

WHAT'S BEEN HAPPENING IN SLED

Deployments

The Compliance & Enforcement team has been providing technical support and advice to Police Area Commands for, and during, late night multi-agency licensing operations. The most recent operation was conducted on Saturday 16 December 2017 with the Eastern Suburbs Police Area Command.

During the operation, five venues were subject to audit from: licensing police; SLED enforcement officers; Woollahra Municipal Council; and Fire & Rescue New South Wales.

A number of breaches of the *Security Industry Act 1997* were detected in relation to:

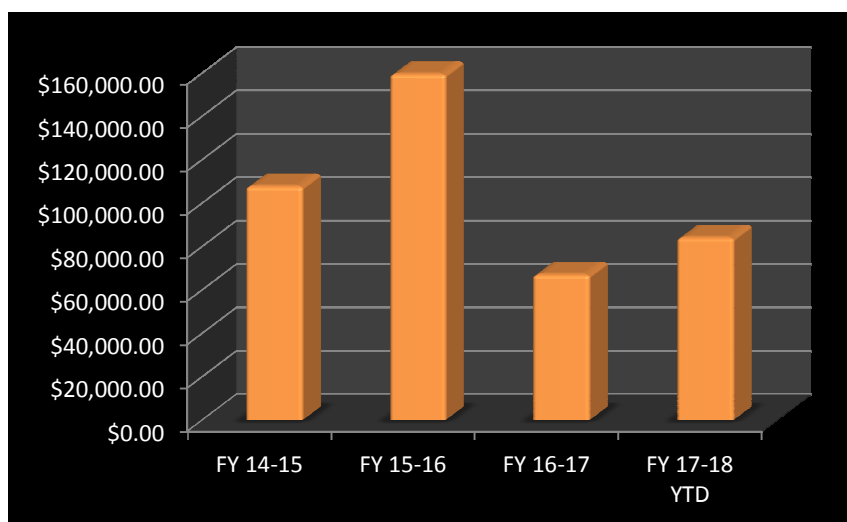
- failure to properly maintain sign on register (two premises)
- failure to keep Master licence on premises (two venues)
- Master licensee providing unlicensed person (one venue)

In early February 2018, the Compliance & Enforcement Team will be undertaking another regional deployment. Outcomes will be made known at the next SLED Advisory Council meeting.

Enforcement Action

The Industry Regulation unit operates in accordance with a graduated enforcement model, taking into account issues such as the seriousness of the contravention, whether the non-compliance was deliberate, whether the person/organisation is co-operative in terms of requests to address the contravention, and any relevant history of non-compliance. Accordingly, we often respond to identified non-compliance with education, warning letters and official cautions.

When we consider that enforcement action is warranted, the most common method is the issue of a penalty infringement notice (where a monetary penalty is imposed). Below is a graph showing the monetary totals of fines issued since 1 July 2014.



FY 14-15	\$107,800.00
FY 15-16	\$159,500.00
FY 16-17	\$67,100.00
FY 17-18 YTD	\$84,150.00

Educational Material

SLED is currently working on the creation of several new fact sheets to assist industry participants relating to Master licence requirements (including a Master Licence Self-Audit Checklist), sign-on registers, incident registers and temporary excess provision of services permits.

On 5 December 2017, [Fact Sheet 5](#) was published on the SLED website, providing information on licensing requirements relating to security doors and roller shutters.

While publicly available on the website, the fact sheet will also be used to educate unlicensed security door and roller shutter installers in both a proactive manner and in response to reports of non-compliance. SLED is currently finalising an education strategy to roll out the fact sheet to other stakeholders such as professional bodies and relevant government agencies.

Training Regulation

On 17 January 2018, the Australian Skills Quality Authority (ASQA) announced its intention to cancel sham security or security-related qualifications and statements of attainment issued by the now de-registered training provider Sage Academy Training Pty Ltd (RTO number 41505, Sage Academy). This RTO was not an approved organisation for NSW security licensing purposes but its qualifications were relied upon by individuals applying for Queensland security licences.

The full media release can be found at:

<https://www.asqa.gov.au/news-publications/news/asqa-moves-cancel-more-security-qualifications>

Investigations

There are 30 investigations currently being undertaken by the Compliance & Enforcement team.

Legal Outcomes

6 December 2017 - NSW Civil and Administrative Tribunal (NCAT) affirms decision of Commissioner of Police to revoke security licences of Mahmoud Abughazaleh and Sydney Training Academy Pty Ltd.

Mr Abughazaleh held a Class 1AC2D licence and was the Nominated Person for the Master licence held by Sydney Training Academy Pty Ltd - a company of which he was the sole director and shareholder.

A SLED investigation revealed Sydney Training Academy Pty Ltd, in partnership with Peacemakers Security Pty Ltd (trading as Peacekeepers Security & Training Institute), was facilitating the provision of licences to New South Wales residents through the exploitation of mutual recognition legislation. This was done by assisting students first to obtain a Queensland security licence and then to obtain a NSW licence by way of registration under the mutual recognition principle thereby circumventing NSW's stringent licensing requirements.

SLED revoked both licences primarily on the basis the holders were not fit and proper to hold a security licence and that it was not in the public interest that they hold such a licence.

Mahmoud Abughazaleh and Sydney Training Academy Pty Ltd appealed to NCAT, with the Tribunal affirming the Commissioner's decision to revoke the licences.

The full decision can be found at:

<https://www.caselaw.nsw.gov.au/decision/5a25f47fe4b058596cbacab2>