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April 19, 2008

Mr R Beale
Chairman
Quarantine and Bio security Review
Quarantine and Bio security Review Secretariat
Department of Agriculture, Fisheries and Forestry
GPO Box 858
Canberra ACT Australia 2601

Dear Mr R Beale,

RE: QUARANTINE AND BIO SECURITY REVIEW

This application has been made to benefit the long term integrity of the AQIS/Bio security programme. This application is made in good faith to the Ministerial appointed panel. The Secretary of the Secretariat, was formerly a recent member of Bio Security Australia, until this review. Kindly note, the Officer has encouraged me to make this application, but still deals with my issues within the Department, including current exports.

Today, marks the tenth anniversary of the death of my former partner, Mr David Crowe, a Scone grazier and friend, who worked tirelessly to give Australia an export income. The constant delays by AQIS (Import applications prior to 1986) led to the loss of a A\$13.5 million export contract (1998) and this proved too much for Mr Crowe, in terms of loss of face with our European contractors. It was of course subsequently purchased by our major opposition in export trade.

I tender this application in good faith and in the belief, "Quarantine does matter." I have outlined five aspects of significance for discussion with the panel:

1. Schedule Three (Notifiable) Diseases
2. Departmental Contracts
3. PAQF (Post arrival Quarantine facilities)
-Recently renamed
4. The Independent Government Inquiry
-The Doolan Enquiry
5. International Trade and the four sections of AQIS/BA.
 1. Schedule Three (Notifiable) Diseases

I seek an opportunity to discuss -

- Definitions and application of standards relative to "Import risk analysis" (Item's 23-28)
- Procedures and protocols - managing potential threats
- Training and implementation of Officer training
- Delegated authority re certification of documents - level of competence
- The independence of Bio security Australia will be discussed in depth
- **Item 34, 83, 84, (prioritising), 85, (net-B antigen research re alpha - toxins: CSIRO research), 88(RIRDC) and 89:** Review of Eminent Scientists role: Their role and comments in the process - I will discuss the science based review process, based on objective and accurate scientific data.
- Governance and Institutional arrangements, including BA's advice and AQIS' overriding mandate (Item 94)- The independence of the process with respect to non-judicial review panels.

• **Item 37, ALOP (Appropriate Level of Protection) and the cost recovery system:** I will discuss the real expense of costings of twelve months overseas development (three generations of breeding) and then fourteen months quarantine in Australia. Also, there will be a discussion of the Technical and Economic feasibility of ALOP and subsequent discussion of relevance and opportunity to review at the end of twenty-six months Quarantine. I will also discuss our first application to AQIS in 1982, and the eventual final *Import Protocol* issued December 2000.

2. Department Contracts

- Definition of Contracts (Item 89) and procedural methodology under Public Service Code. Also to be discussed: Administrative Agreements.
- Specific reference (item 33 and 78-82) to individual cases and potential anomalies.
- International Governmental Departmental business and liaison between the various departments. (eg Animal Health; Operational-AQIS; Bio security Australia (BA); and International Division) -I will comment on the co-ordination and efficiency with regards to commercial business and time frames- i.e. Commercial efficiency

Item 66

Discuss aspects of potential change with Independent review panel- for example twenty retired Judges that are selected at random- three on the panel, one appointed Chairman and two auxiliary Judges, making a panel of five, where serious allegations are addressed, rather than the current procedures and internal processes. The ultimate responsibility stays with the Minister of Agriculture, who should, if appropriate, refer the matter to the Cabinet for further discussion. The Cabinet covers all areas of Federal responsibility, and in my opinion should be the ultimate arbitrator. The aim is not retribution, but to make Officers accountable for their decisions made and improve the integrity of the system i.e. a system subject to external review, not internal review and the associated innuendos, with the ultimate arbitrator the Cabinet, with referral from the Minister of Agriculture. I suggest this for consideration, because of International Trade, International Relations and the Government (i.e. Cabinet) ultimate responsibility to our Bio security integrity and our perceived *Clean Green Image*.

3. PAQF (ITEM 70,71,77)

Post Arrival Quarantine Facilities (Now recently re-named)

- Current procedures and protocols (manuals, AQIS requirements/certification and

audits- **Item 32**

- Operational aspects- (**ITEM 97**) and entry procedures and protocols- (**Item 31**) will be discussed for example(Quarantine areas at airports etc- Federal and State laws and regulations.)
- Scientific evaluation of the facts in regard to specific diseases (e.g. ERE- Epizootic Enterocolitis; Tularaemia; Pasteurellosis; Brucellosis; Leptospirosis; etc- that is, discussion in relation to O.I.E International standards.)
- Officer training (**Item 54**)
- Implementation of risk management including permit conditions- specific discussion based on real Quarantine experiences over twenty-five years.
- **Item 71:** Fourteen months Quarantine and cost recovery policy w.r.t commercial endeavours, including pre-border inspection, validation and cost recovery
- Testing methods in relation to O.I.E. standards in International Contracts, Protocols and trade as well as validations.
- Certification w.r.t. Item 17- "Migratory birds" and comment by General Manager of Bio security Australia of never obtaining certification.
- **Item 56:** Delegation and responsibility w.r.t. Federal and State laws (eg Sydney Airport- Federal Jurisdiction, but administrated by State law under agreement.) The co-operative policy is deeply flawed (eg The Equine Influenza saga and the responsibility of Officers.) There needs to be an Officer who is accountable.

4. Doolan Enquiry (May - November 2003)

- Process and integrity of Independent Government Enquiry (Refer **Item 91**)
- Meeting with Executive Director AQIS Sydney 30th May 2003
- Disallowed Senate Review on numerous occasions (Most recent- letter on the 28th Feb 2007)
- Documentation and specific permit conditions applied to rulings- Procedures and protocols with regard to discussion of changes to Official Documentation.
- **Item 35: Department of Environment/ CITES:** The Paperwork and approval of importation (also in relation to Customs Procedures, and validation of procedures- that is, review (Internal) with importing Stakeholder's to address any concerns)
- **Item 33:** The Secretary of DAFF Department (also Director of Animal and Plant Quarantine)- allegation at Farmers' Federation Dinner. To discuss delegate powers and level of Officer training and competence w.r.t delegated authority- suggestion: Panel consider minimum level of Public Service Grades for any delegated approval.

5. International Trade

- Review (**Item 16**), with regard to procedures and protocols (e.g. 3 generations of breeding overseas, prior to entry to Australia and 14 months Quarantine in Australia)

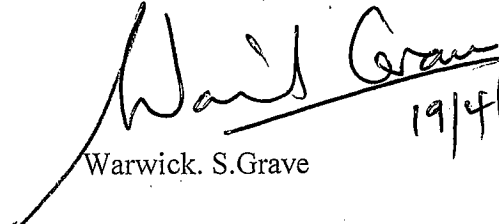
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- ALOP-Appropriate level of protection. To discuss the ongoing variance of standards between countries- discussion with regard to current applications and previous import

experiences. I wish to discuss with the committee the anomalies and statements by AQIS Departmental Heads, including Executive Directors.

I appreciate the opportunity to discuss these matters in the review process.

Yours sincerely,


19/4/08.

Warwick. S.Grave