



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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A Message from Superintendent Brett Curran

It is now a year since I commenced at the Licensing & Regulation Division (LRD). The time flies when you're working with good people.

Up until the end of June the ever diligent and tireless staff of LRD have processed almost 137,000 applications and renewals for firearms licences, and private security licences and registrations. This is a 3.5% increase on the previous financial year.



As forecast in my previous newsletter, there has been a significant focus on compliance, ensuring only fit and proper people are licensed. Ongoing audits throughout the financial year have resulted in a 16% increase in the cancellation of firearms licences, and an 8% increase in suspensions. There has also been a significant increase in the private security field with a 150% increase in the suspension of licences and a 20% increase in cancellations in comparison to the previous financial year. It is necessary that all licence holders remain vigilant in ensuring compliance in accordance with legislation. Enforcement will continue to be a core business activity of LRD.

LRD is on track to launching the Electronic Lodgement Process (ELP) first stage by December this year. At that time we will have our private security licence and registration applications online. The project has progressed rapidly and promises to revolutionise the way you do business with LRD. We will provide more information closer to December.

I would like to take this opportunity to thank the members of the firearm and security industries for their continued support of LRD. We continue to work closely with all industry members, and we look forward to your ongoing responsible and compliant focus as we work together to create a safer Victoria.

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

LRD Contact Details

GPO BOX 2807,
Melbourne 3001,
Victoria, Australia
1300 651 645
licensingregulation@police.vic.gov.au

Change of Counter Address & Hours

(Attendance by appointment only)

RELOCATION OF LICENSING & REGULATION DIVISION

Licensing & Regulation Division have relocated their front counter services to Tower 1, 637 Flinders Street Docklands 3008 (entry via Flinders Street).



Attendance at the counter will be by appointment only. There will no longer be a drop in service and customers will need to forward all correspondence to:

LICENSING & REGULATION DIVISION

GPO Box 2807

Melbourne VIC 3001

Please note: New applications will only be accepted by post, not by fax or email.
Licence renewals will be accepted by post, fax or email.

Appointments can be made by phoning 1300 651 645 between the hours of 8:30am and 4:30pm Monday to Friday.

Appointment times are available on the following days between the following times:

Monday: 11:00am to 3:00pm

Wednesday: 11:00am to 3:00pm

Friday: 11:00am to 3:00pm

Appointments should only be made by customers requiring:

- An Interview in relation to a private security application applying under Mutual Recognition;
- Advice about a security or firearms licence that has been suspended /refused or cancelled; or
- To discuss more complex security business applications, corporate licences and complex firearm applications.

Customers are advised that if there is concern about sending sensitive or confidential documentation in the mail then you may consider utilising the Australia Post registered mail or Express Post options.

For specific queries that are not addressed on our website, please email licensingregulation@police.vic.gov.au or alternatively telephone Licensing & Regulation Division on 1300 651 645 between the hours of 8:30am and 4:30pm Monday to Friday.

Have you notified LRD of your change of address?

Licence holders are reminded that it is a legislative requirement to notify Licensing & Regulation Division directly of a change of address in writing. Informing VicRoads of a change of address has NO effect on your firearm or private security licence.

The legislative time frame to notify a change of address is 7 days for private security and 14 days for firearms. This may be done by fax, post or email. Please include your name, date of birth, private security or firearms licence number, residential, postal and storage address (for each firearm where applicable) and any other changes to contact details.

Alternatively complete a 'Change of Details' form available on our website at http://www.police.vic.gov.au/content.asp?Document_ID=35591 and then fax, email or post the form to LRD.

The current penalty amount for failing to advise of a change of address is \$303 for firearms licence holders and \$379 for private security licence holders.

LRD Are Conducting Audits



Licensing & Regulation Division (LRD) recently attended a remote rural location and conducted audits on Licensed Firearm Dealers (LFD), private security businesses and firearms ranges over the course of five days. The operation revealed a concerning number of issues, and in particular with private security businesses. Some of these businesses were operating without the correct licence endorsements, some businesses did not have firearms stored in accordance with the *Firearms Act 1996*, and at one business, a firearm was not able to be immediately accounted for.

LFD's were largely well run with only some minor issues identified with the tagging of firearms on hand. All of the shotgun ranges inspected were well maintained and in good order however all rifle and handgun ranges required some minor work to sacrificial cladding and some baffling.

As a result of these audits several infringement notices and warning letters were issued to various businesses and individuals. More audits are planned for the future.

If any person has concerns that they are not meeting required standards please refer to our website at www.police.vic.gov.au to view necessary guidelines, or alternately they can contact LRD on 1300 651 645 between the hours of 8:30am and 4:30pm Monday to Friday.

Private Security Case Study

Violence is unacceptable



The licence holder had held a Private Security licence for over a decade and worked as a crowd controller supervisor at a nightclub. His licence was suspended as a result of an incident with a drunken patron. Crowd controllers ejected a patron by dragging him through the venue and out the door. As the patron was being ejected, the licence holder followed and directed a number of punches at the patron. After the patron had been placed on the road by the other crowd controllers, the licence holder continued to assault the patron and delivered a punch which resulted in the patron striking his head and being rendered unconscious. Even after it was apparent that the patron was in dire need of medical attention, the licence holder failed to provide this.

Police were alerted to the situation and investigations were conducted. The licence holder was contacted and asked to provide a submission addressing his violent conduct and his suitability to continue to hold a Private Security licence. After considering his submission, Licensing & Regulation Division cancelled his licence on the grounds that he was not a fit and proper person to hold a licence and that it was not in the public interest for him to do so. On appeal, VCAT upheld the decision to cancel the licence and modified it by specifying that he could not apply for a licence for 2 years from the date of cancellation.

Overseas Criminal History Checks

As at 1 September 2014, Victoria Police have required all security applicants to provide a full 10 year criminal history check. This includes background checks from any other country that the applicant has resided in for a period of more than 12 months.

This policy is consistent with the requirements of section 25, 26, 82 and 83 of the *Private Security Act 2004* which identify the circumstances in which the Chief Commissioner of Police must refuse to grant a licence/registration.

All applicants on a visa (i.e. persons who are not permanent residents of Australia or Australian Citizens) must provide a copy of the standard Victoria Police "National Police Certificate" as well as a certified copy of their International Police Check. The International Police Check must be provided from each county that the applicant has resided in, if that period was for 12 months or more, over the previous 10 years, since they were 16 years of age.

The International Police Check can be the same as those provided to Department of Immigration and Border Protection (DIBP) as part of the initial visa application, or they can be ordered by the applicant at their own expense through the appropriate embassy/consulate. Both Police Checks will be utilised to undertake an assessment of the applicant's criminal history against the 'Revised Schedule of Offences' on the Victoria Police website at www.police.vic.gov.au/privatesecurity.

Avoiding Processing Delays

Licensing & Regulation Division have identified five main reasons that regularly result in a new application being delayed in processing:

Questions in the application are not answered

Please take the time to check you have answered every question. A simple five minute check could save you an unnecessary delay in the processing of your application. Your application contains a checklist to ensure you have completed all that is required.

Documents certified incorrectly

Documents must be certified with the words “I certify that the document presented for certification is a true copy of the original” and be signed and dated by the person certifying the document. Many applicants have their documents certified and signed on the back of the photocopy, also known as the blank side of the copy. This is incorrect. The copy must be certified on the same side of the paper where the information being declared, is printed.

Insufficient Identification

The acceptable forms of identification and their points value can be located on the information pages of applications.

- Applicants need to supply one primary identification document to the value of 70 points; and
- Multiple secondary identification documents to the value of 30 points.

Identification Reference Not Completed/Incorrectly Completed

Applicants often overlook the necessary “Identification Referee” section of their application. This section must be completed; the referee must be the person who certifies your identification; and the same person must complete the identification section on your application.

Identification referees must fall into the accepted prescribed occupation. A list of acceptable referees is located on the information pages of the application.

Acknowledgement Not Signed

Please ensure that after taking the time to complete the application, you have signed and dated the acknowledgement.

Part 8 - Acknowledgement

You must sign and date again to confirm that **all** the information you have supplied is true and correct

I acknowledge that the particulars in this application and any attachments are true and correct and I make this acknowledgement knowing that it is an offence against Section 135 of the *Private Security Act 2004* to wilfully supply details which are incorrect or omit to furnish particulars (Maximum penalty of \$6,000).

Signature: Date: / /

Acceptable Identification Referees

A 'List of Acceptable Identification Referees' is provided in most application forms. Licensing & Regulation Division has compiled the following list to assist applicants in finding an acceptable identification referee.

Please note: This is not the full list of Acceptable Identification referee's, a full list can be found in the application.

Identification Referees	Acceptable	Unacceptable
An individual registered or licensed as: <ul style="list-style-type: none"> • Medical Practitioner; • Dentist; • Pharmacist; or • Veterinary Surgeon; under a law of a State or Territory providing for that registration or licensing.	Medical Practitioner (e.g. General Practitioner); Dentist; Pharmacist; or Veterinary Surgeon	Optometrists; Psychologists; Chiropractors; or Physiotherapist.
An employee of a financial institution who is authorised by the financial institution to open accounts with the institution.	Bank Manager	Assistant Bank Manager; IT Manager at a Banking Institution; Bank Clerk; or Teller.
A member of: The Institute of Chartered Accountants in Australia; The Australian Society of Certified Practising Accountants; or The National Institute of Accountants.	CA (Certified Accountants); CPA (who are captured under the old name of the Australian Society of Accountants); or IPA (Institute of Practising Accountants).	Tax Agent.
A manager of a Post Office.	The manager of a Post Office (Government Business Enterprise).	Manager of a Post Office Agency (Privately owned franchise or contractor).
A member of the Australian Federal Police, or the police of a State or Territory, of or above the rank of sergeant.	Victoria Police members are able to provide Identification Referees (which is merely vouching for their identity only and <u>not</u> their character). Note: A Suitability Reference in relation to a private security application cannot be provided.	Protective Services Officers (PSO).

Identification Referees	Acceptable	Unacceptable
<p>A member of the Australian Federal Police, or of the police of a State or Territory, who in the normal course of his or her duties, is in charge of a police station.</p>	<p>Rank of sergeant or above. The only exception is a lower rank e.g. constable or senior constable in charge of a 'one man' station.</p> <p>Note: Members are only able to vouch for a person's identity not suitability.</p>	<p>Rank lower than a sergeant who is not in charge of a police station.</p>
<p>An individual employed as a full-time teacher or as a principal at one or more of the following education institutes:</p> <p>A primary or secondary school forming part of the education system in a State or Territory;</p> <p>or an institution listed in section 4 or paragraphs 34(4)(b)-(j) (inclusive) or the <i>Higher Education Funding Act 1988</i>; who has been so employed continuously for a period of at least 5 years.</p>	<p>Full time teacher; or Principal.</p>	<p>Lecturer at University; Professor at a University; Teacher at a TAFE; or Retired Teacher.</p>
<p>An officer within the meaning of the <i>Defence Act 1903</i>.</p>	<p>An officer within the meaning.</p> <p>"Officer " means:</p> <p>(a) in relation to the Australian Navy--a person appointed as an officer of the Australian Navy, including a person who holds the rank in the Australian Navy of Acting Sub-Lieutenant or of Midshipman; or</p> <p>(b) in relation to the Australian Army or the Australian Air Force-- a person appointed as an officer of the Australian Army or the Australian Air Force.</p>	<p>Warrant Officer; Petty Officer.</p> <p>Note: Both are non-commissioned officers.</p>

How to Certify Documents

It is common for Licensing & Regulation Division to receive copies of documents (e.g. identification) that are incorrectly certified, which prolongs the application process. The following is the correct way to certify a document. All copies of original documents must be legible and certified by an Acceptable Referee as a true and correct copy of the original in the following words:

“I certify that the document presented for certification is a true copy of the original”.

The Acceptable Referee must sign and date the copied documents, identify their qualifications (e.g. Nurse), and if applicable, provide their registration or professional membership details.

These referees must have known the applicant for at least 12 months.

Handgun Requalification Reminder Private Security Licence Holders

One of the conditions of the private security handgun licence is that the individual licence holder must do a firearms requalification every 12 months. This requirement is printed on the letter carrier. The letter carrier is the paper that the plastic licence is attached to when the licence is issued. The letter carrier states:

The holder of this licence shall:

- (a) Attend and qualify as a security Industry Firearms Training course annually, such course being conducted no later than the date of the course attended the previous year; and
- (b) Provide a copy of the qualification certificate to Licensing & Regulation Division within 7 days of course attendance.

Licence & Regulation Division issues reminders to licence holders from 6 weeks prior to the expiry of the handgun requalification date. To ensure you receive your reminder please notify LRD of any change of address. A change of address must be in writing and can be done by fax, post or email. Alternatively complete a Change of Details form available on our website at http://www.police.vic.gov.au/content.asp?Document_ID=23014 and then this form can be faxed posted or emailed to Licensing & Regulation Division.

If your handgun requalification is not current, your handgun licence will be suspended.