



**FURTHER REVIEW OF AVIATION SECURITY IN
AUSTRALIA**

**SUBMISSION TO
THE JOINT PUBLIC ACCOUNTS
AND AUDIT COMMITTEE**

JULY 2005

1. Introduction

The Board of Airline Representatives of Australia Inc. (BARA) is the industry association representing the interests of international airlines operating to and from Australia. BARA has been established as an incorporated body for fourteen years. Prior to that BARA operated for many years as an unincorporated body.

BARA aims to establish a recognised means of communication between member airlines and statutory and other organisations whose interests and actions influence or affect member airlines and the aviation industry. Its purpose is to act on issues affecting the aviation industry in Australia and to provide a single concerted voice on policy and other matters when dealing with the Federal and State governments and other aviation industry stakeholders.

BARA's membership currently comprises 39 scheduled airlines, including both the domestic inter-state airlines. BARA members are acutely aware that maintaining a safe, secure and viable commercial aviation industry is essential for the social and economic well being of Australia.

The airlines operating to and from Australia recognise the importance of the aviation security measures mandated by the Australian Government. The ongoing viability of the commercial aviation industry is clearly linked to the performance and quality of aviation security.

Airlines acknowledge the endeavours of the Australian Government to enhance aviation security outcomes since 11 September 2001. They also maintain that the successful delivery of aviation security outcomes is dependent upon cooperation between the government and industry stakeholders. Cooperation is essential to create an environment that ensures the ongoing delivery of worlds best practice aviation security.

BARA lodged a submission to the Committee's 2003 Review of Aviation Security in Australia.

2. 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

BARA holds the view that the Department of Transport and Regional Services (DOTARS) effectively and efficiently manages the development and implementation of aviation security requirements. DOTARS also satisfactorily ensures compliance with aviation security measures by airport operators, airlines and other aviation industry stakeholders. DOTARS has performed this role for many years and has been especially active since September 2001 in working with all aviation industry stakeholders to ensure a world class aviation security exists in Australia.

DOTARS faces a difficult task in accommodating the operational interests of commercial entities involved in aviation, as well as the political and public perceptions of what an aviation security system should comprise. BARA maintains that the DOTARS role unequivocally should relate to the oversight of an aviation security system that is based upon an informed threat assessment and a rational risk management strategy. Aviation security measures and general crime prevention measures should not be confused. It is inappropriate for the two measures to overlap.

Aviation security measures are directed at deterring and detecting explosives and weapons. Australia's aviation security system has been successful in this area for over 20 years.

Other criminal activity is not matter of aviation security. For example, the smuggling and transport of drugs and pilfering from airline passengers' luggage does not affect the safety and security of airline operations.

However, all sectors of the Australian community have the right to expect a level of community policing sufficient to deter and respond to criminal acts. Airports are no different to other public places where police have a clear community policing responsibility. This matter needs to be addressed, albeit separately from the aviation security matter.

It is BARA's view that the current aviation security regulatory responsibilities should remain with DOTARS.

3. Compliance with Commonwealth security requirements by airport operators at major and regional airports

The Aviation Transport Security Act 2004 and associated Regulations require airport operators to develop a security program based on a security risk assessment. The security program must be developed to the requirements of Australian Standard 4360/1.

As stated above, BARA represents the interests of airlines providing international air services. Therefore, BARA's direct interest in aviation security compliance is limited to capital city airports and major regional airports, such as Cairns and Gold Coast airports.

It is BARA's view that the operators of capital city and major regional airports comply to a very high level with the requirements identified by security risk assessments and reviewed and approved by DOTARS. This is a matter of record.

The incidence of any criminal activity at airports is a separate matter, outside the parameters of an aviation security system. Attention to such criminal activity is a community policing responsibility, to be funded and delivered by other agencies, not the aviation industry.

4. Compliance with Commonwealth security requirements by airlines

BARA member airlines place the highest priority on the safety and security of their passengers, employees and aircraft. Airlines do not compromise on matters of safety and security.

As with airport operators, airline operators are required to develop a transport security program based on a security risk assessment. Airlines make every effort to comply fully with the requirements identified by their security risk assessments, which are similarly reviewed and approved by DOTARS.

As with airport operators, the incidence of criminal activity among airline employees is a separate matter, outside the parameters of an aviation security system. BARA emphasises that attention to such criminal activity is a community policing responsibility, to be funded and delivered by other agencies, not the aviation industry.

5. The impact of overseas security requirements on Australian aviation security

International airlines are required to operate to and from a large number of airports around the world. Most of those airports operate with a security system comparable to that applicable in Australia. The International Civil Aviation Authority issues Standards and Recommended Practices for aviation security measures.

Some States, however, do not have the resources or expertise to devise and deliver security systems to a world standard. In such environments, airline operators may put in place their own additional security measures to enhance the safety and security of airline passengers, employees and aircraft. The Australian security system also takes account of assessed security standards at last ports of call before arrival in Australia. Special security measures may be adopted for those flights, eg additional screening of baggage and passengers before on-carriage to further Australian ports on either international or domestic flights.

To the extent possible, Australian aviation security measures are harmonised with those applicable in overseas jurisdictions that are of particular significance to Australian aviation. The jurisdictions of most interest are usually the UK and USA.

6. Cost impacts of security upgrades particularly for regional airports

The recently mooted aviation security upgrades include upgraded fencing, vehicle and personnel inspection points into and out of the airside of airports, extended and broader background checks for employees at airports and introduction of an additional police/security force. Even a conservative estimate of the additional cost of these

measures would run into hundreds of millions of dollars. Final costs are yet to be determined.

BARA member airlines, being international RPT carriers, do not operate to regional airports.

7. Privacy implications of greater security measures

BARA relies on the Government to be fully aware of the privacy implications and associated legal exposure attaching to the proposed greater security measures, particularly with regard to the extended and broader background checks for employees at airports. In the event that the new background checks result in an employee, previously in possession of an ASIC, being denied an ASIC and, therefore, continued employment, aviation sector employers will not be prepared to meet any expenses resulting from possible unfair dismissal claims.

8. Opportunities to enhance security measures presented by current and emerging technologies, including measures to combat identity fraud

DOTARS and aviation industry stakeholders cooperate in investigating and evaluating the latest available security technologies. All possible options are considered for implementation.

It needs to be recognised, however, that some available and emerging technologies may invoke privacy concerns. Backscatter scanning equipment is an example.

9. Procedures for security of baggage handling by airlines and airports at international, domestic and regional airports

Loading baggage into the hold of an international RPT aircraft is the responsibility of the airline. This function may be performed directly by the airline or, as is more frequently the case, it may be contracted to a third party, a ground handling agent.

Baggage loaded into the hold of an international RPT aircraft is screened to detect explosives. The screening process is the responsibility of the airport terminal operator. In the case of international terminals this is invariably the airport operator.

Baggage loaded into the hold of an international aircraft also is subject to an “account and authorise” (AAA) process. This process ensures that only those bags checked in for the flight by passengers on the flight are authorised for loading. The AAA process is the responsibility of the airline. It is generally implemented by the ground handling agent.

Cabin baggage taken on board an international RPT aircraft is screened for explosives and weapons. The screening process is the responsibility of the airport terminal operator. In the case of international terminals this is invariably the airport operator.

Technology deployed for the detection of explosives and weapons has been the subject of extensive consultation between airline and airport stakeholders and DOTARS regarding its suitability. A high level of confidence should attach to international RPT aircraft being safe from threats of explosives and/or weapons being taken on board the aircraft.

Criminal activity and community policing matters, such as drug trafficking and pilfering, are separate issues, outside the parameters of an aviation security system. BARA again emphasises that attention to such criminal activity is a community policing responsibility, to be funded and delivered by other agencies, not the aviation industry.