

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
AUSTRALIAN CUSTOMS AND BORDER PROTECTION SERVICE

Question No. 74

Senator Xenophon asked the following question at the hearing on 26 May 2009:

In relation to the Government Response to the Wheeler Review on Aviation Security, provide details on the recommendations, relating to Customs that have been implemented.

The answer to the honourable senator's question is as follows:

The Australian Customs and Border Protection Service has implemented all the recommendations the agency was chartered to undertake, as a result of the former government's consideration of the *Independent Review of Airport Security and Policing for the Government of Australia* (Wheeler Review). Customs and Border Protection had direct responsibility for two of the recommendations put forward by the Wheeler Review (Recommendations VI and XI) and joint responsibility with the Department of Infrastructure, Transport, Regional Development and Local Government (Infrastructure) for implementation of recommendation XIV.

Recommendation VI - With regard to policing at airports, it is recommended that all police, Australian Federal Police Protective Services and Customs officers deployed to an airport be given clear and unambiguous powers, including to stop, search, detain and arrest where necessary within the airport and adjacent roads and parking areas.

Response - Enhanced Powers

In consultation with the Australian Federal Police and Infrastructure, legislation was amended to provide Customs and Border Protection officers the power to stop, search, restrain, detain and remove people and vehicles, pending the arrival of a law enforcement officer. These powers came into effect on 20 August 2007.

Customs and Border Protection is working with Infrastructure to amend the *Aviation Transport Security Regulations 2005* to prescribe training requirements and qualifications in order for Customs and Border Protection officers to exercise the new powers.

Recommendation XI - It is recommended that integrated Closed-Circuit Television systems be expanded and improved at Australian airports, and that, with the Australian Customs Service as the lead agency, arrangements be made to ensure CCTV standardisation, digital upgrading, storage, and fully coordinated use by Customs, police and security personnel.

Response – Expanded and Improved CCTV capability

Customs and Border Protection was funded to expand and modernise its international airport CCTV capability by:

- increasing CCTV capacity by over 200 cameras covering identified 'black spots'. The majority of the new cameras are located in the airside and baggage make-up areas of international airports;
- providing a digital video recording capability for these new cameras;

- providing an additional 18 Customs and Border Protection control room officers at the four larger international airports to operate and monitor the cameras;
- establishing a CCTV consultancy service for airlines, including a web based advisory service, for airlines, airports and other organisations that require advice on equipment, standards and effective use of CCTV systems;
- undertaking a survey and audit at the eleven (11) Counter Terrorism First Response airports in Australia;
- contributing to the National CCTV Code of Practice for the Mass Passenger Transit Sector;
- establishing an Airports National Monitoring and Analysis Centre (ANMAC) located in Melbourne. At this centre, Customs and Border Protection officers remotely monitor airport CCTV cameras 24 hours a day, seven days a week, from three major international airports;
- completing the first stage of a project to provide off-site data storage for Customs CCTV data to increase the volume and security of data retained and enhance access to the data for investigative purposes; and
- commencing a trial of tools to enhance CCTV surveillance and analysis.

Recommendation XIV - It is recommended that the Australian Government require that the screening of cargo be expanded and include mandatory screening of all cargo on passenger aircraft where passengers' checked baggage is screened.

Response – Expanded Cargo Screening Capability

The requirement for mandatory screening of air cargo transported on passenger aircraft is contained within the *Aviation Transport Security Act 2004* and the associated Aviation Transport Security Regulations. The administration of this legislation is the responsibility of Infrastructure.

In September 2005, funding was provided to Customs and Border Protection and Infrastructure to implement a range of measures to further enhance the security of air cargo. These included:

- Infrastructure was funded to provide air cargo terminal operators with explosives trace detection (ETD) equipment and 54 ETD units have been placed in air cargo terminals. Standards for use of the equipment were developed by Infrastructure and Customs and Border Protection.
- Customs and Border Protection was funded to provide specialist training to industry personnel in the use of explosive trace detection technology. Customs has trained over 140 industry personnel.
- Infrastructure and Customs and Border Protection have undertaken a joint review of the Transport Security Program requirements applying to the Regulated Air Cargo Agents scheme and of the Customs and Border Protection depot and warehouse licensing regime to determine if further security standards are required. A legislative bid to further strengthen the controls over air cargo has been included in the Winter 2009 Parliamentary program.
- A review of emerging technologies relevant to air cargo screening was commissioned by Customs and Border Protection to ensure the border agencies are at the cutting edge of technology. In summary the review concluded that x-ray and Ion Mobility Spectrometry (IMS) are the mature technologies currently available for the detection of explosives in air cargo.

The 2006-07 Budget included further funding over four years to Infrastructure and Customs and Border Protection. The specific details of the measures for which Customs and Border Protection has responsibility are:

- provision of additional mobile x-ray vans to enable the screening of air cargo consignments at premises not located at international terminals. Five new mobile x-ray vans were fully operational in November 2008.
- training and deployment of 20 additional explosives detector-dog teams, which became fully operational in November 2008.
- an increase in Customs and Border Protection Intelligence and Investigation capability. A National Export Air-cargo Targeting cell, providing increased intelligence capability commenced operations in March 2007 and an additional two Investigation positions were filled in December 2006.
- development and roll-out of security awareness training for industry and Customs and Border Protection staff. A training course on Explosives Awareness, Handling and Response was developed for Customs and Border Protection staff. Customs and Border Protection and Infrastructure have worked jointly to develop a security awareness package for industry personnel. This package containing a DVD and other supporting material was delivered in June 2008 to industry for its use.

In addition to the specific measures outlined above, Customs and Border Protection and Infrastructure have undertaken a number of trials of technology and business processes to determine their effectiveness in detecting explosives concealed in air cargo. These include evaluating the efficiency and effectiveness of large-scale x-ray systems at cargo handler's premises for explosives detection and assessing the feasibility of capturing export air cargo information earlier and more directly from express couriers.