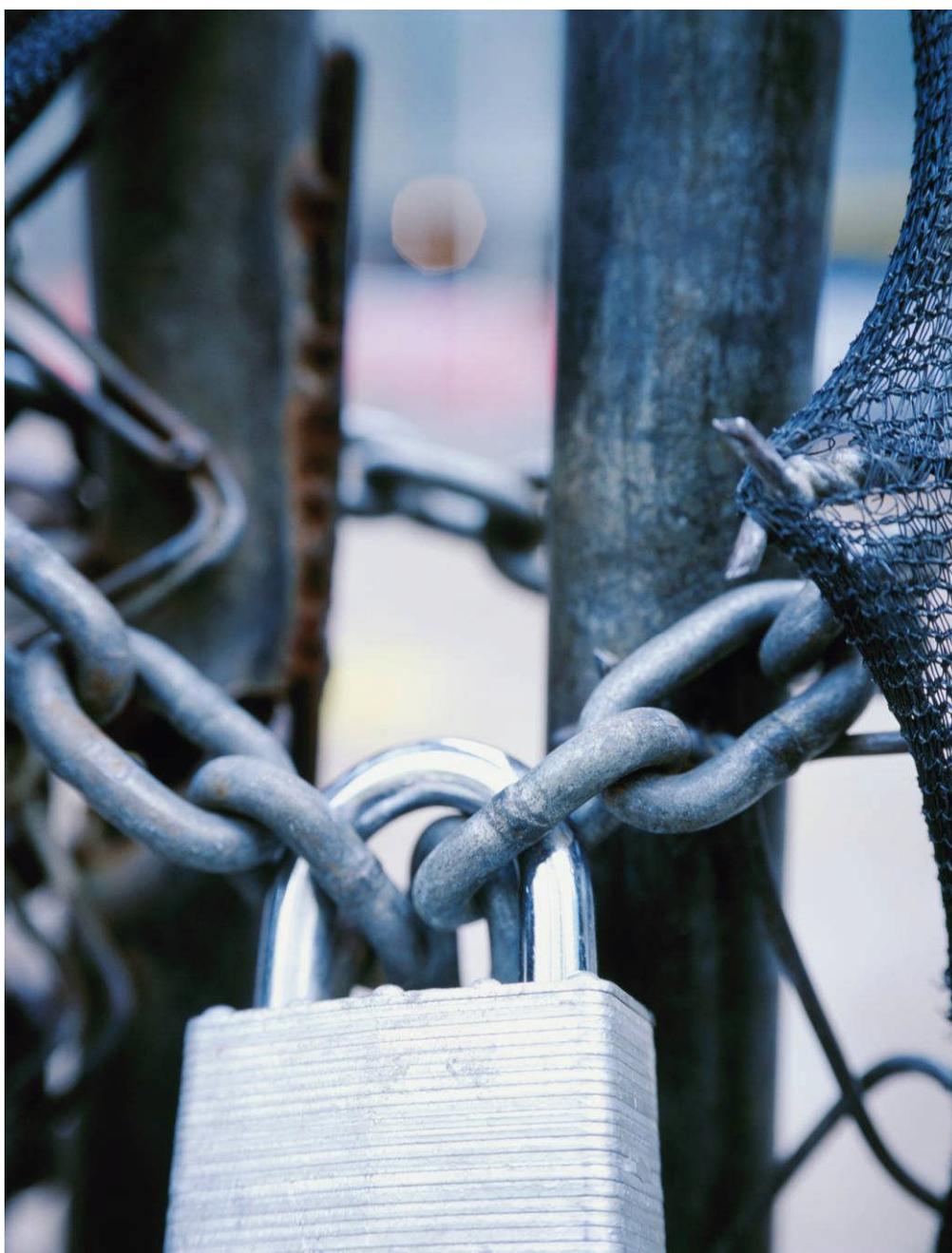


Department of Justice Review of Private Security Act 2004 and Private Security Regulations 2005

Discussion Paper
October 2008



About this document

Private security is playing an increasingly important role in ensuring that our community is safe.

Victoria's current private security legislation was introduced in 2005. Its key objective is to reduce risks to public safety, public peace, and security of property, and it aims to do this by eliminating from the industry individuals of unsuitable character or who are poorly trained. This meant that new or expanded requirements were adopted by the industry.

To assess whether those objectives remain valid, and determine whether the legislation remains appropriate for meeting the objectives, the Department of Justice commissioned PricewaterhouseCoopers to review the impact of the changes.

This discussion paper represents the results of our review to date and provides an overview of the private security industry in Victoria today.

Seeking your input

As members or users of the private security industry, you are best placed to provide informed comments on what works, what doesn't work, and how to move forward. We therefore seek your comments on the content and findings of this paper, and encourage you to make a submission.

We have incorporated 'discussion questions' into the body of the document that you might like to use as prompts when preparing your submission.

How to make a submission

Please submit written responses addressing any or all of the issues in this discussion paper to PricewaterhouseCoopers by **Wednesday 19 November 2008**.

- By mail to:
Review of Private Security Legislation
Economics Group
PricewaterhouseCoopers
GPO Box 1331L
Melbourne VIC 3001

or
- By email to: privatesecurityreview@au.pwc.com

Information from submissions received may be used to finalise the findings of the review. Confidential submissions should be marked accordingly.

Outcomes

The outcomes of the review will assist the Department of Justice with future policy considerations, and will be tabled in parliament.

Contents

About this document	ii
Abbreviations	2
1 Why a review?	3
2 Overview of the legislation	6
3 A snapshot of the industry	11
4 Appropriateness of the legislation	18
5 Entry and exclusion	21
6 Compliance and enforcement	30
7 Training and competency	35
8 Regulatory models	46
9 National considerations	48
10 Other matters	50
11 Summary of discussion questions	52
Appendices	
Appendix A References	57
Appendix B List of stakeholders consulted	59
Appendix C PwC's industry survey	60
Appendix D Council of Australian Governments' (COAG) reforms	69
Appendix E Interstate comparisons of regulatory requirements	72

Abbreviations

ABS	Australian Bureau of Statistics
ANZSCO	Australian and New Zealand Standard Classification of Occupations
ASIAL	Australian Security Industry Association Limited
ASO	Approved Security Organisation
CPD	Continuous professional development
CPP07	The CPP07 Property Services Training Package
LSD	Licensing Services Division (of Victoria Police)
MCO	Monitoring centre operator
PRS03	The PRS03 Asset Security Training Package
PwC	PricewaterhouseCoopers
RTO	Registered training organisation
the Act	The <i>Private Security Act 2004</i> , Victoria
the Department	The Department of Justice
the Minister	The Minister for Police and Emergency Services, Victoria
the Regulations	The <i>Private Security Regulations 2005</i> , Victoria
VRQA	Victorian Registration and Qualifications Authority
VSI	Victorian Security Institute
VSIAC	Victorian Security Industry Advisory Council

1 Why a review?

The Department of Justice commissioned PricewaterhouseCoopers to conduct a review of the *Private Security Act 2004* to examine whether it is meeting its objectives, and if not, to consider what changes need to be made so that it can do so. Section 178 of the Private Security Act 2004 requires that a review of the Act be undertaken and the results of the review to be tabled in Parliament.

Private security is a service that monitors or protects assets, people and/or property. It is often used to deter crime, but it is also employed to enhance community safety and peace.

In recent years, private security has played an increasingly important role in ensuring that our community is safe. Global terrorism has been one of the key drivers of this, and the ongoing threat of terrorism and the need to manage and combat its threats mean that private security will have a continued and relevant role in our society.

Victoria's private security legislation was introduced at a time when security and safety were at the forefront of people's minds. The *Private Security Act 2004* (the Act) and complementary *Private Security Regulations 2005* (the Regulations) came into effect on 1 July 2005, with the key objective of reducing risks to public safety, public peace, and security of property, by eliminating individuals of unsuitable character or who are poorly trained from being able to provide security services.

The Act introduced new or expanded requirements for the industry, such as:

- extending licensing to include bodyguards - licensing was already a requirement for crowd controllers, security guards and investigators
- introducing registration for the electronics sector (ie security equipment installers and security advisers)
- introducing minimum competency standards for all licensed activities, where previously only crowd controllers were required to meet competency criteria
- introducing stricter probity requirements, including mandatory disqualifying offences and stronger corporate viability and compliance requirements for business licence applicants.

Three years after the introduction of the Act, the Department of Justice (the Department) commissioned PricewaterhouseCoopers (PwC) to review the impact of the changes. The review is a statutory requirement of the Act and seeks to determine whether:

- the policy objectives of the Act remain valid
- the provisions of the Act are still appropriate for securing those objectives.

The review may also include analysis of issues that are not strictly related to the provisions of the Act but are integral to its implementation. The outcomes of the

review will assist the Department with future policy considerations and will be tabled in parliament.

Our terms of reference

We were asked to review the Act and Regulations, including:

- the appropriateness of the current licensing regime
- the adequacy of the current registration system for regulating security advisers and equipment installation sector of the industry
- the appropriateness of current exemptions to licensing and registration
- the role of training required
- the interaction with other relevant legislation, including the *Liquor Control Reform Act 1998*
- issues relating to the national consistency ('harmonisation') of private security regulation.

We were also asked to prepare a discussion paper presenting the initial findings of our review.

Review methodology

We employed a multi-faceted approach to reviewing the extent to which Victoria's private security legislation remains relevant and appropriate within the current environment. These approaches included:

- undertaking a comprehensive review of research and papers related to the private security industry and associated issues, such as past reviews, regulatory impact statements, newspaper articles, and industry research (see appendix A for the list of references)
- consulting with a wide range of stakeholders including:
 - members of the Victorian Security Industry Advisory Council (VSIAC)
 - representatives of VSIAC committees
 - industry associations representing users of private security
 - the Licensing Services Division (LSD), Victoria Police
 - the Liquor Licensing division of Consumer Affairs Victoria
 - education and training advisers
 - individuals and businesses working in private security.

See appendix B for the list of stakeholders consulted.

- conducting an industry survey (the PwC industry survey). In May 2008, we commissioned I-view to conduct a telephone survey of 400 Victorian private security businesses and individuals to gain qualitative and quantitative data on the effectiveness of the legislation and its administration. Two different (although similar) surveys were developed, to ensure perspectives from both

employers and employees were captured. Information about the survey methodology and questions is provided in appendix C.

Our purpose in using different approaches was to gain an understanding of the private security industry and issues relating to the legislation, and to collect data on the resources in the industry, the goods and services produced, and the achievements and impacts – both intended and unintended – of the legislation.

Council of Australian Governments (COAG) agreement

Over a number of years, Commonwealth, State and Territory governments have been working through COAG (comprising the Prime Minister and all Premiers and Chief Ministers) to improve the regulation of the private security industry and promote consistency between the jurisdictions (ie the different legal and regulatory environments of the States and Territories). COAG's purpose in doing this is to ensure a level playing field for individuals and businesses, regardless of the jurisdiction in which they operate, and to facilitate easier movement between jurisdictions without compromising the safety of the community.

On 3 July 2008, COAG agreed to adopt a nationally consistent approach to the regulation of the private security industry (with an initial focus on the 'manpower' sector), in order to improve the probity, competence and skills of security personnel and the mobility of security industry licence holders across jurisdictions. The COAG agreement is included in appendix D.

The implications of this agreement for Victoria, including possible changes to the Act, are relevant to the review and have been included in this paper.

2 Overview of the legislation

The key objective of Victoria's *Private Security Act 2004* is to ensure public safety and peace. To meet this objective, everyone working in the industry must meet certain probity requirements. Additionally, those working in the 'licensed' categories must meet competency requirements.

The Act and the Regulations regulate the private security industry in Victoria for the key purpose of ensuring public safety and peace. They do this by:

- excluding individuals or businesses likely to increase risks to public safety and peace
- reducing the risk of harm caused to members of the community by inappropriate people operating in the industry
- introducing minimum competency standards
- prescribing requirements regarding operations and practices
- prescribing accountability procedures for monitoring and disciplining members of the industry
- prescribing certain types of conduct.¹

Before the Act came into force, security guards, investigators and crowd controllers were regulated under the *Private Agents Act 1966*, which required probity-based licensing for those sectors, but required competency criteria to be met for crowd controllers only.

The Act introduced a two-tier system of licensing and registration (described below), and included within its scope the previously unregulated professions of bodyguard, security adviser and security equipment installer.

The industry, as defined in the Act, encompasses businesses and individuals working as:

- security guards – employed to protect, watch or guard property by patrolling the property in person or by monitoring the property via a security system. Security guarding includes the sub-categories of unarmed guard, armed guard, cash-in-transit, control room operator and monitoring centre operator
- crowd controllers – employed to maintain order at public places by screening entry, monitoring behaviour and removing disorderly people. Those people who check paid, ticketed or invitation admission into a venue are not considered crowd controllers

¹ Department of Justice (2005), *Private Security Regulations 2005: Regulatory Impact Statement*

- investigators – employed by a person to obtain and provide information on the character or actions of another person or on the character or nature of another person’s business or occupation, or to search for missing persons
- bodyguards – employed for close personal protection services
- security advisers – employed to advise on any or all of security equipment, methods, and principles
- security equipment installers – employed to install, repair, service or maintain security equipment. Security equipment is defined in the Regulations and includes security cameras and alarms, safes, vaults, intrusion detectors and access control devices, but does not include standard mechanical locks.

A two-tier system: licensing and registration

The Act introduced a two-tier system of licensing and registration for both individuals and businesses, as follows:

- Licensing is a requirement for crowd controllers, security guards, investigators and bodyguards. Licence holders must meet requirements with respect to probity and competency. These measures were introduced to ensure that those working in the industry are of suitable character and are properly trained.
- Registration is a requirement for security equipment installers and advisers. The registration arrangements acknowledge that these professions hold a position of trust, by requiring registration holders to meet probity requirements. However, given the low likelihood of harm or risk to the public and the fact that formal training is likely to be a prerequisite of the job, competency standards are not a requirement.

Probity requirements

All individuals and businesses working in the private security industry – whether licensed or registered – must meet probity requirements. This involves submitting to a criminal history check on application, and to ongoing monitoring for criminal activity during the life of the licence or registration. In addition, all applicants for licences and registrations must be over 18 years of age and be considered ‘fit and proper’ to hold a licence or registration.

Business licence and registration holders must also meet additional requirements regarding business and financial operations.

Grounds for cancelling or refusing a licence

Circumstances under which licences will be cancelled or refused are:

- being charged with a disqualifying offence; such offences include the trafficking or cultivation of illegal drugs, and any assault punishable by more than six months’ imprisonment

- being a ‘prohibited person’; that is, someone who has been convicted in the last 10 years or has been found guilty in the last five years (but not convicted) of a disqualifying offence
- being charged with, found guilty of, or convicted of a particular indictable offence; that is, offences (except disqualifying offences) which on assessment make the person unsuitable to hold a licence. Such offences include burglary, indecent assault and murder.

Grounds for cancelling or refusing a registration

Registrations will be cancelled or refused if the individual has been charged with, convicted in the last 10 years of, or found guilty (but not convicted) of in the last five years, an indictable offence which on assessment makes the person unsuitable to hold a registration.

Competency requirements

The requirements for licensing are more stringent than those for registration. In order to gain a licence, individuals must meet minimum competency requirements and complete the appropriate training before lodging an application. In some circumstances a licensee must undertake further training during the life of the licence. Competency requirements for individuals are listed in the table below.

Security activity	Minimum qualification
Crowd Controller	Certificate II in Security Operations (Crowd Control), with Certificate III to be completed within the second 12 months of gaining licence
Investigator	Certificate III in Investigative Services
Security Guard	
• Unarmed guard	Certificate II in Security Operations (Unarmed Guard), with additional units to be completed within 12 months of gaining licence
• Armed guard	Certificate III in Security Operations (Armed Guard)
• Cash-in-transit	Certificate III in Security Operations (Cash-in-transit)
• Control room operator	Certificate III in Security Operations (Control Room)
• Monitoring centre operator	Certificate II in Security Operations (Monitoring Centre)
Bodyguard	Certificate III in Security Operations (Bodyguard)

To obtain a business licence, the applicant must meet certain competency standards. This can be achieved through either of the following ways:

- formal training (Certificate IV in Security and Risk Management)
- membership of a industry association that has been specifically approved for this purpose by the Chief Commissioner of Police (ie it is an Approved Security Industry Organisation).

Character references

All businesses and individuals applying for a licence or registration must submit two written character references attesting to the applicant's suitability to work in the industry. The Regulations specify the categories of people who can give character references on behalf of the applicant (eg teachers, doctors, lawyers etc). Referees must not be related by birth or marriage to the applicant and must have known the applicant for at least 12 months.

Application fees

Fees for applying for licences and registrations are prescribed in the Regulations. The level of fees varies according to:

- the applicant (individual, business or sole operator)
- the application type (licence or registration)
- the number of categories sought for licensing or registration.

The current fees are listed on the Licensing Services Division (LSD) website at www.police.vic.gov.au.

This review was commissioned to consider the policy objectives of the Act. It does not incorporate a review of the level of fees.

Oversight of the Act

The Chief Commissioner of Police is the regulator of the private security industry; however, LSD administers the Act and the Regulations as the Chief Commissioner's delegate under the Act. LSD also oversees the licensing and registration regimes under the *Firearms Act 1996* and *Control of Weapons Act 1990* and associated regulations.

LSD's oversight role involves:

- issuing private security licences and registrations
- renewing private security licences and registrations
- monitoring private security licence and registration holders
- approving training
- accrediting training organisations.

Victorian Security Industry Advisory Council

The Victorian Security Industry Advisory Council (VSIAC) was established in April 2005 to advise the Minister for Police and Emergency Services on the regulatory framework for the Victorian private security industry, with a view to improving standards of practice within the industry.

The specific functions of VSIAC are to:

- advise the Minister on the effectiveness of the regulation of the Victorian private security industry and any need for reform
- provide advice on strategic directions for the regulation of the security industry
- provide specific advice as requested by the Minister in relation to the viability of proposals for reform
- develop draft policies and procedures relating to the operation of one or more aspects of the private security industry for consideration by the Minister.

VSIAC consists of members from all sectors of the private security industry, appointed at the discretion of the Minister. There are currently nine members. VSIAC is supported by three subcommittees related to training, electronics and protective services, which have been established to help VSIAC fulfil its functions and objectives.

Legislative approaches in other jurisdictions

All Australian State and Territories regulate the private security industry. While the specific requirements in each jurisdiction differ; broadly, the legislations are similar in that probity is a prerequisite for all license categories while competency is only a prerequisite for some. The categories for licensing differ from state to state, with some requiring the electronics sector and in-house staff to be licensed. The regulatory approaches in other jurisdictions are discussed throughout this paper. A comparison of legislative requirements can be found in Appendix E.

Like in Victoria, other State and Territory Governments are continually reviewing the provisions in their legislation. Since the commencement of Victoria's *Private Security Act 2004*, the Northern Territory introduced amendments in 2006, New South Wales and Queensland introduced amendments in 2007, and Western Australia introduced amendments in 2008.

3 A snapshot of the industry

The private security industry is a growing industry that covers many types of services. It is fragmented, being composed of mostly small businesses with a large casual workforce, and is extremely competitive. These factors have implications for the way in which the industry can best be regulated.

Although our intention is to provide a snapshot of the private security industry in Victoria, it is difficult to describe it in terms of size, composition, workforce participants and market forces. The industry has historically been hard to define in these ways, largely due to differing interpretations of what constitutes private security, and to how the industry has evolved over time. In addition, because private security is not an industry which is defined by the Australia and New Zealand Standard Industrial Classifications, accurate and reliable industry data is not readily available. Thus there are some limitations in the description of the industry we provide in this chapter.

The information we have presented draws on data from a range of publicly available sources (such as IBISWorld and the Australian Bureau of Statistics) and private sources (such as LSD data and the PwC industry survey).

Industry overview

According to IBISWorld research, in 2006-07 the Victorian private security industry generated over \$650 million in revenue and employed over 11,500 people.² Victoria has the second-largest private security industry in Australia after New South Wales. The industry has grown over recent years due to increased demand for security services. Industry revenue has increased almost 13 per cent and employment has increased over 10 per cent over the five years to 2006-2007.

	VIC		Aust		% share	
	2005-06	2006-07	2005-06	2006-07	2005-06	2006-07
Industry income (\$m)	\$597.6	\$652.5	\$2,362.0	\$2,579.0	25.3%	25.3 %
Employment (number)	11,197	11,503	39,990	41,229	28.0%	27.9 %
Business establishments (number)	495	512	2,344	2,414	21.2%	21.2 %

Source: IBISWorld (2007, 2008)

According to the Australian Security Industry Association Limited (ASIAL), in 2006-07 the estimated expenditure on private security services Australia-wide totalled more than \$4,436 million, with the electronics sector contributing \$2,084

² IBISWorld (2007), Security and Investigative Services (except Police) in Australia

million (47 per cent) and the ‘manpower’ sector providing \$2,352 million (53 per cent).

The 2006 Census found that almost 9,500 people nominated security officer or guard as their primary occupation in Victoria. The Australian and New Zealand Standard Classification of Occupations (ANZSCO) (the basis on which Census occupations are classified) defines security officers and guards as those working as alarm, security or surveillance monitor; armoured car escort; crowd controller; private investigator; retail loss prevention officer; security consultant; and security officer.

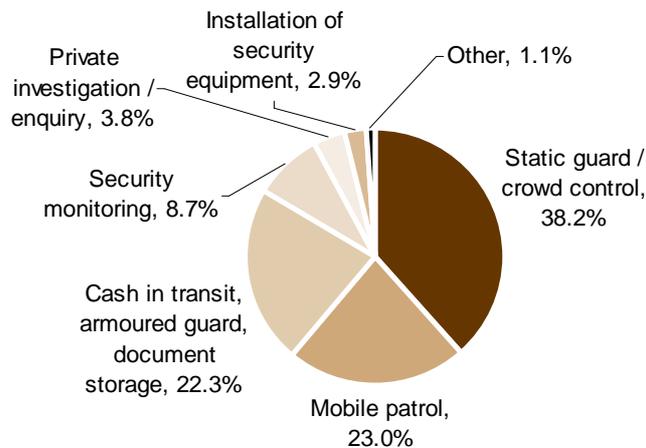
Data from LSD suggests that at July 2008 there were over 900 private security firms and almost 25,000 individual licence/registration holders working in the Victorian private security industry. The majority of those hold only one type of licence or registration, with about 12 per cent of businesses and 2 per cent of individuals holding more than one licence and/or registration. Given the IBISWorld and Census estimates on employment numbers, the higher official data could be attributable to any or all of the following:

- more people being licensed to work than are actually working
- differences in the way “employment in the private security industry” is defined by the Act, ANZSCO and IBISWorld
- the large number of casual employees in the industry (who do not consider private security to be their primary occupation).

Security services

The IBISWorld research states that the private security industry in Australia primarily offers static guard or crowd control services, but with mobile patrols and armoured guard and cash-in-transit services collectively making up a significant proportion of the industry. See figure 3a.

Figure 3a: Types of security services, 2006-07, Australia



Source: IBISWorld (2008)

Licences and registrations granted since 2005

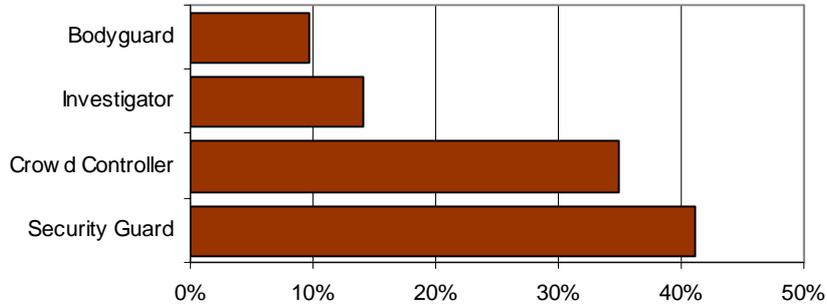
When the Act was introduced in 2005, all individuals and businesses applying for licences were treated as new applications, regardless of whether the applicant held a licence under the *Private Agents Act 1966*. Registrations were a new addition to the private security regulatory regime.

Business licences/registrations since 2005

LSD granted approximately 580 business licences and 1,100 business registrations in the three-year period 1 July 2005 to 30 June 2008.

Of the business licences issued to 30 June 2008, the most common were for security guard and crowd control services. See figure 3b. Business registrations issued to 30 June 2008 were split almost 50/50 between security advisers and security equipment installers.

Figure 3b: Proportion of business licences issued by activity



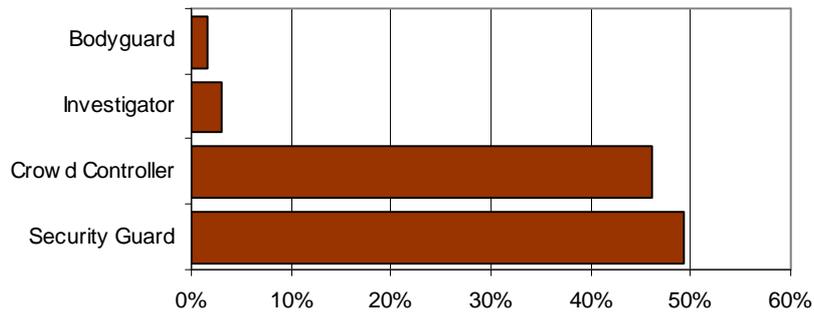
Source: LSD Victoria Police

Individual licences/registrations since 2005

LSD granted approximately 24,100 individual licences and 4,100 individual registrations in the three-year period 1 July 2005 to 30 June 2008.

As for the business licences, most individual licences issued to 30 June 2008 were for crowd control and security guarding activities. See figure 3c. Individual registrations issued to 30 June 2008 were split 48 per cent for security advising and 52 per cent for security equipment installation.

Figure 3c: Proportion of individual licences issued by activity



Source: LSD Victoria Police

Employment status (full-time, part-time, casual)

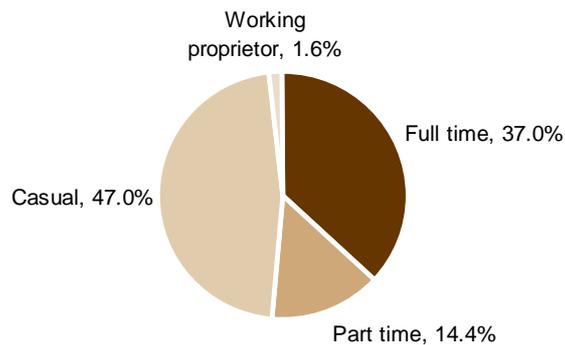
The Australian Bureau of Statistics (ABS) estimated that in 1998-99 the majority of employees in the private security industry worked on a casual basis (47 per cent), with full- and part-time employees comprising 37 per cent and 14 per cent respectively.³ See figure 3d. While this is the most recent official data on the employment status of private security personnel, our consultations suggest that casual employees still account for a large proportion of the industry.

The proportion of casual employees in private security is comparable to some other service-based industries such as cafes, restaurants and catering services, and accommodation services (casual employees comprise 50 per cent and 44 per cent of the industry respectively) but lower than pubs, taverns and bars (70 per cent casual workforce).⁴

The PwC industry survey results, however, are mainly representative of full-time workers (70 per cent), with casual and part-time employees accounting for 18 and 9 per cent respectively.

³ ABS (2000), *Security Services 1998-99*, Cat. No. 8557.0

⁴ ABS (2006), *Pubs, Taverns and Bars 2004-05*, Cat. No. 8687.0; (2008), *Cafes Restaurants and Catering Services 2006-07*, Cat. No. 8655.0; (2008), *Accommodation Services, Australia 2006-07*, Cat. No. 8695.0

Figure 3d: Employment status of private security professionals, 1998-99, Australia

Source: ABS (2000)

Size of business

The private security industry in Victoria is characterised by a large number of non-employing businesses (sole traders) and small businesses⁵, with a few large players (namely Chubb, Linfox and ISS). ABS data suggests that 83 per cent of private security businesses employ less than 20 staff.⁶ See figure 3e. In comparison to Australian industry as a whole which is made up of mostly non-employing businesses (59 per cent), the private security industry has a larger proportion of medium businesses (15 per cent compared to 4 per cent).⁷

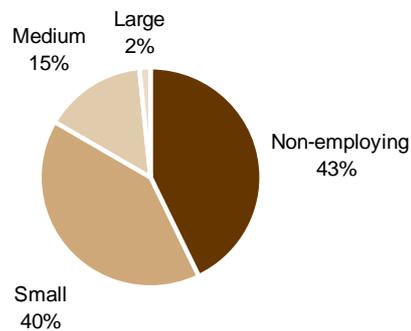
The PwC industry survey represents the views of a cross-section of business sizes in the licensed sector. Small businesses accounted for 65 per cent of business respondents, with medium businesses accounting for 33 per cent.

⁵ The ABS report defines businesses by size as follows: small businesses = one or more but less than 20 employees; medium businesses = between 20 and 199 employees; large businesses = 200 employees or more.

⁶ Australian Bureau of Statistics (2007), *Counts of Australian Businesses, including Entries and Exits, Australia, June 2003 to June 2007*, Cat. no. 8165.0

⁷ The ABS noted limitations with the data set for size of business, as data has been rounded to preserve the confidentiality of individual businesses.

Figure 3e: Size of private security business, 2006-07, Victoria



Source: ABS (2008)

Competition

The barriers to entry into the industry are relatively low, particularly in the ‘manpower’ sectors, with typical start-up costs being licence and training fees, and a car, uniform and communication equipment in some sectors. The low barriers to entry encourage participation in the industry, which results in a competitive marketplace.

There is also a widespread practice of subcontracting in the industry, which adds competitive tension as firms often operate at low margins to win work.

Industry representation

There is no single industry association representing all aspects of private security, but there are several organisations in Victoria that represent various sectors, such as ASIAL, the Victorian Security Institute (VSI), the Australian Institute for Professional Investigators, the National Electrical and Communications Association, ASIS International, the Crowd Control Employers Association, and the Security Trainers Association.

The PwC Industry Survey revealed that almost 60 per cent of all business and individual respondents were *not* members of an industry association related to private security.

Conclusion

The private security industry has grown consistently over the last few years. It is characterised by a large proportion of small businesses, low barriers to entry and a large workforce of casual employees. These factors have implications for the way in which the industry can best be regulated, particularly as these are not ideal characteristics for co-regulatory or self-regulatory models. For example, best practice guidelines suggest that co- or self-regulation is appropriate where there is (among other things):

- adequate coverage of the industry by the industry association
- cohesive industry with like minded/motivated participants committed to achieving the goals
- no strong public interest concern, in particular, no major public health and safety concern.⁸

In Victoria, there are two distinct categories of private security – ‘manpower’ and electronics. The areas are regulated differently, and in this discussion paper we deal with issues related to both.

Discussion questions: The industry

- 3.1 Do you think there will be any changes in the industry in the foreseeable future that will significantly affect the nature of the industry and its potential regulation?
- 3.2 Why do industry participants join or not join private security industry associations? What has been your experience with industry associations?
- 3.3 Why do you think the industry has such a high level of casual employees?
- 3.4 Do you think the high level of small business participation in the industry contributes to or inhibits improving professionalism in the industry?

⁸ Commonwealth of Australia (2000), *Industry Self-regulation in Consumer Markets*, report prepared by the Taskforce on Industry Self-regulation, August 2000

4 Appropriateness of the legislation

Industry stakeholder views on the effectiveness of the legislative regime are mixed, but stakeholders recognise that the legislative requirements are important and appropriate.

The objectives of Victoria's current private security legislation relate to reducing risks to public safety, public peace, and security of property. In assessing whether the legislation is appropriate in terms of meeting these objectives, industry participants were consulted as their opinions on (among other things):

- the effectiveness of the legislative changes introduced in 2005
- the effectiveness of the regime in eliminating individuals of unsuitable character, or who are poorly trained, from providing security services.

The graphs below, presenting some of the key findings from the PwC industry survey, provide an overall sense of industry perceptions of the effectiveness of the legislation. The results in figures 4a, 4b and 4c are a combination of all individual and business responses.

Figure 4a: The introduction in 2005 of new regulations for the private security industry has improved public safety and peace (n = 400)

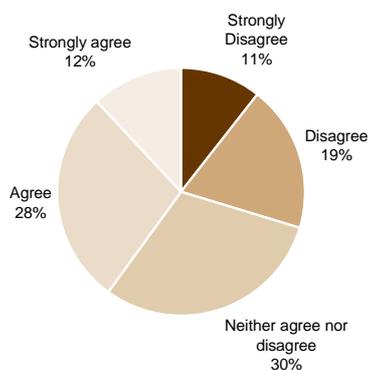


Figure 4b: The introduction in 2005 of new regulations for the private security industry has deterred unsuitable people from working in the industry (n = 400)

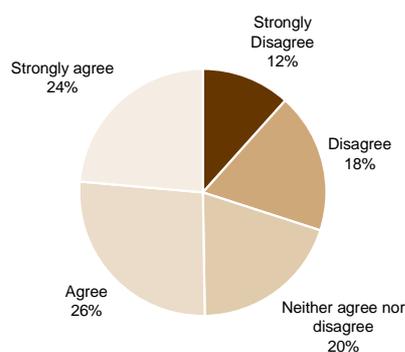


Figure 4c: The introduction in 2005 of new regulations for the private security industry has improved the professional standards in the industry (n = 400)

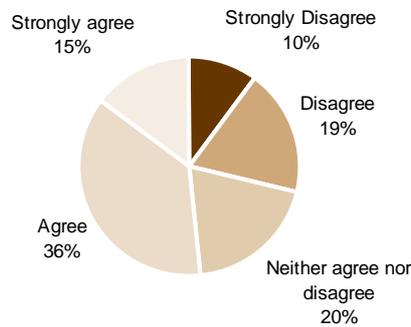


Figure 4d: The licensing requirements are appropriate for the areas in which you work (Individuals, n = 300; Business, n=100)

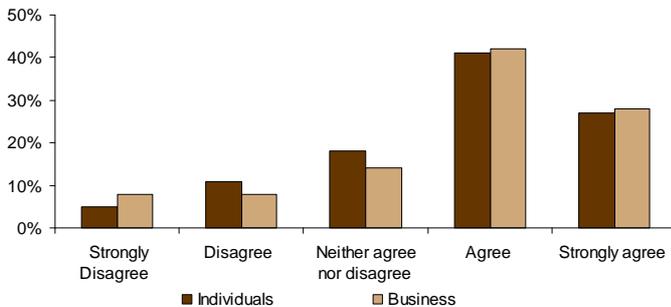
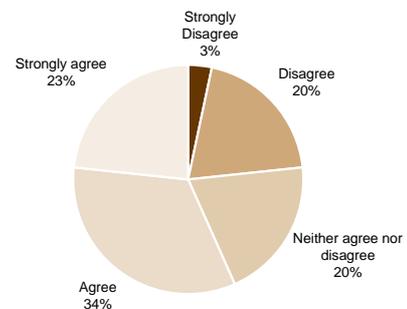


Figure 4e: The registration requirements for individuals are appropriate for the area in which you work (n = 30)



It is clear from these results that views on the effectiveness of the current legislation are mixed in the following areas:

- Enhancing public safety and peace** (figure 4a) – while 40 per cent of overall respondents agreed or strongly agreed that the regulatory regime has improved public safety and peace, only 26 per cent of investigators shared this view. In contrast, 44 per cent of security guards and 43 per cent of crowd controllers agreed or strongly agreed.
- Deterring unsuitable people** (figure 4b) – 51 per cent of overall respondents agreed or strongly agreed that those of unsuitable character were deterred from working in the industry. Business respondents were least likely (41 per cent) and investigators were most likely (52 per cent) to believe that this was the case.
- Improving professional standards** (figure 4c) – 54 per cent of overall respondents agreed or strongly agreed that professional standards have improved. Licensed crowd controllers and security guards held this view more so than other categories (59 and 58 per cent respectively).

Despite these mixed views, most respondents believe that the current licensing measures are appropriate for the industry (figure 4d). Agreement ranged from 64 per cent (investigators) to 69 percent (crowd controllers).

Of those respondents who are registered, 57 per cent believe that the registration requirements are appropriate (figure 4e).

Discussion questions: The legislation

- 4.1 To what degree do you consider the *Private Security Act 2004* effective and/or appropriate in meeting its objectives of:
 - (a) increasing public safety and peace?
 - (b) deterring unsuitable people from working in the industry ?
 - (c) improving professional standards?
- 4.2 Do you have any areas of particular concern regarding the effectiveness and/or appropriateness of the Act?
- 4.3 Do you believe the industry has specific and unique characteristics which require greater regulatory control?
- 4.4 Does the industry have any structural characteristics which hamper effective regulatory controls and/or compliance?

5 Entry and exclusion

Victoria's legislation aims, among other things, to exclude people of unsuitable character from the private security industry. In assessing the legislation's appropriateness, it is therefore important to discuss issues of concern relating to entry into and exclusion from the industry.

There are several provisions in the Act that aim to exclude those of unsuitable character from working in the industry. This is primarily achieved through probity measures for licensing and registration. In addition, matters regarding entry and exclusion relate to the way in which the Act defines categories for licensing and exemptions. The effectiveness of probity measures and definitional issues are discussed below.

Probity checking

All individuals and businesses seeking a licence or registration to work in the private security industry must undergo a probity check. This is done as follows:

- At the time of application, criminal history checks are performed and a 'fit and proper person' test is applied.
- Once a licence or registration has been granted, Victoria Police's LEAP database is monitored daily to ensure the licensee continues to meet probity requirements. The LEAP database captures crime-related information such as assault, theft, rape, possession of drugs, harassment etc.

The probity requirement is one crucial measure aimed at ensuring that only those of suitable character, who are 'fit and proper' and who are of legal age are working in the industry. The Act provides no discretion to grant a licence or registration to those who do not satisfy the probity requirements.

Exclusions and cancellations

When the current legislation came into force in 2005, it was estimated that 27,000 people held a private security licence under the *Private Agents Act 1966*. Of those, 169 licence holders (less than 1 per cent) were no longer able to work in private security due to not meeting the new probity measures. During the first three years of operation (ie 2005-06 to 2007-08), 127 applicants (from over 44,000 applications⁹) have been refused licences or registrations due to probity/fit and proper reasons.

Also during the first three years of operation, 191 licences were cancelled due to the licensee committing a disqualifying or particular indictable offence. Over the same period LSD conducted over 830 disciplinary inquiries to determine the

⁹ This figure is the total number of applications, including renewals, variations and withdrawn/abandoned.

suitability of the licensee to continue holding a private security licence/registration. In most of those cases the inquiry led to the cancellation or refusal of the licence; but in some cases the outcome was a reprimand (ie the licensee was issued with a warning and allowed to continue to work). That outcome was usually because there was insufficient evidence to support cancellation or because the nature of the misconduct did not warrant it.

Comparison with New South Wales

When New South Wales introduced expanded exclusionary measures in September 2007, of the estimated 35,000 private security workforce, 363 people had their licences cancelled.

168 of those cancellations were due to failure to comply with the transitional requirements of the amended legislation, 57 were due to exclusionary offences, 80 due to public interest grounds and the rest to prohibited plants or drugs, stalking and intimidation, or riot and affray. In addition, 100 people had their applications refused in the first six months of the new regulations.

Source: NSW Police

Industry perceptions

The PwC industry survey found that 50 per cent of respondents agreed or strongly agreed that the introduction of the new regulations deterred unsuitable people from working in the industry; yet only 1 per cent of licences have been cancelled in the first two years of the Act. This suggests that the industry perceives there are more unsuitable people working in the industry than is actually the case.

Given that the regulator (ie LSD under delegation from the Chief Commissioner of Police) has cancelled licences, rejected applications and conducted disciplinary inquiries, this suggests to an extent that the system is identifying those who should be excluded. However, other issues of concern raised by the stakeholders and respondents could relate to:

- the adequacy or level of the probity check itself (eg could more stringent criteria be applied?)
- perceptions (for example, many of those consulted brought up the David Hookes incident, despite this event occurring before the current legislation)
- the appropriateness of training or of registered training organisations
- enforcement (ie concern about low levels of identifying and penalising those who are working without licence or registration)
- issues outside the scope of the legislation and this review (such as trade practices, wage rates, market competition, occupational health and safety, insurance premiums, responsible service of alcohol etc).

COAG reforms

COAG identified that the level of probity checking could be improved across the country. As a result, all States and Territories have agreed to implement a minimum set of mandatory exclusionary offences.

Currently in Victoria, applicants must be excluded from holding a licence or registration for disqualifying offences and certain other indictable offences. COAG has agreed on a detailed list of exclusionary offences; for example, dishonesty, theft, robbery, firearms, weapons, terrorism and expanded drugs offences. However, the regulator will retain some discretion in cases where the offence or penalty is minor.

The COAG reforms also include mandatory fingerprinting before a licence is issued, to assist in initial and ongoing probity checking. This is a measure that Victoria will need to introduce.

Discussion questions: Probity

- 5.1 To what extent do you believe the Act's probity requirements (ie exclusionary offences, fit and proper person test, age restrictions) are effective? What evidence do you have to support your view?
- 5.2 Do you believe other mandatory conditions are necessary to improve the integrity of the industry?
- 5.3 Will increased probity requirements make recruitment in the manpower sector more difficult (or have they already done so)? To what extent?

Licence categories

The Act defines licensed activities within four specified categories (security guard, crowd controller, investigator and bodyguard), and registered activities within two specified categories (security equipment installer and security adviser). The security guard category has five sub-categories (see chapter 2), but these are not defined in the Act.

The other Australian jurisdictions vary as to how they define licence categories. For example, the security guard function is generally defined generically, with no sub-categories. The Queensland legislation is similar to Victoria in that it includes security guard sub-categories (ie unarmed, cash-in-transit, dog patrol and monitoring) which are not prescribed in the legislation.

New South Wales is the most prescriptive, with seven categories in its 'manpower' class (unarmed, bodyguard, crowd control, guarding with dog, monitoring centre operator, armed and loss prevention) and six categories in its technical services, sales and training class (security consultant, security seller, locksmith, trainer, barrier equipment specialist and electronic equipment specialist).

The implications of the COAG proposals are that licence categories in Victoria will be expanded. The Victorian legislation will need to be amended to ensure that guarding with a dog, monitoring centre operations and trainers are appropriately defined as licensable activities.

Discussion question: Licence categories

5.4 Should the current security guard sub-categories be explicitly defined in the Act? If so, why?

Exemptions from the Act

Explicit exemptions

The legislative regime (section 4 of the Act and Regulation 7) exempts certain people, such as members of the police or defence force, from requiring a private security licence or registration. However, during consultation with stakeholders concerns were raised about some of these exemptions, and it is important to determine whether all of the exemptions are appropriate and whether the current provisions are working.

The “in-house” exemption

Section 4(h) of the Act exempts “in-house” staff from holding a licence or registration. This means that if an organisation whose core business is not the provision of private security services requires an employee to perform duties that may be regarded as private security, that employee is not required to obtain a private security individual licence or registration.

The in-house exemption applies to those who do any of the following directly for their employer (provided the employer does not carry on activities requiring a private security licence/registration):

- watch, guard or protect any property
- perform inquiry work
- install or repair internal security equipment
- advise on security matters relevant to the employer’s business.

The reasoning behind these exemptions is that people performing such work are under the direct control of their employer when doing so. They are generally not providing services to external clients, thus risks are limited to the company rather than being risks to the broader community.

Our consultations with stakeholders highlighted the inconsistency and inequity of this exemption in the context of ‘guarding’ activities. While crowd control activities are not covered by this exemption, stakeholders were also concerned that licensed premises may be employing persons carrying out some ‘crowd control’ activities under an “in-house” type arrangement in breach of the Act. Common examples

given were bar managers, loss prevention staff at a retail outlet, and protection officers of critical infrastructure.

Implications for public safety

It is difficult to quantify the extent to which staff are employed to perform in-house security duties and the effect this has on public safety and the other objectives of the Act. It is nevertheless important to assess the potential risks to employees, employers and the public of excluding in-house operators from the probity/competency requirements applied to other operators.

Examples of potential risks are:

- **for staff performing critical infrastructure protection duties:** there could be wide-reaching ramifications if the infrastructure becomes a terrorist target
- **for staff performing crowd control duties in and around licensed premises:** there are plausible risks to public safety as unlicensed staff are unlikely to be formally trained to handle situations in a lawful manner
- **for staff monitoring theft:** risks relating to loss of stock and, in turn, business profit.

Where in-house staff advise on security matters or on installing or repairing security equipment, there is little interaction with the public, and any risk rests with the business or employer. There is no evidence of any problems in the in-house investigator, security equipment installer and security adviser areas that would justify changes to the existing regime.

Comparison with other States

In most other Australian jurisdictions, in-house security staff in certain sectors are required to hold licences, as follows:

Queensland: in-house staff employed to guard, patrol or watch their employer's property, loss prevention personnel, and security gate operators must be licensed.¹⁰

New South Wales: in-house staff in all sectors must be licensed, but there are exemptions for people who provide internal advice, install, maintain, repair or service internal security equipment in connection with the employer's business when that employer does not conduct a business in the security industry (ie exemptions for the electronics sector).

Western Australia: in-house security staff are required to hold a licence only if they are in possession of a firearm or baton while carrying out their duties.

¹⁰ The State of Queensland (Department of Justice and Attorney-General) (2008), *In-house security officers – a compliance guide (security providers)*

Implicit exemptions

Locksmiths

The Act's definitions of security adviser, security equipment installer and security equipment preclude locksmiths from requiring a registration.¹¹ Some stakeholders maintain that this exclusion contradicts the intention of the Act. They argue that locksmiths hold a position of trust and have access to property and potentially sensitive information, and should therefore be required to meet minimum probity levels.

There are already certain probity and competency standards in the locksmith sector. For example, to become a member of the Master Locksmiths Association, applicants must include in their application evidence of a criminal history check. And qualification as a locksmith requires a four-year apprenticeship. The off-the-job training component of the apprenticeship is completed at TAFE, resulting in a Certificate III qualification.

Comparison with other States

Licensing not required in: Queensland, South Australia, Tasmania and Northern Territory

The Queensland Government recently amended its *Security Providers Act 1993* to introduce licensing requirements for the electronic security sector. However, there are some limitations to this requirement:

... people who install, repair, service or maintain basic security items are not required to hold a licence. These basic security items include ... an electronic or mechanical lock used for basic household security such as a door lock, window lock or padlock ...

Licensing required in: New South Wales, the Australian Capital Territory and Western Australia

Being licensed in New South Wales allows a locksmith to sell, maintain, repair, service and provide advice on related security equipment (including barrier equipment). Locksmiths must undergo a criminal history check.

In Western Australia, applicants who wish to repair or maintain locks, including door, window and safe-locking mechanisms, must be a trade-qualified locksmith before applying for a licence, and must meet probity requirements.¹²

¹¹ Section 5 of the Regulations defines security equipment as:

(a) security camera systems; (b) security audio systems; (c) security audio or visual recording systems; (d) security alarms; (e) security alarm monitoring systems; (f) safes; (g) vaults; (h) security intrusion detectors including motion, infrared, microwave or contract detectors; (i) electric, electro-mechanical, magnetic or biometric access control devices, but not including stock, inventory or product loss prevention monitoring devices.

¹² WA Police website:

www.police.wa.gov.au/ABOUTUS/OurServices/CommercialAgentsUnit/NonAgentLicences/SecurityInstaller/tabid/1250/Default.aspx

Discussion question: Exemptions

5.5 Are the exemptions from the Act, both explicit and implicit, appropriate? If not, why not? Do you have evidence to support your view?

Concerns about inclusions

A number of stakeholders expressed concerns to us about the way some security activities are regulated. The issues raised are set out below.

Monitoring centre operators

Monitoring centre operators (MCOs) are treated, for licensing purposes, as a sub-category of security guards. However, many stakeholders believe MCOs are incorrectly defined given the type of activities they perform and the fact that current training requirements are largely irrelevant for this work.

LSD's policy statement on security guard sub-activities defines an MCO as:

A person who is employed to work in a centre which forms the monitoring component of intruder alarm systems. A monitoring centre operator may be required to interpret signals from alarms transmitted to the centre and cause appropriate action, or relay and receive situation report communications to and from manpower operatives. Monitoring Centre Operatives do not conduct patrols, routinely leave the monitoring centre to respond to a situation, or conduct, supervise or co-ordinate manpower activities.

It has been suggested that MCOs could more appropriately be regulated as part of the electronics sector. This redefinition would mean that MCOs would only require registration and would not be required to meet minimum training standards.

However, the following two developments suggest that it is preferable to maintain MCO as a licence category or sub-category:

- The recent review of the training framework (see chapter 7) recognises the skill sets required to perform MCO duties and the fact that a full qualification may not be required.
- COAG has agreed that all jurisdictions will introduce monitoring centre operations as a licensable activity as part of the recent package of reforms to improve probity, skills and mobility in the manpower sector (see appendix D).

Comparison with other States

In most other State and Territories, MCOs are treated as a subset of security guard, however in New South Wales they are treated as a separate category. Generally, MCOs have probity and competency requirements. The main reason for separating MCOs from the general security guard class in New South Wales was to impose training standards specific and relevant to MCOs.

Investigators

Some stakeholders expressed a view that private investigators should be regulated via a different legislation. Some investigators claim that an unintended consequence of their inclusion in the Act has been a dramatic increase in their WorkCover premiums. In addition, some feel unfairly stigmatised by being included in an industry where the vast majority of problems do not relate to their sector.

Comparison with other States

Legislated in same legislation: Queensland, Tasmania, South Australia and Western Australia

These jurisdictions regulate private investigators in the same legislative instrument as crowd controllers and security guards.

Legislated in different legislation: New South Wales, Northern Territory

In New South Wales, investigators are regulated under the *Commercial Agents & Private Inquiry Agents Act 2004*, grouping investigators with process servers and debt collectors. However, they are overseen by the same regulator as crowd controllers and security guards (ie the Security Industry Registry of New South Wales Police). It should be noted that New South Wales is currently reviewing the operation of this Act.

In the Northern Territory, investigators are regulated under the *Commercial and Private Agents Licensing Act* and are overseen by the same regulator as crowd controllers and security guards (ie Licensing and Regulation Division, Department of Justice).

Discussion questions: Category inclusions

- 5.6 Do the current definitions for each category adequately describe the activities for each licence and registration type?
- 5.7 Are there any other categories of activity that should be included in or excluded from the Act? Please provide evidence to support your view.

Character references

Applicants for new registrations and licences must provide two written character references. The classes of people who can provide references are specified in section 58 of the Regulations. The classes are similar to those who can witness statutory declarations, but there are additional categories such as people who hold a private security business licence, nurses, teachers, and members of the defence force. Referees must confirm that they have known the applicant for longer than 12 months.

Some stakeholders believe that these requirements are prohibitive for security personnel who do not have a relationship with anyone in the authorised classes. The requirements are considered especially prohibitive for younger applicants and those who have recently entered the country. These concerns raise questions as to the appropriateness of character references for assessing suitability to work in the industry.

However there seems to be an acknowledgement by industry that character references are an important component to the application process and stakeholders have suggested some workable solutions, such as requiring only a single character reference or accepting as referee a nominee on a business licence/registration or other senior staff in a private security firm. The Regulations (section 58(c)(v)) already permit business licence holders to provide character references, provided the nominated person has held the licence continuously for more than five years.

Police officers as referees

Given that the Chief Commissioner of Police, through LSD, is the regulator of the private security industry, there may be a perceived conflict in allowing members of the police force to be referees. To mitigate this, Victoria Police policy states that a police officer may provide a reference as long as it is in a personal capacity and not on Victoria Police letterhead.

Nevertheless, perceived or potential conflicts would be eliminated if members of Victorian Police were removed from the class of people who may give character references.

Discussion questions: Character references

- 5.8 Are the reference requirements a reasonable way of assessing an applicant's identity and good character?
- 5.9 Is there any evidence of individuals being excluded from the industry solely because they cannot obtain two references?

6 Compliance and enforcement

Effective compliance and enforcement are critical to the success of any regulatory regime. However, in Victoria, these have been raised as areas of concern by stakeholders. This must be examined and discussed if the objectives of the Act are to remain valid.

In Victoria, there are some concerns about compliance and enforcement, as evidenced by the results of the PwC industry survey (see chapter 5). Within the context of assessing the appropriateness and adequacy of the current licensing and registration regimes, it is therefore important to explore these issues further.

Compliance

In the context of our review, ‘compliance’ means the extent to which those individuals and businesses who should be licensed or registered under the current legislation are duly licensed or registered.

Some stakeholders argue that due to a lack of enforcement, some who should be licensed or registered are not, as there are no repercussions.

The levels of compliance and non-compliance are difficult to quantify. However, it is reasonable to assume that the compliance rate is less than 100 per cent, as there will always be people who, knowingly or unknowingly, do not follow the law, regardless of the industry or context.

Licensed sectors

Stakeholders offered anecdotal evidence that there are individuals working in private security without the proper licence or without complying with record-keeping requirements. Examples were given of crowd controllers not signing the log book before starting their shift, and licensed individuals passing on their licences to unlicensed individuals.

The PwC industry survey found mixed views on compliance in the industry:

- **Compliance in sectors in which respondents held a licence** – 80 per cent of respondents believed that everyone working in their sector held the appropriate licence. Of the sample groups, business respondents were least likely to hold this view (73 per cent). Those who felt that non-compliance was an issue estimated that it accounted for about 12.5 per cent of the sector.
- **Compliance across all licensed sectors** – when respondents were asked to comment on the rate of compliance for all licensed activities (including those sectors in which they are not licensed), only 53 per cent of respondents believed that everyone working in the industry held the appropriate licence. Business licence and investigator respondents were most likely to believe non-compliance was an issue. Of those who believed that non-compliant participants were working in the industry, they felt that about 26 per cent of the industry did not hold the appropriate licences.

As respondents are more likely to know what is happening in the sectors in which they are licensed, the results suggest that:

- there is quite a high level of compliance across the industry
- non-compliance is perceived to be an issue, more so than reality.

In terms of improving the rate of compliance, survey respondents' views were as follows:

- Applications should be checked more thoroughly at the time of application (64 per cent agreed or strongly agreed; 17 per cent disagreed or strongly disagreed).
- Industry associations should take a more active supervisory role (65 per cent agreed or strongly agreed; 15 per cent disagreed or strongly disagreed).
- The reporting of breaches of the legislation should be encouraged and responded to (82 per cent agreed or strongly agreed; 5 per cent disagreed or strongly disagreed).

Survey results and consultation suggest that compliance in holding the required licence is not the only issue; compliance with other requirements such as award rates or liquor licensing arrangements is also seen to be an issue.

Liquor licensing requirements

For example, in relation to liquor licensing, some premises are required to provide licensed security as a condition of their liquor licence, with the general rule being two security staff for the first 100 patrons and one security officer for every subsequent 100 patrons. Some stakeholders believe this ratio is inadequate. They raised concerns about the practice of bar managers or hoteliers becoming licensed crowd controllers in order to be compliant with the security staff conditions, but in reality not performing crowd control duties. This practice could impose a risk of harm to patrons.

A related issue is the 'chain of responsibility'. Because the contracting of security staff is common practice, liquor licensees argue that they are not to blame when an incident involving security staff occurs. That is, liquor licensees argue that the actions of contracted crowd control staff are the responsibility of the security company to which the crowd controller is employed, regardless of whether managers of that company are actually on site.

On the other hand, crowd controllers and the private security industry argue that there should be increased accountability placed on liquor licensees. Crowd control staff commented that liquor licensees and bar staff often do not practise responsible service of alcohol, thereby making the crowd controllers' job more difficult. That is, liquor licensees and bar staff have a responsibility for ensuring that alcohol is no longer served to intoxicated patrons to mitigate risks of disorderly conduct.

In addition, many incidents do not occur on the licensed premises but rather in a public place (eg in the street), thus blurring the boundaries of responsibility.

Registered sector (electronics)

Many stakeholders reported that there are security advisers and security equipment installers operating without registration.

As there is no data to quantify the size of the electronics sector, it is difficult to determine the extent to which security advisers and security equipment installers have or have not registered. Results of the PwC industry survey confirm the perception, with only 47 per cent of registered respondents believing that everyone working in their sector held the appropriate registration. The remaining 53 per cent believed that about 16 per cent of the sector was non-compliant.

The seemingly low compliance rate calls into question:

- the electronics sector's level of awareness of registration requirements
- the effectiveness with which registration requirements are enforced and how this affects compliance
- whether the registration system has been effective in meeting the objectives of the Act
- whether the registration system is needed at all.

Discussion questions: Compliance

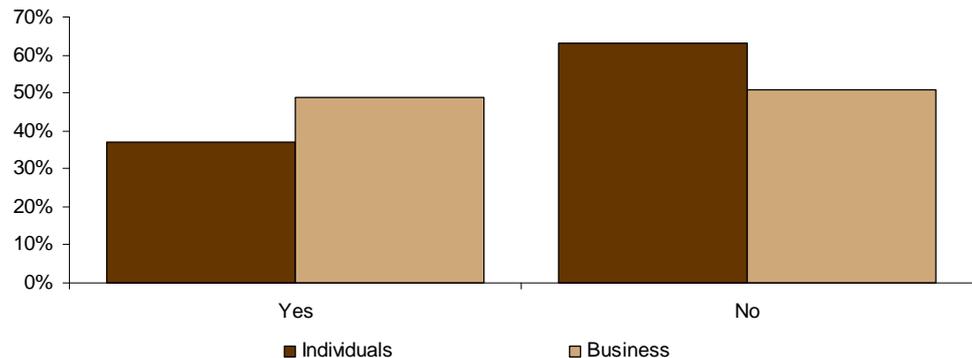
- 6.1 Is there a lack of compliance with licensing or registration requirements? If so, is it more prevalent in some sectors than others? What evidence is there to support this view?
- 6.2 What evidence is there of any actual problems or loss suffered due to unlicensed or unregistered people working in the sector?
- 6.3 What measures could be used to increase compliance?
- 6.4 Are security-related conditions placed on liquor licences (eg crowd control ratios, security equipment etc) adequate and effective? What evidence do you have to support your view?
- 6.5 Should liquor licensees be made more accountable for the actions of outsourced security staff?
- 6.6 Are the responsibilities of liquor licensees/venue managers/security staff clear and reasonable?

Enforcement

The primary role of LSD is to issue licences and registrations and undertake disciplinary action against licence/registration holders. While enforcement is undertaken by operational police staff throughout the State, LSD also has a dedicated enforcement division.

According to the PwC industry survey results, since the introduction of the Regulations 49 per cent of businesses and 37 per cent of individuals have had their licence and/or registration checked by the police. They were businesses and individuals who worked primarily in crowd control. Only 32 per cent of all respondents were aware of other compliance and enforcement activities undertaken by the police. See figure 6b.

Figure 6b: Since the introduction in 2005 of new regulations, have the police ever checked to see that you hold a private security business or individual licence?



However, as well as its day-to-day enforcement activities, LSD has performed audits of security staff at major events such as the Grand Prix, FINA World Swimming Championships, and Wangaratta Jazz Festival. In addition, a number of offences under the Act have recently been made enforceable by infringement notice, enabling operational staff to issue on-the-spot fines for non-compliance.

Greater promotion of the outcomes of these audits, and of other enforcement activities and infringeable offences, may encourage compliance within the sector.

Victoria Police in conjunction with Liquor Licensing also conducts random compliance checks of licensed premises. This includes checking (among other things):

- the crowd controller's licence
- that crowd controllers are wearing security tags
- the incident book/register
- that tag numbers correspond to the number recorded in the incident book/register
- that crowd controllers are signed on for the shift.

Again, the promotion of the outcomes of such inspections may serve as a deterrent to non-compliant behaviour.

Discussion questions: Enforcement

- 6.7 Which sector or sectors of the industry should enforcement activities focus on?
- 6.8 Are there other enforcement models that would better achieve the objectives of the Act? What are they?
- 6.9 If you (or your business) have worked in other jurisdictions that operate under a different model: Are there any specific regulatory arrangements that confer benefits to the industry? If so, what are they?

7 Training and competency

‘Competency’ is a legislative requirement for the licensed sectors of the industry (but not for the registered sectors). In order to demonstrate competency, applicants and licence holders must gain minimum qualifications relevant to their sector. Registered training organisations (RTOs) and trainers have a key role in providing the foundations required to perform a security role. Stakeholders have raised concerns about the quality of training provided by trainers and RTOs.

Once employed in private security, another concern relates to the ongoing demonstration of competency over and above the minimum requirements set in the Act, and whether industry should play a role in this. It is also worth considering whether the registered sectors should have competency requirements as well.

Competency is a legislative requirement for the licensed sectors – that is, crowd control, security guarding, bodyguarding and private investigations. The Act empowers the regulator to approve security industry training and training providers for the purposes of determining competency. In assessing the effectiveness of the legislation, it is therefore necessary to evaluate the role of training, and related issues such as the quality of registered training organisations and trainers, continuous professional development and the competency of security personnel. While competency is not a requirement for registered sectors, the review will assess whether there is a need to reconsider this.

Role of the VRQA and its relationship with LSD

The Victorian Registration and Qualifications Authority (VRQA) is the body responsible for regulating all education and training providers in Victoria. Its role includes assessing and approving an organisation’s status as a RTO. Registration as an RTO occurs when the VRQA is satisfied that a school or education and training provider meets required standards. It also monitors continuing compliance with these standards and is obliged to investigate formal complaints against an RTO.¹³

Only RTOs approved by both the VRQA and LSD are able to provide training in security qualifications. The approval process requires RTOs to submit training materials for assessment by a panel comprising a representative from LSD, Business Skills Victoria (a state industry training advisory body), the Curriculum Maintenance Manager, Business Industries, and a first aid/medical training consultant

LSD advises that since the introduction of the current legislation, seven RTOs have been suspended for failing to comply with conditions and/or failing to train at an acceptable standard.

¹³ VRQA website: www.vrqa.vic.gov.au/reg/default.htm

LSD and the VRQA are currently finalising a memorandum of understanding to establish how they will engage in joint quality assurance arrangements for the vocational education and training sector. While it is too early to comment on the effect this will have on improving RTO standards and practices, the memorandum of understanding is intended to address industry concerns raised about RTOs.

Registered training organisations and trainers

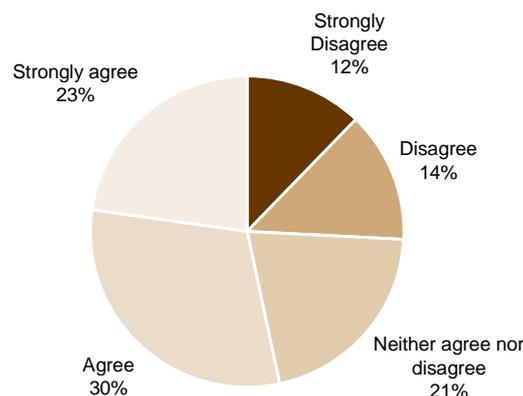
In Victoria, 47 organisations are currently authorised to deliver training in competencies related to private security. This number has increased from 35 in 2005-06.

Quality of training provided

Some stakeholders have raised concerns about the quality of training provided by RTOs. In particular, concerns were raised regarding some RTOs not thoroughly covering certain units (that is, not teaching units as per the prescribed nominal hours) and marking students as being competent even though they may not have demonstrated competency on the job. In addition, some RTOs are reportedly training crowd control candidates for Certificate III qualifications immediately after completing Certificate II, when LSD guidelines specify that Certificate III must be completed within the second 12 months of holding the licence. While these students are considered to be competent in theory, their lack of practical experience potentially undermines the intentions of the Act.

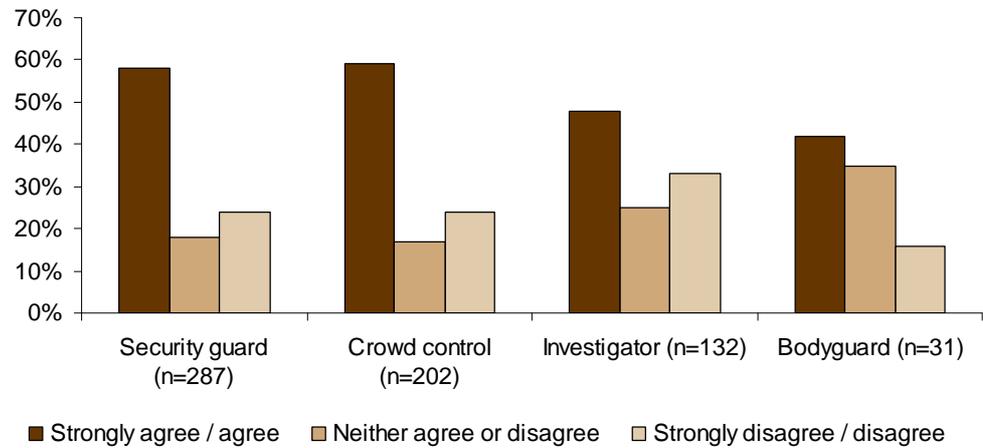
In the PwC industry survey, 53 per cent of respondents agreed or strongly agreed that the compulsory training provided by the RTO was of a high standard, with 26 per cent disagreeing or strongly disagreeing. See figure 7a.

Figure 7a: The compulsory training provided by the registered training organisation was of a high standard (n=400)



From a sector perspective, security guards and crowd controllers were more likely to believe that training provided by RTOs was of a high standard than were bodyguards and investigators (see figure 7b).

Figure 7b: The compulsory training provided by the registered training organisation was of a high standard (by licensed sector)



Quality of training staff

Some stakeholders have also complained that some trainers lack hands-on industry experience to effectively train individuals; again, potentially compromising the quality of people working in the industry.

In a VSIAC Training Committee survey of 300 crowd control employees and employers in June 2006 (the Crowd Control Training Survey)¹⁴, respondents indicated their satisfaction as to the standard of trainers. Only 14 per cent of employees and 9 per cent of employers disagreed that security trainers are generally of a satisfactory standard to train in the crowd control sector.

Some stakeholders believe that further regulation of trainers is required to ensure that training is provided only by appropriately skilled people, and to a consistently high standard. At present, LSD requires that trainers complete a Certificate IV in Training and Assessment and hold a private security licence or registration for the activities in which they wish to train. RTOs must submit to LSD the resumes of the trainers they employ. In contrast, trainers in New South Wales and the Australian Capital Territory must hold a specific “security training” licence.

As a result of the COAG discussions, each State and Territory has agreed to include security training as a licensable activity. This means that a new ‘trainers’ category will need to be introduced into the Victoria legislation to be consistent with harmonisation reforms.

¹⁴ VSIAC Training Committee (2006), *Crowd Control Training Industry Survey: Report*, version 2006/01

Discussion questions: Private security trainers

- 7.1 What is your view on the quality and ability/skills of private security trainers and RTOs in Victoria?
- 7.2 What competency requirements should an applicant for a private security training licence be required to meet?

Required competencies

LSD sets 'units' of competencies that individuals working in private security are required to demonstrate. The units are currently based on a national framework, the PRS03 Asset Security Training Package (PRS03). A review of the framework has recently been completed (known as the CPP07 Property Services Training Package (CPP07)) and its recommendations must be implemented by 1 July 2009. LSD will continue to use PRS03 until it has consulted with all stakeholders to ensure all new competencies are relevant.

CPP07 is not significantly different from PRS03, but the changes build on the learnings and experiences of PRS03 and reflect the changing environment in which the security industry operates. The changes are incremental rather than reflecting a radical overhaul.¹⁵

The Crowd Control Training Survey found that employees more than employers believed that Certificate III (Crowd Control) adequately prepared crowd controllers to work in the industry. 58 per cent of employees (compared to 50 per cent of employers) agreed or strongly agreed that the Certificate III qualifications were adequate. In contrast 29 per cent of employers disagreed or strongly disagreed about the adequacy of the training, compared to 18 per cent of employees.

In contrast, the PwC industry survey found that 48 per cent of employees (individuals) and 47 per cent of employers (business) agreed or strongly agreed that the current compulsory training competencies adequately prepared them for their job, with 25 per cent of employees and 18 per cent of employers neutral on the issue. Those individuals and businesses licensed in investigation were more likely to believe that the training did not adequately prepare them for their job.

In addition, an Australia-wide survey by the Interim Security Professionals' Taskforce found that almost 55 per cent of security professionals (defined as someone who works in security at the senior end of the operational sector or in the strategic sector) did not believe the quality and relevance of training in their security specialisation are adequate.¹⁶

¹⁵ Construction and Property Services Industry Skills Council website: [www.cpsisc.com.au/Default.aspx?query=/projects/PRS03 per cent20Review/](http://www.cpsisc.com.au/Default.aspx?query=/projects/PRS03%20per%20cent20Review/)

¹⁶ Interim Security Professionals' Taskforce (2008), *Views of Australian Security Professionals*, April 2008

National standards

COAG has acknowledged the need to improve national consistency in competencies, materials, and delivery for private security training, as well the importance of consulting with industry and private security users in doing so. Private security regulators will be working with the vocational training and education sector over the next 12 months to achieve this.

Other options for assessing competency

Respondents to the PwC industry survey who did not believe that the current training was adequate believed that it could be improved by increasing the amount of practical on-the-job training. Suggestions arising from our consultations included a provisional licensing system, where new entrants work with an experienced professional to gain on-the-job training for about six months before gaining a full licence.

This is consistent with the outcomes of the COAG discussions which resulted in all States and Territories agreeing to introduce a provisional, probational or conditional licence of at least six months.

Four States and Territories (New South Wales, Queensland, Australian Capital Territory and the Northern Territory) already have such a system. Queensland has introduced a restricted licensing system allowing new participants to work in the industry before completing training if they have met probity requirements. Restricted licensees must complete their training and apply for a full/unrestricted licence within six months, and must work under direct supervision with an unrestricted licensee. In New South Wales, provisional licence holders have 12 months to complete training requirements.

Provisional licensing: pros and cons

There is merit in introducing a provisional, conditional or probationary licensing system in order to improve the practical skills of security personnel. However, in an industry which is already highly competitive, a provisional licensing system could add costs for both businesses and users. These costs would need to be balanced against the short- and long-term benefits.

One such benefit would be spreading the cost of training over a longer period, thus enabling businesses to recruit in a timely manner in a high-demand market, and would ultimately result in staff who are adequately trained in the practical aspects of the job.

Discussion questions: Competencies required by the industry

- 7.3 Are the minimum competency requirements for obtaining a private security licence adequate and appropriate?
- 7.4 Do the current mandatory training units contribute to the objectives of the Act (ie to ensure public safety and peace, reduce harm caused to members of the community, and decrease the risk of incompetent or unethical operators etc)?
- 7.5 Have you had experience with provisional licensing systems in other jurisdictions? If so, what are the costs and benefits of these systems?
- 7.6 What do you think would be the key elements of a successful provisional licensing scheme for Victoria?
- 7.7 Should training/competency requirements be linked to on-the-job training? If so, what are the benefits? What challenges does the high level of casual employment impose on this type of arrangement?

Quality of security personnel

Our consultation with industry stakeholders revealed concerns about the quality of security staff, especially in the crowd control and security guard sectors. According to the Crowd Control Training Survey, only 40 per cent of employers and 28 per cent of employees agreed or strongly agreed that the standard of personnel in the crowd control sector was satisfactory. The Interim Security Professionals' Taskforce survey found overwhelmingly that the licensing and registration regimes in Australia did not provide security professionals with confidence in the competence and capabilities of the licence holder.¹⁷

In particular, many stakeholders have raised concerns about the basic competency (ie ability to communicate in English) of crowd controllers and security guards from overseas. Their overseas origin also makes it more difficult to undertake comprehensive probity checking during the application stage.

Confirming the quality of overseas applicants

Some stakeholders have suggested making permanent residency a requirement for holding a security licence, to avoid issues related to validating overseas applicant claims and criminal histories. This is already a requirement in New South Wales. However, attaining permanent residency usually takes several years. Many stakeholders have commented that in the current economic climate it is difficult to find staff to fill available roles, and a permanent residency requirement would

¹⁷ Interim Security Professionals' Taskforce (2008), *Views of Australian Security Professionals*, April 2008

reduce the applicant pool even further. Another solution that might minimise probity risks could be a requirement that applicants have lived in Australia for 12 months.

COAG has acknowledged the difficulties inherent in ensuring the probity and quality of overseas applicants, by agreeing that a licence may be refused if an applicant's identity or probity cannot be verified. Applicants who ordinarily reside in Australia, but have been absent for 12 months or more in the previous five years, will also be required to satisfy the regulator of their probity during that time.

Introducing better screening mechanisms may also mitigate concerns about basic competency. COAG agreed that all States and Territories would introduce a pre-licensing course covering the critical knowledge required for employment in the security industry.

Stakeholders have suggested that before being able to undertake the minimum training, applicants undergo a pre-training assessment in areas such as (for example) reading and writing; verbal communication; and basic physical and psychological assessments.

In developing a pre-licensing scheme, consideration would need to be given to issues such as cost to applicants and the most appropriate criteria and tools for assessing a person's suitability to work in the industry.

Discussion question: Pre-licensing

7.8 What should be covered in a pre-licensing course?

Approved Security Industry Organisations

One option for business licence holders to demonstrate competency requirements is to be a member of an Approved Security Industry Organisation.

The Chief Commissioner of Police is authorised under the Act to 'approve' security industry organisations, and has determined that, in order to become an Approved Security Industry Organisation an organisation must:

- offer its members a continuous professional development (CPD) program
- develop and make available documentation about that program
- develop an online system for tracking and reporting participation
- report to LSD on a quarterly basis those business licence holders who have participated in the CPD program.

Currently there are two Approved Security Industry Organisations in Victoria – ASIAL and the Victorian Security Institute (VSI).

Participation in the CPD program

Approved Security Industry Organisations report that uptake of the CPD program has been disappointingly low. Industry stakeholders believe that one reason for this

is that completion of CPD units is not a mandatory requirement for maintaining a business licence.

Given the low uptake of CPD and the fact (as evidenced by PwC industry survey results) that membership of industry associations is low, it would seem that membership of an industry association alone is not an appropriate demonstration of competency.

Possible solutions

- Remove the option for business licence holders to be a member of an Approved Security Industry Organisation and require completion of specific training (ie Certificate IV in Security Risk and Management).
- Amend the Act to legislate mandatory ongoing participation in CPD as well as membership of an Approved Security Industry Organisation for business licence holders who do not wish to undertake minimum training requirements. Should this occur, there may be benefit in considering whether the process for approving security industry organisations and developing CPD programs should also be legislated, or remain at the discretion of the Chief Commissioner of Police.

Discussion questions: Approved Security Industry Organisations

7.9 Is membership of an Approved Security Industry Organisation an appropriate way for business licence holders to demonstrate their competency to hold a business licence?

7.10 Could the current provisions for achieving this be improved? If so, how?

Continuous professional development

CPD is not currently a legislated requirement, but given the quality concerns regarding security personnel, some stakeholders have suggested that it be made mandatory.

Their view is that ongoing training over and above the minimum entry-level requirements will increase professionalism and competency standards and provide security staff with the necessary skills to ensure public safety and peace. There is also a view that industry should have an active role in setting the CPD program with the regulator.

There would be significant costs in introducing a mandatory CPD program; for example:

- **For licensees:** direct costs incurred undertaking the training; the low wage rates may discourage licensees from doing this (and in turn create a culture of non-compliance).

- **For the CPD providers** (eg industry associations): costs of developing and running the CPD program (however these costs could be recovered through fees).
- **For the regulator:** administration costs, particularly in terms of tracking completion.

The Victorian Government is committed to cutting red tape through its *Reducing the Regulatory Burden* initiative, which aims to ensure that regulation is appropriate and that there is no unnecessary burden on businesses and not-for-profit organisations. This includes a commitment to reduce the administrative burden of State regulation as at 1 July 2006 by 15 per cent over three years and 25 per cent over five years¹⁸. Any proposal for mandatory CPD would need to demonstrate significant benefits and that further regulation is the simplest and most effective way to achieve the outcome.

While CPD is important in every profession, formalised CPD is best introduced in professions and industries where developments in industry standards and practices significantly impact upon the professionals' ability to perform their role. Law, accounting and medicine are examples of industries where CPD is particularly important.

Given the large casual workforce, it raises questions about whether industry participants would be willing to invest time and effort in CPD – that is, they may not consider the benefits (eg wages) to outweigh the costs (eg time and money). The low uptake to date would also suggest there is little market demand for formalised CPD. The fragmented nature of the private security industry may also present challenges in introducing a CPD program.

Discussion questions: CPD

- 7.11 Is there a strong case for continuous professional development to be legislated for the private security industry? Why/why not?
- 7.12 If CPD were legislated, how do you envisage the system working?

Licensing and training costs

Many stakeholders believe that the initial costs associated with gaining a licence prohibit successful recruitment, especially as other industries (eg retail and hospitality) have no or minimal upfront entry costs.

However, while from an individual perspective the fees may seem high, they are necessary to recover the costs associated with undertaking probity assessments and processing licence and registration applications.

¹⁸Department of Treasury and Finance: <http://www.dtf.vic.gov.au/CA25713E0002EF43/pages/reducing-the-regulatory-burden>

The cost of entry-level training in the private security industry varies depending on the sector, and the licence fee depends on the number of activities for which the individual is seeking a licence. The table below provides an estimate of costs based on application for a single class of activity.

Category / Sector	Licence fee* (3 years)	Indicative training cost	Total indicative cost
Crowd Controller / Security Guard / Bodyguard	\$320	\$500 - \$600	\$820 - \$920
Investigator	\$320	\$1,600 - \$2,000	\$1,920 - \$2,320
Business licence (body corporate)	\$1,190	\$1,500 - \$2,000^	\$1,190 - \$3,190
Security adviser / equipment installer	\$230	n/a	\$230
Business registration (body corporate)	\$910	n/a	\$910

* Prices effective at 1 July 2007, fee based on licensing/registration for one activity class only; costs have been rounded to the nearest 10.

^ Training is not compulsory to obtain a business licence.

The cost of training is set by individual training providers and is based on market rates. Any fees charged by government entities must be consistent with government policy on cost recovery, and the fees charged for licensing and registration have been developed taking into account these cost recovery principles and objectives.

Competency for registered sector

The legislation does not require the registered sector – that is, security equipment installers and security advisers – to meet minimum competency standards.

While no evidence has been presented to suggest that mandatory competency standards would improve the regulation of this sector (electronics), some stakeholders believe the two-tier system has created inequity. Other stakeholders believe that the nature of the sector means that competency standards are already adequately and effectively driven by industry and market forces.

In most other jurisdictions, competency is not a requirement for the electronics sector. However, in Western Australia, applicants wishing to install or maintain electronic alarm systems, install or maintain security doors, or install or maintain CCTV must complete a pre-licence test.

The national regulation of the electronics sector will be the subject of a COAG project, to be completed by 1 July 2009.

Discussion questions: Competencies for registration

7.13 Should the Act prescribe training requirements for specific registration categories?

8 Regulatory models

Should the licensing and enforcement functions be separated? How should the industry be regulated – by a single regulator, or by industry associations in partnership with a government entity? These questions need to be discussed and resolved to ensure legislation remains appropriate and effective.

The Chief Commissioner of Police is the regulator of the private security legislation in Victoria, and delegates these powers to LSD. As LSD is a division of Victoria Police, many stakeholders have expressed concern, not only about LSD's capacity to regulate the industry and enforce the Act, but also about the possible conflict involved in performing both the regulatory and enforcement functions.

Stakeholders have suggested that it may be appropriate to separate the licensing and enforcement functions, with either another government agency or a non-government entity taking over one or the other role.

In other Australian jurisdictions, the industry is overseen by a central government entity, usually the consumer affairs area or the police (see table below). Victoria's current system is thus not inconsistent with practices in other Australian jurisdictions.

Jurisdiction	Regulator
Australian Capital Territory	Office of Regulatory Services, Department of Justice and Community Safety
New South Wales	Security Industry Registry, NSW Police
Northern Territory	Licensing and Regulation Division, Department of Justice
Queensland	Department of Justice and Attorney-General
South Australia	Office of Consumer and Business Affairs
Tasmania	Consumer Affairs and Fair Trading, Department of Justice
Victoria	Licensing Services Division, Victoria Police
Western Australia	Police Licensing Services, WA Police

Co-regulation

Many stakeholders believe that the industry should move towards a co-regulatory regime, where the industry is regulated by a partnership of industry associations and a government entity. However, as highlighted in chapter 3, the nature of the private security industry is generally not conducive to a co-regulatory regime, as industry fragmentation limits the capacity for industry associations to collectively champion professionalism and standards.

Example of a co-regulatory model in practice

New South Wales has a co-regulatory model. Under this model, master licence holders (businesses that employ or engage security staff) are required to be members of an Approved Security Organisation (ASO). There are currently 10 ASOs. These approved industry associations are responsible for ensuring that their members comply with the legislative regime, effectively taking on the enforcement aspect. The intention of this approach is to free up police resources and empower ASOs to play a proactive and ongoing role in the professional development of industry participants.

Potential limitations of this approach are as follows:

- **Cost** – the compliance program of ASIAL (one of the 10 ASOs) spent at least \$1 million over five years. Membership fees did not always cover the cost of the compliance audit (which could possibly lead to increases in membership fees; an additional cost burden for licence holders)
- **ASO compliance** – the regulator must monitor the ASOs to ensure they effectively monitor their members' compliance
- **ASO 'hopping'** – the co-regulatory model could potentially be undermined through the practice of resigning from an ASO, then joining another and resigning again to avoid compliance checking
- **The regulator must still play a critical role** in ongoing compliance checking (eg daily criminal history checking to identify probity breaches). In this regard, it could be argued that ASOs constitute an additional layer of administration and complexity to the compliance model.

Discussion question: A co-regulatory regime

- 8.1 Do you have experience with the New South Wales co-regulatory model? If so, how effective has co-regulation been in improving public safety and peace, eliminating unsuitable people from working in the industry, and increasing professional standards, relative to the Victorian approach?

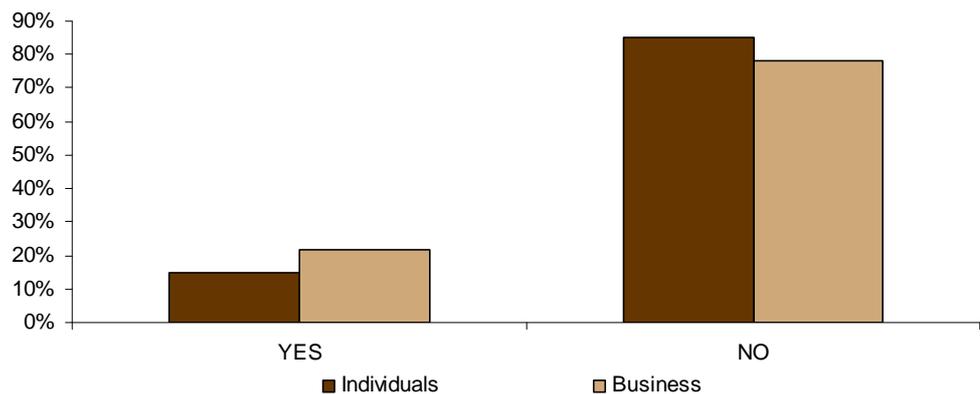
9 National considerations

The Australian private security industry is regulated by the individual States and Territories, requiring businesses and individuals who work interstate to hold multiple licences and meet varying probity and competency requirements in each jurisdiction. This can be a cumbersome process and the Victorian Government is working with other States and Territories to introduce nationally consistent requirements.

Each Australian State and Territory has its own private security legislation.

Of those who participated in the PwC industry survey, 15 per cent of individuals and 22 per cent of businesses held a licence in another jurisdiction (see figure 9a). The most common State in which these businesses and individuals held a licence was New South Wales, followed Queensland and South Australia.

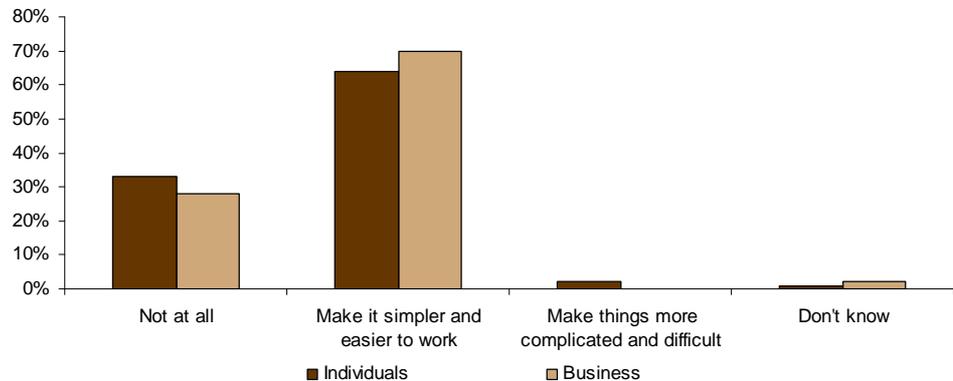
Figure 9a: Do you hold a licence or registration to operate in another Australian State or Territory?



Many stakeholders we consulted were of the view that regulations across Australia should be standardised or overseen at the federal level (meaning the States would have to hand over responsibility to the Commonwealth), to facilitate the ability to work across jurisdictional borders.

Most survey participants (70 per cent of businesses and 64 per cent of individuals) believed that if private security laws were the same across Australia, it would be simpler and easier to work (see figure 9b). Given the relatively low level of those currently able to work interstate, these results suggest that more business and individuals would work or would contemplate working interstate if private security laws were made consistent ('harmonised').

Figure 9b: If private security laws were the same across Australia how would this affect your ability to work?



COAG's 'harmonisation' reforms

While each State and Territory regulates its own private security industry, the Commonwealth *Mutual Recognition Act 1992* is designed to help reduce the regulatory impediments to the provision of services in general across jurisdictions. It enables a person who holds a licence in one jurisdiction to have that licence recognised in another jurisdiction, provided the occupation is substantially the same in each jurisdiction.

The problem for the private security industry, however, is that there is insufficient uniformity between jurisdictions in terms of occupations (and associated probity and competency requirements).

With its agreement in July 2008 (see appendix D), COAG took the first step in harmonising private security industry regulations across jurisdictions. The reforms agreed as part of stage 1 of this agreement are expected to overcome the mutual recognition issues previously experienced in the 'manpower' sector of the industry.

In addition to the manpower sector reforms, COAG has also agreed to consider further reforms including options for national harmonisation of the technical sector (by mid 2009) and proposals for a national system for security industry licensing (by mid 2010).

Discussion questions: National consistency

- 9.1 How important is national consistency to you? To what degree are different State and Territory systems a barrier or additional burden to your ability to work in private security?
- 9.2 What other, if any, interstate practices should be considered for adoption in Victoria?

10 Other matters

Matters relating to the application process and identification of licensed/registered industry members have also been the cause of some concern within the industry.

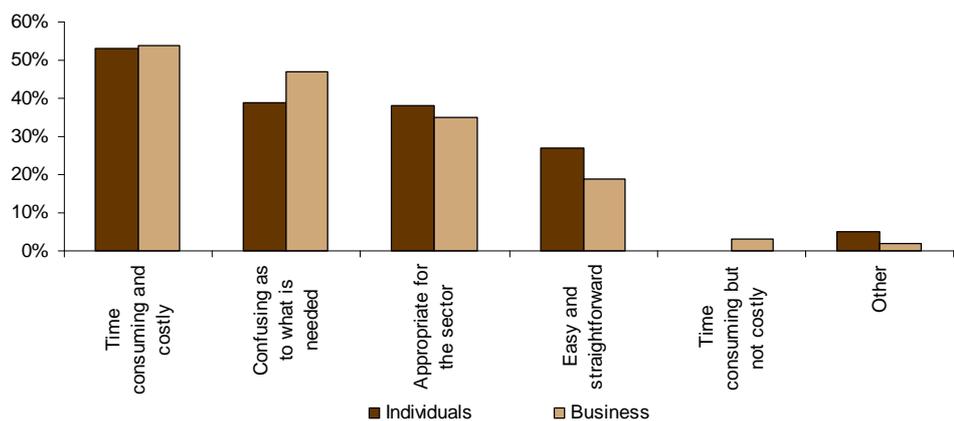
Several other issues related to licensing and registration became evident during our review. These are discussed below.

Processing of applications

Many stakeholders have complained that the processing of applications and the time taken to receive a licence takes too long (up to six to eight weeks). These delays are particularly frustrating in circumstances where jobs need to be filled urgently but applicants are not licensed. Complaints have also been raised about LSD misplacing applications.

A common reason for delays is that applications being submitted are incomplete. This could be due to applicants not having completed training, payment not being received, documents not being certified etc. In these cases, LSD writes to the applicants explaining what needs to be done and specifying a time by which the application should be re-submitted (usually 28 days). If applicants do not provide the requested information within the specified time, those applications are generally declined.

Figure 10a: The current process for applying for licences in Victoria is ... [multiple responses permitted]



Given that many stakeholders feel that the application process is time-consuming and confusing (see figure 10a), a review of the process should:

- consider extending the timeframe for submitting required information
- revise the application forms to make them easier to understand and complete

- where incomplete applications are submitted, write to the applicants in plain English so that they clearly understand what needs to be done.

Multiple cards

As highlighted in Chapter 3, some private security industry participants are licensed or registered in multiple categories. We talked to several stakeholders who held more than one physical card. As a requirement of the Act is for security officers to produce their licence or registration on demand by police or authorised person, they must carry all their cards at one time, which is quite cumbersome. A single card covering all relevant licensed/registered areas would avoid this problem.

Visible identification

Some stakeholders have suggested that security officers should display their licence and/or registration (or some form of identification) while on the job. This would help distinguish those officers who have complied with licensing/registration requirements from those who have not. However, this would have implications that must be considered, as follows:

- A requirement to wear identification would be inappropriate in some sectors where discretion is paramount to the role (such as bodyguards and investigators).
- The current licence/registration cards would need to be revised so that personal information (such as place of residence) does not compromise the personal safety of the security officer.

Uniforms

Some stakeholders suggested that crowd controllers and security guards should wear uniforms. This matter was raised primarily in the context of working at large public events or close to public areas, so that members of the public can easily identify security staff for assistance when required. It was also argued that uniformed security staff would help improve general perceptions of safety.

Discussion questions: Other matters

- 10.1 Should security personnel be required to wear identification while on the job? Why/why not?
- 10.2 Should uniforms be mandatory for crowd controllers and security guards? Why/why not?
- 10.3 Are there any other reforms that could be made to the administration of the Act to improve outcomes?

11 Summary of discussion questions

The industry

- 3.1 Do you think there will be any changes in the industry in the foreseeable future that will significantly affect the nature of the industry and its potential regulation?
- 3.2 Why do industry participants join or not join private security industry associations? What has been your experience with industry associations?
- 3.3 Why do you think the industry has such a high level of casual employees?
- 3.4 Do you think the high level of small business participation in the industry contributes to or inhibits improving professionalism in the industry?

The legislation

- 4.1 To what degree do you consider the *Private Security Act 2004* effective and/or appropriate in meeting its objectives of:
 - (a) increasing public safety and peace?
 - (b) deterring unsuitable people from working in the industry?
 - (c) improving professional standards?
- 4.2 Do you have any areas of particular concern regarding the effectiveness and/or appropriateness of the Act?
- 4.3 Do you believe the industry has specific and unique characteristics which require greater regulatory control?
- 4.4 Does the industry have any structural characteristics which hamper effective regulatory controls and/or compliance?

Probity

- 5.1 To what extent do you believe the Act's probity requirements (ie exclusionary offences, fit and proper person test, age restrictions) are effective? What evidence do you have to support your view?
- 5.2 Do you believe other mandatory conditions are necessary to improve the integrity of the industry?
- 5.3 Will increased probity requirements make recruitment in the manpower sector more difficult (or have they already done so)? To what extent?

Licence categories

- 5.4 Should the current security guard sub-categories be explicitly defined in the Act? If so, why?

Exemptions

- 5.5 Are the exemptions from the Act, both explicit and implicit, appropriate? If not, why not? Do you have evidence to support your view?

Category inclusions

- 5.6 Do the current definitions for each category adequately describe the activities for each licence and registration type?
- 5.7 Are there any other categories of activity that should be included in or excluded from the Act? Please provide evidence to support your view.

Character references

- 5.8 Are the reference requirements a reasonable way of assessing an applicant's identity and good character?
- 5.9 Is there any evidence of individuals being excluded from the industry solely because they cannot obtain two references?

Compliance

- 6.1 Is there a lack of compliance with licensing or registration requirements? If so, is it more prevalent in some sectors than others? What evidence is there to support this view?
- 6.2 What evidence is there of any actual problems or loss suffered due to unlicensed or unregistered people working in the sector?
- 6.3 What measures could be used to increase compliance?
- 6.4 Are conditions placed on liquor licences (eg crowd control ratios, security equipment etc) adequate and effective? What evidence do you have to support your view?
- 6.5 Should liquor licensees be made more accountable for the actions of outsourced security staff?
- 6.6 Are the responsibilities of liquor licensees/bar managers/security staff clear and reasonable?

Enforcement

- 6.7 Which sector or sectors of the industry should enforcement activities focus on?
- 6.8 Are there other enforcement models that would better achieve the objectives of the Act? What are they?
- 6.9 If you (or your business) have worked in other jurisdictions that operate under a different model: Are there any specific regulatory arrangements that confer benefits to the industry? If so, what are they?

Private security trainers

- 7.1 What is your view on the quality and ability/skills of private security trainers and RTOs in Victoria?
- 7.2 What competency requirements should an applicant for a private security training licence be required to meet?

Competencies required by the industry

- 7.3 Are the minimum competency requirements for obtaining a private security licence adequate and appropriate?
- 7.4 Do the current mandatory training units contribute to the objectives of the Act (ie to ensure public safety and peace, reduce harm caused to members of the community, and decrease the risk of incompetent or unethical individual operators etc)?
- 7.5 Have you had experience with provisional licensing systems in other jurisdictions? If so, what are the costs and benefits of these systems?
- 7.6 What do you think would be the key elements of a successful provisional licensing scheme for Victoria?
- 7.7 Should training/competency requirements be linked to on-the-job training? If so, what are the benefits? What challenges does the high level of casual employment impose on this type of arrangement?

Pre-licensing

- 7.8 What should be covered in a pre-licensing course?

Approved security industry organisations

- 7.9 Is membership of an Approved Security Industry Organisation an appropriate way for business licence holders to demonstrate their competency to hold a business licence?
- 7.10 Could the current provisions for achieving this be improved? If so, how?

Continuous professional development

- 7.11 Is there a strong case for continuous professional development to be legislated for the private security industry? Why/why not?
- 7.12 If CPD were legislated, how do you envisage the system working?

Competencies for registration

- 7.13 Should the Act prescribe training requirements for specific registration categories?

A co-regulatory regime

- 8.1 Do you have experience with the New South Wales co-regulatory model? If so, how effective has co-regulation been in improving public safety and peace, eliminating unsuitable people from working in the industry, and increasing professional standards, relative to the Victorian approach?

National consistency

- 9.1 How important is national consistency to you? To what degree are different State and Territory systems a barrier or additional burden to your ability to work in private security?
- 9.2 What other, if any, interstate practices should be considered for adoption in Victoria?

Other matters

- 10.1 Should security personnel be required to wear identification while on the job? Why/why not?
- 10.2 Should uniforms be mandatory for crowd controllers and security guards? Why/why not?
- 10.3 Are there any other reforms that could be made to the administration of the Act to improve outcomes?

Appendices

Appendix A	References	57
Appendix B	List of stakeholders consulted	59
Appendix C	PwC's industry survey	60
Appendix D	Council of Australian Governments' (COAG) reforms	69
Appendix E	Interstate comparisons of regulatory requirements	72

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Appendix B List of stakeholders consulted

- Paul Murphy*
ASIS International/Myer
- Mark Wylie*
Australian Institute for Professional Investigators
- Ged Byrnes*
Australian Security Industry Association Limited/VSIAC Security Electronics Committee
- Keith Jessup*
Chair, Victorian Security Industry Advisory Council
- Brendan Prendergast*
Crowd Control Employers Association
- Wayne Ashley
Licensing Services Division, Victoria Police
- Philip Green*
National Electrical and Communication Association
- Graeme Kelaart
VSIAC Security Trainers Committee/Security Trainers Association
- Tim Sell*
Security Trainers Association
- Terry Guinan*
Victorian Security Institute
- Anna Henderson
Business Skills Victoria
- Warren McGhee
VSIAC Protective Service Committee
- Philip Carr
VSIAC Protective Service Committee
- Clayton Abraham
VSIAC Protective Service Committee
- Belinda Murphy
Licensing Services Division, Victoria Police
- Association of Investigators and Security Professionals
- Sue Maclellan
Director of Liquor Licensing
- Paddy O'Sullivan
Australian Hotels Association
- David Curry
ALH Group
- Alan Daniel
Chisholm Institute

*VSIAC members

Appendix C PwC's industry survey

In May 2008, PwC commissioned market research company I-view to survey 400 private security businesses and individuals in Victoria. The survey results formed one of several inputs into the review of Victoria's private security legislation.

Survey mechanism

The survey was conducted by telephone. This option was chosen after considering several approaches, as PwC believed it best suited the industry and would:

- ensure sufficient responses to allow for meaningful analysis. It is difficult to control the number of responses through mail-out or internet-based surveys.
- minimise any bias in responses. While it is difficult to eliminate sample bias completely, participants were randomly selected from a large pool of contacts. Mail-out and internet-based surveys rely on participants to opt-in, and those who respond tend to have strong views for or against a particular situation.
- allow for greater participation. Given the nature of their work, many people in the private security industry are not able to access the internet readily.

The survey was designed to take 10 minutes. In practice, it was completed in an average of 12 minutes.

Survey sample

The sample included an even split of private security business operators, crowd controllers, security guards and investigators. Registration holders were not specifically targeted; however, given the high proportion of registration holders who also hold licences, PwC believed that views regarding the registration sectors (as well as other licensed sectors) would also be captured through the sample.

Participants were drawn randomly from a selection of over 4,000 licence holders provided by LSD. For privacy reasons, only telephone contact numbers were provided to PwC, and before the survey began the population sample was notified in writing by LSD that they might be contacted to take part in an industry survey.

Survey design

The survey questions were developed by PwC, following some consultation with stakeholders to understand the key issues affecting the industry, a review of available data, and identification of data gaps.

The Department of Justice and LSD provided comment on the questions.

Survey questions

Q1. [ALL] For what activities are you licensed or registered?

- Security guard

- Crowd controller
- Investigator
- Bodyguard
- Security equipment installer
- Security adviser

Q2. [BUSINESS] What is your primary business?

Q3. [BUSINESS] What proportion of your business is for the provision of private security services? (Please specify percentage eg 50%, 80%, 100% etc)

[Q4a and Q4b for multiple licence holders only]

Q4a. [BUSINESS] What is the primary private security service that your business provides? For example, if your business is licensed to provide both security guard and crowd control services, is the majority of your business related to security guard or crowd control?

Q4b. [INDIVIDUAL] In which category do you mostly work? For example, if you are licensed as both a crowd controller and an investigator, do you work mostly as a crowd controller or investigator?

Unless stated otherwise, for all subsequent questions, please respond as if the following questions relate solely to the category of licensed activity that your business provides.

Please rate the following statements on a scale of 1 to 5 where a score of 1 refers to 'strongly disagree', and a score 5 refers to 'strongly agree', with scores in between as appropriate.

Q5a. [ALL] The introduction in 2005 of new regulations for the Private Security industry has improved public safety and peace

Q5b. [ALL] The introduction in 2005 of new regulations for the Private Security industry has deterred unsuitable people from working in the industry

Q5c. [BUSINESS] The licensing (and registration) requirements for businesses are appropriate for the areas in which you work

Q5d. [ALL] The licensing requirements for individuals are appropriate for the areas in which you work

Q5e. [IF REGISTERED] The registration requirements for individuals are appropriate for the area in which you work

Q5f. [ALL] The monitoring of licensed individuals and businesses is effective in ensuring that licence holders remain compliant with the Private Security regulations

- Q5g. [ALL] The introduction in 2005 of new regulations for the Private Security industry has improved the professional standards in the industry
- Q5f. [ALL] The compulsory training provided by the registered training organisation was of a high standard
- Q5h. [BUSINESS] The current compulsory training competencies are appropriate and adequately prepare your employees for the job
- Q5i. [INDIVIDUAL] The current compulsory training competencies are appropriate and adequately prepare you for your job
6. [If answered 2 or below to questions 5f] What do you think should be focused on in regard to improving the appropriateness and adequacy of training?
- More practical/on-the-job training
 - Enhanced screening of participants for pre-licence competencies rather than just probity issues
 - More time and expanded courses
 - Enhance scrutiny of registered training organisations
 - Other. Please specify
 - Don't know
- Q6a. [INDIVIDUALS] How long did it take for you to complete the compulsory training requirements (for the area in which you work the most) under the Private Security Act 2004?
- 1-5 days
 - 6-10 days
 - 11-15 days
 - 16 days or more
 - Don't know
- Q6b. [INDIVIDUALS] Did you complete your training (for the area in which you work the most) ...
- Full time during the day
 - Part time at night
 - Weekends only
 - Other. Please specify
 - Don't know/Can't recall
- Q6c. [INDIVIDUALS] How did you complete the majority of compulsory training requirements (for the area in which you work the most) under the Private Security Act 2004?

- In the classroom
- At home
- Over the internet
- Classroom and home
- Other. Please specify
- Don't know/Can't recall

Q6d. [INDIVIDUALS] Did you receive recognition for prior learning?

- Yes
- No
- Don't know

Q6e. [INDIVIDUALS] For all areas in which you are licensed, have you undertaken further training over and above what is required by the Private Security Act 2004?

- Yes. Please specify.
- No
- Thinking about it

Q7. [BUSINESS] In relation to those activities for which your business is licensed, to what extent are other businesses and people working in your sector appropriately licensed?

OR

[INDIVIDUALS] In relation to those activities for which you are licensed, to what extent are the people working in your sector appropriately licensed?

- Everyone working in my sector holds the appropriate licence
- The percentage of those who are required to hold a license but don't is ... [please specify percentage eg 1%, 5%, 20% or more]

Q7a. [If registered]

[BUSINESS] In relation to those activities for which your business is registered, to what extent are other businesses and people working in your sector appropriately registered?

OR

[INDIVIDUALS] In relation to those activities for which you are registered, to what extent are the people who are working in your sector appropriately registered?

- Everyone working in my sector holds the appropriate registration

- The percentage of those who are required to hold a registration but don't is ... [please specify percentage eg 1%, 5%, 20% or more]

Q7b. [BUSINESS] In relation to all licensed private security activities (eg all crowd controllers, security guards, investigators, body guards), to what extent are businesses and people working in the industry appropriately licensed?

OR

[INDIVIDUALS] In relation to all licensed private security activities (eg all crowd controllers, security guards, investigators, body guards), to what extent are people working in the industry appropriately licensed?

- Everyone in the industry who should hold a licence has the appropriate licence
- I believe the percentage of those working in private security who should hold a licence but don't is ... [please specify %, eg 1%, 5%, 20%]

Q8. [BUSINESS] Since the introduction in 2005 of new regulations, have the police ever checked to see that you hold a private security business or individual licence (and/or registration)?

- Yes – checked business licence
- Yes – checked individual licence
- If applicable: Yes – checked business registration
- If applicable: Yes – checked individual registration
- No

OR

[INDIVIDUALS] Since the introduction in 2005 of new regulations, have the police ever checked to see that you hold a current private security licence (and/or registration)?

- Yes – checked individual licence
- Yes – checked individual registration
- Yes – checked both licence and registration
- No

Q8a. [BUSINESS] Do you check that your employees hold a current private security licence (and/or registration)?

- Yes – prior to being hired
- Yes – prior to being hired and periodically throughout their employment
- Sometimes [Please explain why you only check sometimes]
- No

Q9. [ALL] Are you aware of any compliance and enforcement activities undertaken by police?

- Yes
- No

Q9a. [IF YES to question 9] Which compliance and enforcement activities do you know of that are undertaken by police?

- Random checking of licence / registration
- Fines
- Investigation and inquiries regarding suitability to work in the industry
- Disciplinary hearings
- Prohibition
- Suspension of licence
- Cancellation of licence
- Other. Please specify

In relation to the government compliance and enforcement activities please rate the following statements, where 1 is 'strongly disagree', 3 is 'neither agree nor disagree' and 5 is 'strongly agree'.

Q10a. [ALL] Compliance and enforcement in the sector could be enhanced if licences/registrations were more thoroughly checked at the time of application

Q10b. [ALL] Compliance and enforcement in the sector could be enhanced if industry associations took a more active supervisory role

Q10c. [ALL] Compliance and enforcement in the sector could be enhanced if reporting of breaches of the private security legislation was encouraged and responded to

Q11. [ALL] Is the current process for applying for licences in Victoria ...

- Easy and straightforward?
- Appropriate for the sector?
- Time-consuming and costly?
- Confusing as to what is needed?
- Other. Please specify

Q12. [BUSINESS] Does your business hold a licence or registration to operate in another Australian State or Territory?

OR

[INDIVIDUALS] Do you hold a licence or registration to operate in another Australian State or Territory?

- YES
- NO

Q12a. [If yes to question 12] In which State(s) do you hold a licence or registration to operate?

- NSW
- QLD
- TAS
- ACT
- SA
- NT
- WA

[If yes to question 12]

Q13. [BUSINESS] How regularly does your business work in other jurisdictions?

OR

[INDIVIDUALS] How regularly do you work in other jurisdictions?

- At least once a week
- At least once a month
- At least once every 2-6 months
- At least every 6-12 months
- At least every 12 months
- More than 12 months
- Other. Please specify
- Don't know/Can't recall

Q14. [ALL] If private security laws were the same across Australia, how would this affect your ability to work?

- Not at all
- Make it simpler and easier to work
- Make things more complicated and difficult
- Don't know

Finally, I would just like to ask a few questions relating to your involvement in the sector.

Q15. [BUSINESS] Are you or your business a member of an industry association related to private security?

- Yes, currently I personally am a member
- Yes, my business is a member
- I personally used to be, but am no longer a member
- My business used to be a member
- I have never been a member of an industry association
- My business has never been a member of an industry association

Q15a. [INDIVIDUALS] Are you a member of an industry association related to private security?

- Yes, I currently am a member
- I used to be, but am no longer a member
- I have never been a member of an industry association
- Don't know

Q15b. [BUSINESS] How many private security staff does your business employ?

- Less than 5
- 5-10
- 11-19
- 20-199
- More than 200
- Don't know

Q15c. [BUSINESS] How long has your business been in operation?

- Less than 1 year
- 1-3 years
- 4-5 years
- 6-10 years
- 11 years or more
- Don't know/Can't recall

Q16. [ALL] How long have you personally been working in private security?

- Less than 1 year
- 1-3 years
- 3-5 years
- 5-10 years

- 10 years or more
- Don't know/Can't recall

Q17. [ALL] How long do you personally expect to continue to work in the industry?

- Less than 1 year
- 1-3 years
- 4-5 years
- 6-10 years
- 11 years or more
- Don't know

Q18. [ALL] As a private security officer, what is your employment status?

- Full-time
- Part-time
- Casual

Appendix D Council of Australian Governments' (COAG) reforms

Extract from COAG Communiqué – 3 July 2008

Australia's Security and Emergency Management Arrangements

COAG agreed to adopt a nationally consistent approach to the regulation of the private security industry, focusing initially on the guarding sector of the industry, to improve the probity, competence and skills of security personnel and the mobility of security industry licences across jurisdictions. COAG asked the Ministerial Council for Police and Emergency Management (MCPPEM), in consultation with the Security Industry Regulators Forum, to undertake further work on minimum regulatory standards for the technical sector of the industry by mid 2009, as well as proposals for a possible national system for security industry licensing by mid 2010.

Attachment regarding COAG resolutions to harmonising private security

REGULATION OF THE PRIVATE SECURITY INDUSTRY: MANPOWER (GUARDING) SECTOR

Licensable activities

1. That jurisdictions agree to the following list of licensable activities as the basis for a nationally consistent approach to regulation of the private security industry:
 - i. general guarding
 - ii. crowd or venue control
 - iii. guarding with a dog
 - iv. guarding with a firearm
 - v. monitoring centre operations
 - vi. body guarding
 - vii. training.

Probity

2. That all jurisdictions agree to apply, as a minimum, the following approach to criminal exclusions in determining a person's suitability to hold a security licence:
 - a) subject to paragraphs (b) and (c) below, and without regard to the operation of spent conviction schemes, a person be excluded from holding a licence for a period of 10 years after a conviction, or five years after a finding of guilt without conviction, for any of the following offences:
 - i. offence involving assault or violence against the person
 - ii. offence involving dishonesty or theft
 - iii. firearms or weapons offence

- iv. offence of robbery
 - v. offence in relation to a prohibited drug or plant
 - vi. offence in relation to a restricted pharmaceutical substance, or
 - vii. offence against Part 5.3 of the Criminal Code as set out in the Schedule to the *Commonwealth Criminal Code Act 1995* or a terrorist offence against the law of any State or Territory or overseas jurisdictions;
- b) the mandatory exclusions in (a) do not apply where the offence was:
- i. an offence under paragraphs i, ii or iii, or
 - ii. an offence of possession under paragraphs v or vi, and
no penalty was imposed or the penalty imposed was a fine of less than \$500 or a penalty other than imprisonment; and
- c) notwithstanding the above, a licence may be refused or revoked where the applicant or licence holder is convicted, or found guilty without conviction, of any offence if the regulator is of the opinion that the offence is one that renders the person unsuitable to hold a private security licence.
3. That all jurisdictions agree to adopt as a minimum, the following standards for identification and probity checks for security industry licences involving:
- a) use of a 100 point identity check and mandatory fingerprinting prior to the issue of a licence to assist in initial and ongoing probity checking
 - b) eligibility restrictions sufficient to refuse or revoke a licence application based on the probity of a business licence applicant's 'close associates' (that is, persons having a financial interest in or exercising a significant influence over the management or operation of the security business)
 - c) use of criminal intelligence to determine the fitness of an applicant to hold a licence with, subject to administrative review processes, the existence and nature of that intelligence not be disclosed to the applicant
 - d) use of business databases to determine the probity of applicants for business or master licences
 - e) as a minimum, national criminal history checks on every licence applicant at time of application and then daily local criminal history checks for the licence's duration; with measures to enable jurisdictions to act promptly to suspend or revoke a licence if daily criminal history checks reveal an adverse event involving an offence
 - f) eligibility restrictions sufficient to refuse a licence in circumstances where an applicant is a person whose identity or probity is unable to be verified to the satisfaction of the licensing authority; or is ordinarily a resident in Australia but has been absent from Australia for 12 months or more within the previous five years and is unable to satisfy the licensing authority of their probity during that absence
 - g) measures to enable licensing authorities to have regard to relevant criminal history, intelligence, and identification information in making licensing decisions.

Competency and skills

4. That all jurisdictions agree:
 - a) that new applicants be required to complete a pre-licensing course covering the critical foundation knowledge requirement for employment in the security industry prior to a licence being issued
 - b) to introduce a provisional, probational or conditional licence in the manpower sector of the industry for a duration of not less than six months.¹⁹
5. That the Ministerial Council for Policing and Emergency Management – Police (MCPEM-P) work with Ministerial Council for Vocational Training and Education, in consultation with Security Industry Regulators Forum (SIRF), to:
 - a) improve the quality and consistency of materials used for training and assessment of the security industry, including by developing agreed competencies for each licensable activity
 - b) ensure that arrangements for the development and maintenance of the security industry competencies and training materials include ongoing consultation with the users of security services and licensing authorities in addition to the security industry
 - c) assess the implementation of the Australian Quality Training Framework 2007 as it relates to the security industry and, where necessary, implement additional measures to improve the quality and consistency of the delivery of security industry training by Registered Training Organisations
 - d) report to COAG on this work by 1 July 2009.

Mobility

6. That all jurisdictions agree to implement temporary individual, and, if needed, corporate permits and licences based on the Victorian model.
7. That the MCPEM-P, in consultation with the SIRF implement full and effective mutual recognition arrangements for the industry, consistent with the approach developed by the COAG Skills Recognition Steering Committee, to improve mobility of security personnel and business across jurisdictions.

Implementation

8. That all jurisdictions agree that the reforms will be in force by 1 January 2010 and that they apply to existing licence holders and new licence applicants from that time.

¹⁹ It is not intended that provisional, probational or conditional licenses are to apply to those conducting training in the security industry.

Appendix E Interstate comparisons of regulatory requirements

Licence categories

Qualification	NSW	VIC	QLD	SA	WA	TAS	ACT	NT
Crowd controller	✓	✓	✓	✓	✓	✓	✓	✓
Bodyguard	✓	✓	✓	✓ (c)	✓	✗	✓	✗
Investigator / Inquiry agent	✓ (e)	✓	✓	✓	✓	✓	✗	✓ (e)
Security Guard								
• Unarmed	✓	✓	✓	✓ (c)	✓ (g)	✓	✓	✓
• Armed	✓	✓	?	✓ (c)	✓ (g)	✓	✗	✓
• Cash in transit	✓ (d)	✓	✓	✓ (c)	✓ (j)	✓	✓	✓
• Monitoring centre operator	✓	✓	✓	✓ (c)	✓ (g)	✓	✓	-
• Control centre operator	?	✓	✓ (f)	✓ (c)	✓ (g)	✓	✓	-
• Canine handler	✓	✗	✓	✓ (c)	✓ (g)	✓	✓	-
• Loss prevention	✓	✗	✓ (l)	✗ (b)		-	-	-
Security adviser/consultant	✓	✓	✓	✓	✓	✗	✓	✗
Security equipment installer		✓	✓	✓	✓	✗	✓	✗
• Locksmith	✓	✗			✓ (i)		✓	
• Barrier equipment	✓				✓ (h)		✓	
• Electrical equipment	✓				✓ (h)		✓	
Security retailer / seller	✓	✗	✗	(a)	✗	✗	✓	✗
Security trainer	✓	✗	✗	✗	✗	✗	✓	✗
Provisional/Restricted Licensing	✓	✗	✓	✓	✗	✓	✓	✓

(a) not for persons employed as a shop assistant who provides advice on security alarm or surveillance systems only as an incidental part of their duties

(b) assume this relates to a 'loss adjuster'

(c) under the definition of 'security guard'

(d) assume this is covered under armed guards

(e) covered under other legislation

(f) covered under unarmed guard

(g) covered under security officer

(h) covered under security installer

(i) may be covered under security installer

(j) covered by security officer when indorse appropriately

(k) A person, not being an officer of a police force, must not act as an armed bodyguard except — under and in accordance with a written authority given by the Commissioner with the approval of the Minister; or as authorised by or under a written law of the Commonwealth.

(l) covered under 'in-house'

Training

Qualification	NSW	VIC	QLD	SA	WA	TAS	ACT	NT
Crowd controller	Cert II	Cert III	Cert II	Cert II	Cert II	Cert II	Cert II	Cert II
Body Guard	Cert II	Cert III	13 units	Cert II (b)		-	Cert II	-
Investigator / Inquiry agent	Cert III	Cert III	Cert III	Cert III	Cert III	Cert III	-	
Security Guard				Cert II	Cert II			Cert II
• Unarmed	Cert II	Cert III	11 units			Cert II	Cert II	
• Armed	Cert II	Cert III				Cert II	Cert II	
• Cash in transit		Cert III	14 units	Cert II (b)		Cert II	Cert II	
• Monitoring centre operator	Cert II	Cert II	7 units	Cert II (b)		Cert II	Cert II	
• Control centre operator	Cert III (a)	Cert III	11 units	Cert II (b)		Cert II	Cert II	
• Canine handler	Cert II	-	13 units	Cert II (b)		Cert II	Cert II	
• Loss prevention	Cert II	-	-	None	-	Cert II	-	
Security adviser / consultant	None	None	None	Cert III	-	-	Cert IV	
Security equipment installer	-	None	None	Cert III	-	-	Cert II	
• Locksmith	None						Cert III	
• Barrier Equipment	None						Cert II	
• Electrical Equipment	None						Cert II	
Security Retailer	None	-	None	Cert III (c)	-	-	Cert II	

(a) Assume this fits under 'licensed for surveillance'

(b) Covered under Security guard definition

(c) 'Otherwise' supplying security systems although this does not include persons employed as a shop assistant who provides advice on security alarm or surveillance systems only as an incidental part of their duties.

