

19/OIR/58

Dear Mx Traylen

Official Information Act 1982 (the Act) Request

I refer to your email of 28 August 2018 requesting information from the Civil Aviation Authority (CAA) concerning the introduction of AIT scanners at New Zealand airports.

1. What consultation have you undertaken with transgender and intersex people?

No specific consultation has been undertaken with the transgender and intersex community, however consultation with the Office of the Privacy Commissioner and Human Rights Commission is noted below. Avsec are responding to meet a directive from Director CAA. Avsec do seek to ensure all interested stakeholders are aware of our work/activities within the bounds of what can be discussed for aviation security requirements.

AIT scanners will add to the suite of threat detection methods and enable New Zealand to keep up with continuously evolving international standards and best practice relating to aviation security.

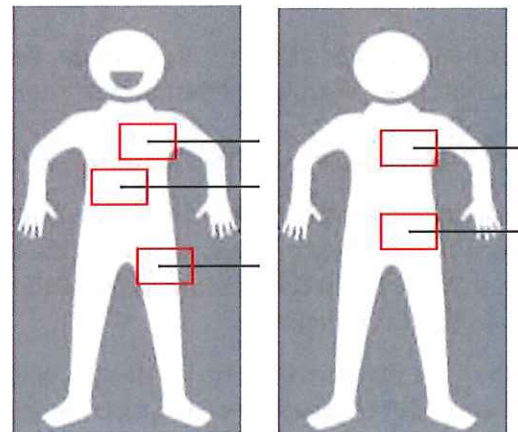
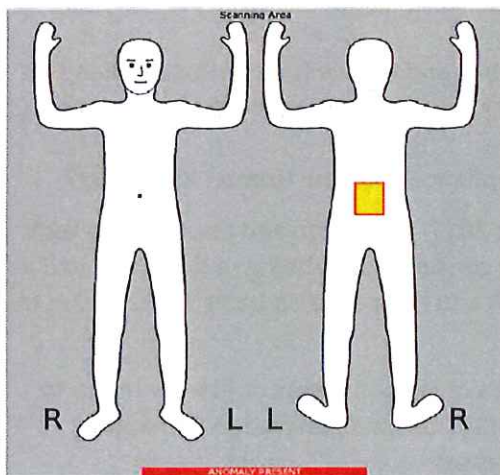
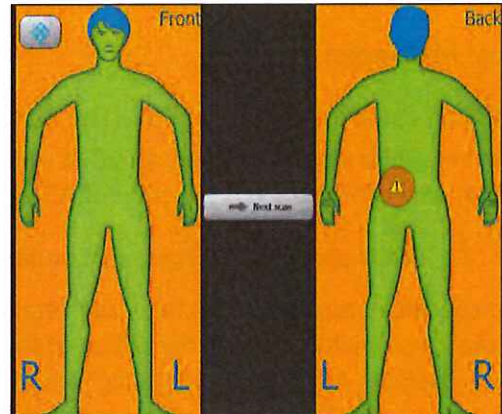
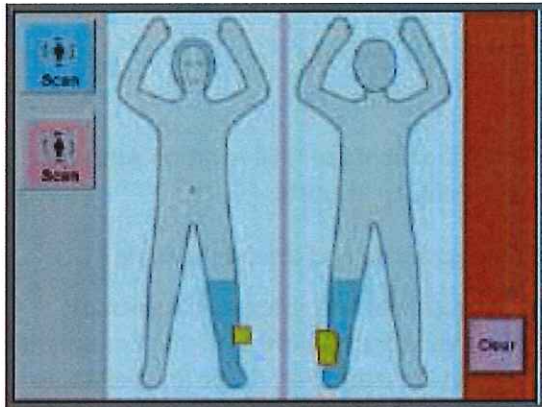
2. What checks have you undertaken to ensure compliance with the Human Rights Act?

In preparation for the AIT trial undertaken at Wellington in 2017, discussion and consultation took place with the Office of the Privacy Commissioner. Further consultation is being undertaken, and a further Privacy Impact Assessment submitted. Consultation and advice is also being sought from the Human Rights Commission.

Much of the previous concern relating to potential breaches of Human Rights or Privacy relate to images produced by early version technology around 2009/10. Second generation technology incorporates a number of features that remove these concerns:

- a. The images produced and provided to the screening officer are a gender-neutral genericised avatar or mannequin with indications only of areas where anomalies have been detected.
- b. At no stage is any “naked” image provided to the screening officer, and no “raw data” used for processing retained by the system. Genericised images may be retained when prohibited items are found, as evidence.

Examples of the screen displays from a variety of different AIT Body Scanners, as seen by screening officers are shown below



The images viewed by a screening officer are anonymous and can only be linked to the person being screened by their physical presence at the screening point.

3. Please provide a copy of all relevant operating policies.

Standard Operating Procedures have not yet been developed for the use of AIT, as we have not yet selected the equipment that we will be using. Much of the operating procedures will depend on the actual equipment that is selected for use. As the CAA does not hold this information this part of your request is refused in accordance with section 18(e) of the Act.

4. What training have you provided to staff regarding transgender and intersex passengers?

Avsec's training includes provisions for the searching of transgender and intersex passengers. If an office is unable to determine the gender of a person who has consented to a pat-down search the office must discretely enquire of the person what their gender is.

If the passenger advises they are transgender or intersex the officer must enquire of the person the gender of the office they would prefer to be searched by. The search and witnessing offices must be the same gender as the person's nominated gender.

5. Please provide a copy of any significant reports on the trial at Wellington Airport.

Please find attached a copy of the report on the trial at Wellington Airport.

Please note that information has been withheld in accordance with section 6(c) of the Act.

You have the right to make a complaint to the Ombudsman to seek an investigation and review of our decision. The Ombudsman's contact details are:

Address: The Ombudsman
Office of the Ombudsmen
PO Box 10152
Wellington 6143
Phone/Fax: 0800 802 602 / (04) 471 2254
Email: info@ombudsman.parliament.nz
Website: <http://www.ombudsman.parliament.nz/make-a-complaint>

If you have any queries about your request, please contact me at oa@caa.govt.nz or on (04) 560 9472.

Yours sincerely

Tania Nedelcheva



Senior Solicitor

