DISCUSSION PAPER[1]

All-hazards risk management and emergency management priorities in Australia

Those who would give up essential liberty to purchase a little temporary safety, deserve neither liberty nor safety

<div align="right">(Benjamin Franklin – 1755)</div>

Introduction

Volunteers are the lifeblood of emergency services in Australia, and are integral to the nation's emergency management capabilities and overall disaster resilience. The concurrence of an increase in the risks posed by a range of climate change-related natural hazards and a decline in formal volunteering rates threatens Australia's emergency preparedness. The Valuing Volunteers Study aims to provide a better understanding of both the primary motives for formal volunteering in Australian emergency services, and the broader policy and social contexts.

Consistent with the fourth research objective, this discussion paper critically analyses the all-hazards risk management policy context within which Australian emergency services operate, in order to evaluate the efficacy and integrity of current processes for determining and resourcing national emergency management priorities. This paper seeks to rigorously challenge the dominant paradigm that currently frames the policy context for emergency service volunteering, informing and catalysing original insights on this phenomenon.

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[1] This discussion paper was included as Appendix E in a thesis titled *Valuing Volunteers: Better understanding the primary motives for volunteering in Australian emergency services,* submitted in June 2019 to the University Wollongong as part of the requirement for the conferral of the degree of Master of Philosophy. An earlier draft of this paper was submitted on 8 November 2018 to a comprehensive review of the legal framework governing the National Intelligence Community being undertaken by the Federal Attorney-General's Department.

Challenging dominant paradigms

This thesis aims to fill a number of important information gaps by providing original empirical data on the primary motives for emergency services volunteering in Australia, and novel theoretical perspectives on the changing social and conceptual context for the phenomena of volunteering and emergency management. As demonstrated by BNHCRC sponsorship of this research, interest in emergency services volunteering is not simply academic, but is driven by serious national concerns about the ongoing capacity of the community and Governments to respond effectively to protect lives and property in the face of the increasing risks posed by climate-related natural hazards.

Volunteering and emergency management are both highly complex and dynamic social phenomena, and there are a range of possible explanations (beyond the scope of this thesis) for the seemingly widely divergent perspectives that often exemplify the discourse on these phenomena. A degree of zeal, determination and conviction may be inevitable in emergency-response agencies with responsibilities for protecting lives and property. Differences in priorities may be natural when emergency management responsibilities and sometimes scarce resources are shared across different levels of government and between (sometimes competing) agencies. Personnel from military or law enforcement backgrounds can bring entrenched attitudes towards secrecy, authority and hierarchy. Pressures to safely and strategically deploy volunteer resources in the face of potential dangers may make a (para-military) command and control approach essential. And perhaps the use of a volunteer workforce to provide vitally important public services might be inherently anomalous in a market economy where some emergency services functions are remunerated and others are not.

Whatever the reasons, divergent perspectives on concepts, relationships and priorities have the potential to constrain the development of flexible and innovative strategies to adapt to changing circumstances and respond effectively to the evolving risks posed by natural hazards. This discussion paper seeks to inform this discourse by challenging a range of prevailing assumptions that can obscure a clearer understanding of the strategic context for emergency services volunteering.

Understanding risk management

Risk is an internationally recognised measure of "the effect of uncertainty on objectives" (ISO 31000, 2009), and is comprised of "the combination of the probability of an event and its negative consequences" (Productivity Commission, 2014). According to the 2015 *National Emergency Risk Assessment Guidelines* (NERAG), risk management is "coordinated activities of an organisation or a government to direct and control risk", while emergency risk management is "a systematic process that produces a range of measures which contribute to the well-being of communities and the environment" (AIDR Glossary, 2017).

A disaster is "a serious disruption to community life which threatens or causes death or injury in that community" (NERAG Glossary, 2015) According to NERAG (p.2), "emergency events and disasters stem from a range of natural, biological, technological, industrial and other human phenomena. These events impose significant social, environmental and economic costs on Australia, including:

➢ Fatalities, injuries and illness

➢ Direct damage to property, infrastructure and facilities

➢ Financial costs and economic losses

➢ Ecosystem impairment and biodiversity loss

➢ Social and cultural losses".

A hazard is "a source of potential harm or a situation with a potential to cause loss", or "a source of risk" (NERAG Glossary, 2015). For more than a decade the Australian Government has been committed to a comprehensive, integrated and consistent national risk management process for evaluating and responding to the relative risks posed to the nation's interests from a diverse range of hazards and emergency events. Characterised as an "all-hazards" policy, the approach "deals with all types of emergencies or disasters, and civil defence, using the same set of management arrangements" (NERAG Glossary, 2015). Emergency events included in an all-hazards approach include structure fires, road crash rescues, medical emergencies, natural disaster events (landscape fire, earthquake, flood, storm,

cyclone, tsunami, land slide), consequences of acts of terrorism, other natural events (drought, frost, heatwave, epidemic), technological and hazardous materials incidents, quarantine and control of diseases and biological contaminants (Productivity Commission, 2016).

A commitment to estimate/measure and compare a broad range of *relative* risks using standard objective criteria is arguably the most important advancement in democratic governance and public accountability for decades. Applied across the diversity of government functions, risk management provides a rational evidence-based framework and process for transparently determining the relative importance of every single government function. In terms of advancing public accountability, a transparent national risk management process empowers the community to question and evaluate both Government and public sector activities and performance, moving beyond the rhetoric of volatile politics and sectional interests to evidence-based decisions and policies.

The implementation of a transparent, accountable and evidence-based risk management system for determining national emergency management priorities is intended to enable authorities to move beyond reactive short-term crisis-driven responses to emergency events, and to develop and implement proactive emergency management plans and build enduring risk mitigation capabilities across the nation. The importance of an inclusive all-hazards approach in ensuring an effective, proportionate and coordinated response to emergency events cannot be overstated, particularly when significant (but increasingly finite) financial and human resources are expended, and when responsibility for managing different risks falls to different levels of government and different agencies.

Mortality represents a catastrophic consequence (severe harm) in a risk calculation, and national mortality rates constitute an important objective measure of significant human costs. Data from the Australian Institute of Health and Welfare (AIHW) has revealed that of the more than 158,500 deaths in Australia in 2016, 10,726 deaths (6.8%) were from (potentially preventable) external causes (AIHW, 2018). A breakdown of the various external causes of death are illustrated in Figure 12 below.

Deaths from external causes - 2016

- Suicide 2862
- Falls 2666
- Poisoning(D) 1447
- Poisoning 1407
- Transport 1377
- Assaults 244
- Drowning* 200
- Thermal* 54
- Other 479

Deaths from external causes (10,736) represent 6.8% of all deaths (158,504). (AIHW)
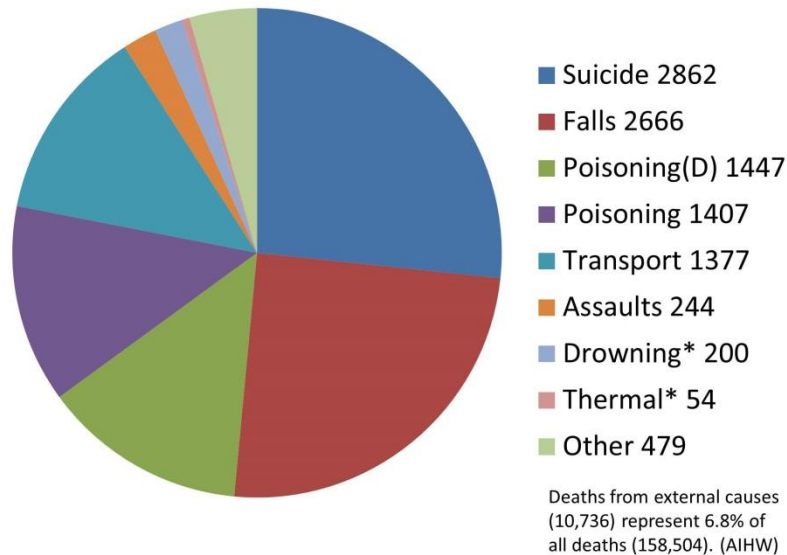
Figure 12: Deaths from external causes in 2016 (Source: AIHW)

These figures provide an important benchmark for considering the actual, potential and relative risks of mortality posed by a range of hazards. Of the more than 10,000 potentially preventable deaths in Australia annually, how do we decide which lives are more precious and are worth saving, and at what cost? An effective national emergency management system would focus resources and efforts on minimising deaths due to all potentially avoidable causes.

Deaths attributed to natural hazards like floods and wildfires will be reflected in the mortality rates for accidental drownings and exposure to smoke, fire and flames. A 2014 Productivity Commission report titled *Natural Disaster Funding Arrangements* observes (2014, p.3) that "since 2009, natural disasters have claimed more than 200 lives, destroyed 2670 houses and damaged a further 7680, and affected the lives and livelihoods of hundreds of thousands of Australians". The loss of 173 lives in the Victorian bushfires in 2009 and 33 lives in the Queensland floods in 2010/11 further illustrate the magnitude of the risks posed by natural hazards.

Terrorism as a national hazard

While terrorism is nominally included in Australia's national all-hazards risk management system, in practice it is treated in an entirely exceptional way that is largely divorced from objective measures of actual or prospective risk and harm (including mortality). At the same time national policies continue to maintain the illusion of a commitment to a balanced all-hazards approach, as reflected in the 2015 *National Guidelines for Protecting Critical Infrastructure from Terrorism* that advises infrastructure owners to "consider terrorism as one of the hazards in an all-hazards risk management approach" (p.2).

Terrorism sits outside Australia's national all-hazards risk management system because it is, at its core, a powerful political and psychological phenomenon that seeks to undermine fundamental democratic principles and institutions. Because terrorism is shrouded in secrecy and managed in the arcane and discrete world of national security, it defies objective and transparent quantification as a relative risk, and secrecy remains a constant obstacle in discussing terrorism in the context of other potentially life-threatening hazards.

By threatening and undertaking highly-visible indiscriminate attacks on civilians, terrorists aims to engender widespread fear and insecurity in the community while directly challenging the first duty of the State to keep citizens safe. Beyond the individual acts of barbarity (sometimes resulting in mass casualties), the strategic goal of terrorism is to coerce the State into implementing wide-ranging and regressive social changes that will ultimately undermine the State's legitimacy, erode social cohesion and create the conditions for further alienation and radicalisation.

Terrorism seeks to damage civil society and ultimately undermine humanity by drawing the State into an escalating cycle of increasingly repressive, generalised counter-terrorism actions (responding to the prospects of an amorphous ever-present threat), effectively displacing a decisive, targeted, proactive, proportionate, multi-faceted, evidence and risk-based law enforcement response to reduce the threat posed by base criminality (the actions of ruthless killers). By catalysing the visceral emotions of fear, anxiety and distrust, terrorism seeks to neutralise the moral

ideals of respect and equality that are the foundations for democracy and a civil society.

Under the aegis of a global "war on terror" following the 9/11 attacks on the United States in 2001, counter-terrorism became the rationale for military action in Afghanistan and Iraq and increasingly stringent security measures across the world. Largely due to a basic physical security failure (the absence of secure commercial airline cockpit doors), many thousands of civilians have been killed in military conflicts, various insurgent armies have emerged across the region, centuries-old enmities have been reactivated, and inestimable amounts have been spent on globally-invasive intelligence, surveillance and military capabilities. Ironically, a war metaphor was never appropriate for terrorism, as indiscriminate attacks on civilians are explicitly prohibited under the Geneva Conventions (have no possibility of moral justification), and extremists determined to murder civilians are unable to gain recognition as lawful combatants in international law.

As an asymmetric conflict strategy for individual extremists to coerce regressive social change, terrorism has been transformed in the 21st century through unlimited access to a ubiquitous media that offers instant global reach and infamy to a lone attacker wielding a knife or driving a vehicle with homicidal intent. Since the 9/11 attacks, terrorism has grown into a powerful universal brand that serves to transform and magnify isolated and often small-scale acts of brutality into globally-significant events that perpetuate terrorism propaganda. Utilising data from the Rand Corporation, Weimann and Winn (1994) have provided a prescient critique of the symbiotic relationship between the mass media and international terrorism, identifying a "contagion effect" in which media coverage of terrorist attacks create powerful incentives for emulation.

Securitization theory explores the social purpose and process of threat construction, in particular the political framing of an existential threat as the rationale for a shift in the power relationship between the individual and the State (Balzacq, Leonard and Ruzicka, 2016). The invocation of a war metaphor and characterisation of terrorism as an existential threat have been used in a number of democracies as justification for far-reaching changes to national security policies and practices that

fundamentally alter the long-standing balance between national security and civil liberties. Under the aegis of strengthening national security ("keeping Australians safe") and bolstering counter-terrorism capabilities, a range of legislative changes have been progressively introduced in Australia that expand the State's executive powers, extend the reach and scope of covert surveillance and State secrecy, and increase the security responsibilities of a range of (previously service-oriented) government agencies.

At the same time the spectre of terrorism threatens to incrementally erode an inclusive and resilient pluralist society by spawning a divisive narrative that demonises others along racial, religious or ethnic lines, ultimately undermining the shared core values of equality and respect for the freedom and dignity of all. In Australia, growing community apprehension about an amorphous threat from "foreigners" has seen a hardening of attitudes towards issues such as migration and border protection. Zealous counter-terrorism over-reach can inadvertently serve to validate an extremist narrative on Western morality and repression, with the potential to further alienate already marginalised individuals and sub-groups in the community.

Governance and ethical risks

While these implications are important, they pale when compared with the possibility of compromising long-standing Westminster principles that are essential for democratic governance, accountability and ethics. Since 9/11 there has been constant pressure to integrate and subsume various civilian law enforcement, intelligence, home affairs and defence functions; to broaden the veil of secrecy; and to extend the application of a more "flexible" (utilitarian) governance regime. It is axiomatic that official secrecy, while often necessary, inevitably impedes public accountability and transparency, and obliges the community to place great trust in the competence and integrity of the State and its agencies.

In the 2011 *Independent Review of the Intelligence Community* (IRIC) Cornall and Black (2011) acknowledge the pressures for greater integration, noting (p.29) that "some people argue that, in the globalised Information Age, it is artificial and hinders effectiveness to maintain the distinction between domestic security and foreign

intelligence". The IRIC emphasises the importance of striking an appropriate balance between civil liberties and national security, noting (p.21) that "in a free society, it is always important to keep the safeguards of our liberty, privacy and other human rights under review to maintain the balance we have struck as a nation between these individual rights and our security as a community. The Review believes the legal framework that enshrines that balance is sound and does not need any adjustment at present. … This balance is not just protected by law and the regulatory and oversight regimes that regulate and monitor agency conduct. It is also protected by the culture of each agency and the intelligence community as a whole. Maintaining the culture that sustains the balance between security and liberty, especially after a period of dramatic AIC growth, will require continued attention".

The IRIC highlights a highly sensitive issue on the architecture and governance of the Australian intelligence community that is not widely understood by the broader Australian community. Put simply, different levels of legal and ethical governance and oversight apply to different agencies, according to the degree to which their intrusive surveillance and operational activities impinge on Australian citizens. These deliberate oversight and regulatory arrangements were essentially put in place following various commissions of inquiry in the 1970s and 1980s, and remain effective today. These governance regimes are vitally important as there are a spectrum of potential individual harms that can be caused by the lawful activities of security and intelligence organisations, ranging from: a theoretical invasion of privacy; restrictions on freedom of movement; reduction in employment options; damage to public reputation through suspicion and humiliation; feelings of social isolation, persecution or coercion; through to detention and other physical harms.

Arguably the most important elements of this governance framework are the deontological ethics that impose explicit, transparent and enduring rules-based duties on those security and intelligence agencies (such as ASIO) whose work potentially impinges on the rights and civil liberties of Australian citizens. The IRIC observes (p.29) that "it is important to the protection of the rights of Australians that ASIO's culture and practices are shaped by an unambiguous legal and ethical framework which balances individual rights with national security concerns". In contrast, those agencies whose primary targets are "foreigners" (such as ASIS) are

not similarly constrained by rules-based duties, and are able to apply the more relative utilitarian ethical precepts of the "greater good".

It is critically important to understand the essential difference between deontological and consequentialist/utilitarian ethical frameworks, and the way they interpret and influence ethical behaviours. Under deontological ethics, the morality (rightness) of an act is internally judged by its conformity with explicit rules (such as do no harm), and the actor has a personal responsibility to comply with his/her moral duty, irrespective of the ultimate outcome. Deontological ethics play a crucial role in ensuring public accountability by clearly stipulating what acts are right and wrong and who has a moral duty to comply, particularly in circumstances which may present a degree of moral ambiguity. These rules are often articulated in codes of conduct and ethics.

In contrast, under consequentialist (utilitarian) ethics, the merit (goodness) of an act is externally judged by its contribution to a desirable outcome (such as community safety), with the act itself being amoral and the actor being absolved of personal responsibility providing the actions are consistent with conceptions of the greater good. Under utilitarianism, the State can authorise amoral means in pursuit of "greater good" ends, including actions that cause both intangible and real harms to citizens. In absolving the actor of personal responsibility for the morality of specific actions and removing rules-based duties, utilitarian ethics can provide a morally neutral framework for potentially harmful actions, an approach that would be intolerable in regulating the broader public service.

An unsettling shift in the rhetoric on the governance of the Australian intelligence community is reflected in the 2017 *Independent Intelligence Review* (IIR) that concludes (p.5) "a central theme of this report is to provide a pathway to take those areas of individual agency excellence to an even higher level of collective performance through strengthening integration across Australia's national intelligence enterprise". Responding to the recommendations of the IIR, in May 2018 the Attorney-General announced a review of the legal framework of the national intelligence community. The inference that a new and threatening national security (presumably counter-terrorism) environment necessitates the greater integration of a

range of security and intelligence functions will have profound implications for Australian governance and democratic accountability if it involves an extension or expansion of utilitarian ethics (and associated secrecy) across a broader range of government functions that deal with the Australian community.

An extension of the expedient and relative ethical precepts of utilitarianism across broader government functions that deal with the Australian community, with the potential for a higher (political) authority to secretly direct and sanction amoral and individually-harmful state actions, may pose unprecedented moral and ethical risks to the professionalism, integrity and independence of the Australian public service, with the potential to compromise essential democratic accountability.

Implications for emergency management

The distortions caused by the spectre of terrorism are pervasive and directly relevant to emergency management and emergency service volunteering In Australia. The allocation of substantial government resources to fund a burgeoning, costly and opaque national security (counter-terrorism) industry has clear implications for the risk-based resourcing of emergency management in Australia, particularly in an environment of growing fiscal restraint.

The implications of the distortions caused by the spectre of terrorism for national emergency management priorities and resources are palpable. The dedication of inestimable resources to counter-terrorism (where the harms in terms of mortality are relatively limited) can be starkly contrasted with the reliance on unpaid volunteers to protect whole communities from the devastating effects of natural hazards (where the harms in terms of mortality can be catastrophic).

The effective exclusion of terrorism from an all-hazards national risk management system has a number of serious consequences in terms of the proportionate risk-based allocation of finite government resources to the hazards that objectively pose the greatest threat to life and property in Australia. If terrorism is responsible for less than 20 of the more than 10,000 potentially preventable deaths in Australia annually, what sort of resources should be reasonably allocated to risk mitigation relative to the risks posed by other potentially fatal hazards? How do we compare the risks of

mortality posed by the actions of a small number of isolated "lone wolf" extremists, with the possibility that whole communities could be consumed by wildfires or devastated by floods? What is the basis for deciding that hundreds of millions of dollars will be applied in mitigating one potentially fatal hazard, but managing other more deadly hazards will be devolved to unpaid and under-resourced volunteers?

Conclusions

Consistent with the fourth research objective, this discussion paper has critically examined the all-hazards risk and emergency management policy context within which Australian emergency services operate, in order to evaluate the efficacy and integrity of current processes for determining and resourcing national emergency management priorities. The paper concludes that while climate change-related natural hazards pose substantial and growing risks to life and property, Australia's national emergency management priorities are distorted by fear-based perceptions of terrorism.