



## **Australian Government**

Australian Government response to the  
Senate Rural and Regional Affairs and Transport  
References Committee report:

Airport and aviation security

## Introduction

The Australian Government welcomes the Senate Rural and Regional Affairs and Transport References Committee's (the Committee) report into airport and aviation security (the Report).

The aviation sector is critical to Australia's economy and way of life. We have a comprehensive and robust aviation security system. The fact that there have been no major aviation security incidents in Australia to date is evidence of the strong arrangements in place to detect, prevent and respond to security threats.

The Government continuously monitors shifts in the threat environment to ensure it has the best arrangements in place to meet evolving security challenges. Agencies work in close collaboration with each other, industry stakeholders and international counterparts.

Since the inquiry commenced, the Government has progressed many initiatives that are designed to direct resources to areas of highest risk. Examples include:

- introducing new arrangements for screening of airport staff on entry to the security restricted areas at Australia's major airports to better mitigate the risks posed by trusted insiders – bringing Australia into compliance with International Civil Aviation Organization's Convention on International Civil Aviation Annex 17 Standards 4.2.6 and 4.2.7, and as part of the Government response to serious international aviation security incidents;
- enhancing Australia's export air cargo security framework – one of several significant reforms introduced by the Government to help streamline the way goods are cleared through our borders and to strengthen supply chain security;
- strengthening the aviation security identification card (ASIC) scheme by introducing measures to improve the integrity of card issuing, enhance applicant identity verification, and expand the scope of background checking – addressing recommendations of the 2011 Australian National Audit Office (ANAO) Audit Report *Management of the Aviation and Maritime Security Identification Card Schemes*, and the changing global security environment, specifically the increasing radicalisation of minors; and
- progressing legislative change to enable the ASIC scheme, and the maritime equivalent, to better target serious crime in addition to safeguarding against unlawful interference – a critical step towards addressing serious criminality at Australia's airports and ports. The passage of legislation currently before the Senate will meet recommendations of the 2011 Parliamentary Joint Committee on Law Enforcement, *Inquiry into the adequacy of aviation and maritime security measures to combat serious and organised crime*, the 2015 National Ice Taskforce, and address concerns raised by the Committee in its Report.

These, and other initiatives, will ensure that our aviation security settings remain fit for purpose in an evolving security threat environment.

## Australian Government response

### Recommendation 1

The Committee recommends that any future reviews of and amendments to aviation security regulation be risk-based and fit for purpose, with consideration given to the unique challenges faced by regional and rural airports and the overall diversity of Australian airports.

#### **Agree**

The Government agrees to this recommendation for Government reviews of aviation security legislation/regulation. It is noted that, the Parliament or other bodies (e.g. the ANAO) will continue to independently inquire into or review aviation security arrangements.

The Government recognises Australia's aviation industry contains a diverse mix of operations, notably between aviation in major cities compared to regional/remote locations. The Office of Transport Security (OTS) within the Department of Infrastructure and Regional Development (the Department) is subject to the Regulator Performance Framework. Consistent with this framework, OTS continues to apply risk-based security measures that are proportionate to the level of risk faced by different aviation industry participants, while also balancing broader issues relating to the security of the aviation network. OTS works closely with industry to both shape policy and implement regulatory changes.

### Recommendation 2

The Committee recommends that the Inspector of Transport Security complete and publish its review into aviation security training and education as soon as practicable.

#### **Noted**

The Inspector of Transport Security completed the Inquiry into Aviation and Maritime Security Education and Training in Australia (the Inquiry) in September 2016. The Minister for Infrastructure and Transport accepted the Inquiry's recommendations in October 2016.

The Department has discussed relevant findings with industry participants through the Department's transport security consultative forums. However, as the Inquiry covers security sensitive information, the Inquiry's final report will not be made public.

The OTS has responsibility for implementing the recommendations from the Inquiry. The early stages of implementation will focus on the aviation sector and work is already well underway.

### Recommendation 3

The Committee recommends that the Department of Infrastructure and Regional Development develop a framework to ensure that subcontracted screening bodies have appropriate employment standards and provide security training and services consistent with those provided by screening authorities under the Aviation Transport Security Regulations 2005. The framework should take into account any inconsistencies in the training and education as identified by the Inspector of Transport Security.

#### **Noted**

The Government notes this recommendation.

The Government proposes to mandate both a single qualification for security screeners and annual reaccreditation, consistent with recommendations by the Inspector of Transport Security.

#### Recommendation 4

The Committee recommends that the Australian Government amend the *Aviation Transport Security Act 2004* to make it compulsory for aviation industry participants to report information currently captured under the voluntary reporting scheme.

#### **Agree in principle**

The Government agrees in principle with the proposal and will explore implementation options in consultation with industry.

#### Recommendation 5

The Committee recommends that the Australian Government review the feasibility of establishing a centralised issuing authority for Aviation Security Identification Cards.

#### **Noted**

As part of its work to integrate biometrics into the aviation and maritime identification card (ASIC and MSIC) schemes, the Government will consider whether the current model for issuing cards remains fit for purpose.

#### Recommendation 6

The Committee recommends that the Australian Government consider the development of a national automatic notification system for aviation-security relevant offence convictions of Aviation Security Identification Card holders.

#### **Noted**

The Committee may wish to note that there is currently no national continuous checking capability. The Commonwealth would be unable to implement one alone as it would require agreement from all States and Territories.

The Government supports steps to strengthen the ASIC and MSIC schemes. The passage of legislative reforms to strengthen the schemes against serious crime will enable the Government to better respond to the current threat environment in Australian airports and the aviation sector. The amendments will also work to prevent an ASIC or MSIC applicant who is rejected upon initial application for serious offences, such as drug trafficking, from gaining a card through the discretionary process.

As part of its work to integrate biometrics into the schemes, the Government is considering how to ensure cardholders' criminal convictions can be better linked to their access to secure areas of airports and seaports. A more frequent or even continuous background checking process is part of these considerations.

The Government will continue to discuss these issues with relevant stakeholders.

#### Recommendation 7

The Committee recommends that the Department of Infrastructure and Regional Development update the committee early in 2018, on progress and outcomes, following implementation of Stage Two of the Visitor Identification Card enhancements.

#### **Agree**

The Government agrees with this recommendation. Stage two of the Visitor Identification Card (VIC) enhancements will be implemented from 1 August 2017.

#### Recommendation 8

The Committee recommends the Australian Government consider mechanisms, including legislative amendment, to strengthen the Visitor Identification Card process, incorporating appropriate background checking where appropriate.

#### **Noted**

As part of work to strengthen the ASIC and MSIC schemes, the Government will consider additional measures to strengthen the VIC process.

#### Recommendation 9

The Committee recommends that the Australian Government implement the regional aviation security awareness training package, in accordance with its 2015 commitment.

#### **Agreed – complete**

This recommendation is completed. The new regional security awareness training package was provided to 158 security-controlled regional and remote regional airports on 28 February 2017.

### Additional Comments by Senator Xenophon

#### Recommendation 1

That the Australian Government adopts a US Transport Security Administration-like agency approach to airport and aviation security.

#### **Disagree**

Australia's model for delivering aviation security aims to safeguard against unlawful interference with civil aviation and meet international obligations under the United Nations' Convention on International Civil Aviation. This model is similar to that of the United Kingdom and other international partners. It recognises that airports and airlines have the specialist capability and expertise to effectively and securely manage passenger and baggage screening and their infrastructure. Consequently, industry has the flexibility to achieve security outcomes in ways that reflect their unique environments, which may include using approved specialist screening service providers.

In addition, there would be significant cost to government in establishing a single, centralised screening authority and developing the capability to manage it on an ongoing basis. The Government also considers that a single, centralised screening authority would not result in any foreseeable improvement in security outcomes and would likely result in a cost increase for the travelling public

The Government's approach to airport and aviation security, involves the intelligence community, law enforcement and border security agencies. These organisations work closely together to constantly review potential security threats, provide information and guidance, and with industry to maintain a secure aviation sector. The US Transport Security Administration still faces many challenges and government ownership is not the only way to achieve effective security outcomes.