



COMMONWEALTH OF AUSTRALIA

# Official Committee Hansard

JOINT COMMITTEE OF PUBLIC ACCOUNTS AND AUDIT

**Reference: Further inquiry into aviation security in Australia**

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**JOINT STATUTORY COMMITTEE OF  
PUBLIC ACCOUNTS AND AUDIT**

**Monday, 28 November 2005**

**Members:** Mr Baldwin (*Chair*), Ms Grierson (*Deputy Chair*), Senators Hogg, Humphries, Moore, Murray, Nash and Watson and Mrs Bronwyn Bishop, Mr Broadbent, Dr Emerson, Miss Jackie Kelly, Ms King, Mr Laming, Mr Tanner and Mr Ticehurst

**Members in attendance:** Senator Hogg and Mr Baldwin, Mr Broadbent, Ms Grierson and Mr Laming

**Terms of reference for the inquiry:**

To inquire into and report on:

The Joint Committee of Public Accounts and Audit will inquire into and report on developments in aviation security since its June 2004 *Report 400: Review of Aviation Security in Australia*, with particular reference to:

- a) regulation of aviation security by the Commonwealth Department of Transport and Regional Services, and the Department's response to aviation security incidents since June 2004;
- b) compliance with Commonwealth security requirements by airport operators at major and regional airports;
- c) compliance with Commonwealth security requirements by airlines;
- d) the impact of overseas security requirements on Australian aviation security;
- e) cost imposts of security upgrades, particularly for regional airports;
- f) privacy implications of greater security measures;
- g) opportunities to enhance security measures presented by current and emerging technologies, including measures to combat identity fraud; and
- h) procedures for, and security of, baggage handling operations at international, domestic and regional airports, by both airlines and airports.

**WITNESSES**

**BURGESS, Mr Mark, Chief Executive Officer, Police Federation of Australia ..... 1**

**ENGELER, Mr Peter Gerrard Francis, Aviation Security Zone Coordinator, Australian Federal Police Association ..... 1**

**GRAHAM, Mr Matthew John, National Coordinator, Airport Operations, Australian Federal Police ..... 17**

**NEGUS, Federal Agent Tony William, National Manager, Protection, Australian Federal Police ..... 17**

**NEWTON, Federal Agent Mandy, Program Manager, Project Jupiter, Australian Federal Police ..... 17**

**TORR, Mr James Peter, Chief Executive Officer, Australian Federal Police Association ..... 1**



**Committee met at 9.46 am****BURGESS, Mr Mark, Chief Executive Officer, Police Federation of Australia****ENGELER, Mr Peter Gerrard Francis, Aviation Security Zone Coordinator, Australian Federal Police Association****TORR, Mr James Peter, Chief Executive Officer, Australian Federal Police Association**

**CHAIR (Mr Baldwin)**—The Joint Committee of Public Accounts and Audit will now commence taking evidence, as provided for by the Public Accounts and Audit Committee Act 1951, for its inquiry into aviation security in Australia. I welcome everybody to this public hearing for the committee's review of developments in aviation security since the tabling of its Report 400: *Review of aviation security in Australia*. Before we begin, I advise the witnesses that the hearings today are legal proceedings of the parliament and warrant the same respect as proceedings of the parliament itself. The giving of false or misleading evidence is a serious matter and may be regarded as a contempt of parliament. The evidence given today will be recorded by Hansard and will attract parliamentary privilege. Finally, I refer any members of the press who are present to a committee statement about the broadcasting of proceedings. In particular, I draw the media's attention to the need to report fairly and accurately the proceedings of the committee. Copies of the committee statement are available from secretariat staff. Does anyone wish to make a brief opening statement before we proceed to questions?

**Mr Burgess**—Yes. Thank you. I will undertake that on behalf of our group. The committee will note that our submission is the same as the one that we provided to the airport security and policing review undertaken by Sir John Wheeler for the federal government earlier this year. We contend that responsibility for the safe aerial carriage of people and property and the protection of all Australians from the misuse of aviation assets rests with the Commonwealth. It is incumbent on them to provide a clear hierarchy of responsibilities for agencies at airports. It is our view that these responsibilities should be those of the Australian Federal Police.

We argue in our submission that aviation security in Australia should be underpinned by several key principles. The first is that law enforcement considerations—that is, public safety—should take precedent over any commercial consideration. This key principle supports the argument that the senior coordination role at airports should be undertaken by a police officer, with their independent powers of office.

The second principle is that any role relating to the investigation of crime, regulation and the ultimate protection of airport assets and safety of personnel or clients should be undertaken by a duly sworn police officer. The rationale behind this principle is that to undertake the above functions police skills, comprising investigation, expertise and powers of search, detention and arrest, are required. Such an array of powers is granted only to police officers. It is universally recognised that police stand at the peak level of accountability in both covert and overt integrity and accountability mechanisms. Such mechanisms are underpinned by legislation involving independent scrutiny of police conduct.

The Wheeler report raised some concerns about the fact that many people believe that protective service officers at airports are police when, in terms of their constitution and powers,

they are not. Subordinate security roles, including passenger screening and baggage screening, domestic and international, should be undertaken by appropriately trained AFP Protective Service officers. To ensure that there is a nationally consistent standard of coordination of training, accountability and collection and exploitation of intelligence, including criminal intelligence, the function should be undertaken by AFP Protective Service officers. This also ensures public compliance and confidence. It is also relevant that PSOs are AFP employees, subject to higher standards of oversight. As part of the AFP they are promptly made aware of and have access to emerging intelligence relevant to their function.

A major issue that has arisen since the handing down of the Wheeler report and the Council of Australian Governments special meeting on counter-terrorism on 27 September this year is the agreement to utilise state and Northern Territory police at the 11 counter-terrorism first response airports as an AFP community policing presence at those airports. The Wheeler report took account of the opinion of the AFP that they did not currently have the capability to undertake a community policing role at the counter-terrorism first response airports. As a result, between 350 and 500 police Australia-wide will now be required to be provided by the respective state and Northern Territory police forces. Whilst that decision was taken by the Prime Minister and all state and territory leaders, it will place significant strain on the state and Northern Territory police forces to meet that demand.

This decision is one of the key reasons why the PFA, in conjunction with its Australian Federal Police Association branch, is calling for an immediate commitment from the government for a white paper on the AFP outlining its resourcing and other requirements for the next 10 years. Without a white paper, decisions such as that into airport security will continue to place pressure on every policing jurisdiction in Australia as they strive in a disjointed, ad hoc fashion to fill gaps in the AFP's capacity, often at short notice and often leaving equally sized gaps in their own critical community policing roles.

The committee has more than likely noticed that Britain's top cop, Sir Ian Blair, has also recognised the need to widen the debate on the role of the UK police force after the London bombings. He has recognised concerns about the perceived increases in the political significance of policing and wants to examine exactly what his police forces are here to do in the 21st century. Australia has the potential to create a global benchmark for national security and public safety operations, particularly relating to airport security. We therefore encourage the government to take the lead and produce a world best strategic vision and plan for the AFP.

**CHAIR**—In relation to airports, what things can AFP officers do that state police cannot do, and what can state police do that the AFP cannot do?

**Mr Burgess**—There are probably a lot of answers. The first thing that the state police can do that the AFP cannot do is provide the personnel. That is one of the key issues we have at the moment. In fact, it is going to cause significant difficulties within state police to provide the personnel in a community policing function, bearing in mind that you are talking about between 350 and 500, depending on whether you are listening to the AFP or the state police forces indicating the sheer numbers. The provision of those services is one of the key issues, but there are other issues in respect of the types of roles.



**Mr Torr**—The AFP has responsibility for sky marshals, the aviation security officers, the protective service staff, the federal agents and the community policing in Canberra and elsewhere around the world. That specific group of people interacts in a more or less seamless intelligence-sharing arrangement. They are clearly the appropriate people to ensure the continuation of best possible intelligence transfer times. Introducing seven more agencies into that intelligence-sharing process—that is, the state and territory police—is bound to create further opportunities for delay, even with the best will in the world, which I am sure those agencies will bring to the task. The delay really only needs to be one minute when you are talking about trying to thwart a terrorist attack. It will bring more opportunities for delay in that process. One of the lessons coming out of September 11 was that when we get the intelligence we get it to the people who can action it the quickest.

We also have broader concerns, and I note that this committee is specifically interested in aviation security. To that extent, the vacuum in AFP strategic planning, which has allowed the federal government to get into a situation where such a compromise solution was required in the airports, means that the AFP did not even have the surge capacity to get those 350 to 500 police into the airports. You have to wonder what sort of surge capacity it has, what capacity it has planned and how it has modelled the environment of the future so that we do not have what I would call a compromise solution—that is, calling on state police jurisdictions.

A couple of statistics might help in this. The AFP now has 500 fewer police than it had 20 years ago. It is roughly the same size as it was 20 years ago, setting aside the amalgamation of the Australian Protective Service. I do not know how that can be consistent with an environment which has all the counter-terrorism and other law enforcement responsibilities at airports and consequences of trade and commerce. We cannot accept that that is consistent with the best possible solutions.

**CHAIR**—There would be an issue whether it was state or federal police, choosing the number of 500, to bring 500 police across on secondment or for the AFP to find 500 people and then adequately train them in a respectable time frame to be able to perform their function. But the question I was really looking for an answer to is legislative impediments, where the state police may have broader powers in certain circumstances than the Federal Police, and the Federal Police in some areas have broader powers than state police. Do you have any comments on that?

**Mr Torr**—Recent legislation has reduced the interjurisdictional difficulties. The AFP were policing airports, as you are no doubt aware, for many years without ever a compromise in the seamless policing process that I am aware of. I do not think there is a jurisdictional issue; I think there is a strategic planning and cost-sharing issue.

**Mr Burgess**—I think Jim is right. I do not think there is an issue about what powers are available to state police as opposed to the Federal Police. State police who go to work in the airports will be sworn in, I believe, as special members of the Australian Federal Police. If there is an issue of powers, it is probably more related to the protective services area, where they do not have the full array of powers as a full police officer and therefore cannot undertake the full functions as a police officer.

**Mr Torr**—Albeit they do fit under the same high integrity framework and—and probably one of the most critical aspects—they do, at least legislatively, enjoy independence from the

commercial imperatives that obviously drive a lot of decisions and a lot of pressures at airports; that is, the contest between adequate security embedding, getting planes out on time, not being fired for being late for curfews and those kinds of issues.

**Ms GRIERSON**—In October there was a media report that 300 police officers could be seconded to the Federal Police in Queensland alone. Do you know if that is likely to happen or necessary? They were for Brisbane, Cairns and Coolangatta airports.

**Mr Burgess**—Part of the problem is, when we talked about between 350 and 500, there is a discrepancy at the moment between what the states are saying that they need to provide and what the AFP are saying are required. It is somewhere between that 350 and 500 Australia-wide. Bearing in mind that Queensland has the largest number of airports—they have three airports that fit into the 11 counter-terrorism first response—and the smallest jurisdiction in Australia has two. That is the Northern Territory. Certainly the burden that is going to be placed on the Northern Territory is going to be extreme. Therein lies some of the difficulties.

**Ms GRIERSON**—But do you have a picture of what sorts of levels the different states do provide, just as a matter of course, for community policing at those 11 airports? Do they have a policy of providing community policing at Sydney airport every day? Do you know?

**Mr Burgess**—My understanding is that most of the states at the moment—and Peter might be able to explain this more from working on the ground—are on a needs basis. It is not a dedicated policing response at the airports themselves.

**Ms GRIERSON**—So that is seen as a luxury, and that is something that has been debated at length in terms of who should pay for that sort of community policing role, hasn't it?

**Mr Burgess**—That used to be the case. In fact, it was provided by the AFP—or I think it might have been the Commonwealth police at the time—

**Mr Torr**—Prior to the AFP and then the AFP.

**Mr Burgess**—They provided that service, and ultimately that service was diminished or withdrawn.

**Ms GRIERSON**—So have you been involved in discussions regarding that secondment of the police already on the ground, stretched just handling crime and, as we were discussing before, the rise of domestic violence that impinges on the work of the police?

**Mr Burgess**—We have and, in fact, those discussions are ongoing. There are number of issues that relate to this. If you are taking between 350 and 500 police out of the current front-line policing arrangements in Australia at the moment—and, as I said, in smaller jurisdictions like the Northern Territory, you have to service two airports—that places quite a burden on those respective states and normal policing function.

Our big concern in this process is the backfilling of those positions. The Commonwealth is going to pay for the service, but we are very conscious of ensuring that the states that provide the numbers of police that will be required actually backfill those numbers in their home jurisdiction

with the Commonwealth funding. I would not imagine there is a binding process within the agreement between the states and the Commonwealth for that, but that is an area that we as police unions across Australia are going to enforce upon the various state and territory jurisdictions to ensure they backfill those positions.

**Ms GRIERSON**—Is it possible that every state will say, ‘We’ll put our first years out, straight out of training, into these positions’?

**Mr Torr**—We have not seen the detail of those sorts of calculations. Another aspect of the compromise of this solution is—let us just assume that 350 New South Wales police go to Sydney airport—the AFP will be inclined to think that they are 350 extra AFP officers, but they are not in terms of national operational solutions. If we have a rapid degradation of law and order in the Solomon Islands, they are not 350 AFP officers that can be managed and utilised against a national strategy and solution.

The other reason we contend the AFP should be planning at least a decade ahead for these sorts of solutions—no doubt your committee has had a lot of advice from different people in relation to aircraft and those sorts of things—is that, with the introduction of the A380, which holds a larger number of people and also many more tonnes of airfreight, which is also something that we have responsibility for at the barrier, and the introduction of the so-called hub busters, like the 787, which will be a very long-range plane but which will fly fewer numbers of people, there is the potential that some of the airports that are not dealing with a lot of international traffic will start to do so. These are all developments that are rolling out over the coming three-, five-, eight-, 10-year period, and we would like to know the AFP has considered planning aviation security—what people will it need, what responses will it need to be doing and what is it doing now—in order to gear up with appropriate recruiting so that it does not have to go with a band-aid solution where we borrow 50 of your police and 70 of yours.

**Ms GRIERSON**—At best, this should be a stopgap measure until the Australian Federal Police adequately train and recruit people for this new environment we live in?

**Mr Burgess**—That has been our position. We argued from day one that we believed this is an Australian Federal Police function—it should be undertaken by the Australian Federal Police. Page 60 of the Wheeler report says:

The Review took account of the opinion of the Australian Federal Police that they did not currently have the capability to undertake a ‘community policing’ role ...

What we are saying is that they are the sorts of things that should be planned ahead. This is an issue that we knew about some time ago—that we needed to get back and have a community policing response in airports. It should be part of a long-term plan for the AFP so that all of a sudden we are not asking the states and territories for 350 to 500 police to prop up the AFP throughout a period where they cannot provide their own resources. We are saying that that is for aviation security; that goes for a whole range of other areas in policing as well.

**Ms GRIERSON**—The new law says it is a crime to leave your baggage unattended. Is it up to the police to enforce that law?

**Mr Engeler**—We do not have the police on the ground at the airports to do that.

**Ms GRIERSON**—Would that normally be a law that the police would enforce?

**Mr Engeler**—That would be something the Protective Service would enforce because they are the first people on hand, but it has not—

**Ms GRIERSON**—But can they charge or detain someone?

**Mr Engeler**—It has not been the practice. We have looked at prevention rather than cure. We are trying to advise people not to leave their bags unattended, and fortunately the PS has had enough people on the ground at airports to be able to do that.

**Ms GRIERSON**—So they can act as a full Australian Federal Police officer?

**Mr Engeler**—No.

**Mr Torr**—Not full; they have limited powers of arrest. They are indeed powers of arrest. They are certainly full Australian Federal Police officers as far as drug testing and compliance to integrity programs are concerned, but they are limited in their investigational activities. But certainly they have powers of arrest.

**Mr Engeler**—If it was a situation where we had a suspicion, we have section 14. If it was something we thought would lead to an act or a threat against aviation, we could question and then detain, but if they are carrying five kilos of marijuana around in their bag we have got no jurisdiction whatsoever. We have no power. That is where we need the community policing role to come into airports, because we have no jurisdiction.

**Mr Burgess**—It is one of the arguments that we have had for some time where we believe there should be a process within the Australian Federal Police to train the Protective Service people up to a policing level. In fact, they are performing a role that was once upon a time performed by police. They should train them up to the level of policing and swear them in, and then they would have all the police powers.

**Ms GRIERSON**—We deal with those people doing the passenger screening all the time. My understanding is that they are on fairly low wages and that they are often outsourced and recruited.

**Mr Torr**—They are subject to varying different competencies or training levels. They are subject to commercial imperatives, which of course federal government employees such as the Protective Service officers are not, and they are trained against a national background of competencies. They interface with the Federal Police because they are part of the Federal Police. Many aspects of their training are as high as the Federal Police undertake. Their antiterrorist advance first response training is very high-order training. The sky marshals have been drawn from that group of people. Once again, they are under an extremely high order of training, which I would hate to have to try to pass myself.

**Ms GRIERSON**—Do you think that the APS people are adequately trained for those positions?

**Mr Engeler**—For the counter-terrorist role they are definitely adequately trained. They have specialised training for bomb appraisal officers. You have probably seen the dogs at the airport—the explosive detection canines—and their handlers. That course is eight weeks. Bomb appraisal officers have five weeks on top of basic training. They are trained to do a certain limited role, and that is a counter-terrorist first response. If someone was to be running out of the newsagency having stolen money from the cashier, the only powers we have are the powers of a citizen's arrest. We have no policing powers to stop a person.

**CHAIR**—That gets back to the question that I originally asked you about legislative ability to be able to conduct the thing. If it were all to come under the AFP, would there be enough empowerment for them to be able to do it? You said that that had been adjusted by the legislative changes in recent times. If the AFP were to take over all policing at an airport, the issue would be the cross-jurisdictional stuff. How do you get across that?

**Mr Torr**—The office of constable, I believe, provides no impediment to the various legislations. For example, if something is started as a federal offence and needs to be followed through with state aspects, I do not believe there is any impediment now to a Federal Police constable doing those functions. Of course, the Protective Service officers are not constables. They have limited powers of arrest, more akin to park rangers and those sorts of things. They do not enjoy the status of constable, which in my assessment of the legislation is the power that gives you the ability to investigate through and take action. For years Federal Police have put state offenders in front of courts for state offences. There is nothing new in that.

**Ms GRIERSON**—Back in June it was announced that police would establish a permanent station at Melbourne airport. Did that happen?

**Mr Burgess**—My understanding is that that was started, but it is staffed by a very small number. Peter might be more across that than I am.

**Mr Engeler**—It is a joint facility at Melbourne airport where the Australian Federal Police, the air security officers and the Protective Service officers work out of the one station. There is joint intelligence. But it is in its infancy, as far as we are concerned, in getting things going.

**Ms GRIERSON**—So in a way it pre-empted Wheeler's suggestion that there has to be some coordinated effort at airports. An announcement was made by Minister Ellison that the Australian Crime Commission would hold a royal commission style probe into corrupt baggage handlers and other workers in airports. I do not know whether that has happened. Have you been involved with the Australian Crime Commission in doing that?

**Mr Burgess**—Certainly I have had no involvement.

**Ms GRIERSON**—At the weekend we saw three Qantas staff involved in a drug situation going before the court and being charged. Do you have some views about how effective we have or have not been in checking the background of those people?

**Mr Torr**—I can remember from my own time as a uniformed policeman at Sydney airport many years ago that, once again, commercial imperatives had some effect in limiting how far police could go. That was 20 years ago—back when it was nothing to get a baggage handler strike if police walked through the wrong area. I believe those days are very much in the past. Many of the investigations—the ones that you just identified that the minister had referred to—are investigated now by proactive Federal Police teams drawing on whatever joint task force arrangements that they need. All of the jurisdiction into investigating any aspect of criminality in any airport is entirely there for the Federal Police and all the tools of undercover operations, all those sorts of things, are available right now.

**Ms GRIERSON**—I suppose they are successful. They have apprehended these people.

**Mr Torr**—If we have 500 fewer police than we had 20 years ago, you have to wonder how many are getting away.

**Ms GRIERSON**—You think the culture has changed. Has the culture changed because there is more surveillance and there is more attention to it or is there still criminality assumed in these areas?

**Mr Torr**—At any centre of business the size of Sydney airport, or at any other airport, at any point of barrier where goods can be brought in, taken out or, worse still, explosives put on planes, wherever there are those opportunities, I think we have to assume a very proportional law enforcement and investigative response. It is not surprising that it is not as good as it could be, with the lack of planning. In five years, while the AFP cannot articulate what they are doing in planning and resourcing, how much better is it going to be?

**Ms GRIERSON**—Have you had any discussions about greater responsibilities and duties for policing during the Commonwealth Games in Melbourne?

**Mr Burgess**—We have not, particularly from the PFA's perspective. The Victoria Police Association, with its branches, is certainly involved at that level. But I would be very confident that they would make sure that they had a very appropriate and vigorous policing response at Melbourne airport with respect to the Commonwealth Games.

**Ms GRIERSON**—Would it all be filled within Victoria and the AFP or would it see resources diminished in other areas of the country?

**Mr Burgess**—My understanding at the moment is that the airport in particular would be done by the Victoria Police and the AFP. We have not been told any differently.

**Mr BROADBENT**—What input have you had into management of airport security?

**Mr Burgess**—Not so much the management. We are actually in the process at the moment of negotiating and liaising with the AFP as to how these 350 to 500 police find their way into the airport from the state and Northern Territory jurisdictions. We are also interested in how the command structure will work, bearing in mind that the airport commander will be a person drawn from either a state jurisdiction or from the AFP but will be placed as an AFP officer, either on leave without pay or resigning from their home state jurisdiction. So we are involved in all of

those issues to ensure that officers do not compromise themselves by going over or thwarting their own career within their home jurisdiction et cetera. We have been more involved in how that process will play out—that is, how you will find these X number of police to put in the airports working on behalf of the Australian Federal Police but attached to their home state jurisdiction. There are some complexities in that.

**CHAIR**—Is there the depth of experience to immediately place this number of police into these airport commands as part of the team without having a massive dire effect on whether they are drawn from the state or the Federal Police?

**Mr Burgess**—I think one of the difficulties is that they will be a community policing presence. With all due respect to the Federal Police, the vast experience in community policing is out in the state and territory jurisdictions. So it is obvious that that is where they are going to try to draw their resources from. If you go back some steps, there is a knock-on effect of that to the states because there was a lack of planning. For example, the day before the COAG meeting, the premiers were adamant that this was not going to happen and then three or four hours after the COAG meeting 350 to 500 police were going to be at the airport.

**CHAIR**—As you do.

**Mr Burgess**—As we do. That has had a significant impact on the state and territory jurisdictions as to how will we fill our void. All of a sudden we have to provide X amount of police.

**CHAIR**—Mr Engeler said that you can train a person for the counter-terrorism response group, if they have a dog, within a total of, I think, 13 weeks.

**Mr Engeler**—That is correct.

**CHAIR**—But the problem is that the years of experience of being able to spot body language or people congregating in certain ways cannot be taught to the same experience level within three or six months. It is the sort of thing, as I understand it, that would need to be learned from the streets. How do you think we approach that other than just raiding other police forces?

**Mr Torr**—We say that there is a finite pool of police in Australia of 55,000 or so and that this exercise is just shuffling them around with the compromise outcome that there is. We say, and we have said this in our submissions to the AFP, that it takes five years—and this is identifying the point you have made—from the decision to recruit to being able to put on the street a confident, capable police officer who has got the investigative training and the experience to pick the body language and have the alarm bells ringing when they should be ringing. In that time these police are exposed to all aspects. They may well work in the Solomon Islands from time to time or in Australia in community policing and all the other aspects of it, which is one reason why we say it is a police role. If you acknowledge that something takes five years, I do not see how you can possibly contend that you do not need to plan at least five years ahead. We contend that you need to plan at least 10 years ahead.

**CHAIR**—Have you been given any indication by the AFP, government or, indeed, the Wheeler report of the time frame in which these airport policing groups will be put together?

**Mr Burgess**—We believe that February next year was the optimum date, and therein lies the problem. My understanding is that the states are saying that they are going to have great difficulties meeting that time line. For example, some of the states—Western Australia and South Australia—have already had to go overseas to recruit police. They have gone to the UK to recruit because they are having trouble recruiting in their own jurisdictions. The Northern Territory too is having trouble recruiting.

**CHAIR**—Are they recruiting people interested in joining the police force or are they recruiting because they want further expertise that is not available?

**Mr Burgess**—It is more people wanting to join, people of the right calibre. Western Australia, as I think we would all know, is undergoing a resources boom and there are a lot of problems over there at the moment as to even holding police in the police force. You send them up into the northern part of the state and they are poached quite readily straight from the police force to work in industries where they can earn significant money. Mr Chair, you would probably understand this as back in the early 1980s in the Hunter Valley it was exactly the same with the mining industry. The forces could not keep police in areas like Cessnock, Muswellbrook and Singleton. As soon as they transferred them there the police would go straight into the mines—and the same problem is arising now so this is actually creating some real problems and putting some real stresses on state and territory jurisdictions. There is not a simple answer apart from the fact that, as we have been advocating, we need to start planning a lot further ahead, because decisions of this nature at the federal level—this is in respect of airports but it could be in respect of a whole range of other things—are having a knock-on effect on the local state and territory police.

**CHAIR**—From my understanding of New South Wales police, would it also be fair to say that the entry requirements to join the police force are a lot different from those when you gentlemen joined? It used to be that all you needed was a school certificate and the intention and the desire. Now, unless you have got a university degree it is very hard to get into the force.

**Mr Burgess**—Therein lies one of the issues as to bringing Protective Services people to the appropriate level. Policing is moving to a fully professional status. There is no doubt that the bigger jurisdictions are moving towards degrees as part of the qualification to be a police officer. We are talking to and working with all the police commissioners around Australia—the Police Federation is, as are all the state and territory unions—about an interjurisdictional mobility model so police can actually transfer around the country and so a constable from Western Australia or a sergeant from one of the other jurisdictions could join the AFP for a period of time or could go to Victoria. So there are a lot of things taking place, but of course the bar as to what is the requirement to be sworn in as a police officer is being lifted all the time and it is getting a lot more difficult for a lot of people to meet that requirement.

**CHAIR**—One of the issues that I see—and I have raised it before in the House—concerns borders. In other words, if you were a crim in Coolangatta all you had to do to get a head start was get across the border, which is only a couple of kilometres away, and into Tweed Heads so, firstly, it would be very hard for Queensland police to grab you. Secondly, the police would then need an extradition order to take you back over the border. Given a nation such as Australia, I always find that very ironic, but I do recognise that we have a number of jurisdictions and each of those is recognised as an individual sovereign state with its own peculiarities. Perhaps there



needs to be more commonality in areas like crime, with more open borders for policing. That might address some of the problems. I suppose that is why I wanted to pursue the issue of limits that were placed legislatively on AFP officers as to whether they can go across borders, whether they need an extradition order to take a person from one state to another and whether their rights of arrest, even over petty crime, are there for them in areas that are not governed under federal crime acts.

**Mr Torr**—I think they are affected. In terms of policing federal legislation—for example Customs Act offences—people are arrested all around Australia and the Constitution provides that they can be tried in the state where the offences happened. This is often not even in Australia, which is one of the other complexities. From recent amendments to various legislation—and I cannot give them to you off the top of my head—which have given the Federal Police like powers compared to state police to investigate and put offences before the courts, I do not believe there is a single impediment to sworn AFP officers performing a policing function in any federal airport in Australia.

**CHAIR**—But it is not just the airport. I can give you an example. If the AFP were to take over the airport policing and somebody goes into the newsagents and grabs whatever, does a bolt and manages to get outside the perimeter of the airport, does the policing authority stop there if they get outside the airport precinct?

**Mr Torr**—I believe the jurisdiction is there to arrest and charge or summons or make whatever inquiries—

**CHAIR**—Even outside the precinct?

**Mr Torr**—Yes.

**Mr Burgess**—That is my understanding, yes.

**CHAIR**—In discussions with your members, which range from state to territory to AFP members, what are their views on this? Do the views of the AFP members vary from those of the state police?

**Mr Torr**—The submission we made was a PFA submission with us, the AFPA, contributing as a branch. On the issue of strategic planning in the AFP, I can tell you from the point of view of the full national council of the AFPA that the issue of the most importance and the most concern to Federal Police employees now is this reactive approach to managing. We can act and plan over a decade like the military do or we can react like we seem to do. Probably one of the key reasons that the focus is on airports now is something as obscure as the arrest of an Australian in Indonesia and questions as to whether baggage handlers were involved. I would contend that this is all reaction to that and we should have been on the front foot well and truly before it.

**CHAIR**—Do you think there is enough information sharing? I am not across the brief of what the arrest was on the weekend with the alleged drug importation by various people at Qantas. Customs may be observing certain aspects; is there enough interaction between them and state police?

**Mr Burgess**—After the Wheeler report, my understanding of what will come is that there will be multiagency teams at the airports. If it is not up to scratch now—and I could not say if it is or is not; I do not have the information—I would think that once these come into place there will be a far greater level of cooperation. For example, I understand—and you would probably be more aware of this than I am—that the multiagency intelligence cells will have Federal Police, state police, Protective Service, Customs, Quarantine and Inspection Service and the Office of Transport and Security from DOTARS. You will have those at all of the major airports around Australia, so I would think that the intelligence sharing and sharing of information would be far better.

**CHAIR**—I am talking currently.

**Mr Burgess**—I could not tell you.

**CHAIR**—Is the dissemination of information usually from Customs to the AFP who would then disseminate it to the state police so they can conduct broader investigations?

**Mr Torr**—My vacuum from the operational environment in recent times means I would not be able to answer that. But you could make a generic point that the more agencies and barriers you put into a process the more hurdles you are likely to hit when it comes to transferring information and intelligence.

**CHAIR**—So the view of the Police Federation of Australia is that it should be hosted purely by the AFP with AFP members?

**Mr Burgess**—It should be. Our view all along is that it should have been an AFP function by AFP officers. We understand in the short term that that is not possible and the Wheeler report pointed that out, but our view is that in the longer term it should be the AFP but it should be all part of an overall strategy of a strategic plan for the AFP as to where it is going in the future to deal with situations like this. We are talking about airports. As I said, it could be other areas. But it needs to be planned into the future so that the contingencies are there. If 350 to 500 police are required for a particular role by the AFP in five years time, they should be planning for that now.

**CHAIR**—Today the area of concern is airports, but tomorrow it could be shipping ports and then it could be key infrastructure. Should the AFP be responsible for policing around key infrastructure—electricity generating plants and water plants? Where do you draw the line between whether the states should be involved or whether it should be federal? My concern is that it becomes a moving feast—every time there is a threat, the states say: ‘That is not us. That should be the AFP.’ As professional officers, where do you think the line should be drawn?

**Mr Burgess**—What you have hit on is the issue of coordination and cooperation between the states, the territories and the AFP—which, all in all, is very good. I cannot give you a definitive answer on where to draw the line, but it is pretty well recognised that airports are a federal responsibility. I do not think anyone is arguing about that; otherwise, the federal government would not have agreed to provide funding for the officers to be there. This is not something that happened yesterday; it is something we have known about for some time. Community policing services at airports have been wound back—be that a state issue or a federal issue—and the fact is that they have to be wound up. We should have foreseen this and it should have been planned

for. That is what we are saying. When the premiers and the Prime Minister walk into a COAG meeting in the morning and, four hours later, say we have to find another 500 police to do this job, that is a significant impost on policing, not just in the AFP but right across the country—and it should have been planned for. With regard to other infrastructure, that should have been planned for as well. Within that strategic planning process, the AFP or the federal government should be liaising with state governments to make a determination as to who ultimately will be responsible.

**CHAIR**—You base the threat upon risk analysis and the information provided to you, but, if I have understood you correctly, you are saying we should have prepared scenarios for all instances. I do not dispute that, but it would be unaffordable and unsustainable to have a force that is large enough to be able to respond to every incident—whether it should happen in Perth today, in Darwin this afternoon or in Melbourne this evening. There becomes a fine balance between being able to protect proactively and being able to work with a positive risk assessment and evaluation.

**Mr Torr**—That is at the heart of what we are trying to say. For example, the AFP should be modelling the environment 10 years out from now. The AFP should go beyond aviation security and ask what the effects of global warming and rising water levels are potentially going to mean for us. It is very military style; they have a scenario in which we have to keep trade and commerce routes open in the event of a war with two belligerents. They model the whole thing. The AFP have to model. Obviously the key stakeholder is the government, in terms of setting the parameters, but the AFP have to have a view. For example, I raised a question of interest to this committee about the A380 and the ageing demographic—the oldies who are going to start travelling in far greater numbers—and the consequences of airport loads, risks et cetera.

**CHAIR**—By the same reasoning, you could not have a police force which is tenfold what it is now just in case. That is unsustainable, and there would not be work for them to do. They would develop a lack of interest and would look to move to other areas. Regardless of the job, people look for job satisfaction. If they do not feel there is enough work to stimulate them, they are going to go. So having enough people on the ground to be effective, as with risk analysis and determining the maximum threat that we face, requires a very fine balance.

**Mr Torr**—There is a correlation there, but you would start dealing with that puzzle by asking your key stakeholder, ‘What are the threshold issues you want us to be able to deal with?’ You would then say, ‘We’ll plan it out, model it, take account of all the stakeholders’ views—in particular, your views—and be ready to deal with that.’

**CHAIR**—I do not disagree with what you are saying.

**Mr Torr**—That might take funding commitments from the government for five or 10 years out.

**Mr Burgess**—This is not a grab for a lot more police in Australia; this is about being strategic—

**CHAIR**—I am just trying to get an understanding. If money were never a problem, part of the problem would be having the people to be the resource and then keeping those people entertained in their employment so that they would stay there.

**Mr Torr**—I understand. It is a sum that takes a whole lot of equations into account and it should come up with a figure, but we are not seeing any of the equations done.

**CHAIR**—If we expanded our AFP force by—giving a round figure number—1,000 people to be able to accommodate all of the airports and the risk, and if that risk assessment diminished in the next five years and everyone decided to live in peace and harmony, what would you do with the people who have been engaged for that particular purpose?

**Mr Torr**—There is an evolution in and out naturally. When you look at the fact that the AFP have devoted 600 new roles since September 11 to counter-terrorism activities and 600 people on 10 September were involved in the multiple other things that the AFP have been doing—drug investigations, protection of the Commonwealth against fraud, child internet pornography, and all those sorts of things—you will see that there is no shortage of work out there.

**Ms GRIERSON**—Are you confident that the new airport police commander will be an effective position at a very senior level? Will it attract those people?

**Mr Burgess**—Yes, we are. In fact, it was part of our submission to the Wheeler inquiry originally that we believed that you needed someone at a senior level to coordinate—I think Jim said this earlier—and who was not captive to the commercial interests at the airports. It could be a senior police officer with the powers of a police officer and the accountability mechanisms of a police officer to make those decisions on behalf of the airport.

**Ms GRIERSON**—So the pay and conditions in the advertisements are correct? Do you think they are in line with what the position will entail?

**Mr Burgess**—It is interesting. I suppose people would not apply if the money were not appropriate. My understanding—and the next witnesses could probably give you better examples—is that there is no shortage of applicants for the positions.

**Ms GRIERSON**—An airport security control officer was supposed to be appointed. I do not think that has actually happened. Are you aware of whether that position has now been replaced by this police commander position?

**Mr Burgess**—I could not comment on that.

**Mr Torr**—No, I do not have any details on that.

**Ms GRIERSON**—I assume that there may still be the position for someone to do the overall operational management of it—to make sure the training happens and that all the incident records are kept—or do you see that as the role of the police commander? Should we check that with the next group?

**Mr Burgess**—Yes, I think you should talk to the next group. We are more concerned about how the command structure would work and it appears to us that it will work reasonably well with the airport—

**Ms GRIERSON**—How confident do you think the AFP's regional rapid deployment teams will be in securing regional aviation?

**Mr Burgess**—Again, I could not comment on the operational aspects. The next speakers could best deal with that.

**Ms GRIERSON**—All right, I will save it for them. My last question is: regarding the strategic use of intelligence and using intelligence to strategically plan, do you think the gathering of intelligence has improved?

**Mr Torr**—As I said, I see the introduction of a whole series of new agencies into what is critically a rapid intelligence sharing process as a retrograde step. I do not see how that can improve it.

**Mr Burgess**—You do need intelligence to plan for issues such as this. Our intelligence told us a number of years ago, after September 11, that there was likely to be a problem with our airports, and here we are in 2005 and potentially 2006 and we are now responding with between 350 and 500 police. It goes back to the chair's questions. This is not all about the AFP. When you talk about major incidents that arise, we have 50,000 police in Australia and there needs to be that capacity across the jurisdictions to get in and support. All we are saying in this instance is that, with all due respect to the committee, it was a political outcome for the political stakeholders at the COAG meeting and the jurisdictions themselves were left to try and work out how it was actually going to work, and it is not simple. That is what we are trying to say. These sorts of things need to be planned better into the future. This is airports; it will be something else next time. We believe that there needs to be a longer term strategic planning process, particularly on behalf of the AFP but certainly in conjunction with all the state and territory police forces across the country.

**CHAIR**—You may not be aware of this, but I wanted to ask about the Defence Force Warfare Centre located at Williamstown, where they bring in people from all the various disciplines and plan incidents. They do mapping and modelling, and it is an ongoing process looking for strategic direction. In fact, they even bring people in from overseas to be the 'B side'. Everything is done through planning and mapping, and sometimes they go out and play the game in the field in a practical sense. Has any ongoing workshop been established to evaluate and develop plans for terrorist activities in Australia?

**Mr Torr**—We have spoken to the AFP at length about what is happening in that regard, which we consider to be an eminently logical process to plan for multiple terrorist attacks—how we are going to respond and those sorts of things. We have not been made aware of anything in the AFP context that is happening in that regard.

**CHAIR**—This is away from the academics. These are the practical people, who execute missions, being involved in working scenarios out.

**Mr Burgess**—I think the next witness group could assist. Mercury 05 and SACPAV could probably be measured in the same way, but I think it would be better to talk to the operational people on those issues.

**CHAIR**—Thank you for your attendance. I found your evidence very interesting.

[10.37 am]

**GRAHAM, Mr Matthew John, National Coordinator, Airport Operations, Australian Federal Police**

**NEGUS, Federal Agent Tony William, National Manager, Protection, Australian Federal Police**

**NEWTON, Federal Agent Mandy, Program Manager, Project Jupiter, Australian Federal Police**

**CHAIR**—I welcome our next witnesses. I advise you that the hearings today are legal proceedings of the parliament and warrant the same respect as proceedings of the House itself. The giving of false or misleading evidence is a serious matter and may be regarded as a contempt of parliament. Evidence given today will attract parliamentary privilege. Do you wish to make a brief opening statement?

**Federal Agent Negus**—Thank you for the opportunity to appear before the committee. As outlined in the AFP's submission, the AFP is the major instrument of Commonwealth law enforcement. In the past, the AFP's role at airports has predominantly involved the investigation of Commonwealth criminal offences detected either in the airport environment or using the airport environment as a gateway into Australia. This role, however, has grown in recent years to include the operation of the counter-terrorism first response function—or CTFR, as it is commonly known—the air security officer program, protective security liaison officers and regional rapid deployment teams. The CTFR and air security officer roles were previously performed by the Australian Protective Service. You would be aware that, from 1 July 2004, the APS was integrated into the Australian Federal Police.

Since the lodgment of the AFP's submission to this committee earlier this year, a number of additional responsibilities in relation to security and criminal investigation of airports have been assigned to the AFP. Following the government's consideration of the Wheeler review and discussions with the states and territories at the Council of Australian Governments meeting, the government recently announced its intention to introduce a unified policing model in each of the 11 CTFR airports.

That unified policing model includes, firstly, the appointment of an airport police commander providing centralised command and control. It is important to note that this role was previously identified in our submission as the airport security controller but was renamed airport police commander by Sir John Wheeler during his review to represent the policing function that was appointed in that role. Secondly, it includes the establishment of joint airport investigation teams at the five major Australian airports—Sydney, Melbourne, Brisbane, Adelaide and Perth—providing a dedicated criminal investigation capacity based at the airport. The teams will comprise Australian Federal Police federal agents, Customs officers and state police officers.

Thirdly, it includes the establishment of a joint airport intelligence group at each of the 11 CTFR airports, the establishment of permanent and dedicated community policing at each of the

11 CTFR airports and the maintenance of the existing CTFR capability and PSLO or protective security liaison officer network. It is important to note that specialist capability support—for example, a tactical capability to resolve a terrorist or hostage situation—will still be required from the states and territories.

A subcommittee of the National Counter-Terrorism Committee chaired by the Deputy Secretary of the Department of the Prime Minister and Cabinet, Mr Duncan Lewis, has been established to facilitate arrangements for the delivery of community policing by the states and territories under AFP command. These arrangements are yet to be finalised. Interviews are currently under way to select the airport police commander. We anticipate having them in place during December 2005. The AFP and Customs components of the joint airport investigation teams are now in place, with negotiations continuing with the respective state police agencies on the secondment of two officers to each of those schemes. I think that brings the committee up to date from our previous submission.

**CHAIR**—Thank you. As you would be aware, the Australian Federal Police Association has just given evidence. One of the areas of discussion was the issue of state-federal policing demarcation. Can you outline any difficulties that would or do occur at an Australian airport and the immediate areas beyond that airport if the AFP were to conduct a full policing model at an airport?

**Federal Agent Negus**—As it currently exists, state and territory police around the country respond to incidents at airports very much upon a needs basis. Our submission to the Wheeler review committee was that we would prefer a dedicated police presence at airports and that has been accepted. At the moment we are working with the states and territories to establish how exactly that will take place. But I do not anticipate any longer term problems with that as long as we are able to actually attract the state and territory police to work at those airports under the AFP's command.

**CHAIR**—Are you of the view that the AFP should be expanded so that all of the officers in that role are AFP officers or do you believe that they should be seconded from local area commands to the airports?

**Federal Agent Negus**—Given the nature of the work that they will be performing—they will be required to actually look at state and territory legislation as well as the Commonwealth legislation, and many of the crimes they will investigate in the airport precinct will be under state law—we consider that a unified policing model—that is, having the states and territories come on board under AFP command working side-by-side—is the most preferable way to go.

**CHAIR**—Would those people then be sworn in as special constables of the AFP to give them the adequate protections?

**Federal Agent Negus**—Yes, they would. They would actually be wearing AFP uniforms and come under AFP command and AFP commissioner's orders.

**CHAIR**—But they would still have the ability to enact state legislation which they were originally sworn in under?



**Federal Agent Negus**—The arrangements we are currently negotiating with the states and territories are that they would remain state and territory police officers. They would be sworn in as special constables in the Australian Federal Police, thereby giving them access to the powers at a Commonwealth level, and they would come under AFP command. But, again, they would remain officers under their state command and be available to apply both sets of powers and legislation.

**CHAIR**—If you had an AFP officer in there, what do you do to empower them to be able to investigate under state legislation?

**Federal Agent Negus**—Likewise, we would be able to swear them in as special constables of the respective state or territory.

**CHAIR**—Does that occur now?

**Federal Agent Negus**—It occurs in various joint task force arrangements that we have, certainly.

**CHAIR**—One of the other issues that I looked at and asked questions on this morning is the area of Coolangatta airport. One end of the airport is actually in New South Wales and the other end is in Queensland, which then comes under individual state jurisdictions. If it was assembled from Queensland police officers, how indeed would they effect a pursuit or an action over the border in Tweed Heads? Could you outline how that would work?

**Federal Agent Negus**—I am not aware of the specifics but my colleagues may be. Having worked in Canberra as a detective myself with Queanbeyan and other locations, usually state police are sworn in to their respective state and territory organisations so there would be no issue with them being sworn in to the AFP as a special constable as well as in to New South Wales as a special constable. I would imagine that would be the way they would deal with it. My colleagues might have some more information.

**Federal Agent Newton**—The general arrangements for that airport are that Queensland police respond to the majority of incidents at the airport, particularly any increased level of alert or concern or a major incident that occurs, mainly because they have available resources in the vicinity that are more suitable for activities along those lines. And, whilst they respond to most of the activities there, if it is something that flows into New South Wales, New South Wales Police will attend at the time.

**CHAIR**—But with the problem of being able to continue, say, a pursuit across the New South Wales border, how are they able to do that?

**Federal Agent Newton**—My understanding is that a number of police in that area are sworn in as special constables in each other's jurisdictions.

**CHAIR**—Regarding air security officers, and without going into too many specifics, are flight crews aware when an air security officer is on board?

**Federal Agent Newton**—Yes, they are aware, and they are notified in advance by their airlines that an air security officer or team will be on that particular flight. A number of arrangements are made in advance of them flying on that aircraft to ensure that there is agreement from the pilot that that crew is allowed to attend or that the air security officers are allowed to be on the flight. If there is a concern about that it is resolved before the aircraft leaves the ground.

**CHAIR**—Would those concerns mainly come from pilots from overseas airlines or from Qantas?

**Federal Agent Newton**—Air security officers actually fly only on Australian registered aircraft, so they do not have contact with pilots from other airlines. All of the pilots in Australia that undertake flights in jet aircraft where we have air security officers are fully briefed by their organisations on the roles of the ASO program, what their responsibilities are and the course of action that they should be taking during incidents that arise.

**Ms GRIERSON**—Mr Chair, my recollection of the Qantas evidence last week was that Qantas are informed and they inform the pilot, but that the cabin crew are not informed.

**Federal Agent Newton**—No, the cabin crew are not informed, particularly because there is a concern that if there were an in-air incident the cabin crew could be compromised by being advised of who the air security officers are.

**CHAIR**—My next question was—I was working out how to couch it given it goes on the public record—about air crew because of the ability of a hijacker to hold an air crew to find out who and where and what is on the plane. The pilot may know, but do the air crew actually know if there is an ASO on board?

**Federal Agent Newton**—No, they do not.

**CHAIR**—So it is only the pilot?

**Federal Agent Newton**—It is only the pilot.

**CHAIR**—In the briefing and further reading we have done there is mention of the protective security liaison officer network. Could you outline, from the AFP perspective, how that works, how well it works and where the shortfalls are?

**Federal Agent Newton**—The PSLO group has developed in the last 12 months, so they are still in the early stages of their role at the airports. Fundamentally, they undertake the majority of shared interaction on intelligence information between different agencies at the airport. They also facilitate a lot of the criminality related issues that arise at an airport on a daily basis. So when we actually have a person that might say, 'I've got a bomb in my bag,' or they are on an aircraft and the protective security officers attend that aircraft, the PSLOs facilitate a lot of the activity in working between agencies and also with the airport operators. I would say that the role is generally at a tactical facilitation level between all of the agencies including state police with local area command. And they draw together a lot of information that arises at each of the

airports that might be intrinsic to developing an overall understanding of criminality at airports and feed it into the intelligence system.

They also follow up with different agencies and airport operators on an as-needs basis if an issue of criminality or a specific security issue arises at the airport. They work in consultation with the manager in charge of the Protective Service staff at the airport and attend the majority of airport meetings that are held relating to security.

**Federal Agent Negus**—I might add that they also have very much an intelligence collection function. They are well known throughout the airport community and are accessible to shopkeepers and other people who work in the airport environment. Intelligence and other information are passed on to them directly because they are known as protective security liaison officers.

**CHAIR**—Would it be safe to assume that that information is bidirectional within agencies? In other words, is the information that the officers are picking up from various sources—whether they be businesses or individuals—fed back up to the relevant agencies, or is it all just downwards?

**Federal Agent Newton**—If specific issues arise where they need to talk to the airport operator and the airlines about a level of concern or threat, they stay in contact with those people, but generally a lot of the information is put through to an intelligence report that can then be disseminated to the operators and the airlines on that basis.

**Mr LAMING**—Are you aware of ASOs acting on an incident concerning aviation security threats? Have there been any occasions of that?

**Federal Agent Negus**—There has been one incident—I have not got the date of that with me; it was probably in 2003 from memory—where they did interdict a mentally disturbed patient on a flight that I believe was into Cairns. They did not declare themselves as air marshals or air security officers. They dealt with the threat, rendered it safe and continued on.

**Mr LAMING**—I want to ask some questions about information sharing between the AFP and other Commonwealth agencies at airports. Are you confident that that has improved in the last six months?

**Federal Agent Negus**—We are. I will let Mandy or Matt, who attend a number of these meetings, talk about that.

**Federal Agent Newton**—At this point in time we are developing our intelligence capability. We have only limited resources available and have not had resources in the localities of each airport for the gathering and collection of intelligence. We have been working far more closely, particularly as a result of the development of the Wheeler report and the submissions, with all the federal government agencies and state and territory police in coordinating intelligence activities. Currently we have an interdepartmental committee working between Customs, the Australian Crime Commission, ASIO, DIMIA, AQIS, us and state and territory police as required, to work through the modelling for the future design of intelligence reporting, particularly with the Australian Crime Commission's increased allocation of funding, to develop

quarterly and annual reports on criminality at airports. That reflects a similar reporting arrangement to ASIO's current reporting on the threat assessments. DOTARS, which also fall into this group, are looking at how they are going to develop their reports for industry information that will roll back into the industry for its understanding of the broader context in the aviation environment.

We have had a number of groups working together in the development of intelligence gathering to ensure that we understand the current environment for intelligence purposes by taking together intelligence from Customs, ACC, us and DOTARS. So it is developing further, but I would suggest that it still requires the fundamental intelligence staff on the ground, which the AFP is proposing, to collect and gather the intelligence that will feed into the Australian Crime Commission and the Department of Transport and Regional Services.

**Mr LAMING**—The Wheeler review recommended that some of the emergency arrangements for responding to terrorist threats should be reviewed and simplified. How are you progressing with that process of simplification?

**Federal Agent Newton**—The National Counter-Terrorism Committee is currently working through those arrangements with all relevant jurisdictions, including the AFP, as to how responses should take place in the future. Our discussions with the states and territories have been along the lines of, when the arrangements are in place, the airport police commander would hand over to the police force commander when they arrive at the airport and, if the incident is large enough to call upon state and territory resources, they would then work in cooperation with that police force commander at the incident until such time as that incident is resolved. They would also coordinate all of the federal government agencies' efforts in support of that incident and provide specialist information to the airport commander from the state jurisdiction, because they should have very good knowledge about that specific airport and details.

**Federal Agent Negus**—Just to add to that, I am aware that Duncan Lewis from PM&C is working very actively on both those topics and has to report back to COAG, I think by mid-2006, on any amendments to the national counter-terrorism plan. We are working constructively with state and territory commissioners and deputy commissioners. We have had a couple of meetings already on the community policing aspects but certainly these aspects will be covered off in those areas as well. That is all moving forward, I think, at an appropriate rate.

**Ms GRIERSON**—You said there had been no incidents with air security officers except that random one. Are they assigned on intelligence or are they assigned on just specific routes? How are they assigned?

**Federal Agent Negus**—It works in two ways. Certainly if there is specific intelligence then they would be assigned to a particular flight.

**Ms GRIERSON**—Has that happened?

**Federal Agent Newton**—Yes, it has happened. We have had a number of flights where we perhaps have a VIP on that flight and we want to ensure that we have additional support on that flight to reduce the risk factor, but no specific increased levels of broad risk or threat to Australia requiring certain flights—

**Ms GRIERSON**—What about the travelling of targeted people or people who have a risk profile—not people you have sufficient evidence to arrest but who have a risk profile under terrorism?

**Federal Agent Negus**—It is difficult to go into some of the specifics here. Obviously if we had sufficient intelligence that would concern us that a hijack was going to take place then we would have to assess that very carefully before we actually allowed the flight to take off. So we do not routinely have high levels of intelligence where we would then say, ‘Let’s put an ASO on that flight and allow it to take off.’ We have not had that high level of intelligence which would suggest an imminent threat.

**Ms GRIERSON**—What I am trying to get some clarification of is: if Customs give us evidence that they have people of note, that there are people moving in and out of the country whom we have suspicions about but not enough evidence to restrict their movements, are you interested in those people or are you looking for absolute risk?

**Federal Agent Negus**—One of the risk treatments we may employ is to put an ASO officer on one of those flights. There may be a number of other things we would do as well but certainly one of the risk treatments may be—again, depending on the level of information available—how far we would let that progress before we would allow the flight to take off.

**Ms GRIERSON**—As the public have seen arrests of people linked to terrorism in recent times—it is hard for you to answer this, I suppose—I guess there are people with ill-intent. Have any of those had suspicions that they are particularly directed at aviation security?

**CHAIR**—Hypothetically, of course.

**Ms GRIERSON**—We may need to have a confidential session.

**Federal Agent Negus**—It is a difficult question to answer. I think to answer the question broadly and perhaps hypothetically, we are not seeing high levels of intelligence which would cause us to have great concern at this stage.

**Ms GRIERSON**—Do you think that September 11 was so dramatic and so well debriefed, I imagine, and pulled apart in terms of how those sorts of things happen that that has deterred people?

**Federal Agent Negus**—I think that certainly the general public and certainly the terrorist element as well are very much aware of the security levels at airports. It is certainly a far more target-hardened precinct than it ever was before September 11.

**Federal Agent Newton**—The way we deal with it is that it is very much a layered approach to the security. Therefore, by having the target hardening at the airports with screening prior to people entering the aircraft—

**Ms GRIERSON**—The cockpit doors have been—

**Federal Agent Newton**—the initial threat was very much around the aircraft. Because of that hardening of the aircraft, including the air security officer program, some of that threat potentially could have moved to the airport as such and the likelihood of an attack in an airport area. What we are doing is that if you have the air security officers on an aircraft, it actually continues with that deterrence effect of anybody undertaking activities in the air—

**Ms GRIERSON**—It is a bit of a full approach.

**Federal Agent Negus**—To answer your question more fully, if we have concerns about an individual then the other thing we may do, before deploying an ASO, is to screen them as they go through the airport environment. There are a number of ways that can be done. We would certainly pay particular attention to anyone we have intelligence about well before they actually step onto the aircraft. So if they got onto an aircraft we could be confident that they were not in possession of any weapons or any other contraband that may cause some concern on the aircraft.

**Ms GRIERSON**—In your relationship with other countries, are you working productively with them regarding movement in and out of Australia?

**Federal Agent Negus**—We are. We are attempting to progress reciprocal arrangements for air security officers from other countries. As we have said, the Australian ASO program only flies on Australian registered aircraft—at the moment only to Singapore and to the US. Again, we are in bilateral negotiations with a range of other countries in the region.

**Ms GRIERSON**—How is it progressing with Indonesia? I know that the forensic work done by the AFP as a result of the bombings has built some great relationships. How are you progressing in widening that and getting it, perhaps, more embedded?

**Federal Agent Negus**—We have certainly had bilateral discussions with them. There is a myriad of issues to be settled with any country, given that there are reciprocal arrangements where Indonesian air security officers would fly into Australia.

**Ms GRIERSON**—Has that happened?

**Federal Agent Negus**—No.

**Ms GRIERSON**—But you are working on a sort of bilateral exchange?

**Federal Agent Negus**—We are working on that with a range of countries in the region. We have just recently held an international air marshals conference here in Australia—in Parliament House—which had representatives from a number of countries, including Indonesia, attending to have a look at how our program works and to hear presentations from a range of people including those who have been involved in hijacks and those who have had programs in place for many years, such as the United States and other countries.

**Ms GRIERSON**—The Wheeler report had no hesitation in saying that if crime can exist then security is not good and that therefore there was a link that had to be attended to. Some of the policing changes are obviously in response to that. We continue to see suggestions that Sydney

airport—being the biggest airport—has specific criminality involved in its operations. What is happening to make sure that that is turned around?

**Federal Agent Negus**—As I mentioned before, the establishment of the joint airport investigation teams was one of the key recommendations of the Wheeler report. We have moved very quickly to put those in place. We have had the AFP and Customs on the ground from 1 November, working together in the joint airport environment. They made three arrests in Sydney on Friday, as I am sure you have seen. That is not to say that intelligence collection strategies and other things were not in place prior to that, but now we have a dedicated resource looking at criminal activity within that airport and looking to seek out that activity and to put in place a strategy to fight it.

**Ms GRIERSON**—Are airport security controllers still going to be employed? Have they been advertised? Will that be a real position, as well as airport police commanders?

**Federal Agent Negus**—They have. We anticipate having them in place during December. The interviews have already taken place across Australia for a number of those positions. Federal Agent Newton is on the panel for those positions. I think she is flying off somewhere tomorrow to do some more interviews. We are looking at having them in place before Christmas. There is a training program which we have developed, which will be of two weeks' duration.

**Ms GRIERSON**—Would those positions be open to anyone, like risk managers, defence and security type people as well as police?

**Federal Agent Negus**—They have been. As Mandy is on the panel I will let her talk about it.

**Federal Agent Newton**—It was originally agreed in a cabinet decision that there be airport security controller positions at the 11 airports across the country. The role of those positions was initially considered—prior to the Wheeler review—as being more of a facilitative role between agencies at the airport. It was considered a coordination role to draw information together. As a result of the Wheeler report those position titles were changed to airport police commanders. It is a requirement for the people in that role to be sworn police officers, because they are there to provide a stronger role around law enforcement and security related activities at the airport than was originally considered. Applicants who were not sworn police and who did not have policing backgrounds could apply for the positions—we received quite a number of applicants who fell into that group—but they would be required, if successful, to be sworn in as police officers, and they would be responsible and accountable for coordinating all of the airport resources that the AFP has, along with the command and control activities related to the state and territory police.

**Ms GRIERSON**—So there are two positions.

**Federal Agent Newton**—One position. The airport security controller was the original decision made by cabinet—

**Ms GRIERSON**—So you are telling me now that it is the airport police commander.

**Federal Agent Newton**—It is the airport police commander. In the profile for the position, when we advertised it, you could incorporate it as being the same role. Just the inflection of responsibilities changed.

**Ms GRIERSON**—Who are they the employee of—the AFP or DOTARS?

**Federal Agent Newton**—The AFP.

**Senator HOGG**—By way of intelligence gathering, do you check the forward manifests of outward flights or inward flights, whether they be international or internal, to see if there are any names on the manifests that would cause concern?

**Federal Agent Newton**—With the manifests we do it on an as-needed basis. If we are dealing with flights within Australia—domestic flights—we consult with all of the airlines with regard to a manifest where either we have a concern about a passenger or they have a concern about a passenger. It might be someone who has come onto their manifest who is banned by the company from flying on their aircraft.

**Senator HOGG**—But you do no random checks as an up-front measure?

**Federal Agent Newton**—No, we do not do random checks at this time. We anticipate that we will have additional resources to be able to deal with checking on a more random basis once we have intelligence staff operating at airports. With international flights we work very closely with Customs on an alert system which picks up particular people flying into or out of the country.

**Senator HOGG**—I have seen that, and that is why I asked the question. It seems to me that these people can be identified coming in, to a certain extent. Also, you have the benefit of the delay from the aircraft taking off to the aircraft landing in Australia, which is roughly eight hours. So you have a fair amount of checking time there. But I was wondering if, as some sort of risk profile, you were able to look at the potential manifest—because it does not become the manifest until the plane is sealed—for aircraft departing Australia so that you have some idea of who might be on board. But you obviously do not do that at this stage.

**Federal Agent Newton**—We have not been resourced in our intelligence area to date to be able to do those checks to a large extent. We do it on an as needs basis with the airlines, to check on particular people or if they have a concern. We can very easily access the Customs information with our alert system, or if we make requests through Customs staff, so that we can identify people well before they even get on the aircraft.

**Mr BROADBENT**—I have a couple of questions on different subjects. Regarding the two officers who intervened with a disturbed passenger, did they both intervene or did one intervene while the other remained in their position? Or is that none of my business?

**Federal Agent Negus**—I do not have the answer in front of me.

**Mr BROADBENT**—I will ask a further question, then. Why would they intervene with a disturbed person and risk their anonymity? Are you telling me that the training of the airline staff was not up to scratch enough to handle the difficulty that they faced?



**Federal Agent Negus**—Again, from memory—it was a couple of years ago—I believe that that person had a box cutter in their possession.

**Mr BROADBENT**—I remember that. I do not really want an answer; I just want to raise it. I just did not understand.

**Federal Agent Negus**—I take your point. I think those judgments are made by the ASOs on the aircraft. They make split-second decisions on the safety and welfare of the people on the aircraft.

**Mr BROADBENT**—So the person they took on was virtually armed.

**Federal Agent Negus**—That is right.

**Mr BROADBENT**—That is totally different from what we were discussing before. We are concerned about the demarcation lines between you and other bodies, particularly federal and state, in a crisis situation. I will add the armed forces to that. Civil management of particular areas of your responsibility is an issue. Another issue is security contractors. Do you think you are absolutely clear about where your role begins and ends? Do you think other organisations are absolutely clear or are we heading for an interesting time as to how people interact with one another?

**Federal Agent Negus**—I think we were very clear about our role, and it was a limited role within the airport environment. The outcomes of the Wheeler review and the processes I have just outlined for joint airport investigation teams and joint intelligence groups, I think, bring a far greater responsibility to the AFP than was previously the case. I think the appointment of the airport police commander will streamline a lot of that confusion. There are a range of security meetings which take place in the airport environment of which the airport police commander will now be the chair. They will have a far greater impact on the other agencies, whether state or Commonwealth, who attend those meetings and will certainly have some power to direct the resources of those people in times of an incident. So I think a lot of those issues have been clarified.

The AFP's previous role, as I said, was quite clear, but it was a role and a responsibility shared with all the states and the territories and a number of other Commonwealth government agencies. I think the Wheeler review outcomes and, certainly, the implementation of the review recommendations will clarify those responsibilities quite significantly, and with the AFP's role now in that airport environment, in working in a unified policing model with the states and territories, everyone will know where the game starts and finishes, if you like, and whose responsibility it is to do certain things.

**Mr Graham**—It is also important to understand that, in the airport environment, collaboration is essential, because when an incident commences it might be the responsibility of the airport operator to deal with it initially, but if the circumstances of that incident continue to develop then the AFP has a role to play and potentially, in the extreme, the state police have a role to play. So there are very few incidents that are handled by just one organisation. It is a continuum, if you like, and various agencies need to contribute their capabilities at certain points along that continuum as an incident escalates.

**Federal Agent Newton**—It is intended that, in what we are developing as the airport police commanders' package for implementation when they move out to each of the airports, they will have MOUs, memorandums of understanding, with each of the key agencies at the airport and other organisations that we interact with, to ensure that there is a great deal of clarity about the roles and responsibilities of different agencies as well as those of the Australian Federal Police. They will also be required to put together a plan which outlines a full security plan as well as a law enforcement plan for the airport. The purpose of that is to identify, in the transport security plan for the airlines as well as the airports, which agency covers which roles and responsibilities across the whole of the airport environment, whether it be public or private sector agencies, and then ensuring that there are no gaps in those roles and responsibilities where either security or law enforcement is not being covered. The expectation is that the airport police commander will draw that together, identify where the gaps are and then address those gaps and monitor that plan on an annual basis.

**Mr BROADBENT**—Can I be assured, Mr Negus, that we do not have to go through every process for every state and every individual airport? Is there going to be an overall response from the Australian Federal Police to all of those things that Ms Newton has just outlined?

**Federal Agent Negus**—Absolutely, and one of the key issues we are looking at across this whole process is consistency across airports. When the Australian Protective Service came into the AFP, again there were some inconsistencies in the way that they did business across a wide range of airports, because of the contractual arrangements that they had struck over time. We have tried to minimise any inconsistencies and tried to move forward into a known, predictable environment where the AFP responds in a particular way across the country.

**Senator HOGG**—Following on from Mr Broadbent's question and your answer, Ms Newton, you mentioned the MOUs that will obviously be established. Is there a model MOU that you are going to use, and—

**Federal Agent Newton**—Yes, we will be using a standard MOU template, which of course—

**Senator HOGG**—if so, can we have a copy?

**Federal Agent Newton**—We are still developing it at the moment, because the positions are not on the ground yet.

**Senator HOGG**—I thought you might have one.

**Federal Agent Newton**—Broadly, for the counter-terrorism first response activity, we are meeting with every airport to change the arrangements for how we deliver that service at each of the airports. We have generally got a broad outline of the key things that we would want to incorporate into the delivery of that service, and performance indicators.

**Senator HOGG**—Without giving us the model, if it is not available, can you give us a number of dot points which give us the essence of what will be in there, so that we have got an appreciation of that?

**Federal Agent Newton**—Do you want me to run through those things now?

**Senator HOGG**—Not now; you can take it on notice and supply it to us on a sheet of paper. I think that would be just as good as anything.

**Mr BROADBENT**—Mr Graham, all this is going to happen in seconds, isn't it?

**Mr Graham**—The reality is that everything takes time. We need to take a measured approach to how we implement these things to make sure we achieve the national consistency we have just been talking about. We have moved quite a long way in a relatively short time since Wheeler's report. From the AFP perspective, having the joint airport investigation teams operating on 1 November was a significant achievement. The fact that we now have Customs on board is also significant. The intention to have the airport police commanders in prior to Christmas is a major step forward in terms of how we can coordinate the AFP's effort within the aviation environment, and the wider Commonwealth effort, and tie that in with the airports' and airlines' security mechanisms. I think we have come a long way in a relatively short time in addressing a significant issue.

**Federal Agent Negus**—I would like to add something to complete that answer. Almost 12 months ago we ran a significant trial at Sydney airport on a new way of dealing the CTFR service within the airport environment, which was designed to be far more intelligence based—proactive, rather than reactive. That was widely applauded by the aviation industry—it was, of course, well before the Wheeler review—and we have looked to implement that across all the other airports. Ms Newton has been travelling around the country, briefing the airports on the implementation times and on how the planning process has gone. We have prepared a manual, from a CTFR perspective, which can be delivered by the station manager, on the sorts of proactive intelligence based activities they should look to do on each shift. So we are really changing the way the service has been delivered—from reactive to proactive and very much forward looking. This program has been in place for well over 12 months now—as I said, the trial was 12 months ago in Sydney—and we hope to have it rolled out to the rest of the airports if not by the end of this year then certainly very early in the new year. It has been well received by the airports.

**Mr BROADBENT**—I am interested in how the Australian Federal Police are looking at egress from and entrances to airports at the moment. Can we still afford to have cars driving right up to airport entrances and dropping off people that closely?

**Federal Agent Newton**—The majority of airports are reviewing their arrangements for drop-offs.

**Mr BROADBENT**—I know it is going to upset a lot of people—every pollie is going to be really upset—but I was at the airport yesterday and it occurred to me that there is absolutely no control.

**Federal Agent Newton**—ASIO completed their sectoral threat assessment for airports a few weeks ago, and we have had a draft of that report for a period of time. The design upon which we are developing our activities consults with airports around the suitability of access to some of those locations. In particular, the policing role we will undertake at the airports will be based on ensuring that that is a high priority area where we put existing staff as well as policing staff.

**Mr BROADBENT**—It is nothing to do with the arrangements today, but I think we have come to a time when—

**Federal Agent Newton**—I have been speaking to Cairns and Hobart airports in the last two weeks. They are redesigning so that drop-off and pick-up are removed from the main road into the airport—straight out the front of the terminal. Passengers will be required to be dropped off in front of the car park area, which is 50 metres away from the entrance.

**Mr BROADBENT**—That is what I am talking about.

**Federal Agent Negus**—That is certainly under active consideration as part of this process.

**Mr Graham**—It has certainly been an area of focus for operations as well in terms of how we deploy our officers.

**Ms GRIERSON**—I still do not have a feel for what is happening at airports with all the change that has happened. I am very confident that you have ASOs, but I do not how many. What is the total number?

**Federal Agent Negus**—Because it is a discrete program, we have resisted the temptation. When they were first implemented, almost four years ago, there were 110. We have grown the program since then but, so as not to give away any operational advantage, I would rather not disclose how many we now have.

**Ms GRIERSON**—It has increased?

**Federal Agent Negus**—It has increased since then.

**Ms GRIERSON**—Do people stay on that work for a while and then go off, or do they like to stay there? I would not think they would like to stay there.

**Federal Agent Negus**—You would be surprised. The sorts of people who are attracted to this environment have all been recruited for this purpose. They are very much from tactical units such as SWAT teams in the state and territory police forces and certainly from the military, and they are people who enjoy this sort of work. There is a high degree of training and preparedness required for the role. The train at a very high and very sophisticated level, which is attractive to these people. They spend a lot of time on planes as well, but they enjoy the responsiveness and the training involved in the process. It has been almost four years now and so, of those people who came into the program, some have left. But we are looking at processes within the wider AFP to absorb them into either investigations or the Protective Security officer network. We also have people coming in at the other end.

**Ms GRIERSON**—So you can go back to where you want to be?

**Federal Agent Negus**—That is right. We do not see it as a job that you can do forever, and certainly it is not productive for them to be at a heightened response for long periods, particularly on overseas flights and those sorts of things.

**CHAIR**—Are these people of a certain calibre, or would the job be below them to be a part of the airport policing strategy group?

**Federal Agent Negus**—Many of those who come from other police forces have contemporaneous policing skills, so we are looking at lateral entry to the wider AFP. For those who come from the military or from other backgrounds outside of law enforcement, we are at the moment looking at exactly what sort of training would be required to transition them into a policing role. Some of them come from the Protective Service officer element in the first instance, so they are quite happy to go back.

**Ms GRIERSON**—Can we go to the protective security liaison officer network? Is that what you mean?

**Federal Agent Negus**—No. These are Protective Service officers who work at the airports. They are the people you see on a day-to-day basis. We do have some air security officers who come from that environment and who, the end of the three-year period, may decide to go back to that role.

**Ms GRIERSON**—So I would see those other security officers at all airports and I would see them performing their everyday role, and I have seen them at airports. What about the PSLOs? There are supposedly 18 at 11 CTFR airports.

**Federal Agent Negus**—That is right. They are sworn federal agents, investigators from the AFP who have a broad range of experience.

**Ms GRIERSON**—So I would not see them walking the beat in a uniform?

**Federal Agent Negus**—They would be predominantly in plain clothes.

**Ms GRIERSON**—And they will have an office somewhere and will be looking at coordination and what is happening? They would do incident reports and look at risk assessments?

**Federal Agent Negus**—That is right. It is interesting to note that in his review Sir John Wheeler was quite impressed with the role that PSLOs undertake. What he saw in the airport police commander role was to take the PSLO and give them far more authority in the airport environment. We see the future of the PSLO as very much the understudy, if you like, the 2IC working to the airport police commander.

**Ms GRIERSON**—That is reassuring. Did you say that the counter-terrorism first response capability teams are in trial mode?

**Federal Agent Newton**—No. There was a trial at Sydney airport 12 months ago to look at a different model of how we might deliver the activities. An agreement was made with industry in March to proceed with exploring that modelling further at other airports. We have undertaken an assessment at each of the airports, an intelligence report over the first six months of this year of incidents that occurred and the time of day of those incidents and activities, along with having

each of our managers at the airports sit down with airport staff and work through their transport security plans.

**Ms GRIERSON**—I am sorry? Managers at the airport—who manages those staff?

**Federal Agent Newton**—The manager who manages the Protective Service staff is the senior Protective Service officer at each airport. We have had a person in Canberra coordinating them, and those managers have been tasked to look at the transport security plan in conjunction with the airports, their threat assessments and to undertake our own threat assessment against the ASIO sectoral threat assessment for each airport as well as our intelligence information. Drawing all of that information together, Graham and I have run a number of workshops in Canberra for each of the managers to come to Canberra to look at the modelling of how we want to deliver the counter-terrorism first response at airports. Traditionally, a lot of the activity was almost a guard moving from one place to another. The design we have developed is far more proactive.

**Ms GRIERSON**—What have you developed?

**Federal Agent Newton**—Small groups of people undertake a range of activities up to six times during a shift, such as checking—

**Ms GRIERSON**—So this is making people already at airports more strategic and more informed?

**Federal Agent Negus**—Yes.

**Federal Agent Newton**—And more targeted in their approach.

**Ms GRIERSON**—So it is a strategy. It activates the people already there and improves their operations?

**Federal Agent Negus**—Those people have been there for a long time. Just to complete the picture, the manager that Ms Newton has been talking about is the manager of the Protective Service officers. They have been there for many years. That person would also report to the airport police commander, so they are at an EL1 or EL2 level in Public Service terms.

**Ms GRIERSON**—What is a PSLO level?

**Federal Agent Negus**—They are at a team leader or sergeant level.

**Ms GRIERSON**—So they are below the APS type manager?

**Federal Agent Negus**—Yes.

**Ms GRIERSON**—We have dealt with a leaked Customs report from Sydney Airport. Were you asked to investigate how that was leaked to the media?

**Federal Agent Negus**—It is an area outside our responsibility. I would have to double-check that and perhaps take it on notice.

**Ms GRIERSON**—Yes. I would like to know, because we have had conflicting evidence on how important that was. You do not know if you have a copy of that report?

**Federal Agent Negus**—I think we certainly have been provided with a copy of the report. We certainly did not have a copy of the report before it was leaked.

**Ms GRIERSON**—No.

**Federal Agent Negus**—Ms Newton has just informed me that we were asked to investigate that.

**Ms GRIERSON**—And did you investigate how that was leaked?

**Federal Agent Newton**—Yes, we investigated in conjunction with Customs.

**Ms GRIERSON**—Did you resolve it in any way?

**Federal Agent Newton**—My understanding is that Customs were in the process of resolving it with a number of staff within their organisation.

**Ms GRIERSON**—The report suggested a high level of criminality, poor background checks and people at risk. Did you have to respond to that in any way?

**Federal Agent Negus**—We have certainly taken on board the outcomes of that report. Again, our intelligence area has made an assessment, which is fed into the appropriate channels for people to deal with.

**Ms GRIERSON**—I have to be very parochial—I want to ask about the regional rapid deployment team capability. The chairman and I both use Newcastle airport. I have had great concerns that it is a regional airport that has seen much growth in its domestic travel. It is co-located with a very important RAAF base, and yet we have one Australian Federal Police officer at the Centrelink office investigating fraud. That does not add up to me. We are not that close to Sydney that the response can be that rapid. Is that based on a low-risk assessment? What is it based on?

**Federal Agent Newton**—The criteria for the regional rapid deployment teams is that they are actually deployed to locations within their area of responsibility, thus ensuring that they really pick up on the airports that are closer to, say, Sydney, if you use Newcastle as an example, and that they are undertaking regular visits to those airports. It is based on—

**Ms GRIERSON**—So does this only apply to say Avalon and Essendon?

**Federal Agent Newton**—Probably they generally have made, so far, some more frequent visits within a day-trip area.

**Ms GRIERSON**—I want to know how many visits they have made, if they have made any visits?

**Federal Agent Newton**—If there is a level of concern about a threat at a particular airport, that is when we will deploy people to that airport very quickly to increase the security presence at that particular airport for a period of time. Whether that is short or extended we have four teams—

**Mr BROADBENT**—The only conflict we have is when the chair and the deputy chair are in the airport at the same time!

**Ms GRIERSON**—But there are other co-located airports, so Darwin is one and Newcastle is one. Do you have any special arrangements with Defence when you have co-located airports?

**Federal Agent Newton**—We do in Darwin where we are talking to Defence or the Air Force regularly at Darwin Airport because you have to take into account—

**Ms GRIERSON**—It is an international airport.

**Federal Agent Newton**—the link across. Because we do not have a full-time responsibility, say, at Newcastle airport, the majority of the arrangements are up to the airport operator, and their transport security plan should address the issues. If we are going to attend those locations and, in particular, want to work with the Air Force at that location, we would stay in contact with them and talk them through the situation that we will be at that airport for that particular period of time, if we want to go into their area of assets, which we do with the state or territory jurisdictions, when we visit. We talk to the police in advance and indicate that we are going to visit along with the airport operator.

**Ms GRIERSON**—So with an airport such as Newcastle, who would be the most senior person there? Would it be an ordinary rostered-on APS person ?

**Federal Agent Newton**—We do not have our people—

**Ms GRIERSON**—There would be no senior person. It would just be all your screeners.

**Federal Agent Negus**—They are not our screeners.

**Ms GRIERSON**—They are outsourced.

**Federal Agent Negus**—We do not have any federal agents or any Protective Service officers working at Newcastle. It is not one of the eleven CTFR airports.

**Ms GRIERSON**—The Wheeler report suggested that regional airports should be reviewed.

**Federal Agent Newton**—At the moment we are working in conjunction with the Department of Transport and Regional Services on looking at the review of the criteria for a CTFR airport.

**Ms GRIERSON**—So that review is happening?



**Federal Agent Newton**—And we anticipate that the initial outline of that will be discussed with the industry at a meeting we have in the third week of December.

**Ms GRIERSON**—The Police Federation, which presented to us before you, suggested that over the last five years the staffing levels of the AFP have dropped by 500 officers. Is that correct?

**Federal Agent Negus**—On the numbers that we currently have in the organisation, of our funding base—we have a far larger budget than we have ever had in the past. The bulk of our—

**Mr BROADBENT**—I think it was in the last 20 years.

**Ms GRIERSON**—No, I do not think so.

**Mr BROADBENT**—I thought he said 20 years ago.

**Federal Agent Negus**—Our organisation's budget is now in excess of \$1 billion per year. Having been in the organisation for 23 years, I remember that not so long ago we were in the \$200 million to \$300 million range. The budget has grown exponentially since September 11 in response to the security environment and the threats there.

**Ms GRIERSON**—Has aviation taken staff away from ordinary operations or have you increased staff to cater to these threats?

**Federal Agent Negus**—The vast majority of aviation is done by the Protective Service officers. Protective security liaison officers are federal agents and they have come from core activities. Again, there was new money provided for the organisation to do that, and we would backfill against those numbers.

**Ms GRIERSON**—Has the amalgamation worked well?

**Federal Agent Negus**—It is a work in progress. It has worked very well. Integrating two large organisations always has some cultural and other issues to get through, but we are confident that we are making sound progress. Early last year we negotiated a certified agreement with the Protective Service officers. I think it was the first time in over 10 years that one of those had been successfully negotiated, with an 81.6 per cent yes vote. We are progressing quite well down the path. Whilst we still have some work to do in bringing both organisations together in a technical sense—in IT and other infrastructure—we are progressing well.

**Ms GRIERSON**—So much has happened over the last couple of years, hasn't it?

**Federal Agent Negus**—It certainly has.

**CHAIR**—One of the issues that was raised in the evidence we have taken so far, and was also highlighted in the Wheeler report, was about training for security staff at airports and that it needs to be standardised across the nation. Do you have a comment on that?

**Federal Agent Negus**—By security staff I imagine you are talking about the screeners and those sorts of people?

**CHAIR**—Screeners, general walk-around security staff—not the APS people. I am talking about the people privately contracted by airports and airlines.

**Federal Agent Newton**—We are currently working with DOTARS, but we are only on the periphery of the arrangements, to require that there be consistency across all of the security firms in regard to that. We support there being a consistent approach to security staff at each of the airports, because it would make it easier for us to operate with them, particularly if their level of understanding of the environment is stronger and is consistent across each of those firms. It would support us in our activities through the level of awareness and information that would come to our organisation and, in particular, any intelligence information they can feed through to the AFP.

**CHAIR**—One of the other issues that has been raised is that all staff at airports and airlines should have training in terrorism awareness and being able to identify base level threats. Is anything like that in planned future actions?

**Federal Agent Newton**—The Department of Transport and Regional Services are working with the industry on that, so they are probably the best people to comment on it. We work regularly with the airlines and key agencies at the airport, like airport operators, to provide information sessions, and we have also undertaken that with a number of the security firms to increase levels of knowledge and understanding of what people should be looking for and of security related activities that arise.

**CHAIR**—This relates to what I asked your predecessors in here. At the military base at Williamstown, they have the Australian Defence Force Warfare Centre, where they get people off the front line and the strategists, bring them in and create scenarios. Quite often they will bring people in from overseas to be a combatant force in scenario planning. Do you have a workshop whereby you go through terrorism modelling, security threat modelling, actions, plans, response, spot analysis and all those sorts of things?

**Federal Agent Negus**—Yes, we do. I think that previous presenters mentioned the Mercury 05 exercise that has just been undertaken. That is coordinated by PSCC and we are an active participant in it. We have people on the writing team in those areas, and we also run our own scenario planning in a wider sense. We have a range of strategic work force planning teams and other groups that meet regularly to look for opportunities and needs into the future, and I would take on board some of Jim Torr's comments about that. Where strategic issues are identified there are new policy initiatives put forward to fill those gaps. To suggest that the AFP is sitting back and not doing anything particularly strategic—

**CHAIR**—I am not suggesting that.

**Federal Agent Negus**—Mr Torr's words—is perhaps a little unfair. We certainly are involved at very high levels in a range of exercises. We have had the regional rapid deployment teams, and we have been asked by state police to participate in regional airport initiatives where they have done their own scenarios and mock exercises to identify some holes in the security. We

have been very willing and active participants in that. Across the organisation, whether it be in counter-terrorism or in airports generally, there is a range of scenario planning that goes on and is tested at all levels.

**CHAIR**—Your predecessor put to the committee that not enough was done in forward planning, which basically was the essence of my question about how, through modelling, you can understand the requirements in order to be able to address the threat or perceived threat that may or may not be there. Your answer seems to be somewhat in conflict with what they were stating. Are you prepared for the next five or 10 years in threat assessments that you see the likelihood of coming on board?

**Federal Agent Negus**—We work very closely with ASIO, DOTARS and a range of other government agencies to try to pull in the range of intelligence and strategic thinking that is out there in the wider Commonwealth and in the states and territories as well. I think we are well placed. Certainly there are things that come in which have not been anticipated, but I think broadly we are well placed to meet the needs of the next five years.

**Federal Agent Newton**—The AFP undertake very regular environmental scans into a number of out years in which we consider the broader Australian and international environment that we operate in. The executive do a range of workshops on how to address those issues from an organisational perspective.

**CHAIR**—Today airports and aviation security are in the public eye, but tomorrow terrorists might get sick of playing that game and decide to hit a shipping port, or they may decide they are sick of that and hit a football stadium, a power plant or, indeed, any piece of infrastructure. One of the inferences I picked up from the Police Federation is that you are basically too understaffed to be able to bring together a response team to that. I put to them that, when you have the perfect model and you have people sitting there but not gainfully employed, that creates a problem in itself. Do you feel satisfied that you have adequate resourcing levels to not only handle the current threat situation but also to anticipate threats based on a solid risk analysis?

**Federal Agent Negus**—It is difficult to anticipate what the next series of threats might be, as you have said. But within the AFP's defined role at the moment, we certainly do have the resources to deal with those threats. As I said, in the last two or three years we have received significant amounts of additional funding and resources to deal with them as they have come up.

In the Protective Service, last year we were allocated an additional 40 staff to deal with a surge capacity. So if something came up that was unforeseen and not planned for, we have 40 officers we could allocate out to deal with that particular threat for a period of time. So there is some surge capacity there. If something was done outside of what our current mandate is—like the ports, as you mentioned before—that is a whole different ball game. We do not have the resources to step into ports and those sorts of areas.

**CHAIR**—The issue perhaps started with the statement by Mr Burgess from the Police Federation about the call to drag in 300 to 500 police out of the state precincts. Their considered opinion is that the Federal Police force should grow by that number of people and that, by and large, the force on the ground at the airport should be AFP officers. Do you have a view on that?

**Federal Agent Negus**—One of the recommendations from Wheeler was very much about a unified policing model and bringing the states and the Commonwealth together. Much of the law that is to be enforced around airports is very much state and territory law, and working together is the most appropriate way. When we spoke to Sir John Wheeler, it was said that one of the other reasons the AFP was not seen as being an answer to this was because of our relative size, which is around 5,000 people. It would take us around three to 3½ years to recruit the number of people into the organisation to fulfil the community policing function. I am not sure whether the response can wait that long for us to have people on the ground. By breaking it up into the seven jurisdictions, that gave us a capacity to provide a number from New South Wales, a number from Queensland and have less impact on the respective forces and the AFP but still meet that problem within a relatively short period of time.

**CHAIR**—Their comment in response to that was when they looked at the Northern Territory model, which has two airports that are under the counter-terrorism first response group, it would cause a massive depletion of the Territory's force. How would you intend to address that?

**Federal Agent Negus**—We are currently in bilateral talks with the Northern Territory. In fact, the national manager of HR and I are flying to Darwin next Wednesday to meet with the deputy commissioner. We understand, and we are also very realistic about what can be delivered from a force of that size in two particular airports. The things we will discuss next week will be very much whether or not we need to look at a combination of AFP officers that we recruit and putting some people in there as well as the states and territories, but that is yet to be determined and really that will come down to how those—

**CHAIR**—I suppose that part of the issue is that you need a relative level of expertise. It would not be an area that you would put very green, untrained people into. One would assume that by drawing on the state bodies, not only are you able to cycle through people, but you are also drawing down on a level of expertise that you need in volume that you do not currently have and would not have in the short term at the AFP. Is that correct?

**Federal Agent Negus**—That is right. We have also designed a fairly extensive training package, which I think is four or five weeks—it is still in production—so anyone who comes into an airport environment as a community police officer would receive that level of training to make sure they are fully aware of the Commonwealth and the airport environment particularities that exist.

**Ms GRIERSON**—Recruitment would not be easy; it would not be easy to find the right people. You would be poaching from each other when you recruit people, wouldn't you?

**Federal Agent Newton**—The AFP at the moment has just over 900 people who have applied for the organisation, and we are currently going through initial selection processes for people in that grouping in case we are required to provide additional police for the airport. We have no difficulty in recruiting or attracting people at a lateral level from other state and territory jurisdictions and also from the general community. Some of the other states like the Northern Territory, Western Australia and South Australia—in particular Western Australia and South Australia—are recruiting from the UK at the moment. In fact, they have staff from South Australia in the UK this week specifically looking at recruiting from over there to bring people in to support the concept of the airport policing.

**Ms GRIERSON**—Is the AFP facing an ageing population? Are you going to lose a lot of your personnel to retirement in the next five or 10 years, as many industries are?

**Federal Agent Negus**—Our profile represents the broader work force. Because of the nature of the work, we do tend to attract younger people into the organisation, although the age profile of our recruits has changed: 20 years ago it was 19- or 20-year-olds, it is now 27- and 28 -year-olds joining the organisation. But as Ms Newton said, we have still got a large cohort of people lined up to join the AFP.

**Ms GRIERSON**—Is there a retirement age, and is it a lower one?

**Federal Agent Newton**—No.

**Ms GRIERSON**—Okay.

**Federal Agent Newton**—It fits in with the broader Commonwealth government arrangements.

**Ms GRIERSON**—So there is no discrimination.

**Federal Agent Newton**—No.

**CHAIR**—Do you have a recruitment policy where you offer scholarships, pay HECS fees for people who join the AFP to go to university so that you can develop areas of expertise in what you need?

**Federal Agent Newton**—We support people to undertake training once they are in the organisation. The vast majority of our applicants already have tertiary qualifications. I think it is in the vicinity of 75 per cent.

**CHAIR**—That being said, do you set the bar too high? The ones who have actually gone through university training, do they then look into other fields rather than coming into the AFP?

**Federal Agent Newton**—We certainly have not had any difficulty attracting people to the AFP, so it has not been an issue for us to date.

**Mr BROADBENT**—But it would not be fun bouncing off rocks at 60 years of age. There must be some situation there—

**Federal Agent Negus**—In areas that are highly tactical—

**Mr BROADBENT**—I had known you seemed bruised—

**Federal Agent Negus**—Not particularly. In various areas that are highly tactical, we have fitness standards and requirements that people must pass.

**Mr BROADBENT**—That is how you handle it?

**Federal Agent Negus**—For instance, in close personal protection, which I am sure you will all be familiar with, we have at least one member who is over 60, but passes the test with flying colours every time.

**CHAIR**—And can still keep up with the PM on his walk.

**Federal Agent Negus**—Yes. But in those tactical areas there are special fitness requirements that people have to meet.

**Ms GRIERSON**—Before we conclude I want to say on behalf of the people of Newcastle how wonderful the Australian Federal Police were during the aftermath of the Bali bombings. The people I met in Newcastle and the people I dealt with on the phone were just wonderfully professional and very understanding.

**Federal Agent Negus**—Thank you. I appreciate that.

Resolved (on motion by **Senator Hogg**):

That this committee authorises publication, including publication on the parliamentary database, of the transcript of the evidence given before it at public hearing this day.

**Committee adjourned at 11.45 am**