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To cite this article: Tim Prenzler , Candice Lowden & Rick Sarre (2010) Aviation Security Issues in Australia Post-9/11, Journal of Policing, Intelligence and Counter Terrorism, 5:2, 9-22, DOI: 10.1080/18335300.2010.9686946

To link to this article: <http://dx.doi.org/10.1080/18335300.2010.9686946>



Published online: 03 Aug 2011.



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Aviation Security Issues in Australia Post-9/11

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ABSTRACT

This paper presents a summary narrative account and critique of changes in aviation security issues and practices in Australia in the post-9/11 environment. In the past decade many millions of dollars have been injected into airport security upgrades on the recommendations of government-sponsored reviews, most notably the 2005 Wheeler Review. However, security problems continue to be identified, including a lack of coordination of police, inadequate entry and exit controls outside the main passenger access points, and a lack of controls at regional airports. The paper argues that a key implication of these findings is that standard principles of security management need to be more systematically built into the planning and management of critical infrastructure security, with enhanced training in security management for key personnel.

Introduction

This paper aims to chart the shifting issues and government responses to aviation security threats in Australia in the last decade with a view to assessing the adequacy of both applied and policy approaches to security. The paper highlights the role of events occurring outside the formal risk assessment process in revealing new threat sources and exposing systemic weaknesses in rules and procedures. It also highlights the role of the media in publicising security vulnerabilities and generating a climate of crisis that forced federal governments to undertake major *ad hoc* reviews aimed at restoring confidence. The two most recent white papers related to airport security contain promising recommendations regarding improved early warning systems and airport access controls. Nonetheless, it appears that there is still some way to

go in developing an adequate comprehensive risk assessment process and adequate training and screening of key personnel to minimise risks.

The “9/11” attacks were the major point of departure for current concerns about the safety of air travel in Australia. On the 11th of September 2001 terrorists breached security at three US airports, enabling an orchestrated hijacking of four commercial airliner flights. Three planes were crashed into significant landmarks, killing thousands of people in the explosions and building collapses. The 9/11 Commission Report detailed how, on the day of the attacks, the 19 terrorists successfully cleared successive layers of airport security – even when eight were identified as requiring additional security checks (National Commission on Terrorist Attacks upon the United States, 2004). The attacks led to a global ‘War on Terror’ that included US-led invasions of Afghanistan and Iraq, and an enormous investment in airport security internationally (Kilcullen, 2005).

Australian citizens and facilities were considered potential high risk targets in the post-9/11 environment given the country’s close alliance with the US (Verrier, 2003). Strong commitments were made by the Howard government to making Australia’s airline industry as safe as possible. Counter-terrorist security initiatives also dovetailed with an enlarged commitment to reducing illicit drug trafficking and human trafficking, and addressing biological threats. Since 9/11, over 100 Australian citizens have been killed in attacks on Western civilians overseas (Department of Prime Minister and Cabinet, 2010). The 2004 bombing of the Australian Embassy in Jakarta in 2004 made clear the fact that Australians were a target for terrorism. The Australian Government has identified transport systems as particularly vulnerable to terrorist attacks, given the large movement of passengers and reliance on aviation (Department of Prime Minister and Cabinet, 2010). An assault on an airport or passenger aircraft would be enormously costly. This applies in terms of diminished confidence in the safety of air travel for the 73.5 million passengers who annually pass through Australian airports; and to the airline industry, which employs just under 50,000 people and put \$6.3 billion into the Australian economy in 2008-09 (Department of Infrastructure, Transport, Regional Development and Local Government, 2009, p. 31).

METHOD

The aim of this paper is to document and evaluate changes in Australia’s aviation security post-9/11 using public record sources. The account is presented in a narrative framework in order to highlight trigger factors that led to policy reviews and changes to security procedures. The print media has been particularly proactive in questioning and testing government claims about security, and in reporting events that have led to official reviews. Consequently, the electronic newspaper database Factiva was used to conduct an initial search for reports on airport security issues. Date parameters of 11 September 2001 to 28 February 2010 were set, with a search undertaken for all articles containing the words “airport” and “security” in Australian newspapers. The search generated thousands of hits, and these headlines were scanned for relevance.

The content of relevant articles was used to identify key government reviews and press releases, and to give context to the analysis of government reviews. The most significant document was the 2005 Wheeler Review of aviation security. Other key reports included the 2003 Australian National Audit Office report on aviation security, the 2004 Review of Aviation Security by the Joint Committee of Public Accounts and Audit, the 2009 consultancy report on Federal Police capabilities, the 2009 Wilkins review of a murder at Sydney Airport, the 2009 white paper on national aviation policy (Department of Infrastructure, Transport, Regional Development and Local Government), and the 2010 white paper on counter terrorism (Department of the Prime Minister and Cabinet). Part A of the paper reports the findings in a narrative format, while Part B develops these findings into a general critique.

Part A: Narrative

THE IMMEDIATE AFTERMATH OF 9/11

In 2002-3 the Australian National Audit Office (2003) conducted a performance audit of the Department of Transport and Regional Services in relation to aviation security. It found the Department had, on the whole, “responded well” to the events of 9/11 and engaged in a “prompt escalation of the aviation security measures and effective oversight of their implementation” (p. 10). Its recommendations were focused on improving the security culture in aviation and more closely monitoring compliance and enforcing standards. The *Review of Aviation Security in Australia* by the federal Joint Committee of Public Accounts and Audit (2004) also found security to be largely adequate – although it again identified the need for a more “robust security culture” (p. xxii), and recommended greater clarity in institutional responsibilities, enhanced training in security, and a better system for recovering expired Aviation Security Identification Cards (ASICs). The print media in this period reported these positive assessments but also reported on incidents involving breaches of security, ongoing delays in security upgrades, and allegations of inadequate regional security (e.g., Creedy, 2003, 2004; Mitchell, 2003).

SCHAPELLE CORBY

The arrest and trial of Australian citizen Schapelle Corby in Bali in October 2004 on drug smuggling charges opened up the first major fissure in the presumption of adequate airport security in Australia. Corby was found with four kilograms of cannabis in her boogie board case at Denpasar International Airport after arriving on a Qantas flight from Sydney. Her legal defence argued she was the victim of a syndicate trafficking drugs between Australian airports which had failed to remove the cannabis at Sydney after inserting it into the boogie board case at Brisbane airport where Corby embarked (McIlveen, 2006). Corby was sentenced to 20 years jail in one of Indonesia’s most notorious jails. Her tribulations received wide exposure through

a large support group and high level media interest, including in women's magazines. There was also alarm that other travellers could be caught in the same way, and shrink-wrapping – designed to protect luggage from access – became popular at Australian airports (Guerrera, 2005).

ALLAN KESSING

While the Corby case generated considerable speculation about airport security, the Kessing case put security concerns on a more substantial footing. In 2005 Australian Customs Service Intelligence Officer Allan Kessing released Customs intelligence reports to journalists. Information from these reports appeared in *The Australian* on 31 May 2005 (Chulov & Porter, 2005a, 2005b). Subsequent articles paraphrased key elements of the intelligence reports: concern over drug syndicates operating within Sydney Airport which used passenger luggage to transport illegal substances; security camera black spots known and utilised by airport employees; occurrences of lower level criminality, including smuggling stolen property and theft from passengers; and the failure of airport authorities to identify at-risk employees with criminal records, with several employees having known connections to established criminal gangs (Chulov, 2005; Chulov & Porter, 2005c; Chulov & Shanahan, 2005; Kessing v. Regina, 2008). According to the newspaper reports, the intelligence reports had been passed to Customs executives eight months previously but no action had been taken (Chulov & Porter, 2005a).

The information lent validity to the Corby defence (McIlveen, 2006), and within a week of the exposé in *The Australian* the Federal Transport Minister announced that Sir John Wheeler, a UK security expert, had been commissioned to review Australian airport security. Kessing's trial and conviction for unauthorised communication of Customs intelligence reports generated extensive public debate. The hero-traitor dichotomy that often accompanies responses to whistle-blowing was played out (Latimer & Brown, 2008); while Kessing's barrister, supported by members of the public, argued the public interest required the release of the security reports (Kearney, 2007).

THE WHEELER REVIEW

An Independent Review of Airport Security and Policing for the Government of Australia (Wheeler, 2005) comprehensively discredited many aspects of Australia's aviation security. Wheeler described inadequate screening and supervision of personnel in security and baggage handling; lack of entry and exit controls at key points, especially at cargo and 'airside' areas; insufficient cargo screening, especially for explosives; and limited threat assessments. Airport policing was described as "often inadequate and dysfunctional" (p. xi); with rivalries, lack of coordination of policing agencies and lack of information sharing (including between public and private sectors). A key implication was that the travelling public was highly exposed to the risk of terrorist attacks. Wheeler's report made detailed recommendations,

including an overhaul of the airport policing system with the creation of a single command “unified policing model” (UPM). Improvements were also recommended in the frequency and means by which intelligence and information were to be shared among relevant agencies, the licensing and background checking of contracted security employees, and emergency response arrangements.

Upon releasing the report, Prime Minister Howard announced that \$195 million would be dedicated to implementation (Howard, 2005). A communiqué from the Council of Australian Governments (2005) (COAG) strongly supported the initiatives, particularly the UPM. The UPM placed an Australian Federal Police (AFP) command in 11 major airports, with relevant state or territory police officers under AFP control to respond to general policing matters. Joint Investigations Airport Teams consisted of AFP, local police and Customs officials, and were designed to enable knowledge and information sharing in relation to serious and organised crime. AFP officers also formed a specialised Counter Terrorism First Response team, intended to prevent, investigate and respond to terrorist threats.

PROBLEMS WITH THE UNIFIED POLICING MODEL

From its inception, the UPM faced opposition from police unions, who expressed fears over diminished resources for mainstream policing (Milovanovic, 2005; Odgers, 2005). While the AFP claimed success in the roll out of the Model (Australian Federal Police, 2006, pp. 71-74), others called for alternative policing arrangements, citing pay differences and disagreements between AFP and state and territory officers (O’Brien, 2008). An article in *The Australian* argued that a shortfall of 80 state and territory police from the complement of 334 reflected discontent amongst officers (O’Brien, 2008). In 2008 COAG investigated other models but agreed to maintain the UPM (Beale, 2009, p. 165).

REGIONAL AIRPORT SECURITY

Wheeler (2005) recommended that the Commonwealth should take a stronger lead in ensuring better regional airport security, in part through providing security training, assisting in the design of more efficient infrastructure and subsidising costs. However, this is an area where implementation lagged, and baggage screening was singled out as particularly inadequate. Newspapers described how terrorists could bypass tougher security procedures at larger airports by utilising regional flights. It was also alleged that weapons or explosives concealed on regional flights could be used in an attack upon landing at a major airport (Williams, 2007). Other regional airport security concerns related to the lack of perimeter fencing and the inability to lock some aircraft (e.g., Grennan, 2005). In the post-Wheeler period government media releases announced increased funds for regional airport security upgrades (Vaile, Lloyd & Kelly, 2007; Albanese, 2008). However, in 2010 security experts continued to warn of major vulnerabilities at this level (e.g., Nowell, Campbell & Knowles, 2010).

THE 2006 LIQUID EXPLOSIVES PLOT

In August 2006 21 British residents were arrested in relation to a plot to detonate liquid explosives on up to ten passenger aircraft flying to the US. The plot involved the use of hydrogen peroxide, a substance that would not have been detected by Heathrow security systems (Allard, 2006). In the UK the events led to a temporary ban on all liquids on flights, with a permanent ban on quantities over 100ml from November 2006 (*The Times*, 2006). A similar ban in Australia was initially deemed excessive, with the Office of the Minister for Transport arguing that Australia had a comparatively lower risk and a higher standard of security. Tests for explosives residue continued to be conducted randomly (Allard, 2006). However, events overseas forced a rethink, and in December 2006 the government announced its intention to implement a ban similar to that in the UK, restricting the quantity of liquid allowed onboard to 100ml (Vaile, 2006). The ban was introduced on international flights departing Australia from March 31 2007 (Baker, 2007).

THE UPM AND GANG VIOLENCE AT SYDNEY AIRPORT

The effectiveness of the UPM in airports was again called into question in March 2009 when a member of a criminal gang was bludgeoned to death in a brawl in a Sydney airport terminal, following an in-flight incident between rival gang members. Airport security at Sydney became a highly publicised issue when it was revealed that the incident failed to capture the attention of surveillance monitoring staff and that security officers did not respond until a bystander phoned emergency services (Fisher, 2009). AFP Commissioner Mick Keelty reported that sufficient officers were rostered on duty, who responded within minutes after they had been notified of the incident. One newspaper report suggested that the fault lay with Qantas staff, who failed to notify airport security of the on-flight feuding (Fife-Yeomans, 2009, p. 5). There were also allegations that sworn policing levels in airports were 35 percent below the numbers agreed by COAG in 2005 (Maley, 2009a). The Police Federation of Australia further alleged that understaffing was indicative of “divided responsibility” between states, territories and the Commonwealth (Maley, 2009a). The Wilkins (2009) Review supported the AFP’s claim that the response occurred within the standard critical response time of five minutes, and made only minor recommendations to review staff deployment and protocols. At the same time, the issue was most likely a factor in close scrutiny of the UPM in the Federal Audit of Police Capabilities published in June 2009 (below).

THE INQUIRY INTO THE ADEQUACY OF AUSTRALIAN AVIATION AND MARITIME SECURITY IN COUNTERING SERIOUS AND ORGANISED CRIME

In 2007 the Australian Crime Commission launched an investigation into possible infiltration of the security industry by organised crime. The report has not been released, but in 2009 an *Inquiry into the Adequacy of Australian Aviation*

and *Maritime Security in Countering Serious and Organised Crime*, conducted by the Parliamentary Joint Committee on the Australian Crime Commission (2009) (PJACC) heard from the Commission that its investigations identified gang operations and infiltration within airports and across sections of the private security industry (Australian Crime Commission, 2009). The Inquiry heard that criminal gangs often engaged with individuals in security firms willing to overlook illegal activities, alter rosters or provide information. The gangs were able to import and distribute illicit drugs, weapons, tobacco and counterfeit goods; evade tax and duties; launder money; and engage in large-scale theft. The ASIC and MSIC (Maritime Security Identification Card) systems were singled out as failing to prevent criminal infiltration, and this concern fed into reforms to the system set out in the 2009 aviation white paper (below).

THE FEDERAL AUDIT OF POLICE CAPABILITIES

In 2009 the Rudd Government initiated an audit of national policing capabilities that would include the UPM (Debus, 2009). The report found the UPM's potential had been undermined by a lack of cooperation among the states and territories in either accepting airport policing duties or providing adequate numbers of officers (Beale, 2009, p.156). The audit also found that jurisdictionally-based legal complexities regarding arrest and prosecution were problematic, and police information systems were incompatible. Additionally, it cited a number of lapsing budget allocations and argued that funding uncertainties made ongoing strategic direction extremely difficult. The report favoured an "all-in" model, whereby responsibility for airport security would rest entirely with the AFP. A formal announcement accepting the recommendations and disbanding the UPM was made on 29 December 2009, to be implemented over five years (O'Connor, 2009).

THE 2009 AND 2010 WHITE PAPERS

On 16 December 2009, the Minister for Infrastructure, Transport, Regional Development and Local Government announced the release of Australia's first aviation white paper, *Flight Path to the Future*. The paper outlined directions for the industry in a number of areas, with safety and security as the main priority. Security policy, the paper stated, would continue to be driven by emerging technologies, intelligence in regard to threats, requirements by relevant international bodies, and assessments on security vulnerabilities (Department of Infrastructure, Transport, Regional Development and Local Government, 2009, p. 138). The paper specified 14 areas in which security would be improved and streamlined; including through continuous review of standards, reviewing the prohibited items list and removing items which could no longer be considered threats (such a knitting needles and umbrellas), further restrictions on ASICs and on flight deck access, widening the risk classification for "security controlled airports", greater screening of cargo, and reducing by stages the take-off weight of aircraft (to 20,000kg) which require passenger and baggage screening (2009, pp. 139-147).

The *Counter-Terrorism White Paper*, released in January 2010, entailed a \$200 million investment in aviation and border security over four years (Department of Prime Minister and Cabinet, 2010). A commitment was made to increasing explosives and firearms detector dogs by 50 percent, the introduction of “body scanners at international gateway airports; next generation multi-view X-ray machines; bottle scanners capable of detecting liquid-based explosives [...] X-ray screening [...] increased explosive trace detection technology for air cargo”, and rolling out screening to more regional airports (p. 40). The introduction of body scanners and liquid explosives scanners was in response to the foiled December 26 bomb plot on a Northwest Airlines transatlantic flight, involving the successful ignition of small quantities of PETN (also used in the unsuccessful ‘shoe bombing’ in 2001) (Norington, 2009). The 2009 incident appears to have put an end to concerns about body scanners and personal privacy.

The counter-terrorism paper also emphasised the effectiveness of intelligence and early intervention systems in thwarting terrorist attacks on Australian soil through the arrest of conspirators, denial of entry, and blocking passports of Australians planning to travel overseas for terrorism-related purposes. The paper made a commitment to enhancing these systems by strengthening the role of the National Intelligence Coordination Committee (established 2009) with a new Counter-Terrorism Control Centre (p. 28) to coordinate intelligence gathered through better sharing of information between law enforcement bodies and foreign intelligence services, including information from the National Security Hotline (established in 2002). The paper also announced an investment of \$69 million in fingerprint and facial recognition technologies for identification of visa applicants from 10 overseas locations.

Part B: Critique

The above narrative account of events and issues related to Australia’s aviation security highlighted deficits in planning and implementation that have left critical infrastructure and passengers dangerously exposed to a wide variety of threats, including terrorist attacks. A series of reviews have either failed to properly assess the level of risk or have recommended reforms that were not implemented or which appeared to fail in implementation. Initial security upgrades following the 9/11 attacks were considered largely adequate by government but the media attempted to challenge the official view. The Schapelle Corby drug arrest led to more developed allegations of inadequate security. The subsequent disclosure of in-house security intelligence reports by Allan Kessing in Australia’s leading national newspaper put security concerns on a more forensic footing and forced the government to establish a comprehensive independent review. The 2005 Wheeler Review identified numerous undeniable weaknesses in aviation security and set out a program for comprehensive reform. However, the years since have seen a series of media exposés of ongoing gaps and weaknesses in the system. In 2010, newspapers continued to carry headlines such as “Airport security a joke: Crime at every level” (Lam, 2010, p35) and “Airports

in danger: Experts identify gaping holes in security”, ““Terror waiting to happen”” (Nowell, Campbell & Knowles, 2010, p. 4).

The 2009 and 2010 Aviation and Counter-Terrorism white papers represent the culmination of a decade of controversy and change in Australia’s aviation security system. In particular, the *Counter-Terrorism White Paper* presented a key opportunity to get things right to the point where passengers are strongly assured of safety and where the identification of faults necessitates only minor adjustments to the system. In light of the problems in airport security identified in the above narrative account, the security content of the two white papers presents a mixed picture. The fact that aviation security is a topic spread across two key papers with little articulation between the two is a cause for immediate concern – given the need for a unified and systematic approach. Nonetheless, primarily, the papers contain a promising focus on both (1) broad security trends and threats and (2) a multi-layered approach to security.

The theoretical context for Australia’s aviation security issues can be developed briefly by considering several opposing approaches. Some analysts have argued that an early-warning risk-based passenger screening system is likely to be the most effective method of ensuring aviation security (Poole & Passantino, 2003). This entails a critique of situationally-focused security measures such as target hardening and access control. Certainly there is a danger that enhanced screening technologies are treated as a ‘technical fix’ when their effectiveness is heavily reliant on the skill and integrity of operators (Schwaninger, 2004). There is also an argument made for a stricter cost-benefit analysis of physical security measures. For example, Stewart & Mueller (2008) argue that a comprehensive analysis of on-board security initiatives in Australian aviation post-9/11 would reveal numerous redundancies and little in the way of cost effectiveness. Nonetheless, there are several problems with these approaches. Risk profiling of individuals is notoriously prone to error, to the extent that systems must presume failures at some point (Ericson, 2006; O’Malley, 2006 p.417). A shift in resources toward profiling can mean that would-be-offenders who rate a false negative slip through reduced on-site security measures. False positives can result in discrimination. Critics of cost-benefit analyses also challenge the objectivity of cost-value analyses applied to human life (O’Malley, 2006). For example, Seidenstat’s (2004) assessment of decreased levels of security offered under a privatised cost-benefit scenario argues it falls short of the “optimal social level of security” (2004 p. 281).

The counter-terrorism white paper provides some reassurance in extending the already successful early warning and intervention system aimed at dismantling terrorist plots and training ventures, and denying access to at-risk individuals. However, the strength of the multi-layered approach lies in combining early warning with comprehensive situational controls – keeping in mind it appears that cost-benefit analyses remain politically unacceptable, at least in principle. An “optimal social level of security” presumes these systems will operate at the highest possible levels at major airports, while a cost-benefit analysis might be beneficial in helping determine appropriate levels of security at regional airports. However, while the attractiveness of particular aircraft as targets should be analysed in terms of criteria such as passenger

capacity and fuel load there is also a need to recognise that networked airports provide access points to high security airports from lower security airports. Unfortunately, the white papers do not discuss these points in detail. Nor do they set out a method for establishing the appropriate role of each agency involved in airport security.

This raises the question of the decision to disband the unified policing model (UPM) and implement an “all in” approach to airport policing. The likely effectiveness of this is difficult to assess. The Federal Audit of Police Capabilities noted that agency responsibilities for airport policing has remained a contentious issue since the 1970s, with Commonwealth police attempting at times to withdraw, “recognising a strong link between criminal threats to airports, the local criminal milieu and state police capabilities” (Beale, 2009, p. 11). Nonetheless, given the apparent intractability of the problem, the “all in” model appears optimal in giving responsibility to one agency, at least in the counter-terrorism area; although some level of cooperation between state and territory authorities and the AFP will be unavoidable and, disappointingly, little seems to be being done to address the apparent culture of rivalry between policing organisations (O’Brien, 2008). Unfortunately, the recent white papers do not directly address the future of the “all in” model.

In response to the ongoing criticisms of the effectiveness of Aviation Security Identification Cards (ASICs) – most prominently the lack of “live checking” (Maley, 2009b) – promising changes were also announced in the 2009 national aviation white paper. The updated system includes increasing the number of criminal offences that exclude individuals from holding a card, requiring high-clearance security checks every two years, prosecuting individuals who do not notify the card-issuing body of changes to their criminal record, and prosecuting issuing bodies that do not suspend or cancel a card upon learning of relevant offences (Albanese, 2010). However, two PJACC hearings held in February 2010 heard of the ease in which ASICs (and MSICs) could still be obtained, and the means by which individuals without security clearance were accessing restricted areas (Lam, 2010).

Of particular note within all this is the absence of a proper security management culture, both at the strategic planning and operational levels. This is apparent in the lack of regular comprehensive risk assessments, with appropriate security upgrades and system tests; the inability to clearly assign security responsibilities horizontally and vertically; and inadequate training and screening of all staff in security responsibilities (see Fennelly, 2004). Consistent with this is a finding from research on the Australian security industry that the expansion of security provider licensing and the introduction of national training competencies has been limited to operatives. Training in security management is not required by security licensing systems at any level in the private or public sectors (Sarre & Prenzler, 2009; see also Button, 2008, in the UK context). Nor is security management a normal subject in police training. Given that airport security problems have been part of a wider set of security failings in Australia (Prenzler & Sarre 2008), including in seaport security, it is not surprising that a recent survey of the owners and managers of security firms found that 60 percent supported compulsory training in security management (Sarre & Prenzler 2010).

On a final note, the Allan Kessing case demonstrated the need for public interest protection for whistleblowers as part of a national security strategy. The white papers are again silent on this important issue, although the principle might be given force in current plans by the federal government to introduce new whistleblower protection legislation in 2010 (House of Representatives Standing Committee on Legal and Constitutional Affairs, 2010). Critics, however, have argued that the states need to follow suit and there needs to be adequate protection for whistleblowers who report to agencies outside government (Merritt, 2010).

Conclusion

In the heightened post-9/11 threat environment the Australian government emphasised its commitment to high standards of airport security. However, initial positive reviews were later shown to greatly underestimate gaps and weaknesses in security and Australia's exposure to multiple threats. The prosecution of a young Australian on drug smuggling charges in an Indonesian court and the courageous but illegal actions of one whistleblower led to the systematic deconstruction of airport security in the 2005 Wheeler Review. Unfortunately, despite restructuring and large financial commitments, further reviews and media reports have continued to reveal ongoing problems. While the two recent white papers go some way to improving aviation security policy through a multilayered approach, of particular concern is the apparent ongoing absence of a sophisticated security management culture in aviation security and the systematic application of comprehensive security management strategies.

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