the SSU provides a focal point for activities related to counter-terrorism. Its tasks are listed in our written submission and they include, but are clearly not limited to, providing policy advice and support to the Ministerial Security Committee, the state advisory group and Tasmanian representatives to the NCTC, coordinating critical infrastructure protection activities, coordinating the procurement and maintenance of counter-terrorist equipment, liaising with state and Australian government agencies and the private sector in relation to CT issues, and also managing the Tasmania Police Special Capabilities Group and ensuring coordination and the cooperation of capabilities and the arrangements with other emergency services.<sup>3</sup>

- 8.4 As in other states the policy principles underlying Tasmania's administrative framework response to the threat of terrorism are a 'whole of government' approach to crisis management and recovery and an 'all hazards approach', seeking alignment between the new counter terrorism arrangements and the existing emergency management arrangements dealing with natural disasters.<sup>4</sup>
- 8.5 The State Disaster Committee established under the *Emergency Services Act 1976* to develop and monitor the implementation of emergency management policy is currently being reviewed to provide for a consistent whole of government policy approach to the prevention and management of both natural disasters and acts of terrorism.<sup>5</sup>

## **Counter Terrorism Legislative Consistency between State and Commonwealth**

- 8.6 In evidence to the Committee the Tasmanian Government noted the progress already made towards fulfilling the terms of the National Counter-Terrorism Agreement to ensure legislative consistency in counter terrorism legislation between the State and the Commonwealth:

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3 R. McCreddie, Transcript, 19 November 2003, p.162.

4 Tasmanian Government Submission No 15, p. 2.

5 Tasmanian Government Submission No 15, p. 5.

The government referred powers relating to terrorist acts and terrorist organisations to the Commonwealth in 2002. Some of the legislative matters the government is addressing are described again in the written submission but they include the review of legislation relating to hazardous materials and materials that, although not dangerous in their own right, might be of use to terrorists; the review of the Freedom of Information Act 1991 in relation to documents dealing with national security, defence and international relations; and a review of the Emergency Services Act 1976, to ensure that the emergency management and counter-terrorism arrangements are complementary. This review will also examine our existing powers to detain persons who may have been exposed to CBR material for decontamination and examination...Other matters include a review of the powers in relation to security and exclusion zones and other areas including stop-and-search and mandatory planning and a review of the legislation amendments occurring in all other jurisdictions.<sup>6</sup>

8.7 In its Submission to the Committee the Government of Tasmania listed the following legislation enacted or amended in response to the terms of the National Agreement:

- *Terrorism (Commonwealth Powers) Act 2002* – which refers certain matters relating to terrorist acts to the Commonwealth including offences related to terrorist acts and the proscription of listed terrorist organizations.
- Amendment of the *Emergency Services Act 1976* to enable the detention of persons for the purposes of decontamination.
- Further amendments to the *Emergency Services Act 1976* to provide for use of special powers during a terrorist incident.
- Amendments to the *Freedom of Information Act 1991* to exempt documents relating to national security, defence or international relations.<sup>7</sup>

8.8 As in the other States, a legislative working group has been established to review State legislation and to liaise with Commonwealth agencies regarding national legislation that affects Tasmania's counter terrorism arrangements and capabilities. The working group is currently reviewing the *Tasmanian Dangerous Goods Act 1998* in relation to the reporting, security, storage, sale and handling of hazardous materials. The working

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6 R. McReadie, Transcript, 19 November 2003, p.162.

7 Tasmanian Government Submission No 15, p. 6.

group will also examine the regulation of materials that, although not hazardous in their own right, may be used by terrorists.<sup>8</sup>

## Consequence Management

### Response Capacity

8.9 The Tasmanian Government told the Committee that it had concentrated its efforts upon enhancing the following areas of the State's counter-terrorism capability:

- Chemical, biological, radiological threats
- Bomb threats and
- Mass casualty events.<sup>9</sup>

8.10 The Tasmanian Police Commissioner acknowledged to the Committee that September 11 and the Bali bombing had caused authorities in Tasmania, in common with other jurisdictions, to 're-examine assumptions about the nature and immediacy of the terrorist threat' resulting in a review of counter-terrorism arrangements:

Both reviews identified gaps in our existing arrangements and capabilities for dealing with terrorism. Building on our cooperative emergency management model, the Tasmanian government decided to incorporate the new counter-terrorism capabilities and arrangements into the existing emergency management arrangements.<sup>10</sup>

8.11 As a result of the reforms to the administrative framework of counter-terrorism response and of the additional assistance available under the terms of the National Agreement, the Police Commissioner was able to tell the Committee that Tasmania had 'significantly enhanced its counter-terrorist arrangements and capabilities particularly in the area of critical infrastructure protection, CBR incidents, mass casualties, bombing and CT training and equipment.' The police Commissioner stated that he could:

Confidently advise that we are in a position to report to the Committee that Tasmania continues to meet all its commitments

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8 Tasmanian Government Submission No 15, p. 7.

9 Tasmanian Government Submission No 15, p. 10.

10 R. McCreadie, Transcript, 19 November 2003, p. 161.

under the IGA and the National Counter-Terrorism Plan and has addressed the shortcomings identified in reviews of its counter-terrorism capabilities.<sup>11</sup>

## Mass Casualty Response

8.12 In its Submission to the Committee's Inquiry the Government of Tasmania noted the establishment of a mass casualties working group to develop detailed plans in relation to the management of mass casualty events. Responsibility for their management lies with the Department of Health and Human Services.

8.13 The Submission noted that existing ability to cope with mass casualties in Tasmania was limited both in absolute terms and in terms of current levels of hospital occupancy and day to day requirements. In this case:

It is anticipated that interstate support would be sought in the event of a major health emergency with mass casualties. This would take the form of requesting medical staff to supplement Tasmanian resources and through transferring some patients to interstate hospitals. This would be coordinated through the Australian Health Disaster Management Policy Committee framework.<sup>12</sup>

8.14 A more detailed account of the situation with regard to existing resources was provided at the Committee's hearing by the Deputy Secretary of Tasmanian Health and Director of the Hospital and Ambulance Service:

Basically, just to give you a picture of Tasmania, in the three regions we have three large public hospitals with the main tertiary referral centre being in Hobart. There are also tertiary facilities at the Launceston General Hospital and we have another hospital in Burnie. Those are the main public hospitals. We also have a smaller capability in the north-west at the Mersey Hospital. The specialists work across both the public and the private sector, so many of our doctors would be working in both areas... The ambulance service is part of the Department of Health and Human Services, so we have very good links between the service and the public hospitals. Each of the public hospitals has strong plans around what we would call a 'code brown', which is when we have external incidents. That would cover mass casualties. The

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11 R. McCreadie, Transcript, 19 November 2003, p.163.

12 Tasmanian Government Submission No 15, p.11.

ambulance service, similarly, has a mass casualty plan to deal with such situations.<sup>13</sup>

- 8.15 Although Tasmania could not cope on its own with more than 20 serious burns cases (with more than 50 per cent burns) there were developed plans for interstate transfers of victims.<sup>14</sup>

### **Chemical, Biological and Radiological Incident response capacity**

- 8.16 Tasmania has developed a whole-of-Government CBR Incident Response Plan which establishes cooperative procedures between agencies for a timely and effective response to CBR incidents. Personal protection and detection equipment for dealing with CBR threats has been purchased for use by both police and emergency services personnel. Standard operating procedures have been developed for when the Alert Level is raised to High or Extreme. These procedures describe the responsibilities of each agency in relation to CBR incidents. A CBR task force has been established for first response to CBR incidents.<sup>15</sup>
- 8.17 In evidence to the Committee at the Hobart hearing the Director of Public Health at the Department of Health and Human Services, pointed out a current weakness in area of pathogen identification capacity.<sup>16</sup> However the Tasmanian Government's Submission pointed out that this deficiency was being addressed in that the CBR Response Planning Group had identified a need for a capability to perform urgent analysis of suspected biological agents in Tasmania. The upgrade of the Mt Pleasant laboratories to Physical Containment level 3 standard was expected to be completed by the end of November 2003.<sup>17</sup>
- 8.18 With respect to the provision of safety equipment, the Deputy Chief Fire Officer told the Committee that 'prior to the Commonwealth support we had more than 80 gas suits. We now have 280, from high-level rubberised, totally encapsulated and so on'.<sup>18</sup>
- 8.19 With respect to the provision of antibiotics, and the expected range of prophylactics to respond to biological or chemical incidents, Tasmanian authorities told the Committee that stocks were believed to be adequate.<sup>19</sup>

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13 A Brand, Transcript, 19 November 2003, p. 181.

14 A Brand, Transcript, 19 November 2003, p. 182.

15 Tasmanian Government Submission No 15, p. 10.

16 R Taylor, Transcript, 19 November 2003, p. 183.

17 Tasmanian Government Submission No 15, p. 10.

18 P Alexander Transcript, 19 November 2003, p. 184.

19 A Brand, R Taylor, Transcript, 19 November 2003, pp. 185-6.

## Infrastructure protection

- 8.20 In relation to critical infrastructure protection, the Tasmanian Government's Submission noted that consistent with the National Counter-Terrorism Committee's Critical Infrastructure Protection Principles, the Government had contacted all owners/operators of major infrastructure in Tasmania. The Government had identified 140 sites as of critical importance and required them to develop risk assessment plans. The State Security Unit has begun desk and field audits of security at these sites. Audits are also being conducted in relation to more than 135 State Government buildings and facilities.
- 8.21 The Director of the State Security Unit is a member of the national Critical Infrastructure Advisory Council, and Tasmania will be represented on all of the industry advisory groups – transport, health, energy, food, communications, banking and finance water and emergency services that form the Trusted Information Sharing Network.<sup>20</sup>

## Aviation and Maritime Security

- 8.22 Evidence from the Tasmanian Government agreed with that presented by Queensland, Victoria and NSW in putting the view that there was incomplete security for regional airports in the state. These views have been reinforced in a submission to the Department of Prime Minister and Cabinet which is co-ordinating a reassessment of the policy settings related to aviation security on behalf of the Secretaries Committee on National Security.<sup>21</sup>
- 8.23 The Tasmanian Police Commissioner also noted at the Committee's Hobart hearing that there appeared to be an issue with the lack of security checking of air freight flown in to Hobart on a daily basis.<sup>22</sup> The Commissioner told the Committee that in his view 24 hour surveillance at Hobart airport was the most desired position.<sup>23</sup> The Committee is of the view that the provision of surveillance at Hobart airport should be subject to a full security risk assessment at the earliest opportunity.

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20 Tasmanian Government Submission No 15, p.8.

21 Tasmanian Government Submission No 15, p. 9.

22 R. McCreadie, Transcript 19 November 2003, p. 167

23 R McCreadie, Transcript 19 November 2003, p. 167

**Recommendation 2**

**The Committee recommends that DOTARS should carry out a security risk assessment of Hobart airport to determine whether 24 hour surveillance capacity is required.**

- 8.24 The Tasmanian Government Submission also noted the fact that significant investment in port facilities will have to be made to meet the requirements of the International Ship and Port Facility Security Code. The Tasmanian Government is liaising with the Commonwealth in relation to Maritime Transport Security legislation and with the Commonwealth Department of Transport and Regional Services (DOTARS) to facilitate the introduction of appropriate security measures.<sup>24</sup>

**Intelligence and Threat Assessment**

- 8.25 In evidence to the Committee the Police Commissioner noted that an area of particular focus for the Tasmanian Government had been shared intelligence with the Commonwealth. Tasmania Police have moved to establish a joint task force for intelligence sharing with the Australian Federal Police. He also told the Committee that:

ASIO has made consistent efforts to considerably improve communications with Tasmania Police. Nevertheless, Tasmania remains the only state without a permanent ASIO office.<sup>25</sup>

- 8.26 The Committee remains concerned that in spite of a greatly increased appropriation for ASIO over the past three years, Tasmania remains the only state without a permanent ASIO office.

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24 Tasmanian Government Submission No 15, p. 9.

25 R McCreadie, Transcript, 19 November 2003, p. 162