



NSW Police Force

SLED ADVISORY COUNCIL

Communiqué Meeting 20 – 23 May 2017

Cameron Smith, Director, Security Licensing & Enforcement Directorate (SLED) opened the meeting and welcomed Council members. Mr Smith informed attendees that Ms Lisa Stockley has been appointed to the position of General Manager, Industry Regulation for a period of 12 months commencing 13 June 2017. Ms Stockley will be joining SLED from ICAC, where she has worked for the past 13 years. Ms Stockley was the lead investigator on ICAC's Operation Columba in 2009, which examined corruption within the security training sector and was one of the primary drivers for SLED being established.

Mr Smith advised members of two key changes made to the *Security Industry Act 1997*:

1. provisions that abrogate the privilege against self-incrimination (meaning that people can no longer avoid complying with enforcement officers' directions on the basis that they would incriminate themselves by doing so), and
2. the ability to suspend a licence immediately without procedural fairness for up to 60 days. It is intended that this power will be delegated to Local Area Commanders and is most likely to be used in circumstances where a licensee has been charged with a disqualifying offence.

Ms Jacqui Palmer, representing the Industry Regulation unit, advised members that twenty penalty notices have been issued this financial year. The Compliance & Enforcement Team is scheduled to undertake a South Coast deployment in June 2017.

Ms Michelle Morgan, General Manager, Operations informed members that:

- there are currently 51,000 licensed security operatives and 4,500 licensed security businesses in NSW.
- The proportion of security applications being lodged under mutual recognition provisions has fallen from the longstanding average of approximately 50% to now just 20%.
- SLED continues to be successful in defending appeals against its decisions at the NSW Civil and Administrative Tribunal. Ms Morgan provided an overview of three recent matters (Lokondo, Piniotis and CXA) and advised members that Tribunal decisions are published at <https://www.caselaw.nsw.gov.au>.

Mr Smith advised that the growth in NSW licence numbers is indicative that SLED's regulatory activities is acting as a deterrent to unlicensed security activities.

Members agreed the two biggest non-compliance issues are employee cash payments and multiple level subcontracting. Mr Smith reiterated that SLED is unable to investigate industrial issues, but continues to refer allegations to the Office of State Revenue, the Australian Tax Office and the NSW Fair Work Ombudsman. Invitations can be extended to these agencies to address Council meetings if members desire. SLED does investigate breaches of subcontracting requirements under the security industry legislation.

Mr Smith encouraged members and the broader industry to submit agenda papers on current and emerging issues for consideration by the Council.

The next Council meeting is scheduled for August 2017.