



**Premier  
& Cabinet** Law Enforcement Policy Branch

Ms Julie Dennett  
Committee Secretary  
Senate Legal and Constitutional Committee  
PO Box 6100  
Parliament House  
CANBERRA ACT 2600

- 1 NOV 2010

Dear Ms Dennett

I write in response to a letter to the Commissioner of Police concerning the Standing Committee's inquiry into the *Aviation Crimes and Policing Legislation Amendment Bill 2010*. Your letter has been referred to me for reply.

The proposed intent of the Bill is to strengthen the existing legislative framework surrounding Australia's international and domestic aviation security regime by ensuring that aviation crimes carry appropriate penalties and that an appropriate range of offences apply.

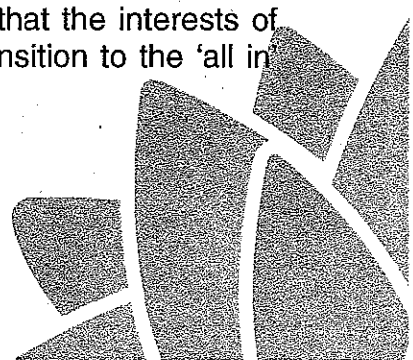
The Bill also makes amendments to enhance the capabilities of the Australian Federal Police (AFP) to enable it to transition to an 'all in' policing and security model at airports, as recommended by the 2009 Federal Audit of Police Capabilities.

Whilst the NSW Police Force has advised that the changes proposed in Bill do not appear contentious, I would like to draw some issues arising from these amendments to your attention.

As you may be aware, under the current mixed model cooperative arrangements between the NSW Police Force and the AFP to police Sydney Airport are contained in a Memorandum of Understanding (MOU) and Letter of Exchange. As part of the MOU, the NSW Police Force has a number of operational interests at Sydney Airport.

These interests include emergency and incident management, security, information exchange and responding to crime, particularly serious offences such as homicide which occur at the airport as well as any other offences that would be mandatory reportable crimes to the State Crime Command of the NSW Police Force.

Both of these documents will require careful review to ensure that the interests of the NSW Police Force are maintained during, and after the transition to the 'all in' model of aviation policing.



The NSW Police Force is also currently responsible for the management of any large scale emergencies at the airport. If the AFP assume responsibility for all policing at Sydney Airport this could include responsibility for emergency management.

As the Bill is silent on this issue, further discussion between the NSW Police Force, the Department of Premier and Cabinet's Security and Recovery Coordination Branch and the AFP, with respect to the future role of the NSW Police Force in emergency management and disaster response, will be required.

Thank you for the opportunity to comment on the Bill.

Yours sincerely

**Les Tree**  
**Deputy Director General**  
**Law Enforcement and Regional Coordination Division**