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Department of Infrastructure and Regional Development

SUBMISSION FROM

THE DEPARTMENT OF INFRASTRUCTURE AND REGIONAL DEVELOPMENT

TO THE

SENATE RURAL AND REGIONAL AFFAIRS AND TRANSPORT REFERENCES COMMITTEE

INQUIRY INTO AIRPORT AND AVIATION SECURITY

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Overview of the Australian aviation sector

1. Australia's aviation sector facilitates both travel and trade, connecting our cities and towns with each other and the rest of the world. The sector is extremely diverse, and includes large enterprises such as Australia's international gateway airports and small, often local council owned, regional and remote airports. Airlines and cargo operators are similarly diverse and range from major international entities to small family-run businesses.
2. The aviation sector contributes over $32 billion to Australia's annual Gross Domestic Product, directly employing 149,000 people and over 160,000 indirectly. Air cargo makes up nearly 21 per cent of the total value of Australia's freight task, with $110 billion of high value and time sensitive cargo being moved each year.[1]
3. Passenger numbers in Australia are at their highest ever. Currently, over 60 million passengers travel on domestic flights[2], and 32 million passengers fly to and from Australia each year. Every day, Australia's ten largest airports move an average of 353,000 passengers; approximately 264,000 travel domestically, and 89,000 fly internationally.[3]
4. Aviation services many regional and remote communities, providing vital access to health care, education, legal and financial services. It also supports economic growth in these communities by connecting regionally based businesses to domestic and international markets. The aviation sector has been a key enabler of growth in mining, agriculture and tourism in many of Australia's regions.
5. However, the aviation sector servicing regional and remote Australia is very cost sensitive. This is because many regional air routes have low demand and high per passenger costs. As a result, their economic margins are small and their viability can be threatened by small increases in operating costs and revenue reductions. Three long-established regional airlines, Vincent Australia, Brindabella and SkyTrans, closed down their operations in the last 12 months.

The evolution of Australia's aviation security system

6. Fortunately, no major aviation security events have yet occurred in Australia and this has provided the Government with the opportunity to learn from past international events and refine and strengthen the security system over a number of years. The ongoing monitoring and review of Australia's aviation security system is largely guided by intelligence, while also drawing on learnings from exercises and minor incidents. The Department of Infrastructure and Regional Development (the Department) is constantly reflecting on what the Government knows about terrorist intent, capability and tactics to ensure the policy settings, practices, technologies and processes that comprise the aviation security system, are fit for purpose.
7. It is likely that governments will continue to react to major events given it is impossible to anticipate how to prepare for the next significant aviation attack. For Australia, learning from experiences elsewhere in the world will continue to be a key driver of changes to our security system. For these reasons, it is useful to understand the events that have influenced the development of our current security settings.

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[1] *Trends. Infrastructure and Transport to 2030*, Department of Infrastructure and Regional Development, 2014, p 11. http://www.infrastructure.gov.au/infrastructure/publications/files/Trends_Infrastructure_and_Transport_to_2030.pdf
[2] *Aviation domestic airline activity 2013-14*, Department of Infrastructure and Regional Development, 2014. https://www.bitre.gov.au/statistics/aviation/domestic.aspx
[3] *Aviation International airline activity 2013-14*, Department of Infrastructure and Regional Development, 2014. https://www.bitre.gov.au/statistics/aviation/international.aspx

8. Rigorous aviation security began following the hijackings of a number of passenger aircraft around the world in the 1970s. As an example, in 1970, three aircraft were hijacked and diverted to a desert in Jordan. The aircraft were destroyed with a number of passengers kept hostage for up to three weeks. This led to the first passenger screening requirements and, ultimately the screening for prohibited items and weapons in place around the world today.
9. In 1988, Pan Am flight 103 exploded mid-air and crashed into the Scottish village of Lockerbie. The explosion was caused by a bomb concealed in a suitcase in the hold of the aircraft, killing all on board and 11 people on the ground. In the wake of this event, many countries, including Australia, improved procedures to ensure checked baggage only travelled on a flight when its owner was also on-board. This event eventually led to the introduction of robust checked baggage screening.
10. The 2001, 9/11 attacks in the United States of America (US) have had the most profound effect on Australia's aviation security system. As part of a broader hardening of national security after this event, the Australian Government began investing heavily in aviation security. This included establishing a division within the then Department of Transport and Regional Services[4] to deal solely with transport security, including aviation – the Office of Transport Security. With the enactment of the *Aviation Transport Security Act 2004* and the Aviation Transport Security Regulations 2005, aviation security policy and the regulatory framework were considerably strengthened and aviation security became highly regulated.
11. Later in 2001, 'the Shoe Bomber[5]' unsuccessfully attempted to detonate an explosive device concealed in his shoe on a transatlantic flight – American Airlines flight 63. This event highlighted a gap in passenger screening arrangements, a focus only on metallic weapons, such as guns and knives. In response, Australia introduced random and continuous explosive trace detection screening for passengers in 2003.
12. Liquid, aerosol and gel (LAG) restrictions were implemented in response to a 2006 terrorist plot to detonate liquid-based explosives on board ten aircraft travelling between the United Kingdom (UK), the US and Canada. Detected and thwarted in its early planning stages by UK intelligence authorities and police, this plot highlighted that passenger screening points were not able to detect non-metallic explosives when concealed in liquids.
13. In 2009, 'the Underpants Bomber[6]' concealed an improvised explosive device in his underpants and unsuccessfully attempted to detonate it on board Northwest Airlines flight 253 from Amsterdam to Detroit. This event led to the broad introduction of body scanners for passenger screening for international flights, as body scanners are capable of detecting a range of items that other screening technologies cannot.
14. Air cargo security was strengthened in 2010 after explosives were concealed inside printer cartridges on cargo aircraft. The printer cartridges, originating in Yemen, were detected in the United Arab Emirates and the UK by intelligence agencies. In response, arrangements were put in place, which still apply, prohibiting the entry of all cargo from Somalia and limiting cargo from Yemen to only entering Australia on freighter aircraft.[7]
15. Inevitably, future events and the evolving nature of the terrorism threat will continue to influence international aviation security standards and how Australia's aviation security system develops. As evidenced by the above examples, the threats to aviation are constantly changing as terrorists plan or attempt to defeat the robust systems that are in place. Even

[4] Now the Department of Infrastructure and Regional Development.
[5] Richard Reid.
[6] Umar Farouk Abdulmutallab.
[7] i.e. not in the hold of passenger aircraft (that also frequently carry freight).

with the effective intelligence and aviation security systems such as those in Australia, it is impossible to predict what the next significant event may be. As a result, the Government continues to review security settings in the context of the existing threats as we know and understand them.

16. Unfortunately, no system can be completely fail safe, particularly where elements of it rely on human judgment and skill. It is also not practical to try to future proof aviation by seeking to mitigate all known vulnerabilities, no matter how negligible a risk they pose. Were the Government to do this, it would result in an uneconomic aviation sector. Furthermore, it is likely that even with an over-investment in security, those with the intent and capability could still potentially identify and exploit vulnerabilities.

17. Consequently, government agencies involved in maintaining aviation security regularly make informed judgements about where risks are highest. The finite resources of both the Government and industry are then largely directed to mitigating these risks, again based on assessments about where and how measures can be best implemented to provide the most effective security outcomes.

The international basis for Australia's aviation security system

18. The networked nature of aviation requires that the Government implement key international agreements so that Australia can participate in global travel and trade – our outbound flights are another country's inbound flights. The most important of these is the Convention on International Civil Aviation (the Chicago Convention). The Chicago Convention establishes principles and arrangements so global civil aviation can operate in a safe and orderly manner, and that international air transport services are established on the basis of equality of opportunity and operated soundly and economically.

19. The Chicago Convention has annexes containing Standards and Recommended Practices (SARPs). Annex 17 is focused on security and safeguarding international civil aviation against unlawful interference. As a contracting party, Australia is obliged to adhere to Annex 17 standards set by the ICAO, including by enacting them into domestic law. The Commonwealth's *Aviation Transport Security Act 2004* and the Aviation Transport Security Regulations 2005 ratify the Chicago Convention.

20. As a result, much of Australia's security framework is based on Annex 17 which includes requirements for safeguarding passengers, crew, ground personnel and the public in matters related to unlawful interference with civil aviation. In cases where Australia does not implement an Annex 17 standard, the Government must file a difference against that particular standard with ICAO. Annex 17 also establishes a number of recommended practices which Australia is obliged to consider. These practices include protecting aviation security information; minimising regulatory interference with civil aviation, cooperating with other countries and promoting research and development of new security equipment taking account of human factors.

21. The Chicago Convention establishes ICAO – the United Nations body responsible for maintaining and managing global aviation standards. The Department participates in ICAO aviation security forums, including the Aviation Security Panel, Panel working groups and ICAO conferences such as the General Assembly and Regional Conferences. The Department's engagement in ICAO ensures the Government influences the development of new SARPs to respond to emerging threats and that global systems provide a secure operating environment for the Australian aviation sector, trade and travellers.

22. In 2007, following the uncovering of the 2006 LAGs plot, Australia established a strategic partnership with, Canada, the European Commission and the US as key like-minded countries. This forum, known as the QUAD, facilitates information and intelligence exchange, considers new and emerging threats, risk methodologies and new technologies. The QUAD works collectively to influence and drive the global aviation security agenda through participation in ICAO and other international forums. It also provides an important mechanism for engagement between members when a security event occurs and governments are looking to respond quickly to harden security.

Regulation of aviation security in Australia

23. The Department regulates the security of the Australian aviation environment through its administration of the *Aviation Transport Security Act 2004* (the Act) and associated Aviation Transport Security Regulations 2005 (the Regulations). The Department also provides advice to the Government on aviation security policy and practice. As at 12 January 2015, the Department regulates 174 airports, 397 airlines and 880 air cargo agents under the Act.

24. The purpose of the Act is to establish a regulatory framework to safeguard against unlawful interference with civil aviation and meet Australia's obligations under the Chicago Convention.[8] Broadly this can be interpreted as maintaining and improving transport security in civil aviation in accordance with international standards and practices.[9] Attachment A sets out the meaning of unlawful interference under the Act.

25. The Act provides the regulatory framework for preventive aviation security and the associated Regulations set out the mandated minimum standards for industry to meet in their operations. Consequently, under the Act, the Department is responsible for administering the legislation while airport and aircraft operators and air cargo agents are responsible for delivering security on a day-to-day basis. This recognises that airports, airlines and air cargo agents are commercial enterprises and they have specialist capability and expertise to effectively manage key infrastructure securely; which is not available within the Government. As a result, industry is responsible for ensuring that their staff and contractors are appropriately trained to undertake any specific security roles and responsibilities as needed under the aviation security legislation.[10]

26. In practice, this means that many of the physical security measures that are obvious to a traveller such as security screening and access controls to secure areas, are managed by the airport or relevant airline. The Department, through a network of Aviation Security Inspectors (ASIs), oversees industry's compliance with the Act and Regulations through a regular programme of audit and inspection. As a result, the Department does not have a permanent presence at any airport.

27. The primary mechanism by which the Department manages industry compliance with the Act and Regulations is a transport security program (TSP). A TSP is prepared by an airport operator, aircraft operator or regulated air cargo agent[11], and approved by the Department. It sets out the measures and procedures that they will implement to reduce the risk of terrorism and other acts of unlawful interference, and meet their obligations under the Act and Regulations.[12]

[8] The Act Part 1, Division 2.
[9] Explanatory Memorandum (revised),Aviation Transport Security Bill 2003 (Cth).
[10] The Act Part 5, Division 4-5; the Regulations regs 2.22 (airport operators), 2.45 (aircraft operators), 2.58 (RACAs) and 2.86 (Airservices).
[11] The Act s12; the Regulations reg 2.03.
[12] The Regulations Part 2.

28. All TSPs must contain a statement outlining the local security risk context for the industry participant[13], and demonstrate that the industry participant: is aware of their responsibility to contribute to the maintenance of aviation security; has developed an integrated, responsible and proactive approach to managing aviation security; has the capacity to meet the specific obligations imposed under the Act; and has taken into account their local security risk context in developing activities and strategies for managing aviation security.[14] The TSP must also set out how the participant will manage and coordinate aviation security activities within the participant's operations, including the technology, equipment and procedures to be used by the participant to maintain aviation security, how the participant will respond to aviation security incidents and how they will protect security compliance information. The TSP also includes details of how management of aviation security will be coordinated across multiple parties operating within the same facility.[15]

29. Airports that receive regular passenger transport (RPT) or open charter aircraft are declared by the Department as 'security controlled' airports[16]. The Department assigns security controlled airports into one of seven categories. These categories are based on their operating environment giving consideration to the size of aircraft – based on maximum take-off weight (MTOW), the number of passengers passing through the airport, as well as the airport's prominence in the local community, and its risk profile.[17] For example, category 1 airports comprise Australia's large international airports like Sydney, Melbourne and Brisbane and category 6 includes more remote, smaller airports such as Halls Creek and Darnley Island.[18] Under the Act and Regulations all security controlled airports must implement security requirements, such as access control and screening, which are proportionate to their local risk profile and operating environment. These measures are set out in their TSPs.

30. Some areas of an airport are of particular security relevance because they contain critical infrastructure, such as aircraft, air traffic control facilities and fuel storage areas and these may be attractive targets for acts of unlawful interference. Recognising this, the Act establishes specific security zones – both airside and landside – that require additional security measures.[19] Industry is responsible for ensuring that these zones are only accessed by those authorised to do so.[20] To achieve this, airports implement controls to ensure that anyone working unescorted in these areas displays an Aviation Security Identification Card (ASIC)[21], and people, goods and vehicles are screened and cleared to prevent weapons or other prohibited items entering these areas.[22]

31. Screening of passengers and baggage takes place at all capital city, large regional and some remote airports that receive RPT or open charter aircraft with an MTOW of 20,000 kg or more (category 1 to 5 airports).[23] Smaller airports (assigned to category 6), most often situated in regional and remote areas, typically do not receive RPT or open charter aircraft above the MTOW limit. The rationale behind using MTOW as the trigger for screening measures is that there is a greater risk of aircraft with a higher weight being used for targeted attacks.

[13] The Regulations regs 2.10 (airport operators), 2.28 (aircraft operators), 2.49 (RACAs) and 2.78 (Airservices).
[14] The Act Part 2, Division 4.
[15] The Act Part 2, Division 4; the Regulations Part 2.
[16] The Act s 28.
[17] The Act s 28A; the Regulations Part 3, Division 3.1A.
[18] The seventh category is used as a 'transitional' category.
[19] The Act Part 3, Divisions 2-4; the Regulations Part 3.
[20] The Regulations Part 3.
[21] The Act Part 3, Divisions 3-4; the Regulations Part 3, Division 3.2. NB: The holder of an ASIC does not automatically have the right to enter any area of the airport. Access to areas these areas and zones is managed by industry to ensure that only people with an operational need to be there enter. Refer to paragraph 45 for more information.
[22] The Act Part 3, Division 3, and Part 4; the Regulations Part 3, Part 3A, and Part 4, Division 4.1-4.3.
[23] The Regulations reg 4.02.

32. Unlike the Transportation Security Administration in the US or the Canadian Air Transport Security Authority, the Department does not directly employ screeners at airports. The airport operator responsible for implementing security requirements generally contracts these activities out to specialist screening authorities. All screening authorities are authorised by the Department. The methods, techniques and equipment they must use for screening people, baggage and examining cargo are set out in Aviation Screening Notices (ASNs) and Air Cargo Examination Notices.[24] Amendments to these notices can be made at any time by the Department on the basis of a changed or new security threat; or method, technique or technological advance in screening. For example, LAGs were not considered a particular threat until the events in the UK in 2006, in response the ASNs were amended to reflect the new security environment. The Department ensures that screening authorities deliver screening services in accordance with the legislation, through system testing, audits and compliance activities.

33. The Act and Regulations also impose obligations on industry participants to implement on-board security measures to safeguard an aircraft and its passengers.[25] These include ensuring the security of the flight deck through the use of hardened cockpit doors and accompanying procedures to prevent unauthorised access; conducting pre-flight security checks to detect any weapons or prohibited items; and establishing training programmes to equip crew members to deal with unruly passengers or threatening situations.

34. To ensure that industry complies with their obligations under the Act and Regulations, the Department monitors and tests the effectiveness of security measures, as set out in TSPs, through its National Quality Control Programme (NQCP). The NQCP includes regular inspections, audits and other compliance activities. ASIs, located in the Department's regional offices, undertake this work. The annual Portfolio Budget Statement sets a target of 95 per cent of 'high risk' cases to be subject to compliance activity.[26] On an annual basis a range of compliance activities are conducted on over 300 high-risk cases. Compliance activities are also conducted on a range of lower risk cases which allows the Department to maintain a comprehensive, multi-year view of regulated industry participants.

35. Where industry non-compliance is identified by ASIs there are a range of responses that the Department can take, proportionate to the particular non-compliance or pattern of non-compliance. These range from administrative tools, such as the issuing of non-compliance notices, to fines and criminal prosecutions under the Act[27]. The Department works closely with industry to develop corrective action plans to address non-compliance, and ensure that they are followed.

Australia's layered security approach – how government agencies and industry work together

36. Australia's approach to aviation security is layered and to a large extent set out in the ICAO SARPs. As a result, the layered approach is widely adopted internationally. While no system is infallible, a layered approach means that should one security layer be ineffective, there is a strong likelihood that another layer may be effective. This approach is based on the principle of 'security in depth', that is, the more layers of security, the less chance an attack will occur or be successful.

[24] The Regulations reg 4.17.
[25] The Regulations Part 4, Division 4.4.
[26] 'High-risk' is determined by a weighting system that looks at inherent security risk, mitigation complexity, compliance history and recent compliance activity.
[27] The Act Part 8.

37. In Australia, government agencies and industry work together to ensure this layered approach provides a robust aviation security system with no agency being solely responsible for aviation security, nor the system itself. In addition to the Department, other agencies with a key role in aviation security include the Australian Security Intelligence Organisation (ASIO), Australian Federal Police (AFP), Australian Customs and Border Protection Service (Customs), Department of Immigration and Border Protection (Immigration), and Department of Agriculture (Agriculture).

38. The Government's layered approach to aviation security begins with intelligence, ends with physical security on board aircraft, and includes many layers in between. The layers are all different, comprising technology, training, practices, processes and physical measures. As with any system that has elements reliant on human involvement, there will always be the potential for lapses in security. The layered approach provides some contingency that if a layer fails due to human error; another layer may prevent a successful terrorist attack.

39. Intelligence is often described as the first layer of defence against terrorism. It plays a critical role in Australia's layered approach, as it is far better to disrupt a terrorist plot than to respond to an attack while in progress. The Government's intelligence agencies work closely with the Department, other agencies and industry to provide current and accurate information about aviation threats. This threat information is used by both government and industry in their risk assessments to determine if security settings and measures are fit for purpose or whether there are gaps that need to be filled. Intelligence also informs law enforcement operations to disrupt and deter attack planning.

40. Given the high volume of travel by Australians internationally, it is important that Australia has a good understanding of in-bound security risks. To achieve this, the Department manages an inspection programme of Last Ports of Call (LPOC) airports which is an important layer in Australia's security system. Through this programme, the Department assesses security arrangements at LPOCs – that is, airports from which aircraft fly directly to Australia. The findings of these assessments are shared with the relevant local aviation authorities so that remediation can take place. In addition, the Department works with bilateral partners to improve security outcomes, where issues are identified, through capacity building projects. Strengthening the security systems of our regional neighbours lowers the aviation security risks in these countries and protects aircraft flying towards Australia.

41. The presence of uniformed police officers at major Australian airports provides an important, highly visible layer of security. AFP airport operation officers are present at nine major airports: Adelaide, Brisbane, Cairns, Canberra, Darwin, Gold Coast, Melbourne, Perth and Sydney. These trained officers patrol public areas of the airport and undertake planned operations which may include firearms and explosive detection checks on passenger luggage or targeted sweeps of airport areas for improvised explosive devices. Canine teams are a specialist component of the AFP's aviation presence that provide a highly-visible deterrent to those wishing to do harm. At these nine airports, the AFP also undertakes a general community policing function (such as investigating criminal matters, patrols and making arrests). The AFP leads a national Airport Watch programme at these nine airports to improve the detection, reporting and resolution of suspicious activity. At all other airports, police services are the responsibility of state and territory governments.

42. At Australia's international airports uniformed Customs, Immigration and Agriculture officers work together to ensure only people and goods that can legally enter and exit Australia do so. To control the movement of people and goods at airports, these agencies undertake both identity checks and physical searches providing another layer of deterrence to

potential attackers. Since August 2014, Border Force Counter-Terrorism Unit (CTU) teams have been stood-up at Australia's eight major international airports. The CTU teams enhance the capability of Customs to deal with both inbound and outbound national security threats. The CTU teams proactively intervene in suspicious situations or intercept suspicious persons of national security interest in Customs controlled areas.

43. Physical security measures at our airports provide another important layer of defence. As mentioned above, the Act requires industry to prepare TSPs that describe physical measures they will implement to achieve security outcomes. Airports, airlines and air cargo agents determine how to deploy the mandated physical security measures to protect the travelling public, their staff and contractors, their assets and operations. The security measures they use may include security patrols, perimeter fencing, barriers, traffic management, lighting, intruder detection systems, closed circuit television (CCTV) surveillance and unattended baggage procedures.[28] As a result, physical security measures in place at airports differ as they are tailored to the risk profile and infrastructure of each airport's operating environment.

44. Many airport operators have invested in physical security measures not mandated in the Act to protect publicly accessible areas of terminals, known as 'front of house'. The Department has worked closely with airports to provide guidance as to how front of house areas can be made more secure. This work has included ways to incorporate security in the physical design of airport infrastructure and includes the placement of strengthened bollards at airport entrances and entrance roadway design to direct the flow of vehicle traffic away from terminals. This investment by the aviation industry also demonstrates that legislation is not always needed to achieve effective security outcomes.

45. Maintaining the integrity of secure areas and security zones is another security layer. This is achieved by ensuring that only people who have been background checked can regularly access secure areas or security zones of airports unescorted. All employees and contractors and regular airport visitors who need to enter secure areas or security zones for their work must display an ASIC while in a secure area or security zone.[29] To be eligible for an ASIC a person must have an operational need and successfully pass background checks every two years. The checks include a national security assessment by ASIO, criminal history check by Crimtrac, and, for foreign nationals, an immigration check. The requirement to revalidate background checks of people working in sensitive airport areas provides a regular opportunity to review the need for that person to have access to secure areas or security zones and ensure they have not come to the attention of authorities as presenting a security threat.

46. Passenger and baggage screening are key layers of defence against those who might attempt to use an aircraft to effect a terrorist attack on board a plane while inflight. The requirement to screen and clear crew and passengers, their carry on and checked baggage reduces the risk that items including significant weapons, firearms and explosives could be taken on board. To detect the diverse range of possible substances and items that an attacker could use, different screening methods and technologies are used. These include walk-through metal detectors, X-ray machines, body scanners, bottled liquid scanners and explosive trace detection equipment. Due to the varying risk profiles and operating circumstances, screening methods and technologies differ between different categories of airports.

47. A further layer of security against the risk of an explosive being placed on aircraft is through air cargo security measures. Air cargo security is important as a high proportion of Australia's exports are transported on passenger aircraft. Australia's air cargo security

[28] The Regulations Part 3, Division 3.
[29] The Regulations Part 3, Division 3.2, and Part 6.

arrangements are focussed on securing the supply chain from the time the cargo is received by a Regulated Air Cargo Agent (RACA) to the time the cargo is loaded on the aircraft. Under the Act and Regulations, RACAs have obligations in relation to confirming bone fides of exporters, examining cargo received from unknown customers, and ensuring that cargo is managed in a secure way while it is in their possession. To fulfil our obligations under Annex 17, international air cargo is also subject to further examination for explosives at the airport through X-ray and explosive trace detection.

48. On-board security measures provide a final layer of defence. To prevent the hijacking of an aircraft and its use as a weapon, hardened cockpit doors are installed on aircraft with a seating capacity of 30 or more used for regular passenger transport or open charter operations. Airlines must also ensure their crew are appropriately trained to detect suspicious behaviour and respond to disruptive passengers in flight. Air Security Officers are specially trained AFP officers who provide a discrete presence on selected domestic and international flights. Their mission is to prevent terrorism, acts or threats of violence, or any other action which may interfere with the safe operation of an aircraft, or the safety of passengers and crew.
49. Increasingly, the public, whether travelling themselves or visiting an airport, play an important role in the detection and resolution of suspicious behaviour. Airport operators and law enforcement agencies actively encourage the reporting of suspicious behaviour or items, such as unattended baggage. Furthermore, passengers on board aircraft have in the past assisted airline crew to subdue or overpower people trying to interfere with the flight. The most stark example of this was one of the aircraft hijacked in the 9/11 attacks where the passengers overpowered the hijackers. While this example is extreme, instances of passengers assisting airline crew in difficult situations are common and, with increasing awareness of security, are likely to continue in the future.
50. To make sure the layered system is working effectively as a whole, the Department hosts two consultative forums: the Aviation Security Advisory Forum (ASAF) and the Regional Industry Consultative Meeting (RICM). Through these forums, the government and industry share intelligence and information on threats, risks and incidents, and discuss operational issues and regulatory settings. The ASAF comprises senior managers from major airports, airlines and the government. Whereas RICM involves representatives of airports, airlines, cargo operators and government with regional interests.
51. All ICAO contracting states operate the same, or a similar, layered approach to aviation security. The challenge for governments and industry is how to judge the best way to invest in the layers to respond to contemporary threats. Often the perception is that the very obvious layers such as passenger screening are critical and that minor breaches indicate significant flaws in the aviation security system. However, as described above, these layers are part of a complex and integrated system of security underpinned by robust, well informed risk analysis. It is this analysis that determines how finite resources will be applied to the areas of highest risk within the system so that investment in areas of marginal return is minimised. While the Government is not complacent, to date efforts to harden the security of Australia's airports and airlines have been successful in reducing their accessibility as targets.

The future of aviation security in Australia

52. Late last year, the Department released the *Transport Security Outlook to 2025* (the Outlook) which forecasts what the future likely holds for transport security in Australia in the next five to ten years. The Outlook provides government, industry and international partners with an overview of key drivers in the transport environment and includes a specific section on the

aviation sector. The Outlook can be found at:
<https://www.infrastructure.gov.au/transport/security/pdf/Transport_Security_Outlook_to_2025.pdf>

53. The Outlook predicts that in the future, the Government's aviation security settings will be challenged by on-going growth in the aviation sector, primarily through passenger numbers and, to a lesser extent, trade volumes. This is because passenger traffic through Australian airports is expected to more than double in 15 years; the bulk of this concentrated through the major international gateway airports.

54. More specifically, inbound arrivals to Australia are forecasted to reach 36.6 million a year by 2030[30] with a growing proportion of travellers likely to arrive on low cost carriers. It is forecast that regional and remote aviation will also increase in overall terms[31] with this growth concentrated at those airports associated the mining, agriculture and tourism sectors. Air cargo to and from Australia is also expected to grow by four per cent per year to 2025, with passenger aircraft likely to continue to dominate the market rather than dedicated freighters.

55. Unfortunately, we are also reasonably certain that for the foreseeable future aviation will remain an attractive target for terrorists. Attacks against airports and airlines will continue to be favoured as they can provide mass casualties, have a significant economic impact and cause public fear and anxiety. Continued attempts to subvert security measures should be expected and terrorists are likely to evolve their capabilities and tactics as security measures are updated and improved.

56. To respond to these challenges, the Department is working closely with other government agencies and industry to ensure that security measures in place at airports and on board airlines remain fit for purpose, can respond to new and emerging threats and are ready for the forecast growth in the sector. As a result, the Department is looking at new technologies and business processes that can both strengthen security and improve productivity. The Department is also actively encouraging innovation within the industry through trials and adopting new systems and processes to refine and improve aviation security.

57. To deal with the forecast growth and ensure the long-term viability of the aviation sector, the Department is reassessing the risk underpinning existing security measures. To do this, the Department is conducting comprehensive risk assessments in collaboration with other agencies and industry to determine where current aviation settings can be better tailored to high risks and resources can be redirected from areas of very low or negligible risk. This move to a risk-based, proportionate security approach will ensure that in the future, as the aviation sector grows and pressures on resources increase, effort is applied to areas of highest risk, rather than being misdirected to very low risk areas. This is the only way that the Government, given the predicted growth in the sector, can ensure that regulatory actions achieve security outcomes and the economic viability of the aviation sector is maintained. Without a robust risk-based aviation security system, terrorists will achieve their aims through either a successful attack or by curbing Australia's economic prosperity by reducing the viability of the aviation industry through the cost of security regulation.

[30] *Transport Security Outlook to 2025*, Department of Infrastructure and Regional Development, 2014, p 4.
[31] Average passenger growth in very remote Australia grew by over ten per cent a year from 2007-2012: *Air Transport Service trends in Regional Australia,* BITRE, 2013.

Conclusion

58. An efficient, safe and secure aviation system is integral to Australia's social and economic well-being. Government and industry works together to provide a robust aviation security system that provides a layered approach to security. Past events and a number of government reviews have shaped the system.

59. The Department takes a proactive and forward looking approach to security regulation constantly reflecting on what Government knows about the terrorist threats to ensure that Australia's aviation security system is fit for purpose and security measures are targeted towards the areas of highest risk.

60. To respond to future challenges, the Department is working closely with the international community, other government agencies and industry to ensure that Australia's system remains responsive to new and emerging threats and can also cope with growth in the sector, particularly the increasing passenger numbers arriving and departing Australian airports.

61. A risk-based proportionate security approach with investment in security focused on areas of highest risk is required to protect Australia and its interests, which is dependent on the long term viability of the sector. This approach is required as the aviation sector is so diverse and cost sensitive.

ATTACHMENT A

Part 1, Division 5, Section 10 of the *Aviation Transport Security Act 2004*

Meaning of *unlawful interference with aviation*

(1) Any of the following done, or attempted to be done, without lawful authority is an ***unlawful interference with aviation***:

(a) taking control of an aircraft by force, or threat of force, or any other form of intimidation or by any trick or false pretence;

(b) destroying an aircraft that is in service;

(c) causing damage to an aircraft that is in service that puts the safety of the aircraft, or any person on board or outside the aircraft, at risk;

(d) doing anything on board an aircraft that is in service that puts the safety of the aircraft, or any person on board or outside the aircraft, at risk;

(e) placing, or causing to be placed, on board an aircraft that is in service anything that puts the safety of the aircraft, or any person on board or outside the aircraft, at risk;

(f) putting the safety of aircraft at risk by interfering with, damaging or destroying air navigation facilities;

(g) putting the safety of an aircraft at risk by communicating false or misleading information;

(h) committing an act at an airport, or causing any interference or damage, that puts the safe operation of the airport, or the safety of any person at the airport, at risk.

(2) However, unlawful interference with aviation does not include lawful advocacy, protest, dissent or industrial action that does not result in, or contribute to, an action of a kind mentioned in paragraphs (1)(a) to (h).