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Report 409

**Developments in Aviation Security since the Committee's June
2004 *Report 400: Review of Aviation Security in Australia***

Joint Committee of Public Accounts and Audit

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Foreword

This report presents the results of the Joint Committee of Public Accounts and Audit's re-opened inquiry into aviation security in Australia. The Committee re-opened its inquiry as a result of some significant developments in aviation security since its *Report 400 Review of Aviation Security in Australia* tabled in June 2004.

On determining to revisit aviation security, the Committee was cognisant of major initiatives by the Australian Government to extend and deepen the security standards required of aviation industry participants, particularly the introduction of the new Aviation Security Transport Regulations in March 2005. Media reports of criminal activity at airports had also been published since the presentation of the Committee's *Report 400*.

The inquiry received 81 submissions and undertook a programme of inspections and evidence gathering at major and regional centres across Australia, including Sydney, Melbourne, Brisbane, Adelaide, Perth, Canberra, Darwin, Cairns, Geraldton, Kalbarri, Carnarvon, Newman, Derby and Broome.

The Committee has examined the principles underlying aviation security in Australia and their implementation by agencies with responsibility for intelligence gathering, regulation and law enforcement, the frontline preventative security measures of background checking of aviation industry personnel and physical security of sensitive areas of airports, developments in law enforcement arrangements at major and regional airports and the cost imposts of and funding arrangements to support enhanced security arrangements.

The Committee has supported the initiatives of the Australian Government in aviation security and, through its recommendations, suggested further measures that will ensure Australia continues to have one of the leading aviation security regimes in the world.

The Committee has made nineteen recommendations that identify measures to further improve aviation security in Australia. These include:

- reporting to the Committee the number of unannounced security audits of major airports in 2006 and ensuring regular unannounced audits of Australia's busiest airport, Sydney Airport, in the future;
- increasing the on-ground experience of selected Office of Transport personnel particularly in relation to regional aviation industry participants;
- establishing standards for aviation industry participants against which to measure proposed security measures;
- improved processes for issuing an Aviation Security Identification Card and tighter conditions and format for issuing a Visitor Identification Card;
- revised reporting arrangements for the prohibited items list for items allowed into the cabins of security classified flights;
- support and flexibility in the delivery of security training;
- expanding the functions of Regional Rapid Deployment Teams at regional airports;
- the development of an industry code for the monitoring of Closed Circuit Television at security classified airports;
- improving communication services to security classified regional airports; and
- negotiating funding arrangements to upgrade security at security classified regional airports.

Following the introduction of the new regulations in 2005, full screening of checked baggage will be required of all flights departing Counter Terrorism First Response airports from 1 August 2007.

Whilst some argue that full screening should occur at every regional airport, the Committee states (at pages 80 and 81) that it is simply not feasible to demand screening of all checked baggage at every regional airport. As Sir John Wheeler stated in his independent report:

...it is clear that 'one size does not fit all' in imposing security, regulations and standards across disparate airports... Security measures at regional airports should be balanced and proportionate and must be based on enhanced threat and risk

assessments. It is always difficult to draw firm lines, and these could vary as a result of changed circumstances.¹

While the Committee believes that it is inevitable that additional airports will, in time, warrant screening of all checked baggage, it did not want to claim to have the expertise to identify which individual airports should be included in this category or when they should be included.

In light of the Committee's view, it has recommended that the Department of Transport and Regional Services report to the Parliament within three months as to whether any additional airports should be required to screen all checked baggage from August 2007, beyond those already designated by the Aviation transport security Regulations, and further update its advice to the Parliament twice yearly.

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

The expansion and intensification of aviation security measures in Australia has attempted and largely achieved a balance between, on the one hand, the implementation of adequate preventative security measures and readiness to respond to a breach if this occurs and, on the other, consideration of convenience and cost to the travelling public and Australian taxpayer.



Tony Smith MP
Chair

¹ Rt Hon Sir John Wheeler, *An Independent Review of Airport Security and Policing for the Government of Australia*, September 2005, p. xiv.



Membership of the Committee

Chair Mr Tony Smith MP (from 9/2/2006)

Mr Bob Baldwin MP (to 7/2/2006)

Deputy Chair Ms Sharon Grierson MP

Members	Senator Mark Bishop (from 10/5/2006)	Hon Bronwyn Bishop MP (from 16/8/2005)
	Senator John Hogg	Mr Russell Broadbent MP
	Senator Gary Humphries	Ms Anna Burke MP (to 14/9/2005)
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	Senator John Watson	Mr Andrew Laming MP
		Hon Alex Somlyay MP (to 16/8/2005)
		Mr Lindsay Tanner MP
		Mr Ken Ticehurst MP (to 30/5/2006)



Membership of the Sectional Committee

Chair Mr Tony Smith MP (from 9/2/2006)

Mr Bob Baldwin MP (to 7/2/2006)

Deputy Chair Ms Sharon Grierson MP

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Hon Bronwyn Bishop MP
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Senator Claire Moore (to 10/5/2006)

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Ms Anna Burke MP (to 14/9/2005)

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Terms of reference

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.



List of abbreviations

AAA	Australian Airports Association
AaE	Australian Air Express
AAL	Adelaide Airport Limited
AFP	Australian Federal Police
AFP-PS	Australian Federal police Protective Service
AGAASC	Australian Government Agencies Airports security Committee
AGD	Attorney-General's Department
ALAEA	Australian Licenced Aircraft Engineers Association
APAC	Australia Pacific Airports Corporation
APS	Australian Protective Service
ASAF	Aviation Security Advisory Forum
ASIC	Aviation Security Identification Card
ASIO	Australian security intelligence organisation
ASO	Air Security Officer
ATSA	Aviation Transport Security Act 2004

ATSR	Aviation Transport Security Regulations 2005
BARA	Board of Airline Representatives of Australia
CAPEC	Conference Asia Pacific Express Carriers
CASA	Civil Aviation Safety Authority
CCTV	Closed Circuit Television
COAG	Council of Australian Governments
CTFR	Counter Terrorism First Response
Customs	Australian Customs Service
DIMA	Department of Immigration and Multicultural Affairs
DoTaRS	Department of Transport and Regional Services
DPI	Department of Planning and Infrastructure
EASP	Enhancing Aviation Security Package
ETD	Explosive Trace Detection
ICAO	International Civil Aviation Organization
ICM	Industry Consultative Meeting
JCPAA	Joint Committee of Public Accounts and Audit]
LHMU	Liquor, Hospitality and Miscellaneous Union
MPA	Mackay Port Authority
MSIC	Maritime Security Identification Card
OTS	Office of Transport Security
PFA	Police Federation of Australia
RAAA	Regional Aviation Association of Australia
RACA	Regulated Air Cargo Agent
RAFP	Regional Airports Funding Package

REX	Regional Express Airlines
RICM	Regional Industry Consultative Meeting
RPT	Regular Public Transport
RRDT	Regional Rapid Deployment Team
SACL	Sydney Airport Corporation Limited
SRA	Security Restricted Area
TSP	Transport Security Program
TWU	Transport Workers Union (New South Wales)
VIC	Visitor Identification Card
WAC	Westralia Airports Corporation



List of recommendations

Recommendation 1

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

Recommendation 2

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

Recommendation 3

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

Recommendation 4

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

and that appropriate standards for the issue of ASICs be determined in consultation with industry.

Recommendation 5

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

Recommendation 6

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

Recommendation 7

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

Recommendation 8

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

Recommendation 9

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

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

Recommendation 10

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

Recommendation 11

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

Recommendation 12

That the Department of Transport and Regional Services report on the timetable for implementing screening of all air cargo on passenger aircraft where passengers' checked baggage is screened.

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

Recommendation 13

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

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

That DoTaRS report on this matter within three months of the presentation of this report.

Recommendation 14

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

Recommendation 15

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

Recommendation 16

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

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

Recommendation 17

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

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

Recommendation 18

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

Recommendation 19

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

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



Executive summary

The scope of this inquiry was limited to reviewing developments in aviation security in Australia that have occurred since the tabling of the Committee's *Report 400* in June 2004.

The major areas of aviation security upon which the Committee has focused are:

- the adequacy of the regulator's implementation of a risk based strategy in aviation security (Chapter Two);
- the regulation of personnel who have access to airside areas through the upgrading of the Aviation Security Identification Card (ASIC) program (Chapter Three)
- the screening of people and goods entering and departing from security classified areas at airports (Chapter Four);
- law enforcement arrangements at security classified airports (Chapter Five); and
- the cost imposts of upgraded aviation security requirements and the adequacy of arrangements for provision of funding support by the Australian Government (Chapter Six).

The Australian Government has adopted a risk based approach in expanding and strengthening the aviation security regime in Australia. This risk based approach acknowledges the desirability of directing resources to areas most vulnerable to breaches of security and the necessity to directly link resource allocation to risk assessment priorities.

The necessity to adopt a risk based approach to ensure the best possible security outcomes for aviation in Australia is accentuated by the great diversity of industry participants, ranging from operators of major international airports and airlines to

small remote airports run by local councils that receive a variety of commercial and private passenger and freight transport as well as closed charter services. The diverse nature of the aviation industry as a whole neither can nor needs to be subject to uniform security requirements.

Furthermore, in our modern and mobile society it is desirable to balance the level of security against the right of Australians to affordable and convenient air travel.

Responses to aviation security threats cannot be too rigid, as the nature of the challenge changes constantly. For example, the tragedy of September 11 revealed weak cockpit security, while the transatlantic plot of August 2006 highlighted the threat of carrying liquid explosives in hand baggage.

The Government has funded substantial upgrades to aviation security over the past five years, however in order to combat continually evolving aviation security threats, the Department of Transport and Regional Services (DoTaRS) needs to be both proactive and responsive, and the Government has to be prepared to keep investing. The Committee considers that DoTaRS should adopt a reporting regime that includes this Committee, the Minister, the Attorney-General and the Parliament across a range of matters.

The Committee found that the implementation of a risk based approach in aviation security could be improved through increased consultation between the regulator and industry participants on the development and amendment of regulatory standards and also in the development of standards that would allow industry participants to gauge the adequacy of proposed measures to meet minimum regulatory standards.

Two frontline areas that underpin aviation security are the proper character of aviation industry personnel established through sound background security checks and the control of secure airport areas. The Government has moved to increase and expand the screening requirements in both of these areas.

The Committee heard industry concerns that the length of time taken to conduct and report on the results of background checks had created significant problems.

The system for processing the background checks required to obtain an ASIC is currently being centralised in a new agency called AusCheck that will be located in the Attorney-General's Department.

The Committee has recommended expanding the role of AusCheck to issuing of ASICs in order to ensure uniform standards are met by all ASIC holders and to provide greater monitoring of the return of expired ASICs and the performance of Commonwealth agencies charged with conducting background checks of ASIC applicants. Annual reporting to parliament on non-returned identity cards and reporting to the Attorney-General on the adequacy of ASIC background checks by

intelligence and security bodies were considered by the Committee to be necessary accountability enhancements.

In order to balance the rights of applicants and the need to have current background data, the Committee recommends that AusCheck decisions be subject to appeal in the Administrative Appeals tribunal and has encouraged state and federal governments to collaborate to establish a live national database of criminal convictions allowing automatic notifications of convictions against holders of ASICs.

On a related matter, the Committee believes that by reducing the waiting period for ASICs, the industry will be less reliant on the use of temporary Visitor Identification Cards which the Committee considered required specific format upgrades to verify identity and the tightening of conditions to ensure that VICs are issued for genuine temporary use.

The screening requirements for accessing security controlled areas of airports have been expanded and tightened to include all aviation industry personnel entering and departing these areas as well as the expansion of screening of checked baggage.

The Aviation Transport Security Regulations 2005 require that from 1 August 2007, 100 percent of checked baggage will be screened at all Counter Terrorism First Response airports.

The Committee draws attention to the conclusions of the Wheeler review:

...it is clear that 'one size does not fit all' in imposing security, regulations and standards across disparate airports... Security measures at regional airports should be balanced and proportionate and must be based on enhanced threat and risk assessments. It is always difficult to draw firm lines, and these could vary as a result of changed circumstances.²

It is simply not feasible to demand screening of all checked baggage at every regional airport.

However, the Committee believes that it is inevitable that additional airports will, in time, warrant screening of all checked baggage. The Committee does not claim to have the expertise to identify which individual airports should be included in this category.

² Rt Hon Sir John Wheeler, *An Independent Review of Airport Security and Policing for the Government of Australia*, September 2005, p. xiv.

Instead, there should be a process to ensure continuous review by the appropriate government agency, DoTaRS, of the list of airports at which all checked baggage is screened.

The Committee also notes that as the eleven airports already identified have until August 2007 to implement full screening, the opportunity exists for DoTaRS to identify any further airports that should be required to implement full screening within the same timeframe.

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

The Committee has also recommended that DoTaRS report on the timetable for implementing screening of all air cargo on passenger aircraft where passengers' checked baggage is screened at Counter Terrorism First Response airports.

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

The Committee's inquiry was re-opened in an environment of considerable public concern at reports of criminal activity at major Australian airports. The threat posed to aviation security by criminality at airports was the subject of vigorous debate in evidence presented.

The Committee endorses the view of the Rt Hon Sir John Wheeler that:

Terrorism and crime are distinct, but potentially overlap. At its most basic, a culture of lax security or petty criminality can provide opportunities for terrorists to exploit weaknesses in airport security. Staff can be bribed to ignore criminality or paid large sums to assist in drug trafficking or theft. Once compromised, such employees may be unable to stand up to terrorists.³

The most direct response to incidents of criminality at airports, whether the incident is a breach of security or other type of illegal activity, is adequate law

³ Rt Hon Sir John Wheeler, *An Independent Review of Airport Security and Policing for the Government of Australia*, 21 September 2005, p. ix.

enforcement. Effective law enforcement at airports is necessary to delivering a secure aviation environment.

In response to the Wheeler recommendations the Government has increased the level of policing at all security classified airports. Airport Police Commands are being established at each major airport. They will provide a permanent law enforcement presence with clear hierarchies of command and lines of coordination between enforcement agencies that is uniform across major Australian airports.

The Committee supports the Department conducting unannounced audits at CTFR airports and believes that Sydney Airport as Australia's largest airport should be subject to regular unannounced audits. The Committee has recommended that the Department report to it on the number of unannounced security audits conducted at CTFR airports in 2006 within three months.

Aviation security in Australia would also benefit from the development of common aviation specific training standards for all security and screening personnel working in the industry. Additionally, the Committee believes that an industry code for the monitoring of Closed Circuit Television should also be developed.

A law enforcement presence at other security classified airports that are not considered major facilities, has been established through four Rapid Regional Deployment Teams (RRDTs). RRDTs attend airports either in response to intelligence indicating an increased threat (which has not occurred to date) or as pre-planned visits to practise deployment protocols and familiarise other stakeholders with their capability.

The Committee supports the development of RRDTs and believes that the Government should explore ways to expand their role to support the adoption of appropriate risk management processes at regional airports.

The cost imposts of upgrading security requirements at major and regional airports are ultimately passed onto customers and must be an important consideration in proposing any change to security arrangements. Of particular concern are the costs of security upgrades at smaller major airports such as Hobart, Darwin and Alice Springs and regional airports where smaller numbers of passengers can mean a disproportionate increase in ticket costs.

The Committee was concerned with the adequacy of Commonwealth programs in defraying costs of security upgrades particularly as they impact on a group of operators of regional airports with transitioning security arrangements. The Committee believes that the Government should explore possible funding arrangements for this group of aviation industry participants in order to upgrade physical security infrastructure at these airports to a level commensurate with other new entrant regional airports.

Notwithstanding, the identification of areas where aviation security could be improved, the Committee was pleased to learn during the course of the inquiry that Australia's aviation security measures are essentially sound. DoTaRS reported that:

The newly strengthened Australian regime is as good or better than aviation security regimes in other parts of the world. The measures that the government has introduced have resulted in an aviation industry with tightened security requirements that put Australia on par with other industrialised nations such as the United States of America, the United Kingdom and Canada. Our regime is also significantly stronger than those of our immediate neighbours in south-east Asia.⁴

⁴ DoTaRS, *Submission No .52*, p. 6.

