

**BONSER, Rear Admiral Marcus (Mark) Frederick, Director General, Coastwatch, Australian Customs Service**

**CHAIR**—Welcome. If you have an opening statement to make, please proceed to do that and then make yourself available for questions.

**Rear Adm. Bonser**—I am a serving officer in the Royal Australian Navy and am currently seconded to the Australian Customs Service as the Director General of Coastwatch. I assumed this duty on 3 August 2001. I report directly to the Chief Executive Officer of Customs. I am not in any Defence chain of command for the purposes of Customs Coastwatch duties. In making this opening statement for the information of senators I intend to first outline the role and the operations of Coastwatch and then describe Coastwatch's role in the SIEV operations after 3 September 2001, when Operation Relex took effect. I will then turn to the specific incidents relevant to Coastwatch activities that have been focused on during the course of this inquiry, namely the SIEV4 and what has become known as SIEVX, and I will detail my knowledge of them and the Coastwatch involvement in them.

One of the principal roles of the Australian Customs Service is to facilitate trade and the movement of people across the Australian border while protecting the community and maintaining appropriate compliance. As part of this role, Customs is tasked by the government with providing a civil maritime surveillance and response service to a range of government agencies. The Coastwatch division of Customs manages and coordinates Australia's civil maritime surveillance and response program using a combination of contracted aircraft, Australian Defence Force patrol boats and aircraft and seagoing vessels of the Customs National Marine Unit.

The activities of Coastwatch are determined by the surveillance and response needs of the various government agencies that form its client base. The primary function of Coastwatch is to conduct coastal and offshore surveillance in order to generate information on potential or actual breaches of legislation as they relate to Australia's maritime zones. This information is passed back to relevant client agencies in order to allow those agencies to make informed decisions on whether further action is warranted and, if so, the nature and extent of that action. This information includes, as a matter of course, the content of signals traffic relevant to maritime surveillance from Defence assets operating on behalf of the civil maritime surveillance and response program. Where appropriate, Coastwatch also coordinates the response to a maritime incursion or incident.

The centre for Coastwatch operational activity is the National Surveillance Centre, located in Customs House in Canberra. The National Surveillance Centre is a secure facility, accommodating the Coastwatch operations directorate and providing highly secure links to a range of government agencies. It provides a 24-hour, seven-day a week oversight for all Coastwatch operational activity and an analytical capability that draws together information from a range of sources to inform surveillance planning and operations. Under normal operational arrangements Customs Coastwatch has the lead in all civil maritime surveillance and response matters, with Defence providing support through its Fremantle class patrol boats

and PC-3 Orions as required and when available. This is not the case under Operation Relex arrangements, which I will outline later in my statement.

When the crew of an aircraft or vessel operating under the auspices of the civil surveillance program detect an incident considered to be a potential or an actual breach of Australia's laws, information is passed to the National Surveillance Centre. National Surveillance Centre staff, after confirming the nature of the apparent breach, consult with the relevant client agency or agencies to seek advice on whether there is a requirement for a response or any other follow-up action. Other client agencies may be advised of the circumstances of the incident as appropriate. If a surface response is requested by the client agency, Coastwatch arranges for a vessel—usually an RAN Fremantle class patrol boat or a Customs Bay class vessel—to undertake the response and then assumes a coordination role until the client is able to take control of the situation. Depending on the circumstances of the response, Coastwatch aircraft may continue to provide coverage of the target vessel until an interception has been effected. The response vessels remain under the command and control of their parent organisation. For evidentiary and other purposes, Coastwatch aircraft use digital photography and high definition television or forward looking infra-red to capture images of all vessels likely to be of interest to clients. These images are made available to clients on request.

Following the arrival of the SIEV KM *Palapa 1* off Christmas Island on 25 August 2001 and the subsequent rescue of its crew and passengers by the MV *Tampa*, the Australian government instituted new arrangements for the detection of and response to SIEV arrivals. Under Operation Relex, Defence took on the lead role in all SIEV related activity within an area of operations that stretches from Gove in the east, west to Christmas Island and south to Port Hedland on the Western Australian coast. From that time, Coastwatch ceased surveillance activity off Christmas Island and concentrated on the residual national surveillance program around Australia and the provision of support for Defence in the Operation Relex areas in the Timor and Arafura Sea approaches.

Within the Relex area of operations, Coastwatch and the Customs National Marine Unit operate in support of Defence. This represents a reversal of the arrangements that normally apply to civil surveillance matters in Australia's maritime zones. The SIEV codenamed SIEV4 was sighted by a PC3 Orion and was intercepted by HMAS *Adelaide* within the Relex area of operations. The protocols outlined previously therefore applied and Defence had the operational lead, with Customs Coastwatch in support. Customs Coastwatch had no direct operational involvement in the sighting of SIEV4 or in its subsequent interception. The nearest Coastwatch aircraft and Customs vessel during this period were approximately 1,000 nautical miles from the area in which the vessel was detected and intercepted.

Customs involvement with SIEV4 was as follows. The National Surveillance Centre was advised by Northern Command in Darwin during the afternoon of 6 October 2001 that a PC3 Orion had sighted a vessel of interest north of Christmas Island. In accordance with standard operating procedures, Coastwatch advised relevant client agencies of the sighting. From that time forward, Coastwatch's role was to continue to provide communications support for the receipt of information from Defence and transmission to relevant government agencies. A check of each of the communications passed through Coastwatch reveals no reference to children being thrown overboard.

In early March 2002, following questions at additional estimates, Customs undertook a complete stocktake of all photographic holdings of SIEV4. The stocktake showed that Coastwatch had received six photographic images of SIEV4 taken by the Orion aircraft prior to interception of the vessel by HMAS *Adelaide*. Four of these photographs were sent from Northern Command on 7 October, and another two on 5 November 2001. On 11 October 2001, Coastwatch received from the Australian Federal Police a single photographic image of SIEV4 taken from HMAS *Adelaide*. The photograph shows the vessel in no apparent difficulty. On 29 October 2001, Coastwatch received 18 photographic images via a secure email from Northern Command. The imagery was requested by Coastwatch to update our database holdings on SIEV activities. Seven of these pictures were of SIEV4. Three were taken on 8 October 2001 and showed the vessel foundering. The remaining four photographs were taken on 6 October and do not show the vessel in any apparent difficulty. The March stocktake had revealed holdings additional to those referred to in evidence to the additional estimates committee, and Customs therefore contacted the committee secretariat to provide the corrected information.

I have read the submission to this committee by Mr Tony Kevin, and the *Hansard* record of the evidence he provided to the committee on 1 May 2002. I intend to detail my knowledge surrounding the vessel known by this committee as SIEVX. However, I would first like to make a general comment on the nature of information provided to Coastwatch in relation to SIEV departures. Information in relation to possible boat departures from Indonesia is often imprecise and subject to frequent change. It is not unusual for a vessel's projected departure dates and times to change on an almost daily basis over a period of days or even weeks. Even given an apparently firm departure date, the time of arrival in Australian waters can vary depending on the nature and speed of the vessel, the sea conditions and whether or not the vessel makes a break in its journey to Australia. For example, of the last 15 SIEVs, Coastwatch had prior information of a possible departure date that was within seven days of the vessel's arrival in Australian waters in relation to only eight of the vessels. There were in fact 29 departure dates provided for these eight vessels and in excess of 30 assessments as to the possible additional departures from Indonesia that did not culminate in an arrival. These figures do not include indicators in relation to SIEVX. Information provided to Coastwatch is used therefore as a guide for informing surveillance activities rather than the foundation on which these activities are programmed.

Coastwatch originally received information as early as August 2001 that Abu Qusey was allegedly in the process of arranging a boat departure of illegal immigrants, probably to Christmas Island. In the ensuing period, Coastwatch received information that the vessel was expected to depart, or had departed, Indonesia on four different dates in August, anywhere within a seven-day block in September and on five separate dates in October. The normal practice was for this advice to be passed by secure phone call to the Australian Theatre Joint Intelligence Centre and Headquarters Northern Command. The information was then normally passed on by them to the Defence commands involved in Operation Relex. Additionally, Coastwatch included a precis of the relevant information in its daily operation summary message. This classified opsum was addressed to the Defence commands and agencies involved in Operation Relex.

On 19 October, the vessel codenamed SIEV6 was intercepted by HMAS *Arunta* off Christmas Island. At this time, Coastwatch and Defence had advice of potential arrivals from at least six people smugglers, including the indications about a possible Abu Qusey departure.

The organiser of the SIEV6 was identified on 20 October. The next indicator about the Abu Qussey vessel was on Saturday 20 October 2001, when Coastwatch received telephone advice from the Australian Federal Police that a vessel was reported to have departed from the west coast of Java the previous day. The information included advice that the vessel was reportedly small and overcrowded. The full detail of the advice is classified. This information was passed by telephone from Coastwatch to the Australian Theatre Joint Intelligence Centre and to Headquarters Northern Command. The Australian Theatre Joint Intelligence Centre and Headquarters Northern Command included this information in classified intelligence reports, both of which were issued to Defence operational authorities on 20 October 2001.

On Monday, 22 October 2001, AFP provided further advice to Coastwatch that corroborated the previous advice about the departure of the vessel and that, by now, the vessel should have arrived in Australian waters. Coastwatch agreed that the vessel was potentially overdue, although it noted this was not unusual and might be due to a range of factors, including diversions. In the normal course of operations, Coastwatch informs AusSAR about any vessels that have been sighted and may be in difficulty or distress. When Coastwatch has confirmation of departure dates for a SIEV and when it is known to be overdue, Coastwatch also provides this advice to AusSAR. SIEVX met these criteria, based on the additional information received from the AFP on 22 October and, therefore, Coastwatch contacted AusSAR.

On Tuesday, 23 October 2001, advice was received from the Australian Theatre Joint Intelligence Centre that a SIEV had sunk. Later that day, CNN reported the sinking of a SIEV and the rescue of 45 survivors. That evening, Coastwatch assessed the sunken SIEV to be the vessel allegedly organised by Abu Qussey. That concludes my opening statement.

**CHAIR**—Thank you, Admiral. Before I go to questions, I announce for the record that this morning we made a decision to release a series of documents, being corrections to evidence by various witnesses to this inquiry. One of those documents was a document from Admiral Smith. The committee has made a decision to recall that document and rescind its decision to release it, subject to that document being properly cleared. I put that on the record.

**Senator BARTLETT**—Thank you for your opening statement, which outlines things fairly well. I am interested in whether you could expand a bit more on how the pattern of information flows changed pre- and post-Relex, once Relex came into operation. As I understand it, before Relex, Coastwatch was more a lead agency and, after Relex, it was more a service agency, if you like, and Defence was the lead in relation to Coastwatch's activity. Did that apply across the board to all Coastwatch activities or simply in the target area in the northern and western parts of our waters?

**Rear Adm. Bonser**—No, that applied only to SIEV related activities in the Operation Relex area of operation.

**Senator BARTLETT**—In those circumstances, what was the precise difference or change in the nature of the information flows?

**Rear Adm. Bonser**—The change was in the lead authority, which became Defence rather than Coastwatch, and there was really no change in the information protocols.

**Senator BARTLETT**—You mentioned, in paragraph 8 of your statement, information that is passed back to relevant client agencies. It states:

This information includes, as a matter of course, the content of signals traffic, relevant to maritime surveillance, from Defence assets ...

I am trying to get an idea of the information flow there. Were you talking about passing on information such as the content of signals traffic or were you talking about some of the other agencies? Do you monitor signals traffic as well?

**Rear Adm. Bonser**—Yes, we do.

**Senator BARTLETT**—So you would normally pass that on. In this case, you would pass that on to the command of Operation Relex if it were relevant to SIEV activity?

**Rear Adm. Bonser**—They would already have received that through their own sources. We might pass on to our client agencies relevant information such as that a boat has been sighted or is being intercepted.

**Senator BARTLETT**—You are saying that they would have already received it anyway, even though you have got a—

**Rear Adm. Bonser**—The lead authority in the operation would have already received that.

**Senator BARTLETT**—They would have received it through DSD or something like that?

**Rear Adm. Bonser**—Direct from the Defence operational commands.

**Senator BARTLETT**—So you are collecting that separately? I am trying to understand. You are monitoring signal traffic, but Defence also has access to that separately from you so you do not need to pass that on to it.

**Rear Adm. Bonser**—That is correct, yes.

**Senator BARTLETT**—Would most SIEV vessels that arrived here engage in radio communications backwards and forwards most of the time?

**Rear Adm. Bonser**—You are talking about the SIEVs?

**Senator BARTLETT**—Yes.

**Rear Adm. Bonser**—I believe it is rare that any of the SIEVs actually carried a radio.

**Senator BARTLETT**—In that case you would not normally pick up signal traffic from SIEVs.

**Rear Adm. Bonser**—No, and we would not be the agency that would do that.

**Senator BARTLETT**—You have spoken about the photographic abilities of the Orions. Firstly, do all the Orions that are doing surveillance operate under Coastwatch or are there others that operate through the Air Force?

**Rear Adm. Bonser**—No, the Air Force operates the Orions. They provide some air hours with the Orions in support of the Coastwatch civil surveillance program. The Coastwatch contracted aircraft that I referred to have photographic capability with TV, infra-red cameras and digital hand-held cameras.

**Senator FAULKNER**—Yes, but are you able to get access? There are two different sets of planes, aren't there? There are the RAAF planes and there are the Coastwatch planes, effectively. That is right, isn't it?

**Rear Adm. Bonser**—That is correct.

**Senator FAULKNER**—In terms of the RAAF surveillance, does Coastwatch automatically receive that material?

**Rear Adm. Bonser**—Not automatically, no. We receive material from Air Force surveillance aircraft only if they are conducting operations in support of Coastwatch and we specifically request photographic information.

**Senator FAULKNER**—Were there any standing instructions in relation to RAAF surveillance material for Operation Relex?

**Rear Adm. Bonser**—None that I know of.

**Senator FAULKNER**—So it was on a case by case basis. Any RAAF surveillance would be passed on to Coastwatch only if it were in support of a Coastwatch activity, effectively.

**Rear Adm. Bonser**—That is the normal case, Senator.

**Senator FAULKNER**—Was it the normal case for Operation Relex?

**Rear Adm. Bonser**—I am not sure I understand your question.

**Senator FAULKNER**—Senator Bartlett is trying to establish if there are special arrangements that may have applied in relation to RAAF surveillance with Operation Relex. I am interested in understanding the surveillance material—how much of that is inputted, as a matter of course, to Coastwatch. I am sorry, I do not know—that is why I am asking.

**Rear Adm. Bonser**—I do not know of any special arrangements.

**Senator FAULKNER**—So it is only done if a RAAF plane is operating in support of a Coastwatch activity or directive?

**Rear Adm. Bonser**—Yes, that is correct.

**Senator BARTLETT**—How much RAAF activity is there in the Operation Relex area, in terms of surveillance?

**Rear Adm. Bonser**—There is a RAAF P3 flight daily at the moment.

**Senator BARTLETT**—So if they pick up some potential SIEV, they do not necessarily let you know—they may just pass that straight on to Relex?

**Rear Adm. Bonser**—They would certainly pass it on through the Defence chains of command, and I would expect that we would see that information.

**Senator BARTLETT**—Sorry? You would expect that you would receive that as well?

**Rear Adm. Bonser**—Yes.

**Senator BARTLETT**—You are not aware of any case where you did not receive information when they detected one?

**Rear Adm. Bonser**—I do not know what I have not received.

**Senator FAULKNER**—Of course you do not know what you have not received, but it is still not clear to me how much you get. I do not understand, frankly, the distinction between your answer to Senator Bartlett's question and operations in support of a Coastwatch activity. You do not receive copies of the RAAF surveillance material for RAAF operations in support of Operation Relex?

**Rear Adm. Bonser**—I would not normally expect to see that, no.

**Senator FAULKNER**—Maybe I misunderstood, but could you explain to the committee what you do receive from the RAAF surveillance aeroplanes?

**Rear Adm. Bonser**—In the normal course under the civil maritime surveillance program, if the aircraft are operating in support of Coastwatch, we would receive their post-flight reports of what they had seen. If there was any photographic evidence taken and it was relevant to our client agencies, then we would also ask for that and we would be provided with it.

**Senator FAULKNER**—How do you define 'in support of Coastwatch'?

**Rear Adm. Bonser**—That is when they are providing the hours that are legislated that Air Force provides in support of the civil maritime surveillance program that we run. In that case, they are conducting surveillance flights that actually originate from a Coastwatch task.

**Senator FAULKNER**—So you could well have a situation in relation to a SIEV—not an identified SIEV but any SIEV—whereby there is surveillance activity from a RAAF plane, and that material may not go to Coastwatch?

**Rear Adm. Bonser**—No, it may not.

**CHAIR**—The decision as to what goes to Coastwatch from the RAAF, and what does not, is made by the RAAF—is that what you are saying?—against the criteria as to whether it relates in the RAAF's mind to the task that you have got.

**Rear Adm. Bonser**—I think that is a question that you would have to ask them.

**CHAIR**—I am just trying to get it clear myself. The taxpayer is funding two types of planes: the RAAF planes and the Coastwatch planes. Both are tasked differently, but they both have overlapping responsibilities. If RAAF is flying in this area, they define what they think is of interest to you and provide you with that information. That is how it goes, isn't it? You do not say to them, 'I want access to all the information that you gather.'

**Rear Adm. Bonser**—No, I don't.

**CHAIR**—So to put it around the other way, what are the sorts of things that you do not get access to?

**Rear Adm. Bonser**—I don't know.

**Senator FAULKNER**—Sorry, Rear Admiral. Your answer to Senator Cook's earlier question is, I think, different from the answer to my question and Senator Bartlett's question. It is not that RAAF defines it. I understand you to be saying that you define it. It cannot be both ways, otherwise you are getting the damn lot. That is what we are trying to nail down here. It is not RAAF defining it, it is you defining the material you get from the RAAF, isn't it?

**Rear Adm. Bonser**—When RAAF aircraft operate in support of Coastwatch, that is correct, Senator.

**Senator FAULKNER**—And that is all you get.

**Rear Adm. Bonser**—Yes.

**Senator FAULKNER**—I think that is different from what you said to Senator Cook, with respect. That is why I am trying to clarify it.

**CHAIR**—I am happy if that is the definition, but I was coming at this point: if you do not know what they have got, how do you know what to ask for?

**Rear Adm. Bonser**—We have standing requirements from our client agencies, and we base our requirements on those.

**CHAIR**—How would that sort of request look to a layperson? Would you say to them, 'Anything that crops up on your surveillance to do with such and such, we want'—and you would expect them to provide it to you? Is that how it goes?

**Rear Adm. Bonser**—That would be correct. If they are operating in support of us, we would have highlighted the types of things that we might expect them to see and the sort of evidence



that we would want, such as any photographs of foreign fishing vessels that were sighted fishing inside the Australian fishing zone.

**Senator FAULKNER**—What are the standing requests from your client agencies? Are you able to provide that to the committee on notice?

**Rear Adm. Bonser**—Yes, I can. In fact, I can provide that out of our Coastwatch manual, which lists the information that relates to all of our client agencies and what they are interested in.

**Senator FAULKNER**—Thank you.

**Senator JACINTA COLLINS**—Did that change under Operation Relax?

**Rear Adm. Bonser**—No, it did not.

**Senator FAULKNER**—I think that would be helpful, because I suspect that, at the end of the day, that is the focus of the answer to the question that is being asked. If you could provide that, it would be helpful.

**Rear Adm. Bonser**—I apologise if I misunderstood your earlier question.

**Senator FAULKNER**—I do not think there is any need to apologise, Rear Admiral. The senators on this side of the table may not necessarily be anywhere near as expert as you are on these matters. I am just trying to get some clarity about these operations. We would very much appreciate the documentation you refer to, and I am sure that it will help us.

**Senator BARTLETT**—Going back to your opening statement, paragraph 9 states:

Where appropriate, Coastwatch also coordinates the response to a maritime incursion or incident.

How do you define ‘incident’? Does that include safety of lives at sea situations?

**Rear Adm. Bonser**—Yes, it could, but we do not coordinate or manage those types of incidents. Coastwatch is not a search and rescue authority. The sorts of incursion or incident that I am talking about are those that would be breaches or potential breaches of Australian law in our maritime zones. It could be anything from illegal fishing through to an oil spill—in reporting it; probably not in dealing with it.

**Senator FAULKNER**—But it could not be a SIEV.

**Rear Adm. Bonser**—Under Operation Relax, no, because the responsibility for coordinating that has gone to Defence.

**Senator FAULKNER**—Yes, I understand that. Therefore, we come back to what was said previously about the operational instructions which govern Coastwatch’s activities. I thought you indicated to us that they did not change with Operation Relax.

**Rear Adm. Bonser**—No. I talked about information protocols, but the lead authority for the conduct of the operation transferred to Defence from 3 September.

**Senator BARTLETT**—In relation to SIEVs?

**Rear Adm. Bonser**—In relation to SIEVs in the Operation Relex area of operations.

**Senator BARTLETT**—And the legal authority for SOLAS situations rests with Search and Rescue?

**Rear Adm. Bonser**—That is correct, Senator.

**Senator BARTLETT**—Was that the same before and post-Relex? Is there no difference there?

**Rear Adm. Bonser**—Nothing has changed.

**Senator FAULKNER**—How do you describe the Coastwatch role and responsibility, Admiral? For those of us who are not experts in this area, could you give us a very brief summary of the Coastwatch role and responsibilities during the period that Operation Relex applied?

**Rear Adm. Bonser**—Coastwatch's responsibilities and operations in all areas outside the Relex area of operations remained the same as they had been beforehand. Within the Relex area of operations the only thing that had changed was that the lead authority for conducting any response and the surveillance for detecting and intercepting SIEVs had transferred from Coastwatch to Defence.

**Senator FAULKNER**—How did the relationship then work between Coastwatch and Defence? I think we understand that Defence becomes the lead agency. How does this affect your day-to-day operations? How do you relate to the lead agency? How does that work?

**Rear Adm. Bonser**—In the normal course we have a very close ongoing day-to-day relationship with Defence because, prior to Relex, Defence provides support to Coastwatch. That is provided through Fremantle class patrol boats that are available for response to sightings and also the P3 aircraft that supplement our own surveillance aircraft on occasion. When Relex came into being, the lead agency changed and instead of Defence providing support to Coastwatch, Coastwatch provided support to Defence in the form of surveillance. All of the mechanisms we had in place for operating with Defence in support of Coastwatch simply went to allow us to transfer to that new arrangement quite smoothly and we proceeded with that as a matter of course.

**Senator FAULKNER**—Do you operate effectively, for the purposes of Operation Relex, under the direction of Defence?

**Rear Adm. Bonser**—No. We operate in support of Defence and we provide surveillance support, which is coordinated with their surveillance, but I am not under any direction from Defence and I report through Customs.

**Senator FAULKNER**—Under the coordination arrangements for Operation Relex, how were your inputs managed administratively? Was it through the task force or was it some sort of alternative process?

**Rear Adm. Bonser**—In relation to the surveillance that we were conducting, that was managed through our normal day-to-day relations with Defence, agreeing where we could best provide support with our resources that would complement the surveillance that they were conducting.

**Senator FAULKNER**—What part of Defence did this work through—NORCOM, Maritime Command? Where did you go? How did this work?

**Rear Adm. Bonser**—Primarily through the theatre command and Northern Command.

**Senator BARTLETT**—In terms of the general process, you get intelligence and Defence may get intelligence that a vessel is potentially leaving—and you have indicated in your opening statement that you receive information about vessels potentially in the process of arranging a boat departure. Presumably, Defence is made aware of that as well, either through you or separately. In fact, I presume separately—you are not usually passing on intelligence information to Defence, I guess.

**Rear Adm. Bonser**—Quite often the information is going to both of us in parallel. Sometimes it comes to Coastwatch, and we pass it on.

**Senator BARTLETT**—Wouldn't you normally say that you had better fly out there and have a look to verify that it is out there somewhere? Wouldn't Defence ask you to do that?

**Rear Adm. Bonser**—In the main, the indicators are not precise enough to be able to specifically target a point in the ocean. The surveillance that has been put in place is quite comprehensive and covers a broad area, and it is intended to pick up the boats as they pass through the area.

**Senator BARTLETT**—If you had received information that a boat was potentially departing, wouldn't you send a plane somewhere in that vicinity? Or would you pretty much cover it all as a matter of course anyway?

**Rear Adm. Bonser**—The whole general area is being covered by what is probably the most comprehensive surveillance that I have seen in some 30 years of service.

**Senator BARTLETT**—Were any photographs taken at all of this particular vessel of controversy—the SIEVX?

**Rear Adm. Bonser**—Not to my knowledge.

**Senator BARTLETT**—So there is no observation at all of that vessel, despite—according to your own statement and even more detail in some of the other information that we got—there being regular intelligence reports that this vessel was departing or had departed or was believed to have departed?

**Rear Adm. Bonser**—There were many and varied and often changing indicators of that particular vessel's departure, but it was never cited or detected.

**Senator FAULKNER**—Let us go back to the photographs. You said not to your knowledge. So there was no Coastwatch generated photographic surveillance of SIEVX?

**Rear Adm. Bonser**—Coastwatch was not flying within 1,000 miles of the area where that particular vessel was allegedly proceeding.

**Senator FAULKNER**—And you are not aware of any possible RAAF surveillance photographs of SIEVX?

**Rear Adm. Bonser**—No, I am not.

**Senator FAULKNER**—I am not saying there are. I am just trying to be clear on this because we were talking a little earlier about the fact that there are effectively two agencies involved in the aerial surveillance from aeroplanes: you and the RAAF. You can categorically assure us about Coastwatch surveillance planes that there are no photographs?

**Rear Adm. Bonser**—Yes.

**Senator FAULKNER**—But is it an open question as to whether there are any RAAF surveillance photographs in relation to SIEVX as far as you know?

**Rear Adm. Bonser**—I would not think it was an open question because I have absolutely no knowledge of any detections of that vessel at all. It is really a question you would have to ask Defence.

**Senator FAULKNER**—I appreciate that. I do understand that, at the end of the day, it is a question better directed to RAAF. But, because some of the RAAF surveillance material comes through to you at Coastwatch, it is not an unreasonable question for us to ask you whether you are aware of any.

**Rear Adm. Bonser**—I am not aware of any.

**Senator BRANDIS**—If it were among the RAAF surveillance material that came through to Coastwatch, would it have come to your attention?

**Rear Adm. Bonser**—If the vessel had been detected and reported, the fact that a detection had been made and perhaps photographs taken would probably have come to my attention.

**Senator FAULKNER**—Probably but not certainly?

**Rear Adm. Bonser**—I cannot say that anything would be absolutely certain.

**Senator FAULKNER**—That is the point of the question. I appreciate you cannot give an unqualified answer to that question—of course you can't—but you know of no such RAAF surveillance activity or photographs? That is right, isn't it?

**Rear Adm. Bonser**—I know of none.

**Senator FAULKNER**—And it is very likely that, if it had occurred, you would be aware of it?

**Rear Adm. Bonser**—Yes, it is.

**Proceedings suspended from 12.30 p.m. to 1.33 p.m.**

**CHAIR**—When we adjourned for lunch, Senator Bartlett, you were in full flight, so you have the call.

**Senator BARTLETT**—In your opening statement—near the end, paragraph 42—you said that in the normal course of operations you inform Search and Rescue about any vessels that have been sighted and may be in difficulty or distress. Could you define ‘difficulty’ any more precisely than that? How do you assess whether something is in difficulty? Is it when it looks likely to sink? Is it when something is just out of the ordinary?

**Rear Adm. Bonser**—It is something that appears unusual—perhaps a vessel that looks like it has broken down.

**Senator BARTLETT**—In this case, you got information that a small vessel, with 400 passengers on board—obviously extremely overcrowded, much more so than any of the other SIEVs—had appeared in our waters. Would that count as an unusual event? Did you notify Search and Rescue about that one?

**Rear Adm. Bonser**—Given the imprecise nature of the information we had, the fact that we did not have a confirmed departure date and that there was a very comprehensive surveillance operation in place, no, Senator.

**Senator BARTLETT**—There was a comprehensive surveillance operation?

**Rear Adm. Bonser**—The comprehensive surveillance that was in place. At this time, all we knew was that there had been a possible departure.

**Senator FAULKNER**—What are your inputs to this, Admiral?

**Rear Adm. Bonser**—The information comes from a variety of sources—in this case, the primary information came from the AFP.

**Senator FAULKNER**—In the case of SIEVX, were there other inputs, apart from the AFP?

**Rear Adm. Bonser**—Around that time, not that I am aware of, Senator.

**Senator BARTLETT**—Did you pass that on to Search and Rescue, or RCC, which is the same thing, as I understand it?

**Rear Adm. Bonser**—At that time, no, because it did not meet the threshold of being a confirmed departure or, indeed, being overdue. That information did not arrive until 22 October.

**Senator BARTLETT**—But you did pass on that information to Relex?

**Rear Adm. Bonser**—Yes, all that information was passed on to all the Operation Relex authorities.

**Senator BARTLETT**—Obviously, as part of all the SIEV interceptions, there were at least three safety of life at sea situations; the *Tampa* example, which I realise is pre-Relex, is another. For example, with the *Tampa* situation, did awareness of that come about through a Coastwatch sighting or interception?

**Rear Adm. Bonser**—It was a Coastwatch sighting of the original SIEV, which appeared to be broken down and later showed a distress signal. Coastwatch reported that information, as we normally would, to AusSAR.

**Senator BARTLETT**—And then there was AusSAR or Search and Rescue or RCC—they're all the same thing, aren't they?

**Rear Adm. Bonser**—Yes, they are part of the same organisation.

**Senator BARTLETT**—They put out a general alert, which the *Tampa* picked up, and went to the rescue. In this case, the information you passed on to Relex, but not to Search and Rescue, was not based on any sightings; it was simply unconfirmed intelligence.

**Rear Adm. Bonser**—That is correct, Senator.

**Senator JACINTA COLLINS**—Going back to the sightings information, where was the *Tampa* first sighted?

**Rear Adm. Bonser**—Are you referring to the *Tampa* or the SIEV?

**Senator JACINTA COLLINS**—Sorry, where was the *Palapa* sighted?

**Rear Adm. Bonser**—That was north-west of Christmas Island.

**Senator JACINTA COLLINS**—How far north-west?

**Rear Adm. Bonser**—From memory, about 80 miles or so.

**Senator JACINTA COLLINS**—Nautical miles?

**Rear Adm. Bonser**—It would have been reported in nautical miles at the time. I will have to check the detail and take that on notice. From memory, it was about 80 miles.

**Senator JACINTA COLLINS**—Is that in your normal surveillance zone?

**Rear Adm. Bonser**—Yes, that would be within the area that we would normally conduct some form of surveillance when Coastwatch is operating out of Christmas Island. We would be looking within the area of the defined Australian exclusive economic zone.

**Senator BARTLETT**—Going back to your statement, in paragraph 42 you inform Search and Rescue about any vessels that have been sighted and may be in difficulty or distress. Do you actually wait until a sighting? If your intelligence information was 'We think this boat is

heading off and it's looking pretty dodgy,' would that be enough for you to pass it on to Search and Rescue or would you wait until you had more solid confirmation about it?

**Rear Adm. Bonser**—We work on the threshold basis of there being some form of confirmed departure and some assessment that the vessel is actually overdue if we do not have any distinct indications of a vessel being in any form of distress or difficulty.

**Senator BARTLETT**—So if you never got a confirmed report that it had departed, how did you come to the assessment that it was overdue and then pass that on?

**Rear Adm. Bonser**—That was based on separate information that we received on 22 October that corroborated the original advice of a possible departure and confirmed for us that this vessel had most probably departed. On the basis of that we were able to assess that it was, indeed, overdue.

**Senator BARTLETT**—So it got up to a higher degree of probability, in effect?

**Rear Adm. Bonser**—It reached that threshold, yes.

**Senator BARTLETT**—What is the threshold—80 per cent or 75 per cent?

**Rear Adm. Bonser**—That we had a confirmed departure and that, indeed, the vessel was now overdue.

**Senator BARTLETT**—You had a confirmed departure and confirmed information that it was heading our way?

**Rear Adm. Bonser**—And on the basis of that that it was now overdue, yes.

**Senator BARTLETT**—So that information came through AFP as well?

**Rear Adm. Bonser**—Yes, it did—on 22 October.

**Senator BARTLETT**—I noticed in your statement—in paragraph 43—that you said you got advice on the 22nd that it was overdue and you notified Search and Rescue. On the 23rd, you got advice from Australian Theatre Joint Intelligence Centre that a SIEV had sunk. Later that day, CNN—which, I presume, is the news network and not some Defence acronym I have not heard before—reported the sinking and the rescue of survivors. Was that the first time you or any of the Australian operations were aware of survivors being located—hearing it through CNN?

**Rear Adm. Bonser**—Yes, it was.

**Senator BARTLETT**—So we have got a comprehensive surveillance operation, the strongest we have ever had, and CNN could find out what was happening before we could?

**Rear Adm. Bonser**—In this case the vessel clearly was not detected prior to its sinking.



**Senator FAULKNER**—Do you know why not?

**Rear Adm. Bonser**—No, I do not.

**Senator FAULKNER**—Have there been any inquiries at all—internal Commonwealth inquiries—into this issue since the sinking that you are aware of?

**Rear Adm. Bonser**—I do not know of any.

**Senator BARTLETT**—You have not been asked to provide information for any inquiry or report?

**Rear Adm. Bonser**—No.

**Senator JACINTA COLLINS**—Can you tell us where it actually sank?

**Rear Adm. Bonser**—No; I do not know. I can only go off what I have seen in media reports that indicate it was somewhere between the Sunda Strait and perhaps 80 miles south of Sunda Strait, or 80 miles south of Java.

**Senator BARTLETT**—Is any of that in the area under your surveillance? Eighty miles south would be in areas that you have under surveillance?

**Rear Adm. Bonser**—I believe so, but that area was under surveillance from Defence and not Coastwatch. You would really have to talk to them about that.

**Senator BARTLETT**—Surveillance by Defence through what?

**Rear Adm. Bonser**—During Operation Relex.

**Senator BARTLETT**—But how were they surveilling it?

**Rear Adm. Bonser**—They had ships with helicopters and aircraft there.

**Senator JACINTA COLLINS**—You are saying that Coastwatch was not surveilling that zone at that period of time?

**Rear Adm. Bonser**—No—from 3 September, Coastwatch had moved away from Christmas Island. We were operating in the Arafura and Timor Sea approaches to Australia—the Kimberley and Arnhem Land coasts.

**Senator JACINTA COLLINS**—Was that by formal arrangement?

**Rear Adm. Bonser**—That was how we had coordinated the surveillance with Defence, which had the lead for the operation at that time.

**Senator FAULKNER**—Are you aware that Admiral Smith provided additional information—a correction—to evidence presented at this committee?

**Rear Adm. Bonser**—Yes, I am.

**Senator FAULKNER**—Have you read the admiral's letter?

**Rear Adm. Bonser**—I have now seen that, yes.

**Senator FAULKNER**—Were you asked to provide any input for the admiral's letter?

**Rear Adm. Bonser**—No, I was not.

**Senator FAULKNER**—Or Coastwatch?

**Rear Adm. Bonser**—No, other than to provide copies of operation summaries, which we provided to Maritime Command.

**Senator FAULKNER**—So Coastwatch did provide some input for it?

**Rear Adm. Bonser**—Coastwatch was asked if it could provide copies of our operation summaries for the period, which it did.

**Senator FAULKNER**—When were you asked to do that?

**Rear Adm. Bonser**—That was either late last week or early this week.

**Senator FAULKNER**—Who asked you?

**Rear Adm. Bonser**—Someone on the staff at Maritime Headquarters asked my chief of staff.

**Senator FAULKNER**—Was it explained to your chief of staff why those operational summaries were required?

**Rear Adm. Bonser**—I presume that it was because they were preparing some clarification of Admiral Smith's previous evidence, because prior to this—about a month ago—I called Admiral Smith's office, after I had seen a letter to the editor that he had written in the *Canberra Times*, to say that I thought there were some inconsistencies between his evidence and the flow of information as I knew it, and I thought they ought to check a range of other messages.

**Senator FAULKNER**—Could you go through those inconsistencies with us in detail?

**Rear Adm. Bonser**—The primary one was the comment on when the first time that notification of SIEVX occurred, which was not consistent with the flow of information as I knew it. I believe there was earlier information that was available.

**Senator FAULKNER**—What earlier information?

**Rear Adm. Bonser**—That is the information that was provided by Coastwatch from AFP on a variety of dates in October, including 20 October. That was relayed to Defence intelligence staff and repromulgated by them to the Defence operational authorities.

**Senator FAULKNER**—You saw Admiral Smith's letter in the *Canberra Times*. That is what drew this matter to your attention?

**Rear Adm. Bonser**—That triggered it for me, yes.

**Senator FAULKNER**—Did you contact Admiral Smith directly?

**Rear Adm. Bonser**—I tried to contact Admiral Smith. I got on to his office. He was overseas at the time, so I spoke to his chief staff officer (operations) and his chief of staff. I advised them that I thought that there were some inconsistencies with the flow of information as I knew it and that they ought to refer to a certain range of messages. I did not say what the inconsistencies were, just that there were inconsistencies, as I saw it, with respect to the flow of information.

**Senator FAULKNER**—Was this communication done telephonically?

**Rear Adm. Bonser**—That is correct.

**Senator FAULKNER**—How did this matter progress in the lead-up to Admiral Smith's letter?

**Rear Adm. Bonser**—I made that call on 16 April. Subsequently, on 22 April, I was speaking with Admiral Gates, who was running the CDF/Secretary task force and coordinating defence matters in this regard. I also brought it to his attention that I believed there were some inconsistencies.

**Senator FAULKNER**—Was there any written communication there with Admiral Gates?

**Rear Adm. Bonser**—No, there was not.

**Senator FAULKNER**—Was that communication telephonic or face-to-face?

**Rear Adm. Bonser**—That was face-to-face.

**Senator JACINTA COLLINS**—On the 22nd?

**Rear Adm. Bonser**—On 22 April.

**Senator FAULKNER**—What happened then?

**Rear Adm. Bonser**—The other person that I advised on 10 May was the Chief of Navy. I advised him that I had the view that there would be inconsistencies between Admiral Smith's evidence and mine when I appeared at the Senate committee, and he should be aware of that. He acknowledged that fact.

**Senator FAULKNER**—Is it fair to say that the issue of concern here was that you might be asked questions today which Admiral Smith had canvassed, and that inconsistencies would become apparent?

**Rear Adm. Bonser**—That is correct. I wanted to give people the courtesy of telling them that.

**Senator FAULKNER**—So, in a sense, you were being proactive about it. You were concerned about what might happen at today's hearing, effectively, as opposed to any evidence you may have given in the past. Would that be right?

**Rear Adm. Bonser**—No, I was not concerned about any evidence I may have given.

**Senator FAULKNER**—What was the response on 16 April from Admiral Smith's staff?

**Rear Adm. Bonser**—My message was acknowledged.

**Senator FAULKNER**—It was just on the telephone, wasn't it?

**Rear Adm. Bonser**—That is right, and I was thanked for the advice.

**Senator FAULKNER**—On the telephone?

**Rear Adm. Bonser**—Yes.

**Senator FAULKNER**—There was nothing in writing with Admiral Gates? Again, it was a face-to-face conversation that you had with him?

**Rear Adm. Bonser**—Yes, it was.

**Senator FAULKNER**—Was the admiral able to indicate to you what sort of action he might take as a result of that?

**Rear Adm. Bonser**—I think he just said to me that he would speak to Admiral Smith.

**Senator FAULKNER**—Did you get any feedback from any of that communication?

**Rear Adm. Bonser**—Not straightaway, no.

**Senator FAULKNER**—What was the feedback?

**Rear Adm. Bonser**—I received a phone call from Admiral Smith on 16 May to tell me that he was writing to the secretariat of the committee and providing clarifying information. He did not provide me with the detail of that information.

**Senator FAULKNER**—He just indicated that he was going to clarify the statements. On 10 May, after your call to Admiral Gates, why did you determine it was necessary to talk to the Chief of Navy about this?

**Rear Adm. Bonser**—I wanted to ensure that the Chief of Navy was aware that there may be inconsistency in the evidence and confirm that he was aware of it.

**Senator FAULKNER**—But you were only concerned about Admiral Smith's evidence. Was there any other evidence you were concerned about?

**Rear Adm. Bonser**—No.

**Senator FAULKNER**—Just Admiral Smith's?

**Rear Adm. Bonser**—Yes.

**Senator FAULKNER**—Did you have a worry that speaking to Admiral Gates was not sufficient?

**Rear Adm. Bonser**—No. I just wished to make sure that the Chief of Navy had been given the courtesy of being told, and I thought I should do it myself.

**Senator FAULKNER**—Did the Chief of Navy indicate to you what action he might take as a result of that communication you had with him?

**Rear Adm. Bonser**—I think his words to me were, 'If there is any ambiguity, it needs to be clarified.'

**Senator FAULKNER**—Did he indicate how that should be done?

**Rear Adm. Bonser**—No, he did not.

**Senator FAULKNER**—Admiral Smith contacted you on 16 May to indicate that he was taking the course of action that we are now aware of, which is the letter that he has written to the committee?

**Rear Adm. Bonser**—Yes, that is correct.

**Senator FAULKNER**—Were there any other contacts with either Defence personnel or others about this matter?

**Rear Adm. Bonser**—Only in a discussion I had with Air Commodore Blackburn, who is Admiral Gates's deputy in the task force, where it was confirmed for me that the task force had received a copy of Admiral Smith's clarification. That occurred yesterday.

**Senator FAULKNER**—So that happened just before today's hearing.

**Rear Adm. Bonser**—That is correct.

**Senator FAULKNER**—That is the sum total of it?

**Rear Adm. Bonser**—That is the sum total.

**CHAIR**—You have not been invited to have a cup of coffee at the Kurrajong Hotel?

**Rear Adm. Bonser**—No, I have not been.

**Senator FAULKNER**—There is always one outside, Rear Admiral! I am sorry, I was interrupting Senator Bartlett.

**Senator BARTLETT**—Has Coastwatch's involvement in Relex meant a diversion of resources in terms of Coastwatch's overall activities or has a label been whacked over activities you are doing already and a different chain of command put on top of those?

**Rear Adm. Bonser**—No. The rates of surveillance effort that have been needed to ensure levels of search security off north-western and northern Australia have meant that we were required to rebase one of our aircraft from Cairns to Darwin. That allowed us to provide the rates of effort in northern and north-western Australian approaches that would give us a degree of confidence in detecting SIEVs that may be approaching.

**Senator BARTLETT**—That would mean, I presume, a lower level of surveillance for the northern Queensland region?

**Rear Adm. Bonser**—It reduced the surveillance that we would normally have been doing from Torres Strait south to about Brisbane and, for a couple of months—from September through to December—we virtually had nothing between south of Brisbane and about Broome. Since then, we have been provided with some additional resources, our contractor has recruited additional air crew and we are regathering the most critical parts of the surveillance that we had to forgo in other areas.

**Senator BARTLETT**—So you are regathering the most critical parts but you are not back to where you were before?

**Rear Adm. Bonser**—Not in every area, no.

**Senator BARTLETT**—Did you say 'south from Brisbane to Broome'?

**Rear Adm. Bonser**—From Brisbane south about to Broome between September and December last year.

**Senator BARTLETT**—Sorry, I am not thinking of Broome as south of Brisbane. How does that work? Do you mean south from that line between them?

**Rear Adm. Bonser**—Yes, that is correct. From Brisbane south about to Broome.

**Senator BARTLETT**—I get you. You mean ‘around’. That is a pretty large area. You are saying you had pretty much nothing in that area in that August to December period?

**Rear Adm. Bonser**—From September to December, yes.

**Senator BARTLETT**—And that would normally be surveillance for illegal fishing, predominantly, or drug smuggling—that sort of thing?

**Rear Adm. Bonser**—For a range of our clients, different matters—environmental and fishing issues in the main, yes.

**Senator BARTLETT**—And the northern Queensland area is obviously environmental as well—

**Rear Adm. Bonser**—Environmental.

**Senator BARTLETT**—But is there more smuggling through that area?

**Rear Adm. Bonser**—There is fishing. There are no predictions as far as smuggling goes. There is quarantine. There are all of the client tasks. In general, our priority surveillance areas are the northern half of Australia, simply because of geography.

**Senator BARTLETT**—I want to briefly go back to SIEVX and the rescue of it. From my memory of accounts of it, people when they were rescued had been in the water for at least 24 hours. You did not detect any radio communication amongst any boats or other aircraft in that period of time or even when they were rescued by fishing vessels? Did you pick up any communications indicating that they had been rescued?

**Rear Adm. Bonser**—No. Coastwatch does not have that capability.

**Senator FAULKNER**—No, but other agencies would have, wouldn't they?

**Rear Adm. Bonser**—There are other agencies that do that and I have seen no indications that anything was intercepted of that nature.

**Senator JACINTA COLLINS**—You mean you have seen no indications that anything was intercepted of that nature that was reported to Coastwatch?

**Rear Adm. Bonser**—I have seen nothing at all that has been reported to Coastwatch.

**CHAIR**—Have you requested of those other agencies a check to see if anything they retain indicates that messages or broadcasts were intercepted by them?

**Rear Adm. Bonser**—No, I have not.

**Senator FAULKNER**—How often are you in receipt, or are you in receipt, of DSD reports?

**Rear Adm. Bonser**—We do receive DSD reports.

**Senator FAULKNER**—But you are saying in relation to SIEVX that there was no such report from DSD or any other agency?

**Rear Adm. Bonser**—That is correct.

**Senator FAULKNER**—The only agency report that you received in relation to the whole SIEVX issue was the original intelligence from the AFP. That is as I understand the evidence that you have given us.

**Rear Adm. Bonser**—The key indicators we received around the time of that vessel sailing were all from the AFP.

**Senator FAULKNER**—I suppose it is the qualification of ‘key’ that I am a little concerned about.

**Rear Adm. Bonser**—There were no other indicators.

**Senator FAULKNER**—There is a difference between ‘key’ and ‘only’. I had the impression that you may have been suggesting that it was the only input.

**Rear Adm. Bonser**—They are the only indicators that I know of.

**Senator FAULKNER**—Just the AFP?

**Rear Adm. Bonser**—Just the AFP ones, yes.

**Senator FAULKNER**—Of course, there might well be more than one AFP input, mightn’t there? It is one agency but possibly a number of inputs, isn’t it?

**Rear Adm. Bonser**—I do not know how their inputs work. You would have to ask them that.

**Senator FAULKNER**—We may do that at some point, but the key point from this committee’s examination of you here representing Coastwatch is that that was the only agency input.

**Rear Adm. Bonser**—Yes.

**Senator JACINTA COLLINS**—I am also trying to understand what would constitute a confirmed departure. The information provided to us by Rear Admiral Smith refers to a number of reports from the Coastwatch CMSP opsum reports. However, when we get to the report of 20 October—Rear Admiral Smith does not tell us this; you actually told us this in your submission today—that report was passed on by a phone conversation. Why was a phone conversation deemed necessary in relation to that report, whereas the previous reports had simply been indicated as suspected departures or reported departures in your operational summaries?



**Rear Adm. Bonser**—I am sorry, which phone calls are you talking about, Senator, phone calls coming into Coastwatch or out of Coastwatch?

**Senator JACINTA COLLINS**—I am talking about phone conversations between Coastwatch, Australian Theatre and NORCOM.

**Rear Adm. Bonser**—Making secure phone calls to those two intelligence staff was the normal way of passing on that information. I would have to go back to my statement, but—

**Senator JACINTA COLLINS**—Let me put it to you this way so you understand where I am coming from. On 14 October SIEVX was referred to in one of your operational summaries. On 17 October it was referred to in one of the operational summaries. On 20 October it was referred to in one of your operational summaries—no, sorry, that was not an operational summary; on 20 October we get the report that there had been a departure with 400 passengers on an overcrowded, small ship. According to your evidence this morning, on that occasion that information was passed on by telephone rather than the earlier simple inclusion in an operational summary report. Why was that?

**Rear Adm. Bonser**—There is no difference between any of the reporting. The normal practice for Coastwatch for advice that came in to us was for it to be passed by a secure phone call to the Australian Theatre Joint Intelligence Centre and Headquarters Northern Command.

**Senator FAULKNER**—That is what you said in your opening statement.

**Senator JACINTA COLLINS**—Yes.

**Rear Adm. Bonser**—That is correct. That information is then normally passed on by them to the Defence commands involved in Operation Relex. In addition to that, Coastwatch includes a precis of the relevant information in its daily operations summary.

**Senator FAULKNER**—Yes, but I think that, as a first step, Senator Collins is canvassing whether normal practice and procedure were followed in the instances that are referred to in relation to SIEVX. In paragraph 36 you outline the normal practice. That is fine and it is understood and appreciated. The next step along the way, before we get to where Senator Collins is going, is this question: was normal practice followed in relation to SIEVX? I appreciate that that may be the normal practice but did it happen?

**Rear Adm. Bonser**—Yes, normal practice was followed.

**Senator JACINTA COLLINS**—So, on an operational summary report that included the summary on 14 October about the potential departure of SIEVX, a phone call had been made to NORCOM on that occasion?

**Rear Adm. Bonser**—I would assume so. I would have to go back and check that exactly—take it on notice—but that is the normal practice and I would have expected that that would have happened.

**Senator FAULKNER**—That is the point of my question and of Senator Collins's questions. We are trying to go beyond what is a very helpful description from you of how your agency undertakes its normal activities. That is helpful. The issue goes to the individual instances that are outlined in Admiral Smith's clarifying statement of whether normal practice actually did apply. Your answer to Senator Collins's follow-up question was qualified.

**Rear Adm. Bonser**—As far as the reports on SIEVX go, certainly on 20 and 22 October normal practice was followed.

**Senator JACINTA COLLINS**—On 20 and 22 October.

**Rear Adm. Bonser**—Yes. I would have to confirm the detail of previous reports but I would be quite confident that normal practice was followed.

**Senator JACINTA COLLINS**—What concerns me, though, is that it has been put to us that there was no confirmed departure up until the 22nd.

**Rear Adm. Bonser**—That is correct.

**Senator JACINTA COLLINS**—Yet on 20 October we know that Coastwatch made a call and followed through with a report about intelligence—which is presently classified—indicating that a departure had occurred, that there were 400 people on a small ship and that some people had refused to embark because of the overcrowding. I want to know what constitutes a confirmed departure. If that much information cannot form the basis of some level of confirmation, what is required?

**Rear Adm. Bonser**—That was the fifth report we had had in that particular month about that boat departing.

**Senator JACINTA COLLINS**—But with that level of detail?

**Rear Adm. Bonser**—We had similar detail on previous occasions. There is this great history of boats that depart, divert, go to other ports, do different things, perhaps break down—there is no real confirmation of the boat actually departing or the fact that it has left the archipelago.

**Senator JACINTA COLLINS**—After this report of the 20th, from intelligence gathered on the 19th, there is nothing else reported until the 22nd.

**Rear Adm. Bonser**—The only new information after that arrived on the 22nd, as far as I am aware.

**Senator JACINTA COLLINS**—Do we know why that was the case?

**Rear Adm. Bonser**—No. Coastwatch was not collecting the information, so I do not know.

**Senator JACINTA COLLINS**—This is a question for the Federal Police, is it?

**Rear Adm. Bonser**—I presume so.

**Senator FAULKNER**—Yes, but you are the link between the AFP and Defence, aren't you?

**Rear Adm. Bonser**—In this instance we were, yes.

**Senator FAULKNER**—That is normal practice, though, isn't it?

**Rear Adm. Bonser**—Yes.

**Senator FAULKNER**—So it is not just this instance, is it?

**Rear Adm. Bonser**—No, that is correct. AFP information normally comes through Coastwatch.

**Senator FAULKNER**—So the AFP provides intelligence information to you. Normal practice for you is to pass it on to NORCOM and the Australian Theatre Joint Intelligence Centre. Is that what it is called?

**Rear Adm. Bonser**—Yes. That is correct, Senator.

**Senator FAULKNER**—In fact, you outline in your opening statement what NORCOM and the Australian Theatre Joint Intelligence Centre might do with that information. But I accept that is a process and that, at the end of the day, you are not responsible for that. Because of concerns about the SIEVX issue, would it be possible for you provide to the committee, in each of the instances outlined in Admiral Smith's letter, when the AFP intelligence material was received by Coastwatch, how and when it was provided by Coastwatch to NORCOM and Australian Theatre? Maybe that would help us.

**Senator JACINTA COLLINS**—It does, except for one issue—that is, if the report that was passed on to Defence on 20 October was accurate, what further intelligence would you have expected to confirm it, other than a potential aerial surveillance of the ship?

**Rear Adm. Bonser**—It goes back to the fact that this was the fifth report about a departure in that month, plus a range of previous ones in months prior to that, and the history of these boats being recorded as possibly departing and then having no arrivals.

**Senator FAULKNER**—Sure, but you have a standard procedure for dealing with this. What you did in relation to SIEVX, you are saying to us, was consistent with your normal procedure.

**Rear Adm. Bonser**—Yes, it was.

**Senator FAULKNER**—So, in relation to my question, would it be possible—I do not expect you to have that material available with you today; I would understand it if you do not—for you to provide that information? It would be helpful. Would you take that on notice?

**Rear Adm. Bonser**—I can but, if you wish, I can go through the time line for the 20th and the 22nd.

**Senator FAULKNER**—That would be helpful.

**Rear Adm. Bonser**—With respect to the information that we received on 20 October, that was received from the AFP at 9.30. It was passed on to the Australian Theatre Joint Intelligence Centre at 9.50, and we saw them disseminate that information by message at 10.00. At 10.05, we briefed Northern Command on that information by telephone and we saw them repeat that information to the Defence Operational Authority in message traffic that had a date/time group of 12.03.

**Senator FAULKNER**—Thank you.

**Rear Adm. Bonser**—Does that answer your question about the time line?

**Senator FAULKNER**—Yes.

**Rear Adm. Bonser**—On the 22nd, we received the information from AFP at 10.03. The assessment was made that the vessel was overdue and AFP were contacted about what information could or could not be conveyed. They requested a stay of the notification while they put together some suitable words. That was provided to us at 13.50. After they authorised release of that at 14.05, Coastwatch advised AusSAR using the words that were provided by AFP.

**Senator FAULKNER**—Is there a standard addressee list for these opsums?

**Rear Adm. Bonser**—Yes, there is.

**Senator FAULKNER**—Could you just quickly outline what that is for us?

**Rear Adm. Bonser**—The standard addressee list was from Coastwatch Canberra and it was sent to Commander Australian Theatre, Commander Joint Task Force 639, Maritime Commander Australia, Air Commander Australia, Commander Task Force 641, Commander Task Unit 646.2.2—which is the ‘P3 world’—Australian Theatre Joint Intelligence Centre, Task Group 639.0 and the 92 wing detachment at Learmonth, and for information to Australian Defence Headquarters Operations in Canberra, Headquarters Australian Theatre, Maritime Headquarters, Headquarters Air Command Air Operations and my Regional Coastwatch Base.

**Senator FAULKNER**—Was there no input to the People Smuggling Task Force that was operating at the time?

**Rear Adm. Bonser**—At the meetings of the People Smuggling Task Force, input was provided from all of the agencies. I did not see much of that. I presume some of it was provided outside of the meetings. At the meetings that I attended, I normally provided a brief overview of how many boats might be expected in the next period, but it was simply an overview based on the rather imprecise information we had at the time.

**CHAIR**—Just a moment ago you said that the AFP provided you with an earlier report and then asked you to bely the transmission of that until such time as they wrote the form of words in which they wanted to transmit the information that the SIEVX was overdue. As I took it down, I think there was about a three-hour delay between when they notified you and when they gave you the form of words in which they wanted to transmit that notification to all the authorities that you converse with on this. Is that a normal procedure—that the AFP prepare the form of words for a notification for an overdue vessel in that manner?

**Rear Adm. Bonser**—It is when the information comes from perhaps a sensitive intelligence source and they have a requirement to protect the source or the specific nature of the information.

**CHAIR**—So it is normal. Is it normal to delay three or so hours—if I am right about those calculations—in the notification of an overdue vessel? Is that normal?

**Rear Adm. Bonser**—It can be in a situation like this, yes. What we are talking about here is a vessel that is overdue, and nothing more than that.

**CHAIR**—I think it actually is closer to four hours than three hours, but it is somewhere in excess of three hours. But it is true that, if the vessel is in peril or if it has foundered, that amount of time could be quite critical, couldn't it, in recovering people who may be in the water?

**Rear Adm. Bonser**—That might be the case if you know that the vessel is in peril or has foundered, but at this time all we knew was that the vessel was overdue.

**Senator BRANDIS**—At the time that the report came through saying that the vessel was overdue, was any estimate made in that report as to how overdue the vessel was?

**Rear Adm. Bonser**—No, only that we would have expected that it would have reached Australian waters by then.

**Senator BRANDIS**—So it was not a matter of it being a day overdue, two or three days overdue or a matter of hours overdue; it was just an unqualified report in that respect.

**Rear Adm. Bonser**—Yes, it was.

**CHAIR**—So this was from an intelligence source; it was not from surveillance that we knew that it was overdue.

**Rear Adm. Bonser**—That is correct. We received additional intelligence information that corroborated the previous report of the departure. That confirmed that we had most probably had a departure and, on the basis of that, that the boat should have probably arrived and was therefore overdue.

**CHAIR**—But the intelligence sources would not know that it was overdue, would they, from events on land?

**Rear Adm. Bonser**—I beg your indulgence; I think that goes to the nature of the information and matters in the national interest. It ought to be discussed in cabinet.

**Senator JACINTA COLLINS**—Sorry, for my benefit, could you repeat what you did say?

**Rear Adm. Bonser**—In what regard?

**Senator JACINTA COLLINS**—Before the chair sought further information, what did you say about the advice on the 22nd that provided confirmation?

**Rear Adm. Bonser**—The advice we received corroborated the previous report that a boat had possibly departed.

**Senator JACINTA COLLINS**—So it was additional intelligence?

**Rear Adm. Bonser**—It was additional information that confirmed for us that a boat had most probably departed and, on the basis of that, was therefore overdue.

**Senator JACINTA COLLINS**—In part, that is the answer to the question I was about to go to before, which is: had the advice on the 20th been correct, what additional intelligence could you expect? You are now telling us that there is additional intelligence that you received on the 22nd confirming the departure.

**Rear Adm. Bonser**—We cannot predict what the intelligence will be. We only know when it arrives that it exists.

**Senator FAULKNER**—The chair's question, which you answered by indicating that there may be matters that concern the national interest, went to intelligence about the sinking, I thought—I may have misunderstood.

**CHAIR**—My question was about, really, how an intelligence report—which is not surveillance but, I assume, some on-land intelligence capability—would know that a boat at sea was overdue.

**Senator FAULKNER**—That is right.

**Rear Adm. Bonser**—My answer remains the same.

**Senator FAULKNER**—Do you know if the question of the SIEVX was actually discussed at the People Smuggling Task Force?

**Rear Adm. Bonser**—I am aware that the subject was raised at the meeting on 22 October. I do not know what was said because I was not at the meeting; I was in Cairns on that day.

**Senator FAULKNER**—So it was raised in the meeting of the 22nd?

**Rear Adm. Bonser**—That is my understanding, yes.

**Senator FAULKNER**—How are you aware of that?

**Rear Adm. Bonser**—From other Customs attendees.

**Senator FAULKNER**—And when did you become aware of that?

**Rear Adm. Bonser**—I was advised while I was in Cairns that the additional information about the boat had arrived and that Coastwatch was going through the process of clearing the information with AFP, to provide that information to AusSAR. My chief of staff at the time advised me of that and also advised me that they were going to pass on that information at the IDC on that particular day.

**Senator FAULKNER**—Was your chief of staff present at the IDC then?

**Rear Adm. Bonser**—He would have been present on that day along with the DCEO of Customs, Mr Drury.

**Senator FAULKNER**—Are you aware of SIEVX being raised at the IDC before the 22nd?

**Rear Adm. Bonser**—No, I am not aware of that at all.

**Senator JACINTA COLLINS**—What time was the meeting of the IDC on the 22nd?

**Rear Adm. Bonser**—I do not know the timing for that day. I was not at the meeting.

**Senator FAULKNER**—So when it is discussed on the 22nd, the status of SIEVX is ‘overdue’, not ‘sunk’?

**Rear Adm. Bonser**—I presume that is the case.

**Senator FAULKNER**—I am presuming that, too—that is why I am asking you.

**Rear Adm. Bonser**—I would assume so. I was not at the meeting.

**Senator FAULKNER**—No, but you know it was discussed. But you do not know whether SIEVX was discussed at the IDC prior to the 22nd.

**Rear Adm. Bonser**—As far as I know, it was not discussed prior to that date.

**Senator FAULKNER**—Do you know whether it was discussed at any meeting subsequent to the one you told us about on the 22nd? For example, was the sinking discussed at the IDC?

**Rear Adm. Bonser**—I do not recall it, no.

**Senator FAULKNER**—Do you know who raised it at the meeting of the 22nd? It was not Coastwatch?

**Rear Adm. Bonser**—I presume it was the Customs-Coastwatch members advising the IDC that they were going through the process of telling AusSAR.

**Senator FAULKNER**—I think this is relevant to our inquiry, so would you be able to take it on notice for me please as to when any matters in relation to SIEVX were discussed at the People Smuggling Task Force and what the role of Coastwatch was in those discussions—they may have been generated, for example, by Coastwatch or they may not. If that detail could be provided for any matters relating to SIEVX, I would appreciate it. You will obviously need to go to the officers who represented your organisation at the time.

**Rear Adm. Bonser**—I will be able to provide only the information that was presented by Coastwatch or Customs, because I was not at any of the meetings.

**Senator FAULKNER**—But Coastwatch was represented at the meetings, wasn't it?

**Rear Adm. Bonser**—Yes, it was.

**Senator FAULKNER**—I appreciate that you would have to go to the Coastwatch representatives. I understand that you personally were not there. That is why I think it is better to deal with this, if you would not mind, by taking it on notice—understanding that you do not have direct knowledge of it, although you do have some indirect knowledge of it because you have been able to help us with the meeting on the 22nd and the fact that SIEVX was discussed at the People Smuggling Task Force on the 22nd.

**Rear Adm. Bonser**—I will take it on notice and provide what I can.

**Senator JACINTA COLLINS**—I have one further issue that I would ask you to take on notice. You say at paragraph 38 of your opening statement that the full detail of the advice of 20 October is classified. I would like to request that this advice be declassified for this committee. I would like to know if there was similar advice in any of the earlier reports and whether that too is classified and can be declassified.

**Rear Adm. Bonser**—As far as I am aware, all of the advice is classified. I cannot declassify it because it does not originate with me. It would have to go back to the originating authorities to declassify the information.

**Senator JACINTA COLLINS**—The Federal Police?

**Rear Adm. Bonser**—In this instance, yes.

**Senator BARTLETT**—I have two more questions, which I think will wrap up my interest in this.

**CHAIR**—I must say that you are taking a very long time to ask your questions, Senator Bartlett.



**Senator BARTLETT**—I keep getting intruded upon. Just going back one last time to 22 October, Rear Admiral Bonser, you advised Search and Rescue that the vessel was overdue because SIEVX met the criteria that you had confirmation of departure dates and it was known to be overdue. According to Admiral Smith's information, you notified via an opsum to Admiral Smith that the vessel was overdue possibly due to poor condition of the boat and the large numbers on board. The Rescue Coordination Centre also independently reported to Admiral Smith that the vessel was overdue. But it does not seem that Search and Rescue or anybody else actually requested anybody to do anything about it, to go and look for it. They did not ask you to go and look at all to see where it was and whether it was in difficulty?

**Rear Adm. Bonser**—What Search and Rescue then implemented you would have to ask them but, as far as Coastwatch are concerned, we were still conducting all of the surveillance that we had had in place which was specifically dedicated to finding just those boats.

**Senator BARTLETT**—But they did not give you any specific request or direction or anything to go and look over in this area? Based on your earlier evidence, that is not necessarily where you go anyway.

**Rear Adm. Bonser**—No.

**Senator BARTLETT**—And they did not seem to do so with the Relex people either. You have said before that, as far as you are aware, there has been no report or even any form of informal investigation into this situation. This was a circumstance where admittedly it was probably in international waters and closer to Indonesia than here, but we have been involved in fairly extensive efforts to rescue a single yachtsman or yachtswoman a huge number of kilometres from the Australian coast. We have had a few fishermen drown at sea and had coronial inquests and Senate inquiries when there were three or so. We have had massive inquiries when we have had two or three people die on the Sydney to Hobart yacht race. All of those circumstances have their own specifics and I am not trying to say they are all the same thing, but we have an incident in which 353 people drown and nobody has even made a general comment about whether there is some way we can perhaps stop this happening again or whether there is anything we can do better.

**Rear Adm. Bonser**—I have seen nothing about that.

**CHAIR**—That is equivalent to about one jumbo jet going down with a full passenger load.

**Senator BRANDIS**—Those questions assume that Australia has responsibility for the problem. We have yet to hear a syllable of evidence to suggest that we did have responsibility for the problem.

**Rear Adm. Bonser**—I have certainly seen nothing to indicate that.

**Senator JACINTA COLLINS**—I did not hear a question that suggested there had been an Australian investigation. I think the question was whether there had been any investigation.

**Senator FAULKNER**—Is it true that there was input to Coastwatch from the AFP that effectively detailed, if you like, the size and the state of SIEVX? Would that be fair to say?

**Rear Adm. Bonser**—We knew that it was small and overcrowded.

**Senator FAULKNER**—And by ‘overcrowded’ would that mean that you would know that there might be around 400 passengers embarked?

**Rear Adm. Bonser**—We had an indication of the numbers, yes.

**Senator FAULKNER**—Were you aware that some passengers were not able or were unwilling to be boarded?

**Rear Adm. Bonser**—I understand that there was an indication in some of the advice that that was the case, that people either had not got on or had got off the vessel.

**Senator FAULKNER**—So there is no doubt, effectively, that you have got intelligence inputs here basically indicating that the vessel is barely seaworthy. Would that be right?

**Rear Adm. Bonser**—We did not know that because we had not seen it. What we knew was that this vessel was reported as being small and overcrowded, and that was the information we advised to all of the relevant operational authorities.

**Senator FAULKNER**—Does the surveillance task change in that sort of situation, where there might be a possible safety of life at sea situation?

**Rear Adm. Bonser**—In this case, with, as I have said, the imprecise information about departures—the departure after departure that does not eventuate, the comprehensive surveillance that was in place out there and the fact that we did not have a confirmation of the departure and that the vessel was not yet overdue—no.

**Senator FAULKNER**—You know the figure of the people who have embarked on it, so one assumes that it must be pretty close to going if there is that number of people who have embarked?

**Rear Adm. Bonser**—But that number is not inconsistent with previous boats, either.

**Senator FAULKNER**—Yes, but if there is a possible safety of life at sea situation—an unseaworthy vessel that is massively overcrowded and the like—and it is ready to go or about ready to go, does that change the surveillance task that you have?

**Rear Adm. Bonser**—It would not have changed our surveillance task, because we were not conducting surveillance in that area.

**Senator JACINTA COLLINS**—Let us say you had been. Let us say Coastwatch had been directly responsible for the surveillance in the zone, would Coastwatch have instigated surveillance after notification of the departure on the 20th?

**Rear Adm. Bonser**—One of Coastwatch’s tasks is to conduct surveillance to detect all these boats before they reach Australia.

**Senator JACINTA COLLINS**—So the answer is yes?

**Rear Adm. Bonser**—We would have done that, irrespective.

**Senator JACINTA COLLINS**—Of the safety of life at sea situation?

**Rear Adm. Bonser**—Yes, which was what was happening here already. A comprehensive surveillance pattern was in place doing nothing but looking for these boats.

**Senator FAULKNER**—But it is not just a small, overcrowded, unseaworthy vessel, is it? It is full of SUNCs, as these people are described—an unhappy acronym: suspected unlawful noncitizens. That makes a difference too, doesn't it?

**Rear Adm. Bonser**—All of these boats are full of people.

**Senator FAULKNER**—Yes, but I am interested in how that affects the surveillance task.

**Rear Adm. Bonser**—The surveillance task was in place looking for all of these boats throughout.

**Senator JACINTA COLLINS**—But what we have from Admiral Smith indicates that surveillance at the time was not as comprehensive as you seem to be indicating. Surveillance was brought back closer to the contiguous zone, as I understand Admiral Smith's report—it was brought right back to the immediate area around Christmas Island.

**Rear Adm. Bonser**—I do not know about that, Senator. I think it is something you would have to address to Admiral Smith.

**Senator BRANDIS**—I would like to ask a question about the surveillance area as well. Are you aware of how close to the southernmost reach of the Sunda Strait the limit of Coastwatch surveillance was at this period?

**Rear Adm. Bonser**—Coastwatch was not within 1,000 miles of Sunda Strait.

**Senator BRANDIS**—Have you read Mr Kevin's evidence? Mr Kevin's conjectures that the vessel foundered some hundreds of miles south of the southernmost point of the Sunda Strait. Are you familiar with that evidence?

**Rear Adm. Bonser**—I am familiar with the evidence, yes.

**Senator BRANDIS**—Did the limit of the Coastwatch surveillance area ever reach even the point at which Mr Kevin conjectures that the vessel foundered?

**Rear Adm. Bonser**—No, Coastwatch did not, because we were 1,000 miles away to the east. Defence was conducting surveillance around Christmas Island.

**Senator BRANDIS**—Are you aware of the limit of the Defence surveillance?

**Rear Adm. Bonser**—It was about 30 miles south of Indonesian territory.

**Senator BRANDIS**—Thank you.

**CHAIR**—Where is that, for my benefit, in relation to Mr Kevin's conclusion of where the boat foundered?

**Rear Adm. Bonser**—It would be within the surveillance area.

**CHAIR**—It would be within the surveillance area?

**Rear Adm. Bonser**—Yes, it would.

**Senator JACINTA COLLINS**—But, Rear Admiral, the point I was coming to a moment ago was that we were advised by Admiral Smith that on 19 October—when this vessel departed Indonesia and foundered, he claims, in the Sunda Strait—air surveillance assets and Navy service units were conducting layered surveillance operations and responding to SIEVs close to Christmas and Ashmore islands. So comprehensive surveillance was not occurring at that time; it had been pulled back close to Christmas and Ashmore islands. From what I understand you to be saying, that is not ordinarily the case.

**Rear Adm. Bonser**—I was talking about the overall surveillance that was in place right across Northern Australia, which was, in my experience, the most comprehensive that I have ever seen. What was happening out at Christmas Island was purely defence assets; you would really have to ask them about that.

**Senator JACINTA COLLINS**—I am also trying to understand what happens with the flow of communication, because pre these arrangements it would have been an exclusively Coastwatch situation: Coastwatch gets the report, Coastwatch is alerted possibly to a safety of life at sea scenario, Coastwatch has its comprehensive aerial surveillance in place and would anticipate identifying if such a ship were foundering in that region. But in this scenario we have Coastwatch passing that information on to Defence, Defence saying, 'No, our assets are busy elsewhere,' and no aerial surveillance occurring, as it seems.

**Rear Adm. Bonser**—I do not know about that; that is something you would have to ask those that were conducting the surveillance.

**Senator FAULKNER**—Who would make the decision? Accepting that this is outside the area, under the auspices of Operation Relex, that Coastwatch has surveillance responsibilities for—which is the point you make, isn't it?

**Rear Adm. Bonser**—Yes.

**Senator FAULKNER**—Just accepting that, who would make the decision in Defence, as you understand it—based on the material that you provide, the AFP reports and the like—that surveillance of this particular SIEVX is warranted? Where would that decision be made? Would it be made at NORCOM; would it be made elsewhere? Can you assist us with that at all?

**Rear Adm. Bonser**—I would expect that it would be made in that operational chain of command: between the Theatre Command, Northern Command and indeed the assets in location.

**Senator FAULKNER**—Once you pass on the intelligence material you have available, is there no follow-up from Coastwatch?

**Rear Adm. Bonser**—Only to continue to provide any additional information that comes to us.

**Senator FAULKNER**—You do not get any feedback from Defence as to whether they decide to undertake any particular level of surveillance of the identified SIEV?

**Rear Adm. Bonser**—Sorry?

**Senator FAULKNER**—If Defence decided that they were going to undertake surveillance of SIEVX, for example, would Coastwatch in the normal course of events have been notified?

**Rear Adm. Bonser**—Probably not. We would have had information that they were conducting the surveillance in that general area with the assets that were available. We were not seeing the actual detail of the surveillance patterns, not that level of detail.

**Senator FAULKNER**—Can I ask you this: do you think, in relation to SIEVX, that there were process failures in terms of the role of Australian agencies? I appreciate you can only make a comment from where you sit and it is in that context I ask you the question.

**Rear Adm. Bonser**—From what I have seen and from the information that has been passed on I would say no. All of the information has been handled properly and passed on.

**Senator FAULKNER**—So you think it is perfectly reasonable that Australian authorities should learn about the sinking of SIEVX from CNN? You are quite satisfied that that is acceptable?

**Rear Adm. Bonser**—If that is the only information you get, then that is all you have.

**Senator FAULKNER**—But it is not the only information we have got in this situation, is it?

**Rear Adm. Bonser**—That is the only information that we have about the vessel sinking.

**Senator FAULKNER**—It might be the only information at that time about the vessel sinking, but it is not the only information you have about the vessel leaving. It is in that context I asked the question. I probably should clarify it. My question does not go specifically to the sinking of SIEVX; it is the whole exercise from the time 400 people embarked and the boat left Indonesia. If the government decided to inquire further into the events surrounding the sinking of SIEVX, given your extensive responsibilities in relation to Coastwatch, could you identify any process failures in relation to this particular SIEV?

**Rear Adm. Bonser**—I cannot see any course of action that any Australian authority could have taken that would have prevented the sinking of the vessel.

**Senator FAULKNER**—Can you think of a situation where Australian agencies should have had a great more knowledge and detail about what occurred with this SIEV after it left Indonesian shores?

**Rear Adm. Bonser**—No, I cannot.

**Senator FAULKNER**—Can you draw a distinction between the state of knowledge that agencies had of that SIEV and a range of the other SIEVs—some of this you have dealt with in your opening statements—particularly the number of SIEVs. I am using SIEVs 1 to 12.

**Rear Adm. Bonser**—The information is remarkably similar about all of the vessels, in particular the on again off again nature of the departures. The only thing that was different about this vessel was that we had information at the last report of the possible departure that it was small and overcrowded.

**Senator FAULKNER**—You have not been asked since the sinking of the SIEV, in your role at Coastwatch, for any investigation or inquiry into those events at all?

**Rear Adm. Bonser**—No, I have not.

**Senator FAULKNER**—Does that surprise you?

**Rear Adm. Bonser**—No.

**Senator JACINTA COLLINS**—Let me take you to one area where there are issues of a process nature regarding the reporting, and that is your statement at 42:

In the normal course of operations, Coastwatch informs AusSAR about any vessels that have been sighted and may be in difficulty or distress.

You are probably aware that the evidence we had from AusSAR was that they were never advised that there was a vessel in distress, even on 20 October. How could you get into that situation?

**Rear Adm. Bonser**—Because there was nothing to indicate there was a vessel in distress.

**Senator JACINTA COLLINS**—You said that you advise AusSAR, in the normal course of events, when a vessel may be in difficulty or in distress, and you did so on this occasion.

**Rear Adm. Bonser**—What we did on this occasion was to advise AusSAR that there was a vessel that was potentially overdue.

**Senator JACINTA COLLINS**—Your statement at 42 says:

In the normal course of operations, Coastwatch informs AusSAR about any vessels that have been sighted and may be in difficulty or distress.

And you did this on this occasion. You said that SIEVX met this criteria.

**Rear Adm. Bonser**—SIEVX was not a vessel that had been sighted and was observed to be in difficulty and distress. When Coastwatch has confirmation of the departure date of a SIEV, and then when it is known that it is overdue, Coastwatch provides that information to AusSAR. After we had received the additional information on 22 October, SIEVX met that criteria, and that was why Coastwatch contacted AusSAR and advised them that there was a vessel that was potentially overdue.

**Senator JACINTA COLLINS**—This is where there is a lack of clarity. You are saying that you advise AusSAR when a vessel may be in difficulty or distress. That is why you advise AusSAR, isn't it?

**Rear Adm. Bonser**—When we sight a vessel that may be in difficulty or distress, yes.

**Senator JACINTA COLLINS**—So, in this case, you had confirmation of departure and you knew it was overdue. Presumably you felt that met the criteria of probably being in difficulty or distress, and so you would advise AusSAR?

**Rear Adm. Bonser**—No. That met the criteria for a vessel being overdue, and so we advised AusSAR.

**Senator BRANDIS**—Is this the situation? There are different categories of criteria that trigger the advice to AusSAR: one is the sighting of a vessel in difficulty or distress; and another and independent criterion is that a vessel is overdue.

**Rear Adm. Bonser**—That is correct, and they are independent.

**Senator BRANDIS**—In this case, it was the second and not the first of those two categories which triggered your advice to AusSAR. It is as simple as that, isn't it?

**Rear Adm. Bonser**—That is correct.

**Senator JACINTA COLLINS**—Then, when you get to the first of those criteria, what action is AusSAR meant to take? My question is: what is the point of advising AusSAR?

**Rear Adm. Bonser**—And that is for which criteria, Senator?

**Senator JACINTA COLLINS**—The first, the 'overdue'.

**Rear Adm. Bonser**—For an overdue vessel—and you would have to clarify this with AusSAR—my understanding is that they would issue a broadcast alert, asking shipping to keep a lookout for a vessel that was overdue.

**Senator JACINTA COLLINS**—They tell us they only do that when they have information that there is difficulty or distress. They are not aware of this two-level criterion that Senator Brandis has put to you.

**Senator BRANDIS**—No, not two-level criterion; two separate criteria.

**Senator JACINTA COLLINS**—Okay, two different criteria. It seems that AusSAR is not aware of these criteria.

**Rear Adm. Bonser**—I do not know about that. You would have to clarify that with them.

**Senator JACINTA COLLINS**—I suggest that you look at the evidence they gave this committee. Their answer for not responding to a report from Coastwatch is that there was no indication of distress.

**Rear Adm. Bonser**—And we did not tell them that there was an indication of distress. We provided the information to them that there was an overdue vessel.

**Senator JACINTA COLLINS**—What I am asking you is this: if it has this other criteria, which is vessel overdue, what is your understanding of what AusSAR does with it? What is the point of reporting overdue to them, if all they simply say is ‘We’ve done nothing, because there’s no indication of distress’? Why bother with this criterion?

**Rear Adm. Bonser**—Because that has been a standard procedure and, in the past, there have been broadcasts issued asking for vessels to keep a lookout for overdue vessels.

**Senator JACINTA COLLINS**—That is additional information that was not provided to us from AusSAR. We need to get to the bottom of why they did not do that on this occasion, because they did not—and we do not know why they did not, but we do know that many lives were lost.

**Senator BRANDIS**—I think it is clear that there was never a time at which this vessel was under surveillance.

**Rear Adm. Bonser**—That is correct.

**Senator BRANDIS**—There was never a time at which any report was received by Coastwatch that the vessel was in difficulty or distress.

**Rear Adm. Bonser**—That is correct.

**Senator BRANDIS**—There was never a definitive piece of information conveyed that the vessel had, in fact, definitely departed Indonesian shores; there were merely intelligence reports that the vessel may have departed Indonesian shores.

**Rear Adm. Bonser**—That is correct.



**Senator BRANDIS**—On the assumption that this vessel may have departed Indonesian shores on a given date, there was a report that the vessel was overdue, and that report came to you?

**Rear Adm. Bonser**—Yes, it did.

**Senator BRANDIS**—A report was received that the vessel had sunk, which report was received after that event had happened.

**Rear Adm. Bonser**—Yes, that is correct.

**Senator BRANDIS**—That was also a report in the public media on the international news programs.

**Rear Adm. Bonser**—Yes, it was—in addition to the report we received on 23 October from the Australian Theatre Joint Intelligence Centre.

**Senator BRANDIS**—As far as I can follow your evidence, there was never a time prior to the sinking of the vessel that Coastwatch received any information causing it to arrive at a conclusion that the vessel was in peril or distressed.

**Rear Adm. Bonser**—That is correct.

**Senator BRANDIS**—That is what I thought. Thank you.

**Senator BARTLETT**—Can I clarify that. As I heard your evidence, you never got confirmation that the vessel had departed.

**Rear Adm. Bonser**—Could you clarify your question? I am not sure I understand.

**Senator BARTLETT**—My understanding of the answers you gave part way through there is that you had a range of intelligence reports of possible departures here and there, but there was no confirmed sighting or confirmation of a departure date.

**Rear Adm. Bonser**—The only time we received information that corroborated a departure and indicated to us that this vessel had probably departed and could therefore be considered overdue was when we received information on 22 October.

**Senator BARTLETT**—You are saying ‘probably’. What is the difference between probability and confirmation?

**Rear Adm. Bonser**—We could not tell whether the vessels had really left or not until they turned up.

**Senator BARTLETT**—You said in your opening statement that you had told AusSAR about the confirmation of departure. Was it confirmed or wasn’t it?

**Rear Adm. Bonser**—That was the best indication we had of a confirmation of a departure and, on the basis of that, we assessed that the vessel was overdue and advised AusSAR accordingly. I cannot really go into any further detail in public about the nature of that information or why it led us to that belief.

**Senator BARTLETT**—We can pursue that with the AFP. I am not trying to divulge state secrets, I am just trying to get an idea of what constitutes confirmation and when probable departure becomes confirmed departure.

**Rear Adm. Bonser**—I think the nature of the information that was provided on the 22nd, if provided in camera, would make that clear.

**CHAIR**—It may be that the committee would want to move in camera, but that is not a question we need to address just yet. I need to be clear in my head, because I am a little confused about one or two of the points. My understanding, based on the corrected evidence of Admiral Smith, is that SIEVX departed Sumatra, which is a small coastal town in west Java, and that was the last place it touched on its ill-fated voyage. After that, it sailed on and foundered somewhere. The evidence that you have given us and reiterated a number of times—and I thank you for that—is that you received information on 22 October that this vessel may be overdue. That information was received from the AFP, as I recall you saying. I went through this before. The sole source of information that the vessel was overdue was the AFP, as far as Australia is concerned?

**Rear Adm. Bonser**—That is correct.

**CHAIR**—You first learnt that the vessel was overdue from the AFP?

**Rear Adm. Bonser**—Yes, and that assessment was made based on the information we received from the AFP on 22 October.

**CHAIR**—Did you receive information from the AFP that the vessel was overdue or that the vessel had departed at a certain time and then, by your own calculations, conclude that it was overdue?

**Rear Adm. Bonser**—It was both. Part of the information and the detail of the information would help clarify that. There was an assessment that it was overdue, and we agreed with that assessment.

**CHAIR**—That is the point I want to be clear about. The AFP advised you that the vessel was overdue and, when you did your sums about where it was likely to be, you confirmed in your mind that, ‘Yes, obviously it is overdue.’ Is that how it went?

**Rear Adm. Bonser**—That is correct, Senator.

**CHAIR**—The point I am concerned about is that the originating idea that the vessel was overdue came to you. You did not calculate that or deduct that from other information—from raw material. You got that conclusion, you checked it and then reaffirmed that it was overdue.

**Rear Adm. Bonser**—That is correct, Senator.

**CHAIR**—And then you were asked to wait before that knowledge was broadcast so that it could be put in an acceptable form of reporting by the AFP?

**Rear Adm. Bonser**—Yes.

**CHAIR**—You will tell me if I am intruding into areas that are sensitive and ought to be protected, which ‘may’ be matters for us to consider in camera when I ask these next questions. The advice that the Australian Federal Police gave you after this interregnum of nearly four hours from the initial report about what you may notify as an overdue vessel was essentially the same advice, in the same terms, that they had given you earlier or was it advice that was not in the same terms?

**Rear Adm. Bonser**—It was not in the same words—because of the nature of the original information—but it was in the same terms, that this vessel was overdue. The original information inferred that same conclusion.

**CHAIR**—All right. The RAAF were flying surveillance in the area where Mr Kevin concluded SIEVX sank. Were they flying surveillance at the time that this vessel may have been in that vicinity?

**Rear Adm. Bonser**—I do not know. I do not know whether it was ever in that vicinity or, if so, when.

**CHAIR**—You are aware though, as you said in your opening statement, of what Mr Kevin has said, you have read his evidence before us and you have doubtlessly seen the maps or the charts that he has presented to us and would therefore know where his hypothesis leads in terms of where he believes the vessel sank—that is, in an air surveillance area of Australia.

**Rear Adm. Bonser**—Yes, it would be, Senator.

**CHAIR**—For the ADF?

**Rear Adm. Bonser**—Yes, if that is where the vessel sank.

**CHAIR**—Do you happen to know whether a PC Orion, if that was the type of aircraft used, is equipped with life rafts and things that it could drop from the air if it comes across a SOLAS situation?

**Rear Adm. Bonser**—I know they can be, Senator.

**CHAIR**—You do not know whether the operating aircraft in the area were, though?

**Rear Adm. Bonser**—I do not know the answer to that question.

**CHAIR**—Maybe it is a question we should ask Defence. How long after 22 October, when you had broadcast this information, did CNN report that this vessel had in fact sunk?

**Rear Adm. Bonser**—It was the following day, 23 October. That was the same day that we received advice from the Joint Intelligence Centre that there had been a report that a vessel had sunk.

**CHAIR**—The report that the Joint Intelligence Centre was referring to was the CNN report or another report?

**Rear Adm. Bonser**—I do not know. We received two separate reports: one from the Joint Intelligence Centre and we also saw what was on CNN.

**CHAIR**—You actually saw it on the screen?

**Rear Adm. Bonser**—I did not, but I heard about it.

**CHAIR**—Officers of your agency saw it on the screen?

**Rear Adm. Bonser**—Yes.

**Senator JACINTA COLLINS**—But you do not know that they were separate reports?

**Rear Adm. Bonser**—No, I do not know what the source of the Joint Intelligence Centre report was.

**CHAIR**—There is one other detail but I am not quite sure whether Senator Faulkner—who is not here, otherwise I would have asked him rather than ask you—asked you this question before. You knew from the intelligence reports that this was an overcrowded vessel and that it was a small vessel. Did you also know that it was leaky? Did you know what the condition of it was?

**Rear Adm. Bonser**—No, we did not. I believe that is information that only came out after the event and that a range of that has become confused with what might have been original information.

**Senator JACINTA COLLINS**—Which is why a declassified report might be helpful.

**CHAIR**—Taking you back to your remarks in your opening statement about reviewing the Kevin hypothesis, for want of a better description, and Mr Kevin's evidence, has Coastwatch done its own reconstruction of the events to test that hypothesis?

**Rear Adm. Bonser**—We have looked at the information but it is so imprecise that you really cannot reconstruct much from it, I would have to say.

**CHAIR**—So you have done some sort of exercise.

**Rear Adm. Bonser**—We have plotted estimated times of departure, possible speeds, different diversions and where the vessel may have gone but it is very difficult to reconstruct. The best we have been able to work out is that it was somewhere between the Sunda Strait and perhaps about 80 miles south of it that this vessel unfortunately sank, but we have not been able to determine exactly where.

**CHAIR**—Calculating wind speeds, drifts and currents and plotting where boats might be and those sorts of things would be an expertise of Coastwatch, wouldn't it?

**Rear Adm. Bonser**—We have some skills in it, but the experts are the search and rescue authority.

**CHAIR**—You have presented to us that the analysis you have conducted was, in a way, a back of the envelope sort of exercise, or that is the impression I have. Was it an exercise like that, or was it a more considered sit down with the charts, the calculators and the navigational instruments to try to work it out? Was it a fairly full-on exercise?

**Rear Adm. Bonser**—We certainly would have looked at a chart, at estimated times of departure and at how far a vessel might have gone at certain speeds, but to get any precise information even of the courses that the vessel might have taken would have been pure guesstimation. We just had no detail about what the vessel did, or might have done, after it allegedly sailed to indicate even what direction it went in.

**CHAIR**—And the intelligence reports did not provide a clue to you as to that.

**Rear Adm. Bonser**—All we had was that there was a possible departure on a date, and I think that was the fifth possible departure that month. We had no idea whether the vessel was actually departing the archipelago or going somewhere else in the archipelago.

**CHAIR**—Does this exercise that you have just described appear in writing anywhere?

**Rear Adm. Bonser**—I do not know that we actually have any of that recorded. We would have sat down with the chart, but it may well have been rubbed off again by now.

**CHAIR**—Can you check to see if you have anything?

**Rear Adm. Bonser**—I can check.

**CHAIR**—You leave me with a terrible void in trying to package this. I understand and respect what you say about there being so many variables here and how do you know where it may have foundered. If you have no information after it leaves port, the fact that another agency can tell you that it is overdue suggests that another agency may have some of that information. So I will give some thought as to whether or not we might want to go in camera on some of that evidence.

**Senator MASON**—Admiral, I think you said, in response to questions from my colleagues, that you are familiar with Mr Kevin's evidence on *Hansard* and perhaps also some of his opinion pieces. Is that correct?

**Rear Adm. Bonser**—Yes, I have read some of them.

**Senator MASON**—I will quickly put some of them to you in a second. Let us get a bit of context to our discussion this afternoon. On page 1327 of *Hansard* of 1 May 2002, Mr Kevin says—and this is the nub of the issue:

There is clear public knowledge now from Australian official sources that there was some Australian official foreknowledge of the circumstances that led to the deaths of these 353 human beings. This cries out for explanation and accountability.

And on page 1325, he says:

Coastwatch Australia knew from an intelligence source when this boat had left, where from, its likely speed and that it was heading for Christmas Island.

Are you across that information?

**Rear Adm. Bonser**—Yes.

**Senator MASON**—They are the claims that Mr Kevin in effect makes as they relate to Coastwatch. The nature of the information has been discussed this afternoon, and I think Senator Bartlett referred to paragraph 32 of your opening statement, which reads:

Information in relation to possible boat departures from Indonesia is often imprecise and subject to frequent change. It is not unusual for a vessel's projected departure dates and times to change on an almost daily basis over a period of days or even weeks.

I think you gave evidence that on five different occasions there were intelligence reports that SIEVX was about to depart. Is that correct?

**Rear Adm. Bonser**—That is correct—either about to depart or had departed. That was just in the month of October.

**Senator MASON**—In paragraph 3 of Admiral Smith's statement of clarification—I think you know what that is—dated 17 May, he says:

The intelligence reporting from Coastwatch was used as indicators of a possible SIEV arrival in an area within a probable time window.

Do you agree with that?

**Rear Adm. Bonser**—Yes. That is in fact the way that Coastwatch used the information as well—as indicators rather than any firm navigation evidence that a ship was in a particular position.

**Senator MASON**—You have also given evidence—in answer to a question by Senator Brandis, I think—that this vessel was never under observation by the ADF or Coastwatch. Is that correct as well?

**Rear Adm. Bonser**—That is correct.

**Senator MASON**—I will briefly put some of Mr Kevin's assertions to you. This is from the *Canberra Times* opinion page, page 11, on 21 May. He writes:

So it's a reasonable inference from Operation Relex practice that timely intelligence reached Canberra on October 18 or 19 saying that SIEV X had left Sumatra on October 18 bound for Christmas Island and that it was a 19-metre fishing boat carrying around 400 people.

Is that right?

**Rear Adm. Bonser**—No. We did not get an indicator—well, we got the fifth indicator that the boat had departed somewhere on the 19th. We received that on the 20th. We certainly did not know the dimensions of the boat.

**Senator MASON**—So what would you say to the implication or insinuation that Coastwatch is responsible or partly responsible for the deaths of these 353 people?

**Rear Adm. Bonser**—I find it personally affronting.

**Senator MASON**—That is part of the assertion that is being made here by Mr Kevin.

**Rear Adm. Bonser**—I completely disagree with it.

**CHAIR**—Is that assertion specifically made?

**Senator JACINTA COLLINS**—I am not sure that is a fair representation of the assertions either.

**Senator MASON**—I think it is.

**CHAIR**—It is a fairytale.

**Senator MASON**—Taking it to its conclusion, it is.

**Senator JACINTA COLLINS**—The AFP are an Australian agency, and they received the information on the 19th.

**Senator MASON**—We can get to them. I am happy to examine—

**Senator JACINTA COLLINS**—But a moment ago you represented it as Coastwatch.

**Senator MASON**—No, I said Coastwatch and the ADF. I am aware of what I am saying.

**Senator JACINTA COLLINS**—We know you are aware of what you are saying. You are misrepresenting the case.

**Senator MASON**—No, I am not misrepresenting it at all. We can debate this later. I am quite happy to call anybody you want and we will examine them as well and do that and the truth will come out.

**Senator FAULKNER**—You were going very well. Just keep your focus.

**Senator JACINTA COLLINS**—Get back on track.

**Senator MASON**—Thank you. So you would say that the assertions made by Mr Kevin as they relate to Coastwatch are rubbish?

**Senator JACINTA COLLINS**—Which assertion is that?

**Rear Adm. Bonser**—I disagree with them.

**Senator MASON**—Thank you.

**Senator FAULKNER**—That wouldn't be a leading question.

**Senator MASON**—The answer has come out and the answer will do me fine. Can we move on to a slightly different topic, as we have got the answers we needed before about Operation Relex. The Labor Party, the opposition, has said—and the insinuation again has been made—that in some cases the Navy—

**Senator JACINTA COLLINS**—Made by whom?

**Senator MASON**—Hold on and wait until you have heard the question.

**Senator JACINTA COLLINS**—You said 'the Labor Party' and I would like to know what you are accusing us of.

**Senator MASON**—Just hold on.

**Senator FERGUSON**—Address your question to him. Do not worry about them.

**Senator MASON**—Admiral, perhaps Operation Relex is an inappropriate use of naval resources. Could Coastwatch, for example, have intercepted vessels such as, let us say, SIEV4? Would Coastwatch vessels have had the capacity to intercept SIEV1, SIEV2, SIEV3, SIEV4 through to SIEV12?

**Rear Adm. Bonser**—Coastwatch does not have vessels. We normally have patrol boats provided in support of us. Those vessels which are normally provided to us, the patrol boats, would not have had the capacity to deal with this task. It needed bigger ships with far more people on them to deal with boats with several hundred people.



**Senator FAULKNER**—Coastwatch would not normally comment on party political matters and the policy of political parties, would it?

**Rear Adm. Bonser**—Certainly not.

**Senator FAULKNER**—I am not suggesting that you were, but it is—

**Rear Adm. Bonser**—But I can answer factually—

**Senator FAULKNER**—what would be described in naval parlance as a ‘shot across the bow’ for Senator Mason.

**Senator FERGUSON**—Which you have not done, of course.

**Senator MASON**—The answer to the question is delightful, Admiral. That is fine.

**Senator JACINTA COLLINS**—Going to point 35 in your opening statement, we discussed a moment ago the five separate dates in October when suspected departures or departures were reported. I am interested in having you elaborate on the detail of the information that we had. If we go back to where your statement says ‘on four different dates in August’, what was the nature of the information on those four different dates in August—without going into anything that is sensitive?

**Rear Adm. Bonser**—Either indications that the vessel was about to depart or had departed.

**Senator JACINTA COLLINS**—So you are not suggesting that in August you were told that it was due to depart at some stage in September?

**Rear Adm. Bonser**—No. What I am referring to is that in August, in September and in October we had a range of indications, at all times saying that this vessel may be about to depart or had departed at those times.

**Senator JACINTA COLLINS**—Can you tell me on how many occasions you had reports that it had departed?

**Rear Adm. Bonser**—I think we had three: one in September and two in October.

**Senator JACINTA COLLINS**—The one in September indicated that it had departed from where—if that is not sensitive?

**Rear Adm. Bonser**—I would have to check that detail and I cannot recall that now.

**Senator JACINTA COLLINS**—Could you take that on notice? Again, if it is not sensitive information; I put that caveat on it. It was once in September and how many times in October?

**Rear Adm. Bonser**—Twice. That is twice prior to the information received on 20 October, so that would have made it the third one.

**Senator JACINTA COLLINS**—So the two occasions prior to 20 October were the two reports about—according to Rear Admiral Smith—a potential departure on 14 October? Is that one of them?

**Rear Adm. Bonser**—I would have to check the dates. I am aware of the number; I do not have the dates with me.

**Senator JACINTA COLLINS**—There is another one, which is reported to have departed on 17 October, and I think both of these relate to Palabuhan Ratu. The reason that I am seeking some clarity on this—and you might need to do this in more detail on notice—is that, according to Rear Admiral Smith, the one on 14 October was a potential departure as opposed to a departure, and the one on—let me get the date right—18 October was an actual departure. I am also curious as to whether those reports did in fact report movement of the ship—meaning that it did actually depart and then move to Suma—or whether it was a misreport, and any assessment you are aware of to that effect.

**Rear Adm. Bonser**—I am aware that the report on the 17th was a movement from one port to another.

**Senator JACINTA COLLINS**—So the report of the 17th was a movement and the report of the 20th was a movement—we know that according to the corroboration we got on the 22nd.

**Rear Adm. Bonser**—That is correct.

**Senator JACINTA COLLINS**—And the report of the 14th was a potential movement which did not end up being a movement.

**Rear Adm. Bonser**—I believe that is the case, but I will have to confirm that.

**Senator JACINTA COLLINS**—I am also then interested in the earlier reports. I am interested in the accuracy of the reporting. I am interested in whether the reporting you had for August and September equally accurately reported movements of this ship. On the map, the ship moves around the strait area, eventually coming to Suma before it enters the strait, and then it founders somewhere.

**Rear Adm. Bonser**—We would not have that information, because we do not know what the vessel did after it departed its final port.

**Senator JACINTA COLLINS**—No, I realise that. The case that is being presented to us is that we had a mixture of reports, and that clouded the picture. So we were not terribly confident of the report that we had on the 20th. Is that an accurate depiction?

**Rear Adm. Bonser**—That is correct.

**Senator JACINTA COLLINS**—What I am seeking to understand is whether this confused picture of reporting is actually a fairly accurate report of a ship making its way down to close to the strait, which is the vicinity, ultimately, of where it ended up foundering. I would like to see

the detail—so far as it does not compromise any sensitivity on intelligence purposes—of all of those reports: where the ship was, when it was being reported, precisely what it was being reported as possibly doing and whether it did in fact do that.

**Rear Adm. Bonser**—That goes to the nature of the reports which are still classified and need to be declassified by the originating authority.

**Senator JACINTA COLLINS**—Yes and no. You could look at those reports and answer those questions without compromising the full detail of the report, I would have thought—at least in many instances, maybe not in all.

**Rear Adm. Bonser**—It would still have to be cleared with the originating authority.

**Senator JACINTA COLLINS**—Again you are saying this is perhaps more appropriately a Federal Police issue.

**Rear Adm. Bonser**—To look at the information in detail, yes.

**Senator JACINTA COLLINS**—I also wanted to clarify what you indicated before, which was that you believe it foundered somewhere between the Sunda Strait and 80 nautical miles south of Java.

**Rear Adm. Bonser**—I do not know where the vessel sank. All the reports that I have heard, which all come from what I have heard in the media, indicate somewhere between Sunda Strait and perhaps 80 miles south of Java.

**Senator JACINTA COLLINS**—Are we talking nautical miles here as well?

**Rear Adm. Bonser**—Yes.

**Senator JACINTA COLLINS**—What component of that region falls within our aerial surveillance zone?

**Rear Adm. Bonser**—My understanding is anywhere up to about 30 miles from Indonesian territory.

**Senator JACINTA COLLINS**—The map has the strait up here.

**Rear Adm. Bonser**—That is, from the coast.

**Senator JACINTA COLLINS**—So if we take it from the coast and 30 nautical miles down then that is where our zone of aerial surveillance would be.

**Rear Adm. Bonser**—That was the area in which Defence was conducting surveillance. You would really have to clarify the detail of that with them. I understand that there was a stand-off distance from Indonesian territory for diplomatic reasons.

**Senator FAULKNER**—In Admiral Smith's letter he talks about the Coastwatch assessment of the Abu Qusey vessel that assessed that the vessel could possibly arrive at Christmas Island late 18 October or early 19 October 2001. Who makes those assessments?

**Rear Adm. Bonser**—That is done by analysis staff. They would base that broadly on the reports that they might get of departure dates and then estimate an arrival time based on possible speeds of these vessels, which are invariably slow. Sometimes these things do not even occur because the vessels divert to somewhere else.

**Senator FAULKNER**—Is there any reason that the civil maritime surveillance program opsums could not be made available to the committee?

**Rear Adm. Bonser**—I can make them available in camera with that information, which is classified and based on the original AFP advice.

**Senator FAULKNER**—But that would only be part of it, wouldn't it?

**Rear Adm. Bonser**—All those opsums are is a precis of the original information, but it is still based on the original classified information that we received.

**Senator FAULKNER**—Sure, it is based on that, but I thought it might be an analysis of that intelligence as opposed to just retailing the raw intelligence.

**Rear Adm. Bonser**—It is just a precis of the original information. But some of it goes to the source and the nature of some of the information which still remains classified.

**Senator FAULKNER**—Could you have a look, in relation to the opsum reports that are mentioned in your and Rear Admiral Smith's clarifying letter, at what might be able to made available?

**Rear Adm. Bonser**—I can certainly have a look at it, Senator.

**Senator FAULKNER**—I would appreciate that. There might be a need to follow up some questions on notice, depending on the nature of the information that is provided.

**Rear Adm. Bonser**—Certainly, Senator.

**CHAIR**—I indicated that I wanted to give some thought to whether we should go in camera to take some further evidence on some of these points. I can indicate to you now, Admiral, that that is a matter I will raise for consideration by the committee at our meeting, which is at six o'clock tonight. If, as a consequence of that discussion, we decide to do so, would you be available to come back and give some evidence?

**Rear Adm. Bonser**—I can make myself available, yes, Senator.

**CHAIR**—Thank you. I think that concludes your evidence for the time being. Thank you very much for your attendance.