

**Queensland Government's  
Submission  
on the**

***Quarantine and Biosecurity Review  
Issues Paper***

**to the  
Quarantine and Biosecurity  
Review Panel**

**April 2008**

## **Queensland Government's Submission – Quarantine and Biosecurity Review Issues Paper**

### **Introduction**

The Queensland Government welcomes the opportunity to provide a submission to the Quarantine and Biosecurity Review Panel on the Issues Paper. This review process provides a timely opportunity for all parties to assess and comment on the relative efficiency and effectiveness of Australia's quarantine and biosecurity regime.

Quarantine and biosecurity are integral to sustaining Australia's prosperity and maintaining our unique environment and lifestyle. Effective quarantine and biosecurity policies underpin and protect Australia's status as a 'clean and green' producer, providing a significant competitive advantage to Australian producers which must be protected. They also help to protect our natural environment from the damage that can be caused by invasive species.

Queensland supports a continued conservative approach to managing quarantine and biosecurity risks, based on high quality science. This is necessary to provide a high level of confidence for industry and the general public that Australia's environment and our lifestyle is adequately protected from invasive pest and disease incursions.

In response to the issues for consideration which are raised in the Issues Paper, Queensland offers the following comments.

### **Risk across the quarantine and biosecurity continuum**

#### *Shared responsibility*

The relationship and cooperation between the Commonwealth and the States across the quarantine and biosecurity risk continuum generally works well. However, Queensland believes that a greater sharing of responsibility and costs between States and the Commonwealth and across the continuum is necessary.

Over time, the role of the States has significantly expanded from controlling or eradicating endemic pest and diseases to the prevention, surveillance and response to exotic or emergency pests and diseases that threaten trade, the environment or our way of life. Conversely, the role of the Commonwealth has remained relatively static, largely dealing with the protection of Australia's favourable pest and disease status, which is primarily focused on pre-border and border activities.

The effect of this changing role has been to significantly shift proportionate responsibility and funding for biosecurity from the Commonwealth towards the States. The situation is further exacerbated when States have to mount and fund responses due to a breakdown in the quarantine system, as was the case with equine influenza and citrus canker.

#### *Import risk assessment*

In regard to pre-border risk, Queensland supports the recent changes to the Import Risk Assessment (IRA) process. However, Queensland feels that further changes are warranted, and would suggest the Commonwealth pursue a model that features:

- an overall IRA process that is based on high quality science, is transparent, and conforms to WTO requirements;

- an IRA process that is responsive to industry, community and government needs. The current system would still appear to be excessively complex resulting in long lead times, hence further streamlining should be considered; and
- the adoption of a proactive, precautionary approach to dealing with changed circumstances that alter the risk profile for existing imports (a “stop gap” measure) to supplement the IRA process. Under the existing system, an unacceptable risk situation may exist for an extended period while an IRA is completed, as happened with imported prawns.

## **Legislative Framework**

### *Legislative review*

The current legislative framework generally provides all jurisdictions with adequate powers and authority to undertake quarantine and biosecurity functions effectively. However, given the plethora of legislation governing these activities at both a state and national level and the age of some of this legislation, it is inevitable that there will be gaps in legislative provisions. Hence it would be appropriate that this legislation be reviewed and modernised.

The review should include the *Quarantine Act 1908* and be focussed on reducing red tape and modernising legislation to ensure that it remains effective and efficient in our ever changing environment. The review should also more clearly state the roles and responsibilities of various parties, particularly in relation to post-quarantine detections.

### *Model laws*

A perennial issue is the difficulty in achieving timely and consistent legislation across all jurisdictions, especially when national requirements change. An aspirational objective for consideration would be the development of model biosecurity laws for achieving this consistency in a timely fashion across all Australian jurisdictions. Such an approach could provide greater certainty for industry when implementing new biosecurity measures as well as substantial improvement to the nation’s handling of emergency response situations.

## **Jurisdictional and institutional arrangements**

The current national biosecurity system utilises a cooperative approach between the Commonwealth, States and industry. This approach has generally achieved excellent results and all parties should be commended for the credibility, market access and protection of production, environment and way of life the Australian system has provided. However, in order to ensure these results continue and to maintain our appropriate level of protection, it is necessary to recognise and address several basic flaws in the system that are becoming increasingly evident as circumstances and priorities change.

### *Cost sharing*

Cost-sharing arrangements such as EADRA and EPPRD have been relatively successful in committing parties to funding. The proposed AusBIOSEC agreement is also a step in the right direction to give more certainty for mounting an emergency response not covered by those two agreements.

However, beyond emergency response, a more fundamental problem exists for state-delivered activities for which national implications or priority exists in the absence of a national funding agreement. For example, while Queensland has been a beneficiary for national funding for emergency responses, it is estimated that at least 80% of core operational activity is tied up in non-emergency national programs or commitments. These programs and commitments are rapidly increasing. This situation places considerable pressure on State resources and severely impacts on the ability to maintain or build biosecurity capacity at the state level.

There is a real opportunity for the Commonwealth Government to take a leadership role in this area by ensuring a clear line of sight between national priorities and funding sources. Two suggestions which are offered for consideration to address these issues are:

- Establishment of a national biosecurity program where national activities are funded through a national funding stream linked to performance standards and formal monitoring and auditing. Delivery mechanisms could continue to use a variety of Commonwealth, State and private agencies; and
- A formal agreement between the Commonwealth and State Treasuries for funding of new national programs. This would require establishment of a much more robust approval mechanism than currently exists.

#### *Organisational arrangements*

In terms of organisational arrangements, the current national system is a cobbled together set of responsibilities and programs implemented by a range of parties, where funding and priorities have strong historical elements rather than focusing on current needs or risks. There are a variety of parties responsible for delivery, but these are not tied together in any comprehensive way and largely rely on goodwill of the parties for the system to work.

Queensland supports the current arrangement of Biosecurity Australia (BA) as an entity within the Department of Agriculture, Fisheries and Forestry (DAFF). While it is acknowledged that a degree of independence is intended for BA, Queensland considers it important that BA remains closely linked to DAFF and other areas of government for the successful progression of whole-of-government priorities and application of government process. Queensland would therefore argue against the separation of BA from DAFF as a statutory authority.

Queensland also holds the view that stronger links are needed between BA as the policy setting agency and AQIS as the implementation arm. These links are needed to ensure implementation reflects the intent of agreed policies based on high quality science and changing risk profiles.

#### *Interstate market access*

There continues to be discrepancies between interstate and international market access requirements in relation to plant quarantine restrictions. These discrepancies compromise Australia's ability to negotiate access to significant export markets and frustrate producers who have to meet multiple different systems and conditions within Australia. The Commonwealth should show leadership on this issue and establish a robust process to address these discrepancies.

## **Culture, efficiency and resourcing**

Queensland acknowledges the significant work that the Commonwealth performs in relation to pre-border and border quarantine activities. However in the context of the biosecurity continuum, it would appear that the overall level of Commonwealth investment is not balanced, especially in relation to post-border biosecurity. Queensland is also of the opinion that while the Commonwealth's investment in pre-border and border measures is effective, it may not necessarily be directed at the areas of highest risk or return.

Queensland has 19 quarantine proclaimed first seaports and seven proclaimed airports monitored by AQIS. A very high percentage of pre-border resources are allocated to screening disembarking passengers at entry points, to the detriment of other vital preventative activities at the border and across the continuum.

One such vital activity is post-border surveillance, much of which is undertaken by States who are generally under-resourced in this area. For example, the Commonwealth's withdrawal of funding for the State Government managed post-entry quarantine facility and the recent AQIS attempt to divest responsibility to States for investigations of certain Post Quarantine Detections (in the face of an apparent increase in detections) has increased the risk of exotic pest and disease incursions into Australia in recent years. The emphasis on border screening should be reviewed using a risk-based approach which considers the current pattern of risk.

Queensland believes a national framework should place greater priority on resourcing post-border monitoring and surveillance, refocussing border surveillance on risk, with at least some of this activity funded by the Commonwealth. The current review could consider a better model for biosecurity funding using a purchaser-provider model.

### *Consultation*

BA and AQIS provide a significant contribution to Australia's quarantine and biosecurity regime. However, it would be fair to say that these agencies do not always consult effectively with other key stakeholders, including industry and the States. Whilst the relationship of these agencies with States is adequate, there is room for improvement in relation to consultation and a cooperative approach on issues and direction for our shared quarantine and biosecurity regime.

## **Research**

Research and Development (R&D) into quarantine and biosecurity is significantly important as it provides the high quality science, data and information which is the basis for many of our policies and decisions. Queensland sees significant merit in the R&D frameworks outlined under AusBIOSEC and commends the Commonwealth Government for this advance. However, R&D in the areas of quarantine and biosecurity remains largely underfunded and lacks the coordination necessary to adequately and effectively deliver quality R&D.

The increase in trade and rapid, world-wide transport correspondingly increases the need for the identification of and research into areas of biosecurity and quarantine vulnerability. In particular, research is needed to identify fundamental shifts in risk profiles and/or breakdown of quarantine barriers. A priority for Queensland is in the area of tropical biosecurity, given the State's proximity to SE Asia and the Pacific. We

need to continue to develop appropriate tools and processes to improve risk analysis, detection and prevention of possible threats.

To achieve this, a national, more integrated program is needed to review and coordinate R&D functions and to identify and respond to current gaps in quarantine and biosecurity R&D. This would be most efficiently delivered by a body with a specific role and the ability to influence funding and investment from the Commonwealth. As with all quarantine and biosecurity functions, the program will need to be a shared responsibility of the Commonwealth and State governments to achieve the cohesive R&D capacity needed to address the weaknesses within the existing system and successfully maintain the accepted level of protection.

## **Conclusion**

In summary, the key messages that Queensland would bring to the attention of the Quarantine and Biosecurity Review Panel are as follows:

- There is a strong need for a national approach to quarantine and biosecurity that features an enhanced State-Commonwealth relationship and greater sharing of responsibility across the entire quarantine and biosecurity continuum;
- The ability of States to pay for input to national programs is declining due to increasing national expectations which is placing pressure on a finite State resource base;
- It is appropriate that the Commonwealth's biosecurity and quarantine priorities and the subsequent allocation of Commonwealth investment be reviewed in terms of the current risk profile, and that the risk assessment process be further enhanced;
- A national, integrated approach to biosecurity and quarantine R&D is desirable and a formalised mechanism for achieving this should be established.

Working together to address these key areas will go a long way to increasing both the efficiency and effectiveness of Australia's national quarantine and biosecurity regime, which will ensure continued confidence that Australia's environment and our lifestyle is adequately protected from invasive pest and disease incursions.

Queensland looks forward to the review outcomes and is committed to working with all jurisdictions and stakeholders in the development of an improved, coordinated and appropriately resourced national quarantine and biosecurity service.