

COMMUNITY DEVELOPMENT AND JUSTICE STANDING COMMITTEE

INQUIRY INTO THE PROTECTION OF CROWDED PLACES FROM TERRORIST ACTS



**TRANSCRIPT OF EVIDENCE
TAKEN AT PERTH
WEDNESDAY, 27 JUNE 2018**

SESSION ONE

Members

Mr P.A. Katsambanis (Chairman)
Mr M.J. Folkard (Deputy Chairman)
Mr Z.R.F. Kirkup
Mr A. Krsticevic
Mr D.T. Punch

Hearing commenced at 8.47 am

Mrs MELISSA JANE PEXTON

Manager Emergency Management, Policy, Western Australian Local Government Association, examined:

The CHAIRMAN: On behalf of the committee I would like to thank you for agreeing to appear today to provide evidence in relation to our inquiry into the protection of crowded places in Western Australia from terrorist acts. My name is Peter Katsambanis and I am the Chair of the Community Development and Justice Standing Committee. I will introduce you to the other members: Mark Folkard is the Deputy Chair; Zak Kirkup, member for Dawesville; Don Punch, member for Bunbury; Tony Krsticevic, member for Carine.

It is important that you understand that any deliberate misleading of this committee may be regarded as a contempt of parliament. If in the course of the hearing you believe that some committee questions require answers containing sensitive or confidential information you can request that the committee take that evidence in a closed session. You will need to explain briefly why you feel that is necessary and, if we accept your explanation, we will receive your evidence in closed session. Hansard will continue to make a transcript but the transcript will not be made publicly available unless it is resolved by the committee or the Legislative Assembly to do so.

Your evidence is protected by parliamentary privilege. However, this privilege does not apply to anything you might say outside of today's proceedings.

Before we start with our questions, do you have any questions about your attendance here today, about the process?

Mrs PEXTON: No, thank you.

The CHAIRMAN: Do you have any brief opening statement?

Mrs PEXTON: Not really. Just to say that we did provide a written submission, which was quite brief, but we touched on a few points that certainly our members in terms of local governments have raised. I also acknowledge that you have already had some hearings and written submissions with local governments directly; I have some level of cognisance of that but obviously have not read through transcripts. Hopefully we will complement some further information for you as well.

The CHAIRMAN: Okay. I will start off by asking you whether local governments across the state have sufficient expertise in developing risk assessments and risk management plans, especially in relation to managing a terrorism risk, and does it vary between regions of the state?

Mrs PEXTON: Thank you. In terms of risk management specifically relating to the crowded places strategy and those terrorist incidents, it would be fair to say that I would think that that is quite a new space for local governments. WALGA has been involved with the State Emergency Management Committee since pretty much its inception, and I think it is fair to say that with regards to that hazard of terrorism, or the risk that is identified under the Emergency Management Act, for quite some time, for all sensitive reasons, it has not necessarily been a hazard or a risk that has been posed in a broader setting such as local governments sharing that responsibility. To some extent it may have, but not to the extent, I think, since the commonwealth guidelines have been introduced, that it requires that same level of attention. I preface the context of this in that regard.

With regards to risk management skills, the Emergency Management Act requires local governments to undertake an emergency risk management assessment process. There are 27

prescribed hazards under the emergency management framework, with terrorism being one of them. I think this may lead into a question later down the track, but there are resources and tools available for local governments; however, as you can appreciate, with 139 local governments, those skill sets certainly vary.

I do not know that it is necessarily regionally based, although if you are more sensitive or more likely to experience such a hazard then you may find that that local government may employ or have at their discretion those skill sets available. I think what you tend to find is it is more around the size of the local government and the risks that are associated, and then their ability to resource that skill set or capability, so there will definitely be a variance. Some are slightly more mature. I think you have heard from the City of Perth, South Perth, Bunbury and Busselton, those places where there tends to be large scale events—they are quite well practised at this due to the nature of the events and the requirements and hurdles they need to get through. I probably do not have numbers for you, Chair, unfortunately, but the reality is that there is going to be some variance. Those who have that risk and/or have experience in doing this through that events program tend to have a lot more skills available to them in that regard.

The CHAIRMAN: What tools are available to local government to deal with this space, either from WALGA or from other bodies?

Mrs PEXTON: Specifically in the terrorist space I guess the main available tools are from the commonwealth, through the guidelines, and also through WA police having some checklists and templates and tools for them to follow. However, from speaking with members, I know they feel like it is a bit of a circular argument. The guidelines suggest that if you do not have the necessary skills, please go to a consultant. The guidelines then say to them: “This is how you possibly should choose a consultant; however, not every situation is the same”, which feeds them back around to police to say: “Okay, is this one going to be okay?”

So there are the standard things that you are probably already aware of. I know, in talking with the Office of Emergency Management, and even through WALGA—we have, for example, a tool called “Risk Vision”. It is an online tool to assist the emergency risk management process, but it primarily targets natural hazards, to be quite fair. We did entertain the fact of terrorism, but that was prior to the guidelines being introduced; therefore, it did not quite sit well as a process, and with the sensitivities at the time it did not really work.

The current tools available are probably what you are already aware of. Outside of that there are some early discussions with the Office of Emergency Management in ways that we can possibly integrate that better into the process.

The CHAIRMAN: Right. As far as those national guidelines are concerned, do you think the openness of the guidelines creates as much confusion as it does sorting things out?

Mrs PEXTON: I think it does, to some extent. Specifically where you have no exposure or resources or capability within your local government, I think you are then forced to navigate all of those different aspects that you may or may not have, and/or you are then required to outsource them. You are then relying on an external party to provide that level of service to you, and you may or may not even be equipped with the skills to verify or justify that. Certainly advice we have received from WA police is that is where the partnership component of the guidelines really kicks in: to try and get as many of those people with knowledge around the table to guide and assist local governments. But certainly our members have raised that there are some concerns: that with it being so generic, I guess, that it does not necessarily guide people down a really clear path; and/or it provides opportunity where we are not going to have a consistent sort of approach to the process, if you like.

The CHAIRMAN: What would make the guideline process better, in your opinion?

Mrs PEXTON: I feel that the guidelines at that commonwealth level, given what they are trying to achieve across the whole of Australia, it is the next level down that probably needs some guidance. So whether there can be some more targeted resources for local government specific to their business processes, and the governance arrangements that they currently have in place, whether that is through business continuity, whether that is through event management checklists, and so on and so forth. I think we could actually provide additional support to that specific target, because really local governments at the moment are that catch-all of owner-operator, and then with some of the other aspects through some of those security measures. But, yes, I think some more targeted resources, possibly, rather than trying to—excuse the word—“screw down” the guidelines as such, because I think they have a place, but it is providing some more targeted resources and templates for local government.

Mr M.J. FOLKARD: From what you were saying, there seems to be a disparity as to resources that the State Emergency Management Committee are making available down into the local government area. What are your thoughts on that?

Mrs PEXTON: With regards to the emergency risk management process, do you think?

Mr M.J. FOLKARD: Particularly in relation to counter-terrorism et cetera and the preparedness in relation to that. We have the commonwealth system that feeds down, and you are saying there is a problem across giving tools to local government to actually develop the strategies et cetera in place?

Mrs PEXTON: I think, in fairness, it is just a timing situation, whereby the Emergency Management Act with those 27 prescribed hazards, one of which was terrorism, was predominantly focused on the hazard management agency being police or the Commissioner of Police. If I can speak from my personal experience with the SEMC, the Westplans and the State Hazard Plans were certainly of a security clearance level that did not necessarily promulgate to local government. The difference in the guidelines now—and, in fairness, the emergency management frameworks, even from a commonwealth perspective, with the introduction of the National Strategy for Disaster Resilience, really opened up that shared-responsibility principle, and I think the commonwealth guidelines now for crowded places actually ties in to the shared responsibility.

What I am trying to say is I think we have had an EM framework in Western Australia with the introduction of the act in 2005 that really talked about hazard management agency specific, and I think WA police have done that job really, really well. Then we have had an introduction of the crowded places, which comes in line a little more with the shared responsibility. I feel like we need to calibrate those two things now to include all of those stakeholders through that partnership requirement. Is that a fair comment?

Mr M.J. FOLKARD: I think you are getting there. The next question is: given the fact that terrorism is only one point of those 26 further risks, for want of a better term, where does local government sit in that particular space? Bearing in mind that that is only one aspect—there are a further 26 others—where do we sit with the policies of WALGA? Is local government developing responses to those further 26 risks? They seem to be doing well with bushfire, simply because we get so many of them, but where does WALGA sit with some of the more obscure ones, such as pandemics, electricity supply—that sort of stuff? Where does WALGA sit with preparedness in that particular space?

[9.00 am]

Mrs PEXTON: WALGA provides that support and advice to each of the member councils. We do not necessarily develop specific policies for that. We rely on the Office of Emergency Management and the State Emergency Management Committee to guide that policy framework. As I explained with Risk Vision as a risk management tool, for example, WALGA can then provide member-based products as required or where appropriate to support that.

To answer your question around those other hazards, the sector potentially might be the answer to this. You may be aware of the state risk project that the State Emergency Management Committee is currently rolling out at the local level. We certainly support those local governments and provide advice, assistance and linkages to the district advisers and those state risk officers who are helping and assisting with those program rollouts, so that local governments can look at all of those risks and hazards. They are then asked to choose three. My understanding is that through that emergency risk management process, they choose their top three hazards or risks. They then work those through. With their local emergency management arrangements—their plan—they need to address as many of those hazards that are likely to impact their community, so within their local government boundary. We have a situation where, yes, with some rigour, through the emergency risk management process, they can identify those likely hazards. They are then choosing, for the purposes of that project, the top three, which may or may not include terrorism and may or may not include, obviously, any number.

Mr M.J. FOLKARD: Whatever is relevant to their particular —

Mrs PEXTON: Yes, and then within their local emergency management arrangements they need to document all of those that are likely, and attach various other documents or sub-plans to support those going forward.

Mr M.J. FOLKARD: Are those plans being audited independently by a person of appropriate qualification?

Mrs PEXTON: I am not sure of the answer to that as an audit process. I am not sure if you are aware of how those are actually approved or endorsed, because they do end up with the SEMC. A local emergency management committee prepares a LEMA—the local emergency management arrangements. It goes through the district emergency management committee. They need to endorse that and sign off and approve it. It then gets tabled at the SEMC. So the current process that I am aware of is through that process, and I have not heard of any external audit process.

Mr M.J. FOLKARD: How would we know that the plans that come up through the state emergency management process are actually—for example, a local government might say, “Oh, we have done this. Pre-position that resource there for this particular problem.” Someone then goes and has a look and says, “No, you haven’t”.

Mrs PEXTON: That is a fair point. In short, I do not know. The level of detail in each of those individual plans is different, so the level of maturity of those plans will vary as well.

The CHAIRMAN: To follow up on that, some of the evidence the committee has received is that there is a risk that some of these plans may end up being a cut and paste job, so they include information that is clearly neither relevant nor available in a particular business or local government authority or whoever is implementing the plan. How would you foresee overcoming that in the future?

Mrs PEXTON: The LEMA, as a document to address all of those hazards, certainly is in need of review. WALGA has certainly advocated along those lines, primarily through the bushfire space—I will be quite honest with you—given the recent events that we have had, and also the extent of the flooding that has impacted local government. I think the best way to say it is that I concur with

your comments. Improvements need to be made. I believe that they need to be a more useful and usable document so that all of the players and stakeholders in the emergency management context, whether that be crowded places or other hazards, can actually use it.

The CHAIRMAN: Yes. I think that is something that is coming through very clearly from our inquiry—that we want these plans to be responsive and actually thought through, rather than grabbing something off the shelf because we need it.

Mrs PEXTON: If I can just add one other comment. I think, too, with a local government context, where we can integrate that emergency management practice into local government business—or business as usual, as we would like to say—there are some really good synergies with business continuity planning in terms of a risk management framework and in terms of the requirements for insurance around these things. We certainly believe that rather than trying to drag 139 local governments to understand that EM context, we need to look at where we can actually see those synergies in day-to-day business and then embed those principles and core practices back into their day-to-day business. I am sure you have had information presented to you that in terms of the resourcing and capability within each of those local governments it varies considerably, from a ranger per se, who has a tack-on for EM, through to a designated team of people. You can have a whole variance of that. Where we can integrate and find those synergies, and whether there are multiple ways of undertaking this, it could be very useful.

Mr M.J. FOLKARD: It is almost like saying, with the business continuity and so on, that with the insurance of local government, particularly in relation to flooding and fire et cetera, if those insurance agencies started auditing your plans, I would suggest that that would have a significant impact on payouts.

Mrs PEXTON: It could do.

Mr M.J. FOLKARD: Because, as you are saying, they are supposed to have worked out prevention and preparedness under the emergency management framework. It is quite clear that that has just been lip-service. They lose infrastructure. We have seen that significantly in the past down in the south west. The Keelty report reflects that. There have been a couple of them that have. I would be interested in your thoughts in that space.

Mrs PEXTON: One of the challenges with emergency management legislation is that the requirements for local government and the template provided with the LEMA, as you have suggested, is quite a catch-all. There is a risk that people will just defer to the four key things that are outlined within the actual legislation, so they will implement a LEMA, they have a local recovery coordinator, they attend their LEMC meeting and they sort of just move on. It is a five-year process. Under the legislation, a local government only has to have an up-to-date LEMA within that five-year period. WALGA has been advocating, in line with the finance and audit regulations through the Local Government Act, that a two-year process would be quite a good time frame so that we can link in some of those business practice and protocols around the five-year element. Five years is a long time, if you think about the number of incidences we have had in a five-year period and the impact on practice, processes and procedures that could possibly have been brought forward and embedded in some more continuous improvement processes.

Mr M.J. FOLKARD: If I were an insurer and I was insuring a local government for, say, fire and I looked at those and started making enquiries as to what the local government had done in relation to auditing their preparedness plans and discovered that there is none, that may affect the ability to pay out on some of these disasters.

Mrs PEXTON: Yes. In fairness, we have a flip side of that, where bushfire risk management planning in a bushfire context becomes very critical. As of two weeks ago, there were only 19 bushfire risk management plans that have actually been endorsed by the Office of Bushfire Risk Management. So you may have a situation where you have a LEMA that has identified bushfire as a high risk and they have done it to a process that has been endorsed by the District Emergency Management Committee and the SEMC, yet they may not have had access to the resources—the program that DFES runs around a bushfire risk management process. There are a number of documents and procedures in this space. That is a little bit away from crowded places—I do appreciate that—but there is some challenging architecture in some of these plans that do not necessarily talk to each other that we need to consider.

Mr M.J. FOLKARD: One of the things we are looking at is the supervision and, for want of a better term, the audit in that place, whether it be police or whether it be for counter-terrorism and the specific things we are looking at. But what we are finding is that there is a lack of independent oversight to actually say, “Oh, yes, we have done this; this is what it is.” Now, you said 19 plans. I am only aware of one that has actually been implemented.

Mrs PEXTON: For bushfire risk management plans? Yes, so my understanding —

Mr M.J. FOLKARD: You can have a plan, but unless you implement it, it is only a paperwork exercise.

Mrs PEXTON: Absolutely. The maturity of particularly the bushfire risk management plans is quite in its infancy in the sense that I think it has only been four or five years by which those have been commenced. It started with the four pilots in the south west and incrementally, on an annual basis, funding has been made available for the officers and the local governments to come on board, and since the introduction just last year of the mitigation activity fund, whereby people then have access to funding and resources to actually undertake what has been developed, we are starting to see a little bit more momentum in that space.

Just to clarify also with the bushfire risk management plans, local governments are listed as the custodian of that plan. They have the role of bringing together all of the stakeholders who are responsible for tenure within that local government district, but they may not own the risk. They are then in a situation where that can be documented within the plan; however, they may not have any authority or power to actually require or have that tenure holder or that landholder actually do the work.

[9.10 am]

Mr M.J. FOLKARD: Not specific to bushfire, but, for example, if they identify a particular risk that has not had adequate responses, surely they have an obligation under our state emergency management framework to actually pass that up the framework. Are they doing that? Is there any evidence that that has been done previously?

Mrs PEXTON: I think there are some cases where there is correspondence around certain issues, but I do not have any details for you specifically on that.

Mr A. KRSTICEVIC: Thank you. I want to get a feeling of where you see WALGA fitting into the picture here. Firstly, in terms of yourself or the organisation, what other organisations or forums do you sit on that look at this space of crowded places and terrorism preparedness et cetera? Who else are you involved with? Who do you talk to? Which forums do you sit on? How do you keep yourself abreast of what is currently happening out there and what you need to be aware of?

Mrs PEXTON: From a commonwealth perspective, the Australian Local Government Association, of which WALGA is a member and affiliated, sit on the counter-terrorism committee—that obviously had input to the local governments component of that—so we certainly have those relationships

and communication flows with ALGA from the national and commonwealth perspective. I think we put this in the written submission: when this was introduced, our first port of call was to touch base, as requested, with the crowded places forum run by WA police; we therefore have a membership on that crowded places forum, as do other local governments. So it is not WALGA coming in to say that this is what all local governments should do. We do not have a statutory responsibility in that regard. It is more so that we are abreast of what those current trends are or information is so that we can also promulgate that to our members as required.

Our CEO Ricky Burges sits on the State Emergency Management Committee representing local governments. That is a statutory responsibility through the Emergency Management Act. Then I and other officers sit on the various subcommittees of the State Emergency Management Committee, and I guess the response and capability and then that risk subcommittee sort of work hand in hand in this space from that regard.

Mr A. KRSTICEVIC: How do you take that down to the next level? How do you engage the 139 local governments? What meetings, forums and events do you have, and how often, to make sure they understand and are getting that message as well?

Mrs PEXTON: To date, the correspondence has been more generic in nature since the introduction of the guidelines, so we have used all of our communication channels through that process to advise members that this is on board. We have not as yet, but want to establish a reference group or a focus group to work with the Western Australia Police through their crowded places forum, because as you have identified, this space is rapidly evolving. I saw an incident last night in Melbourne; local governments will respond to those in their own way.

WALGA does not want to necessarily set up a reference group that comes through us. We would prefer to attach that to those experts and broker those relationships that way—so that information—but we would then maintain that communication network of making sure that whatever that reference group is receiving is obviously then promulgated out to all members. We are in early conversations with WA police on that. They have invited as many local governments to the crowded places forum that they run, as do all the other states and territories; however, we feel it is quite important to link a specific local government group together so that there is a mutual understanding of local government's needs and requirements, but then also how we can tap into police information.

Mr A. KRSTICEVIC: So at this stage, all you have done is send out emails, "This is what is going on out there that we are aware of, here is an email, you deal with it as you wish", effectively?

Mrs PEXTON: Yes, and linked to local governments who are in the throes of events management. So in terms of the timing when this came out, I know it was before Anzac Day, it was over the Christmas holidays, it was a period when a lot of local governments host events, outdoor events and that sort of thing. The environmental health officers are a really interesting group in that they often are the ones who are signing off on event checklists, so they are actually thinking about all of those things that are going to be required and undertake those risk management processes with the local government. There are a number of environmental health officers, for example, who, on our information, called and said, "Can we share this information? Can we be talking?" Of course, they can, and they do, and forming their own sort of network, if you like: "We have done it this way, is this how you have interpreted it?" This is what we are trying to achieve.

Hence on the back of that, and during that quite busy period, that is our conversation with police: to ascertain that need so that we can formalise and assist them more broadly.

Mr A. KRSTICEVIC: In terms of the 139 local governments—obviously you have this strong connection all the way to the top—how many of them have actually asked you to come out and meet with them and look through what they are doing and give them advice on their capability?

Mrs PEXTON: None.

Mr A. KRSTICEVIC: None of them have asked for any support at all?

Mrs PEXTON: No. To be honest, I am not confident that WALGA would be the best person to come out and provide advice on that.

Mr A. KRSTICEVIC: But considering you sit on all these forums: national forums, state forums, emergency management forums, you are there technically as the voice of local government.

Mrs PEXTON: That is correct.

Mr A. KRSTICEVIC: But at the same time you are saying you are not actually in a position to talk to local government about what that voice actually means, what those discussions are, and how does that come, in a practical sense. At the same time, there are no forums at the moment or no representative groups looking after local government. Effectively, they are floating out there in limbo. “Look after yourself, we will give you this information. We are talking at national level, but nobody is actually here to talk to you directly; you need to work it out yourself either through private consultants or talk to the police”, is that the message I am getting?

Mrs PEXTON: It might be the message you are receiving.

Mr A. KRSTICEVIC: That is what I am hearing. Otherwise, I am a local government, all these people are in all these meetings everywhere, representing me, talking about this very important issue, but I cannot actually talk to any of these people and they will not come out and talk to me, because that is not their role. What exactly is their role, and how does it help me to achieve my objectives?

Mrs PEXTON: If I can clarify, as the guidelines are written, certainly my interpretation of those is that the subject matter expert in this area is police, so those actions that are required and those requirements are coming from—the technical expert in that space is WA police. WALGA’s involvement with those communication channels—we would not go out and meet with our member, but in terms of Melissa Pexton, Manager of Policy, Emergency Management, coming out, looking over their plan, and saying, “Yes, that’s perfect”, that would not be the role that we would play. So we would link, facilitate, bring together experts, do what we need to do to support our members in regards to that, but me as an individual signing off on a plan or providing technical expertise on those requirements I think would be a disservice to those local governments.

The CHAIRMAN: But neither do police provide that assurance either.

Mrs PEXTON: Yes.

The CHAIRMAN: You say that they are the technical subject matter experts. Certainly we charge them, as a community, with being the custodians and experts of that space, but in practice they do not do that. They do not sign off on plans. They do not have the capacity to do that. So how does anyone in your space or anyone else’s space actually get the assurance that the people they are using, the consultants they are using, are appropriate in all circumstances?

Mrs PEXTON: Therein lies the question, because we have had correspondence from members whereby consultants, on knowledge of this guideline, are promoting their products and services to local governments, and local governments are emailing police saying, “How do we assure?” I think I talked before about the circular conversation that then ensues, because the guidelines say to go to a consultant, the consultants then come to us, and we go round and round in circles. So from a WALGA perspective, it has been an advocacy situation, both at a commonwealth level and with

WA police, hence at least a meeting with a forum that we can actually have these conversations, because there are some gaps in this process.

Mr A. KRSTICEVIC: That is the key: how do you close those gaps? There are a lot of people talking, but there is nobody actually helping, by the looks of it. You have to help yourself. It is almost like: “You help yourself. We are representing you; we are all talking in different forums and we have all this information; you may or may not want to contact us.” Of the 139 councils, I am not sure how many even bother to contact you about this stuff. Do you know how many? Do they all contact you? None? Some?

Mrs PEXTON: Certainly not all. It is the larger ones who host major events, do you know what I mean? So it tends to be event driven, and I think we put in our written submission that this is also that situation where we have an emergency management framework that does one thing, but the guidelines from a local government perspective is seen as something new; therefore, we need to action that, because of our event owner–operator capacity.

Mr D.T. PUNCH: Can I take you back to the earlier questions in relation to the local emergency management plans? In relation to the process of taking them through to the state coordinating body, is there a system for recording those that are not endorsed at any step of the process and returned for further work?

[9.20 am]

Mrs PEXTON: I would have to take that question on notice. I am sorry, I do not know the level of detail around that. I am aware that, in the first step, it needs to be endorsed by their own Local Emergency Management Committee, and I know that that is quite an iterative process, prior to it going to the district, those key agencies that are at the table for an LEMC. The legislation is that a local government needs to develop its arrangements; however, the committee is charged with assisting the local government to that effect. So I know that there are options in there, and I am also aware that the district sometimes will make recommendations on gaps or analysis, but that is as far as I am aware.

Mr D.T. PUNCH: We can assume that there is an assurance process, a process of endorsement, because it is external scrutiny by two stages, but there is not an obvious system to note non-endorsement. When you are pursuing that question, could you also provide some feedback on whether there is any recording of the reasons for not endorsing?

Mrs PEXTON: Sure.

Mr D.T. PUNCH: The other question that I had was given that circularity that you spoke about in relation to gaining information about standards and quality and consultants, has WALGA undertaken any advocacy with the police department or with any other agency in relation to addressing that circular issue and trying to get an outcome in relation to the information that is required by local governments?

Mrs PEXTON: As I have indicated, we have had some early conversations with the unit that is responsible for crowded places. The response to date has been, yes, we would like to engage further in this conversation, but there has been no set time frames around it.

Mr D.T. PUNCH: Recent is when? Is that the last few months?

Mrs PEXTON: Yes, within the last few months, definitely.

Mr D.T. PUNCH: So it is afoot but not finalised yet?

Mrs PEXTON: That is correct.

Mr D.T. PUNCH: Thank you.

Mr A. KRSTICEVIC: Ultimately, what WALGA does is just a point of reference to ask questions, and you try and obviously explain what the current state of play is as you understand it, but beyond that, they have to go back and do things, implement things and get things ticked off—it is separate there?

Mrs PEXTON: Yes. Please correct me if I have misinterpreted your question. The process that we are undertaking currently is that with those people who have contacted us and/or others who we feel certainly need a little bit more than just information, we have made contact with them to check in that they are aware of the guidelines, are they having any problems or difficulties, so on and so forth. Everyone who we have spoken with has said there are gaps and we need some conversations, hence we have initiated those conversations with police. What we would normally do and what we intend to do is a sector-wide survey or opportunity for those members, regardless of size and capability, to actually highlight what they believe. We have some information about gaps but we will need a sector-wide perspective of that. That will inform, hopefully—all going to plan—some terms of reference for these working groups and some key outcomes that we feel will then fill those gaps, so it would not be just Melissa Pexton as the policy manager; we ensure that there is a process for that sector to engage.

I think it is fair to say on the timing of these guidelines, there are still some local governments who are grappling with the basics as opposed to some who, for all intents and purposes, due to the events that they have had, have had to dive in and make sure that they are aware of it.

Mr A. KRSTICEVIC: Who do you think needs to drive this? Obviously WALGA is just an advocate. At the end of the day, the local governments themselves can drive it, but beyond that, what do you think needs to happen to make sure that the sector is supported, that they understand what needs to happen and that they are actually able to deliver the required standard?

Mrs PEXTON: Yes. On notice, off the top of my head, if we were thinking about that in an emergency management framework context, generally speaking it is the hazard management agency who is appointed who is responsible for the aspects of emergency management, which is PPRR: prevention, preparedness, response and recovery. That could be one angle. I guess we think about that in a governance setting: that that is a responsibility that has a management agency. If we are thinking more broadly around the broader responsibility, the guidelines would say it is everyone's responsibility, but in terms of the act, that is my first response.

Mr D.T. PUNCH: Do you see local governments really driving, hammering on the door, wanting to pursue this information, or is it more passive?

Mrs PEXTON: Some are. Once again, it comes down to their experience and their requirements in terms of the events. From the people I have spoken with, it tends to come back to that event driver around the requirements.

Mr D.T. PUNCH: But in relation to their local obligations it would be reasonable to assume they should be conscious of this issue and actively pursuing all avenues to gain the appropriate information?

Mrs PEXTON: In fairness, I think that raises another gap that I will take note of, which is if you do not have an event and you are not trying to fulfil the requirements of the guidelines from that, but you just have a general concern around some of these events, is that then something that may have been a lower identified risk in your LEMA?

Mr D.T. PUNCH: That is a reflection of risk.

Mrs PEXTON: Yes, and then what happens then.

Mr D.T. PUNCH: Which is part of the conscious risk assessment, risk mitigation process.

Mrs PEXTON: That is correct. I think it was the City of Bunbury in their written submission provided some advice to you that terrorism does feature, I think—do not quote me—it might have been number eight. Since the introduction of the guidelines, they have then gone back and reviewed that again. So I think that, once again, there is a consciousness in some local governments where that is being addressed, but it certainly does bring another consideration.

Mr D.T. PUNCH: But they are proactive participants.

Mrs PEXTON: They were; that is correct.

The CHAIRMAN: You mentioned earlier the use of the Local Emergency Management Committees.

Mrs PEXTON: Yes.

The CHAIRMAN: Of what value are those committees in assisting local government to prepare for terrorist attacks on crowded places? I ask that in the context of where does the expertise lie? Is there appropriate expertise amongst the attendees of those local committees to provide that feedback?

Mrs PEXTON: If we talk about that shared responsibility framework, the committees themselves are a fantastic way and a great opportunity for key stakeholders to attend a meeting. They are required to meet quarterly. If I can take you to an example slightly outside of the EM framework, the homicide incident that recently occurred at Augusta–Margaret River, that local government stood up the recovery framework under the emergency management framework to deal with that particular incident because it provided a sound framework for them to act within. I think that goes a little bit to the heart of your question, in that in a good sense, the committees are there to bring key players to the table.

In regard to your question of what level of expertise are there, WA police are a standing member on those committees, noting the question previously around if they do have the capability or the experience to deal with that, but it certainly would be the key conduit for information in with regards to that. But, of course, everyone will have a role to play, particularly as we move through, if there was an incident and then into recovery: the local government from their planning, WA police being there and the emergency services; they all sit on those committees. So I would say that they are a good forum, but I probably could not put a quantifier on the level of experience that is there.

The CHAIRMAN: Moving on to the event space and events approvals, local government has to evaluate the risk management plans that are provided by any external event organiser, whether it is in Perth or in Bunbury or anywhere in between. How do local government officers determine whether the risk management plans, firstly, adequately identify the terrorism risks and, secondly, adequately mitigate those risks? I think you mentioned earlier that sometimes it is the environmental officer who looks at the plan. How do they make the assessment that these plans are adequate and what skills, training and experience do they have in this space to be able to make that decision?

Mrs PEXTON: I may need to take that offline; I do apologise. As I said, the interactions that I have had with local governments, it has been those people who have spoken to me about that specifically, but I am not au fait on the specific nature of those checkpoints. If it would be okay, I would be more than happy to provide that to you.

The CHAIRMAN: Yes, we can take that on notice. We will send you some correspondence and you can get that back to us.

Mrs PEXTON: That would be fabulous, yes.

The CHAIRMAN: I think we have reached the stage where we can conclude the hearing. Thank you for coming in. Your evidence is much appreciated and quite valuable to our inquiry. We will send you a transcript of the hearing for the correction of any minor errors. You need to do those corrections within 10 working days. If you do not send them back in, we will deem it to be accurate. You cannot use the correction process to introduce new material or change the sense of the evidence that you gave today, but, of course, if there is any additional information you think you want to provide over what we just spoke about, or anything else that comes to you, please feel free to provide that separately in a separate submission. We are always happy to receive it.

Again, thank you for your time.

Mrs PEXTON: Thank you.

Hearing concluded at 9.30 am
