



NSW Police Force

SLED ADVISORY COUNCIL

Communiqué Meeting 18 – 1 September 2016

Cameron Smith, Director, Security Licensing & Enforcement Directorate (SLED) opened the meeting and welcomed Council members.

This is the last meeting for current Council members and an expression of interest is to be published on the SLED website for nominations to be on the next SLED Advisory Council. New industry representative members will be selected via a vote by the outgoing industry members.

Mr Smith advised that the Security Industry Regulation 2016 (the Regulation) comes into effect from today.

SLED's Industry Regulation Unit has been tasked with developing industry communication, including information on sign on registers and incident registers, over the next 12 months.

Justine Adkins has received two submissions on a locksmith definition and is awaiting information from the Parliamentary Counsel's Office. Restricted key references have been removed from the security industry legislation.

Mr Smith has not progressed the issue of potential changes to master licence classes within SLED and asked Council members about the feedback from industry. The feedback provided was that too many people may be disadvantaged.

Mr Smith updated members on the activities of SLED:

- There are several pieces of legislation before Parliament including:
 - the *Security Industry Amendment (Private Investigators) Act 2016*, which will result in private inquiry agents being regulated under the *Security Industry Act 1997*
 - the *Poppy Industry Act 2016*, which may require the SLED to undertake probity checks on applicants for licences to cultivate poppies
 - the *Scrap Metal Industry Act 2016*, which establishes a scrap metal dealer registration scheme to be maintained by SLED.
- Mr Smith is working on a request to Treasury seeking additional funds for SLED. The growth in the security industry means a lot more work in reviewing the suitability of licence holders and more work for the Industry Regulation Unit in terms of auditing and compliance. Mr Smith is very conscious of not wanting to pass on extra costs to the industry.
- A recent win with Queensland mutual recognition and the closure of Peacemakers Training means that SLED has seen a significant decline in applications under mutual recognition. The Queensland Training Ombudsman has announced an inquiry into Queensland security industry training.

Mr Moir updated members on activities of the Industry Regulation Unit:

- Operation Antares, targeting persons and organisations conducting security training in breach of the Security industry Act 1997, is ongoing and has included numerous meetings between SLED and ASQA. Enforcement action has been taken by both ASQA and SLED.
- 119 security licence course audits were conducted in 2015-16. SLED has introduced revised mandated assessments and mandated minimum course hours and is currently reviewing the course content. SLED is also involved in the security training package review.
- Over 12,500 security applications were received by SLED in 2015-16, which resulted in 50,000 individual COPS record checks by the Adjudication team. Over 1,600 licences were refused or revoked. SLED continues to receive over 250 allegations of non-compliance with security industry legislation each year. Over 100 investigations relating to non-compliance were undertaken. 120 cautions/warnings were issued and 31 penalty notices were issued amounting to approximately \$140,000. SLED has also commenced one prosecution. SLED has seen a 33% increase in licences issued as a result of its education, licensing and compliance activities.
- SLED's focus over the next 12 months is to develop communication documents around licensing and compliance related matters and communicate the information to Master licensee and industry. SLED will also continue to target unlicensed security activity.
- SLED is investigating the issue of fraudulent first aid certificates. Employers need to ensure Class 1A, 1B, 1C, 1D and 1F licensees hold a current first aid qualification.
- SLED regularly provides support and education to licensing police to ensure consistency in the NSW Police Force's administration of the security industry legislation.

Michelle Morgan, General Manager, Operations, updated members on activities of the Operations Unit:

- Staffing is a huge issue for the Operations Unit, however applications are being processed the week they are received. The bulk of the workload is in the Adjudication Team, which decides whether people are eligible to be granted, or to retain, licences.
- SLED has seen a decrease in mutual recognition applications and has received 20 – 30 enquiries from licence holders who applied under mutual recognition from Queensland and now want their licences issued under the NSW legislation.
- Work to improve SLED's licensing system (OneGov) is underway. Online applications are coming and improvements to the interface to make data entry more streamlined is in progress.
- Ms Morgan recently conducted an ASIAL webinar on the changes to the Security Industry Regulation, which ASIAL has made available online.
- Minor changes have been made to the SLED website to make it more user-friendly.

General Business

- Mr Moir provided Council members with an update on the batons and handcuffs issue. Mr Moir stated that SLED meets with the Firearms Registry every quarter and the issue is a standing agenda item. The Firearms Registry is exploring training and assessment requirements and will provide industry feedback on the issue in early 2017. Firearms Registry is to provide SLED with an update at the next meeting.
- Gina Field put forward an item for discussion on behalf of an industry member that Master licence holders should be required to do training in risk assessment. Mr Smith's advice is that Master licence holders provide persons (including sometimes only themselves) to carry on a wide range of security activities and not all provide commercial security services. Accordingly, the recommended training may not be relevant to all Master licensees and cannot therefore be introduced as a mandatory requirement.
- John Daniell raised the issue of the installation of window locks and whether it is a licensable activity. Mr Smith's advice is that anything is a security product if it is (or is purported to be) designed or adapted to enhance security or for the protection of property, therefore, it depends on how the product is marketed (eg. child safety versus security).
- Mr Daniell also raised the issue of the current exemption in the Security Industry Regulation that allows non-security businesses to use unlicensed employees to repair their own locks (particularly in hospitals). The concern being that these people are sometimes supervised by external contractors and may not know what they are doing. Mr Smith's reinforced that SLED's role is to administer the legislation and that recommendations for legislative change need to be raised with the Office for Police for consideration during future reviews of the legislation.

Mr Smith thanked all Council members for their contributions over the last two years. The date for the next Council meeting will be determined once the incoming industry representative members have been appointed.