



The Hon Anthony Albanese MP

Minister for Infrastructure,
Transport, Regional Development
and Local Government
Leader of the House

21 OCT 2008

**Executive Minute
Report 400 (Rec'd 22/10/08)**

Reference: 07525-2008

Ms Sharon Grierson MP
Committee Chair
Joint Committee of Public Accounts and Audit
Parliament House
CANBERRA ACT 2600

Dear Ms Grierson *Sharon,*

I refer to the Committee's Report Number 409: *Developments in Aviation Security since the Committee's June 2004 Report 400: Review of Aviation Security in Australia* which was tabled in Parliament on 4 December 2006.

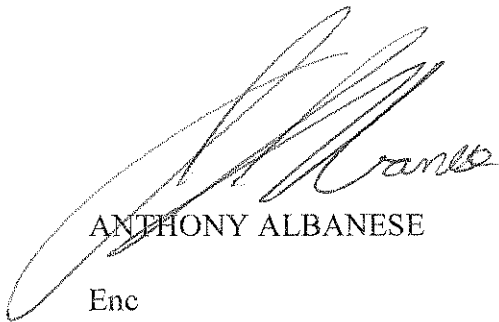
Report 409 contains 19 recommendations the majority of these are relevant to the Department of Infrastructure, Transport, Regional Development and Local Government (the Department) as the agency responsible for the management of aviation issues. Specifically, the recommendation related to the Counter Terrorist First Response function is the responsibility of the Australian Federal Police to manage. The recommendations related to the Aviation Security Identification Card regime is the responsibility of my Department and AusCheck, within the Attorney-General's Department to jointly manage. The recommendation related to Closed Circuit Television is the responsibility of my Department and the Australian Customs Service to jointly manage. My Department in consultation with the above agencies, as well as the Department of the Prime Minister and Cabinet, has coordinated the response to each of the 19 recommendations.

The response considers the Committee's recommendations from its *Interim Report 406: Developments in Aviation Security since the Committee's June 2004 Report 400: Review of Aviation Security in Australia*. In addition, my Department notes the Committee's suggestions outlined in sections 2.89, 3.54, 3.96, 6.66, 7.33 and 7.35 of Report 409.

I attach the combined Government agency's responses to the recommendations which, in accordance with the Committee's Guidelines, have been signed by the Acting Secretary of my Department.

My Department would like to thank the Committee for its detailed examination into Australia's aviation regime and is pleased to note that the Committee considered Australia's aviation security culture to be strong and in a state of continuous growth.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Anthony Albanese', written in a cursive style. The signature is positioned above the printed name.

ANTHONY ALBANESE

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Australian Government

**Department of Infrastructure, Transport,
Regional Development and Local Government**

EXECUTIVE MINUTE

on

JOINT COMMITTEE OF PUBLIC ACCOUNTS AND AUDIT REPORT 409
Developments in Aviation Security since the Committee's June 2004
Report 400: Review of Aviation Security in Australia

General Comments

This Minute provides the coordinated responses to the nineteen recommendations of the Joint Committee of Public Accounts and Audit's Report 409: *Developments in Aviation Security since the Committee's June 2004 Report 400: Review of Aviation Security in Australia*. The responses have been approved by the Australian Federal Police Commissioner, the Chief Executive Officer of the Australian Customs Service, the Secretary of the Attorney-General's Department and myself as Acting Secretary of the Department of Infrastructure, Transport, Regional Development and Local Government (Department of Infrastructure). The responses have also been prepared in consultation with the Department of the Prime Minister and Cabinet.

This Minute also provides coordinated responses to outstanding recommendations 2 and 9 from *Report 406: Developments in Aviation Security since the Committee June 2004 Report 400: Review of Aviation Security in Australia — an Interim Report*. The Department of Infrastructure notes that the Committee was generally satisfied with measures adopted by the Australian Government to minimise vulnerabilities in aviation security since September 2001, including measures created pursuant to the Wheeler Review of 2005.

The Department of Infrastructure and responding agencies also note the Committee's comments in sections 2.89, 3.54, 3.96, 6.66, 7.33 and 7.35 of Report 409. Whilst these comments are not formal recommendations by the Committee, they have been taken into account by all responding agencies in the development of this coordinated response.

On behalf of all the responding agencies and the Department of Infrastructure I would like to express joint appreciation for the opportunity to participate in the review and for the consideration given by the Committee and its Secretariat during the course of the review.

Response to the nineteen recommendations of Report 409

Recommendation 1, paragraph 1.30

That the Department of Transport and Regional Services report to the Committee, within three months, on the number of unannounced audits conducted at each Counter Terrorism First Response airport for 2006 and provide the results of these audits, in confidence if required. Sydney Airport, as Australia's largest airport, should in the future be subject to regular unannounced audits.

This recommendation is not supported.

The Department of Infrastructure does not provide details of the number of unannounced tests or inspection activities conducted by the Office of Transport Security (OTS) as this information is security classified.

The OTS, within the Department of Infrastructure, conducts annual audits of the major security controlled airports. Inspections and tests are also conducted at all security controlled airports on a regular basis. The definitions used as the basis for the conduct of these audits, inspections and tests are determined by the requirements of the International Civil Aviation Organization (ICAO).

The purpose of airport audits, inspections and tests is to gauge the effectiveness of application of airport aviation security measures in order to ensure compliance with the legislation, the National Aviation Security Program and the relevant approved Transport Security Program (TSP). The results, including any deficiencies, are reported by the Department of Infrastructure to the airport operator. The airport operator or other party are required to respond, within a specified timeframe, to the Department of Infrastructure detailing what remedial action they have taken or plan to take to rectify an identified deficiency. Audits involve the examination of many facets of an airport's aviation security operation. They are planned well in advance, and require the coordination of a number of Aviation Security Inspectors (ASIs) with staff from the airport. An audit is typically conducted over several days. Generally, in order to ensure the audit is conducted smoothly and effectively as possible, the airport operator is notified in advance of the scheduled audit.

Inspections and tests are generally conducted on one or more specific aspects of existing security measures. These can be conducted in response to observations by ASIs, follow-up to an aviation security incident, intelligence or a revised Threat Assessment, or a review of previous audit findings. Inspections and tests can be conducted with notification to the airport, or can be conducted unannounced. ASIs are regularly present at major security controlled airports, and (as part of their routine duties) they regularly conduct unannounced inspections and tests, including at Sydney Airport.

Recommendation 2, paragraph 2.100

That the Department of Transport and Regional Services mandate training for selected Office of Transport Security personnel to gain greater first hand knowledge of the industry participants it regulates, particularly those based in regional Australia, through required on site visits and short term work experience.

This recommendation is supported.

The OTS is committed to investing heavily in the training of its security personnel to ensure that they are adequately equipped to perform and carry out their regulatory role within the aviation industry. The OTS holds regular induction courses designed to provide new employees to the OTS with an overview and introduction to the operation of the organisation. Specialised training is also available for ASIs. The OTS conducts regular Training Needs Analysis to ensure that ASIs are provided with all essential training and tools required to sufficiently perform their functions.

A key focus for the OTS and the Department of Infrastructure is to establish relationships with stakeholders in Australia. This includes those in the large cities and those in regional Australia. The Department of Infrastructure manages and builds on these relationships through site visits and by encouraging industry to maintain continual contact with the Department of Infrastructure personnel.

Recommendation 3, paragraph 2.103

That the Department of Transport and Regional Services establish and publish standards for certain security related infrastructure (for example, airport fencing, Closed Circuit Television coverage, and access points).

This recommendation is not supported.

The Department of Infrastructure monitors compliance with industry standards in Aviation Security, in accordance with the *Aviation Transport Security Act 2004* (ATSA) and the *Aviation Transport Security Regulations 2005* (ATSR). Under the regulatory framework the Department of Infrastructure's role is not to mandate standards but rather regulate the industry to monitor compliance and encourage the achievement of high level security outcomes. TSPs are the primary mechanism used to ensure that aviation security matters are handled by industry in an integrated, coordinated and proactive manner.

A TSP is a preventative security program that outlines the security measures and procedures to be implemented to safeguard against acts of unlawful interference with aviation. The Department of Infrastructure has developed TSP requirements for the Australian aviation environment in consideration of ICAO requirements. Specifically, the TSP explains the security measures and procedures to be used within the airport to control access, including specific measures to deter and detect unauthorised access to the airside area, and any airside security zones and landside security zones. Examples of security related infrastructure measures in this context include: security/safety street lighting, fencing, refuelling facilities, fencing/locks, control of access to airside through computerised ID systems, regular inspection/patrols by airport staff security guards, appropriate signage and security of vehicles.

It is the responsibility of each operator of a security controlled airport to ensure that prescribed minimum regulatory standards are met with respect to airport security, including physical security and access control.

In light of the July 2005 terrorist attacks in London, the Council of Australian Governments' (COAG) agreed to a national, risk based approach to enhancing the use of Closed Circuit Television (CCTV) for counter-terrorism purposes, including the development of a National Code of Practice for CCTV Systems for the Mass Passenger Transport Sector (the National Code). The National Code is designed to guide future investments in CCTV and as such is not a mandatory 'one size fits all' specification. The National Code supplements other guidance material, the application of which is determined by each jurisdiction's transport security risk assessments and legislation.

Recommendation 4, paragraph 3.45

As well as being responsible for the assessment of criminal and security background checks for applicants of Aviation Security Identification Cards (ASICs), that the new Australian Background Checking Service, AusCheck, be charged with responsibility for the issue of these cards, and that appropriate standards for the issue of ASICs be determined in consultation with industry.

This response has been prepared in consultation with AusCheck, within the Attorney-General's Department, as the agency that is responsible for coordinating background checks for Aviation Security Identification Cards (ASICs).

This recommendation is supported with qualifications.

AusCheck has been established as a service agency within the Attorney-General's Department. AusCheck provides a centralised government background checking coordination service for the aviation and maritime industries.

The OTS in close consultation with industry and stakeholders is currently undertaking an ASIC Legislative Review. This Review includes, but is not limited to, assessing the current ASIC eligibility criteria and also proposes that AusCheck will become responsible for the issue of ASICs. The Review is well underway and is expected to be completed by the end of July 2008.

Recommendation 5, paragraph 3.47

In determining to issue an applicant with an Aviation Security Identification Card, AusCheck should take into account the specific level of risk that exists at the airport for which the application has been made.

This response has been prepared in consultation with AusCheck, as the agency that is responsible for coordinating background checks for ASICs.

This recommendation is not supported.

Implementation of this recommendation would require reconsideration of the nature and function of AusCheck as an agency within the Attorney-General's Department.

Taking into account the level of risk of a particular airport, when determining to issue an ASIC to an applicant, may not be practicable because it is estimated that a large number of ASIC holders have a requirement to access multiple airports. These ASIC holders include

both recreational and commercial pilots, contractors and people working in the supply chain such as truck drivers. In these instances the ASIC holder is issued with an Australia Wide ASIC. The Department of Infrastructure has determined that airports that receive regular public transport (RPT) services are security controlled and therefore require the display of an ASIC in the secure areas of these airports.

In addressing this recommendation, recommendations 5, 6, 7 and 8 of the Committee's interim report 406 are also noted.

Recommendation 6, paragraph 3.48

That AusCheck establish detailed and formal mechanisms for monitoring the return of Aviation Security Identification Cards on the expiry or termination of a cardholder's work in aviation related industries and provide an annual report to the Parliament on the number of non returned identity cards.

This response has been prepared in consultation with AusCheck, as the agency that is responsible for coordinating background checks for ASICs.

This recommendation is supported.

AusCheck's computer system is capable of providing the status of each ASIC, that is, the database of ASIC cardholders will show when a card has been issued and when it has been cancelled. Issuing bodies will be required to provide information to AusCheck on the status of the cards they issue, in order to keep the database up to date.

Under the ATSRs, ASIC issuing bodies are required to report to the Secretary of the Department of Infrastructure the number of ASICs issued by the body that have expired or been cancelled but have not been returned. In addition the Department of Infrastructure and AusCheck propose to examine potential improvements to the background checking process and ways in which reporting requirements can be streamlined.

Annual reporting requirements in relation to ASICs will be the responsibility of the Department of Infrastructure.

In addressing this recommendation, recommendation 5 of the Committee's interim report 406 is also noted.

Recommendation 7, paragraph 3.49

That AusCheck be required to monitor and report annually to the Attorney-General on the adequacy of the Australian Security Intelligence Organisation, Australian Federal Police and Department of Immigration and Multicultural Affairs in completing background checks for Aviation Security Identification Card applications.

This response has been prepared in consultation with AusCheck, as the agency that is responsible for coordinating background checks for ASICs.

This recommendation is supported.

As a service agency within the Attorney-General's Department, AusCheck is required to publish information on its performance in the Attorney-General's Department Annual Report and Portfolio Budget Statements. It is proposed that this information will include application numbers and processing times as well as any significant issues that have arisen in the delivery of background checking services.

In addressing this recommendation, recommendation 7 of the Committee's interim report 406 is also noted.

Recommendation 8, paragraph 3.50

Any decision by AusCheck should be subject to appeal through the Administrative Appeals Tribunal.

This response has been prepared in consultation with AusCheck, as the agency that is responsible for coordinating background checks for ASICs.

This recommendation is supported.

Section 18 of the *AusCheck Act 2007* allows for the AusCheck Regulations to provide for the review of decisions. This mechanism is used because the review requirements that are appropriate for each background checking arrangement will differ according to the particular circumstances of the arrangement. For example, both the ATSRs and the Maritime Transport and Offshore Facilities Security Regulations 2003 already provide a range of review rights, including review by the Administrative Appeals Tribunal.

Additional review rights provided under the AusCheck Regulations are intended to complement the existing review rights in the ATSRs and the Maritime Transport and Offshore Facilities Security Regulations 2003. The AusCheck Regulations provide an individual who has been the subject of an unfavourable AusCheck decision, in relation to a criminal history check, with the right to seek review by the Administrative Appeals Tribunal of that decision.

Recommendation 9, paragraph 3.7

Taking into account the expected reduction in waiting periods for the issue of Aviation Security Identification Cards, the Committee reiterates Recommendation 3 and 4 of its Report 406 that the Department of Transport and Regional Services:

- a) require Visitor Identification Cards to carry photographic identification of the cardholder; and
- b) tighten the conditions under which the Visitor Identification Cards are issued to ensure they are provided for genuinely temporary purposes.

This response has been prepared in consultation with AusCheck, as the agency that is responsible for co-ordinating background checks for ASICs.

This recommendation is supported with qualifications.

The Department of Infrastructure agrees that the provisions that regulate how VICs are issued should be tightened. The ASIC Legislative Review expected to be completed by the end of July 2008, will review the provisions that regulate ASICs and VICs.

Recommendation 10, paragraph 4.52

That the Department of Transport and Regional Services adopt a formal mechanism for making six monthly reports, and as required at other times, advising the Minister of Transport and Regional Services on what, if any changes should be made to the list of items prohibited to be introduced into a cabin of a prescribed air service set out at Regulation 1.07 of the Aviation Transport Security Regulations 2005.

This recommendation is supported with qualifications.

The Department of Infrastructure provides advice to the Minister for Infrastructure, Transport, Regional Development and Local Government on a variety of security issues including changes to the list of items prohibited for carriage in the cabin of a prescribed aircraft and associated changes to security requirements at airports. The Department of Infrastructure prepares the advice, as required, when appropriate information is received. For example, when ICAO advises there has been a change to the list of items considered to be prohibited for carriage on an aircraft or at airports the Department of Infrastructure prepares briefing to the Minister for Infrastructure, Transport, Regional Development and Local Government. Where appropriate, the Minister for Infrastructure, Transport, Regional Development and Local Government consults with his colleagues through the National Security Committee which deals with security issues of importance.

Recommendation 11, paragraph 4.73

That the Department of Transport and Regional Services report to the Parliament within three months as to whether any additional airports should be required to screen all checked baggage from August 2007, taking into account factors including the additional risk associated with airports operating jet services in close proximity to capital cities. The Department should update its advice to the Parliament twice yearly.

This recommendation is not supported.

The Australian Government announced on 8 May 2007 an extension of checked baggage screening. This decision extends the checked baggage screening requirement to those airports that handle regular public transport jet services. These airports already screen passengers and their carry on baggage.

Decisions on the application of security measures, such as the extension of checked baggage screening, are based on a number of factors including intelligence information and assessments of threats, risks and vulnerabilities.

Implementation of fundamental security measures are a matter for decision by the Australian Government through the National Security Committee of Cabinet. The Department of Infrastructure is responsible for the implementation of the recommendations.

Recommendation 12, paragraph 4.100

That the Department of Transport and Regional Services report on the timetable for implementing screening of all air cargo on passenger aircraft where passengers' checked baggage is screened. The Department's report should include consideration of the feasibility of implementing the screening of all air cargo on passenger aircraft where passengers' checked baggage is screened by 1 August 2007 when 100 percent check baggage screening from Counter Terrorism First Response airports is required.

This recommendation is supported with qualifications.

The Wheeler Review of 2005 noted that no country has identified a practical approach to achieve the mass screening of cargo. It further recognised that the pursuit of such a program would require a massive outlay in equipment and on going costs for its operation. Given the limitations of existing technology, the establishment of such a program would not ensure the detection of improvised explosive devices in air cargo. In these circumstances the Wheeler Review of 2005 acknowledged that risk management methods must be applied. The Wheeler Review of 2005 recommended that the government require that the screening of air cargo be expanded and include mandatory screening of all cargo (loaded) on passenger aircraft where checked baggage screening is undertaken.

Following the Government's endorsement of the Wheeler Review of 2005 the Department of Infrastructure has continued to enhance air cargo security measures in accordance with government policy and funding decisions. During 2006-07 and 2007-08 the Australian Government has reimbursed cargo terminal operators the cost of purchasing Explosive Trace Detection (ETD) equipment which is being used to examine international export air cargo and domestic air cargo loaded at specified airports. In addition the Australian Government is preparing regulations that will provide for the establishment of the Accredited Air Cargo Agents (AACA) scheme in 2008-09 which will complement the existing Regulated Air Cargo Agents (RACA) scheme and effectively extend security arrangements along the air cargo

supply chain. These steps reflect the risk management approach that has been adopted in relation to air cargo security. The Department of Infrastructure has also undertaken extensive trials of commercially available X-Ray units and some prototypes to determine their capability to detect improvised explosive devices in consolidated and loose items of air cargo. The findings from this research combined with the outcomes from related research will form the basis of advice to the Australian Government regarding options to further enhance the security of air cargo carried on prescribed passenger aircraft.

Recommendation 13, paragraph 4.111

That the Department of Transport and Regional Services (DOTARS) report to the Committee on the screening requirements for closed charter jet services operating in the United States of America and the United Kingdom. The report should include:

- a) a detailed analysis of the risks of closed charters in Australia; and
- b) an estimate of the costs of imposing screening requirements upon closed charter jet services operating in Australia.

This recommendation is supported with qualifications.

The Department of Infrastructure provides advice to the Minister for Infrastructure, Transport, Regional Development and Local Government on a variety of security issues including measures to be applied to closed charter aircraft operating in Australia. Decisions made on the application of such security measures are based on a number of factors including intelligence information, assessments of threats, risks and vulnerabilities and assessment of the costs to industry to implement such security measures. Requirements for similar services operating in overseas locations such as the United States of America and the United Kingdom are considered in terms of harmonisation with international best practice when making decisions on security measures.

The Department of Infrastructure does not propose to report details of issues related to closed charter aircraft operating in Australia because of the sensitive nature of the information.

Recommendation 14, paragraph 5.78

That the Department of Transport and Regional Services, in consultation with aviation industry participants, develop a security training standard specific to the aviation industry required of all security and screening personnel working at security controlled airports across Australia.

This recommendation is supported.

The ATSR identifies training for personnel working at security controlled airports, which must be detailed in the TSP of the aviation industry participant. Specific training requirements exist for security guards and screening officers.

A national Aviation Security Training Framework (ASTF) has been developed as a result of the Wheeler Review of 2005. The ASTF has been designed to assist and provide additional guidance to aviation industry participants in relation to training which will improve national consistency. The ASTF identifies a range of work roles with a security responsibility within a security controlled airport and correlates standards of work performance. The ASTF will assist aviation industry participants to select the appropriate standard required for the personnel based on their individual operations. Extensive consultation with industry is taking place through the ASTF Industry Working Groups to facilitate a cooperative approach to training standards.

Recommendation 15, paragraph 5.80

That the Department of Transport and Regional Services take responsibility for on-going security training in regional airports that have a high turnover of part-time staff.

This recommendation is supported with qualifications.

The ATSR requires airport operators to set out in their TSP what security awareness training will be provided to staff. The Department of Infrastructure works in cooperation with industry to ensure that relevant personnel receive the necessary security training. The Department of Infrastructure will continue to support and assist the aviation industry to meet security training requirements within all airports through the training resources developed to complement the yet to be implemented ASTF. These resources are expected to begin being released in October 2008 for voluntary use by aviation operators.

At the end of 2005, under the Aviation Security Training for Regional Airport and Airline Staff initiative, the Department of Infrastructure developed a training CD entitled “Basic Security Awareness Training”. This CD was distributed to all regional airports and airlines to assist in raising awareness of security training to these aviation industry personnel.

The Department of Infrastructure will continue to provide advice, guidance and resources to support the aviation industry to meet its regulatory obligations. The Department of Infrastructure will also continue to monitor security measures and key inputs, such as training, through its regular compliance activities which include audits, inspections and tests.

The Securing Our Regional Skies (SORS) package provided \$48 million to improve the capability of law enforcement agencies, regional airline and regional airport staff to respond quickly and effectively to heightened level of threat. SORS was designed to assist the regional aviation industry to meet the new regulatory requirements set out in the ATSA and ATSR with funding provided over the four years to June 2008.

Amongst a range of measures, SORS included \$6.5 million to improve the security awareness of the regional aviation sector. A further \$8.5 million was dedicated to improving aviation security training at 146 regional airports/councils in the use of handheld metal detectors — the use of which may be required in a heightened security situation. Funding for handheld metal detector training extends beyond the life of the SORS program to 2012.

Recommendation 16, paragraph 5.120

The Committee welcomes the introduction of four Regional Rapid Deployment Teams (RRDTs) and recommends that:

- a) The Australian Federal Police (AFP) explores and reports to the Committee on the feasibility of establishing one RRDT per state and territory in terms of cost and the size required to cover each jurisdiction;
- b) the AFP, in consultation with state and territory police forces and regional aviation industry participants, explore ways in which the function of RRDTs may be expanded during visits to regional airports;
- c) the AFP review the effectiveness of RRDT activities against an outcomes framework that sets overall expectation, outcome statements and bench marks for the successful establishment of an ongoing aviation security culture; and
- d) the provision of RRDTs be made cost neutral to owners or operators of regional airports.

The following response has been provided by the Australian Federal Police (AFP).

Part a) of this recommendation is supported with qualifications.

Regional Rapid Deployment Teams (RRDTs) form part of a multi-layered, risk-based approach to aviation security, operating on an intelligence-driven basis in response to threats and also on a pre-planned basis for training and familiarisation. Currently the RRDTs structure divides responsibility for regional airports on an equitable basis between the four teams.

The costs involved with the initial establishment and ongoing running of any new RRDT would be significant with little extra gain in effectiveness. For example, with the flights at non-screened airports in the Northern Territory averaging between 1 — 40 movements per week and the current assessed level of risk remaining low, the cost and resources expended to deploy an RRDT is considered to be inefficient and uneconomical. Greater effectiveness can be achieved by focussing the current resources of the RRDT towards those current screening airports and non-screening airports with higher levels of passenger and aircraft movements per year.

The AFP and the Department of Infrastructure will review RRDTs pre-planned deployments, with a view to shifting the primary focus to non-designated screened airports and those non-screened airports that feed into a Counter Terrorism First Response (CTFR) designated airport, or have a significant level of passenger and aircraft movements. In some cases deployment of a full team may not be necessary; a smaller group of RRDT members may be sufficient.

Part b) of this recommendation is not supported.

RRDTs perform a CTFR function similar to that provided by AFP personnel at Australia's 11 designated airports. Experience has shown that the concurrent performance of broader roles undermines the effectiveness of CTFR efforts. It would therefore be inappropriate for RRDT personnel to expand their role beyond CTFR and associated training and familiarisation activities. An enhanced CTFR model providing a nationally consistent operating concept for CTFR, has been implemented at designated airports. The CTFR methodology underpins RRDT methodology. The new model is more proactive, preventative, intelligence driven and outcomes focused. It is supported by the aviation industry, with external evaluation generating very positive results.

Part c) of this recommendation is supported.

AFP funding is based on an outcomes and outputs framework endorsed by the Australian Government. Associated performance is captured in the AFP annual report. The AFP also has in place subordinate business planning and performance management and reporting frameworks that encompass all of its operations, including objectives, outputs and performance criteria for RRDTs and other aviation law enforcement capabilities. The AFP will consider seeking feedback on the RRDTs performance through canvassing of the RRDTs stakeholders.

Part d) of this recommendation is supported.

RRDT are appropriation funded under the SORS package of measures therefore, the AFP is unaware of any costs incurred by regional airport operators as a result of RRDT operational activities.

AFP RRDT funding under the SORS package has been provided until 30 June 2009. Any decision to provide ongoing funding for the RRDT will be made by the Australian Government.

Recommendation 17, paragraph 5.154

That as part of its responsibilities as the lead agency for coordination of Closed Circuit Television at Counter Terrorism First Response airports, the Australian Customs Service ensure the development of an enforceable industry code applicable to monitoring CCTV including:

- a) the need for Occupational Health and Safety standards to be met;
- b) designation of line of vision requirements between monitors and operators (for example, eliminating awkward angles);
- c) designation of maximum length of shifts; and
- d) maximum numbers of monitors per operator.

This response has been prepared in consultation with the Australian Customs Service (Customs) as the lead agency responsible for assisting airports and airlines and other affected agencies improve integration of their existing CCTV systems. Customs does not have any legislative or other basis to develop an enforceable industry code applicable to occupational health and safety aspects associated with monitoring CCTV.

This recommendation is not supported.

As noted under Recommendation 3, COAG agreed to a national, risk based approach to enhancing the use of CCTV for counter-terrorism purposes. The COAG CCTV Working Group developed a National Code of Practice for CCTV Systems for the Mass Passenger Transport Sector (the National Code).

The National Code is designed to guide future investments in CCTV and as such is not a mandatory 'one size fits all' specification and is intended to be applied on a voluntary basis using a risk-based approach. It supplements other guidance material, the application of which is determined by each jurisdiction's transport security risk assessments and legislation. It also sets a policy framework, objectives, protocols and minimum requirements for fixed and mobile CCTV systems, and national guidelines for the collection, storage access, use, privacy, disclosure, protection and retention of CCTV information. The National Code is to

be read in conjunction with the provisions of relevant industry technical, safety and procedural guidelines.

The ongoing management and review of the National Code will be the responsibility of the Transport Security Working Group, in consultation with the National Counter-Terrorism Committee, reporting to the Australian Transport Council.

Standards Australia have developed Australian Standard 4806.1: Closed Circuit Television (CCTV) Part 1: Management and Operation Code of Practice which is applicable to CCTV systems used in public places, overlooking a public place or adjoining public places. The Australian Standard provides good practice guidelines for all other CCTV systems by providing recommendations with respect to principles of management, procedures, personnel, control room design, incident response, privacy and disclosure, management of recorded material, documentation, licenses and signage. In particular section 5.2 and section 5.3 recommend particular health and safety practices such as workstation ergonomics and shift patterns and breaks.

Recommendation 18, paragraph 5.156

The Committee believes that as a matter of urgency, the Australian Government ought to ensure that reliable, high-speed internet services are available to security classified airports that do not possess such services.

This recommendation is supported.

High-speed internet services are now available for airports on a commercial basis. Current internet service arrangements are to be enhanced, with the Australian Government having committed up to \$4.7 billion to facilitate the roll out of a new open access high fibre-based broadband network. The National Broadband Network will provide access to download speeds of at least 12 mbps to 98% of Australian premises.

The Australian Government, under the SORS package, provided up to \$2,750 (GST inclusive) to all airports new to the regulatory regime for the purchase or upgrade of IT equipment and/or training under the Regional Aviation IT Upgrade Funding Program.

Recommendation 19, paragraph 4.52

That the Minister for Transport and Regional Services provide further funding options for the upgrading of security at regional transitioning airports to a level that is at least commensurate with levels of security supported under the Regional Airports Funding Program.

The Committee is of the view that the Minister should explore a variety of mechanisms for funding these security upgrades. These may include interest free loans, matching funding with local and state governments as well as provision of grants to be determined by considering the local conditions and particular circumstances of each airport owner-operator.

This recommendation is supported with qualifications.

Funding decisions are a matter for consideration in future Budget contexts. The Regional Airport Funding Program was introduced in 2004 to assist regional airports new to the regulatory regime in meeting the requirements set out in the ATSA. The Regional Airport Funding Program was not available to those transitioning regional airports which serviced regular public transport jet aircraft as part of their existing passenger operations. Requirements previously mandated under the *Air Navigation Act 1920* required these airports to have a higher standard of security infrastructure and security procedures already in place.

In May 2006 additional funding was made available to five regional, non-jet, non-screening transitioning airports.

As noted in the response to Recommendation 11, in May 2007 the Australian Government announced the extension of checked baggage screening to all airports that receive regular public transport jet services. To assist in implementing this decision, up to \$15.4 million is being provided to the 29 regional airports that were receiving regular public transport jet services at the time the decision was announced. The funding is to assist in the purchase, delivery and installation of checked baggage screening equipment, such as ETD equipment and/or X-ray equipment with ETD capability. Consequential capital expenses and running costs will remain a matter for the airports to fund.

Response to the Outstanding Recommendations of Report 406

Recommendation 2

That the Department of Transport and Regional Services amend the Aviation Transport Security Regulations 2005 to require that all rubbish receptacles within Counter Terrorism First Response airports and their designated precincts be designed so as to prevent the concealment of any item that is otherwise prohibited to be left unaccompanied.

This recommendation is supported with qualifications.

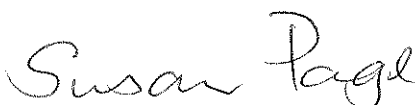
Security related infrastructure is dealt with in an aviation industry participant's TSP. Specific measures, including the introduction of special rubbish receptacles, are introduced if security risk based evidence can be shown to support their introduction within an operational and security context. Aviation industry participants are required to undertake individual assessments of security risk for their operations and tailor the measures detailed in their TSP accordingly. The Department of Infrastructure oversees the development of security planning documentation to ensure the appropriateness of measures in the national context with respect to the current security environment.

Recommendation 9

That the Civil Aviation Safety Authority provide that applicants for pilot's licences may apply simultaneously for an Aviation Security Identification Card.

This recommendation is supported.

In October 2005, the OTS advised and provided to all registered pilots in Australia with the CASA application enabling pilots to apply for the background checking for a pilot's licence and an ASIC on the one form.



Susan Page
Acting Secretary

Department of Infrastructure, Transport, Regional Development and Local Government

// July 2008