

By Email

09 January 2020

Senator Amanda Stoker
Chair
Senate Legal and Constitutional Affairs Legislation Committee
PO Box 6100
Parliament House
CANBERRA ACT 2600

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Dear Senator Stoker,

**SUBMISSION TO THE SENATE LEGAL AND CONSTITUTIONAL AFFAIRS
LEGISLATION COMMITTEE INQUIRY INTO THE TRANSPORT SECURITY
AMENDMENT (SERIOUS CRIME) BILL 2019**

AusALPA is the umbrella organisation representing more than 7,100 professional pilots within Australia for aviation safety and technical matters. AusALPA consists of the Australian and International Pilots' Association (AIPA) and the Australian Federation of Air Pilots (AFAP) and is the Member Association for Australia within the International Federation of Airline Pilot Associations (IFALPA), which represents over 100,000 pilots in 100 countries.

AusALPA is committed to protecting and advancing Australia's aviation safety standards and operational security. We are grateful for the opportunity to contribute to the essential work done by the Legal and Constitutional Affairs Legislation Committee, particularly in regard to the security of our aviation infrastructure.

Our commentary on the Bill itself is minor. However, we believe that it is important to remind the Senate that the matter of ASICs (and MSICs) is just one part of a much bigger strategic approach to securing our national assets.

2014 ASIC Discussion Paper

Our member association AIPA responded to the then-Department of Infrastructure and Regional Development's Options Discussion Paper *Scope of Aviation Security Identification Cards (ASICs)* in February 2015. Included was a reference to a January 2015 submission to the Senate Regional Affairs and Transport References Committee Inquiry into Airport and Aviation Security. Both submissions emphasised AusALPA's current view that:

...we need to urgently redress the inadequacy of screening applied to people who gain airside access other than through the terminal secure area and that we need to adequately secure the apron areas against unlawful entry.

Reference was also made to our dissenting view on Recommendation 36 of the Aviation Safety Regulation Review (ASRR), which was to reduce both the scope and need for ASICs for general airside access. Our key view was expressed as:

The underlying principle remains: Identify what assets and infrastructure need to be protected, establish a security zone and access protocol and identify the resources to implement it.

and, importantly in the broader context:

The underlying principle remains unchanged. Don't compromise security for a few individual's convenience.

Transport Security Amendment (Serious or Organised Crime) Bill 2016

Based on our strongly held view that our first priority is the safety and security of the aircraft, AusALPA chose not to make further submissions in regard to the 2016 Bill. While we saw the proposed Bill as a strengthening of one of the access controls and therefore one positive step forward among the many that we believed were required, the focus on serious or organised crime was not a key policy area for AusALPA.

Transport Security Amendment (Serious Crime) Bill 2019

AusALPA recognises that the presence of serious crime affiliates at airports creates another vector for airside access by malignant actors. To that extent, we support the thrust of the Bill while noting that the real details will emerge in the relevant regulations.

However, we believe that the additional purpose clauses should more accurately read:

“and preventing the access to aviation infrastructure in connection with serious crime”.

Access Control is an AusALPA Priority

AusALPA believes that strong access controls over everything human or inanimate that touches an aircraft are the key to strong aviation security. Inanimate objects can only reach an aircraft through human facilitation. While security methods aimed at detecting hidden objects are critical, access controls equally have to provide the most robust of barriers to those with malignant intent.

With the clear exception of excessive screening of aircrew, AusALPA maintains that airside access is still a very porous barrier. We remain concerned that the inconsistent standard of access controls applied at Australian airports has the potential to largely negate any gains in enhanced background checking as a prerequisite for ASIC issue.

On the other hand, if the investigative activities of serious crime agencies highlight the deficiencies of access control to airside, we would be delighted.

Yours sincerely,

Captain Louise Pole
President AusALPA
President AFAP

Mark Sedgwick
President AIPA