



Security Providers Association of Australia Limited

By Email: Attorney@ministerial.qld.gov.au

11 March, 2016

The Hon. Yvette D'Ath
Attorney General and Minister for Justice and Minister for Training Skills
Department of Justice and Attorney General
GPO BOX 149
Brisbane QLD 4001

Dear Minister,

Re: Need for a Ministerial Advisory Committee to address competency and regulation of the Queensland Security Industry

Our Association is calling for an urgent Ministerial Advisory Committee to be formed to investigate and report direct to your office on a number of critical issues that need urgent attention within the Queensland security industry.

The Security Providers Association of Australia Limited (SPAAL), established in 1966, is a National Security Industry Association and an approved security industry association in Queensland, providing industry education, compliance and business services.

SPAAL provides National representation to its members through engagement with Federal & State Governments, Australasian Council of Security Professionals, Standards Australia and the Construction and Property Services Industry Skills Council (CPSISC).

I am the National President of the Security Providers Association, serving over 24 years in the Queensland Police service and now having over 34 years Queensland Police and Security experience. I have a National Medal for Service, Queensland Police Medal for Ethics and above all would call myself a proud Queenslanders.

However, in all my experience I have never seen Queensland be embarrassed so much in the eyes of the Nation as it has been over the past few years due to Government inaction. Over the past few years our Association has attempted to work with the regulators in a co-operative approach to implement much needed change. However, in almost all cases this approach has failed, resulting only in meetings being held with little real outcome.

We are calling now on your office to form a Ministerial Advisory Committee that is represented appropriately by industry to urgently address some of the critical issues listed below:

- Inconsistent licensing arrangements between Queensland and other State authorities compromising public safety (Ref: p2 ASQA Strategic Training Review).
- In Queensland, the Office of Liquor, Gaming and Regulation only requires that the Responsible Service of Alcohol unit is delivered by an RTO approved by ASQA. Many RTOs advertise training and assessment for the unit in a 100 per cent online environment. It is not clear how this mode enables the RTO to assess the required skills from this unit. (Ref: p20 ASQA Strategic Training Review).

In Queensland, the Office of Fair Trading also accepts security course certificates delivered by an RTO approved by ASQA before issuing of a security provider license. Our Association has clearly demonstrated to the Office of Fair Trading that some of these courses too are being trained and assessed in a 100 per cent online environment compromising training and safety standards.

Further, our Association has unsuccessfully lobbied the Office of Fair Trading to authorise and approve registered training organisations in Queensland to deliver security training. We clearly identified a need to regulate the security training industry in Queensland, not only to address the rouge operators but ensure that approved RTO's instruct students in Queensland law, Queensland licensing requirements and appropriate use of force.

This was highlighted in an ABC 7.30 report that was broadcasted nationally on 9th March 2016. (<https://youtu.be/pvw6wSVdzP0>)

- Queensland's poor security licensing standards are allowed to flourish in an unregulated environment. Several coroner reports raised significant public safety issues and suggested that a number of training and assessment issues are potentially contributing factors to fatalities.
- Queensland law creates an inability for crowd controllers to use any form of restraint devices to lawfully restrain out of control often drug affected patrons until police attend, increasing the risk of a positional asphyxia death in Queensland. Our Association has made a recommendation that Velcro restrains be approved. However, to date no such approval has been granted.
- In 2006, the 17 Point Plan was implemented in Brisbane and included a security ratio for all premises trading beyond 1am, this security ratio started at 8pm the previous night. Now, this security ratio only applies from 11pm the previous night, reducing the crowd controller's ability to identify problem areas and respond in a proactive manner. It should be noted that outside of Brisbane there is no security ratio requirement except for a small number of premises trading beyond 3am.

One would question how Queensland can expect to have a "Safe Night Out" without any requirement for a security presence in or around a licensed premises and/or an entertainment precinct.

- Queensland is one of few Australian States where individual ABN holders are not required to hold a security firm's license to operate. The industry is turning to sham contracting to now employ security providers on an ABN to circumvent the payment of award wages, superannuation contributions and the appropriate public liability insurances.
- Currently, the Office of Fair Trading only accepts applications for a new security licence once the applicant fulfils all training requirements prior to lodgment. Our Association has been unsuccessful in lobbying the Office of Fair Trading to change the process to accept applications on the enrolment of a course, rather than after the certificates have been issued.

By adopting this new process, the applicant can attend training whilst the Office of Fair Training is processing their application. The end result would be that applicants can finish their course, have the qualification issued, be licensed by the Office of Fair trading in half the time, or around 6 to 8 weeks earlier.

- On the 1st January 2015, the Australian Government introduced the Unique Student Identifier (USI) to secure students recognised training and qualifications gained in Australia. This system is also used to validate training qualifications produced to registered training organisations (RTO) when processing applications by students for recognition of prior learning (RPL) and credit transfer (CT)

To date, the Office of Fair Trading does not validate an applicant's training course certificate using this very valuable tool. Training qualifications are taken at face value and the Queensland license is issued. Our Association again has been unsuccessful in lobbying the Office of Fair Trading to use the USI system to valid training course certificates or to use any form a validation method to ensure the applicant completed the training and assessment purported to have occurred.

- Queensland does not make any person accountable for the actions of a licensed security firm. Currently the vast majority of security firm licenses are issued to a company with no reference to an individual being a "Licensee", "Nominee" or "Master License Holder" resulting in a lack of accountability generally. Due to this lack of regulation, Queensland security firms can rack up significant debts, not pay staff superannuation or public liability insurances only to bankrupt the company and license a new company with no individual person being responsible.
- The current Queensland security license has no security features at all, such as holograms or smart clip technology, to prevent them from being falsified and used to gain employment within the security sector. As broadcasted on the Current Affair program on the 31st December 2014, a member of the general public can obtain all relevant details of a security providers license in Queensland from the Office of Fair Trading (OFT) website and produce a false document using these details with the individuals own photograph very easily.

Our Association is aware that these falsified security licenses have been produced to the Office of Fair Trading investigators and employers who on receipt have verified the details on the license with the OFT website. These details were validated as correct, as this OFT website is where such details were obtained in the first instance, resulting in no further action being taking by OFT or the unlicensed / untrained person being employed in the security sector and literally given the keys to the city.

- Whilst having a well-trained security sector in Queensland is of the utmost importance and priority it should be noted that the Queensland Government exempts all security employed by the Commonwealth or State, all Queensland casino security staff, security advisors and security installers from any form of security training to conduct their duties.

Our Association has exhausted all options to work directly with the Office of Fair Trading to achieve appropriate outcomes to these and many more issues facing the Queensland security industry.

I have even personally given evidence before the Inquiry into Tackling Alcohol-fuelled Violence which again did not address the issues outlined above.

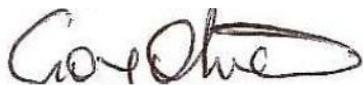
<https://www.youtube.com/watch?v=yRV7Zzt67pU>

Queensland was highlighted to a recent report by the Australia Skills Quality Authority relating to training in the security programs in Australia. This report clearly showed Queensland to be the "*weak link*" where lack of regulation is impacting on poor training standards throughout Australia by the clear abuse of the Mutual Recognition Act 1992.

Given that the Commonwealth Games are two years away, our Association strongly believes that urgent action is needed for the implementation of a Ministerial Advisory Committee to assist with the changes that are needed to ensure the proper regulation of the security industry ensuring the safety and security of all Queensland's.

I look forward to your urgent consideration of this request to form a Ministerial Advisory Committee for the security sector.

Yours sincerely



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Cc

Mr Ian WALKER

Shadow Attorney-General and

Shadow Minister for Justice, Industrial Relations and Arts

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“Your security association for the future”

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