



VICTORIA POLICE

# Private Security Newsletter

L I C E N S I N G & R E G U L A T I O N D I V I S I O N

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## New Security Guard sub-activity: *'Guard With a Dog'*



Due to recent legislative changes on 4 July 2011, the activity of 'Guard with a Dog' has been classified as a security guard sub-activity. Any persons currently undertaking or advertising to undertake this sub-activity should refer in the first instance to the information available on our website, as they will be required to immediately lodge an application to be licensed for this new sub-activity (whether a new licence application or application to vary a current licence). Detailed information regarding the requirements for businesses and individuals can be found in the "security guard" section of our website.

A reminder that the definition outlines a "Guard with a Dog" as a person who is

employed or retained to protect, watch or guard any property by any means which may involve patrolling the property in person while exercising control over a dog. As such, dogs cannot be used for other licence activities, for example, crowd control purposes. Commercial yard dogs that are left on their own at premises as a deterrent to thieves are not captured by the *Private Security Act 2004*.

Although there are currently no approved training organisations delivering specific training for this sub-activity, any new applicants or current licence holders should submit a new/variation application and attach a detailed resume outlining their past history of work in this area, including any relevant training previously completed and any relevant information to this sub-activity. This will assist LRD staff in making a determination regarding whether applicants meet the necessary training or experience requirements for this activity.

Any persons who require further information to assist in lodging an application should email LRD at: [licensingregulation@police.vic.gov.au](mailto:licensingregulation@police.vic.gov.au) for the attention of the **Security Services Unit**.

*The Private Security Newsletter provides information regarding topical issues to the private security industry in Victoria. For more information, news and previous editions of the newsletter visit*

[www.police.vic.gov.au/privatesecurity](http://www.police.vic.gov.au/privatesecurity)

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# Don't Delay in Getting Fingerprinted

## *Important information for licence renewals...*

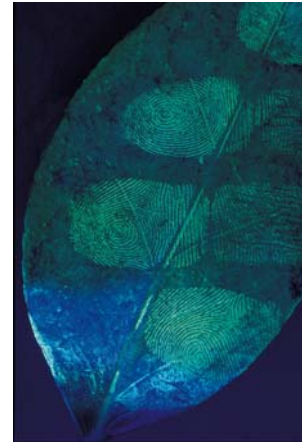
**“Any applications for renewal must be submitted to LRD prior to the expiry of the licence.”**

As outlined in our June 2011 newsletter, all new and current security licence holders are required to be fingerprinted as part of the legislative change. This requirement has caused a great deal of angst amongst some licence holders due to the expiry date of their licence falling before the appointment date for fingerprinting with the Victoria Police Customer Service Centre.

LRD has revised the information originally communicated regarding fingerprinting including increasing the time period from 6 to 8 weeks for posting renewal applications. This should allow individual and business licence holders adequate time to arrange fingerprinting for all relevant persons applicable to the renewal application.

**Important** - any applications for renewal must be submitted to LRD prior to the expiry of the licence, for the licence to continue until a decision is made in relation to the application. If an appointment date for fingerprinting falls on or after the expiry of a licence, the renewal application form must be received at LRD for the licence to continue as outlined in legislation.

A number of issues have impacted on when and where appointments can be made to be



fingerprinted for a National Police Records Check. It is important that you organise an appointment immediately upon receiving your business licence renewal and importantly, communicate this requirement to your staff to ensure they do not delay. The one metropolitan location for fingerprinting is currently taking appointments one month in advance.

It should be noted that due to current industrial action, the processing of fingerprints may be delayed. Both new applicants and renewal applicants should still lodge their full applications to Licensing & Regulation Division as soon as possible.

## Did you know?

Unlike licence renewals, there is no provision in the *Private Security Act 2004* allowing a person to work in private security pending a decision on a new private security licence application.

Since July 2011, to ease the transition to new legislative requirements, LRD have been accepting application without the National Police Certificate and allowing for partial processing of the application until such time as the National Police Certificate has been received.

**This practice will cease as of 16 January 2012.**

After this date, new applications must contain the National Police Certificate or they will **not** be accepted at LRD and will be returned to the applicant.

## LRD Christmas Hours

The Licensing & Regulation Division will be open during the following hours over the Festive Season:

Closing at 1.00pm on 23 December  
Closed on 26 & 27 December  
Closing at 1:00pm on 30 December  
Closed on 2nd January 2012

# Update on the Compliance Enforcement Team

Licensing & Regulation Division’s Compliance Enforcement (CE) capacity has been increased with the addition of a recently appointed Sergeant. The focus of the unit’s workload is to identify and respond to breaches against the *Private Security Act 2004* (the Act) by Industry Operators and the Individuals working within it. Some concerns to the Compliance Enforcement team are:

- Security Firms employing unlicensed security guards
- Unregistered business or private operators installing, advising or monitoring security alarm systems
- Applicants for Private Security Licences furnishing false particulars

In the past few months a number of successful prosecutions have been dealt with through the Court process. Some outcomes listed below give an indication how serious both the Courts and CE take breaches of the Act:

- For furnishing false particulars in an application, individual fined \$1000 with conviction
- For being an unregistered security alarm installer/advisor business/individual was fined \$4000 with conviction
- For providing False Documents to an application (from a referee) the referee was convicted on 12 counts and given a 12 month Community Based Order with a further 100 hours of unpaid community work

Other matters are still proceeding through the court process with successful prosecutions the most likely outcome.

The CE team is also accepting responsibility for Firearm Audits on Private Security Business Operators that maintain a register of Firearms as part of their Armed Guard services offered. Alarmingly the first series of Audits have already identified breaches against the Firearms Act relating to:

- Incorrect storage;
- Failure to notify change of address within 14 days by Security Firms;
- Incomplete Firearm register entries or simply inability to readily account for a firearms whereabouts.



*“In the past few months a number of successful prosecutions have been dealt with through the Court process”*

## New Approved Security Industry Organisation

In November 2011 the **Security Providers Organisation Association of Australia Limited** became an Approved Security Industry Organisation for Victoria.

# Licensing & Regulation Name Change

As from 1 July 2011, the Licensing Services Division underwent a name change and is now known as the Licensing & Regulation Division (LRD).

As the responsible entity within Victoria Police for the regulation of the firearms, weapons and private security industries, the name change reflects that LRD is much more than simply a licence processing authority.

The Licensing & Regulation Division has successfully changed most of its branding; however, there is still a possibility that you may receive a document which refers to Licensing Services Division. In this case the document you receive is still valid.

## A message from Superintendent Russell Barrett

It is with pleasure that I write as Superintendent – Licensing & Regulation Division – Victoria Police. For those who do not know I commenced in the role in late June, replacing Wayne Ashley who has moved to a new role. My first five months have been, to say the least, a whirlwind as I have not only gotten to know many of you, but gained an understanding of the breadth of challenges confronting us as industry regulators and the intricacies of the legislative environment overseeing firearms, weapons and security.

For those I have not met, I bring to this role an extremely strong operational policing background, having spent the majority of my career working in frontline roles within the City of Melbourne.

In the short time I have been here, I have been extremely proud of the major outcomes achieved by our team. Firstly in July came the implementation of significant pieces of legislation that have changed the environment in which we all operate. More recently, in November, the On-Line Dealers system for firearms dealers commenced its rollout. This long awaited initiative will ultimately result in over 50 dealers being able to undertake a variety of activities including submitting permit applications, registering firearms, and transferring firearm ownership online. This will not only increase transaction speed, but it will improve data accuracy and free up dealers from completing paper-based reports.

Despite these achievements the timely processing



of fingerprints has and continues to challenge us. We anticipate the system will expand in the New Year; but until then we appreciate your patience and ask you to continue to bear in mind the spirit on which the system is founded: maximising the ability for frontline sworn staff to be out on the streets ensuring community safety. For the immediate future, one of my priorities is ensuring legislative compliance across security, weapons and firearms. To this end, next year, you will see our compliance team out and about more than ever before participating in industry forums and undertaking inspections and audits.

Finally, I would like to wish you all a happy and very safe Christmas and New Year period.

Best wishes

Russell Barrett