

COMMUNITY DEVELOPMENT AND JUSTICE STANDING COMMITTEE

**INQUIRY INTO THE PROTECTION OF CROWDED PLACES
FROM TERRORIST ACTS**



**TRANSCRIPT OF EVIDENCE
TAKEN AT PERTH
WEDNESDAY, 27 JUNE 2018**

SESSION THREE

Members

Mr P.A. Katsambanis (Chairman)
Mr M.J. Folkard (Deputy Chairman)
Mr Z.R.F. Kirkup
Mr A. Krsticevic
Mr D.T. Punch

Hearing commenced at 10.28 am

Mr GEORGE TILBURY

President, WA Police Union, examined:

Mr BRANDON SHORTLAND

Senior Vice-President, WA Police Union, examined:

Mr MATTHEW PHILIP PAYNE

Research Officer, WA Police Union, examined:

The CHAIRMAN: On behalf of the committee I would like to thank you for agreeing to appear today to provide evidence in relation to the inquiry we are conducting into the protection of crowded places in Western Australia from terrorist acts. My name is Peter Katsambanis and I am the Chair of the Community Development and Justice Standing Committee. The rest of the members are Mark Folkard, the Deputy Chair, Zak Kirkup, Don Punch and Tony Krsticevic. It is important that you understand that any deliberate misleading of this committee may be regarded as a contempt of Parliament. If in the course of the hearing you believe that some committee questions require answers containing sensitive or confidential information, you can request that the committee take that evidence in closed session. You can give us a brief explanation as to why that is needed. If we accept the explanation, the committee will receive your evidence in closed session and Hansard will continue to make a transcript of the session. We will not publish that transcript unless the committee or the Legislative Assembly resolves to do so in the future. Your evidence is protected by parliamentary privilege; however, this privilege does not apply to anything that you might say outside today's proceedings. Just so that you are aware, I have given permission for a media camera to record vision only for the first few minutes of this hearing.

Before we begin our questions, do you have any questions about your attendance here today?

The WITNESSES: No.

The CHAIRMAN: Do you have a brief opening statement?

The WITNESSES: No.

The CHAIRMAN: How prepared do you think WA police are to deal with incidents of terrorism? Do they have sufficient resources and are officers properly equipped and trained to respond to any particular threats?

Mr TILBURY: When we are talking about counterterrorism it is obviously strictly confidential so access to particular information holdings is not available to us from the WA Police Force, so in terms of particulars, we are not able to provide any of that, but we certainly can advocate on behalf of our members in relation to a number of issues to ensure that they are appropriately resourced and trained to respond if and when an incident arises. In relation to resourcing, we still harbour concerns that insufficient police are being recruited by the current government and there is no real commitment, other than the 125 they have made in relation to this current term of government. You would be aware that we previously campaigned for 1 000 police officers and the commitment that was given was 125—100 for the meth border force and 25 for regional traffic patrol. That was contingent on the police to population ratio. As the committee would be aware, the forecast growth for population has been downgraded. When you take that into account for the police to population ratio, by 2021–22 we now need an extra 515 police officers.

In relation to whether or not our members are appropriately equipped, we do have concerns because, as the committee would be aware, in the first instance, the first responders would be the ones who are initially called to a scene that would have to deal with that particular incident. We have been campaigning since last year for body armour to be provided to our members. They have also previously been referred to as stab-proof ballistic vests. There has been a commitment from this government that that would occur. We have been working closely with the WA Police Force and we are now on their working group to make sure that the best possible equipment is provided to our members. I am expecting a further briefing in the next couple of weeks. We have been informed that progress is being made on that front. We are not sure what type of body armour will be suggested but we will be advocating on behalf of our members to make sure that it is the best possible equipment available to them.

The committee would also be aware that long-arm rifles were called for by the union in relation to active shooter situations. The WA Police Force is providing appropriate training now in relation to those situations. But in the metropolitan area in terms of general rollout for long arms, there were not any available; they were only held by specialist units, particularly the TRG. There were concerns in relation to the timing of that particular unit should an incident arise for their call-out to be able to respond appropriately. We are pleased, and the committee would be aware, that there was a provision in the state budget to arm with long arms the regional operations group within the metropolitan area. There are 120 police officers who will be provided with sufficient AR-15s for them while on patrol. They will be provided in their vehicles in new secure locked boxes that the agency is trialling to ensure that they are available if and when required. It is very pleasing that that is occurring.

In relation to training generally, there can always be better training provided to police officers but obviously it comes down to the availability of resourcing, funding and expertise to ensure that that can occur. We are aware of a particular initiative named Project Stadia that was funded by Qatar as a result of them hosting the 2022 World Cup. That is to create a centre of excellence to help Interpol member countries in planning and executing policing and security preparations for major sporting events. Some of the Project Stadia activities include holding annual expert group meetings on the key themes of legislation, fiscal security and cybersecurity; conducting observation and debriefing programs with design security officials from both the public sector and private sector who have direct responsibilities for police and security operations; working with recognised academic institutions to identify training needs and develop training curricular, along with an international accreditation for law enforcement in this area; and accruing learnings that are consolidated and shared among all Interpol member countries via a state-of-the-art web-based knowledge and management system. Given that terrorist tactics are constantly adapting, it is imperative that WAPU members have access to world's best practice training in protecting crowded places. Project Stadia is potentially one source of training that can be utilised and we believe is worth considering.

The CHAIRMAN: Are there any other programs? We received some evidence that Queensland has adopted a NYPD program called BOSAR—behavioural observation and suspicious activity recognition training. Do you have any optics around that?

Mr TILBURY: We are not familiar with that particular program, but we will certainly look into it now that you have made us aware of it.

Mr D.T. PUNCH: Prior to preparing for this committee hearing, has the police union undertaken any research into best practice frameworks around counterterrorism or dealing with terrorist acts and advocated on those issues?

Mr TILBURY: No.

Mr D.T. PUNCH: You have not?

Mr TILBURY: No, we have not.

Mr D.T. PUNCH: Is it something that has preoccupied the union executive at any point?

Mr TILBURY: No, not at all. It is obviously an emerging issue around the world and is very concerning, particularly for law enforcement, but primarily that would be the responsibility of the WA Police Force. We exist to advocate on behalf of our members and if we identified a particular training regime or other best practice initiatives that would be of benefit and particularly improve safety for our members, we would certainly advocate on their behalf.

Mr D.T. PUNCH: The advocacy around these issues now is principally around preparation to appear at this committee in relation to counterterrorism?

Mr TILBURY: Yes.

Mr A. KRSTICEVIC: Are you going to make any effort to contact your members to see whether they have any concerns in this area or whether there are issues, or have you already done that and do you have some feeling about what is going on?

Mr TILBURY: We have canvassed our members, and we do quite often, in relation to surveying them, generally in relation to resourcing, equipment, safety, police numbers and OSH issues and concerns, but it has not been a major concern in relation to what our members have been feeding back to us. They are very much aware of what is happening around the world and on the eastern seaboard, but thankfully nothing has happened in Western Australia at this point in time. They are certainly aware of it and they are vigilant and are always making sure that they are aware of what is going on around them, but in terms of a primary concern, I dare say that because nothing has happened, it is not at the forefront of their mind.

Mr A. KRSTICEVIC: In terms of that awareness, are there any discussions going on at the moment between yourself and the members or the members and the state government about what needs to happen in this space, considering that it is evolving so rapidly, and how they make sure that they are prepared or that they are aware of what they need to be prepared for ultimately?

Mr TILBURY: No, we have not been involved in that at all.

Mr SHORTLAND: Perhaps I can value-add to that. We have regular meetings with our members through their branches. We personally, and through the field officers, meet with our members on a regular basis. We hear what their concerns are and by and large their main concerns right now are the provision of body armour, provision of the long arms and their workloads, because there are just not enough police to do the job.

Mr Z.R.F. KIRKUP: Mr Tilbury, further to the member for Bunbury's question, you would be aware that the Terrorism (Extraordinary Powers) Amendment Bill was introduced in March this year and passed in, I think, May, in the Legislative Assembly and it is now before the Legislative Council. In relation to that legislative change that is forecast, can you provide some comment on what that means for your officers and your union's involvement in the creation of that bill and also whether you see any other legislative changes that might be needed in order to support your officers to respond to a terrorist incident?

Mr TILBURY: We were not involved in the creation of that bill but when it was brought to our attention, we did go through it. We sought legal advice and we proposed amendments to further strengthen that legislation to ensure that the appropriate protections were in place for our members. We did a lot of work with the crossbench in the Legislative Council because we did get resistance initially from the government in relation to adopting our recommended amendments but I am pleased that all of the changes we recommended have now been adopted in that legislation

and we believe that that is the best possible legislation and will provide the appropriate protections, not only for our members on the frontline who have to make the critical decisions, but also those further up through management who have to make certain decisions that may have to end someone's life.

[10.40 am]

Mr Z.R.F. KIRKUP: I appreciate your response to the member for Bunbury before about preparedness for this in terms of counterterrorism and the like. Are you aware of any other jurisdictions where other legislation exists that you might be advocating for in relation to more strength and powers for police in relation to a terrorist incident, or is there legislation that might have been about right?

Mr TILBURY: We are satisfied with the proposed legislation that is currently going through the houses. That will fill the current gap that exists. We have not expanded our research or gone into particular detail in relation to this matter, as I outlined previously.

The CHAIRMAN: In relation to that legislation, would there be a requirement for training of officers so that they are aware of their obligations and who would deliver that training?

Mr TILBURY: Whenever any new legislation is enacted, police officers certainly need to be aware of that. Particularly if they are expected to be the ones who enforce it or have to utilise the legislation, they need to be aware of the implications of any critical decisions they have to make. Training is definitely required. The academy would generally roll-out that training. A lot of the training that the WA Police Force do now is via Blackboard. We have expressed concerns in previous hearings that there is too much Blackboard training and not enough face-to-face, which does come down to a resourcing —

Mr Z.R.F. KIRKUP: Sorry, by Blackboard do you mean the app or the physical blackboard?

Mr TILBURY: No, sorry, Blackboard is computer-based training, so officers will log on and go through a test, if you will, in most cases a desktop exercise.

The CHAIRMAN: Desktop sort of scenarios?

Mr TILBURY: Correct.

The CHAIRMAN: So you would be advocating for more practical face-to-face training?

Mr TILBURY: We have been doing that for some time in relation to a number of areas. If you actually look at the time that is spent on training for police officers, the number of areas that they need to be familiar with to ensure that they are able to carry out their duties effectively and be aware of all the legislative requirements to do that has been quite concerning in relation to the amount of it that is undertaken via Blackboard and not face-to-face.

Mr D.T. PUNCH: In relation to general policing, I can understand your perspective on that. Given that the union has not undertaken detailed research in relation to counterterrorism measures, it would be difficult to identify what the best training response outside of general policing would be to those particular measures from your point of view?

Mr TILBURY: That would be a fair comment. In most instances it would be senior managers making critical decisions in relation to being able to utilise this legislation that we are referring to. But those on the frontline who have to make the ultimate decision also need to be fully aware.

Mr D.T. PUNCH: But it would be difficult for you to comment on the training issues associated with dealing with terrorist incidents outside of the general policing training that you have referred to?

Mr TILBURY: Correct.

Mr M.J. FOLKARD: We have spoken a fair bit about operational issues here. You have spoken about long arms, training and protective vests for those officers. What are your thoughts on the overview in that CT space in relation to the agency saying, “Hey listen, our training’s up to spec”? How do we know that it is up to spec, particularly with yourselves and within the Police Federation of Australia? Is that issue being raised across Australia?

Mr TILBURY: It is very difficult when you are not fully au fait with that entire environment and what actually goes on behind closed doors, effectively, for us to be able to be in a position to fully disclose or make recommendations in relation to what could be improved in that particular area when we are not part of that environment.

Mr M.J. FOLKARD: Do you have concerns about that? We are being told that everything is all right, but how do we actually know?

Mr TILBURY: We do not.

Mr M.J. FOLKARD: Would that raise concerns with you?

Mr TILBURY: It does, but I understand from one perspective where certain information, particularly where it is sensitive in relation to counterterrorism, cannot be further disclosed and has to be contained for that particular purpose. But other than that, it is not the space that we have been in. As long as there are appropriate protections and personal protective equipment and training for our people on the frontline, that is our primary concern when we are advocating on behalf of our members.

Mr SHORTLAND: Probably the closest we have come to receiving any member feedback on the adequacy of counterterrorism preparedness is some closure of business units in the north west of the state recently that were covering critical infrastructure, but I am pretty confident that our members if they felt that the training was inadequate would tell us.

Mr M.J. FOLKARD: What you are saying is that you are uncertain as to whether the department is up to spec in relation to that and you cannot comment on it simply because you are not aware of it, for want of a better term.

Mr TILBURY: Correct.

The CHAIRMAN: I think one of the things that has come through in the inquiry is that, yes, counterterrorism is in this protected space cone of silence and it makes it difficult for oversight as well as operationally for officers. One of the suggestions that has been made to the committee is that perhaps we need to look at creating a mechanism where a key person in critical organisations, be they private organisations of a stadium, for instance, or be they the police union or other people, has the necessary national security clearance for some of the information to be transferred to them, ensuring that the confidentiality remains but making sure that stakeholders are actually adequately informed. How would you see something like that as working to assist you and your members?

Mr TILBURY: We would certainly like to be more involved and aware and if that option was available, I think it is a good thing to have a number of stakeholders involved in a particular process. Obviously we would need to see the detail of what might be recommended and the structure and involvement. But as you suggest, there does need to be a national security clearance to have access to certain information, but as long as the appropriate stakeholders were involved, it would be something worthwhile considering.

Mr D.T. PUNCH: Mr Tilbury, do you think that sort of mechanism would raise any additional risk in terms of potential spreading of information to your members?

Mr TILBURY: There is always a risk with anything that you do, and that is something that needs to be carefully considered when decisions are made to set up a particular body or go down that particular path, but I think it is something worthy of discussion and further exploration.

Mr Z.R.F. KIRKUP: Mr Tilbury or Mr Shortland, the closure of the business units that you have spoken about in the north west that protect critical infrastructure, could you just explain to the committee what that looks like and the concerns that were raised in relation to your members and what their reservations were, I suppose, as a result of their closures?

Mr SHORTLAND: It was the closure of North West Water Police. They had a function to protect some critical infrastructure offshore in the north west. We understand that they were closed down and redeployed elsewhere.

Mr Z.R.F. KIRKUP: Thank you for that, Mr Shortland. Did some concerns come from that?

Mr SHORTLAND: The members involved and the ones that were in those business units expressed concern that there would be a deficiency of protection and coverage in that area.

Mr Z.R.F. KIRKUP: In the event that something might be targeted in that area?

Mr SHORTLAND: My understanding is that is why they existed in the first place.

Mr D.T. PUNCH: Could you identify what the critical infrastructure was?

Mr SHORTLAND: There were a number. There were offshore oil and gas facilities and border protection was a function that they provided as well.

Mr D.T. PUNCH: Was that on behalf of the commonwealth government?

Mr SHORTLAND: I do not believe so. I am unsure as to the funding requirements, whether the federal government provided funding for some of those actions to take place or whether they were just inherent because they were present.

Mr D.T. PUNCH: Do you know how often your members visited those items of critical infrastructure?

Mr SHORTLAND: I could not tell you that, no.

The CHAIRMAN: What has replaced those units?

Mr SHORTLAND: I understand that there was some mention of aerial patrols, but in all honesty, I could not tell you. I do not have that operational oversight.

Mr D.T. PUNCH: You would not have an insight on the risk-management profile of that critical infrastructure?

Mr SHORTLAND: No, I do not.

Mr D.T. PUNCH: So it is highly uncertain what the nature of the protection was?

Mr SHORTLAND: That is correct.

Mr D.T. PUNCH: Thank you.

Mr Z.R.F. KIRKUP: Mr Tilbury, just off this topic for a moment, can we talk about protective service officers, the PSOs that would be in place to protect WA Police facilities and also the parliamentary and executive government precinct here in West Perth. I understand a decision from WA police has been made to reduce the strength of that overall PSO force, and certainly seeing some or most of those PSOs try to be deployed within WA police. Does the union have any concerns about the fact that PSOs might be removed from WA police facilities or protecting those facilities?

[10.50 am]

Mr TILBURY: We have been very concerned for some time, which is why we advocated for police facilities in particular, particularly those that might be key targets in light of what has happened in

the eastern states, to ensure that they are appropriately protected. In most instances, at a lot of those key locations, you only had private security that were performing certain functions, and we advocated for armed police officers to be performing those functions. The WA Police at the time were not supportive, and it was resisted for some period of time, until such time a deal was struck with the government to provide funding for protective service officers, so at least you had some people that were armed and capable of dealing with a particular incident should it arise, particularly with an armed offender. In light of some of these particular locations, there are a number of police officers and key personnel that were not armed, effectively performing administrative functions in a lot of cases.

Mr Z.R.F. KIRKUP: For a civilian like myself who has no experience in law enforcement, can you outline why those PSOs were considered so important, and what that might mean now that they have been taken away?

Mr TILBURY: It is very concerning when a need was identified to go to those lengths to make sure that appropriate personnel were placed at those key locations and then they were taken away. We have been supporting those particular members to ensure that they can be either transitioned into fully sworn police officers or actually placed at other locations, but it still remains a concern to us that certain police facilities are not appropriately protected, and that they do remain a risk as a target, should someone see fit to actually take some action.

Mr Z.R.F. KIRKUP: Are they typically considered to be higher profile stations or facilities? Is that what we are talking about?

Mr TILBURY: We are. Certainly places like police headquarters; Maylands, where the TRG and other specialist units are located; Curtin House, where all the detectives are; and some of the other major centres such as Perth police centre, for example.

Mr Z.R.F. KIRKUP: Is it possible that there will be a readjustment whereby sworn police officers will now have to do that duty, and that takes them away from their general duties that they are usually doing, or is it the case now that they just will be unprotected in that sense, without a PSO or an armed police officer out the front?

Mr TILBURY: We are still waiting for confirmation as to what that looks like. Obviously, with operational circumstances, WA police are reluctant to release some of that particular information, but our understanding is that services have been downgraded or in some places are non-existent.

Mr M.J. FOLKARD: George, your comments about the AR-15 moving back into an operational environment and taking it away or diverting it out into regional operational group from the TRG are interesting. You mentioned in your comment about proper resourcing in that particular space. Has the union considered other firearms that actually are a better fit for purpose? I will give you an example: the LT carbine, which is tooled to the Glock calibre plus magazines et cetera versus thoughts of having a high-powered firearm with lesser-trained officers out in the urban environment versus a long-arm firearm that achieves exactly the same result, that is not a high-powered calibre, that is better fit for purpose simply because of the cross-match in the magazines et cetera so making it operationally a better fit? What are your thoughts on that in relation to properly resourcing our officers on the street, for want of a better way of putting it?

Mr TILBURY: We are aware that WA police did do a number of assessments before they made the decision to actually deploy AR-15s, long-arm rifles, in the metropolitan area. We do not have a preference for a particular firearm, as long as our members have the capability to respond appropriately if and when an active shooter situation or a terrorist incident was to arise. Mr Shortland might have some more information.

Mr SHORTLAND: Yes. Certainly the feedback from members was that they wanted AR-15 rifles, but I did not personally receive any feedback or hear any discussion at any branch meeting advocating for one particular firearm over another. I am aware that WA police did do some research, some bolt-on type apparatus to the current side-arms that officers currently carry, but, again, I certainly did not hear, receive or consider any other alternative.

Mr M.J. FOLKARD: Based on the litigious environment at the moment, we saw out of the Lindt siege recommendations from the coroner, and I actually took the time to go and sit in the cafe and have a cup of coffee, clearly, when the specialist officers stormed that particular incident with their firearms, they were over-tooled, for want of a better way of putting it. Do you have concerns from your particular perspective in relation to litigation about having high-powered firearms in the urban environment?

Mr TILBURY: I am not concerned, so long as police officers are appropriately trained, they have the right equipment and they are able to attend and deal with a particular situation as it arises. They are the ones that need to make split-second decisions. They are aware of the legislative powers that are provided to them, and I am more than comfortable that in the majority of situations police officers will make the right decision. Part of that is a risk assessment that must be conducted in relation to every incident that police officers attend.

Mr SHORTLAND: To add to that, you raised the issue of civil litigation. Right now, we are advocating quite heavily on protections for police officers in civil action. Increasingly, we are seeing an emerging trend of our officers at risk of civil action for just doing their jobs. We have seen a number of high-profile cases where prosecutions could have gone better, but training and execution of prosecutions is a totally different matter that we probably do not want to go into today; however, as a result of some of those failed prosecutions, our members are finding themselves at risk of civil litigation. What we are saying is that section 137 of the Police Act needs to be strengthened significantly so that our police officers are not at risk of civil litigation, and if a disgruntled member of the public wants to take issue civilly with a member, they should do it through the state.

Mr M.J. FOLKARD: That then rolls on to the question we asked previously about should there be any further legislative developments. Would that be a fair reflective in that space?

Mr SHORTLAND: Absolutely. That is one of the biggest issues now facing our members, who are pretty much left on their own to defend themselves when the agency and the government will not support them in civil writs.

Mr D.T. PUNCH: In respect of the recent legislation concerning counterterrorism, I think your evidence was that you are satisfied with the protections in that legislation?

Mr TILBURY: Correct.

The CHAIRMAN: In relation to risks generally for police officers you have made the strong point that officers require body armour and there is a process that has started that will hopefully get to an end point. Between now and that end point how exposed are police officers to greater threat and greater risk, given the sorts of protective equipment that they have today and the sorts of protective equipment that they do not have?

Mr TILBURY: It is a significant concern for us because we want our members to be appropriately equipped with the necessary personal protective equipment to ensure that they are as safe as possible when they are attending a lot of these incidents. As members will be aware, policing is obviously very dangerous at times and it is a dynamic profession, so we need to ensure that they are provided with the appropriate tools and equipment to do their job. In relation to current equipment when we are talking about tactical body armour, as at November 2016 there were 1 035 pieces of tactical body armour statewide for, at that point in time, 5 242 police officers who were

qualified in critical skills and ready to conduct frontline duties. In other words, less than a fifth of WA officers can be considered to have sufficient protection at this point in time.

The CHAIRMAN: An emerging part of dealing with policing generally, especially in the counterterrorism space, is the use of information technology systems. Do you have any understanding of whether the WA police have sufficient information technology capacity and systems in place to adequately deal with counterterrorism threats?

[11.00 am]

Mr TILBURY: Not particularly. It is not something that we have been briefed on. One item of technology that we have been advocating for since our annual conference last year is automatic number plate recognition. The government did express interest but has gone no further at this stage. In relation to that—just so the committee is aware—WA police has been using PoliScan since early 2013. The laser-based speed camera system can monitor up to six lanes of traffic simultaneously. By October 2014 at least 48 WA police vehicles were equipped with ANPR systems. We are advocating for a fixed ANPR network which has the potential to be a significant asset in the fight against attacks on crowded places. Some of its potential applications include real-time intelligence gathering on patterns of behaviour by suspected terrorists. Almost all terrorists use vehicles to carry out their own surveillance operations. Whether they are using genuine, stolen or fake plates, ANPR allows the vehicles to be tracked. It can spot multiple and recurring sightings of a vehicle. It can also cross-match plates of known criminals and signal alerts if they are within a designated area. ANPR can also detect if a plate has been tampered with and/or does not belong to the vehicle it is on and deny suspicious vehicles boom gate entrance at locations such as Perth Airport, the convention centre and multistorey car parks generally.

The committee may not be aware that the UK in particular is very good in this space. They currently have an ANPR network comprising some 8 500 fixed and mobile cameras across the nation, conducting between 25 million and 35 million ANPR reads per day. Car registrations can be checked against lists from the police national computer, including vehicles of interest to the police, principally for crimes such as burglary or theft of petrol, but ANPR is also seen as critical to counterterrorism efforts. The traffic and environmental zone commonly known as the “ring of steel” is the security and surveillance cordon consisting of road barriers, checkpoints and several hundred CCTV cameras surrounding the financial district at the heart of greater London. The ring of steel was introduced in 1993 following a series of bombings by the provisional IRA. Images from CCTV cameras are sent to the Metropolitan Police data centre at New Scotland Yard, which uses ANPR software to compare the images with a number of databases, include police, customs and border agencies to detect potential threats.

Mr D.T. PUNCH: Are you aware of any research in relation to the use of that technology for rental vehicles, which have been used in terrorist attacks over the past couple of years? So, people hiring the rental vehicle and a normal number plate—everything prima facie is aboveboard.

Mr TILBURY: I am not aware of that particularly, but ANPR can be programmed to target or search for a variety of fields and it can be either very small in terms of what it is trying to detect; for example, stolen motor vehicles. I have been to the UK many years ago and have seen this technology in use, particularly with stolen vehicles. It was linked back to the air wing and within a couple of minutes of that detection happening on one of the highways, the police air wing was actually up in the air.

Mr D.T. PUNCH: I totally understand its context in normal police matters. In relation to a planned terrorist attack where a prima facie normal vehicle rental occurs and everything appears

aboveboard, documentation is in order and there is nothing to give rise to pre-suspicion, there would not be anything in the technology that would program an alert around that numberplate?

Mr TILBURY: Not that I am aware of. You would hope that counterterrorism measures were in place and that certain people may already be monitored by the law enforcement agencies.

Mr D.T. PUNCH: It would have to be an association with a monitored person.

Mr TILBURY: Correct.

Mr SHORTLAND: Just as a hypothetical, if the ANPRs in the shopping malls of the Perth CBD were configured to flag a rental vehicle that probably had no reason to be in a shopping mall, that could be —

Mr D.T. PUNCH: I think that would be a long bow, would it not? If you hire a vehicle you often go to a shopping centre.

Mr SHORTLAND: Not the pedestrian malls though; they do have vehicle traffic.

Mr D.T. PUNCH: The pedestrian malls do—yes.

Mr Z.R.F. KIRKUP: Further to this point, Mr Tilbury—I appreciate you are enlightening us on this—what does Western Australia’s training look like for police officers in relation to hostile vehicles and the like? Are you aware of adequacy and where that goes and what measures are in place for WA police in relation to a hostile vehicle incident?

Mr TILBURY: No, we have not been briefed in relation to that type of training that may or may not be taking place. These are the sorts of fields in which police should be fully trained in relation to any of these issues. Obviously as things develop over time and we learn more from overseas and interstate jurisdictions, police need to be flexible to be able to adapt and roll out current training as the needs arise.

Mr D.T. PUNCH: But the union has not identified and advocated for that form of training?

Mr TILBURY: No.

The CHAIRMAN: In WA, it is the role of WA police to monitor compliance with security licensing arrangements for private security firms. The committee has received some evidence that the resources within that unit of police are not exactly adequate to properly supervise that space. I notice in other states that the compliance and licensing requirements do not necessarily reside within police but are in departments of commerce or fair trading and the like. Do you have any opinion as to whether, firstly, the WA police compliance regime is appropriately resourced, and, secondly, whether that ought to stay within WA police or be given to another agency to monitor private security licensing?

Mr TILBURY: We are of the firm view that it should be retained by WA police. They do need the appropriate resources in order to ensure the checks and balances, particularly of individuals who are involved in that industry. Private security obviously have access to a lot of key locations that might become targets of terrorists. In relation to the resourcing of that area, Mr Shortland may be able to enlighten the committee.

Mr SHORTLAND: It is a valid comment that is an important aspect of policing and it should be retained within police. I guess the argument then that you start running into is that you have only a finite number of police. Road traffic enforcement is a priority, prosecutions are a priority and criminal investigations are a priority—there are all these priorities with only a finite number of police to do them all. What we are saying when we are advocating for more police on the street is that it will allow all of the priorities to receive the attention they deserve, which is not happening at the moment.

Mr M.J. FOLKARD: Can I get your thoughts on the current system as it stands? Different states have different levels et cetera. I know from my previous background that we have security guards who are asset protection who control liquor licences. What are your thoughts on having a graduated licensing system; for example, a level 1 licence, a level 2 licence and a level 3 licence, given your certain particular abilities? What are your thoughts on improving that in relation to assisting officers and our community?

Mr SHORTLAND: That is an idea that has merit. I have not seen any research on that particular regime, but it is certainly worthy of debate.

Mr M.J. FOLKARD: Within this space we have seen people portray themselves as experts within the industry who do not hold proper qualifications. What are your thoughts on the actual business unit looking at that particular space, for want of a better way of putting it?

Mr SHORTLAND: Again, that is worthy of being investigated and researched further. It is a valid comment.

Mr A. KRSTICEVIC: We have had discussion along the way and meetings with the security industry and security guards. Do you have any views on their role and how that works with police and their current capabilities and their processes of being validated in terms of their qualifications? Do you have any views in that area and have you considered anything down that path?

Mr TILBURY: No, not at all. Our primary concern is our members and it is not an area that we have given particular focus to.

Mr A. KRSTICEVIC: Do you think that your members, if they were asked, would express their opinions? Obviously now they are working a lot more with the security industry and private security guards in a lot of locations. You have the outsourcing of police by which you can pay for their services. There is a lot more integration now than there has been in the past. One would assume that there might be some questions around the security industry in the future and maybe that is something that you would consider raising with your members, because they are employed a lot more in the security space and there might be some opportunities for improving that side of the sector.

Mr TILBURY: There are always opportunities to improve the security industry generally. The only feedback I can give that I received back from our members is in relation to events—sporting events in particular and major concerts. The committee would be aware of the user-pays legislation that was passed earlier this year. We advocated for that for some time. We are very pleased that that has gone through because it has freed up operational police on the frontline. Police officers who are now attending those events are being recalled to duty from weekly leave, so they are very happy to participate on that basis. We have seen instances previously where areas were short-staffed in relation to a response to the community generally. They did not have enough because they also had to provide the police for these events. At those particular events where our members are working very closely with private security who are under the direction of the management of the particular events, we have had very good feedback. I think that is because those security personnel in a permanent arrangement are working for the management of those particular venues. It has been very positive. In relation to broader security, from time to time there will be concerns, but then you have to look at the people who are being employed in that industry and whether or not they are getting the appropriate training and have the skills to perform those particular roles.

[11.10 am]

The CHAIRMAN: Is there any takeaway message you want to leave us with today?

Mr TILBURY: There were a couple of other concerns that we had. We were talking about legislation previously and it has come up in relation to the Emergency Management Amendment Bill 2016. In my briefings with the WA Police Force they have expressed concern that this is currently sitting there and no-one is aware whether it will be progressed by the current government. They have said to us that this would certainly assist to get that legislation through. That is certainly something that we would like to see occur at the appropriate time.

Mr SHORTLAND: One thing that I picked up in comment is the recent debate regarding the sale of Landgate. Right now Landgate does provide a significant amount of information to WA police through geospatial mapping and address searching. They also hold all the private resident details of our members. It would be of concern to us if that passes into private hands and what then the regime is for passing on that information and how that works in a CT environment.

Mr Z.R.F. KIRKUP: Mr Shortland, you may not be aware that six or seven minutes ago the government announced that it will be commercialising Landgate.

Mr D.T. PUNCH: That is not correct.

Mr Z.R.F. KIRKUP: It says it right here.

The CHAIRMAN: We will not get into that. We will have a look at it when we leave.

Mr D.T. PUNCH: I think that is a separate issue outside the terms of reference of this committee.

Mr Z.R.F. KIRKUP: I think that if Mr Shortland has raised Landgate, then it is something that we should be able to explore.

Mr D.T. PUNCH: You are providing an incorrect interpretation.

Mr Z.R.F. KIRKUP: I disagree with you entirely.

The CHAIRMAN: I think the question there is do you believe the current arrangements through Landgate provide the necessary level of security to protect the personal data of your members?

Mr SHORTLAND: Not only that, but also providing the data to the WA police and the information they need to put together their systems to ensure their preparedness for any CT incident.

The CHAIRMAN: In any future developments, that has to be given priority to make sure that that is maintained and enhanced?

Mr SHORTLAND: Absolutely.

Mr TILBURY: That would be a significant concern to us as to who would have access to that information and how it might be utilised.

Mr D.T. PUNCH: I think it might be useful to understand what the changes are that are proposed and that might reassure you that the status of information that will be shared will be no different than under the other regime.

The CHAIRMAN: It is a watching brief.

Thank you for your evidence before the committee today. A transcript of the hearing will be forwarded to you for the correction of minor errors. You have to make the corrections within 10 working days. If you do not return the transcript within 10 working days we will assume that you are happy with it and we will make it publicly available. You cannot use the corrections process to introduce new material or change the tenor or nature of your evidence, but if you want to provide any additional material or you have any concerns that arise as we go through the inquiry, please feel free to make a supplementary submission.

Hearing concluded at 11.13 am
