
**PJC-ACC Inquiry
into the adequacy of aviation and maritime
security measures to combat serious and
organised crime.**

AFP Submission

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1. Introduction

The Australian Federal Police (AFP) welcomes the opportunity to provide the Parliamentary Joint Committee on the Australian Crime Commission with information relevant to the inquiry into the adequacy of aviation and maritime security measures to combat serious and organised crime.

The AFP acknowledges the importance of a secure border environment in both the aviation and maritime sectors, especially given the considerable legitimate movement of people and products in these environments.

Whilst it is vital to reduce vulnerabilities in these environments which may facilitate the infiltration of criminal groups, operational experience has shown that in relation to the importation of illegal substances for example, organised crime groups are also able to successfully import such items through effective concealment methods without having trusted insiders to assist.

The AFP believes that working with our domestic and international law enforcement partners, as well as industry, is vital to the successful effective detection, deterrence and dismantling of organised crime groups exploiting these environments.

The Australian Crime Commission (ACC) remains a key partner, with both agencies working collaboratively on investigative and intelligence responses to organised crime and utilising the ACC's special powers where appropriate.

Continuing AFP transnational engagement strategies also continue to be crucial to addressing organised crime within Australia and preventing offshore organised groups from impacting on Australian society. These strategies include the deployment of international liaison officers as part of an extensive international network, capacity building projects (such as the provision of equipment and training to foreign law enforcement agencies), the international deployment of intelligence and policing resources, and cooperation through involvement in international transnational crime centres and multi-national policing organisations.

The AFP is also actively engaged in providing input into broader Government initiatives to address organised crime groups such as the Organised Crime Strategic Framework.

2. AFP role and function in the aviation and maritime sectors

The role of the AFP is to enforce Commonwealth criminal law and to protect Commonwealth and national interests from crime in Australia and overseas.

2.1 Aviation sector

The AFP has both a dedicated aviation policing function and a broad range of other law enforcement responsibilities in the sector that include:

- targeting serious and organised crime;
- providing a direct and investigative response to Australian Customs and Border Protection Service (Customs and Border Protection) detections of illicit drugs, undeclared currency and other significant matters as appropriate;
- deterring, preventing, and investigating acts of terrorism;
- providing a community policing capability;

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- providing first response to acts of terrorism and emergency incidents; and
 - collecting and analysing aviation intelligence.

2.1.1 Unified Policing Model

In 2005, the AFP implemented a Unified Policing Model (UPM) in the aviation sector in response to key recommendations of the *'Independent review of airport security and policing for the Government of Australia'* undertaken by the Rt. Hon. Sir John Wheeler (Wheeler Review).

The AFP is now the primary law-enforcement agency at Australia's 11 major airports (being Adelaide, Alice Springs, Brisbane, Cairns, Canberra, Darwin, Gold Coast, Hobart, Melbourne, Perth and Sydney).

This model enables a comprehensive and coordinated approach to addressing criminality and terrorist threats in the aviation sector and provides a unified policing presence at these airports.

The AFP's unified policing presence comprises:

- Airport Police Commanders (APCs);
- Police Aviation Liaison Officers (PALOs);
- Airport Uniform Police (AUP - which include state and territory police seconded to the AFP);
- Joint Airport Intelligence Groups (JAIGs);
- Joint Airport Investigation Teams (JAITs); and
- a Counter-Terrorist First Response (CTFR) capability.

The UPM is delivered through a centrally coordinated command structure, using suitably trained personnel from the AFP and other agencies, operating within a proactive and intelligence-driven framework led by APCs.

Through each APC, the AFP's Aviation function has enhanced strategic partnerships and engagement with aviation stakeholders, including airport operators and other government agencies. This engagement has ensured the alignment of strategic security priorities and operational focus in a coordinated manner across the 11 major airports.

The role of AUP teams is to provide an immediate-response capacity to community policing matters within an airport domain, including:

- responding to and resolving simple offences;
- proactively targeting general criminality as a result of intelligence-led strategies;
- resolving public disorder incidents;
- investigating theft and property damage offences;
- responding to excess and counterfeit currency incidents;
- providing an initial response to suspected illicit drug importations; and
- participating in joint targeting operations with Commonwealth, state and territory government agencies.

Throughout 2008-09, Airport Uniform Operation activities across the 11 major airports resulted in over 1,700 people being dealt with in relation to over 2,200 offences (including those arrested, cautioned, or charged before the court or summonsed).

The JAIGs maintain responsibility for providing UPM components with actionable intelligence products to inform the deployment of personnel and resources to counter general security threats or other aviation vulnerabilities. Additionally, each group provides operational intelligence support to the JAIGs through target development and assessment of high-level criminality at airports. As part of this role the JAIGs analyse the data obtained to identify trends and convergences in the aviation operating environment.

The establishment of JAIGs in November 2005 created a specific investigations capacity under the UPM with teams located at five major airports (Adelaide, Brisbane, Melbourne, Perth and Sydney) and which can be deployed to any of the 11 major airports. The teams proactively target serious and organised criminality and trusted insiders such as aviation employees who exploit, or aim to exploit, infrastructure and security vulnerabilities at the 11 major airports.

AFP Protective Service Officers provide the CTFR capability at the 11 major Australian airports under the UPM. This capability delivers a uniformed, armed and visible presence at major airports to deter, prevent and, if necessary, respond to acts of terrorism.

This capability in major airports is complemented by Regional Rapid Deployment Teams that can deploy to regional airports throughout Australia, providing an active deterrent against terrorist threats and a counter-terrorist first response capacity. Based at Brisbane, Melbourne, Perth and Sydney airports, each team has the capability to deploy with up to eight Protective Services officers, which can include a firearms explosive detector canine team and a bomb appraisal officer.

2.1.2 Other capabilities in the aviation sector

While the AFP maintains a dedicated presence in the Aviation environment, it is important to note that other AFP (non-UPM) investigative and intelligence activities may also target groups that utilise or exploit the sector as an element of specific or broader ranging criminal activity.

Relevant AFP portfolios (such as Aviation, Border, Economic and Special Operations, Protection, and Counter-Terrorism) therefore work closely to coordinate and leverage any mutual benefits from collective activities in this sector.

The AFP Intelligence function also continues to specifically address Aviation matters in addition to the JAIG's. These teams have produced various intelligence reports to address criminal and security incidents and the associated vulnerabilities in the aviation sector and have disseminated these reports both internally and externally.

Importantly the AFP International function continues to liaise closely with international partners to detect transnational criminal activity which often involves the planned circumvention of Australian border controls and exploitation (knowingly or otherwise) of legitimate financial and transport industries.

In support of the unified policing presence, the AFP operates a national canine capability delivering teams of highly trained police dog handlers and their dogs. Comprised of specialist multidisciplinary teams providing canine resources to the AFP, including explosive detection, currency and drug detection and tactical canine capabilities, this capability provide a visible presence and are deployed as a prevention strategy against criminal and terrorist-related activity within the aviation environment.

Bomb Appraisal Officers also support the UPM and help protect people and critical infrastructure at designated places through bomb threat mitigation, deterrence strategies, operational planning, search of vulnerable areas, education, and appraisal of unattended or suspicious objects.

Air Security Officers (ASOs) also provide an intelligence-led deterrence capability on selected domestic and international flights to safeguard Australian-registered aircraft against in-flight attack. ASOs maintain an in-flight law enforcement presence and resolution capacity in the event of an attack on international and domestic flights.

2.1.3 Key relationships within the aviation sector

Management of the aviation (and maritime) environment is more than a policing issue and requires comprehensive regulation. The AFP is therefore actively engaged with a wide range of stakeholders including Commonwealth agencies, state and territory agencies, and industry participants.

For example, the AFP notes that addressing vulnerabilities in the aviation sector that can be exploited for security purposes can also be equally relevant to preventing any exploitation for criminal purposes. The reverse was equally acknowledged in the Wheeler Review which recognised that the conduct of crime which utilises existing vulnerabilities in the aviation environment or causes new vulnerabilities to be established could equally be used to perpetrate an act of terrorism.

The AFP therefore works closely with the Department of Infrastructure, Transport, Regional Development and Local Government (DITRDLG) and shares the objective of strengthening the links between the preventative security, incident management and response elements of the overall aviation security system.

The AFP also works closely with state and territory police services, Commonwealth agencies, airport operators and airlines to coordinate action against terrorist and other criminal threats in the aviation sector.

Close liaison and information sharing between the AFP, Customs and Border Protection, and local state/territory police services is enhanced by the inclusion of representatives from these agencies in the JAIGs and JAITs. Additionally, other government departments (such as the Office of Transport Security, ACC, the Australian Quarantine and Inspection Service (AQIS), the Department of Immigration and Citizenship (DIAC) and members of the Australian Intelligence Community) have been attached to JAIG's or engaged as required.

The AFP JAITs are a successful example of the benefits of collaboration between partner agencies to ensure a consistent and coordinated whole-of-government approach to combating organised crime in the aviation environment.

In 2008-09, for example, JAITs were responsible for 75 apprehensions resulting in 253 charges for a variety of offences including drug importations, theft, threats to aviation security and offences committed by airline or airport employees.

Recently, the JAIT arrested four airline employees for alleged systemic cargo theft at Melbourne airport demonstrating the JAIT's continued focus on aviation vulnerabilities. Additionally, the

Sydney JAIT recently arrested six men resulting in the dismantling of an international drug syndicate that relied upon airside employees within the aviation environment.

Information and intelligence collection, analysis and dissemination have also been enhanced through the increased use of the ACC's Australian Criminal Intelligence Database/Australian Law Enforcement Intelligence Net (ACID/ALIEN). In the aviation environment this database acts as a central repository for aviation-related information and provides a mechanism to draw together and assess the threat of crime and criminality at major airports.

Methods of crime deterrence and information sharing have additionally been supported and enhanced by strategic management liaison between government and private industry bodies through the use of various forums.

These forums include the Australian Government Agency Airport Security Committee (AGAASC) and the Airport Security Committee chaired by the CEO of the airport operator. The AGAASC is chaired locally by each APC and supported administratively by the AFP. These committees report to the Australian Government Transport Security Policy Committee (AGTSPC). The AGTSPC, on which the AFP is represented, provides whole-of-government coordination in the development and implementation of transport security policy.

The AFP has also entered into a number of memorandums of understanding with industry, in relation to cooperation and information exchange, which assist in developing a partnership approach to crime prevention.

Community education, liaison programs and AFP projects and operations have also and are continuing to strengthen the sector against exploitation by building relationships, increasing awareness of criminality and security issues, and enhancing the reporting of criminality.

2.2 Maritime sector

AFP responsibilities involve the investigation of a wide range of criminal groups that may exploit the maritime environment. Key criminal activities of interest to the AFP that may involve a maritime element include people smuggling, environmental crime, and illicit drug importation. The activities may include the exploitation (with or without trusted insiders) of legitimate maritime sea cargo, sea passenger, and/or crew arrangements through ports, or the use of small or other craft.

2.2.1 AFP role at Australia's ports

State/territory police currently have the primary responsibility for the delivery of policing services at Australia's ports. This arrangement reflects that most (vast majority) ports are state corporations and therefore state jurisdiction.

The majority of AFP operational involvement in the port environment stems from the use of legitimate sea cargo and supporting processes to import/export illicit goods. The AFP also has an interest in any potential national security aspects in the environment.

2.2.2 Collaboration with other agencies in the maritime sector

The AFP works collaboratively with a number of other agencies currently involved in the regulation of and delivery of law enforcement across the broader maritime sector as a whole including

DITRDLG, Customs and Border Protection, Australian Defence Force (ADF), DIAC, AQIS, Australian Maritime Safety Authority (AMSA), Australian Security Intelligence Organisation (ASIO), state maritime authorities, state police, and the ACC.

In this context, the AFP is continuing to work with the ACC, Customs and Border Protection, State/Territory Police and international law enforcement partners to develop and share information and intelligence on crimes impacting on the security of Australian sea ports.

The AFP is also committed to the ongoing exchange of information and intelligence with its law enforcement and Government partner agencies to identify and assess key threats to sea port security and associated criminality.

The AFP International Liaison Officer Network assists in building relationships with key stakeholders in other countries and identifying transnational criminal activity that affects Australia. The network encourages open interaction and involvement with local police and Governments to address criminality in local ports and maritime sectors, particularly at last ports of call before Australia.

At the Commonwealth level, policy oversight occurs through the Strategic Maritime Management Committee (SMMC), with a range of subordinate working groups and committees addressing more tailored aspects of maritime policy, operations and intelligence, such as the Joint Agency Maritime Advisory Group (JAMAG) and the AGTSPC. The AFP is currently involved in these coordination groups both directly and indirectly.

The AFP is also directly involved in projects addressing specific areas of the maritime sector including contributing to Border Protection Command risk processes.

The AFP maintains close working relations with various government agencies including Australian Fisheries Management Authority (AFMA), Customs and Border Protection, AMSA, and AQIS for example. In particular, the AFP maintains a close relationship with Customs and Border Protection in respect to strengthening border controls and increasing detections of illicit goods; sharing intelligence derived from investigations and identifying organised crime syndicates for joint or individual targeting.

A recent example of this collaborative approach was in Operation Meranti in which the AFP and Customs and Border Protection worked cooperatively to dismantle a major international drug trafficking syndicate (June 2009). More than 1.8 tonnes of precursor material was seized at the Customs and Border Protection Examination Facility at Port Botany, concealed within a sea cargo consignment from China. This amount of precursor had the potential to make in excess of 150 kilograms of methamphetamine with a street value exceeding \$15 million. The operation resulted in the arrest of six persons in Sydney and Canberra.

3. Criminality in the aviation and maritime sectors

The AFP has a close working relationship with the ACC (including the attachment of AFP members to the ACC to assist with the exchange of information and intelligence in preparation of ACC assessments) and is aware of a range of ACC reports regarding crime in the aviation and maritime sectors and their findings.

The AFP also actively engages in projects and investigations to identify and address vulnerabilities in the aviation and maritime sectors and has done so prior to and since the Wheeler Review.

3.1 Vulnerabilities in the aviation sector

The AFP is continuing intelligence work to identify and investigate persons within the aviation sector who are associated with organised crime groups.

While the UPM provides a substantial enhancement to law enforcement arrangements in the aviation sector, given the extended time frame that organised crime groups have been actively infiltrating the airstream and the varied opportunities for diversion of illicit goods, it is considered highly likely that active infiltration of the airstream by organised crime groups will continue to be attempted.

For example, the methods used by members of a cocaine importation syndicate arrested in September 2009 at Sydney Airport are similar to those previously used in 2000 which led to the conviction of a male for the attempted importation of cocaine by trusted insiders at Sydney Airport. In 2005, an AFP/NSW Crime Commission operation resulted in the arrest of members of another cocaine syndicate who were using baggage handlers to remove imported cocaine from Sydney Airport.

These high profile arrests show an ongoing determination by organised crime to facilitate the import of illicit goods through the use of trusted insiders.

3.2 Criminal Activity in the aviation sector

The UPM has a significant workload with over 38,000 reported cases (both crime and non-crime) dealt with across all functions of the 11 airports during 2008-09. On average, crime accounts for 29% of all AFP reporting at airports whilst non-crime (e.g. preventative operations and security incidents) accounts for 71%.

This workload has been increasing as a result of consolidation activities across the 11 major airports, an increased awareness of the role of the AFP in the aviation environment, and the implementation of enhanced governance arrangements within the UPM.

Overall, the number of criminal incidents at Australian airports is not believed to be rising but more incidents are being reported at airports because of the increased AFP presence.

Over the last 12 months, incident reporting at each of the 11 airports has depicted that incidents pertaining to public order, aviation and property type offences are the most commonly reported community crime issues in the aviation environment.

The AFP however continues to investigate more serious criminal activity in the airport environment with the JAIT's and JAIG's detecting infiltration and exploitation of vulnerabilities within the air passenger stream by members of organised criminal groups.

For example, an AFP operation in 2007 involved the investigation of a group of baggage handlers who were suspected of being involved in an interstate drug-trafficking and distribution network. The investigation involved the combined resources of the AFP, Customs and Border Protection, Northern Territory Police Western Australian Police and Queensland Police. A total of six offenders

were arrested and convicted including a baggage handler, in relation to drug possession and trafficking charges.

A large number of broader AFP investigations in the air passenger stream relate to criminal activity such as drug importations (including suspected internal concealments), transnational child sex tourism (including monitoring overseas travel by convicted child sex offenders) and money laundering (including persons failing to declare currency in excess of AUD \$10,000).

The air cargo sector is also used to facilitate organised crime activities such as the importation of illicit drugs. However, the nature of criminality identified is largely opportunistic theft (noting such vulnerabilities could potentially also be exploited by organised crime groups for other purposes).

For example, a successful AFP operation in 2007 involved the investigation of the theft of air cargo freight from the freight terminal at Melbourne Airport. The operation resulted in the arrest of one employee on theft and Customs charges and the arrest of a second person outside the aviation environment on charges related to receiving/distributing stolen goods. As a result of the operation, three other employees resigned.

The AFP also continues to use innovative solutions to detect and disrupt criminal activity in the aviation environment. During 2008 the AFP implemented a new currency canine capability. This capability has resulted in significant currency detections approaching \$2 million both nationally and in the airport environment.

During July 2009, as a result of AUP officers' observations, a currency and drug canine was deployed in the vicinity of persons at Perth Airport. Following positive reactions from the canine, drugs and \$44,000 in currency were seized. A male was charged with drugs and unlawful possession charges.

3.3 Vulnerabilities in the maritime port environment

The AFP has conducted intelligence projects in cooperation with other law enforcement and Government agency partners into allegations of infiltration of certain Australian sea ports by organised crime. These inquiries have re-affirmed that organised crime has continuing interest in exploiting the sea cargo environment to facilitate the importation of illicit drugs and theft of maritime cargo.

During the normal course of port operations, a large number of people enter and leave a port security zone daily and may board vessels on routine business. These persons have the capacity, in some way, to exploit the port environment for criminal activities and include: government and port officials; shipping agents and company representatives; provedores; specialist personnel; ships' crew; other visitors such as family members of crew; truck drivers, stevedore management and ancillary staff; port security; and stevedores.

Of particular concern is the exploitation by organised criminal groups of persons who occupy positions which afford them control over container movement and other processes within the wharf environment.

In a number of previous AFP cases involving the investigation of narcotic importations via the ports, complicit port and related industry workers have been detected.

3.4 Criminal Activity in the maritime port environment

The majority of organised criminal activity on the waterfront involves the importation of illicit goods, the smuggling of dutiable goods, or the theft of high-value goods.

Such organised criminal activity may involve complicit port workers although AFP experience shows that the use of sophisticated concealment methods and import cover stories (without necessarily using insiders) is prevalent.

For example, in November 2008, one Australian male was sentenced to 18 years imprisonment; and a second Australian male was sentenced to 10 years imprisonment in Sydney for conspiracy to import 26 kilograms of cocaine from Auckland, New Zealand. The cocaine was concealed within metal “hull attachments’ located in ocean-going vessels.

Similarly, in December 2008, a Colombian male was sentenced to 15 years imprisonment and a Samoan male was sentenced to 12 years imprisonment in Brisbane for importing 21 kilograms of cocaine from Panama. The cocaine was concealed within electronic equipment.

4. Aviation and Maritime Security Identification Cards

The establishment of a centralised government background checking agency for aviation and maritime security cards, AusCheck, has assisted in providing a coordinated national approach to information collection.

DITRD LG is responsible for the ASIC and MSIC regimes. The AFP has provided input into DITRD LG reviews of these regimes.

5. Further Information and Briefings

The AFP can provide further detail and supporting information, including in-camera where needed, during the Inquiry process.