

[4.51 p.m.]

EDWARDS, Ms Katrina Mary Rubenach, former First Assistant Secretary, Social Policy Division, Department of the Prime Minister and Cabinet

CHAIR—Welcome to the inquiry, Ms Edwards. Is it your wish to make an opening statement of any sort?

Ms Edwards—Yes, it is. I held the position of First Assistant Secretary, Social Policy Division until 15 December 2001, when I went on leave prior to commencing work in Centrelink. I would like to facilitate the committee's deliberations by providing some details in relation to the events around suspected illegal entry vessel 4 and SIEVX.

On the evening of 6 October 2001, Ms Halton called me to advise that another SIEV had been sighted and that the occupants seemed to be prepared to sink their boat, as they were all wearing life jackets. She asked me to assist in contacting members of the task force for a meeting the next morning, in accordance with what was, by then, our standing practice. The meeting commenced at nine o'clock the next morning. According to my notes, Mr Farmer informed the meeting that his minister, Mr Ruddock, was doing a media appearance later that morning and would need an update on what was happening. The meeting was largely devoted to situation updates as events continued to unfold, and consideration of options on how the potential unauthorised arrivals might best be accommodated. A number of people were commissioned to obtain information in order to pull together a decision note for the Prime Minister that evening.

My notes indicate that at 9.15 a.m.—although this time would have been approximate—an update on the situation was received, to the effect that the potential unauthorised arrivals were jumping in the water, and children were being thrown in. As I indicated in my statement to Ms Bryant, I did not record who the information first came from, but I had thought it was Group Captain Walker. I do recall that, around this time, a number of members of the group—including, I thought, Ms Halton—received calls to the effect that people and/or children were in the water. In response to Mr Farmer's initial request for 'media lines', a term which we used to refer to factual talking points and reiteration of standard lines, the group started assembling the information that had been received into a logical order. My notes indicate that the group also noted that the government's position was that any new unauthorised arrivals would not be brought to mainland Australia.

Before this process was complete, Mr Farmer received a phone call that he announced was from Minister Ruddock. Mr Farmer pulled back somewhat from the table, but intimated that he wanted members of the group to listen in to check that he was reporting what we had been told correctly. I recall that a number of members of the group, including, I think, Ms Halton, were engaged in other mobile phone conversations at this point. As has previously been advised by her, Ms Halton developed a draft template of the note for the Prime Minister prior to the commencement of the evening meeting, and the group spent the time redrafting it, adding additional information and making corrections. The meeting started at around 5.30 p.m., with the same group as in the morning. Air Vice Marshal Titheridge arrived somewhat later. I have since established from Department of the Prime Minister and Cabinet security records that he

entered the building at 6.25 p.m. My recollection, verified by the editing record of the document, as well as building security records, is that the paper was completed and cleared by all of those present. Group Captain Walker remained after Air Vice Marshal Titheridge's arrival for the bulk of the meeting, but left shortly before the end, once the Defence related material had been completed.

As I indicated in my statement to Ms Bryant, over the next day or so I and my group contacted Strategic Command to confirm the original advice and to obtain further details. Having reviewed the records to refresh my memory, I am confident we started our inquiries on 8 October, following receipt of DFAT sit rep No. 59. I can remember being concerned about the lack of mention of children or people being pushed overboard. While it is not unusual for sit reps to be short on the details of events, Ms Halton and I agreed that, in the circumstances, we should follow up to obtain further details of the incident.

Between 8 October and 10 October my group made vigorous inquiries of Defence, including seeking a full chronology of the events. As I recall, Defence asked that we clear the request with the office of the Minister for Defence, which we did. In response to these requests, Strategic Command forwarded a chronology to the Social Policy Division at lunchtime on 10 October. Ms Halton was not contactable at the time that the chronology was received; she was absent because she was at a meeting in Melbourne that day. In the course of the afternoon, my staff advised me that there were a number of inconsistencies in the document, which we then pursued with Strategic Command. We did, I think either at this point or possibly earlier, ask that Strategic Command attempt to confirm the events directly with HMAS *Adelaide*. This request was rejected.

In the light of this, I asked Ms Halton's executive assistant to let me know as soon as Ms Halton arrived in the building. Once called, I hurried to the office with a copy of the chronology and some talking points we had prepared that reflected the apparent uncertainty about the events. I vividly recall reading out the words of the footnote to her and then handing her the chronology. She indicated some surprise at the wording of the document, as she seemed to be aware of other supporting evidence for the original claims. She then made a series of phone calls, which I understood were to members of Mr Reith's office. In the course of these calls she was advised that there was no doubt that the incident had occurred and that a video of the incident existed, although it was of poor quality, that there were photos and that statutory declarations were being gathered from crew members. This follow-up occurred at the expense of my being able to brief Ms Halton effectively on the other substantial developments of the day, which were to be the subject of discussion at the evening task force meeting.

The next morning, photos that appeared to support the original claims were in the newspapers, and I do not recollect actively pursuing the matter further as it appeared to have been settled. Neither then nor at any time subsequently did any Defence officer directly, or through my staff, advise me that the photos had been incorrectly attributed, that the video had been inconclusive or that the statutory declarations were inconsistent and, on balance, did not support the original claims made.

In coordinating exercises of this kind, the Department of the Prime Minister and Cabinet necessarily relies heavily on advice and input from all the relevant agencies through their official representatives on task forces. It is for this reason that task force meetings almost

invariably start with a run around the table, seeking updates from each agency. Accordingly, in the absence of any advice, formal or otherwise, and the publication of the photos, I understood there to have been a considerable weight of evidence gathered, including a video and crew statements, that supported the original claims.

At the time I spoke to Ms Bryant last year, I could not pin down the date when I learned of doubts around the photos and around the incident itself. In the light of subsequent evidence, I am confident that it was 8 November. I was absent on leave on 7 November and, on arriving at work, was informed of the Defence tearoom gossip relating to the incorrect attribution of the photos. I also read the media reports that naval officers had told Christmas Islanders that the incident had not happened. I then heard Admiral Shackleton's comments on that day.

In relation to SIEVX, I was absent on leave in the week prior to 22 October. At the People Smuggling Task Force meeting of 22 October there was a discussion about SIEVX. My recollection is that Coastwatch was seeking to test the assessment of whether or not it had in fact departed. As others have testified, it was not unusual for multiple departure dates to be reported for the same boat, for boats to divert en route or to otherwise be delayed. The meeting was told that the boat had not been spotted and that there had been no calls from relatives, who are often well briefed on when to expect an arrival. On the other hand, the original report had seemed firmer than some. As I recall, on balance, the conclusion was drawn that the assessment was not sufficiently firm as to warrant passing the information to AusSAR at that point. The Coastwatch subsequently advised that it had in fact passed the information that the boat was overdue to AusSAR that day and, indeed, while the meeting was in progress. On 23 October the task force was briefed on the sinking by, I think, the AFP representative who was able to provide accounts of the voyage from survivor testimony. According to that the brief, the boat had in fact sunk on 19 October.

CHAIR—Thank you very much.

Senator FAULKNER—Could I take you back to the People Smuggling Task Force meeting of 7 October, where I think you were the note taker or minute taker?

Ms Edwards—That is correct.

Senator FAULKNER—I want to deal with this issue about the phone call between Mr Farmer and Mr Ruddock. I am just trying to get this clear. Mr Farmer had indicated that he stayed at the table, effectively, so people could listen to the conversation that he was having. Ms Halton, in her testimony, indicates that she did not hear or overhear the conversation—or Mr Farmer's end of the conversation; obviously she could not hear Mr Ruddock's end of the conversation. To what extent were you able to listen to Mr Farmer's end of the conversation that he was having with Mr Ruddock at that time?

Ms Edwards—I heard a large part of it, but I would not say that I heard all of it. There was a lot of movement around the table, and I was a little bit separated from Mr Farmer.

Senator FAULKNER—Was it your impression that Mr Farmer was making efforts to try and ensure that people were able to hear what he was saying?

Ms Edwards—I think he was particularly concerned about his own officers who were seated, I think, reasonably near to him, but yes.

Senator FAULKNER—Do you have any recollection of whether Ms Halton might have been able to hear or not hear that conversation or parts of that conversation?

Ms Edwards—As I said in my opening statement, my memory is that she was actually on the phone at that point.

Senator FAULKNER—You talk about ‘media lines’ as being a term which we use to refer to factual talking points and reiteration of standard lines. You are saying that that is how you define that term. ‘Media lines’ was commonly used terminology in the task force, wasn’t it?

Ms Edwards—Within my group, yes. It was simply a straight factual set of talking points, in point of fact, that we assembled so that people knew exactly what the current situation was.

Senator FAULKNER—Focusing on the actual issue of children overboard and when this first comes to light, you had indicated in your statement to Ms Bryant—and you have reiterated that today—that you thought it was Group Captain Walker. But I think you are outlining a situation in relation to the task force meeting where there was a lot going on—there were a lot of different conversations; I assume some of the people were on the phone. It sounds like a bit of a shemozzle, actually, but I am sure it was terribly well organised. Is that the way it always worked at the People Smuggling Task Force?

Ms Edwards—Sometimes people took their phones outside, but because there was so much happening people were anxious to share information as quickly as possible on that occasion. So it was not always clear exactly where things came from.

Senator FAULKNER—Was that the norm?

Ms Edwards—I would not say it was the norm, but it was not an unusual occurrence. Typically, we had task force meetings when things were happening, and events could unfold very quickly.

Senator FAULKNER—I think you are really saying that you are not now absolutely certain how this issue first came to the task force.

Ms Edwards—No. In the light of the evidence of others, I accept that.

Senator FAULKNER—Fair enough. Are you clear, though, about how claims of children being thrown overboard came to your attention?

Ms Edwards—Yes.

Senator FAULKNER—I am not 100 per cent sure whether these are one and the same thing.

Ms Edwards—I am not quite sure that I understand the distinction.

Senator FAULKNER—If you are not sure whether this may or may not have come from Group Captain Walker, I am wondering whether the matter that came to your attention is the same in your mind as the matter that came before the task force. I am wondering if there is a distinction there.

Ms Edwards—No. I am confident that I learnt of it at that meeting. I am confident—and my notes indicate—that it occurred some time around 9.15. Who it came from, I didn't as I said, specifically note at the time, but there was no doubt in my mind that that was where the information came from—and that was subsequently passed to Mr Ruddock.

Senator JACINTA COLLINS—Did you have an impression that Ms Halton already knew that information?

Ms Edwards—Not at the beginning of the meeting, no, because my notes suggested that she started doing a summary of the previous situation and she did not mention the children at that point.

Senator FAULKNER—Was there a lot of excitement in the room at the time?

Ms Edwards—People were certainly concerned, yes.

Senator FAULKNER—Did anyone at the task force meeting relate this to the election campaign?

Ms Edwards—No, I do not believe so. We were very much concerned with developing handling options for the group that was arriving. We were preoccupied with developing the options and the task that was at hand.

Senator FAULKNER—You can say to us that no-one mentioned the election campaign?

Ms Edwards—Absolutely.

CHAIR—Can I ask a question? It is on a moment back in time. Did the media lines that were prepared specifically say that children were thrown overboard?

Ms Edwards—We did not ever get to the point of writing them down because, as I stated, the call came through before we had completed working through—and I think we were never quite looking at necessarily producing a written document that morning. It was more that Mr Farmer wanted to be clear on what the state of play was. If you are asking whether that was what he passed on, in my recollection it was, yes.

CHAIR—I thought it was later that day, at the second meeting, that the media lines were actually prepared.

Ms Edwards—No. Later that day, we produced a note for the Prime Minister in that meeting.

CHAIR—Did that note specifically say that children were thrown overboard?

Ms Edwards—Yes, it did.

CHAIR—Specifically?

Ms Edwards—Yes. It was by way of context on the options for the handling. I believe you have a copy of the note. It was not a note for media purposes specifically. It was a decision note on options for the handling of the arrivals.

CHAIR—How did it say it? Did it say that this was an allegation or a fact or a discredited allegation?

Ms Edwards—I do not believe it was caveated in any way, but I will read you the relevant section of the note. It says:

Once in the contiguous zone, the HMAS Adelaide fired volleys in front of the vessel and boarded and returned it to International waters. This has been met with attempts to disable the vessel, passengers jumping into the sea and passengers throwing their children into sea.

CHAIR—That was how the report went to the Prime Minister?

Ms Edwards—That is correct.

Senator FAULKNER—Later, you say that you have a vivid recollection that you pointed out to Ms Halton the footnote that there was no evidence.

Ms Edwards—Yes.

CHAIR—Did you also suggest therefore that the note that had gone to the Prime Minister should be corrected as a consequence?

Ms Edwards—I am not sure that we got that far. The first issue was clearly to verify the current state of play. Strategic Command had been telling us a very similar message for the previous couple of days, which was that they had no evidence within their holdings, but that did not mean that there was no evidence. They were aware that things happened at higher levels.

Senator FAULKNER—Who was ‘us’?

Ms Edwards—My division. There were, I think, three people involved in discussions with Defence at various times, but certainly I had that conversation with Group Captain Walker.

Senator FAULKNER—Who would those three people be?

Ms Edwards—My recollection is that the main officer concerned was Matt Healey, and I think he had a number of conversations, but I think Catherine Wildermuth and possibly Rachel Stephen-Smith were also involved.

Senator FAULKNER—So this is around—what date are we talking about in early October?

Ms Edwards—We held a series of conversations on the 8th, 9th and 10th.

Senator FAULKNER—And who were the Strategic Command people who were saying this to you?

Ms Edwards—I believe I had at least one conversation with Group Captain Walker, but I am not sure who the other officers concerned were. I believe the watchkeeper was probably one, but beyond that I could not say.

Senator FAULKNER—So there was clarity even in the informal discussions that Strategic Command were having with officers of the Department of the Prime Minister and Cabinet, that there were concerns about the accuracy of the claims that children had been thrown overboard?

Ms Edwards—No, I would not say that. What they were telling us was that they did not have in their possession any written record which mentioned the children being thrown overboard. They made it clear to us that that did not mean that it did not happen, because they were not privy, quite often, to the operational detail of material that was relevant.

Senator FAULKNER—So there is no primary source—a signal or other evidentiary support for children being thrown overboard? That would be the right way of interpreting it, would it?

Ms Edwards—None within the possession of Strategic Command. That did not mean that there was not one. We were well aware that not all material went to Strategic Command; it was a selective process based on assessments in the Defence system.

Senator FAULKNER—But obviously there are some significant concerns if more than one officer from Strategic Command and more than one officer in your own division are being informed of this.

Ms Edwards—That is correct.

Senator FAULKNER—Doesn't this set off some alarm bells?

Ms Edwards—We were looking for further details around the events, because all we had had was the original report, so of course we wanted to follow up the basis for it and the further details about exactly what had happened and when, and that is why we asked for the chronology.

Senator FAULKNER—The only further details that come indicate that there is no supportive written evidence of the claims that children had been thrown overboard?

Ms Edwards—No—

Senator FAULKNER—In fact, all the evidence goes in the other direction, doesn't it?

Ms Edwards—There was no evidence going in the other direction. The footnote was quite clear. It simply said that Strategic Command were not aware of what the answer was.

Senator FAULKNER—But your contact with Defence, for the purposes of the People Smuggling Task Force, is Strategic Command.

Ms Edwards—That is correct.

Senator FAULKNER—They are the contact group, they are filtering the information, and they are the liaison point for PM&C and Defence in relation to these activities, aren't they?

Ms Edwards—Yes, but it had been—

Senator FAULKNER—It is the interface, isn't it?

Ms Edwards—But they had not been privy to the original information. Group Captain Walker had not been aware of the original information, so he told us on the subsequent days, and I believe at the evening meeting on the Sunday. The fact that he had not heard the original information suggested that there was an information loop going on that they were not party to.

Senator FAULKNER—Yes, but Group Captain Walker seems to be a very careful person. He writes or clears a number of reports, and not one of them mentions children being thrown overboard.

Ms Edwards—That is correct.

Senator FAULKNER—Again, does this set off any alarm bells? It is a bit hard to bat the blame back over the net to Group Captain Walker. He has actually committed this to writing or cleared documents which do not mention children being thrown overboard at all.

Ms Edwards—And that is exactly why we were pursuing the issue with Strategic Command and asking them to take it up further.

Senator FAULKNER—People were not satisfied that the information being supplied by the group captain or the officers in Strategic Command was accurate?

Ms Edwards—We were not satisfied that we had sufficient details around the events. We had the initial report. There was no particular reason to doubt it, except that there was no follow-up, and naturally we wanted to have the details of what exactly had happened.

Senator FAULKNER—But it did not suit either, did it? It did not suit the political imperatives.

Ms Edwards—With respect, I do not think that that was the issue. In fact, the Prime Minister's office had specifically asked us if we were following up the issues, and we did.

Senator FAULKNER—Good. When did that contact occur?

Ms Edwards—Mr Jordana rang us. I am not sure whether it was the 8th or the 9th, but he spoke to either Ms Halton or me—or perhaps both; I am not sure that I recall now.

Senator JACINTA COLLINS—Of October?

Ms Edwards—Sorry, October.

Senator FAULKNER—What did he say to you?

Ms Edwards—He asked whether we were following up on the events, and we assured him that we were.

Senator FAULKNER—Is that all he said?

Ms Edwards—I do not recall anything else. It was just an ‘Are there more details?’ kind of conversation.

Senator FAULKNER—What were you able to say to him in response to his question, ‘Are you following up on events’?

Ms Edwards—The answer was yes.

Senator FAULKNER—You were able to assure him you were?

Ms Edwards—Yes.

Senator FAULKNER—That was the end of the section, wasn’t it?

Ms Edwards—At that point, yes.

Senator FAULKNER—Until when?

Ms Edwards—I do not recall another conversation that I had with Mr Jordana on the issue at this point, but I believe that Ms Halton has said that she did have a conversation with him on the 10th.

Senator FAULKNER—Anyway, there is not a skerrick of supportive evidence that children had been thrown overboard that was in your possession. But, more importantly, there is a lot of informal contact that we were not aware of, between you and Group Captain Walker and others from Strategic Command, reinforcing the fact that there was no supportive material—no signals or other reports.

Ms Edwards—My recollection is that we were asking for further details. They were telling us that they were assembling them and seeking to pull together whatever material was available. We were attempting to acquire a chronology of events, which they informed us they were preparing.

Senator FAULKNER—And did send.

Ms Edwards—And did send.

Senator FAULKNER—And other written reports went from Strategic Command to PM&C too.

Ms Edwards—Yes, that is correct. On the 9th, there were some reports on the events of the sinking and indeed we obtained some factual material on the sinking the previous day.

Senator FAULKNER—But if you go right back to 7 October, was anyone at the task force meeting actually sceptical about this information that Mr Farmer passed on to Mr Ruddock?

Ms Edwards—No, there was no particular reason to be, because we had had details of similar kinds of incidents at various points along the way. It was not unusual for these situations to be extremely tense. We had never had any problems in terms of the accuracy of the information provided by Defence.

Senator FAULKNER—So it is a standard operating procedure to make these sorts of things public via a minister without confirmation?

Ms Edwards—It was standard operating procedure for Defence to provide us with ongoing briefing on exactly what was happening.

Senator FAULKNER—Yes, but this did not come from Defence, did it?

Senator JACINTA COLLINS—This was instigated by a minister.

Ms Edwards—It came via Defence, because, as I understand it, Ms Halton was briefed by Air Vice Marshal Titheridge.

Senator FAULKNER—Yes, but what did Group Captain Walker, who was actually present, say?

Ms Edwards—He was present in the morning and he was not, according to subsequent testimony, away—although, as I say, I do not recollect that. But, in the evening meeting, Air Vice Marshal Titheridge was present. He was there while the document was being considered. In some cases—

Senator FAULKNER—He had come back from the races.

Senator BRANDIS—Let the witness finish her answers, Senator.

Ms Edwards—I am not sure whether or not Air Vice Marshal Titheridge had taken the chance to have himself briefed by his officers previously, but he had clearly been making phone calls and receiving updated briefings and seemed to be aware of the situation.

Senator JACINTA COLLINS—What time did the evening meeting finish?

Ms Edwards—I do have some details of that in my notes. The evening meeting finished around 7.50. It may have been slightly earlier. There were people leaving the building around that time.

Senator FAULKNER—Just coming back to the information that was passed on to Minister Ruddock: it is true that no-one at the task force thought confirmation was warranted?

Ms Edwards—It was not obvious that any other confirmation was possible. We had received information in the usual way.

Senator FAULKNER—What was the usual confirmation that occurred?

Ms Edwards—A phone briefing was normal, to provide updates as they occurred.

Senator FAULKNER—But, you see, Group Captain Walker was there, wasn't he?

Ms Edwards—Yes.

Senator FAULKNER—Did anyone think to ask the Defence representative who was there?

Ms Edwards—Yes, but he was not aware of the information and it clearly had not come in through his normal system.

Senator FAULKNER—No, that is right. But that did not stop it being made public. Everyone is falling over themselves to get this stuff out there.

Ms Edwards—I do not think that is the case. There was simply a request by a minister to be briefed on the latest situation. It was up to the minister how he used that information.

Senator JACINTA COLLINS—But it was not the minister who sought to be briefed on this occasion and who actually first used the information. It was a different minister.

Ms Edwards—The message we had that morning was that Minister Ruddock was going to be doing some media later that morning and wanted to be briefed on the current situation.

Senator JACINTA COLLINS—Your understanding, then, is that the special arrangement was organised for Minister Ruddock, not Minister Reith?

Ms Edwards—I was not aware that there was a special arrangement at the time. There did not appear to be anything particularly special about it from our perspective. It was simply a minister asking to be briefed and that is a perfectly normal process.

Senator JACINTA COLLINS—I think you misunderstand my question. You had the minister asking to be briefed out of the IDC. The special arrangement I am talking about was the provision of that information to the IDC at the special request, as we understand it, of the Minister for Defence—although there is some confusion that it might have been for the Treasurer.

Ms Edwards—I was not aware at the time of any special arrangement. It was normal to ensure that the task force was being kept up to date as quickly as possible on the latest events.

Senator JACINTA COLLINS—Did you hear the conversation with Minister Ruddock?

Ms Edwards—I heard parts of it.

Senator JACINTA COLLINS—Did you hear any discussion as to the nature of the report?

Ms Edwards—No, not particularly.

Senator JACINTA COLLINS—You did not hear any questions about how this information had been presented to the IDC and its likely veracity?

Ms Edwards—Not that I recall but, as I say, I am not sure that I heard all of the conversation.

Senator JACINTA COLLINS—Do you recall Group Captain Walker raising any issues about the veracity of the information?

Ms Edwards—I believe that in the afternoon discussion he mentioned that he had gone back to his office and checked the record to see whether there was anything in writing, and there had not been. But he reiterated that this was not abnormal. Often information flows happened at a substantially higher level than him.

Senator JACINTA COLLINS—But when you say, as you said in your statement to Ms Bryant, that there was no new information and that the issue was not pursued, do you mean there that Group Captain Walker was not able to provide any corroboration of the earlier report at that point in time?

Ms Edwards—That is correct.

Senator JACINTA COLLINS—So it is not so much that there is no new information but that there is no corroboration of this telephone reporting to the IDC?

Ms Edwards—My recollection is that Group Captain Walker had not been able to provide any updated information on what had occurred, nor had he been able to validate the ‘children’ issue.

Senator JACINTA COLLINS—So there had been no validation?

Ms Edwards—My reading of what he said was that there was no new information.

Senator JACINTA COLLINS—Yes, but I suppose there is a difference between a ‘there is no new information’ statement and a ‘there is no validation’ statement.

Ms Edwards—There is, and I think that my reading of it was that both those issues were the case. He did not have any additional information to provide to the IDC on what had happened.

Senator JACINTA COLLINS—Which further indicated that there was no validation.

Ms Edwards—No, I suppose that, had he said that there was a lot of detail on what had happened and it did not mention children, that would have been a different thing. That was not what I understood him to say.

Senator JACINTA COLLINS—We need to be quite clear here and understand precisely what you did understand him to say, because he has reported to us elsewhere that he went back to Defence and combed through every report that was available and could find no mention. That was not your understanding of how he presented that to you?

Ms Edwards—Yes, that was my understanding but, as I understand it, there was not anything in those reports which added to the knowledge of the task force.

Senator JACINTA COLLINS—I understand that, but the presentation which was put earlier simply says things such as what you have said in this statement—‘no new information’. I put to you that that is a very different message to ‘this is an unverified report’.

Ms Edwards—‘There is no new information’ encompasses both elements of that.

Senator JACINTA COLLINS—I know it encompasses it, but it presents it in quite a different way to saying, ‘There is no verification of the report that was sent to the Prime Minister this morning.’

Ms Edwards—No, the report had not been sent to the Prime Minister at that stage. The report was sent in the evening, following that meeting.

Senator JACINTA COLLINS—Okay—well then, indicating in the report to the Prime Minister that there is no verification of this statement.

Senator BRANDIS—Did they doubt the report?

Senator JACINTA COLLINS—Because it is unverified.

CHAIR—Because there is no evidence for it.

Senator BRANDIS—I think Senator Collins is confusing verification with corroboration. There was some initial advice given. There was no reason to disbelieve it, but there was no additional information later in the day. Is that not the position, Ms Edwards?

Ms Edwards—That is correct.

Senator JACINTA COLLINS—Thank you very much for your help, Senator Brandis—

Senator BRANDIS—That is all right; any time.

Senator JACINTA COLLINS—but I was actually adopting the witness's language, and she started the references to verification. I am putting to her, with all due respect, that there is a difference between a statement that something is unverified and a statement that no new information was made available. I might take this opportunity to go to some other areas in terms of the detail of your opening statement, before we go back to Senator Faulkner. You have indicated that the evening meeting finished at 7.50 p.m. and that Group Captain Walker remained for the bulk. Do you know from the records what time it was when he left the building?

Ms Edwards—Yes, I do. He left at 1926 hours.

Senator JACINTA COLLINS—At 7.26 p.m. And you say in your statement, '... once the Defence related material had been completed.'

Ms Edwards—Yes. My recollection is that we had gone through a number of sections which dealt with matters from Defence, and he made some comment to the effect that, 'If we have done Defence, can I leave now?' which he was given permission to do by Air Vice Marshal Titheridge.

Senator JACINTA COLLINS—Did any of that Defence related material relate to the component of the report that you read out to us earlier?

Ms Edwards—Yes, we went through the report line by line and people made amendments, changes and added in caveats where they felt that was appropriate.

Senator JACINTA COLLINS—What is an example of some of the other caveats that were added in?

Ms Edwards—I cannot recall specifically. If I hunted through the note—which I believe you do have a copy of—I would probably find one. I think there was one in relation to the numbers of people, for example. Indeed, we said in the very first or second sentence:

The boarding party report that there are 90 men including 4 Indonesian crew, 42 females and 54 children but this number may be unreliable.

So we did quite carefully go through the note and make sure that the statements were, to the best of our knowledge, accurate.

Senator JACINTA COLLINS—In the morning meeting, would Group Captain Walker have been aware of the nature of the report that children had been thrown overboard?

Ms Edwards—He was present at the meeting and heard the report, yes.

Senator JACINTA COLLINS—Can you describe how it was reported to the meeting?

Ms Edwards—As I said, I recorded in my notes that a call came through at around 9.15 a.m., and then whoever it was who received the call reported to the meeting that people were jumping in and throwing children overboard.

Senator JACINTA COLLINS—Our problem is this: Air Vice Marshal Titheridge says to us that he does not recall many things but, if he had reported this to the IDC, he would have put a caveat in his report in terms of the nature of the original report. Do you recall it being reported to the IDC that it was on the basis of a telephone conversation from Brigadier Silverstone?

Ms Edwards—No, I do not believe we knew it was from Brigadier Silverstone. It was, as I say, from our perspective, the normal kind of process whereby we were ensuring that the task force was kept up to date with the latest information on what was happening on the scene, and it was reported as being by phone. As far as I recall, that was the only information.

Senator JACINTA COLLINS—So if someone had asked you after that meeting what the source of the phone conversation was, what would you have recalled?

Ms Edwards—I would have said it was Defence.

Senator JACINTA COLLINS—So there was a call from Defence?

Ms Edwards—Either a call of information from Defence or information indirectly from Defence.

Senator JACINTA COLLINS—You said a moment ago that you had never had any reason to doubt or to have concern about information from Defence prior to this occasion.

Ms Edwards—That is correct. As far as I know, we received a large volume of information in often tight time frames and difficult circumstances. While timeliness was sometimes an issue, there were no other problems that I am aware of throughout that period in relation to accuracy.

Senator JACINTA COLLINS—Then on this occasion you were not aware that this information was by nature of a special request, were you?

Ms Edwards—No, I was not.

Senator JACINTA COLLINS—How does your representation of the reliability of information from Defence previously sit with reports that this committee has received as to frustrations in dealings with—and information from—Strategic Command?

Ms Edwards—There were certainly frustrations but, as I say, they were on the level of detail and the timeliness of information. There were often substantial lags in receiving detailed information, and the kind of information that was typically provided to Strategic Command appeared to be very highly summarised.

Senator JACINTA COLLINS—I will go to the second page of your statement where you say, regarding the chronology, that ‘my staff advised me that there were a number of inconsistencies in the document’. What were those inconsistencies?

Ms Edwards—I cannot recall in detail, but I believe that if you counted the number of people that had jumped overboard there were more than Strategic Command reporting in their

summary notes. I did a quick count before coming here and found at least 16, whereas the number was either 14 or 15. There were inconsistencies in timing—that kind of thing.

Senator JACINTA COLLINS—Some of which still exists.

Ms Edwards—Sorry?

Senator JACINTA COLLINS—Some inconsistencies in timing still exist.

Ms Edwards—Indeed.

Senator JACINTA COLLINS—But those inconsistencies were within the chronology?

Ms Edwards—Yes.

Senator JACINTA COLLINS—Do they remain within the chronology as it stands now?

Ms Edwards—I am not sure what the state of the chronology is at this point.

Senator JACINTA COLLINS—Would you look at it?

Ms Edwards—Do you mean that it is still inconsistent compared to that original document?

Senator JACINTA COLLINS—The chronology that we have been provided with is the one which has the footnote. I am assuming we are talking about the same document except that you are perhaps referring to an earlier draft.

Ms Edwards—No. The document that you have been provided with is the one that we are talking about. It remains inconsistent in instances.

Senator JACINTA COLLINS—Going back a little bit earlier to your statement, you indicate that you started making inquiries following the receipt of DFAT's sit rep 59:

I can remember being concerned over the lack of a mention of children or people being pushed overboard.

That is essentially the same concern that Group Captain Walker was indicating after he went back to Defence and looked through documents there. They contained no reference to children although—correct me if I am wrong—you indicated to us you were not aware that his concern was so based the day before.

Ms Edwards—No. Group Captain Walker, as I understand it, said that he had received no written reports that mentioned children, but he reiterated that that did not mean that had not happened, because there were information flows happening at high levels. I think that either on that evening or at some other point in those days we had a conversation about what the nature of those flows was and he suggested there were a number of levels at which members of the Defence Force spoke to each other, spoke to ministers' officers and briefed CDF and others.

Senator JACINTA COLLINS—Going back to DFAT sit rep 59, your concern here was self initiated? You saw DFAT sit rep 59?

Ms Edwards—Yes. I saw DFAT sit rep 59, and I believe I had a conversation with Ms Halton around that time and we agreed between us that it would be prudent to pursue further details.

Senator JACINTA COLLINS—Is it normal for you to be perusing DFAT sit reps or were you doing so for a particular reason?

Ms Edwards—No, I received them every day.

Senator JACINTA COLLINS—So between 8 October and 10 October you made vigorous inquiries of Defence, including seeking—and then getting—the chronology of events?

Ms Edwards—Yes.

Senator JACINTA COLLINS—You recall handing Ms Halton a copy of the chronology, which from her evidence she does not recall receiving?

Ms Edwards—Yes. I accept that she does not recall seeing it.

Senator JACINTA COLLINS—You also indicate that you produced a copy of talking points. Could we be provided with a copy of that document?

Ms Edwards—I believe you already have been. They are a part of Ms Bryant's package.

Senator JACINTA COLLINS—So that is what you are referring to.

Ms Edwards—Yes.

Senator JACINTA COLLINS—At the end of that point, you said:

This follow-up with Mr Reith's office occurred at the expense of my being able to brief Ms Halton effectively on the other substantial developments of the day, which were to be the subject of discussion in the evening's task force meeting.

What do you mean by that?

Ms Edwards—We were having a task force meeting within about 15 minutes or so of Ms Halton's arrival back in the office, as I recall. The agenda for that meeting covered a range of other issues, on some of which there had been developments in the course of the day. As I recall, we had about a 30-second discussion on some of those, because we were preoccupied with chasing down the material relating to the chronology.

Senator JACINTA COLLINS—Do you recall this because there were other substantial issues that you felt were not dealt with?

Ms Edwards—They were dealt with in the course of the meeting; normally I would have preferred to have discussed them with Ms Halton beforehand.

Senator JACINTA COLLINS—By this statement, do you mean Ms Halton gave priority to following through the report that was made to her with respect to the chronology?

Ms Edwards—Yes.

Senator JACINTA COLLINS—Do you recall her speaking to anyone other than Mr Reith's office?

Ms Edwards—I did not specifically at the time. I understand she did speak to Air Vice Marshal Titheridge as well.

Senator JACINTA COLLINS—Do you recall who she spoke to in Mr Reith's office?

Ms Edwards—No. I was not sure exactly who they were. I think she worked through the list—Messrs Hendy, Scrafton and Hampton—in the course of the evening. She made a series of phone calls immediately afterwards. I think you have previously had evidence on the times of those calls.

Senator JACINTA COLLINS—My recollection was that she indicated that she spoke to the minister.

Ms Edwards—I think she had spoken to the minister prior to my arriving. She may have been on the phone to him when I arrived.

Senator JACINTA COLLINS—So there was longer than this 15 minutes that you were with Ms Halton?

Ms Edwards—Not much more than 15 minutes, no. She had arrived in the building at something like 4.40 p.m. I suspect I came up within one or two minutes of that. She was on the phone when I arrived, but not for very long as I recollect. She made a series of phone calls once I had spoken to her.

Senator JACINTA COLLINS—If I recall her evidence, she indicated she spoke to the minister after being apprised of the problems that arose with the chronology. This is not your recollection?

Ms Edwards—No. Ms Halton does not recall being apprised of the problems raised by the chronology.

Senator JACINTA COLLINS—I thought that she recalled your providing her with a verbal report.

Ms Edwards—She recalled my briefing her before the meeting. She does accept that I did brief her, but her recollection was that, when I came in, she had just received a phone call from

Minister Reith which mentioned a video. She was therefore keen to track that down. I believe that is consistent with my recollection, which is that she was aware of some form of evidence which seemed to outweigh the chronology.

Senator JACINTA COLLINS—I will need to go back and have a look at the *Hansard* of her evidence, because my recollection was that she recalled your verbal briefing and discounted that because of, as I understood it, a consequent discussion with Minister Reith. But your impression is that she had that conversation before you gave her the verbal briefing?

Ms Edwards—That is right. When I gave her the verbal briefing, she seemed to believe that she had been told—and she subsequently told me that it was by Minister Reith—that there was a video. When I arrived, she certainly seemed to be aware of some material that existed and so she made the series of phone calls to Mr Reith's office in the interests of hunting down exactly what that evidence was. It was those phone calls that elicited the existence of the video, the photos and the statutory declaration that was made by the crew, which we felt overrode the rather equivocal comment in the chronology.

Senator JACINTA COLLINS—You said a moment ago that she subsequently told you that she had had that earlier discussion with Minister Reith. When was that?

Ms Edwards—I do not specifically recall when she spoke to Minister Reith. It is perfectly consistent, but I do not recall it. I am not sure when she said that to me. It was probably in the context of the Bryant inquiry.

Senator JACINTA COLLINS—Maybe we should go back. Ms Halton arrives back from Melbourne and you are keen to catch her before the IDC meeting to give her a briefing on a variety of issues, the first of which was the chronology. She was on the phone when you arrived in her office, and at that stage you do not know to whom. You then brief her about the chronology. How do you describe the chronology to her?

Ms Edwards—I believe I read out the footnote to her and handed it to her, because we went straight to the issue. I think I told her that we had been making some inquiries to follow it down, that there were a number of problems with the document and that there seemed to be a serious concern. She responded by saying that she was aware of some evidence, and I think it was a video. She said, 'Let's chase it down,' and she proceeded to do that.

Senator JACINTA COLLINS—Did you describe the footnote as a footnote?

Ms Edwards—Yes. I handed the document to her and showed her where it was.

Senator JACINTA COLLINS—So did you describe it as 'a statement at the bottom of this report', or did you describe it as a footnote?

Ms Edwards—I believe I said, 'We've got the chronology and this is what they have written at the end of it.'

Senator JACINTA COLLINS—Which alternatively could be described as a conclusion.

Ms Edwards—If the document itself is a long list of things and it does look like a footnote.

Senator JACINTA COLLINS—I am just curious as to whether that is the way you described it at that point in time. Do you recall?

Ms Edwards—I do not specifically recall.

Senator JACINTA COLLINS—So at that point Ms Halton indicates to you that she is aware of a video?

Ms Edwards—Yes.

Senator JACINTA COLLINS—Is that all before she then launches into this series of conversations?

Ms Edwards—That is all I recall, yes.

Senator JACINTA COLLINS—What did she understand the video to depict?

Ms Edwards—I do not recall a lot of details. I think she said something to the effect of, ‘I’ve heard that there is evidence.’ It was no more detailed than that.

Senator JACINTA COLLINS—So not even that it was a video; just ‘I have heard that there is evidence’?

Ms Edwards—She may have said a video; I do not recall at this point.

Senator JACINTA COLLINS—But at that stage she did not indicate from whom she had heard this or perhaps what that evidence was?

Ms Edwards—Not that I recall.

Senator JACINTA COLLINS—So you remain in her office as she continues to have a series of other telephone conversations?

Ms Edwards—That is right.

Senator JACINTA COLLINS—Can you explain those and the results of those inquiries?

Ms Edwards—I do not think she got any particular result from the first two phone calls she made, but on the third call—or maybe it was the second—someone said ‘Yes,’ and started to provide a list of things that were being done in terms of evidence.

Senator JACINTA COLLINS—Someone?

Ms Edwards—I do not recall who it was. She reported the conversation as saying that there is a video, that there are crew statements being collected and that there are photos.

Senator JACINTA COLLINS—Then what happened?

Ms Edwards—At that point we went to the task force meeting.

Senator JACINTA COLLINS—I am sorry, I thought you said a moment ago that she spoke to Air Vice Marshall Titheridge.

Ms Edwards—Sorry, I believe from subsequent evidence—and I am not sure I knew that at the time—that one of the phone calls she made in that list was to Air Vice Marshall Titheridge.

Senator JACINTA COLLINS—So we had Titheridge and—was it Hampton?

Ms Edwards—I do not recall the order of the phone calls, but it is in the transcripts.

Senator JACINTA COLLINS—I am not asking about the order; I asking about the people.

Ms Edwards—At the time I was not exactly sure who she was talking to, but I believe it is in the evidence and she provided some material from the phone records.

Senator JACINTA COLLINS—So, in your mind, the conclusion of those inquiries, some of which occurred after the IDC meeting, was that she had been assured that there was video material, photographic material and statutory declarations in the process of being prepared, which all provided evidence to corroborate the earlier report?

Ms Edwards—That is correct.

Senator JACINTA COLLINS—I have two sets of talking points here, one dated 9 October and one dated 10 October. Which one did you give to Ms Halton on this occasion—the one dated 10 October?

Ms Edwards—The one dated 10 October.

Senator JACINTA COLLINS—So unlike the earlier one, the second set includes the statement that ‘shots were fired across the bow’?

Ms Edwards—Yes. That is correct.

Senator JACINTA COLLINS—It further states that ‘15 suspected unauthorised arrivals either jumped or were thrown overboard’, which looks incredibly like the wording that was adopted by the Captain of HMAS *Adelaide* in his reports.

Ms Edwards—I believe we lifted that straight from the chronology.

Senator JACINTA COLLINS—So there is no reference in these talking points to children being thrown overboard.

Ms Edwards—No. At that point what we did was take the chronology as we had it and prepared material based on that.

Senator JACINTA COLLINS—So, once the information provided in the chronology had been debunked by these reports that there was video, photographic and statutory declaration corroboration of the original report, was that then adopted in later talking points?

Ms Edwards—I do not believe we provided any further talking points on the issue after that point. We had prepared those in response to the chronology earlier in the afternoon and there did not seem a need to add further material.

Senator JACINTA COLLINS—In fact, the earlier day's chronology also does not refer to children.

Ms Edwards—The earlier day's chronology relates simply to the sinking of the vessel.

Senator JACINTA COLLINS—It refers to the government is unwavering in its determination to combat people-smuggling and that this group will not be brought to the Australian mainland because they are horrible people who throw their children overboard. I think they were the points being made by the relevant minister at the time.

Senator BRANDIS—You are not quoting a document, are you, Senator Collins?

Ms Edwards—I was going to say that I do not believe that we said that in that document.

Senator JACINTA COLLINS—I am sure you did not, but I am sure, for Senator Brandis's purpose, I could find you the relevant quote.

Senator BRANDIS—Mr Chair, this is a point of order. As I heard the question to the witness, Senator Collins used words to the effect that she was going to quote from a document. What was quoted from plainly was not a quote from a document. In the flippancy of this hearing we might acknowledge that, but there may be people listening who do not realise that. It really is mischievous to invent a quotation from a non-existing document even to make a rhetorical point.

Senator JACINTA COLLINS—Unfortunately, Senator Brandis, on your point of order, the *Hansard* should show that what I said was that it does not say.

Senator FERGUSON—*Hansard* does not record flippancy, either; it records it as fact.

CHAIR—The *Hansard* record will show what was said, but obviously people should quote what is there and refer to evidence if they are making remarks about what they believe was the case.

Senator JACINTA COLLINS—Going back to the concerns with chronology, you say that there were a number of inconsistencies in the document. One of those issues was the number of people that had gone overboard.

Ms Edwards—Yes.

Senator JACINTA COLLINS—Do you recall any of the others?

Ms Edwards—I believe there were some timing issues about when the shots were fired, but I have to say that I cannot now recall the detail. It was not me personally who had been hunting through the details of it; it was one of my staff.

Senator JACINTA COLLINS—Moving on to the ‘tearoom gossip’, how was that described to you when you returned from leave?

Ms Edwards—I do not have a strong recollection of it other than to the effect that we had heard there was some gossip from Defence that the photos were not in fact what they were represented to be, and I was made aware that Ms Halton was handling the issue, so I did not pursue it further.

Senator JACINTA COLLINS—But it was described to you as gossip.

Ms Edwards—Yes, it was.

Senator JACINTA COLLINS—So you can corroborate that at that stage it was being treated within the department as gossip?

Ms Edwards—Yes.

Senator JACINTA COLLINS—You also say that you then heard Admiral Shackleton’s statements on that day—both statements?

Ms Edwards—Yes.

Senator JACINTA COLLINS—What else did you understand about Admiral Shackleton’s statements on that day?

Ms Edwards—I heard the statements and I noted the wording of them.

Senator JACINTA COLLINS—You had no other knowledge about those statements?

Ms Edwards—No.

Senator JACINTA COLLINS—Moving on to SIEVX—I am having this checked in the *Hansard* at the moment.

Senator FERGUSON—I hope you are not just padding out until Senator Faulkner finishes briefing the press.

Senator JACINTA COLLINS—No, I am not.

CHAIR—I hope not, because I have some questions I would like to ask. Is that what Senator Faulkner is doing?

Senator FERGUSON—I imagine.

Senator MASON—You saw him walk out the same time as you.

CHAIR—Perhaps Senator Brandis might call a point of order on you.

Senator BRANDIS—I do not think Senator Ferguson was quoting from a document or misquoting it. He was engaging in a bit of reasonable conjecture, I thought.

Senator FERGUSON—Mine was one of observation, Chair.

Senator JACINTA COLLINS—My recollection of Ms Halton's evidence was that she does not recall being advised of SIEVX. Yet you in earlier evidence we heard today clearly recollect a discussion in the People Smuggling Task Force meeting of 22 October.

Ms Edwards—Yes, that is correct.

Senator JACINTA COLLINS—Do you recall Ms Halton chairing that meeting?

Ms Edwards—I believe she did chair that meeting, yes.

Senator JACINTA COLLINS—Can you explain why Ms Halton might not have recalled that?

Ms Edwards—No, I cannot.

Senator JACINTA COLLINS—Can you describe for us how you understand that material was dealt with on that occasion?

Ms Edwards—As I said, the report came to the group in the usual updating process that occurred at the beginning of each meeting. Coastwatch seemed to be trying to get a sense of how strong a report it really was and whether at this point it was appropriate, based on the weight of the report, to report onwards to AusSAR that the boat was overdue.

Senator JACINTA COLLINS—You have said in your statement, on the other hand, that the original report seemed firmer than some.

Ms Edwards—Yes. I think the discussion went along the lines—and I had not been privy to the earlier discussions—that this had seemed to be a reasonably firm report. But we were also aware that a large number of reports were continually being made of boats that were going to come but did not appear—because the same boat was reported as leaving on different days, or the boat diverted to an island along the way, or the original report was not a good source or another reason. The discussion, as I recall it, was around those kinds of issues.

Senator JACINTA COLLINS—Did the discussion at that stage include the additional report that confirmed the original report?

Ms Edwards—What additional report?

Senator JACINTA COLLINS—Coastwatch indicated to us today that they had the original report of 20 October indicating that the vessel had departed from Sumar in Indonesia. That was unconfirmed. Then, on 22 October, they had a further report that confirmed that the vessel had departed Sumar and indicated that it was likely overdue and there might be an issue over—I will not use the term ‘safety of life at sea’ because that is debatable—whether it might founder or had foundered.

Ms Edwards—I was not aware of the earlier reports because I had not been at work; I had been on leave the previous week.

Senator JACINTA COLLINS—What I am asking you is: do you recall, from the discussion on the 22 October, that Coastwatch felt that they were dealing with a confirmed report or was the discussion prior to their having received that confirmation?

Ms Edwards—My sense would be that it was prior but I do not have any particular basis for that. My sense was, as I said, that they were wondering what the strength of the report was.

Senator JACINTA COLLINS—What time was the IDC meeting that day?

Ms Edwards—I understand it started around 3.15 p.m.

Senator JACINTA COLLINS—As we understand from Coastwatch today, they had their original report confirming the earlier report at 10.03 that morning but the AFP put a stay on their furthering that information—until they worked out the precise wording so as to deal with any sensitivities with the intelligence—until 1.50 p.m.. So, if the IDC meeting was at 3.15 p.m., it should have incorporated the fact that this was a confirmed report.

Ms Edwards—As I said, I do not recall a sense of that, but I had not been privy to the earlier information and it may have been that different people were in the information loops at the task force meeting than had been making decisions in the morning—I do not know.

Senator JACINTA COLLINS—Was there any discussion about whether surveillance should be initiated?

Ms Edwards—Surveillance?

Senator JACINTA COLLINS—Yes.

Ms Edwards—By Coastwatch?

Senator JACINTA COLLINS—Given the zone, as we heard this morning, it was actually RAAF aircraft that were responsible for aerial surveillance in that region.

Ms Edwards—My understanding—and I may be mistaken, not having been party to the earlier discussions—is that surveillance was occurring and people were looking for this boat. It was part of the nature of the discussion that we had not found it yet.

Senator JACINTA COLLINS—This is one of the problems for the committee. We have material from Rear Admiral Smith that indicates that surveillance was occurring at and around Christmas Island and Ashmore Reef and that Navy was very busy with three different SIEVs during that time. But we have no indication that surveillance was occurring closer to Indonesia at that time. So it is unclear, when we hear a report—for instance, like yours—that the boat had not been spotted, whether it was actually being looked for.

Ms Edwards—I have no information that I can add; you would need to ask Defence.

Senator JACINTA COLLINS—Okay. On 23 October when the task force was briefed by the AFP representatives on the sinking, do you know the source of their material?

Ms Edwards—No, I do not. I think they had people on the scene. I believe they may have been liaising with the local police.

Proceedings suspended from 6.00 p.m. to 8.06 p.m.

CHAIR—Thank you for displaying a considerable amount of patience, Ms Edwards. Can I start with the presumption that you made in your statement to the departmental inquiry that it was Group Captain Walker who may have notified the interdepartmental committee that children were thrown overboard—that is at the meeting of 7 October. That was your presumption at the time, and I think you said that in your statement. How strongly convinced of it were you? Were you satisfied in your own mind, or was it more that it may have been or that you think it might have been?

Ms Edwards—That was my recollection, but I would not put an extremely high weight on it given that I did not specifically note in my notes the particular source.

CHAIR—You have heard since, of course, what Group Captain Walker has said?

Ms Edwards—Indeed.

CHAIR—Does that cause you to revise in your own mind your initial view?

Ms Edwards—As I said, I wrote down what I remembered—and my recollection had been that it was Group Captain Walker. But I have heard his evidence, and clearly he seems not to have been the source.

CHAIR—So you are now satisfied that it was not him?

Ms Edwards—I would say 90 or so per cent, yes.

CHAIR—Given his evidence and all the other evidence that this information effectively came from Air Vice Marshal Titheridge, are you able to rake through the coals of memory to give, if you like, a second fix on who it might have been?

Ms Edwards—I believe it was probably Ms Halton, given that she recalls receiving a phone call and providing the information.

CHAIR—Are you able to say whether Group Captain Walker spoke about this matter in the committee when it was reported?

Ms Edwards—I do not recall specific comments in the morning because, as I say, I thought that he was the original source. I certainly recall some comments in the afternoon.

CHAIR—What was the nature of those comments?

Ms Edwards—As I have said, he reported that there was no new information.

CHAIR—If I am right, the words I took down from Group Captain Walker were that he thought Jane Halton announced, ‘They are throwing children in the water.’ Do you recall those words?

Ms Edwards—Not those exact words, but certainly pretty much that substance.

CHAIR—Is that the flavour of it?

Ms Edwards—Yes.

CHAIR—While the words themselves might not be precise, that was the image that was conveyed to you, was it?

Ms Edwards—Yes, it was.

CHAIR—Do you recall whether there was any discussion as to what proof, evidence or justification there was for that statement? Was there any call for that from the rest of the committee?

Ms Edwards—No, it was reported to us as the latest update. We had had several other updates on what was happening on the ground previously. At the beginning of the meeting the state of play was outlined, and there were several calls, as I have said, through the course of the meeting which provided further updates. It was business as usual for these kinds of meetings.

CHAIR—Then you adjourned and came back later that day. Before our extended dinner break you read into the *Hansard* that part of the note that the committee was to pass up to the Prime Minister dealing with the allegation that children were thrown overboard. As I recall the words you read, they were just a direct statement of that proposition—'uncaveated' was the point that I think you were making at that point.

Ms Edwards—Yes, that is correct.

CHAIR—As you said, later on you became aware of the footnote, and your vivid recollection is that you pointed out that footnote to Ms Halton. That footnote raised a doubt as to whether or not the event may have taken place, didn't it?

Ms Edwards—The footnote was quite specific in its wording. As I recall, it said that there was no documentary evidence—in brackets—held by Strategic Command. But that does not mean the events did not happen. I have not got the exact words in front of me. It did not in fact raise a doubt. It made a comment about the nature of the evidence held by Strategic Command.

CHAIR—But did it not flash any sort of warning light that this statement, which had been passed to the Prime Minister, was, at that point, not backed by any evidence?

Ms Edwards—It certainly raised warning lights in my mind in that for a couple of days we had been pursuing Strategic Command for some details and they had not been able to confirm one way or another what the answer was.

CHAIR—You asked Strategic Command to check with the captain of the *Adelaide*?

Ms Edwards—Yes.

CHAIR—And they declined?

Ms Edwards—That is right.

CHAIR—Why did they decline?

Ms Edwards—I think they pointed out to me, or one of my colleagues, that they were not part of the chain of command and it was not open to them to do that.

CHAIR—Did that then cause you to logically move to the chain of command and seek that information from them?

Ms Edwards—No. It had been made clear to us on a number of occasions that that would be completely inappropriate.

CHAIR—Why?

Ms Edwards—Because, as I understand it, the Defence chain of command is about making sure that the people who have the appropriate authority to give orders give them. That was the purpose of the filtering mechanism that Strategic Command represented.

CHAIR—But here you had before you a conundrum that must be a nightmare for most public servants. You had advised the Prime Minister, no less. There is a high premium on getting that advice accurate and true, and the department has a reputation for being precise and fastidious about accuracy. Yet there was this note, and there still remained an absence of any evidence that the statement was true. Did you feel in any way that this was an important matter that ought to be tied down?

Ms Edwards—Yes, and that is why I raised it with Ms Halton and we pursued the series of calls to try and tie down what the real state of the evidence was.

CHAIR—And that series of phone calls went to Mr Reith's office?

Ms Edwards—Yes.

CHAIR—And what you obtained from Mr Reith's office was comfort to the view that the alleged event had actually happened?

Ms Edwards—Yes.

CHAIR—Did you seek from Mr Reith's office at all, or did you ask Mr Reith's office at all, to check with the *Adelaide*?

Ms Edwards—These were not conversations I had but ones that Ms Halton had. But, no, I do not believe she did. There was no need to at that point because we were told that there was a video and statements were being gathered from crew members of the *Adelaide*, so in effect that evidence was coming.

CHAIR—When did the evidence get there?

Ms Edwards—We did not receive it.

CHAIR—Were you nervous or anxious that the evidence that was coming, that would confirm the advice that you had given to the Prime Minister, never turned up?

Ms Edwards—The photos appeared in the newspapers the next day, so it seemed as if the evidence was there. We had been basically assured that the incident had happened and that there was a body of evidence to support it. As I said, the photos appeared, so there was no reason to pursue the inquiries any further.

CHAIR—Yes. I was in Darwin on the day those photos appeared on the front page of the *Australian* newspaper. When I got out of bed and picked up the copy that had been slipped under my door, I saw those photos. They were just photos of four people in the water, as I recall.

Ms Edwards—But they appeared and they were one piece of the story. There was no reason to expect that there was a problem with the remaining pieces of evidence, and certainly we assumed that, if there was, we would have been informed by the Defence representatives on the task force, who we were seeing every day.

CHAIR—But you agree that the photos in themselves were not evidence of anything other than people in the water?

Ms Edwards—There certainly appeared to be evidence that there had been children in the water. They were accompanied by captions and so forth. It was reasonable to take the evidence at face value.

CHAIR—They were accompanied by captions in the newspaper.

Ms Edwards—Yes, but we had been told that these were photos of the relevant events.

CHAIR—Did you seek from Mr Reith's office a copy of those photographs?

Ms Edwards—No, we did not.

CHAIR—Did you seek from Mr Reith's office verification that the captions attached to the photographs in the newspaper were true?

Ms Edwards—No, because there was no reason to assume anything other than the correct application of the captions.

CHAIR—I know, but I keep coming back to this point: in my now misty, long-time-ago ministerial career, in dealing with PM&C, I found them to be firm, authoritative, fastidious and obsessed with accuracy about things, which I think befits what is often regarded as the premier

department of all the departments in Canberra. To close the circle, to complete the evidentiary chain, you relied on the newspaper. I find that hard to believe.

Ms Edwards—No, we were not simply relying on the newspaper; we were relying on the fact that we had been advised that there was a firm body of evidence. We queried the fact that there did not seem to be some support for it for a few days. Then we were told that there was in fact a very substantial volume of evidence. There was no reason to pursue it further and it was not, after all, the main objective of the IDC to worry about this particular issue. We were preoccupied with managing the arrangements for the unauthorised arrivals—that was where our focus was. In fact, events very quickly became overtaken over the next few days with the next round of issues.

CHAIR—When did you learn that the photos were deceitfully labelled?

Ms Edwards—I cannot remember when I learnt decisively—probably not for some time later. As I said, I heard the rumour when I came in to work on 8 November, which raised a substantial question about it.

CHAIR—The idea would have been lodged at the back of your mind, wouldn't it, that you had advised the Prime Minister of this information, and then seeping through the woodwork almost were question marks like: there is no evidence yet, although you had seen the photos, and then you heard what is called tearoom gossip. This starts to build a picture.

Ms Edwards—There was no 'seeping through'. On the 10th, we were assured that there was a substantial body of evidence. It was not for another month that we heard anything counter.

CHAIR—So when was that?

Ms Edwards—As I said, 8 November.

CHAIR—How was what has been called 'tearoom gossip' presented to you? How did you hear of that?

Ms Edwards—I think Ms Bryant told me about it when I came into work.

CHAIR—Did she describe it as 'tearoom gossip'?

Ms Edwards—I cannot remember whether she used the word 'tearoom', but she certainly said something to the effect that Harinder Sidhu had made some comments that she had heard some gossip from Defence that the photos were incorrectly attributed.

CHAIR—She did not tell you that Dr Hammer had reported it?

Ms Edwards—No, I do not believe so. I do not recollect the exact terms that she came to me with, though. But my recollection is that it was just that someone had overheard something at a meeting.

CHAIR—What did this do to your confidence that you had given correct advice?

Ms Edwards—It certainly raised a question.

CHAIR—How did you go about addressing that question?

Ms Edwards—At that point, my understanding was that the issue was being pursued by Ms Halton, and so I did not feel the need to pursue it independently.

CHAIR—I would like to go back to the task force. It is true, isn't it, that the task force wanted to be a clearing house for all the information about border protection, people-smuggling et cetera? That was its prime function.

Ms Edwards—I would not necessarily say a clearing house. Its aim was to make sure all of the relevant agencies were coordinating appropriately and so knew of the things that interacted with each other. It was not that we had to know absolutely everything; it was that we made sure everyone was aware of the interconnections.

CHAIR—There were no written terms of reference for it, though.

Ms Edwards—That is correct.

CHAIR—Was this understanding of its function articulated in some form to you at any point?

Ms Edwards—I do not specifically recall. We had a morning logistics group which was doing a lot of the operational work. Every now and then it would identify an issue that it did not feel it could resolve at the level of the officers involved and would benefit from higher level discussion, and so it would be suggested that that might be something the higher level group might discuss. So I think it probably evolved over a little bit of time.

CHAIR—Can you give me a sense of the flavour of your activities? For example, did you discuss possible scenarios of what people smugglers might do and possible counters to those scenarios?

Ms Edwards—When we were specifically asked for advice on issues, yes. The normal practice was that these meetings were called when there was something to discuss—a new boat had been sighted or there was some other issue that needed to be dealt with. We would go around the table for everyone to give their update on the latest issues within their portfolios. If there was a specific task to be undertaken, such as to provide advice for the Prime Minister which included options, then we would talk through the options that might be possible.

CHAIR—The Navy stepped up its surveillance, signified by Operation Relex. Did that cause you to regard the period that you were on the threshold of or actually entering into as a sensitive period, that there might have been more efforts at people-smuggling in the coming weeks than there were prior to the *Tampa*?

Ms Edwards—I think we had been aware prior to the *Tampa* that there was a large number of people in the smuggling chain, as it were, and that, yes, there would be a fairly intensive period ahead of us.

CHAIR—In discussing scenarios, was one of the scenarios that you discussed the possibility that confrontation by the people smugglers might escalate in order to get past the border protection measures that had been deployed?

Ms Edwards—Confrontation in what sense?

CHAIR—There were the rules of engagement the Navy followed in order to try to stop those vessels coming through. There was a comment—attributed, I think, to Ms Halton—along these lines: ‘They may be preparing to abandon their vessel’—this is SIEV4—‘they are all wearing life jackets.’ If you wanted to, you could categorise such comments as saying, ‘Maybe the people smugglers are ratcheting up the pressure they are putting on the border protection measures that you had deployed.’

Ms Edwards—Yes, I think that is true. There was a sense that, as Operation Relex put more pressure on them, the people smugglers would naturally respond and that would impact on the way that people on board the boats were briefed.

CHAIR—Had you looked at what people-smuggling activities in other parts of the world had had to deal with when they were trying to protect their borders?

Ms Edwards—Yes, there were discussions on a number of occasions on some of the overseas experiences.

CHAIR—That would mean that you had looked at the American experience, for example?

Ms Edwards—Yes.

CHAIR—Compared with the border protection problems that they have got, ours are just a drop in the bucket, aren’t they? I think the evidence in the report is that ONA had reported to you that people smugglers in Italy—I think they were Albanian—had thrown children overboard. Were you aware of that?

Ms Edwards—Yes.

CHAIR—Were you deliberately on the lookout for that type of behaviour?

Ms Edwards—I would not say we were deliberately on the lookout for it, but when it occurred and when there seemed to be indications from one source or another, or in terms of actual behaviour, we were certainly aware of the possible context.

CHAIR—Had you discussed what might be your response if those things occurred?

Ms Edwards—I do not believe that that particular group got into any of those kinds of issues in any detail. I believe those were probably issues that were being considered by Defence, Coastwatch and others who were dealing directly with the operational detail.

CHAIR—Had PM&C discussed it?

Ms Edwards—Only at the very broad level.

CHAIR—That if children were dropped overboard—

Ms Edwards—No, I cannot recall a specific discussion of what would occur in those circumstances; that was a matter for the rules of engagement for Defence, which we did not have substantial involvement in.

Senator FAULKNER—Ms Edwards, do you recall the date when you first told Ms Halton about your concerns about the inaccuracy of the ‘children overboard’ claims?

Ms Edwards—As I said, I believe we started making inquiries on the 8th. That was not a concern about inaccuracies; that was a concern that we did not have enough detail about the event and we needed to follow up on it. Those discussions continued over the next few days, and it was not until the 10th that we had something in writing which triggered a substantial—

Senator FAULKNER—So it was really the chronology, at the end of the day, that made you make the comment that you made to Ms Halton in relation to the claims.

Ms Edwards—Certainly, from my perspective, receiving something in writing was a reasonable cause for triggering further inquiries at a higher level.

Senator FAULKNER—Ms Halton, of course, told us that she did not remember the conversation she had with you about that. Are you aware of that?

Ms Edwards—Yes, I am.

Senator FAULKNER—But you are quite definite that you did tell her?

Ms Edwards—I am. I believe that our differing recollections are not inconsistent inasmuch as Ms Halton remembers more strongly the call from Minister Reith, whereas I obviously do not because I was not a party to that call, but we both remember the subsequent inquiries that uncovered the detailed evidence that we were led to believe supported the original.

Senator FAULKNER—Was it common for Ms Halton to receive phone calls from Minister Reith?

Ms Edwards—I would not say it was common, but I believe she had a number of them.

Senator FAULKNER—It is my recollection that in this particular case Mr Reith rang Ms Halton. Is that correct?

Ms Edwards—I do not know. I was not present.

Senator FAULKNER—Do you know what the nature of that conversation was? Have you been able to establish that?

Ms Edwards—I have only been able to read whatever is in there.

Senator FAULKNER—How soon after that phone contact between Ms Halton and Mr Reith was your contact with Ms Halton?

Ms Edwards—Based on what both Ms Halton and I recollect she was on the phone when I came into her office. She believes that she was on the phone to Mr Reith, so I think it is a reasonable surmise that she was on the phone to Mr Reith, and Mr Reith told her something about the video or some of the evidence. I came in with the chronology and apprised her of its contents; she felt that that did not fit with what she had been told and so she made some subsequent inquiries. That is how I would reconstruct that afternoon.

Senator FAULKNER—I suppose you spent at least a few moments trying to reconstruct that afternoon for the evidence that you gave to Ms Bryant's report?

Ms Edwards—Yes.

Senator FAULKNER—Did you ever take the view that there needed to be some independent assessment or checking about the doubts in relation to the photographs? Was this a matter that you gave any attention to?

Ms Edwards—Do you mean after 8 November?

Senator FAULKNER—No, I mean earlier, in October.

Ms Edwards—There were no doubts in my mind about the photos early in October. As I have said, I had no doubts until 8 November, when I was informed that there was some gossip around that they were not in fact correctly attributed.

Senator FAULKNER—Yes, but it is that gossip that I am talking about.

Ms Edwards—At the time I learned of the gossip I knew that Ms Halton already had inquiries in train and so I did not feel the need to set in train my own independent inquiries.

Senator FAULKNER—You are not aware of any formal or informal checking of those photographs by PM&C with Defence prior to 7 or 8 November?

Ms Edwards—No, I am not aware of any.

Senator FAULKNER—Were you ever actually told by anyone in Strategic Command that children had been thrown in the water?

Ms Edwards—At the time of the morning meeting, as I said, my recollection was that it did come from Group Captain Walker, but beyond that I do not believe so.

Senator FAULKNER—Did you have an awareness at some stage that no women and girls had been thrown in the water, which Ms Halton may have indicated to us at some point? I tried to turn up the reference but could not find it. I may not be recalling accurately. I thought I had a *Hansard* record of it but I could not turn it up a few minutes ago.

Ms Edwards—I am not sure that I recollect the exact reference.

Senator FAULKNER—Why did you come to the conclusion that the photos proved the case?

Ms Edwards—I do not think I came to the conclusion that the photos proved the case. We flagged that there were concerns. Strategic Command did not seem to have any evidence to support the incident. However, we were told that in fact they were not in the full loop. There were in fact three parts of evidence of which we shortly afterwards saw one. So there was no reason to think that the other two had any doubts. Certainly we would have assumed that if any doubts subsequently emerged we would be informed.

Senator FAULKNER—Do you recall Ms Halton's presentation on 10 October at the People Smuggling Task Force about the 'children overboard' issue?

Ms Edwards—No, I do not, but I was absent for at least a substantial initial period of that meeting. I took a phone call in her office, and I believe that after I returned she subsequently took some phone calls, so it was a slightly disjointed meeting.

Senator FAULKNER—So you may well have been out of the room when that occurred?

Ms Edwards—That is correct.

Senator FAULKNER—It did not occur while you were in the room, or you do not have any recollection of it?

Ms Edwards—Not that I remember.

Senator FAULKNER—You are in a unique position, aren't you, because you are the note or minuter taker, effectively. There was a note taker and, when you were present, it was you, wasn't it?

Ms Edwards—That is right—well, not on every occasion. There were a number of occasions when other people filled in for me and in the later stages, towards the end of October onwards, Ms Bryant was typically the note taker.

Senator FAULKNER—You do not recall, on the 10th or 11th, any comments by the Defence representative or representatives at the task force meeting about the claims?

Ms Edwards—I am quite certain there were not any on the 11th. As I say, there could have been on the 10th while I was not there. I do not recall any.

Senator FAULKNER—You do not know of any decisions by Defence or commitments by Defence representatives at the task force to check or have someone confirm the understanding of the facts about the matter?

Ms Edwards—I believe that on the 9th, which was the first task force meeting after the initial Sunday advice, there was a discussion on the need for improved information flows. I believe Ms Halton made a comment to the effect that some checking needed to be done. That was certainly a reflection of some of the discussions that we had been having.

Senator FAULKNER—You said to Ms Bryant that it was late October or early November when you became aware of the misrepresentation or wrong attribution of the photographs?

Ms Edwards—At the time, I could not remember exactly when it had been and there was not anything to particularly jog my memory about when it was. But I have subsequently checked, and I am absolutely convinced it was not until 8 November.

Senator FAULKNER—How have you been able to check that?

Ms Edwards—I was looking for when I heard that gossip and when Admiral Shackleton's statement was, because those were the two things that particularly stuck in my mind.

Senator FAULKNER—It was the so-called tearoom gossip, if you like?

Ms Edwards—That was the first piece. As I said, there were three things that happened to me on the same day. Tearoom gossip by itself, given it was reported as something overheard at a meeting, probably would have caused me to ask questions but not necessarily to discount the original advice. A series of things started to come out from that date onwards that I think raised questions in my mind.

Senator FAULKNER—Could you outline for the committee, please, your involvement in the tearoom gossip as you understand it? You were one of the parties to that, I think it is fair to say. Could you outline how you became involved and, as a result of being involved, what action you took?

Ms Edwards—I was really not a party to it. As I said—

Senator FAULKNER—You were an indirect party, it is fair to say.

Ms Edwards—My understanding is that the tearoom gossip had been reported to Ms Halton the previous evening and she had already instigated some follow-up action, and it was just in passing that I was informed that this was around.

Senator FAULKNER—Who informed you in passing?

Ms Edwards—Ms Bryant.

Senator FAULKNER—Did you understand at the time why Ms Bryant informed you of this?

Ms Edwards—Yes. It was normal practice to fill me in on what was happening when there were new developments within the group.

Senator FAULKNER—Do you recall what she actually said to you?

Ms Edwards—Not the exact words. As I said, it was to the effect that Harinder Sidhu had overheard or had heard at a Defence meeting that someone had overheard that the photos had been misattributed.

Senator FAULKNER—As a result of Ms Bryant saying that to you, what did you then do, if anything?

Ms Edwards—She said that she had already informed Ms Halton, so I assumed that I did not really need to do anything further at that point.

Senator FAULKNER—You did not raise it with anyone?

Ms Edwards—No.

Senator FAULKNER—You just took it on board?

Ms Edwards—Yes.

Senator FAULKNER—What about Mr Jordana's request for information on 7 November? Were you aware of that?

Ms Edwards—Yes, I was.

Senator FAULKNER—Could you explain for the committee what your role was in relation to that?

Ms Edwards—I had no specific role. It was standard practice for Ms Halton to keep Mr Jordana informed of developments as they occurred and follow up on advice. I do not believe she specifically requested me to do anything in order to help with that because she already had it all at her fingertips.

Senator FAULKNER—So did you have any direct contact with Mr Jordana?

Ms Edwards—On the 7th, no.

Senator FAULKNER—You just heard about that from Ms Halton?

Ms Edwards—That is right.

Senator FAULKNER—Were you required to take any action?

Ms Edwards—No, I was not.

Senator FAULKNER—So, again, it was just a matter that was told to you for your information?

Ms Edwards—Yes.

Senator FAULKNER—And you did not take any action?

Ms Edwards—No.

Senator FAULKNER—There was no follow-up?

Ms Edwards—No.

Senator FAULKNER—But there was, of course, follow-up from members of your division?

Ms Edwards—Not from the 7th, no.

Senator FAULKNER—I thought there was.

Ms Edwards—You may perhaps be thinking of the 8th. On the Monday or the Tuesday—but I think it was probably the Monday—Mr Jordana asked if we were following up, and we assured him that we were. So, yes, there was follow-up from that.

Senator FAULKNER—So, as far as you know, there was no other involvement on the 7th from members of your division; it was merely, if you like, the primary contact, Ms Halton?

Ms Edwards—That is correct.

Senator JACINTA COLLINS—A question that we did not ask earlier was: why was Mr Jordana asking if this was being followed up? What was his concern?

Ms Edwards—I do not recollect specifically. I imagine that he was just seeking more details of the incident because the day before we had provided a fairly bare bones report and he would have wanted to have more information relating to it.

Senator JACINTA COLLINS—But there were no caveats on the report that children have been thrown overboard.

Ms Edwards—No, but this was a fairly major event and it would be natural to want to know a little more about exactly what had happened.

Senator JACINTA COLLINS—That is what I thought, but when we were questioning Department of Immigration and Multicultural and Indigenous Affairs it seemed from Minister Ruddock's point of view that he had no cause to ask further questions, even though he was very closely questioned by the media on such issues as the age and number of the children. So why, when the minister concerned was asked such detailed questions and he did not come back and want more detail, did Mr Jordana seek such?

Ms Edwards—I cannot comment on that; I have no information that relates to that.

Senator FERGUSON—How would you expect Ms Edwards to know that? How could you really expect her to know?

Senator JACINTA COLLINS—She just said that she does not.

Senator FERGUSON—I am surprised you asked the question.

Senator FAULKNER—In relation to Mr Jordana's contact on the 8th, do you recall who that contact was made with?

Ms Edwards—I believe I spoke to him, but I am quite sure that he spoke to Ms Halton.

Senator FAULKNER—Do you have a recollection of what he said to you at that time?

Ms Edwards—Nothing beyond what I have already recounted, which was that he asked if we were following up on the details of the incident, and we assured him that we were.

Senator JACINTA COLLINS—What detail did he seek?

Ms Edwards—The exact numbers, the age of the children involved—all of those kinds of things.

Senator JACINTA COLLINS—Did he ask whether there were any caveats on the original report or the nature of the original report?

Ms Edwards—Not that I recall.

Senator JACINTA COLLINS—When you were not able to answer the exact numbers or the ages of the children, did he query why that was the case?

Ms Edwards—No, I do not think so. It was the usual situation of him making a request for information and us following up on it.

Senator JACINTA COLLINS—So, at that stage, he did not understand the limited nature of the original report?

Ms Edwards—I guess he would have been aware that, as with all these reports, we were just getting information as it came to hand. He was aware, I think, of the arrangements that we had

where we were getting oral reports. I imagine he was also receiving regular copies of situation reports, and so he would have seen the report from the morning.

Senator JACINTA COLLINS—Did he express concern akin to yours that nothing was being mentioned in the DFAT sit reps?

Ms Edwards—I cannot recall specifically. He may well have.

Senator FAULKNER—Did you take certain actions as a result of this communication you had with Mr Jordana on 8 November?

Ms Edwards—Yes. As I have said, I asked my staff and I made a few phone calls to Strategic Command to start seeking a chronology and further details.

Senator FAULKNER—Do you recall precisely what you provided to Mr Jordana?

Ms Edwards—No, I do not.

Senator FAULKNER—Do you know whether you provided the chronology?

Ms Edwards—No, I did not. My recollection is that, once we had details of the sinking of the vessel, we did provide some talking points that went through the factual situation around those the next day, and then subsequently, on the Wednesday, we provided him with a copy of the talking points that we produced on that date.

Senator FAULKNER—Sorry, when were the talking points produced?

Ms Edwards—On Wednesday, the 10th. There were two sets of talking points, in fact—the 9th and the 10th.

Senator FAULKNER—And they were produced effectively by the PST?

Ms Edwards—The ones of the 9th were produced by my group in my division. The ones of the 10th were produced by my group but I believe they were on the table at the meeting of the 10th.

Senator FAULKNER—Did you draft them, or were you part of the drafting group? I doubt if you were, but I just wonder to what extent you were involved at that level.

Ms Edwards—To what extent I personally drafted them?

Senator FAULKNER—Yes.

Ms Edwards—I do not think I personally drafted those ones. I would certainly look at the drafts that were produced—

Senator FAULKNER—You would clear them?

Ms Edwards—Yes.

Senator FAULKNER—That was your role, more than—

Ms Edwards—Normally. Occasionally I might draft something myself.

Senator FAULKNER—But basically your role was to clear them before they were progressed?

Ms Edwards—That is correct.

Senator FAULKNER—Did you send them to a senior officer in the PM&C or effectively straight through to the Prime Minister's office?

Ms Edwards—Something like that, I would have—I cleared with Ms Halton throughout this period.

Senator FAULKNER—But you cannot say precisely what you provided to Mr Jordana on the 8th?

Ms Edwards—I believe we did fax some material to Mr Jordana but I cannot say exactly what it was. I do not believe we produced our own independent written documents. It would have been material such as sit reps.

Senator FAULKNER—Had there been any checking of that, given the Bryant committee and the like?

Ms Edwards—Yes, I believe there has been some checking but I do not believe it has been conclusive.

Senator FAULKNER—So you have not been able to turn up anything?

Ms Edwards—That is correct. That is my understanding. I am, of course, no longer an officer of PM&C.

Senator FAULKNER—It is not the practice to keep copies of that sort of material?

Ms Edwards—It would normally be, but if it was already material that was sitting on the file I guess it could easily have become slightly disentangled from the fax cover sheet.

Senator FAULKNER—And was this material that had already been sitting on a file?

Ms Edwards—As I say, I am not sure exactly what material was sent, so I cannot say.

Senator FAULKNER—Is the file intact?

Ms Edwards—Yes, there is a file.

Senator FAULKNER—But is it intact?

Ms Edwards—As far as I know.

Senator FAULKNER—So stuff is taken out of the file, maybe photocopied or put on the fax, and stuck back in the file? Is that how it works?

Ms Edwards—It could have been, although I suspect, given that things were still moving, that they probably had not made it onto the file at that point.

Senator FAULKNER—It might be material that had not got as far as being filed?

Ms Edwards—That is correct.

Senator FAULKNER—Who did you task to find the material?

Ms Edwards—I believe it was Matt Healey, who was a junior officer in the division at the time.

Senator FAULKNER—Did you give him an indication that this was urgently required?

Ms Edwards—I think almost everything was urgent at that time. We were doing our best to provide whatever material we could.

Senator FAULKNER—So there was no need to say it was needed urgently?

Ms Edwards—I do not think so, no.

Senator FAULKNER—Do you know what the turnaround time was?

Ms Edwards—No, I do not.

Senator FAULKNER—Are fax cover sheets and things like that kept?

Ms Edwards—Yes. It is a matter for Prime Minister and Cabinet since it is their file. They can have a look and see whether or not they have that, but I have no information at the moment.

Senator FAULKNER—Weren't you making the point that effectively you are in another department now?

Ms Edwards—Yes, that is correct.

Senator FAULKNER—Perhaps you might take that on notice and one of the officers in PM&C could let us know about that. Did you play a role in the selection of Ms Bryant to undertake the inquiry into these matters that has been tasked by the Prime Minister?

Ms Edwards—No, I do not believe so.

Senator FAULKNER—You would know, though, if you did.

Ms Edwards—I was not involved in the selection of Ms Bryant. I believe there was a conversation between Ms Halton and me at one point along the lines of Ms Halton suggesting that maybe the idea of an inquiries officer to undertake some of the investigation work would be required, and I disqualified myself.

Senator FAULKNER—I thought you might be a possible victim of a possible inquirer—it is not an unreasonable conclusion to come to.

Ms Edwards—Indeed, and I disqualified myself as at that point I was aware that I was likely to be leaving the department shortly, so I said it could not be me.

Senator FAULKNER—When you were then in the Department of the Prime Minister and Cabinet, was there any debate internally where you were located about whether there were any weaknesses in having a member associated with the task force actually undertaking the inquiry? I appreciate that was requested by the Prime Minister, but was there any discussion of which you are aware outlining any concerns along those lines?

Ms Edwards—Not that I recall.

Senator FAULKNER—So Ms Halton actually suggested you do the job?

Ms Edwards—No, I do not think the conversation was along that kind of line. It was more that we needed to find someone, and so I responded that I would not be a suitable person.

Senator FAULKNER—Because you were leaving?

Ms Edwards—Yes.

Senator FAULKNER—While you were still there were you kept in touch with the progress of the inquiry at all?

Ms Edwards—Only in very broad terms.

Senator FAULKNER—Ms Bryant was out of your division, wasn't she?

Ms Edwards—She was in my division.

Senator FAULKNER—While she was undertaking her inquiry was she replaced? What happened to her ordinary role in the department?

Ms Edwards—She continued to do her ordinary work involving the task force, but we had already done some internal redistribution of some of her other tasks, and we made some efforts to try to free up her time.

Senator FAULKNER—Had you had any contact at all with Mr Moore-Wilton over the ‘children overboard’ issue and associated issues?

Ms Edwards—Not on that particular incident.

Senator FAULKNER—I was not asking about a particular incident; I was just asking—

Ms Edwards—This is through the period of the task force?

Senator FAULKNER—Yes.

Ms Edwards—Yes, on a couple of occasions.

Senator FAULKNER—Would you be able to identify those to us?

Ms Edwards—I am not sure that I can recollect exact dates, but I think on the 10th in Ms Halton’s absence on another issue we had one or two phone calls at SES meetings within the department when I discussed some of the issues that had come up within it. There may have been one or two occasions when we spoke on issues, but I cannot specifically recall when they were.

Senator FAULKNER—What was the other issue of 10 October?

Ms Edwards—I think it was an issue in relation to the arrangements for Papua New Guinea.

Senator FAULKNER—That is not the ‘children overboard’ issue.

Ms Edwards—But I said it was nothing specifically on children overboard.

Senator FAULKNER—Was that also the case after the election on 10 November?

Ms Edwards—That is correct. The only contact I have had, I think, with Mr Moore-Wilton was to leave him a message following the newspaper reports in February, in relation to the chronology, to draw attention to my statement to Ms Bryant’s inquiry.

Senator FAULKNER—Which particular statement or your statement in its entirety?

Ms Edwards—Yes. The statement that related to the advice I gave Ms Halton in relation to the chronology.

Senator FAULKNER—Which would be along the terms of what you have said today in your opening statement to this committee, would it?

Ms Edwards—Yes. In fact, he was not available and I simply left a message.

Senator FAULKNER—What about ongoing contact with Ms Halton?

Ms Edwards—Yes, I have had a few conversations with Ms Halton. We were in the same building while we were reading files and such like. On occasion, we had a couple of discussions.

Senator FAULKNER—What was the nature of those discussions?

Ms Edwards—Simply trying to trigger recollections and reconcile our slightly veering memories of the afternoon of 10 October.

Senator FAULKNER—Did you leave any phone messages for Ms Halton?

Ms Edwards—No, I did not.

Senator FAULKNER—But why did you feel it necessary to leave Mr Moore-Wilton a phone message on that topic?

Ms Edwards—Because there had been a media report to the effect that the chronology had not been drawn to the attention of either him or Ms Halton.

Senator FAULKNER—Was there any response to your message that you are aware of?

Ms Edwards—Ms Halton called me back later in the day.

Senator FAULKNER—Ms Halton did?

Ms Edwards—Yes.

Senator FAULKNER—And what did she say to you?

Ms Edwards—We had a discussion around our recollections.

Senator FAULKNER—Which were differing?

Ms Edwards—Which were differing, but I think we agreed they could be reconciled.

Senator FAULKNER—In what areas did they differ?

Ms Edwards—As you are aware, Ms Halton does not specifically remember seeing or hearing about the chronology.

Senator FAULKNER—Is that the main area or the only area?

Ms Edwards—That is the only area that I am aware of.

Senator FAULKNER—So Mr Moore-Wilton must have mentioned it to Ms Halton, who gets back to you?

Ms Edwards—I assume so, yes.

Senator FAULKNER—Any other feedback or repercussions from that?

Ms Edwards—No, not that I recall.

Senator FAULKNER—In the discussions you were having with Ms Halton, separately to the one in response to the message you left for Mr Moore-Wilton, what were the issues you were canvassing then?

Ms Edwards—We had been sitting around refreshing our memories with the files and, every now and then, that would trigger a comment or a ‘do you remember this or that?’ kind of comment—nothing more than that.

Senator FAULKNER—And why were you refreshing your memory?

Ms Edwards—In preparation for these hearings.

Senator FAULKNER—These hearings?

Ms Edwards—Yes.

Senator FAULKNER—So this is quite recent, is it?

Ms Edwards—Yes, over the last month or so.

Senator FAULKNER—Was anyone else refreshing their memory at the time?

Ms Edwards—No, I think we were the main ones. Ms Bryant may have been present at some discussions, but that is it.

Senator FAULKNER—Are all these files kept in the Social Policy Division?

Ms Edwards—That is correct.

Senator FAULKNER—At this stage, both you and Ms Halton work in other departments?

Ms Edwards—Exactly.

Senator FAULKNER—How much time did you spend refreshing your memory back at PM&C?

Ms Edwards—Not a lot, although it might have felt like a lot.

Senator FAULKNER—It must have been a relief for you that it was not a lot. Did you have any contact with other ministerial or prime ministerial staff, apart from Mr Jordana?

Ms Edwards—At what time?

Senator FAULKNER—At any stage.

Ms Edwards—In the period of the task force, yes, I probably spoke to Mr O’Leary on one occasion and Catherine Murphy on a few occasions.

Senator FAULKNER—Do you recall what Mr O’Leary wanted?

Ms Edwards—Not specifically. I really do not recollect. I think it was just a query about some report or other. I cannot remember the specific details.

Senator FAULKNER—I thought you might, given that it would not be a common thing, would it, for you to receive a call from Mr O’Leary—the Prime Minister’s chief press operative?

Ms Edwards—My recollection is that he was just seeking a fairly simple piece of factual information, but I cannot recall specifically what it was.

Senator FAULKNER—And Ms Murphy?

Ms Edwards—She asked for some papers to be sent to her at various times.

Senator FAULKNER—Do you know what papers?

Ms Edwards—I believe she received copies of some of the talking points that we produced at various times—that kind of thing.

Senator FAULKNER—Is there anything else you can recall?

Ms Edwards—I think she was present at one discussion on some legislation options.

Senator FAULKNER—Were they the only ministerial staffers you had contact with?

Ms Edwards—I think I spoke to someone in Mr Reith’s office during the week of the 8th or 9th. As I said in my opening statement, we were initially advised by Strategic Command that they needed to have the request for further information cleared by the minister’s office, which we did. Beyond that, I do not recall any.

Senator FAULKNER—Why would there be legislation options? Are we still talking about the election campaign period?

Ms Edwards—No, I think this was probably earlier.

Senator FAULKNER—So this may have been related to the border protection bill?

Ms Edwards—That is correct.

Senator FAULKNER—Unfortunately, Ms Edwards, I inadvertently missed a little bit of your earlier testimony. I have an understanding of the broad issues that other senators touched on, but if there are one or two questions that remain outstanding I might place them on notice.

Ms Edwards—Sure.

CHAIR—Going back to the 9 October meeting, can you recall the tone of the discussion at that meeting? For example, was there an agitated tone or any anger about Banks's unauthorised interview?

Ms Edwards—I cannot recall whether the interview specifically came up at that point. I certainly remember that there was some discussion outside the meeting. I am not sure whether we were aware of the interview at that point. Certainly, when we did learn about it, I can recall there being some concern.

CHAIR—I understand that Mr John Drury, the Acting Chief Executive Officer of Customs, wrote on a note for the file on 9 October that, following Commander Banks's interview on Channel 10, there was a discussion at the interdepartmental committee about bans on anyone other than ministers and their staff briefing the press in relation to Operation Relex. This discussion led to:

... the need for more timely information being passed to members of the senior level reference group—in particular, to Jane Halton of PM&C.

Ms Edwards—My recollection of that discussion is slightly different but not necessarily inconsistent, and that was that we had been concerned at the lack of detail that we were getting in the reports that were coming in in the sit reps. Ms Halton was therefore concerned to ensure that we got more frequent, more detailed and timely information. Indeed, Defence did agree to give us sit reps three times a day which they did for the remainder of the events on the *Adelaide*. The policy of people not speaking to the media other than ministers and ministers officers had been in place for some time, and it was reiterated on a number of occasions when the issue came up for discussion. It may well be that it did come up on that occasion in the context of Commander Banks.

CHAIR—Why was it a discussion for the committee? Wasn't it a Defence issue?

Ms Edwards—It was, but this was a policy that was being coordinated across all of the portfolios. All of the portfolios at various points had issues in relation to whether they should be making public comments on this or that or whether they should have a spokesperson here or there. So the reiteration of the policy had some broader application.

CHAIR—Are you saying that the communications memo that covered Defence, which centralised communications in the Minister's office, was duplicated for other departments as well?

Ms Edwards—That is correct; that was my understanding.

CHAIR—Was it duplicated for other departments for Operation Relex, or was it done at some earlier point?

Ms Edwards—As far as I am aware, it was for Operation Relex.

CHAIR—So that no other line person in another department could comment to the media, they had to refer everything up to their ministers?

Ms Edwards—That is correct.

CHAIR—That sounds like a coordinated government policy. Was it?

Ms Edwards—It was certainly a policy that had been articulated.

CHAIR—When was it put in place?

Ms Edwards—I do not recall specifically. Fairly early on, I believe, in the process.

CHAIR—What was the reason for it?

Ms Edwards—I am not sure of the reasons. I think it was felt that it was important to ensure that there was tight coordination of all of the information flows given the number of different players involved.

CHAIR—This puts your committee in a more significant light, because you are the clearing house for a lot of this information.

Ms Edwards—The committee itself was not. The committee reiterated the policy from time to time or brought issues to it where it suggested that there may be a case for doing something differently. For example, on a couple of occasions on Nauru, there were slightly different arrangements put in place given the offshore nature and long distances and times involved. But the committee itself was not the clearing house for any information; it was a matter for ministers' officers—reinforcing the issue that ministers' officers were coordinating all media.

CHAIR—You could really say there was a government clampdown on information from all sources other than from ministers' officers to cover the border protection issues in Operation Relex. That is a fair statement.

Ms Edwards—It was not a clampdown; it was a requirement that all media issues and the handling of them be cleared with minister's officers specifically.

CHAIR—Which centralised the information flow at a political level rather than at an administrative level.

Ms Edwards—It certainly meant that they had to be consulted on each event.

CHAIR—Did this come from a cabinet decision?

Ms Edwards—I do not believe so. It could well have been an informal discussion in cabinet, but I do not know.

CHAIR—That is an interesting piece of information. Do you know what the nature of the contact between Ms Halton and Ms McKenry on the issue of Banks's unauthorised interview was?

Ms Edwards—I think she was simply ringing to find out the details and to find out what systems were in place within Defence. At that 9 October meeting, as I recall, there was a discussion on the fact that information flows seemed to be a little bit chaotic and that we needed to try to systematise them a little bit more.

CHAIR—Do you know if anything was agreed about a 'more timely' supply of information?

Ms Edwards—Yes. As I said, Defence undertook to provide us in PM&C with three times daily—or I think it was three times daily, it may have been twice—situation reports on the events on the *Adelaide* as they continued to unfold. There was certainly increased direct frequency on what we had previously received.

CHAIR—How did you obtain them? What was the method?

Ms Edwards—They faxed them to us.

CHAIR—They being whom?

Ms Edwards—Strategic Command.

CHAIR—So they did not come through Commander King?

Ms Edwards—No.

CHAIR—They were not a liaison function?

Ms Edwards—No.

CHAIR—They did not come through Air Vice Marshal Titheridge?

Ms Edwards—Strategic Command is his division so, indirectly, yes.

CHAIR—They did not come from Group Captain Walker?

Ms Edwards—I think he may have cleared one or two. I cannot remember the names—but I am sure PM&C could find the relevant documents and the names of the officers if you needed them—but they were Strategic Command officers.

CHAIR—We know that Minister Hill has since lifted this centralised communications memo or approved the removal of it and reversion back to the old system. Is that true of all the other departments that are operating on a centralised information supply?

Ms Edwards—I am not aware of what arrangements are currently in place, as I am no longer involved in the management of these issues.

CHAIR—In evidence to the committee, Jane Halton said that, on 9 October, she asked PM&C staff to pursue details of the ‘children overboard’ event with Defence Strategic Command. She said:

I should say that I did not doubt the event had occurred but rather was trying to answer specific questions about the timing of events. Nonetheless, I specifically asked Defence to confirm all the details and to advise us accordingly.

In her statement to the Bryant inquiry, however, Ms Halton said that, in response to media speculation about the alleged incident, she told the Defence representative at the meeting on 9 or 10 October:

... that they had better be certain about the veracity of the initial reports and they should do some checking.

Can you comment on the nature of the confirmation being sought from Defence? Is this from Strategic Command when they refused to go to Commander Banks?

Ms Edwards—As I have said, we were hunting for further and better details. I am not sure that I can add anything much to that.

Senator FAULKNER—I noted your comments in relation to SIEVX in your opening statement that you were away prior to 22 October and that it was raised at the task force on both the 22nd and the 23rd.

Ms Edwards—Yes.

Senator FAULKNER—Are you aware of whether, on the 22nd, there was any element of surprise about the existence of SIEVX? I appreciate that you were not there before the 22nd, but I thought you may have been able to gain an impression of whether this matter had been discussed prior to your return.

Ms Edwards—I do not have a specific recollection of whether this was a resumption of a previous discussion. As I said, my impression at the time was that this was a debate on how firm this report was.

Senator FAULKNER—You do not have an impression of whether this had been—which is fair enough, because obviously you were not there; I thought the tenor of the discussion may have been such that there was an awareness.

Ms Edwards—No, not that I recall. From Admiral Bonser’s evidence and from my knowledge of the files, I believe that there were some discussions, but this was the normal intelligence reporting of SIEVs. As I said, we often received a number of reports of boats about

to come which never eventuated. This one, I think I heard this morning, had been reported five times.

Senator FAULKNER—Some discussions prior to the 22nd, you mean?

Ms Edwards—Yes; but I have no specific recollection.

Senator FAULKNER—Yes, because you were not there; I appreciate that.

CHAIR—There is one last gasp from me, I am sorry.

Senator FAULKNER—There is one last gasp from me, before you go on. Because I was unavoidably delayed, if there are some further issues—I think they have mainly been canvassed, but if they have not been—I would appreciate your input.

Senator BRANDIS—Unavoidably delayed in the press gallery, Senator Faulkner.

Senator FAULKNER—No, not in the press gallery, actually; in another room very close to here. I know you would be an expert about the press gallery.

CHAIR—We have a witness: please ask questions of the witness. All this is very interesting, but the witness's time is being wasted.

Senator FAULKNER—It is many moons since I have been to the press gallery, and until I am likely to go. If there are some issues that were not canvassed, I would like to place them on notice, and I really will not know until I read the *Hansard* transcript.

Ms Edwards—Certainly.

CHAIR—My last gasp, Ms Edwards: you were saying the Defence material came over the fax to you from Strategic Command.

Ms Edwards—Yes. Secure fax, I think.

CHAIR—Of course. Do you know if it was passed through the minister's office before it got to you?

Ms Edwards—No, I do not.

CHAIR—Did any of the material come from the minister's office to you?

Ms Edwards—In terms of the material following our request of the task force meeting of the 9th, not that I am aware. It is possible, but I certainly do not recollect it.

CHAIR—I am fascinated by this piece of information that the centralised reporting system that applied in Defence, so that everything had to be cleared by the minister's office, was true of all the other departments as well, and it was put in place for Operation Relex.

Ms Edwards—I think that is not new information; I think it was actually raised in estimates.

CHAIR—I may have missed that. Thank you very much. We have had you for a long time; we apologise for any inconvenience.

Committee adjourned at 9.18 p.m.