

Response to IGAB Review Draft Report

from

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I support the general thrust of the draft report, as acceptance and implementation of its recommendations would improve biosecurity outcomes provided there is adequate investment (as recognised in the draft report – page viii) and that the proposed institutional changes operate as intended in the draft report, requiring adequate resources, commitment and expertise. I am particularly pleased to see the increased attention to the hitherto much neglected environmental biosecurity.

As indicated in some of the detailed comments below, the draft recommendations do not adequately meet the test in the draft report about providing the community with a stronger voice and role in the national system (page 60).

The draft report accepts that trade rules and current, often short term, sectional trade interests should continue to override longer term public good and environmental protection interests and obligations. Continuing Government support for this approach will inevitably dilute the effect of many of the proposed changes. For example, the current prawns issue in Queensland arose because for trade reasons the Government has permitted diseased prawn imports to benefit the few with potentially disastrous results for some local commercial interests and for the environment.

Here are some comments on specific issues.

National Disaster Resilience The draft report mentions the National Disaster Resilience Statement favourably (pages 9 and 16), but then as far as I could see, fails to recommend mechanisms to lock biosecurity into our disaster response system. A new IGAB could include this relationship.

Risk creators The draft report is unduly sensitive about risk creators (page 10). For example, the public should be constantly reminded that trade and travel are major biosecurity risk creating activities, and major actors in this should not be hidden from sight. The New Zealand approach mentioned could have the perverse effect of ranking a fisherman using an imported raw prawn as bait as equal to those who knowingly imported the diseased prawns, to the retailers who sold the prawns without warning about the risks for commercial interests and the environment, to the decision makers who made the wrong decision about the risks involved with allowing the imports, and to the quarantine system that failed to

detect them – an obviously bizarre result, and at odds with the draft report's apparent support for the NSW IPART approach cited at page 76.

Surveillance activities Draft recommendation 4 suggests that priority should be given to pests and diseases that pose the greatest threat to our export markets. There are several problems with this. One is that losses of production from pests may have a more detrimental effect than loss of sales in one industry or market. Another is that it can be interpreted as yet again favouring the short term over the long term. Industries and markets come and go, but the natural environment on which they all depend needs to be supported continuously. Another is the apparent inconsistency with the content of part 4 of the draft report 'Stronger environmental biosecurity,' and with the draft report point that 'a sharper focus on market access does not mean a dominant focus, as the national biosecurity system must also serve the public good.' (page 28). Yet another is the preferencing of exporters over local producers and sellers, ie, the sin of picking winners and losers.

Ideally the draft recommendation should simply be deleted, or amended to read something like '...surveillance activities relating to industry should include pests and diseases that pose the greatest threat to production and trade, whether internal or for export.'

Environmental expertise The draft report quite rightly points out that the current biosecurity agencies have limited expertise in environmental management (page 30). This illustrates the point that improvements will require additional investment, as even if the recommendations for greater environmental agency involvement are accepted, there will still be a shortfall of environmental expertise as those agencies are now over stretched with their existing responsibilities.

Environmental obligations Draft recommendation 9 supports IGAB having clearer commitments to environmental biosecurity, mentioning ecologically sustainable development and the Convention on Biological Diversity. This is good, but the draft report does not seem to have included any mechanism for resolving the well-known conflicts between these and trade obligations as interpreted by our Governments (apart from the default position of letting trade win).

Environmental Biosecurity Committee The establishment of such a Committee is welcome (Draft recommendation 11). The history, at least with weeds, the most significant environmental biosecurity issue, is that such 'top down' committees have limited impact on actual on ground problems. This is not to discount their value in forcing government/expert interests to get together regularly. If, however, the intention is to improve environmental biosecurity outcomes and improve trust in the system community representatives will need to be members of the Committee. This would be consistent with the draft report's support for better engagement with the community (page 18), and for meaningful 'shared responsibility' (page 9). The recommended stakeholder advisory committee would still be needed.

Precautionary principle The draft report repeats the Beale review conclusion that the precautionary principle is inconsistent with WTO rules (page 41). On the other hand, the draft report wants the principle included in IGAB (Draft recommendation 9). The logical approach is that further research be

carried out on how to reconcile the positions, and that the Australian Government use its best endeavours to change the current narrow and irrational basis on which the principle is misused in WTO rules.

Determining priorities The intent of Draft recommendation 13 is supported, but again will be of limited impact if community interests are not part of the process. We cannot be expected to bear the burdens of shared responsibility if we are not part of the processes that determine those burdens. For example, point 6 of the proposed process (page 44) has the 'top down' committee assigning 'agreed' roles and responsibilities. Our Serrated Tussock Working Party for NSW and the ACT and the weeds institutions discontinued by government have sought these processes to no avail in recent years, and so we hope that they will be revived following this report. This is another example of recommendations which if accepted will make no difference unless their implementation is properly resourced and the whole community brought into the processes.

Point 5 in the planning list (page 44) about response planning should include 'measures to support community driven responses'.

Research and innovation A new entity is needed for cross-sectoral research and innovation activities if environmental biosecurity is to get the attention it needs (Feedback 3). Again, the need for community participation in the processes is downplayed.

Property based levies The NSW Local Land Services rates scheme is a good model (page 89). Such a scheme should apply to all land owners, urban as well as rural, given that many (possibly most) environmental weeds are from urban areas, and travel by urban dwellers and providing consumer goods and municipal services for them is an important vector for spreading biosecurity problems. A rates scheme also has the capacity to reward good performers. It is also a transition to a land tax scheme as a primary revenue base for government services, a transition already underway in the ACT.

It is sad to see the red herring of peri-urbanites being a major contributor to increasing biosecurity risks (page 90), when we know that the greatest risks come from trade and travel, and now probably global changes such as atmospheric warming (as recognised in the draft report at page vii), and that established pests have arisen from urban and farming activities, which are not limited to peri-urban areas.

Performance measurement The draft report refers to new systems that may improve our knowledge of current problems such as weeds (eg, page 97). The draft report extolls the virtues of positive publicity about our biosecurity systems (eg, page 93).

The missing gap is information systems that expose the externalities involved in trade and travel and other risk generating activities, and inform the public of the risks involved, eg, in buying imported raw prawns. The general public cannot play its part in 'shared responsibility' without this knowledge. This kind of information is necessary if the general public is to develop preparedness similar to that commended in the draft report about bushfires (page 9), and if the proposed 'shared responsibility'

definition is to have any real meaning (page 9). It will also be necessary for meeting the 'public awareness and of biosecurity risks and obligations' in the proposed 'National biosecurity system at a glance' (which is a good idea - page 116).

A useful performance measurement system should cover:

- all identified new incursions from human activities
- the extent to which negative impacts of existing incursions have been eliminated or are being continuously reduced, and
- incursions occurring from natural, non-human causes, and the extent to which their negative impacts have been eliminated or are being continuously reduced.

National Biosecurity Intelligence Unit Draft recommendation 39 – this function would be seen as having greater credibility if at arms length from Government and therefore should be outsourced. The proposed new research and innovation body would be a good answer. Its functions should also cover externalities and risks from activities generating biosecurity risks and problems.

Feedback questions

1 The Review Panel seeks feedback on the draft roles and responsibilities of national biosecurity system participants.

As indicated in the above detailed comments, the shared responsibility concept needs more exposure of the risk taking activities, how they relate to everyday consumption and lifestyles, and much greater involvement of the general public in preparedness and biosecurity decision making.

There are many actors whose decisions and practices affect biosecurity outcomes, such as service providers, the real estate industry, insurers, financial lenders, infrastructure managers, miners and all involved in logistics. The Table needs elaboration so that this is clear.

Consumption decisions also affect biosecurity outcomes, and so each column in the Table should include this in appropriate ways, eg, procurement practices of governments through to everyday purchases of individual consumers, such as raw prawns.

2 The Review Panel seeks feedback on the total effort and costs associated with demonstrating area freedom by jurisdictions, and the value of that trade.

No comment on the trade issue. There is a need, however, to continue to respect regional differences for environmental biosecurity.

3 *The Review Panel seeks feedback on the following options for a new entity for cross-sectoral biosecurity R&I:*

Option 1: Establishing a new stand-alone entity for cross-sectoral biosecurity R&I.

Option 2: Addressing cross-sectoral biosecurity R&I within an existing RDC (for example, the Rural Industries RDC).

The Panel also seeks feedback on the funding options and would welcome alternative suggestions.

I favour Option 1. As much of this research will have large public good components, government should be the primary source of funds, from general revenue. Otherwise the 'shared responsibility' test will not be met.

4 *The Review Panel seeks feedback on the proposed Terms of Reference for the NBC.*

The Committee would not have the power to ensure that an effective biosecurity capability is maintained, as that depends on laws, budget decisions, priorities and effectiveness of programs in each of the jurisdictions. It would be better to say 'identifying any needs to ensure...'

The Terms of Reference should include 'promoting, supporting and investing in community driven action on biosecurity problems.' Table 1 (page 11) quite rightly includes community action in roles and responsibilities, and so the national arrangements need to include mechanisms to encourage action, and to pay for the public good elements of that action.

5 *The Review Panel seeks feedback on the following options to ensure a more rapid-response to an exotic pest or disease incursion:*

Option 1: Cost-sharing arrangements should provide for four weeks of monitoring, assessment and preliminary control strategies, while an overall assessment is conducted on the possibility of successful eradication.

Option 2: Cost-sharing arrangements should include a default funding arrangement for when decisions cannot be quickly reached about the success or otherwise of an eradication program.

Surely both are needed.

* These comments draw on experience in Commonwealth administration, Commonwealth-State relations, global change and environmental research, farming, industry organisations, landcare and similar organisations, and on research being undertaken as a higher degree research candidate at Griffith University.

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