

SLED ADVISORY COUNCIL MEETING

AGENDA PAPER – 22 AUGUST 2017

PROHIBITING PRIVATE PROVISION OF DRUG AND EXPLOSIVE DETECTION DOGS

Issue

Allowing the private provision of drug and explosive detection dogs gives rise to a range of security and law enforcement concerns, including providing an opportunity to evade or interfere with law enforcement operations.

It is proposed to insert an appropriate provision into NSW legislation which will serve to prohibit this as a service which can lawfully be provided, other than when conducted by or on behalf of Police or other law enforcement agencies, such as Commonwealth Border Force.

Key Discussion Points

- Currently, advertisements for such services can be found via an online search.
- Private drug detection services on offer include to search through school campuses for drugs.
- Currently, there is no regulation around the training of such dogs or the accuracy of the services provided.
- However it is understood that an Australian Standard has been prioritised for development.
- With drug detection dogs in particular, there is currently nothing to prescribe what should happen in the event that illicit drugs are detected on private property.
- The NSW Police Force has formed the view that the risks of such a service being privately provided outweigh the benefits.
- The NSW Police Force is also of the view that if there are sufficient risks to warrant explosive detection at premises, such detection activity should be conducted by the NSW Police Dog Unit.
- Accordingly, we will be seeking legislative amendments to facilitate the prohibition of privately-offered drug and explosive detection dogs in NSW.
- Further, NSW will go on to seek national consistency in relation to this issue.

Resolution sought

That the SLED Advisory Council endorse the action proposed above.