



5 November 2018

639 Murray Street
West Perth WA 6005
P (08) 9321 2155
F (08) 9321 2177
E admin@wapu.org.au
T [@WAPoliceUnion](https://twitter.com/WAPoliceUnion)
www.wapu.org.au
ABN 11 005 082 386

Mr Peter Katsambanis MLA
Chairman
Community Development and Justice Standing Committee
Parliament House
4 Harvest Terrace
WEST PERTH WA 6005

Dear Mr Katsambanis

PROTECTION OF CROWDED PLACES IN WA FROM TERRORIST ACTS – WAPU RESPONSE

Thank you for your letter dated 18 October 2018 requesting further comment from the WA Police Union (WAPU) on the initial report for the inquiry into the protection of crowded places in Western Australia from terrorist acts.

WAPU provides the following response to the 'Committee requests for further comment' specifically numbered in the letter. It reiterates a number of points WAPU raised before the Committee on Wednesday, 27 June 2018.

Request 11

We would welcome further comment as to whether WA Police is applying adequate resources to carry out the engagement required under the [Protecting crowding places from terrorism 2017] Strategy and how this could be independently assessed in a security context.

WAPU remains significantly concerned the McGowan Government still has no strategy to increase police numbers beyond the 125 officers (100 for the meth border force and 25 for regional traffic patrol) it committed for this term. An extra 515 officers are required by 2021-22 just to maintain WA's existing police to population ratio of 263 officers per 100,000 population.

WAPU notes the report's reference to tactical body armour on page 78. However, the report does not contain any reference to the availability of long-arm rifles to police officers in the Metropolitan area.

While the recent funding of AR-15s to Regional Operations Group is welcome, WAPU maintains all operational officers remain at risk of being a terrorist target. Members have also expressed concerns about the potential time of TRG deployment in response to an 'active shooter' situation.

At its appearance before the Committee, WAPU was asked about the potential adoption of Behaviour Observation Suspicious Activity Recognition (BOSAR) training by WA Police Force (WAPF). Used by the New York Police Department and Massachusetts State Police, BOSAR aims to prevent attacks on large events by identifying suspects who might be planning attacks as well as identifying individuals with hostile intentions at the event itself. WAPU would initially recommend that WAPF liaise with the Queensland Police Service, which has been trialling BOSAR since 2017.

Request 17

We would welcome comment on how WA Police could become a preferred employer for specialist computer crime staff to aid in the development and retention of these critical skills.

Section 17 of the *Western Australian Police Industrial Agreement 2017* currently provides for a range of additional allowances to police officers in certain circumstances. An Investigative Skills Allowance is paid to detectives and officers working as Surveillance Operatives or in the Security Operations Division. A 10 per cent allowance above base salary is also paid to officers working in the Internal Affairs Unit as well as those deployed in the Tactical Response Group.

WAPU argues the development and retention of critical skills at least requires appropriate remuneration. To that end, the Government should agree to include a 'Specialist Computer Skills Allowance' in the next Industrial Agreement scheduled to commence on 1 July 2019.

Request 19

We welcome feedback on possible further oversight arrangements that would both reflect the inter-jurisdictional nature of counter-terrorism preparedness and respect state sovereignty, particularly as it relates to state-based agencies such as WA Police.

WAPU has no comment.

Request 21

Without a mechanism to monitor whether owners and operators are fulfilling their responsibilities, it is difficult to assure that crowded places in Western Australia (WA) are protected against terrorist acts. We welcome comment on whether a mechanism to monitor or enforce compliance is desirable.

As an interested stakeholder, WAPU believes a mechanism is a concept worth exploring. WAPU reserves making further comment until the details of any proposed mechanism are released. However, any such mechanism should be independent of industry, appropriately resourced and does not usurp WAPF as the primary law enforcement agency.

Request 22

We welcome information about any additional legislative requirements for risk assessment and risk management processes or protective security measures.

Over the last 12 months WAPU has been calling for urgent amendment to Section 137 of the *Police Act 1892*. Section 137 currently leaves individual police officers exposed to being held personally and civilly liable for acts or omissions made in the execution of their WAPF duties. WAPU advocates s137 be amended to reflect Section 10.5 of the *Queensland Police Service Administration Act 1990* that unequivocally states a police officer does not incur civil liability for engaging in, or as the result of engaging in, conduct in an official capacity – the State is liable instead.

In its 2017 Pre-Election Submission, WAPU also called for provisions to allow police officers to be fully armed in all courts in WA. This would reflect similar moves in New South Wales that lifted a ban on police carrying firearms in recognition of the increased terrorist risk to court complexes. WAPU argues that WA court buildings and judicial officers face no less a threat and need to be protected accordingly.

Request 26

We welcome comment on the resources devoted to compliance and enforcement activities by the WA Police Licensing Division. We also welcome comment on ways to improve compliance monitoring in WA.

WAPU's position remains that compliance and enforcement remains with the WA Police Licensing Enforcement Division (LED).

On page 98, the interim report states there were approximately 30,386 active security licences across WA in June 2018. WAPU estimates this represents about 570 licenses per LED officer.

Industry analyst IBIS World currently values the Australian security industry at \$8 billion in revenue with an annual growth rate of 2.7 per cent. WAPU argues the caseload of Members working in the LED will only worsen without the deployment of more resources, including additional officers.

Request 27

Publicly releasing information about the compliance of the security industry may assist procurement decisions and act as a deterrent to misconduct. We welcome comment on any barriers to the public release of compliance information.

WAPU would caution against any public release that potentially risks compromising WAPF officer safety (such as undercover operatives), operation or sources of criminal intelligence.

Request 28

It appears that an online licence registry with search function would assist employers in the security industry. We welcome comment on the need for such a system, the cost of such a system, and any barriers to its adoption by the WA Police Licensing Division.

Similar to Request 26, WAPU believes an effective online licence registry also requires the LED to be appropriately resourced.

If you have any further queries in relation to this matter, please do not hesitate to contact me.

Yours sincerely

President