Speech by

Jann Stuckey

MEMBER FOR CURRUMBIN

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SECURITY PROVIDERS AMENDMENT BILL

Mrs STUCKEY (Currumbin—Lib) (2.49 pm): I am pleased to join the debate on the Security Providers Amendment Bill 2006. Madam Deputy Speaker, as you have already heard from my colleague and shadow minister for tourism, fair trading and wine industry development, the honourable member for Clayfield, the coalition will be supporting this bill.

In essence this bill seeks to provide a licensing regime in Queensland for security providers specifically identified in the explanatory notes as crowd controllers, security officers, private investigators and security firms. It is intended that this will assist in protecting and enhancing community safety through implementing strategies which contribute to safer communities. In particular, it addresses many issues including the scope and coverage of the act in relation to existing licence categories and probity checks, and the test to determine an applicant's appropriateness to hold a licence.

On previous occasions during my time as shadow minister in this portfolio I have indicated my support for extending probity checks to be conducted in any area which encompasses public safety. I am glad that this bill has finally found its way to the House, because it has now been nine months since the minister's statement on 7 June 2006 in which she said—

... the Beattie government will dramatically boost security industry standards of the security industry under a package of reforms currently nearing completion.

When one considers that this bill has been languishing in some form for a period of almost five years, once again one can only say that we are very glad it has finally made its way into the House.

During this time we have witnessed a number of incidents where shocking assaults have caused grievous harm to patrons of nightclubs in entertainment precincts which the media have labelled 'bouncer bashings'. Claims that certain Gold Coast nightclubs are controlled by bikie gangs do not promote public confidence in the security industry. Recent forays into Coolangatta and Palm Beach licensed premises by northern New South Wales gang members who use vandalism and standover tactics provide further evidence of the need to strengthen existing laws.

In a ministerial statement on 7 June, from which I have already quoted, the minister also made the statement—

I am determined that Queensland will have the best security provider regulatory regime in Australia.

But will these laws be tough enough to prevent malevolent people from entering the industry? We have seen what is happening with rogue tourism where state government laws lack any teeth, prosecution is rare and the problem persists largely unchecked to our detriment.

Whilst debating the Liquor Act Amendment Bill 2005, which introduced a 3 am lockout and legislated the necessity for licensed premises to have crowd controllers, I raised a number of concerns. There were difficulties raised at that time regarding the supply of adequately trained and licensed security providers for the security industry, and the availability of appropriately qualified personnel still, I believe, remains as a difficulty for the industry today.

One of the critical areas that the departmental review and this amendment bill have failed to incorporate within the licensing process is a psychological assessment particularly for those security providers who are dealing with the public in potentially violent and often volatile circumstances. I acknowledge that this bill aims to provide greater clarity through the more specific classification of the types of security providers by the changes in definitions in clauses 4 through to 10. What does alarm me is the amalgamation of security equipment installers with crowd controllers, bodyguards and security guards into this one piece of legislation. What we have in fact are two distinctly separate industries—one in electronic security and the other a physical security presence. The Queensland Security Association has confirmed—

The industry has grown substantially since 1993 both in size and accountability. The majority of the growth has been in the technical sector where there is no licensing regime.

It goes on to say—

This sector comprises of the following: alarm sellers, installers, electronic reporting facilities, CCTV and access control consultants, sellers and installers.

A disparity arises with regard to this statement with respect to the highly regulated electrical contracting industry. This industry is already subject to many regulatory requirements under the Electrical Safety Act 2002, and the Electrical and Communications Association, as the primary employer association in Queensland, is comprised of approximately 2,000 electrical contractors. To make it clear for all members of the House, being an electrician is not the same as being an electrical contractor. Electrical contractors must hold specific electrical contractors licences as well as ACA licensing, occupational licensing and be a fit and proper person. It may be said that anyone can purport to be a security system installer, but to have it completed properly consumers should ensure that the installer is a licensed electrical contractor.

I am aware that the ECA has made a submission in the review process. I ask the minister whether she will grant its request for either an exemption or positive notice registration for electrical contractors and their electrical workers from the need to hold a security firm licence or a security equipment installers licence. Due to their compliance under existing licensing arrangements and given that the imposition of new licensing requirements would create an unfair competitive advantage to others in the security product market, I urge the minister to give this due consideration.

In respect of the physical security presence, I remind honourable members of the minister's comments also on 7 June 2006—

Our model will include tougher industry probity checks, including the use of charges, unrecorded convictions and criminal intelligence so that we can weed out the thugs before they start work and ensure that criminal elements do not infiltrate the industry.

For the public to have confidence that they can go out to public places and enjoy themselves, we need to have confidence in those people who are placed in charge of crowd control. As I have already stated, I support measures that increase the probity and integrity checks which in turn serve to enhance the credibility of the industry. Our society's attitudes have changed drastically since 1993, as has our population. A culture of binge drinking and easy access to drugs that induce violent behaviour have given rise to a sharp increase in aggressive and often unprovoked attacks on patrons both by other patrons and overzealous bouncers—sometimes with lethal consequences.

The case of former Australian cricketer David Hookes in 2004 created a wave of protest from the public when the bouncer involved was found not guilty of a charge of manslaughter. In the last 10 months we have seen headlines in the newspapers covering incidents where patrons have been victims of alleged assaults by bouncers in Brisbane and on the Gold Coast. Sadly these actions cast a black cloud over the integrity and credibility of those who work in this demanding industry.

One area which this bill does not clarify is a specific licence for a security provider and partner dog. Under clause 8, the minister seeks the definition of a security officer under section 7(1) to include those officers who also work with or without a dog. Leaving this partnership type of security provision to councils to monitor is unsatisfactory. Moreover, it does not ensure accreditation. It is my understanding that the New South Wales parliament addressed the need to be aware and respect security working dogs when partnered with an accredited security provider under the New South Wales Companion Animals Act 2000. I wonder why this is an area the minister seems loath to address.

Regulations for security providers who are seeking to work with a partner dog to have completed the course PRSSG24A 'Manage dogs for security patrols' as recognised under the Australian National Training Quality Framework, or the ANTQF for the benefit of the honourable for Clayfield, are lacking here and should be considered in this legislation. Additionally, it would be practical for these handlers to be assessed by someone of a similar standard to those who are recognised as an accredited appropriate person to monitor dog handlers who work within our Corrective Services, Police Service and armed forces.

Another area which the minister seems to have omitted from this legislation is that of cross-border recognition of licensing. Whilst there is potential for a national uniform licensing regime, this is not likely to eventuate in the short term. As the Currumbin electorate shares a border with New South Wales, I strongly

urge consideration to be given as to how Queensland can work more closely with New South Wales on this issue. I would like to use this opportunity to seek clarification from the minister in relation to another of her statements on 7 June 2006, and that is—

We will boost resources and operations to ensure compliance with our tough new laws.

I would ask the minister in her reply to advise how her department intends to boost these resources and operations, how many staff will be added to the department to deliver this and what will be the associated costs.

In closing, I recognise that this bill is a step in the right direction. However, there is still room for improvement in relation to training provisions and that part of the industry involved with security dogs. I applaud those who have stood by this industry over the years and I am sure that they will be pleased to see some strengthening of the laws so that this industry can gain the credibility it so deserves.