

## LEGISLATIVE COUNCIL

Wednesday 30 May 2007

### SECURITY AND INVESTIGATION AGENTS (CROWD CONTROLLER LICENCE SUSPENSION) AMENDMENT BILL

**The Hon. A.M. BRESSINGTON** obtained leave and introduced a bill for an act to amend the Security and Investigation Agents Act 1995. Read a first time.

**The Hon. A.M. BRESSINGTON:** I move:

That this bill be now read a second time.

This bill makes a slight amendment to the act, which I think will take it back to what the security agents legislation was originally. I move this amendment to the act following notification from the National Security Association on the recommendation of Mr Charles McDonald. If a crowd controller or a security guard has his licence suspended because of an allegation of a crime or drug use but has not been convicted or the matter is waiting to go to trial, the bill seeks to amend the act so that power be given back to the Commissioner to decide whether that person should be suspended until trial.

Both Mr McDonald and I understand that this legislation was introduced to try to clear out the riffraff, so to speak, in the security industry. However, from the feedback Mr McDonald has given me from the industry itself, it appears that it is causing concern for people who are good citizens and who have not had any trouble with the law in their time as a security agent or a crowd controller. When an allegation is made, they are unable to work between the time the allegation is made and when the matter goes to trial and they suffer loss of income. For some of these people, this is not just a part-time job but their livelihood, and they are finding themselves in the position of having to seek alternative employment until the matter goes to trial.

As I said, I know the bill reverses some of the intent of the act. However, if we find that legislation is in any way unworkable for the industry, it is our responsibility to try to bring it back into balance. The security industry put forward a couple of submissions to the Attorney-General's Office when the bill was first introduced on this matter and it also consulted with an officer from, I think, the Office of Consumer and Business Affairs (OCBA) or one of those organisations.

The case was argued, but the security industry felt as though its concerns were not taken into consideration with this section of the bill. So, I have done this on behalf of and at the request of the security industry itself, asking that the government consider trying to bring this bill into line with the fact that they are good people who work in the security industry. This is a little like throwing the baby out with the bathwater in trying to clean up the industry.

I look forward to the council debating this bill, looking at all the aspects and perhaps even taking into consideration that it may be a little bit too harsh and deserves some level of consideration to give the power back to the Commissioner to make the decision on whether or not to suspend a licence. I look forward to the debate to come.

**The Hon. R.P. WORTLEY** secured the adjournment of the debate.