

Interactions between aviation participants

Introduction

- 5.1 An efficient and effective aviation industry requires close interactions between the various aviation industry participants. This chapter discusses some of those interactions, in particular:
- between the regulator, DoTaRS, and aviation industry stakeholders; and
 - between the public and private sector participants in the aviation industry.

Interactions between the regulator and the stakeholders

- 5.2 The Committee has received evidence on two aspects of the interaction between DoTaRS and aviation industry participants:
- consultations concerning the proposed new legislation and regulations; and
 - the provision of intelligence, advice, and guidance.

Consultations concerning the legislation

- 5.3 The aviation industry has criticised the extent of DoTaRS' consultation about the provisions of the Aviation Transport Security Bill 2003. BARA detailed its criticisms:
- papers outlining details of the new regulations were 'circulated at too short notice to facilitate meaningful discussion';
 - rather than setting out the proposed regulations, papers were in the form of 'discussion papers or drafting instructions or draft regulations' prepared without the benefit of drafting instructions;
 - industry was expected to 'assess individual regulations or groups of regulations in isolation';¹ and
 - concepts were introduced which were 'foreign to the aviation industry' such as airport areas and zones, and the demerits points system.²
- 5.4 Comments from the major airport administrations and the two major airlines were consistent with this view.³ Virgin Blue added that earlier consultation on security measures could be useful in identifying the costs to industry.⁴
- 5.5 Notwithstanding these criticisms, industry representatives told the Committee that consultation with DoTaRS had subsequently improved over the terms of the regulations.⁵ Qantas suggested that DoTaRS may have initially been under a time constraint to meet its legislative tabling requirements, but had subsequently met its commitment to consult over the regulations. The witness acknowledged that it would not be possible to obtain consensus on all issues.⁶
- 5.6 APAM agreed that DoTaRS' consultation process was affected by time constraints:

The department really makes quite a strong effort to consult as widely as they can. I just suspect that at times they are under time

1 BARA, *Submission No. 3*, p. 14.

2 Mr Warren Bennett, *Transcript*, 2 October 2003, p. 55.

3 Ms Pamela Graham, APAM, *Transcript*, 21 October 2003, p. 15; Mr Stephen Goodwin, BAC, *Transcript*, 12 November 2003, p. 48; Mr Steven Fitzgerald, SACL, *Transcript*, 2 October 2003, p. 17; Qantas Airways, *Submission No. 17*, p. 111; Virgin Blue Airlines, *Submission No. 14*, p. 86.

4 Mr John O'Callaghan, *Transcript*, 12 November 2003, p. 33.

5 Mr Stephen Goodwin, BAC, *Transcript*, 12 November 2003, pp. 48–9; Mr Ian Robinson, Cairns Port Authority, *Transcript*, 12 November 2003, p. 71; Mr Steven Fitzgerald, SACL, *Transcript*, 2 October 2003, p. 17; Mr John O'Callaghan, Virgin Blue Airlines, *Transcript*, 12 November 2003, p. 34.

6 Mr Geoffrey Askew, *Transcript*, 12 November 2003, pp. 22, 23.

constraints, and perhaps some resource constraints as well, that make it not as effective as it could be. If I was to compare it to some other agencies, I would say their consultation processes are fairly good.⁷

5.7 DoTaRS responded robustly to industry criticisms concerning the consultation process:

I think industry, frankly, is a little bit precious about all of this. We are a regulator. We are not people who are meant to make everybody happy. We are meant to basically reflect government policy in legislation and then go and implement it. In terms of consultation on the legislation, I would be happy to come back to you with a detailed list of where we consulted, how we consulted and who we consulted. My feeling is that there has been extensive consultation. The real detail that industry needs is in the regulations, and there we have consulted ad nauseam—I would say excessively, because it slowed it down. I challenge the notion that we have not consulted as extensively as possible.⁸

5.8 The Committee suggested that early consultation would have resulted in better legislation and regulations. DoTaRS defended its position:

Better is in the eye of the beholder. As a regulator, what I would like are some nice, clear, tough regulations that I could get out and implement. I am sure what the industry would like are some nice, floppy regulations that are not going to cost them too much money and that they can drive holes through. What I have found ... in regulation making is that the more you consult the more you tend to get driven towards the lowest common denominator. I am not sure in the current climate that that is what the community wants from us and, frankly, the community is not present at the consultations.⁹

Committee comment

5.9 The Committee does not agree with DoTaRS' view of the value of consultation. Adequate and extensive consultation will assist in identifying areas of contention and areas where education is needed. Moreover, consultation may ease the passage of legislation through the Parliament. Consultation does not necessarily mean compromise—

7 Ms Pamela Graham, APAM, *Transcript*, 21 October 2003, p. 15.

8 Mr Andrew Tongue, *Transcript*, 24 November 2003, p. 21.

9 Mr Andrew Tongue, *Transcript*, 24 November 2003, pp. 21–2.

whether or not this happens depends on the determination of those proposing the legislation and the strength of their arguments for reform.

Provision of intelligence, advice, and guidance

Intelligence and threat alerts

- 5.10 DoTaRS described its role as a ‘preventative security agency’ rather than as a ‘counter-terrorism first response’ (CTFR) agency. CTFR was the role of the Attorney-General’s Department and its agencies. DoTaRS explained the sequence of events when a security issue arose:

We would be advised by ASIO that they had something important. That can be communicated to us through the appropriate secure communications systems. Typically we make a joint assessment with them of the implications of the particular piece of intelligence. Our next immediate step is to talk to airports and airlines about the nature of the intelligence.¹⁰

- 5.11 DoTaRS added that a substantial amount of intelligence information was being obtained around the world through the debriefing of captured terrorists. Assessing the value of that intelligence was a role for ASIO and not the department.¹¹

- 5.12 At a later hearing, DoTaRS told the Committee that much effort was being applied to terrorist related intelligence. The department was working closely with other Commonwealth agencies such as the AFP, APS, Customs with the aim of enhancing operational or daily intelligence.¹² DoTaRS also described the role of the newly created National Threat Assessment Centre¹³:

[It] will basically pool the resources of the security agencies from a number of different departments. We will also have some people in there. It will give the country the capacity to produce threat assessments 24 hours a day, seven days a week, 365 days a year. The reason we are putting people in there is that the Commonwealth regulatory system around aviation and future maritime will be built on the threat assessments ...¹⁴

10 Mr Andrew Tongue, *Transcript*, 4 September 2003, p. 23.

11 Mr Andrew Tongue, *Transcript*, 4 September 2003, p. 24.

12 Mr Andrew Tongue, *Transcript*, 24 November 2003, p. 30.

13 The National Threat Assessment Centre was formally opened by the Prime Minister on 5 May 2004.

14 Mr Andrew Tongue, *Transcript*, 24 November 2003, p. 33.

- 5.13 The major industry players appeared satisfied with the intelligence they were receiving from DoTaRS and ASIO. For example, Qantas told the Committee it had a very good relationship with ASIO and that there was a recognition of the ‘importance of intelligence and the importance of the timely dissemination of that intelligence.’¹⁵ Virgin Blue indicated it had a ‘fairly good relationship’ with DoTaRS and ASIO regarding the flow of information.¹⁶ APAM was complimentary concerning recent intelligence coordination arrangements:

What is happening now ... is that the department and the Attorney-General’s Department are bringing together almost what you would call a road show on intelligence. So we feel that we are being briefed quite regularly on what is happening—probably better than we have been in the past.¹⁷

- 5.14 On the other hand, evidence from two regional airports indicated that the flow of intelligence information could be improved.
- 5.15 Coffs Harbour Regional Airport told the Committee that it did not get a ‘great deal of intelligence on possible threats and the like.’ The airport had a close working relationship with the NSW Police, however, and the witness acknowledged that much intelligence was provided on a ‘need to know’ basis. He added that the police responded very quickly to emergency situations.¹⁸
- 5.16 Cairns Port Authority told the Committee that it used to ‘receive a regular flow of information’ from ASIO via DoTaRS, but this had stopped at the end of 2001. Possible reasons were the remoteness of Cairns and the fact that the airport was no longer a member of any government program that would have provided ‘a conduit for any sort of classified material or intelligence relating to aviation security.’ A recent briefing by ASIO that had been arranged by DoTaRS in response to this concern ‘was of high quality’ and met the requirement of the airport’s security committee.¹⁹

Committee comment

- 5.17 Given the current threat environment, the Committee believes there is a strong flow of intelligence to the aviation industry. The Committee considers that recent developments, specifically the creation of the National Threat Assessment Centre will assist the flow of intelligence.

15 Mr Geoffrey Askew, *Transcript*, 12 November 2003, p. 18.

16 Mr Philip Scanlon, *Transcript*, 12 November 2003, p. 35.

17 Ms Pamela Graham, *Transcript*, 21 October 2003, p. 4.

18 Mr Bevan Edwards, *Transcript*, 2 October 2003, p. 33.

19 Mr Ian Robinson, *Transcript*, 12 November 2003, pp. 63–4, 69; Mr Philip Warwick, *Transcript*, 12 November 2003, p. 69.

- 5.18 The expansion of the number of airports to be regulated will, however, place demands on the flow of relevant intelligence especially to regional airports. DoTaRS will need to address these demands if smaller airports are to receive up to date intelligence information.

General advice to aviation industry participants

High level consultation

- 5.19 In May 2003, DoTaRS established a the High Level Group on Aviation Security (HLGAS). The aim was to provide a forum for the exchange of ideas on aviation security between the department, the aviation industry and key government agencies. More specifically:

The group aims to facilitate the development of a coherent position in the management of major aviation security issues, through a strategic approach involving Government and industry representatives.²⁰

- 5.20 HLGAS comprises representatives from five Commonwealth agencies, four aviation industry companies and three aviation peak bodies. The group is chaired by DoTaRS and meets quarterly. The objectives of HLGAS are:

To protect the sector of Australia's social and economic infrastructure that relates to aviation by delivering:

- advice to Government on industry's views on how to deter, detect, and prevent attempted acts of unlawful interference to civil aviation;
- industry's view of the future issues in aviation security;
- advice to Government on the most efficient method of responses to security incidents.²¹

- 5.21 The major aviation industry participants have welcomed the creation of HLGAS.²² BARA commented:

[HLGAS] is looking at what the threats might be in the future, based upon intelligence advice that is given to the group by the Commonwealth government intelligence agencies. We are moving beyond simply looking at day-to-day security functions at airports. We are looking at what, in the future, might be the source of different threats to aviation.²³

20 DoTaRS, *Submission No. 89*, p. 542.

21 DoTaRS, *Exhibit No. 11, High Level Group on Aviation Security, Terms of Reference & Membership*.

22 SACL, *Submission No. 15*, p. 89; Virgin Blue, *Transcript*, 12 November 2003, p. 32.

23 BARA, *Transcript*, 2 October 2003, pp. 60–1.

- 5.22 DoTaRS also advised the Committee that it chaired an Industry Consultative Meeting (ICM) group which comprised representatives of major airlines, airports, the AFP, and other government agencies. The ICM met quarterly and had a number of sub-groups such as the ASIC,²⁴ Screening Improvement, and Checked Bag Screening working groups.²⁵

Advice on the outcome of audits and assessments

- 5.23 Qantas raised concerns that, at the operational level, it was not provided with the results of systems testing and security infrastructure reviews of Australian airports into which the airline operated. It was concerned it might be ‘at risk of operating into airports with possible security deficiencies which [were] known to government and the relevant airport operator, yet of which it [was] itself unaware.’²⁶
- 5.24 At a public hearing Qantas elaborated:
- I think it is important that, when any government undertakes an audit or an inspection of a process that has an impact on Qantas or other carriers, those carriers are then advised of the outcome of that audit or inspection. If we are not so advised then it is impossible for us to work with the government agency, the airport operator or the terminal operator—with our colleagues, other carriers—to improve that process.
- 5.25 DoTaRS responded to this issue, noting that ‘airport audit findings are generally discussed at the relevant Airport Security Committee (ASC) meetings.’ DoTaRS formally notified industry of the outcome of audits and it was standard practice for airports to table this advice at ASC meetings. Because airlines attended ASC meetings, DoTaRS thus assumed they were made aware of audit findings. DoTaRS added that it was working with the aviation industry:

... to develop an industry wide cooperative information sharing approach to some of the other compliance monitoring activities undertaken by both the Department and industry.²⁷

Advice on equipment

- 5.26 DoTaRS has been criticised for its level of contact with equipment suppliers, and the quality of advice to industry participants on the equipment to be used.

24 Aviation security identification card.

25 DoTaRS, *Submission No. 89*, p. 542.

26 Qantas Airways, *Submission No. 17*, p. 108.

27 DoTaRS, *Submission No. 87*, p. 538.

- 5.27 L3 Communications told the Committee that it would like to assist DoTaRS' understanding of available technologies. There had been little opportunity, however, for it to make representations to the regulator. The company believed it was possible for DoTaRS to specify requirements without specifying the actual equipment to be supplied.²⁸
- 5.28 In another example, BAC told the Committee it had asked DoTaRS whether it was suitable to install a particular type of baggage scanning equipment. The reply had been ambiguous—DoTaRS had advised that the equipment was acceptable because it was equivalent to that used in America and other Western countries. BAC would have preferred a more definitive response such as a statement that the equipment met Australia's standard. BAC's concern was that it was not receiving information on the Australian Government's position on the equipment platform to be used. A possible consequence was that the types of equipment to be installed could be determined at the whim of another country.²⁹
- 5.29 DoTaRS response was that:
- ... equipment operated in Australia must be approved for use by other major world aviation security regulatory bodies such as those of the United States, United Kingdom, European Civil Aviation Commission or Canada. There has been no variation to this position and all equipment suppliers are aware of it.³⁰
- 5.30 DoTaRS later advised the Committee that its ICM group was establishing a working group to look at technological advances. Experts in certain areas might be called upon to assist the working group as the need arose.³¹

Committee comment

- 5.31 The Committee welcomes the creation of HLGAS and the ICM group and believes these avenue of communication will at least in part address Qantas' concerns. The Committee also accepts DoTaRS' comments that results of its audits are routinely tabled at ASC meetings. The recent expansion of the aviation regulatory system will mean all airports servicing passenger flights will now need DoTaRS-approved airport security programs. This should raise the standard of aviation security in Australia. This is dependent, however, on the regulator's ability to conduct compliance audits of all airports falling within the system.

28 Mr Mark Knox, *Transcript*, 12 November 2003, pp. 6, 7.

29 Mr Stephen Goodwin, Mr Edward McPheat, *Transcript*, 12 November 2003, pp. 54, 55.

30 DoTaRS, *Submission No. 79*, p. 431.

31 DoTaRS, *Submission No. 89*, p. 542.

- 5.32 Regarding advice to equipment suppliers, the Committee notes that Australia is a small player in an international industry. This means unfortunately that if America or European countries require baggage screening to a particular standard, Australia has no alternative but to comply. To mandate an Australia-specific standard risks the denial of entry to major overseas countries if Australia's standard is deemed unacceptable.
- 5.33 The Committee accepts DoTaRS assertion that it has made clear how it assesses the adequacy of equipment for Australian airports. The Committee questions whether it is essential for equipment suppliers to make representations to DoTaRS when the Commonwealth is not the purchaser of the equipment they offer.

Interactions between aviation industry participants

- 5.34 The Committee has received evidence on two aspects of the interaction between aviation participants:
- the numbers of State Police at major airports in relation to the numbers of Australian Protective Service (APS) officers; and
 - the role of security committees at airports.

Commonwealth and State police forces

- 5.35 The Australian Federal Police (AFP) told the Committee that the APS provided CTFR at eleven airports in Australia.³² At other airports the responsibility for CTFR was the State police.³³ Where both APS and State police were present at an airport the roles of both agencies was strictly defined:

The APS's role as a counter-terrorism first responder is not an investigative role. So they will go into a situation, assess that situation, cordon off, contain and then hand over command to the relevant state or territory police service. Resourcing is not to go to a prosecution brief so the distinction is quite clear. We work very closely with state and territory police in achieving a good, cooperative relationship with those services.³⁴

32 Adelaide, Alice Springs, Brisbane, Cairns, Canberra, Coolangatta, Darwin, Hobart, Melbourne, Perth, and Sydney.

33 Ms Audrey Fagan, *Transcript*, 4 September 2003, p. 39.

34 Ms Audrey Fagan, *Transcript*, 4 September 2003, p. 43.

- 5.36 DoTaRS raised a concern about a decline in the numbers of State police at airports when APS presence increased:

My bigger worry ... is the relative absence of state police from our airports. As the Commonwealth has put resources in, particularly the counter-terrorism first response APS presence, it appears to us that we see fewer and fewer state police. An airport is no different to a shopping centre in terms of the community policing role ...³⁵

- 5.37 Support for this view was provided by SACL:

... there used to be a permanently manned presence on airport with a police station on airport. That station, while it still exists as a facility, is not permanently manned. Our view is that, as a very large piece of community infrastructure where crime at all levels is an issue, it warrants a permanent community policing presence, which is not currently the role of the Commonwealth agencies that operate on airport.³⁶

- 5.38 Qantas also commented that local police presence at major airports was as big a concern for it as police presence at regional airports. State police had 'a role to provide a presence throughout [the] community.' This role was to educate the airport community about preventative security as well as to provide deterrence through patrols.³⁷

- 5.39 On the other hand, the AFP witness, when specifically asked by the Committee whether there had been a decline in State police numbers as APS presence increased, responded, 'No, not in my experience.'³⁸

- 5.40 The Committee sought further information from State police forces in NSW, Victoria and Queensland on the police presence at their capital city airports and the nature and level of crime at those airports.

- 5.41 The NSW Police advised that general law enforcement for Sydney Airport was provided by the Botany Bay Local Area Command. This included regular patrols of the airport and 'specialist law enforcement.' Since September 2001 police patrols of critical infrastructure such as the airport had increased and the airport had 'seen an increase in patrols and targeted operations.' Over the past three years the general level of crime at the airport had been low and stable except for 'other theft' which had declined.³⁹

35 Mr Andrew Tongue, *Transcript*, 24 November 2003, p. 23.

36 Mr Steven Fitzgerald, *Transcript*, 2 October 2003, p. 24.

37 Mr Geoffrey Askew, *Transcript*, 12 November 2003, pp. 23, 24.

38 Ms Audrey Fagan, *Transcript*, 4 September 2003, p. 43.

39 NSW State Cabinet Office, *Submission No. 80*, p. 463.

- 5.42 The Victoria State Government advised that the Victoria Police presence at Melbourne Airport consisted of two officers who staffed the Airport Police Station and conducted foot patrols 'between 9 am and 5 pm, seven days a week.' This level of police presence had been established in 1999 and had not changed since then. As well, there was a Police station close to the airport which enabled response time of 'less than ten minutes for serious incidents.' Melbourne Airport experienced the 'types of crime similar to a small city but at a significantly lower level.'⁴⁰
- 5.43 The Queensland Government advised that police presence at Brisbane Airport was provided by the nearby Hendra Police Station which had a response time of four minutes for emergency or urgent incidents. Daily regular patrols were conducted, dependent on operational requirements. There had been no change to this level of policing over the previous three years. Over this time there had been 390 reported offences at Brisbane Airport sites mainly comprising of stealing from specific buildings and lost property. (The submission did not comment on how this compared with crime in other areas.)⁴¹

Committee comment

- 5.44 The Committee considers the evidence before it does not sustain the argument that as Commonwealth police presence increases, State police presence declines. That is, that there is a cause and effect relationship. Critical to the Committee's view was the evidence from the AFP witness that in her experience this was not occurring.
- 5.45 Nevertheless, evidence provided by the States indicates that the incidence of crime at major airports is significantly less than in comparable areas. This may be a collateral benefit arising from high numbers of security personnel and APS officers at airports. In such circumstances, the Committee would expect a reduction in the number of State police patrols to allow resources to be directed to areas of greater need.
- 5.46 There will be a limit to any reduction of State police presence, however, because State police must be in a position to respond to serious incidents. In addition, if State police routinely relied upon Commonwealth officers to step in when non-terrorist crime occurred, successful prosecutions could be jeopardised.
- 5.47 The Committee concludes that the level of State police at major airports where there is an APS presence is a matter for the State police in accordance with their arrangements with the APS. If airports see a need

40 Victoria Department of Premier and Cabinet, *Submission No. 86*, pp. 532–3.

41 Queensland Government, *Submission No. 85*, pp. 530–1.

for increased security they should make representations to the APS or State police, or employ additional security guards.

Security committees at airports

Airport security committees

- 5.48 Under the previous legislation—the *Air Navigation Act 1920*—operators of security categorised airports were required to have an ASC. Membership was nominated by the operator and approved by DoTaRS.⁴² Frequency of ASC meetings was prescribed in the regulations and they were to be presided over by the airport operator or its nominee.⁴³
- 5.49 The legislation specified that the function of the ASC was to make recommendations to the airport operator concerning the preparation and implementation of the airport security program.⁴⁴
- 5.50 During the inquiry, comments from witnesses indicated that the ASCs to which they belonged were active committees. For example, APAM told the Committee that its ASC met every two months and had between 15 and 25 attendees.⁴⁵ Cairns Airport noted that it had a ‘very effective security committee’ which had received a briefing by ASIO.⁴⁶ Coffs Harbour Airport outlined the role of its ASC in emergency situations.⁴⁷
- 5.51 Nevertheless, the submission from APAM recommended that the role of ASCs be strengthened to enhance consultation on aviation security as well as on airport business.⁴⁸
- 5.52 Qantas considered that ASCs were under-utilised as a tool for achieving aviation security outcomes and they should be ‘afforded a greater level of responsibility and their profile elevated’. Qantas added that the reconstituted ASCs should:
- provide feedback, via DoTaRS to the Industry Consultative Group and where necessary to the recently established High Level Group on Aviation Security on specific factors affecting the delivery of outcomes at individual airports;

42 *Air Navigation Act 1920*, Section 22ZB, pp. 64–5.

43 *Air Navigation Regulations 1947*, Subdivision 3, 63–7, pp. 58–66.

44 *Air Navigation Act 1920*, p. 65.

45 Ms Pamela Graham, *Transcript*, 21 October 2003, p. 12.

46 Mr Ian Robinson, General Manager Airport, Cairns Port Authority, *Transcript*, 12 November 2003, p. 69.

47 Mr Bevan Edwards, Airport Manager, Coffs Harbour Regional Airport, *Transcript*, 21 October 2003, pp. 33, 35.

48 APAM, *Submission No. 19*, p. 131.

- measure the effectiveness of aviation security policies and procedures at individual airports through a program that monitors and reports on compliance; and
- establish and monitor an airport specific aviation security and facilitation protocol between border agencies and the industry.⁴⁹

Australian Government security agency committees

- 5.53 A supplementary submission from APAM has drawn the Committee's attention to the establishment of an Australian Government security agency committee at each airport.⁵⁰
- 5.54 DoTaRS provided further information noting that the aim was to enhance coordination arrangements between Australian government agencies with a transport security interest. This would be achieved through the creation of 'a Canberra-based central policy committee and an Australian Government security agency committee at each major airport.' The new security committee would not replace the ASC:
- ... but will ensure better coordination of the work of Australian Government agencies at airports, including intelligence dissemination and cooperation with industry on security matters.⁵¹
- 5.55 APAM was concerned, however, that while the objective of improving the coordination of government agencies at airports was valid:
- ... it is important that the overall integrity and accountability of the Airport Operator chaired Security Committee is maintained. It would be inappropriate for unilateral security policy decisions to be made by another Committee without the appropriate linkages to the principal Airport Security Committee.⁵²
- 5.56 APAM also told the Committee that the tendency for the APS to act autonomously could create difficulties concerning communication and coordination for the airport operator.⁵³ APAM's submission commented:
- It is essential that airport operators have effective control over all operational aspects of their security contractors, including the APS, if they are to efficiently manage and coordinate airport security programs. This is particularly important when the airport operator has overall accountability for airport security.⁵⁴

49 Qantas, *Submission No. 17*, p. 108.

50 APAM, *Submission No. 75*, p. 414.

51 DoTaRS, *Submission No. 79*, p. 439.

52 APAM, *Submission No. 75*, p. 414.

53 Ms Pamela Graham, *Transcript*, 21 October 2003, p. 13.

54 APAM, *Submission No. 19*, p. 133.

Committee comment

- 5.57 A fully functioning and active ASC is an important focus point for private and public sector stakeholders at airports. It will provide for ongoing consultation and the resolution of differences in individual aviation participant security programs, before the need for arbitration by DoTaRS.
- 5.58 DoTaRS has advised the Committee that it ‘has an obligation to reconcile conflicts before approving any transport security program’ and will arbitrate where disputes arise.⁵⁵ An effective ASC, however, should resolve any unforeseen conflicts before the need to seek assistance from DoTaRS.
- 5.59 The Committee believes that the specific activities for an ASC are a matter for its members to decide. The Committee does not wish to preclude the expanded role of ASCs envisaged by Qantas, but it is essential that DoTaRS as the regulator monitors the effectiveness of aviation policies and procedures and audits compliance. Subsequent performance audits of DoTaRS by the ANAO completes the chain of accountability through reports to the Parliament and the public. If DoTaRS were to be removed from this role, as implied by Qantas’ suggestion, a link in this accountability chain would be broken.
- 5.60 The Committee sympathises with APAM’s concerns about the airport operator retaining overall responsibility for airport security when government security agencies may be required to act autonomously for urgent operational reasons. The creation of Australian Government agency security committees at airports may assist coordination provided clear and efficient lines of communication are established. On the other hand, the proliferation of committees often increases the risk of communication delays and breakdowns.
- 5.61 To reduce the potential for such problems, the Committee considers it essential to establish a memorandum of understanding between the ASC and the corresponding Australian Government agency security committee, including their members.
- 5.62 The memorandum of understanding should address issues such as:
- the respective responsibilities of the two committees and their individual members;
 - ways to ensure timely consultation on security matters; and
 - ways to ensure timely two-way dissemination of intelligence information.
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55 DoTaRS, *Submission No. 79*, p. 440.

Recommendation 1

- 5.63 **When an Australian Government security agency committee is established at a particular airport, the Department of Transport and Regional Services should be responsible for establishing a memorandum of understanding between the Government security agency committee and the corresponding airport security committee.**

