

Australian Security Industry Association Limited

The peak body for security professionals

Submission to Productivity Commission Mutual Recognition Schemes Issue Paper.

The Australian Security Industry Association Limited (ASIAL) welcomes the opportunity to provide a response to the Productivity Commission Mutual Recognition Schemes Issue Paper.

Background

ASIAL is the peak national body for the security industry representing 2,700 member organisations who account for approximately 85% of the industry in Australia.

ASIAL members provide a broad range of services to protect and safeguard the Australian community. These services include manpower security (guarding and patrols, aviation/maritime security, cash management, crowd control/event security), electronic security (access control, alarms, Biometrics, CCTV) and physical security (locks, fencing, barrier security).

ASIAL is a federally Registered Organisation of Employers under the *Fair Work (Registered Organisations) Act 2009* and an Accredited Cabling Registrar under the Australian Communications Media Authority's *Cabling Provider Rules*.

ASIAL Position

In a changing security environment the role performed by the private security industry in safeguarding business, government and the community is growing rapidly.

Since 1996, ASIAL has advocated for the introduction of a uniform national system of regulatory control for the security industry, one which satisfies the requirements of harmonisation and mutual recognition between jurisdictions and supports portability.

In July 2008 the Council of Australian Governments (COAG) agreed to adopt a nationally-consistent approach to the regulation of the private security industry, focusing initially on the guarding sector of the industry, to improve the probity, competence and skills of security personnel and the mobility of security industry licences across jurisdictions. COAG asked the Ministerial Council for Police and Emergency Management, in consultation with the Security Industry Regulators Forum, to undertake further work on minimum regulatory standards for the technical sector of the industry by mid 2009, as well as proposals for a possible national system for security industry licensing by mid 2010.

Whilst there has been some progress, a national licensing system for the security industry appears to be no closer to realisation. The Mutual Recognition Agreement (MRA) provides an mechanism for licensed security personnel to work in other jurisdictions. The efficacy of this approach is reliant on state/territory jurisdictions taking a uniform and consistent national approach, to avoid any disparity in standards. Whilst supportive of the MRA approach to occupations, ASIAL strongly believes that this should not come at the expense of quality/competency.



Australian Security Industry Association Limited

The peak body for security professionals

Mutual recognition of occupations

Security licensing for individuals is jurisdictional with the Mutual Recognition Agreement (MRA) and the Trans-Tasman Mutual Recognition Agreement (TTMRA), it provides an option for those seeking to work in other jurisdictions.

The MRA process as applied within the security industry enables individual security licence holders in one state to gain a similar licence in another jurisdiction. Licence holders are required to lodge an application to the state in which the MRA licence is required and pay the relevant fees required. In some instances, interstate travel is required to fulfil the MRA application process.

A key concern that has been raised regarding MRA applications is perceived inconsistencies in training and assessment standards between jurisdictions, which raise questions about the competence of individuals applying for mutual recognition. Some individuals have sought to abuse or manipulate the mutual recognition process. They have done so by obtaining a security licence in a jurisdiction that they do not reside, where the licensing process is viewed as less rigorous. Once they obtain their licence they then seek mutual recognition in the jurisdiction in which they usually reside, where the licensing process is regarded as more rigorous. They have no intention of working in the state in which they obtained the licence.

The MRA process in each jurisdiction varies with evidence suggesting demands upon applicants at times are not only impractical but costly. Interstate travel and the associated costs incurred in meeting jurisdictional processing requirements are not consistent with the underpinning intent and convenience suggested by the MR legislation.

Some unscrupulous individuals opt to fly under the radar rather than have to go through the MRA process.

The need for individuals to hold multiple jurisdictional licences to perform their day to day duties restricts labour mobility and is an inefficient use of resources. The duplication of the licensing requirement places an unnecessary cost impost on providers. This is an issue in border areas such as VIC/NSW, VIC/SA, QLD/NSW and NSW/ACT. It is also an issue for individuals who provide security consultancy services or technical services on a national basis.

Some security regulators are not confident about the MRA process, for example in Victoria, concerns over the quality of MRA applicants has seen the regulator delay or decline applicants without further investigation or assessment.

The impost placed on individuals seeking mutual recognition can be prohibitively expensive and extremely time consuming. For some the duplication required in gaining mutual recognition is viewed as little more than a grab for revenue by regulators.

ASIAL would welcome the introduction of a more efficient mechanism to enable easier movement between jurisdictions of security personnel. If a national security licence proves too problematic, an automatic mutual recognition process (with the appropriate checks and balances) could offer a practical and workable alternative.



Australian Security Industry Association Limited

The peak body for security professionals

Mutual recognition of organisations

The introduction in 2012 of a national registration scheme for businesses was a welcome move. Whilst this has meant that businesses now only need to register once in order to operate across jurisdictions within Australia, security providers are still required to obtain additional security business licences in each jurisdiction they wish to operate. This places significant imposts on organisations. Similar to the requirements for individuals, the cost of obtaining security business licences in each jurisdiction is expensive and time consuming. It also results in the inefficient duplication of the application process across multiple jurisdictions.

The time and cost impost on organisations is significant regardless of their size. However, for many Small Business Enterprises the impost makes it prohibitive to seek work interstate.

ASIAL is supportive of consideration being given to extending coverage of the MRA to business registration.

Conclusion

- ASIAL continues to advocate for the introduction of a national security licensing model that would permit individuals and security organisations to operate nationally without the current licensing barriers.
 - Failing this, we would welcome consideration be given to the automatic mutual recognition of individual security licence holders to avoid any unnecessary administrative burden being placed on licence holders when they change or work in multiple jurisdictions. Such an approach would need to be predicated on a uniform and consistent approach by all jurisdictions.
- ASIAL is supportive of consideration being given to extend coverage of the MRA to include business registration.

If required, we would be pleased to expand further on any of the issues we have raised.

Bryan de Caires Chief Executive Officer Australian Security Industry Association Limited (ASIAL)

26 February 2015