

## **Senate Rural and Regional Affairs and Transport References Committee**

### **Inquiry into Airport and Aviation Security**

#### **Submission addressing the Terms of Reference – Mr Allan Kessing**

##### **Background**

I joined Customs in 1990 and retired in 2005. During that time, I gained varied experience on the wharves, at seaports and airports, as well as cargo control in Bond and Free Stores, excise and tariffs and other investigations.

In 1996, I was part of a new office – the Cargo Analysis Unit – which was created to counter large scale contraventions of the Customs Act, specifically revenue evasion and community protection. This involved intelligence gathering, analysis, surveillance and accessing the data of other law enforcement agencies in liaison.

##### **Terms of Reference**

###### **(a) Recent reports on apparent breaches in airport and aviation security at Australian airports**

I have no special knowledge of the background to recent problems given that I left the Service over a decade ago. However, the similarities of reported offences, breaches and arrests of officers suggest that there has been little improvement in the situation despite the many reports and recommendations, both commercial and official.

In the 1990's Qantas commissioned former police officers to investigate criminal conduct of non-government staff, for example baggage handling, catering, cleaning and aircraft maintenance.

In 2002, I was invited to join a covert unit within Customs which had been formed following the Qantas inquiry. The covert unit was dedicated to investigating security breaches and criminal activity in the so-called Sterile Areas of Sydney Airport – the non-public areas such as baggage handling, infrastructure, retailing, warehousing and aircraft maintenance. I was also directed to review and analyse the Qantas enquiry and further information gathered by the covert unit, and prepare a report on the then-current state of security – specifically passenger control and screening. This report was completed in late 2002 and forwarded to my employers in early 2003.

Later in 2003, I was as directed to prepare another, more detailed report which included not only passenger screening but also other activities relevant to security. As previously, my research required liaison and database access with other law enforcement agencies and other government departments include the Department of Foreign Affairs, Department of Immigration, AQIS, AFP, et al. This report was completed in mid-2003 and subsequently provided to my employers.

In 2005, some details of the second report were published and the then government recruited Sir John Wheeler to look into the matters raised.

**(b) Consideration of the responses to those reports from the Government, regulators, airports and other key stakeholders and the adequacy of those responses**

The Customs Act was implemented, more or less effectively, in my sea and air port experience in the 1990's. This changed when the overall policy of FACILITATION over INTERDICTION was introduced for commercial reasons which shifted the balance to an unworkable degree, weakened the Border and severely hampered Community Protection. This was prior to the Olympics and later privatisation. Corruption and criminal behaviour are endemic in commerce and currently threats to security are deemed to be an additional problem.

The report into the inquiry conducted by Qantas in the late 1990's was not acted upon.

The report I prepared and provided to my employers in early 2003 was not acted upon.

The detailed report I prepared in mid-2003 and provided to my employers was not acted upon.

The Wheeler Report endorsed my second report and proposed changes which the government promised \$200 million to implement.

I suggest that the recommendations of the Wheeler Report, convened in 2005 to look into my original concerns, have not been effectively implemented.

**(c) Whether there are further measures that ought to be taken to enhance airport security and the safety of the travelling public**

Recent events overseas, specifically France and Turkey, suggest that **air travel** *per se* is declining as a target – more mayhem and institutional response can be caused by attaches in less controlled, public environments.

The greatest vulnerability in an airport is ground staff. The majority of personnel are low skilled, casual and part-time yet many have access to restricted, high security areas. It was the function of Customs' covert unit to supervise those within the airport Sterile area. This function was eroded by the commercial imperative – in direct contravention of the requirement **S19** of the Customs Act to provide "... to the satisfaction of the Controller..." such means.

The threats to aviation security are many.

The focus is too often on passengers, neglecting the greater potential danger from ground staff.

The currently highly disruptive and expensive screening undergone by innocent travellers is out of all proportion to the threat they pose.

Since the days of Leila Khaled in the Jordanian Desert (1969) there has only been one case of a hijacker being prevented from boarding, though this was not due to passenger screening. The high profile cases of recent years (for example, the Shoe Bomber and the Underwear Bomber) passed through the best policed airports in the world (including Schiphol NL and Heathrow UK) often involving several transfers, undetected and undeterred.

The rest of us, the people paying for all this, shed shoes and lose heirloom manicure sets when we attempt to fly.

Today few passengers would feel safe were there no screening of passengers. This is more about public perception than reality.

The money and resources would be better directed to intelligence targeting which would be more effective in identifying potential threats.

Far greater threats than those presented by passengers can be more simply carried out.

Airports rely on throughput.

Sydney Airport handles more than 100,000 passengers each day, with many multiples more on hand to meet, greet and farewell the travellers.

All these people have to be managed, informed, processed, fed, watered, provided with toilet facilities and, most importantly, the opportunity to splurge on high value up-market goods.

Capital city airports derive a significant portion of revenue from the rent charged to retailers based upon public access and a captive potential customer base.

The commercial imperative that allows cheap air travel requires massive numbers of people to pass through retail areas.

They are basically giant shopping malls with runways attached.

The filtering process of airports involves so many people moving so much material through deliberately constricted areas into even smaller spaces.

Airports are staffed, in too many instances of high security value, with minimum wage personnel, with the inherent risks of part-time, casual workers.

Delays in the filtering process can be exponentially expensive as even small disruptions to the free flow of people can bring chaos which then ripples out to other areas, especially domestic and international connections.

Consequently, the constant aim is to keep the traffic moving. As a result, compromises are made.

Most of these are sensible but scrutiny is vital.

**(d) The findings of, and responses to, report undertaken into airport security issues since 2000**

There have been numerous reports into airport security.

The QANTAS investigation in the mid 90's was not acted upon.

The reports of the Customs' covert unit, undertaken from 2002 which were completed in mid-2003, were shelved. They were not made available to other areas of Customs.

The Wheeler Report in 2005, which endorsed the findings of the Customs' covert unit, made recommendations which, to judge from current events, have not been effectively implemented.

**(e) Any related matter**

It is a truism that the stricter a security perimeter, the greater the laxity therein.

The ground staff within that are issued with Air Security Identification Cards (**ASIC**) without sufficiently rigorous background checks.

It is sometimes claimed that effective checking would be onerous. My experience in doing so demonstrated otherwise.

If there were any significant delay this would be a curb on the employment of unsuitable staff, usually by sub contractors at the basic level.

The use by sub contractors of external staff is an example of the commercial imperative being inimical to security.

There are many physical areas in which it is not possible, let alone practical, for staff to be observed.

A prime example is cleaning and internal preparation of aircraft for the next passenger load because of the restricted time allowed – again this is entirely a commercial consideration.