



VICTORIA POLICE

Private Security Newsletter

LICENSING & REGULATION DIVISION

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A message from the Licensing & Regulation Division on duty of care to patrons at licenced venues

In entertainment and licenced venues, crowd controllers are likely to be the first point of contact for drug and alcohol affected patrons before they encounter emergency services personnel.

The Licensing and Regulation Division's new Superintendent, Paul Millett, said moving on drug or alcohol patrons might remove the problem from the venue, but licenced crowd controllers and licenced venues have a responsibility under their duty of care obligations to do everything reasonably practicable to protect others from harm.

"Despite even the most diligent of efforts, patrons becoming affected by drugs or alcohol intoxication is an inevitable outcome at licenced venues, however, crowd controllers should pay particular attention to patrons who are conscious but who may not be able to get home independently or safely," Supt Millett said.

"These patrons are vulnerable and we don't want people leaving licenced venues finding themselves in risky situations or being taken advantage of because they aren't able to get home safely.

"If the patron will allow you to call a taxi for them note the taxi's details including the company, vehicle and driver registration before putting them in the taxi.

"Where patrons intend on leaving the venue alone or refuse a taxi, note evidence of their identity as well as details of their intended travel method, vehicle details if they are getting an Uber and the departure time.

"If an intoxicated patron intends to leave in the company of others, make sure they know each other and the others are competent to assist the patron.

"Note evidence of everyone's identity and their transportation plan including method, route, the vehicle's registration details if available and departure time to include in an incident report.

"Most importantly, if you have concerns about the welfare of patrons who have left the venue you are working at, contact police immediately.

“When assisting a patron who is intoxicated or drug affected and conscious but unable to get home independently or safely, record the incident in an incident report or on the crowd controller’s register and include evidence of the patron’s identity and of anyone assisting them, details of their transportation, and their departure time.

“If you are unable to obtain this information, note the description of the patron, anyone assisting them and transportation details including mode and departure time to include in an incident report or on the crowd controller’s register.

“We don’t want crowd controllers acting beyond the scope of their first aid or security training but we do want crowd controllers to be aware of and exercise their legal obligations to provide a duty of care to patrons at licensed venues.

“Crowd controllers should discharge this responsibility in accordance with the guidelines for assisting intoxicated patrons set by the venue and/ or their employer.”

Security advisers providing services beyond scope of activity

Audits conducted by LRD have highlighted confusion across the industry about what functions security advisers are permitted to carry out.

In Victoria, a security adviser is a person employed or retained to provide advice in relation to security equipment, methods or principles. To provide this advice a person needs to be the holder of a private security **individual operator registration**.

Any person that provides the services of another to perform the function of security adviser or equipment installer needs a to be the holder of a private security **business operator registration**.

Security advisers should not install private security equipment unless they also hold a private security registration endorsed with the activity of security equipment installer.

While it is a private security activity to install security equipment, it is not an activity to sell security equipment. As such there is no requirement for individuals or businesses to be the

Signs of alcohol intoxication may include:

- Becoming loud, boisterous
- Becoming argumentative
- Annoying other patrons and staff
- Using offensive language
- Spilling drinks
- Fumbling and difficulty in picking up objects
- Difficulty walking straight /swaying
- Bumping into furniture or customers
- Rambling conversation
- Loss of train of thought
- Difficulty paying attention
- Not hearing or understanding what is being said
- Drowsiness or dozing while sitting at a bar or table

** Remember some physical and mental disabilities exhibit some of the same signs of alcohol intoxication*

Overt signs of drug affectedness may include :

- Dilated pupils
- Jaw clenching
- Profuse sweating
- Nose bleeds
- Dehydration
- Agitation
- Hallucinations
- Panic attacks
- Anxiety
- Nausea

** While somebody heavily drug affected may exhibit overt signs, there are many variables depending on drug type, how much has been consumed, the route of administration, the environment, issues of mental health and multiple / combined use with other drugs and alcohol.*

holder of a private security registration unless they are also providing installation of the security equipment.

Items considered security equipment can be found under section 6 of the *Private Security Regulations 2016* or on our website.

The holder of a private security registration cannot carry out the activity of monitoring centre operator unless they are also the holder of an appropriately endorsed private security licence.

VCAT confirms Victoria Police cancellation of a Private Security licence - case study

The Victorian Civil and Administrative Tribunal (VCAT) recently confirmed a Victoria Police decision to cancel the private security licence of a crowd controller involved in an incident outside his workplace.

The licence holder, who was endorsed to carry out the activities of unarmed security guard and crowd controller, had only held his licence for a short period of time when he became involved in an altercation between a number of other licenced crowd controllers and members of the public. As a result of the actions taken by other crowd controllers, some of whom were on duty at the time, two members of the public sustained serious injuries.

Subsequent to this event, a number of the crowd controllers involved were charged with offences including assault, affray and theft. Following these charges, LRD conducted disciplinary inquiries and moved to cancel the security licences of each of the crowd controllers subject to court proceedings.

While the licence holder subject to the VCAT proceedings was not responsible for any of the injuries sustained by the two victims, VCAT

confirmed police findings that participating in the pursuit of one of the victims and failing to assist either victim represented a substantial departure from the responsibility to ensure public safety and peace.

Licence holders are reminded that their actions both on and off duty can have an impact on their continued participation in the Private Security industry.

Counter terrorism awareness resources for private security industry

Private security professionals looking for information and resources relating to national counter terrorism initiatives can obtain information from the Commonwealth Attorney General's Department website on Australian national security at www.nationalsecurity.gov.au.

The site contains publications and information that may be relevant to the security industry including information on Active Shooter and Improvised Explosive Device Guidelines for Places of Mass Gathering.

LRD and Victoria Police's Counter Terrorism Command are currently exploring how we can work together with the security industry to increase education and awareness in this space.

Use of work issued handguns for sports target shooting

Security guards who are appropriately licenced to possess, use and carry a handgun for occupational purposes cannot use their work issued handgun to participate in sport target shooting at approved handgun clubs.

This applies to all security guards regardless of if they also have a general category handgun licence issued for the genuine reason of sport target shooting.

Handguns issued for work purposes can only be possessed, used or carried when transporting the firearm from its storage location, while undertaking work related duties or for work authorised training.

Licence and registration renewal applications and payments

Successful renewal of private security licences and registrations requires payment of applications fees and returning renewal application paperwork to LRD **before** the expiry of the licensee's current license or registration.

The Private Security Assessment Team have noticed an influx of applicants making payment for their licence or registration renewal but not returning the renewal application paperwork to LRD. LRD stresses to all private security licence and registration holders that making payment for a renewal application does not complete the renewal process. Without the hardcopy renewal application paperwork, LRD is unable to finalise the renewal process and licensees are consequently removed from the public register.

Renewal applications are sent to licensee's postal address as recorded with LRD eight weeks before the expiry of current licence or registration.

If payment and renewal application paperwork is not received by LRD before the expiry date on a licensee's current licence, the licensee becomes unregistered to carry out security activities. Licence and registration holders who become unlicensed as a result of tardy renewals will have to submit a completely new application to become re-licensed.

Licence or registration holders who need to update their postal address can do so by contacting LRD in writing with their licence or registration number, current address, updated address and date of change. Change of details will not be accepted via telephone. Failing to advise LRD of any change in details may result in penalties.

Update LRD of any changes to residency status before paying renewal notice

Security business are encouraged to communicate to all staff employed on working or temporary resident visas that if their residency status changes they should notify LRD of the change when renewing their licence or registration.

If LRD is notified of a change to residency status before the licensee makes payment for their licence renewal they may be able to reissue a three year payment notice to the licensee.

When returning renewal application paperwork, licensees who have acquired permanent residence should include evidence of the change before they make payment before the expiry date of their current licence.

If a licence or registration holder makes payment on a payment notice before notifying LRD of a change to their residency status when submitting their renewal application, they will have to wait an additional 12 months before LRD is able to issue a three year payment notice with their next renewal application.

Three steps for ensuring your private security licences or registration is renewed correctly:

1. Ensure that your renewal application paper work is received by the Licensing and Regulation Division well before the expiry date of your current licence or registration.
2. Make payment at a Westpac bank before the expiry date of current licence or registration.
3. Attend an authorised photo point to have your photo take before the expiry date of your current licence or registration.

**If the steps above are not all completed before the expiry of your current licence, you will be required to submit a new*

RTO forum recap

The RTO forum held on 7 June was well attended with multiple representatives from most RTOs, as well as representatives from Australian Skills Quality Authority (ASQA), Victorian Registration and Qualifications Authority (VRQA), Security Trainers Association (STA), the Australian Security Industry Association Limited (ASIAL) and the Association of Investigators and Security Professionals (AISP). Presentations were made by representatives from ASQA, ASIAL and STA.

Providing greater insight into the strategic review report on training in security programs in Australia, Allan Pitter from ASQA also outlined his organisation's audit and monitoring regime.

Peter Johnson from ASIAL provided an in-depth look at the current industry standards of private security training and discussed the role of Artibus Innovation, the Skills Service Organisation who has been tasked reviewing and updating the CPP07 Property Services Training Package.

STA was represented by Paul Stalio who provided an overview of the private security training projects that STA has completed and STA's plans to continue contributing to the improvement of training materials they provide. Information on how to provide STA with feedback is included elsewhere in this newsletter.

Inspector Gavan Dorian from LRD provided an overview of our structure and statistics relating to the most commonly licenced private security activities, the number of licensed trainers, qualifications issued and mutual recognition applications. Insight was also given on projects undertaken by LRD in the past 12 months as well as the current initiatives being developed, including a review of the trainer approval process. The half day forum was finished with an open panel generating discussion around a variety of topics and provided some great feedback to LRD

that will support some of the planned projects over the coming months.

Enrolment of student visa holders

RTOs are reminded only those registered with CRICOS can enrol and train overseas students in Australia on a student visa.

LRD provides both ASQA and VRQA with intelligence relating to RTOs that may be delivering training to student visa holders without CRICOS approval. In addition to repercussions from ASQA or VRQA, RTOs should be aware that engaging in this practice is likely to be considered a breach of the Private Security Business Licence—Trainer Conditions which may result in a disciplinary inquiry and subsequent licence suspension or cancellation by LRD .

Certificates issued by non-CRICOS approved RTOs will not be accepted by LRD with security licence applications from those on student visas.

Provide feedback to STA on training materials

The STA welcomes all RTOs using their training materials to provide feedback using their [online feedback portal](#). Paul Stalio, President of STA, said that his organisation was committed to the continuous improvement of training materials and assessments available to RTOs.

'The STA is asking feedback from its members on what key adjustments each organisation believes would benefit the resources and assessments on offer' he said.

'This feedback is integral to the moderation and validation of the STA resources and assessments and will aid in producing better quality products for all.'