



COMMONWEALTH OF AUSTRALIA

# Proof Committee Hansard

PARLIAMENTARY JOINT COMMITTEE ON LAW ENFORCEMENT

**Australian standard for privately contracted security and detection dogs**

(Public)

MONDAY, 21 SEPTEMBER 2020

CANBERRA

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## PARLIAMENTARY JOINT COMMITTEE ON LAW ENFORCEMENT

**Monday, 21 September 2020**

**Members in attendance:** Senators Antic and Mr Conaghan, Mr Craig Kelly.

**Terms of Reference for the Inquiry:**

To inquire into and report on:

Pursuant to subsection 7(1) of the Parliamentary Joint Committee on Law Enforcement Act 2010, the committee will inquire into and report on the potential development and introduction of an Australian Standard in relation to the training and use of privately contracted security and detection dogs, with particular reference to:

- a. the adequacy of current Australian arrangements, and the potential benefits of introducing a National Standard;
- b. funding, administration, and enforcement implications of the introduction of a National Standard;
- c. the nature and effectiveness of models adopted in overseas jurisdictions;
- d. any issues arising in the context of the work of law enforcement agencies, including the Australian Federal Police, in relation to the training and use of privately contracted security and detection dogs, or insights from law enforcement that might help guide the development of an appropriate National Standard;
- e. any related matters.

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**WEBER, Mr Scott, Chief Executive Officer, Police Federation of Australia**

*Evidence was taken via teleconference—*

**Subcommittee met at 09:02**

**CHAIR (Mr Craig Kelly):** Good morning, everyone. I declare open this public hearing of the Parliamentary Joint Committee on Law Enforcement for its inquiry into the Australian standard for privately contracted security and detection dogs. The committee has agreed to form a subcommittee for the purposes of today's hearing. The proceedings today will follow the program as circulated. These public proceedings are being broadcast live via the web and in Parliament House.

The committee prefers evidence to be given in public, but, under the Senate's resolutions, witnesses have the right to request to be heard in confidence, being described as in camera. It is important that witnesses give the committee notice if they intend to give evidence in camera. I remind all witnesses that in giving evidence to a committee they are protected by parliamentary privilege. It is unlawful for anyone to threaten or disadvantage a witness on account of evidence given to a committee, and such action may be treated by the Senate as a contempt. It is also a contempt to give false or misleading evidence to the committee. With the formalities over, I welcome everyone here today and I specifically welcome Mr Scott Weber from the Police Federation of Australia. Good morning, Mr Weber.

**Mr Weber:** Good morning, Chair, and good morning, committee members. The Police Federation of Australia represents over 64,000 police officers across the entire country and also represents another 6,000 officers in New Zealand. I won't do an opening statement. I note the time and that there are issues with timing for committee members and other people giving evidence. We only have half an hour, so I'm open to any questions from the committee.

**CHAIR:** Thanks, Mr Weber. For the record, I'm in my car stuck in some traffic in Sydney's greater south, so I hope that the line's reasonably clear. My interest in this is that, years ago, in my younger days, I was standing outside a nightclub with a mate, and there was a private security guard that had a dog that was like a white Alaskan malamute or something. There was a bit of a disturbance, and the dog attacked my mate and took a chunk out of his leg, and we spent the night in Sutherland Hospital. The dog obviously wasn't trained and was a real threat to the public. I'm sure members of the committee are not keen to put more red tape on any industry, but Mr Conaghan suggested that this would be a good inquiry for the committee to look at—that it might benefit everyone that, if a security guard has what is basically a dangerous dog in a certain public area, there is some type of standard that the dog must meet for the safety of the public. Mr Weber, could you quickly give us some background on how the police dog system works. I understand there's a separate dog-handling division. They seem to be very professional.

**Mr Weber:** Yes, definitely. There are dog units across the country, and ANZPAA education and training guidelines have a package with regard to dog-handling practices that is part of the policing profession. There used to be a Diploma of Public Safety (Police Dog Handling - General Purpose or Specific Odour), but that has been gobbled up by ANZPAA guidelines. They felt that they were sufficient to deal with it. In talking about the malamute, the guidelines don't talk about dog selection. That's not included in the guidelines. Each jurisdiction has requirements and selections for their unique environment base. Obviously, some states have alpine regions, and some states have deserts.

The guidelines are quite stringent. Probably our major concerns in regard to this are with drug detection dogs and explosives dogs and making sure that policing methodology doesn't get out into the general environment, and also making sure that any guidelines that are discussed are not watered down or forced on policing, because I think we have best practice. It's quite clear, with policing across the board, that when you look at our drug-handling and detection capabilities—and linking that back to the Sydney Olympics, which were the best games ever. It is unique that, after 20 years, we're still referring to them as the best games ever. The strategies that were put in place then have been built on across the entire country. We're seeing that dog units across the country are at that higher standard of excellence and providing a service to the community and keeping them safe.

**CHAIR:** Is it a common standard across each state?

**Mr Weber:** Yes. With the ANZPAA guidelines, there is a common standard across each state. Some of the methodology for how they train those dogs and, as I said, the selection of dogs does change, but, at their core, the standards are the same across the entire country.

**CHAIR:** Do you know if it is a similar standard for military dogs, or is that separate again?

**Mr Weber:** There is a lot of crosspollination, whether it be counterterrorism or tactical operations or detection with police dogs. There are a lot of joint operations with the Border Force. But, yes, they are of a similar standard.

**CHAIR:** If I'm running a private security firm and I have dogs with me, are there any legislative requirements that I must meet that you are aware of?

**Mr Weber:** Most security industries are governed by the police forces across the country and the Commissioner of Police actually issues those licences. This is where we make sure that the licences are of a certain standard. I do note the other submissions that have been put in place, and I do thank them for highlighting that illicit drugs is not one of the things that they are looking at—because I would see a huge issue with that. We all know—especially with the committee's background and insight—that there is organised crime in and organised crime links to certain security firms, as has occurred many times before. That is the last thing that we want. We just think that's a recipe for disaster. Also, with the training of illicit drug dogs, there is no use using synthetics; you actually have to use the illicit substances themselves, and there is a big issue with that.

The standards across the board change from state to state with the security companies, and the story that you highlighted is a problem. But we want to make sure that we don't drop the standard at all and that we're not reducing any of the capabilities of the state. We're not looking for a piecemeal approach or a second-tier standard of dog handling or procedures, where we're just getting people ticking the box instead of actually keeping the community safe.

**CHAIR:** Thanks. Mr Conaghan, I will hand over to you.

**Mr CONAGHAN:** Just to be perfectly clear, when I put forward this idea for the inquiry it was only in relation to privately contracted detection dogs. There was never any intention to undermine any of the police forces or armed forces. I'm well aware of their training and their methodology—it's top class. It is even recognised internationally. Somebody actually came and saw me and said, 'Do you know that private contracted detection dog do not have a national standard?' That was my concern. Chair, your example is not one on its own. There are plenty of examples of security companies out there, predominantly for crowd control—for example, with big concerts—that, as you quite correctly point out, Scott, quite often have links to organised crime groups. My concern was that we don't really have a national standard whereby these dogs are trained to give public confidence in what they're supposed to be doing. Does it concern you as a serving police officer, someone who's been out there and seen what goes on, that there isn't a national standard?

**Mr Weber:** Yes, it does. Our major problem at the present moment is making sure there's not a potential for a de facto standard for police dogs. You've highlighted that extremely well. Again, with your policing background as well, you would well know that our standard across the country is actually world-class. Again, we can see that in our responses to major events that we've here for such a long period of time. Whether it be COAG, the Olympics, the Commonwealth Games, large international events, sports, conferences, or the visiting of US presidents or vice-presidents, these issues have been exemplary and we always receive international recognition for that.

If you want to lift the bar of the lowest common denominator, we're very happy with that, but we want to make that it's not a way of actually reducing the standard across the board, that private organisations or large events can utilise services and make sure that that stadium is safe and that large vessels or container ships are well protected—because, as you highlighted before, illicit drugs aren't really on the radar.

**Mr CONAGHAN:** Can you just explain to me where your fears lie with introducing a national standard? How would a lowering of the bar occur?

**Mr Weber:** Where a provider would actually go out and source business or trade and a venue would go, 'Hang on, we don't need the police anymore; we'll just get private security in,' and then it's like, 'We didn't get time to search that; we just brushed over that,' or the dogs aren't to the same standard for the integrity check. As we know, if there is an issue, police are highly accountable. There are a lot of checks and balances, they have more oversight than virtually anyone, and the actual checking of the venue or the approach to the venue is second to none. There would be no question of substandard service or an issue with regard to corruption or manipulation and, if there is, there are dire consequences for it. The New South Wales Police would investigate it and people could lose their jobs. Those sorts of checks and balances are not in place at the moment.

But, in saying that, I think if we are looking down the path of Australian standards, it's critically important—and I note that some of the submissions highlighted this—that law enforcement is involved. That's critically important, and all states need to be involved. At the moment, I think it's only the Australian Federal Police involved. That is welcomed but, again, I think all the jurisdictions should be involved. I think it needs to be a police force based standard. Getting the Australian standard up to that higher benchmark would give reassurance

with regard to progressing it further. At the moment I think it is moving forward with the industry providers and not with all the police forces. As I said, only the Australian Federal Police are involved.

**Mr CONAGHAN:** I think I speak for all of us on the committee when I say that the intent of this inquiry is not to introduce a standard to replace the role of the police. It's simply to bring up the standard of the private security industry out there to a level that would be acceptable by the public.

In terms of the states being involved in the training, I was surprised to find out that Tasmania didn't even have a dog squad down there. So that could be logistically problematic. How do you see the training occurring with the police forces and the security industry? You said that you would like to see it led by them.

**Mr Weber:** Obviously, there are issues of Tasmania and their tactical capabilities. We are really pushing that every state should have their own capabilities, whether it be mounted police or a dog squad, and also that their tactical capabilities need to be increased. There is a lot of sharing between the states and jurisdictions. It is very difficult at the moment during COVID-19. This highlights how paramount it is that the police build up their own resources. As we discussed previously at another inquiry, we need only reflect on the issues that occurred in Victoria with regard to police officers not being in charge of that self-isolation and the hotel quarantine. It is paramount that the police have overall coordination of it. The police jurisdictions, across the board—even if they don't have that current capability—need to be totally aware of what's occurring and the standards and to be involved in the initial conversations and also the structuring of it, because they are the ones who are going to be issuing the licences at the end of it. Also, if something does go wrong or there is an issue, it is the police officers who will be pick up the pieces and also investigate it. So it would be great if all the police forces across the board have a stake in the development of it, the conversations, progressing it forward, the implementation and then the overall monitoring of it because, at the present moment in regards to security industries, the police are ultimately responsible for it as well.

**Mr CONAGHAN:** My next question is about ANZPAA, the education and training guidelines for the police dog handlers. You made the very valid point that they differ from state to state—as you say, one area might be alpine and another area might be desert—but I assume that, predominantly, it's the same training, with a few small exceptions.

**Mr Weber:** That's right. That was more for the selection of the dogs, which the guidelines don't really cover. For general purpose dogs and specific-odour dogs, all the training is developed there. It's a private document, but, if the committee requests it, I'm quite happy to get in touch with ANZPAA and help facilitate provision of that document for the committee to review and assess whether it's of any assistance.

**Mr CONAGHAN:** Finally, would the Police Federation of Australia like to see a strict standard for privately contracted detecting dogs and handlers?

**Mr Weber:** If we're going to utilise private security and private dog handlers, yes, we would like a benchmark that is extremely high that protects not only the industry itself but also policing across the board and the community. Police are about lifting up society and community to the better standard, the higher standard, so we're all safer and we all work better together. We would be happy to progress down that path. It's a great initiative by you. We want to make sure that it is at an extremely high level and also that it doesn't lower the bar with regard to what we're currently providing. We would like to be given that assurance. I'm very happy with that. Thank you.

**Mr CONAGHAN:** Thanks, Scott. Thank you, Chair.

**CHAIR:** You may lose me for a minute. If that's the case, Mr Conaghan can carry on. I'll only be offline for about two minutes as I go through this blackspot. I understand that security guards need a licence for the training. They basically have to be approved by each state police force. So, if I'm a security guard in New South Wales, before I can work in the industry I have to get approval?

**Mr Weber:** Yes, that's right. There are certain checks and balances and it does vary in each state, and the standards vary a little bit. Overriding that, the Commissioner of Police gives the authorisation in most states, but that's a delegated responsibility. It's like a firearms licence. Police have the overriding responsibility for it, but they do checks with regard to security licences and checks on firearms. It's the same with licensing, but there are other organisations that help deal with it because it's such a massive industry. Whether it is about licensing, firearms or security, they're all meshed together in the same way we saw with administration, with police having overall responsibility and then they delegate that to other organisations that solely look after it, and they have specialised capability to deal with it as well. With security, we're talking about detection dogs. Across most states bar Tasmania, police really do have the capability to meet demand, especially in the larger states, and they don't knock back any jobs. They are asked by the community or large corporations or companies that put on an event. We highlight that, and that occurs now, but some of the states have user-pays models, where they have to have a

certain amount of police capability and, after that, they can utilise private security. But in most states, to get to the real point of your question, there are criminal history checks, checks and balances for security guards or licensees of licensed premises or taxi drivers. All those sorts of things have been put in place.

**Mr CONAGHAN:** The chair is offline. In terms of security such as crowd control, are you aware of whether private security firms do any explosives detection or encroach on what the police forces are doing?

**Mr Weber:** Not to my knowledge. All states have specially trained officers that not only know how to deal with the crowd control strategies and situations where there are pinch points, crushings, protesters and all that sort of stuff but also are trained with regard to [inaudible] and still have their original office of constable and powers of arrest. It's a good way to reflect. It's been 20 years since the Olympics. There was a lot of security. There was a lot of military. The military was involved. The Army was there searching at checkpoints, but so were the police and the police had the overriding responsibility for it and they did most of the checking, most of the capabilities. When surge mentality is needed for a large event, we can call on existing private businesses or the armed forces to assist us, but, again, the police have the overriding responsibility. Police will do all the checking. I've done a lot of searching and I've never come across security that actually does that sort of searching. From the submissions, there are obviously detection dogs out there at the moment, but I've never come across them in large-scale operations that I've done.

**Mr CONAGHAN:** Following on from what the chair asked you in terms of the checks and balances for security, licences are checked off by the commissioner, in the same way as firearm licences. If I had a security company and I had security officers, are there any checks and balances that you're aware of that effectively test the capability or the training of the dogs?

**Mr Weber:** No; not to my knowledge. I'm not aware of that. I'm quite happy to take it on notice, but I'm not aware at all.

**CHAIR:** I appreciate that very much, Scott. Hope all is well with you. We greatly appreciate your appearance this morning and we thank you for your submission.

**Mr Weber:** Thank you, Mr Chair, and thank you, committee. Safe driving, Mr Chair. You're doing a very good job. Thank you.

**CHAIR:** From the car—yes. Sydney's traffic has a lot to answer for, because, with COVID, the train traffic is very much down and the road traffic is picking up quite substantially.

**AUSTIN, Mr Steve, Director, Steve Austin Canine Training and Behaviour**

**JAMIESON, Dr La Toya, Treasurer, Australasian Conservation Dog Network**

**LYTEN, Ms Tracy, Director, Skylos Ecology Pty Ltd**

**STARK, Ms Robyn, Executive Officer, Canine Detection Certification of Australia**

**TATE, Mr Ryan, Certified Handler and Assessor, Canine Detection Certification of Australia**

*Evidence was taken via teleconference—*

[09:29]

**CHAIR:** Welcome. Unfortunately I got caught in some traffic this morning. I'm just about to walk into my office in the next couple of minutes, so what I'll do is I'll hand over to Mr Conaghan to kick things off and to get the discussion going.

**ACTING CHAIR (Mr Conaghan):** Would any of you like to make an opening statement?

**Ms Stark:** I would like to commence my presentation with a scenario to allow the chair and the committee to understand some important factors in the conservation detection dog industry. Here's an example of a scenario. A government department requires a dog to undertake detection of koalas because there is a new road plan for that area and they want to ensure that there are no koalas there before the bulldozers come in. One of the rangers has a friend with a bull terrier cross who told him his dog could find koalas. That person ends up being engaged to locate the koalas, but the department didn't know that the dog had not been correctly trained. The bull terrier cross gets down to the scent and races off through the bush, with the handler doing his best to keep the lead from being entangled in thick scrub. But he fails. The lead breaks, the handler is badly scratched from the branches, and the dog continues on, tracking the odour, despite the handler calling the dog back. Loud noises ensue, and the dog eventually appears back in front of the handler, proudly showing off a koala in his mouth. The dog handler sues the government department for not doing risk management on the area he was working in, and the government department sacks the handler and declares that all conservation detection dogs are bad—and a koala is dead.

Poorly trained conservation detection dogs and handlers can harm animal and plant species, cause litigation and provide the parties who use detection dogs with the wrong perspective that all detection dogs are useless, and poorly trained dogs can harm the very species we are aiming to protect. This scenario provides an example of why the CDCA was formed—that is, to provide a framework where [inaudible] whereby handlers can have their dog assessed at one defined high standard and the parties who use conservation detection dogs can easily identify that a dog has reached a level of performance and ability and be assured that the detection work will be in a professional manner, and that all risks associated with the work have been considered.

The CDCA commenced around April 2016. Currently, there are 30 dogs that have been formally assessed. I think there are three more waiting to get assessed. All dogs are welcome to get assessed. It does not matter who trains the dogs as long as it can pass the assessment. The standard was created in consultation with several experienced detection dog handlers who work in a variety of areas and for many different organisations. The odours that the assessed dogs are trained for are quite extensive, from endangered species, feral animals, noxious weeds and biosecurity. Equally extensive are the locations the dogs are required to work. They include the Snowy Mountains, national parks, World Heritage listed Lord Howe Island, Moreton Island, cargo holds in barges and in populated council streets. One highly experienced handler, who is one of our assessors, works in a multitude of areas and target odours. Ryan Tate can now provide you with that hands-on perspective.

**Mr Tate:** Thank you, Robyn. As Robyn said, I own and handle a variety of dogs that are trained to find biosecurity matter, invasive and rare plants, pest animals, and threatened animals like koalas and [inaudible]. I've worked for DPIE, the Department of Planning, Industry and Environment, the Lord Howe Island Board and many environmental consultancies across Australia. I've got various tertiary qualifications in science, dog training, zookeeping, and training and assessing, and I'm also an authorised biosecurity officer.

The role I've taken on for Canine Detection Certification Australia is to protect the future of the industry by trying to ensure that only safe and effective dogs enter the field and that they have our support behind them. As Robyn said, it only takes the actions of one poorly trained dog to ruin the reputation of this wonderful industry. We try and assess the overall temperament of the dog, high-level off-lead obedience and its ability to find and give an appropriate indication of its target odour multiple times within a small time frame in a realistic setting. I would personally applaud an Australian standard for the use of privately contracted detection dogs in all industries, including my own. The CDCA is not at all about making us money; it is for industry protection. I would love to see this process grow in various ways. I would, however, insist that, if standards are created and

assessors are appointed, the standards are not a one-size-fits-all approach and that the assessors must have experience and qualifications that are directly relevant to the dogs and the handlers they are assessing. Someone who has only trained and handled narcotics or explosives detection dogs wouldn't be fit to assess someone who only trains and handles threatened species dogs, and, of course, vice versa.

The conservation side of the industry is rapidly growing, and there are a few fundamental differences that a conservation dog needs to work that separates them from many other types of detection dogs. The first one is that they must work off lead. Ninety per cent of conservation dogs are deployed in environments that are densely vegetated, with scrubs and vines, and having a dog on lead virtually renders them useless and poses a WHS risk for both the dog and handler. The main appeal for the dog is not only to find something that's hard to see, but also to cover two to four times the distance of any handler.

The second thing is that muzzles must not be mandatory. Many of the targets that conservation dogs are looking for are cryptic—that is, they are often under leaf litter, underground or in amongst low, dense vegetation or even in waterways. Muzzles get caught, and they negatively impact the dog's ability to smoothly move their nose through scrub and leaf litter while they're trying to acquire odour. In most of our work environments, muzzles would make the task much more difficult than it needs to be, and they pose a genuine welfare concern for detection dogs. Furthermore, I would suggest that, if a conservation or biosecurity dog requires a muzzle for its safety or for the safety of the wildlife its working around, that dog is not fit for task. At the CDCA, we select and certify dogs of suitable breed and/or temperament, which means that they're unlikely to eat anything in the field or to bite wildlife or people.

I'd like to conclude by saying that I'm in favour of an Australian standard, with the proviso that the assessors have recent, relevant experience and qualifications and that the standards are appropriate for the task, whether it be biosecurity, conservation, narcotics, explosives, medical alerts, leaking water, search and rescue, or anything else. Thank you for your time. If I can be of any further service, I'll gladly be involved.

**ACTING CHAIR:** Thanks very much, Mr Tate and Ms Stark. Firstly, as a matter of interest, Ms Stark, is the scenario you gave us factual or just one that could possibly happen?

**Ms Stark:** Fortunately, it's not factual, but certainly parts thereof have definitely happened. It definitely could have happened.

**ACTING CHAIR:** No worries. That was just a matter of interest—

**Mr Austin:** Could I please interject. I've been running dogs for over 30 years. I have seen that happen in part numerous times, particularly with inappropriate dogs on kangaroo and small mammals—absolutely.

**ACTING CHAIR:** Mr Tate, it's good to hear that you're in favour of a national standard. But could I firstly be very clear to everybody that's appearing today that the purpose of this inquiry is to raise the level of training generally across our private sectors, particularly in security. It's certainly not about undermining or restricting the good work that you're all doing. I appreciate that you all have a great deal of experience and depth in training, particularly in the conservation and ecology area. I need everyone to know that that is the purpose of the hearing. Mr Tate, you said that the dogs would have to work off lead and not have muzzles. Again, it's not the intention of this committee to put forward proposals about how things should be done; it's simply to have a better base level of trained dogs in the private sector. Mr Tate, how would you see a national standard being rolled out across the board? Would it be through working jointly with the national police or the states and territories police? How do you see it working? Perhaps, Mr Austin, you could also address this.

**Mr Tate:** I don't necessarily think that the police need to be involved directly. I think each sector should have a number of approved assessors that can be deployed or viewed anywhere across the country—much like roads and traffic or RMF might be used, so that there are branches that people can visit with the dogs to have regular or initial assessments for the process of accreditation. I think, by nature, the police have a line of work that is very niche and very different to what we do. Steve has more experience working with the police than I do. So, Steve, you might be able to advise or have a different opinion on that.

**Mr Austin:** Thanks, Ryan. I'm a certifying official with the Californian Narcotic and Explosive Detector Dog Association. I bring that in because the police in the US want the representation of the assessor to be completely neutral. To even think about assessing your own organisation is ridiculous. The assessor has to have no reason to pass or fail. We did Macquarie Island. We took 12 dogs there. It was the biggest conservation success story in Australia's history. We got rid of every single rabbit, rat and mouse of the subantarctic island. I underwent a three-day assessment by the Department of Conservation in New Zealand, and it was completely neutral. It was difficult, granted, but it was completely and totally neutral. The assessors that we use can't be incorporated with any organisation and should be able to interact with any scenario that is put forward. I think that is very important.

The other thing that I would like to bring to the committee's attention is that canine training has changed dramatically—and I emphasise the word 'dramatically'—in the last 10 to 15 years; in fact, in the last five years. A lot after agencies around the world are not up to date—and this is quite scary for me. I do a lot of work for the Czech Republic. I've judged the European drug-searching championships in Prague for the last four or five years. The dogs that go there, particularly the Dutch and the Czech dogs, are unbelievable compared to other agencies around the world. So there's that to consider as well when you are putting assessors in. They must be very in tune and up to date with the basic and the scientific principles of modern canine training.

**Dr Jamieson:** The Australasian Conservation Dog Network has a similar story to the certification council. We saw a need for a sharing of knowledge in the conservation dog community. There seemed to be a lack of understanding between people wanting to employ detection dogs and the detection dog handlers and trainers themselves. Our network was formed to create shared communication not only between dog handlers and dog trainers but also between land managers and researchers.

Since our inception in 2017 we have been working towards guidelines for how detection dog teams can be creating standards for their individual working purposes. We think it's often dangerous to create an assessment which is one size fits all. Every wildlife detection dog, which can include for our network, guardian dogs, has a specific role and purpose. Trying to create an assessment which will work for all of these teams is often impractical. One of the best models currently used is the New Zealand model, where the Department of Conservation has an assessment which is used for their pest detection as well as their threatened species. Whilst that is working for them and is a good model for New Zealand, trying to roll out an assessment which is one size fits all across Australia and all of our wonderful states, we believe, will not be an accurate representation of what the working dog teams will be required to do in the field. Therefore, we would be hesitant to create an Australian standard for wildlife conservation detection dogs as a whole.

**ACTING CHAIR:** Wouldn't that be a situation where you have minimal level of training, which would be the national standard, and then additional layers of training on top for, for example, conservation? Wouldn't that be a more practical way of doing it? My suggestion is that, whether it's a detection dog or a private security dog, there be a minimum standard—and we would like to see a fairly, high minimum standard—and then, on top of that, an additional layer when you go into biosecurity. I accept that you cannot have one size fits all—because it doesn't. My suggestion is that all dogs have minimal training and then there are additional layers on top of that. What would you say about that?

**Dr Jamieson:** I think we also have to be careful about setting minimum standards because they have to be tailored for each particular working group. Something that would be considered a minimum standard for an endangered species dog that is locating live animals in comparison to a dog that is locating weeds I imagine would be very different. We have to make sure that it is tailored to those unique working groups.

**Mr Austin:** I can't agree with. That's totally unacceptable. The minimum standards for all weed dogs, which I have trained, the endangered species dogs, which I have trained, and the feral control dogs, which I trained, must be identical. No ifs, no buts; there must be a minimum standard, particularly like the chair said. Then, of course, you can add layers on top. In my opinion, Doctor, there must be minimum standards for every single dog that goes into the field.

**Dr Jamieson:** Thank you for that. I agree. I am always hesitant about setting minimum standards and creating assessments where people become more focused on passing the assessment themselves rather than focusing on the long-term working plans for that specific dog and those specific projects, which is why we typically shy away from creating baseline standards and instead create assessments or guidelines which better represent how the dog should be working in the field. But we 100 per cent agree that all dogs that are working in the field, whether they are locating carcasses, weeds or live endangered species, for example, must be safe and reliable around any distraction.

**Mr Austin:** I agree.

**ACTING CHAIR:** Ms Lyten, are you there?

**Ms Lyten:** Yes. I will give a little bit of background about myself. I started as a search and rescue dog handler over 15 years ago. I was also a director and founder of Canidae Development and now I am a founder and director of Skylos Ecology. I agree that basic control stuff needs to be in place, like your emergency stops, recalls and all of the basic foundation stuff. It is an absolute must and it needs to be solid. I agree with Dr La Toya Jamieson, Steve Austin and also Robyn and Ryan. I also agree entirely with what Ryan said. We have certain levels of professionalism in the industry and we need to make sure that anyone in this industry has a level to meet—so

basic standards, to a certain degree, for basic control stuff, but, as La Toya said, setting just a minimum and then going, 'Okay; off you go,' doesn't really work either. That's why setting standards or setting levels is problematic.

Independent assessments are absolutely vital. I think that that could be done through many different ways, through businesses like the CDC, the Australasian Conservation Dog Network. I have independent assessment through independent colleges. I also work with universities. I think there are a lot of different ways that you could set it up. Assessors don't necessarily have to have a dog training background. They need to understand what they are looking for and what the outcomes of the assessment are. I am interested in a standard to a certain level, but I think it's a discussion in its own right.

**ACTING CHAIR:** Mr Austin, could I ask you to go to the last comment, that assessors don't need to have dog training background. That surprised me.

**Mr Austin:** I agree with that to a certain level, as long as the assessment is completely objective and clear cut. We do an assessment with the detector dogs in Tasmania, which I train. I was also a federal officer for 10 years with the Australian Quarantine and Inspection Service, as it was. We had our dogs all over the country, at every international airport. I went to Japan and Caledonia. The one-year assessments, and this goes back to what Tracy was saying, which I agree with, were box assessments—three rows of boxes. It was completely objective. The dog was either wrong or right and you could nail it. It was pretty easy. We would get assessors in from other departments and so forth that test the dogs, but the field assessment has to have recognition of experience in canine training and behaviour in that field. If you can get both, it's good, but all would depend on how objective the test would be. In the field test, we set the target odour, give them an area and the dog has to find it in a period of time. If the dog finds it, it passes. If it doesn't find it, it fails. I can see a few problems, but, like Tracy said, it would be about sitting down together, getting that organised and thought through correctly. Thank you.

**Ms Lyten:** I absolutely agree. It needs some very clear criteria. There's got to be absolutely no objectivity to it. It's got to be straight: this is what you're looking for and this is the outcome. I've looked at your standards, Steve, and I've been working with the Australasian Conservation Dog Network to develop fundamentally similar aspects. There are slight differences, but, if we can be cohesive and work as a uniform group and develop something that works across the board, that's important. It is better for the industry for us to all sing from the same hymn book.

**Mr Austin:** I agree. I've been doing this for 30 years and, as Robyn Stark said earlier, there are the scenarios that I come across. I would say, 'Why don't you use a dog to do this?' I had dogs in before. They killed a kangaroo or a koala or something. They didn't do what they were supposed to do, and they ran off and we didn't get them for four hours. I lost a lot of work from this and, I would say, my dogs are nicely trained dogs. We did Macquarie Island and Lord Howe Island, and we're doing Moreton Island for cane toads, and it is imperative that the dogs have a minimum standard and they're judged objectively on that. The right people must be doing it. It cannot be one size fits all. Police detection is completely different in some ways to our detection. I also want to put forward to the committee that training of the assessors must be well looked at. Canine training today is completely different to how it was 15 years ago. It's changed dramatically—all for the better, I might add.

**Ms Stark:** It's not just about the ability of the dog but also about factoring in the capability of the dog where it's going to be working. For example, I know of an instance a couple of years ago when someone suggested a Cavalier King Charles Spaniel would be able to do koala detection. You can imagine the size of that dog covering terrain of five kilometres a day. It's just not feasible. That also must be factored in as far as standards go.

**Dr Jamieson:** We must be very careful to exclude certain dogs, based purely on breed. If the dog has motivation and the correct temperament and the handler is willing to modify a working day, we shouldn't restrict dogs based purely on their breed, if they are able to do a job to a certain degree and that is agreed upon with the person contracting the team.

**ACTING CHAIR:** Sorry for interrupting everybody. We're getting into the nitty-gritty of dog size, breed et cetera, which is not the intention of the committee. I'm conscious of the time. Does anyone wish to make a final point prior to wrapping up?

**Mr Austin:** I fully agree with the concept of having a standard, but I go back to what Ryan and Tracy said: you can't fit one size to all. It's impossible. If the committee goes away with that today, I would be very happy. Thank you.

**ACTING CHAIR:** I can assure you all that it's not the intention of the committee to have a one-size-fits-all approach. We understand that simply wouldn't work, and we will be very keen to work with you all to have the best practice standard.

**Mr Austin:** Wonderful.

**Ms Stark:** Just so the committee is aware, I do industry work for the renewable energy sector mostly as part of a year's contract that I deliver. We need basic control stuff in place, but it really needs to ensure that it can be across sections and not be too prescribed.

**ACTING CHAIR:** Understood. Thank you, everybody, for attending today and thank you for your submissions. They've been really helpful and hopefully we can work together again to provide that best standard. Thanks very much.

**Proceedings suspended from 09:58 to 10:10**

**CORCORAN, Mr Scott, Board Member, Australian Working Patrol Dog Association**

**FERRARI, Mr Wayne, Acting Director, Australian Working Patrol Dog Association**

**LOGAN, Mr John, Board Member, Australian Working Patrol Dog Association**

*Evidence was taken via teleconference—*

**CHAIR:** I now welcome representatives from the Australian Working Patrol Dog Association. Do you have any comments to make on the capacity in which you appear?

**Mr Corcoran:** By way of introduction, my background is 20 years in policing and, prior to that, I was a licensed security dog handler since the mid-90s. I'm currently a licensed handler and trainer in most states and a licensed breeder of working dogs and currently sitting on the board of the Working Patrol Dog Association.

**Mr Ferrari:** My background is about 15 and a half years of training security dogs. I'm a certified signal decoy and I've worked with police departments in Indonesia, Malaysia and Cambodia. I am currently the acting director of the Australian Working Patrol Dog Association.

**Mr Logan:** I am also a board member of the AWPDA. I'm a police officer with 15 years experience. I'm also a working dog breeder as well as a dog trainer.

**CHAIR:** You three seem to have substantial experience in the industry. Do you have a problem with some cowboys in the industry?

**Mr Corcoran:** I don't think anyone would disagree that the industry would benefit from more regulation than it has presently, and we are very supportive of a national standard in that regard.

**CHAIR:** If one of your members or someone is tendering for security work at maybe a sporting event or a concert, for example, that requires dogs, are you required to give any details of the specific training of the dogs? Is there any legislative requirement? If I'm the person running that event and I go to a private security firm and they say, 'Yes, we'll provide you with half a dozen dogs; they'll be part of the security detail we'll provide you with,' where do they detail what particular training those dogs do or don't have?

**Mr Corcoran:** Currently the situation is they don't. It is a fairly small segment of the security industry, currently dominated by people with prior experience in the field. If I was an organiser of an event like that I would go to someone who had a good reputation, like the gentlemen sitting behind me today. That's how everything gets done at the moment. If price point becomes an issue that is probably where they start to go to more dodgy people out there.

**CHAIR:** So there's nothing to stop someone being undercut by someone bringing in a dog in from home to be part of the security detail. So, if Frank has an Alsatian that has minimal training, the person hiring them would have no idea of the difference?

**Mr Corcoran:** That's right.

**CHAIR:** I understand where you guys are coming from, but is there a concern that we be putting extra red tape in your industry if the government became involved? What about the argument that that should be between the buyer and the seller—that it should be buyer beware—and that that's something that should be left to the individual contract between the two and that, if the government gets involved, they're more likely to stuff it up and create more red tape and cost for you guys? What is your opinion on that?

**Mr Corcoran:** Our position on that is that the way forward isn't necessarily through further government regulation or legislation changes, but through an association. This model has proven to be very effective in the US and the UK, where they have hundreds of dogs in that sector. We think that an association with representatives from all of the stakeholders involved—the police; Standards Australia; the two major security industry associations, ASIAL and SPAAL; the AFP; other dog trainers, providers and breeders; equipment manufacturers and everything—can come together under the banner of an association, a not-for-profit organisation, that will give buyers in the future some indication of exactly what training and what standards the dogs and the handlers have met.

All of this is fine and we're getting away with it now, but it's only fine until something happens. Particularly when you start looking at detection dogs, we could probably still be sitting here in two years time and, if nothing has happened, we will say it was successful. But we do need to find a way to mitigate liability in the event that the bomb does go off or the indication is an explosive.

**Mr CONAGHAN:** Mr Corcoran, I just picked up on one thing that you said. You were talking about a price point, and that is where you have, I suppose, organisations that are left wanting in terms of professionalism. I

don't want you to identify any particular organisation, but have you come across organised criminal groups or OMCGs involved in the security industry with drug dogs?

**Mr Corcoran:** No, not specifically with the dogs—not personally.

**Mr CONAGHAN:** Mr Ferrari, could you talk us through the standards you have put in place through your organisation, what they cover and why you put them in place?

**Mr Ferrari:** The current standards that the AWPDA use are a cross between the NAPWADA standards currently used in the US, which is kind of their gold standard for patrol dogs being street ready. Most of the organisations there can't run their dogs on the street until they pass this certification. We took out parts of that that were not relevant to Australia or to its bylaws regarding security and implemented a few out of NASDU in the UK. The reason we implemented these is that we saw a failure in the current security licensing with regard to the way handlers were actively patrolling with their dogs. We found that a three- to four-day course of handling a dog wasn't sufficient for a handler to actively understand the body movement of his dog, the indications of his dog and what his dog would do under pressure. Hence, we put the certifications in place.

**Mr CONAGHAN:** What would a national standard look like to you?

**Mr Ferrari:** That's a hard question. A lot of people think a national standard for canine handling is all focused on the dog, but they're forgetting about the handler. A handler has to put in a lot of work when he's handling his dog. One hand is on the lead and the other hand is trying to ascertain information from the POI, or he has his torch on. His brain is all over the place. There's a lack in training of the guard themselves, let alone the dog. A standard would have to incorporate both of those.

**Mr CONAGHAN:** We had a number of people give evidence just before you who said that, whatever standard is implemented, it can't be a one-size-fits-all approach. What do you say about that?

**Mr Corcoran:** We recognise that the environment that the dog team will be working in is going to be a critical factor in the standards that it would need to meet. There was the example that you gave before about a dog working at a festival, which is a common use for the dogs. A completely different skillset might be required by the dog and the handler to a dog working full time in the government sector, where it's doing explosives detection, in and out of the gate and patrolling.

**Mr Ferrari:** I'd like to add to that, if I can. There would have to be a different standard for detection, as opposed to GP dogs, general purpose dogs, but you will have a lot of handlers who have what's called a dual-purpose dog, which is able to do general duties as well as detection work.

**Mr CONAGHAN:** I suggested to the previous witnesses that you would have a minimum standard for every dog, which would be a high minimum standard of training, and then you would have additional levels or layers on top of that training, depending on what the dog was to be used for. For example, conservation would have the minimum standard or the national standard and then another level of training on top. Is that how you would see it working?

**Mr Ferrari:** Currently, that's how the AWPDA does its certification. We have a standard patrol dog certification and then you add components on top, such as tracking and detection. It's an easy modular system, because you can start with a standard that everyone across the board understands—that's what they're trained to—and there are add-on components, depending on where they want to work.

**Mr CONAGHAN:** Would a national standard affect your business model?

**Mr Ferrari:** We're a not-for-profit organisation. We don't earn money. We're here for the guards. For everything we supply them, they pay nothing. They get it for free—training, webinars from specialists in each industry, the conference they get large discounts on. We make no money, so it doesn't affect us. We're basically here to just support the security guards.

**Mr CONAGHAN:** Following on from a question that the chair asked in terms of additional red tape or whether you are concerned about government intervention, it sounds like all three of you, Mr Corcoran, Mr Logan and Mr Ferrari, are very supportive of a national standard for security and detection dogs. Is that a fair comment?

**Mr Ferrari:** Yes.

**Mr Corcoran:** Definitely.

**Mr CONAGHAN:** Mr Logan or Mr Corcoran, how do you see the national standard being rolled out in terms of training? Someone—I think it was you, Mr Corcoran—mentioned that you saw the police, the states and other interested parties involved. What does that look like for you?

**Mr Corcoran:** Again, when you were talking about better levels or a layered approach to training, I think that is going to be necessary. Certainly, the involvement of and input from the AFP, in terms of establishing the standards in the beginning, would be invaluable in that regard. After that point you need to be able to identify trainers who are suitable for delivering the training that meets the national standard. We need to have a solid-enough association that makes sure that those standards are being met and that the necessary training is being delivered. Who its delivered by isn't necessarily that important, as long as they meet the standards.

**Mr CONAGHAN:** Is there an area that should be avoided, or is there something that you, or all three of you, would not want to see interfered with by a national standard?

**Mr Corcoran:** The powers and the training and everything else relating to police and corrections and military dogs. We definitely want a clear delineation between them and the standard that we're developing here. We wouldn't want such a standard to take anything away from the police or to cause any confusion about what the standard is.

**Mr CONAGHAN:** Sure, and I can assure you that this inquiry is in relation to privately contracted security and detection dogs and that there is no intention to interfere with police or military training at all.

**CHAIR:** Gentlemen, I have a question that you may be able to answer. Do you have to have special insurance for dogs for security companies? I would imagine, for example, in today's litigious society, if someone has a security dog at a concert and one of those dogs bites someone, that that security company would potentially face a serious financial penalty or a legal suit against it. Therefore, would their insurance company insure them for that? If they do, how do insurance companies calculate the risk and the premiums?

**Mr Ferrari:** I can't give you a confirmed answer to that at the moment, but I know that the AWPDA is in the middle of meetings with a large insurance company to be able to supply security guards with pet insurance, work insurance and equipment insurance, so that if their harness breaks or their lead breaks they'll be insured as well. That's not finalised yet, but it is in the works to be able to cover those guys for those events.

**Mr Corcoran:** From a business perspective, it's just one other aspect of security that you need to be licensed and insured for. So, yes, you can be insured to provide dogs, and you are covered in the event that a dog injures someone in a lawful manner.

**CHAIR:** I'll give you an example. I'm running a security firm. I supply security personnel and a few dogs to an event. One of those dogs, for whatever reason, attacks someone and seriously injures and even potentially kills them. I would imagine that I would have a significant liability, which hopefully is something I would look to insure against. Is that what's happening at the moment in the industry? Is that risk something that these security companies are covering?

**Mr Corcoran:** Again, as long as the actions of the dog and the handler were within standard operating procedures, were lawful, then you would be covered. I think the gentlemen who are coming up after us will probably be able to give you some good examples of that.

**CHAIR:** I'd be interested in that. We tend to look at government regulation, but what do insurance companies have as their regulation? Putting on my insurance company hat, I'd want to make sure, if I was taking that risk, that any dog that was on site had had the proper training. It may be that, if the dog didn't meet a certain level of training, the insurance policy wouldn't cover that incident.

**Mr Corcoran:** Yes, absolutely. That could become a factor after the introduction of the national standard.

**CHAIR:** Okay. Senator Antic?

**Senator ANTIC:** No, Chair, nothing from me. I'm all good.

**CHAIR:** Pat, anything else?

**Mr CONAGHAN:** No, it was very helpful. It's good to see that everyone is on board.

**CHAIR:** We're a few minutes ahead of time. Are there any final statements you'd like to make or anything to advise the committee on? I remind you that, with any national standard, we want to make sure that we're not overburdening any industry with additional red tape.

**Mr Corcoran:** Yes, thank you. I will add that, outside of the association, I manage a security company that provides contracted security to the British High Commission around Australia. One of the services we provide the British High Commission is dogs. We are currently in the process of upskilling the dogs to be able to do explosives detection. We've been doing it for a little while now, and we'd be very happy to offer our experience there and what's happening there as a pilot program to get together to look at the standards and how they might be applied. It is a very large government organisation and a very high-profile one, so we think it would be a good place to start.

**CHAIR:** Gentlemen—Scott, Wayne, John—we appreciate your time. Thank you for your submission. We wish you all the best in your industry.

**DE CAIRES, Mr Bryan, Chief Executive Officer, Australian Security Industry Association Limited**

**WARK, Mr Rodney, Director, Australian Capital Territory, Security Providers Association of Australia Limited**

[10:33]

**CHAIR:** Welcome, gentlemen. I don't know if you heard the question I asked the previous gentlemen about the insurance industry. Can you explain anything about how it would work—if I'm running a security company, how I would go about getting insurance if I have dogs at a particular event?

**Mr Wark:** As a security business owner, I've been in the security industry for 30 years—

**CHAIR:** Say, for example, I run a security business. I have certain security guards that I employ, for whom I have to make sure there are certain standards. They all have to have their police approvals. I'm contracted to work at a particular event. Sometimes dogs are involved. If one of those dogs happens to bite or injure a patron of that event, I'd imagine there could be some liability that would come back onto me. As a business person, how can I insure against the potential liability that I might have? Is that something that happens in the industry?

**Mr Wark:** Yes, that's correct. Currently my business has \$20 million public liability insurance for the use of canines and for the use of firearms.

**CHAIR:** Are you aware of anything in your insurance policy that requires that the dogs meet a certain standard?

**Mr Wark:** They don't ask for a standard. They ask for a risk assessment to be done at the venue and also a dynamic risk assessment throughout the course of the event.

**CHAIR:** If, for example, you're quoting against another company, and you both have similar insurance policies, if one security company's security guards were to bring a couple of dogs from home that did haven't the particular training, and one of those dogs attacked or bit someone or caused an injury or even the death of someone, would the insurance company look into the specific details of the training of the dog?

**Mr Wark:** That would most definitely be the case.

**CHAIR:** Okay. Pat, I'll hand over to you.

**Mr CONAGHAN:** Thanks, Chair. Thank you, gentlemen. Mr Wark, could you give me a run-down of your business and how many security officers or guards and dogs you have. I think you said you've been in the industry for 30 years. Is that right?

**Mr Wark:** That's correct. I've been in the security industry for 30 years. I've been the director of Elite Security & Protection for 12 years, and, for the last two years, the CEO of ASEC, Australian Security Education & Consulting, which is the RTO in Canberra, where we train security guards. Currently, my business is a boutique-style security business. We have around 15 employees, with three to five being and the rest on a casual basis. We have four dog handlers at the moment.

**Mr CONAGHAN:** What type of work do the dog and dog handlers do?

**Mr Wark:** We do everything. We just finished with the hail-damaged cars that we saw when the storm hit Canberra. For seven months we were guarding the hail-damaged cars out at Hume and Mildura, where we had quite a few attacks and entries into the premises. The perpetrators were deterred by the dogs. Once they heard the barking of the dogs, they vacated the premises. We also use the dogs at 18th and 21st birthday parties at private residences, and we've also used them at events such as the Summernats.

**Mr CONAGHAN:** What sort of training do the dogs undergo?

**Mr Wark:** The dogs undergo weekly, fortnightly or monthly training, depending on their skill levels. Hopefully they meet weekly, depending on the weather, the climate and the availability of guards. We carry out different scenarios of training for the dogs for the different types of event that they may be up against.

**Mr CONAGHAN:** What about the initial training?

**Mr Wark:** We tend to get a lot of dogs through the sporting dog area. They do Schutzhund and those types of sports. That's probably a very worthwhile part of where the dogs can come from, because their training starts as puppies until they're two years old. Once they hit the age of two, they can be slowly brought into the security industry.

**Mr CONAGHAN:** On the question that the chair asked about public liability, you said you had \$20 million in public liability, which is fairly standard for most businesses these days. If I were an event co-ordinator and I had

your company do the work with a couple of dogs, you said there is a risk assessment at the event. Am I correct on that?

**Mr Wark:** That's correct. My company would carry out its risk own assessment. We would be employed by the event organisers. We would find out where they want the dogs located, what type of duties they want the dogs to do and then we would carry out our own risk assessment as to what is going to happen when the dogs are involved.

**Mr CONAGHAN:** We're looking at implementing or trying to formulate or see what the appetite is for a national standard. Do you support a national standard?

**Mr Wark:** Yes, I do. I'm on the current committee for Standards Australia.

**Mr CONAGHAN:** That's really good to know. What does that look like? What does a national standard look like to you in 12 to 18 months?

**Mr Wark:** It's something that we really need to have and it probably should have been done 10 years ago. For anyone who's going to handle any type of dog, whether it's a biosecurity dog or a detection dog, and that includes explosives or drugs, or a patrol dog, it would be imperative for the future of canines in the industry going forward.

**Mr CONAGHAN:** How do you see it being implemented, in terms of the structure? What is the training? Who will deliver it? What is the length of the training? What does that look like to you with your experience?

**Mr Wark:** At the moment, through the committee we have discussions fortnightly. That is brought up every fortnight and we discuss how often the training should be, when the dogs should be developed and when they're brought on as puppies, through to the point of retirement for the dogs. Everything is discussed as part of that committee. It's looking very successful and it will be a really good basis for what we need.

**Mr CONAGHAN:** How close are you to finalising a standard?

**Mr Wark:** The gentleman that will follow us is on it. How long is a piece of string? I think we're pretty close. We should have it by the end of the year.

**Mr CONAGHAN:** You said it should have happened 10 years ago. Where has the blockage been?

**Mr Wark:** In past years, we probably didn't have enough working relationships with the law enforcement agencies. Security have been on one side; the police have been on the other side. We really need to break down the barriers now and start to work together as a whole. We're still facing that a little bit with some of the agencies, but I have a great working relationship here in the ACT with some of the AFP canine handlers. We have mutual respect for each other, and that's how it should be throughout the country.

**Mr CONAGHAN:** I think that is the secret: making very clear that the standard doesn't relate to police forces or the Army or other forces; it's more in relation to those that are privately contracted. Would that be a fair assessment?

**Mr Wark:** It is a fair assessment, although, having a standard in the agencies and in law enforcement and in the military is probably also a good thing. I think everyone should have a standard.

**Mr CONAGHAN:** Don't they already have minimum training standards?

**Mr Wark:** I believe so. Obviously, we're not privileged to that, so I couldn't say.

**Mr CONAGHAN:** I understand. The last thing we want to do is introduce more red tape. You're running a business. Do you think that a minimum national standard would affect the way you operate in any way?

**Mr Wark:** I think there's way too much red tape as there is in any business—carrying out all the checks and balances everywhere. In the ACT currently, anyone's security dog is deemed a dangerous dog, straightaway. The fact is that, if you're going to have a security dog, there's the amount of training and effort you're going to put into that dog to socialise it, to do the protection work, to do the non-protection work and all that sort of stuff. We're not talking about hours; we're talking about hundreds of hours of work going into that dog. To be deemed straightaway as a dangerous dog and have registration fees of about \$768 to register that dog is a little bit over the top and out of touch. By having a standard and by complying with the standard and having your dogs certified, we would probably need to eliminate that part and have parts around Australia saying, 'If you're registering a security dog and you meet the criteria and follow the standards and your dog is certified, then the cost will be a normal dog fee.'

**Mr CONAGHAN:** On that, is there anything that you would not like to see in a national standard?

**Mr Wark:** Everything that we're doing in the committee has been good and very positive. The sporting dog area is probably something that we could look at a bit more—where we're going to get dogs from and the potential of having young dogs prepared for agencies, and for the security related industry as well. A lot of

training goes into sports and they take it very seriously. It's not a cowboy type of sport; they take it very seriously. The breeders who breed the specific dogs are very serious about what they deliver.

**Mr CONAGHAN:** Do you think that, by implementing a standard, you would weed out the cowboys?

**Mr Wark:** I definitely believe so, by making the standard mandatory, having certain things to follow, having records on what you're doing and being liable. If the agencies or the local government people want to check on it and call on you at any time, in any part of the industry, then be transparent and be open to it.

**Mr CONAGHAN:** Thanks very much for that, sir. Back to you, Chair.

**CHAIR:** Gentlemen, are you aware of any incidents where people have been bitten or attacked by security dogs at events that are held by private security guards?

**Mr Wark:** Personally, I haven't. I've been at quite a few events over the years. I ask for my dogs to be muzzled. That's for the first contact. We make that part of our training. The muzzle strike tends to be enough to deter people. Obviously, if someone produces a weapon—a knife, a needle or something like that—then the muzzle would be removed.

**CHAIR:** Basically, then, the person is fair game, if I could use that language.

**Mr de Caires:** It comes down to how the dog has been deployed. If you have an operator who doesn't know what they're doing, they'll deploy the dog incorrectly.

**CHAIR:** I'll give you an example. Years ago—30-plus years ago—I was at a nightclub somewhere and went out the front with a mate, and there was a bit of commotion going on about 20 yards away from us. There was a security guard there with his dog, and the dog latched onto my mate's leg, for no reason. So, obviously, the dog hadn't been fully trained. My mate was fairly injured. He had to spend a night in hospital and he lost a couple of weeks off work because of the attack. Is that a story that you hear?

**Mr de Caires:** That was maybe 20 years ago. People realise that they have to manage the risk. If you are in an environment like that where there are young people and alcohol, people have to be careful how they deploy the dog. Obviously, people may be going to pat the dog innocently. Most handlers are very careful now how they deploy them.

Going back to that insurance thing, what you will find is that most of the insurers will price the risk on the activity. For example, with crowd control—even though there are not a lot of crowded events—it is incredibly hard to get crowd control insurance through any of the major insurers, because they price the risk as very high because the claims are very high. You need to mitigate that risk by having appropriately trained personnel and appropriately trained dogs in terms of getting insurance. They do look for certain things, because they want to make sure that they are not paying out. So you need to have mechanisms in place, including well-trained personnel and dogs to mitigate the insurance.

**CHAIR:** I'm being a bit of a devil's advocate here, but is this a case against more government regulation and red tape? The insurance industry is pricing the risk. As you said there's no real issue of people pointing to a whole lot of cases where patrons or people have been bitten by rogue security dogs that didn't meet certain standards. Is there a risk if we did bring in a standard and we're tackling a problem that really doesn't exist—and, if it does exist, it would be best to be regulated by the market through the insurers?

**Mr de Caires:** I go back to the question of why there hasn't been a national standard. Going back 25 years, we have been pushing for consistent national standards for the security industry across the board—for individuals and companies. Twenty-five years later, we do not have consistent standards between jurisdictions in terms of who can be licensed and who can actually work. Dog licensing varies from state to state in terms of what training is required—even for those basically doing the same job.

We would see that having a standard sets a framework. The whole point of a standard is: what is best practice? That's what you want—best practice. People and clients who are knowledgeable about this will say that they only want companies that provide working dogs and detection dogs that meet the standard. It's about quality assurance, not about anything else. They are trying to make sure that, if there is going to be this service, it's done to the best possible standard.

**CHAIR:** And it would also have to be nationally co-ordinated. At the moment, are the different regulations between states a deterrent that would make it difficult for, say, a company in Sydney to get work in Brisbane or a company in Brisbane to get work in Sydney or in other states? Is that an issue at the moment?

**Mr de Caires:** I would refer back to red tape. That is a huge issue for red tape, because you have to be licensed in every jurisdiction both as a company and as an individual. Our view is that there is a need to standardise the requirements across all jurisdictions so you can have that portability between states. For some of

the major touring groups, for example, who want security dogs, sometimes there will be movement of dogs between jurisdictions. So you want to make sure that they're all up to the same standard.

What we have seen in the last five to 10 years, with the changing security risk environment, is that people are looking for greater resources from the private sector to, for example, assist with events and screening cargo. There is a whole range of demands for security dogs. That demand is going upwards, and there is limited capability between jurisdictions to meet that demand. What we're looking to try to do is build that capability to a suitable standard that people can we rely on. At the moment, it's a bit of a patchwork. There are some very good operators but there also some not so good operators. We want to make sure that the standard is consistent across all states and territories.

**CHAIR:** Can you give me a bit more detail about the different licensing requirements between states? So, if I'm a security company that's licensed in New South Wales, I can't tender for work in Queensland unless I get licences in Queensland? Is that what you're saying?

**Mr de Caires:** That's correct—and in WA and Victoria et cetera. For whichever state you want to operate in, you have to have a company or a firm licence. The individual can get mutual recognition to go across the border, but, again, another issue we have is that the eligibility requirements vary from state to state. In some states it's easier to get a licence than in other states. So people game the system. They go to the weaker state, get their individual licence and then mutual recognition takes them into the state where they really want to work. Minimum eligibility requirements vary from state to state, which, for us, is not satisfactory. We think that people on student working visas, for example, shouldn't be able to get a security licence but, in certain jurisdictions, they can. That, to us, poses a risk to national security.

**CHAIR:** When you say a 'licence', are you talking about a company licence or an individual's licence?

**Mr de Caires:** You need a company licence to operate the business and you need an individual licence to perform the service. The individuals, through mutual recognition, can get portability between jurisdictions. But even between jurisdictions, the class of licence is not the same. Also, the training requirements can vary between jurisdictions. Up until this year there were significant variations but, from about July, they started to align after many years.

**CHAIR:** Are you aware of standards in any other jurisdiction overseas—like the US, UK or Europe—for security dogs?

**Mr de Caires:** As Rod mentioned, a fair bit of work has been done—and the gentlemen coming up after us have done a fair bit of work on this—looking at what's been done overseas, particularly in the US and the UK. The current draft of the Australian standard—which is, I would say, two to six months away from completion—is trying to draw on what is international best practice, so that we can bring international best practice to Australia. In most parts of the world now, private security dogs are a major component of the national security mix. They actually supplement the police resources. Australia is a little bit of an anomaly. There are dogs but it's not as well structured.

**CHAIR:** Have you looked at one jurisdiction and said, 'This is a better model than the other'? Is there a European nation, US or UK model?

**Mr de Caires:** The UK one is pretty good. It covers a lot of the issues. The aim of this standard is to look at health and welfare, the training and assessment of both the handlers and the dogs, and the operational deployment—so you have the whole cycle—and it specifies what you should be doing. It gives people a template if they want to set up a company in this area.

I think it is worth noting that there are some 150,000 licensed security individuals and about 10,000 licensed security companies across Australia. Security dogs is a very specialised subsector of that industry. We're not looking at hundreds of providers; we're looking at a very specialised niche. It will grow over the next few years. So we need to make sure that we get in now before there are hundreds of dogs working out there where there are some that are good and some that are not so good.

**CHAIR:** Are there any final statements or thoughts that you'd like to leave us with?

**Mr Wark:** We're looking at security dogs at the moment, but I believe that there should be a national licence for the security industry rather than a state-by-state licence, and it should be managed by the federal government. It makes it very hard for us in the ACT if, for instance, we need to do work in Queanbeyan, Yass, Murrumbateman or Bungendore, as you have to have another set of licences again. If I want to take works of art from the National Library into New South Wales and into Victoria, I have to have three master licences, three individual licences, to do one job. Having a national licence would make a lot more sense.

**CHAIR:** I think you make a very good point. There are quite a few things at the moment that the federal government would be handling a lot better than the states, but that's an argument for another day and another inquiry. Are there any final comments? If not, gentlemen, I thank you so much for your time. We appreciate your submission and wish you all the best in your industry.

**Mr de Caires:** If I could add just one thing, the key thing with all this is to make sure that, when you have a standard, the standard is voluntary. The key thing is the certification process. Someone has to independently certify that the provider is doing what the standard says. That would be a key output of developing a standard: a client can rest assured that the provider has been independently certified as doing things to the best standard. That's fundamentally a key part of all this.

**CHAIR:** Gentlemen, thank you so much.

**GOODWIN, Mr Michael, Chief Executive Officer, Dog Force Australia**

**WRIGHT, Mr David John, Director, Dog Force Group Pty Ltd**

[11:01]

**CHAIR:** Welcome. Gentlemen, we started a bit early so we've got a bit of extra time. Are there any opening statements that you'd like to make?

**Mr Goodwin:** Mr Craig Kelly and members of the Parliamentary Joint Committee on Law Enforcement, thank you for the opportunity to make a submission today to the Australian standard for training and use of privately contracted security and detection dogs. I also wish to thank the member for Cowper, Mr Pat Conaghan, for his assistance in facilitating and bringing this project to the notice of the committee for review. By way of introduction, I am the chief executive officer of Dog Force Australia. Prior to commencing at DFA in 2014, I served 29 years with the New South Wales Police Force in various commands throughout New South Wales and retired at the rank of detective superintendent. From 2010 until my retirement, I was Commander of the New South Wales Police Dog Unit. With my business partners, we established Dog Force Australia in August 2014. Since that time, we have established a registered training organisation, delivering nationally recognised specialist dog and handler training to law enforcement, military and private security organisations. We are also a significant provider of explosives detection dog handling services to the private sector, performing EDD clearances at major entertainment and sporting venues across Australia.

On 22 May 2017, an Islamic extremist suicide bomber detonated a shrapnel-laden homemade bomb as people were leaving the Manchester Arena following a concert by the US singer Ariana Grande. Twenty-three people died, including the attacker, and more than 800 people were wounded, some of them children. This was a game-changer for how security risk management is delivered in particular places of mass gathering. Almost every international entertainment act or sporting event now insists on EDD venue clearances as an integral part of their security risk management.

By way of background, Dog Force Australia went to Standards Australia in 2016 and originally proposed the development of an Australian standard for detection and patrol dogs. The initial project was aimed at developing standards for all working dogs, including security patrol dogs, explosives detection dogs, conservation detection dogs, urban search and rescue dogs, and biosecurity detection dogs. It was made clear early on that there was no intention of including narcotics detection dogs in that standard; nor has it been since. Any proposed standard was only ever intended to apply to the private sector. In no way was it ever intended to apply to law enforcement or military organisations.

All stakeholders, including law enforcement agencies from every jurisdiction in Australia, were invited to participate in that process. None did. In a meeting held with law enforcement stakeholders at Standards Australia in 2017, again no support for the project was forthcoming. The project suffered a further setback when the conservation dog fraternity voiced their dissatisfaction at being included in an all-encompassing standard. This dissent ultimately resulted in the conservation dog fraternity withdrawing their involvement in the standard and sought to make a separate application to Standards Australia, specifically relevant to conservation detection dogs. At this point in time, Dog Force Australia submitted a new application to Standards Australia for the development of a standard for security patrol dogs, explosives detection dogs and biosecurity detection dogs. This application received approval to proceed in January this year and we are currently working with Standards Australia in developing this standard, which includes representatives from the Australian Federal Police, animal welfare groups, the RSPCA, industry stakeholders, a biosecurity dog handler and trainer, and security patrol explosives detection dog handlers and trainers.

We've had an opportunity to peruse the written submissions that have been presented so far. We note that there have been a number of submissions in relation to conservation detection dogs and any application the proposed standard may have in relation to biosecurity detection. As mentioned earlier, the conservation detection dog fraternity elected to withdraw support for the previous project based on conservation detection being different to every other type of detection, and, as such, it needs its own unique standard. I believe the conservation detection dog fraternity commenced a process for Standards Australia to develop that standard. At this point, I'm unsure of where that project is up to. However, given their submissions today, I gather it isn't far.

While security patrol and explosives dogs are self-explanatory, the inclusion of biosecurity may need clarification. It would be the intent of the standard to address issues such as the deployment of detection dogs to detect pests and noxious plants that pose a significant threat to Australian agriculture. An example of this is the current situation in Japan, where the marmorated stink bug is infesting motor vehicles bound for export. In some

cases, the ships bearing these motor vehicles are being refused entry into ports due to the infestations detected whilst in transit. Our company has been involved in using detection dogs in Japan to detect those particular pests.

In relation to the New South Wales Police submission, they say:

NSWPF considers that there is a strong argument for prohibiting privately operated explosive and drug detection dogs on account of significant and unacceptable risks to public safety, and legal and liability risks associated with their use.

I refer back to the meeting that Standards Australia held in 2017, which was attended by the New South Wales Police Director of Security Licensing and Enforcement Directorate and the then Acting Commander of the New South Wales Police Dog Unit. A document was tabled, approved by the New South Wales Police Commissioner, recommending that deployment of detection dogs by any organisation or agency, other than for law enforcement purposes, be prohibited in New South Wales. I'm now know that document was presented to the New South Wales Attorney-General, who elected not to approve this proposal.

My second point is in relation to New South Wales Police concerns raised in relation to 'a privately deployed detection dog handler having the legal authority to stop, search and detain persons following a positive indication by the dog and for licensees taking possession of explosives during a search'. It should be made very clear that a privately deployed detection dog handler would not be required to handle a suspicious object; nor would they be expected to stop, search and detain a suspect. A privately deployed detection dog handler would operate in exactly the same way as any other security officer, screening a person at an airport or searching a bag at a sports stadium. If a suspicious item is identified, the appropriate procedures would be followed and the relevant law enforcement agency notified, who would then take carriage of the incident.

Further on in the New South Wales Police submission it says:

The NSW Police Force does not consider that there is a current or foreseeable need to call upon the services of explosive detection dogs operated by the private sector.

I would like to provide the inquiry with an example of the deployments that Dog Force Australia alone has conducted over the last three years. I can indicate that when we commenced operating detection dog handling services in 2018 we conducted 36 deployments, which equated to 198 hours. In 2019 we conducted 55 deployments, which equates to 366 hours. In 2020, albeit the two months before COVID, we conducted 28 deployments equating to 176 hours. In total 740 hours were conducted over that time. That is 740 hours that front-line police dog handlers have not had to assist the private sector in delivering a service of venue clearances. That's 740 hours that the community of New South Wales were able to rely on their police forces, as they should, as first responders.

I submit that there is a very valid reason for deployment of privately deployed detection dog handlers within Australia. This is only going to increase. Moreover, applying the necessary regulatory control to the private sector explosive detection would create significant resource implications in New South Wales. As I have just alluded to, the New South Wales Police really only need to be concerned with regulating relevant legislation relating to the security industry.

The next point is that a standard for the training and use of privately contracted security and detection dogs would provide a best-practice model against which detection dogs and handlers deployed in the private sector can be appropriately assessed and accredited as competent. At the current time these services are being provided throughout Australia, of which we are a provider, completely unregulated or subject to any compliance with any competency based standard whatsoever. I can indicate that there are units of competency that are currently attached to the vocational education and training framework that do cover the units that would be required in any sort of training program. I can indicate that they are deploy detector dog, assisting conditioning animals, provide basic care of dog, and training dogs in agility. We as a company believe that these four units adequately cover the educational qualifications that would be required to be attained by any future dog handler. It contains sufficient knowledge, evidence and performance criteria to be adequately contextualised to address the above concerns and to provide skills and knowledge to effectively work dogs in a range of environments for a range of capabilities. It could be argued that this training is more involved and accountable than many police agencies, which are currently not operating to an independently assessed standard, as far as we are aware. I'm happy to take questions.

**CHAIR:** I might just touch on the insurance issue again. Can you gentlemen tell us anything about the insurance, how you insure the dogs, how the dogs are insured against liability for the companies? Is there anything you can fill us in on there?

**Mr Goodwin:** Yes. We sought, through Lloyd's of London, a specialist insurance policy that insures not only the life of the dog but also any damage or compensation that may be sought through the actions of either the handler or the dog. It is quite a tailored policy that we've got. We do have that insurance.

**CHAIR:** And does that cover you with public liability, if the dog injured someone out of error?

**Mr Goodwin:** Yes, it does. I can add that in one of the earlier meetings with Standards Australia, it was attended by, I think, a representative of Allianz Insurance, who was very interested in the development of a standard from a risk management perspective. He indicated to us at that meeting that he was more than interested in seeing what the outcome was.

**CHAIR:** So at the moment, the insurance industry itself, what checks do they apply? If you're looking at purchasing that insurance policy and paying the premium for it, what does the insurance company require you to do? Do they require any particular standard that the dog is trained for?

**Mr Goodwin:** The answer is no, because there is no standard.

**CHAIR:** So in a way the insurance companies are flying a bit blind about what they're insuring?

**Mr Goodwin:** Correct.

**CHAIR:** That's interesting. Can you update us or give us any information about any particular standards that apply in other countries?

**Mr Wright:** There are standards in just about every other country or First World country that we're aware of. Certainly, the UK operate under a standard that is governed by the National Association of Security Dog Users—NASDU. The US, as I think Wayne Ferrari might have touched on earlier, is governed by various associations. I think there are two main ones over there. There is also a scientific working dog group in the US as well, SWGDOG. I am not sure exactly what the acronym stands for—Scientific Working Group on Dog and Orthogonal Detector Guidelines, I believe. There are a number of standards set throughout Europe as well—France, Netherlands—I think just about every country is governed by some form of standard not only for working dogs but for explosive detection dogs as well.

**CHAIR:** Are those standards voluntary industry codes or are they mandatory government standards?

**Mr Goodwin:** Basically the standards are examples of best practice. To put it into context, I've got this document here which we received just recently from the UK. What they are now introducing—it's only as late as this year—is that they are using the same accreditation criteria. The national canine training and accreditation scheme is a new mandatory training and accreditation standard for police EDDs, and it went live in January 2020. In the UK they've produced the same document, but the document will apply to the private sector, bringing the standards across to the private sector. Basically what they're saying is that whilst there's nothing legislated to enforce adherence to the standard, they have cited the benefits of a company, organisation or individual complying with the standards. It places them in a far more attractive position when the marketplace goes looking for that service if they can prove that they're compliant with the existing standard.

**Mr CONAGHAN:** When we met, I think it was late last year, I expressed my surprise that there was no national standard for privately owned security dogs. Obviously you've been working very hard to get in front of Standards Australia. Are you now telling me you're a party at the table with them?

**Mr Goodwin:** Yes, that's correct. The approval for the current development came through in January this year. We have been basically working around since about April, I think. We're a couple of months into it. There is a little way to go. I can indicate that the content of that document focuses on two parts—one part being the health and welfare of the dogs and the second part being what the commitment should be for training and assessment.

**Mr CONAGHAN:** Let's go to training and assessment in the national standard. What does it look like to you? I know you're still working through it, but what does it look like in terms of its structure, its implementation and, thirdly, the regulation and compliance once it's up there?

**Mr Wright:** There are currently a number of units of competency under ASQA that sufficiently address the requirements for either a security patrol dog—as in a general-purpose-type security dog—or an explosives or biosecurity detection dog. In terms of those units of competency, firstly, we start with 'Provide basic care of dog'. 'Assist in conditioning animals' is another unit of competency, as is 'Deploy detector dog'. There are two security dog units whose names have changed, and I'm not sure what their new names are at the moment. Mick could probably advise on that one. I think 'Train dogs in agility' is another one. There are units of competency, which can be delivered by registered training organisations, that sufficiently address the skills and knowledge required for a security dog handler, regardless of what capability they're providing.

**Mr Goodwin:** There was another point raised in the police document that was tendered in relation to the handling of explosives. Whilst there are pseudotraining aids out there—when I say 'pseudo', I mean manufactured training aids that are safe to handle and so forth—most police agencies and service dog agencies will cross train with live explosives to validate their results. I can indicate that there is a process as part of a unit of competency,

which is about storing, handling and transferring explosives, that's run under the auspices of the mining industry. It's regulated by SafeWork NSW. Dave and I have been qualified, under SafeWork NSW, to handle, store and transfer explosives for the purpose of training dogs. But, certainly, that can't be held up as an impediment to the process under the circumstances. We've included that in the standard as well.

**Mr CONAGHAN:** We heard from witnesses from the Australasian Conservation Dog Network and also Canine Detection Certification of Australia. Their biggest issue was that one size does not fit all. To go back to the units of competency—and I'm just imagining how it would work—let's say there are 10 units of competencies and that, once you've fulfilled those 10 units, that's the basic training. There would then be different layers of training over the top, depending on the type of work that that dog would do. Is that the way it would work?

**Mr Wright:** Yes, correct. The way the units of competency are delivered is that, whilst they are governed by ASQA, there is a degree of contextualisation that can be delivered by the registered training organisation to make sure that the unit—for example, 'Assist in conditioning animals'—is made relevant to conservation detection, for example.

They make a valid point. There is certainly some variation in every capability, whether it be narcotics—which is not part of the standard anyway, so it's probably not a good example—or explosives versus conservation versus biosecurity. There are even COVID detection dogs currently being trained down in South Australia. There is contextualisation that's required by the training company delivering the training; however, the basis for that is standardised across the various capabilities. So, at the end of the day, an explosive detection dog would conduct an open-area search and the end result of that search would not be significantly different to a conservation detection dog searching for an odour. We're talking about a dog going out into an area, whether it be a vehicle, a freight container, an open area or a building, conducting a search for an odour and giving a response.

I'm aware that the conservation dog fraternity want their own standard, and that's perfectly understandable. There is some proofing that needs to be done against other wildlife that they might be searching for, but that could be covered by a particular annexure within a standard. The way that we've approached the standard so far is to have developed an overall standard for the welfare and care of dogs, and then we have separate annexures for biosecurity and explosive detection—again, contextualised to the needs of that particular capability.

**Mr Goodwin:** And also for security patrol. As Dave said, the first part of the document is relative to any dog that's being worked—kennels, transport and so forth that would apply to any dog—and the second part is almost bolted on. So anything that's particularly relevant to a patrol dog has its own section, and anything that's particularly relevant to an explosive detection dog has its own section and obviously there's biosecurity. It has been deliberately written that way so that the document can live into the future. It may be that some time in the future we might be writing something that is going to be relevant to COVID-19, and that would have its own section bolted on as well.

**Mr CONAGHAN:** It's almost like a specialisation for the dog.

**Mr Goodwin:** Correct.

**Mr CONAGHAN:** You go to university to get a medical degree and you get your basics and then you go off and specialise.

**Mr Goodwin:** Correct; that's it.

**Mr CONAGHAN:** Could you talk to me about that competency of the health and well-being of the dog? What does that look like?

**Mr Wright:** We've had input from the RSPCA, the Working Dog Alliance and specialists in that field of health and welfare that are participating in the Standards Australia project. It doesn't matter what the capability is, the health and welfare right across all capabilities is and should be the same. That is everything from the way you exercise a dog, the way you enrich the dog and the training. The specifics of the training is down to the capability. But the fact that they get enrichment, exercise and are well cared for—crating, transporting, medicating, vet checks, acquisition, retirement and rehoming—are all covered to a very, very high standard, thanks to the participants who specialise in that area who have helped us with that. For example, we've got the head of the RSPCA on the project. They're all contributing and have done a great job in coming up with what has so far been approved in the drafting of the document. We're now on to the training itself. So the health and welfare and the whole project will go out for public comment very soon. I think there's probably about two or three meetings left in getting through that document. Is there anything further with the health and welfare that you require?

**Mr CONAGHAN:** No; that's good. Mick, you talked about the 740 hours you've effectively—for lack of a better word—saved the police in time. Is that on a user-pays-system? What sort of work was it?

**Mr Goodwin:** Firstly, it was all explosive detection venue clearance. One of the main reasons we went down this path in addition to what other services we offer as a company is that we had been approached on numerous occasions by venues that have followed the police user-pays process. I can say as the previous commander of the dog unit that a user-pay application could go in six months in advance but—and quite rightly so—if a police job came in the day of the concert, priority would go to the police job and the venue would miss out. So venues were continually having to deal with irate promoters. As far as they were concerned, they got in six months in advance for the booking—so why didn't they get it? Well, they didn't get it because there was no resource to cover it.

We've looked extensively at what is going on overseas. In America, there would be 100 or 200 Dog Force Australia type companies over there, with every sports stadium and, in some cases, every airport being patrolled by private firms. The reason is that they have the government and industries' confidence because they're working to an agreed set of standards and competency criteria—and, not only that, they have to be accredited through a process to prove on an annual basis that the skills are maintained. Whilst it might not be at that level here in Australia at the moment, it's certainly getting there. I haven't worked out the percentages, but you can see that there's been a significant increase in the time that we've been doing it, and that is only going to increase further.

I would also add that there are going to be significant changes introduced in relation to freight screening. Internationally, they introduced x-ray technology to screen 100 per cent of airfreight. I believe that 100 per cent of air freight domestically will be screened in Australia in 2021. I have spoke to industry already, who have quite clearly indicated to me that, under the current demand for moving freight on an overnight basis, an x-ray machine simply isn't going to cope with the demand and that the only way they see forward is the use for explosive detection dogs, what is exactly what is happening in America.

**Mr CONAGHAN:** Is that the remote explosive scent tracing?

**Mr Goodwin:** No; that's a separate thing altogether. It all comes down to how fast the freight moves down a conveyor belt. If you can imagine the freight down at speed 10 and having to slow down to speed one to go through an x-ray machine, it just doesn't work. When you talk to the freight industry, they need that freight not to slow down. They have a two or three hour period between it coming off a truck and going on a plane. We've run trials with a freight provider where we've used dogs in the screening of freight being loaded into air cans, and it's been done successfully—and it is already being done successfully in America and the UK. To support that industry, you would have to have some level of a competency based system and accreditation to ensure that the dogs being used in that freight-screening process are on the money.

**Mr CONAGHAN:** So what you are telling us is that we have security company who are doing explosive detection with no standards; it is just how they see fit to train their dogs in clearing areas?

**Mr Wright:** Their dogs could be finding Vegemite, for all we know. That is the issue.

**Mr Goodwin:** I won't name names, but there was an incident in Melbourne where a private company was searching a particular area around the water and a false indication was given. The whole port of Melbourne was shut down because of the dog's indication, and it turned out it was wrong. That's a living example of why it's so important that these standards are not only put in place but also encouraged within the industry.

**CHAIR:** Thanks, gentlemen. Is Senator Antic on the call? I don't think so. Gentlemen, we're just about out of time. Do you have any final comments or final recommendations that you'd like to leave with the committee?

**Mr Goodwin:** Very briefly, we have put a lot of time and effort into this process. We believe that it's going to be an invaluable document once it's approved and that it will only be of benefit for all of Australia, especially in the areas that have limited resources—certainly limited law enforcement resources. It's going to bring a level of capability into those areas that they wouldn't otherwise have had.

**Mr Wright:** You'll find that some law enforcement jurisdictions don't have any explosives detection and, in some cases, no general-purpose patrol dog capability whatsoever.

**CHAIR:** We greatly appreciate your time this morning and the time that you put into your submission. We wish you all the best. There is one thing I would note: my personal observation is that the use of dogs can make things work much more efficiently. When you look at what a dog can do, it's much better than what any machine or multiple humans can do. There's definitely potential there to run the economy more efficiently. I congratulate you on what you do. Let's hope that we can get this sorted out for the benefit of everyone in the nation. Thank you.

**FIDLER, Mr James Edward John (Jim), Director, Security, Australia and New Zealand, Live Nation**

*Evidence was taken via teleconference—*

[11:37]

**CHAIR:** Welcome, Mr Fidler. Give me the nod as soon as you're there. I'm on teleconference, so I'm unable to see you.

**Mr Fidler:** I think I'm here!

**CHAIR:** Sometimes we have to pinch ourselves to check some days!

**Mr Fidler:** I currently work for Live Nation global security team. My remit is Australia and New Zealand. If I can give you a quick introduction, it might help you understand where I'm coming from in regard to this issue.

**CHAIR:** Absolutely. We've got until about 10 past 12, so we've got plenty of time. Please give us an opening statement and a bit of a run-down of what you think we should be listening to.

**Mr Fidler:** I'm an ex-metropolitan police officer. I served in the public order and in the commissioner's reserve in the UK. I have vast experience gained through [inaudible] police and [inaudible] in regard to the IRA bombing campaign in the eighties and nineties. I resigned, moved over here, married an Australian and am now an Australian citizen. In the corporate security world, I specialise in crowded places and gatherings. I've done a lot of work in high-risk areas. I note that one of your previous witnesses was on about the embassies in Australia. When working in Afghanistan, we had civilian detector dogs working for the Australian Embassy as well as the British Embassy, so I think it shows that these civilian dogs are up to a standard that can do the high-risk areas—Afghanistan, Indonesia, the Philippines, the Middle East and Europe.

My previous experience includes APEC in 2007, when I was the venue security manager for Prime Minister and Cabinet—high-risk and search areas. At the London Olympics 2012, I was the venue manager at the London Aquatics Centre. At the 2014 Glasgow Commonwealth Games, I was spectator safety manager. At the Cricket World Cup, I was the venue security manager for Hampshire. I was also seconded to Lord's and Old Trafford. At Glastonbury Festival 2014, which was a quarter of a million people camping over three days, I was [inaudible] crowd management. I'm currently the director of security operations in Australia and New Zealand for Live Nation.

Live Nation Entertainment is the world's leading live entertainment company, comprising global market leaders Ticketmaster, Live Nation concerts, Live Nation media and sponsorship and artist management. Ticketmaster is the global event ticketing leader, with nearly 500 million tickets sold and more than 12½ [inaudible] clients worldwide. Live Nation concerts is the largest provider of live entertainment in the world, providing more than 25,000 shows annually for nearly 3,500 artists in 41 countries. We currently have 350 artists on our books, including the likes of U2, Adele and Taylor Swift. The business power of Live Nation media sponsorship delivers marketing programs across 900 brands, with nearly 100 million Live Nation fans. That's us in a nutshell. Right now, we're not too busy!

**CHAIR:** I bet your industry has taken a terrible hammer blow.

**Mr Fidler:** I can safely say that it has, yes. I don't think people quite realise that. It's not just us as a promoter and us as a venue; it's these companies. I also own security companies, and it's the security companies, it's the bar staff and it's the cleaners. It's decimated the industry, and it will be a long while coming out, so to speak.

**CHAIR:** Can you give me any information on how you go about getting insurance at these events, particularly in relation to security and detection dogs?

**Mr Fidler:** I'd probably be the prime point of contact for that. I'll give you a couple of examples. Glastonbury Festival—six weeks after the Manchester bombing, we used civilian canine dogs. Those were engaged with the police as well. So, there's an involvement there. Insurances are covered by the companies. This was over in the UK, but it also applies over here. The good thing about there is that the insurance companies now have a standard, because the dogs are all trained to that standard. I think—

**CHAIR:** That's the point I was trying to get to. Do the insurance companies make some checks? Say, for example, that for some reason a security business decides to cut costs, and they say: 'Jim, bring your dog from home. Bring your alsatian from home. He looks like he could be a security trained dog. No-one will know the difference.' That dog is not trained and doesn't meet the standards. It attacks someone and bites someone. Is that something that wouldn't be covered under the liabilities insurance cover?

**Mr Fidler:** Most definitely. That's something I would check. Let's say U2—we've just brought a tour through. We require sweeps for our artist areas and stages. I put a tender out, or, I put recommendations out about any dog

companies out there that can do the IED sweeps. In some cases in Australia we can't even get police or any government agencies to provide them. They don't have the resources. In other states, to be perfectly honest, some of the corporate companies out there provide a better service, as far as I'm concerned. I would ask them to show me all their paperwork to show that they're licensed under the security industry. I also do the insurances. I do the background checks to make sure I don't have a dodgy insurance certificate that states that they are covered. That might be ringing up the insurance company and saying, 'Joe Blogs Dogs, do you cover them and what do you cover them for?' That's what we check, so to speak. Unfortunately, we don't have a standard. You can have a dog licence, but it doesn't necessarily say that the dog is capable of doing what you're after, which is the sweeps in regard to IEDs. The drug side of things—I'm not overly interested in that, and I don't think we are as an industry. There are enough issues in that with the police having to deal with it.

Over in the UK, the first thing I asked for when doing some of these projects was: 'You're sending me civilian dogs. I want to see the NASDU certificates, the public liability, the company's licences and also the dog handler's licences.' There you go. I might make some phone calls to make sure that we haven't got the dodgy ones, and bob's your uncle. I'm happy because I have all the mitigation behind it.

**CHAIR:** Did the insurance company specifically ask for that detail?

**Mr Fidler:** No, they don't.

**CHAIR:** Right. That's what I'm trying to look at: can this be regulated, other than by government intervention, through the insurance industry where the insurance people set the standards, and, unless your dog meets the standards, you don't get insurance and therefore, effectively, you can't work in the industry? You're saying that there are no standards in the insurance industry and that maybe the government should implement something?

**Mr Fidler:** Yes, I think so. I can't comment on the insurance. I don't do the insurance; I just do the check. I think, ideally, we'd need to get Allianz on board, because they're the ones that sign off on it. Ninety per cent of this all comes signed off over in the UK through Lloyd's of London. I'm sure Asia will back me up on that one.

**CHAIR:** Can you give us information on the standards in the UK? Is it like a mandatory standard? Is it a government regulatory standard? How does that compare to t

he situation in Australia?

**Mr Fiddler:** Well, basically, I think Mick's gone through all the standards over there that they have certification for. I think it's the National Association of Security Dog Users. I don't train them. All I'm after is the certification that they have passed through the standards, then I can do the checks by ringing them up and double-checking, obviously, and saying, 'You've had this dog that's been trained to that.' It also applies to the police. A prime example was the Cricket World Cup in Southampton. As a venue, we didn't have police dogs doing the IED sweeps for the five international competition games. We had civilian dogs. That comes down to the background checks that I did, but also the police must be satisfied that it's an appropriate company and appropriately trained dogs that are providing that coverage for the venue. That comes down to us checking their certification and giving them a call. It's like doing a licence check on a security guard here in New South Wales. We go on to Service NSW, I think it is, type in the number and it comes back saying that that individual is licensed for those roles.

**Mr CONAGHAN:** Would it be fair to say that a national standard would effectively reduce the amount of paperwork and the things that you would need to do when checking out whether it's a reputable agency or a reputable security company?

**Mr Fiddler:** A hundred per cent. It also provides us with comfort of what we're getting. If the standard says that you need a three-legged pink labrador to do your test, and I get a four-legged pink labrador, I know that obviously there is something wrong. It gives us a level of comfort in regard to the training and the capabilities. In some of the stuff that you start reading through the national strategy for CT, they're actually stating there—in fact I draw it out; I think it's page 12, canine detector dogs. That's in part of their national strategy, to say that these are elements you should be looking at, but we don't have a national standard for the security guys that might be doing it. Mick Goodwin mentioned what happened in Manchester. You're probably not aware of Martin's law, which potentially is going to come out of the Kerslake inquiry.

**Mr CONAGHAN:** No. What is that?

**Mr Fiddler:** The five parts of it engage with training, terrorism, conduct assessments, mitigation the risk created by the vulnerabilities. In other words, straightaway additional elements in the UK would be CT dogs. They are not going to be provided by the police. They don't have the resources. The ownership is put back on the owner and operator. All I've got to do is open the first page of the national strategy and it says the responsibility is down to me as the owner and operator. As an owner and operator I want to know I have the best service to put through the venue because, as Mick said, I might not get a police dog. To me it's a level of comfort. It shows that we've

got an industry that's managing itself by the fact that it's regulated, and I know that the dog that I pick up in Western Australia is of the same standard as the one that that I picked up in Sydney. To give you an example, I fly dogs across Australia because I have concerns with the serviceability in other states. Financially it helps us. For liability it helps us.

**Mr CONAGHAN:** Getting back to the chair's question about insurances, I would imagine that if there were a national scheme or a national standard, then once you have been given that certification and the insurer sees that, rather than you making the phone calls and checking out the businesses et cetera, just put in a level of security and surety for you?

**Mr Fiddler:** Definitely. It also means that I can have a look in regard to what services are being provided across the country. Financially it goes back to, do I have to put someone's dog on a plane and fly them around for the U2 concert? So for me it's a no-brainer. We have a standard of training for the security guards. Why can't we have that? I've read some of the submissions, like the AFP: impact of classified practices on training and information sharing. Just go back to the national strategy and we have the business liaison groups that are providing information to companies on current practices by organisations.

The other element is that you could actually use in the national strategy—we have the T4, which is actually the protective security model. Who's to say we don't have SCF in dog handlers?. That gives you credibility. A good Google search will probably give me every police operation in the world. Background checks: we do checks for people who work in classified areas. There are arguments for, but I can see a strong case for us as an owner-operator, financially comfort-wise. Also, the fact is that the word gets out. 'Use the Australian guys'.

**Mr CONAGHAN:** It may even have a positive effect on your insurance premiums.

**Mr Fiddler:** Definitely. I think as a nation you might have to look at it by the fact that we know that any dog that we want to take over to Afghanistan or Manila, and all of a sudden it's coming up with a British certification through the National Association of Security Dog Users from the UK, it's met a standard. Show that standard in Australia. I brought up a comment that Hart K9 dogs were looking after the Australian embassy in Kabul. Why? Probably because they have an American standard. Straightaway it gives you credibility that you can rely on that dog and that handler to provide your service. It will go in the tender process—are you certified?

**CHAIR:** That's great. We really appreciate that. Any final comments?

**Mr Fiddler:** If you need any assistance or direction with regard to me putting you in contact with organisations or some of my contacts abroad that deal with this type of stuff, especially in the UK for the major events, please feel free to reach out. As an organisation we are here to push best practice for the industry. That's crowded places for me. So please feel free to use us.

**CHAIR:** Thank you. We hope we get this economy and things opened up again as quickly as possible. I know there must be many people in your industry and that you deal with who are doing it incredibly tough at the moment. Our heart goes out to them. A lot of us are doing everything we can to end these lockdowns and to open up the places as soon as we possibly can. There was a great picture of a Woodstock concert, I think, that was held in the middle of one of the previous pandemics—the Hong Kong flu maybe, I can't remember the exact one. We've got to get things open as quickly as we can.

**Mr Fiddler:** My wife wants it as well. She wants me to go back on tour. Apparently I'm cramping everything.

**CHAIR:** You wouldn't be on your Pat Malone there. I appreciate it very much, Jim. We wish you the best. Thanks for your time today.

**Proceedings suspended from 11:54 to 12:42**

**BOWDEN, Mark, Stakeholder Engagement Manager, Standards Australia**

**CHIDGEY, Mr Daniel, Head of Stakeholder Engagement, Standards Australia**

*Evidence was taken via teleconference—*

**CHAIR:** I now welcome representatives from Standards Australia. Would you like to make a brief opening statement? We understand that Standards Australia are working with the industry and have a few things in the pipeline. Maybe you could give us a rundown of where things are up to.

**Mr Chidgey:** Thank you for the opportunity to appear before you today. Standards Australia is the country's leading independent non-governmental, not-for-profit standards organisation. In many areas of work, we bring experts together from industry, government and the community to develop and adopt voluntary standards for the benefit of the Australian community and to help industries work safely, sustainably and more effectively. Standards Australia's priority is to work with industry, government and the community to develop the right standards and to provide the right solutions with technical areas and help facilitate the appropriate adoption and uptake. We also work with stakeholders to connect Australia globally and look at opportunities where Australia can shape and influence the future direction of international standards, which has significant benefits for the Australian industries. It is important to note that all of the standards we develop, on their own, are voluntary and used as a benchmark of acceptability. It is a matter for development in government and regulators as to whether a standard will be referenced in legislation or required for compliance.

I would now like to highlight some of our work relevant to the inquiry. Standards Australia has been practically working with stakeholders with interests in security and detection dogs for some time. Proposals for new standards were put forward to Standards Australia previously under the broad topic of 'working dogs'. At the time, there was insufficient alignment among stakeholders on the proposed scope of work, and therefore we were unable to progress the proposal. However, as there remained a view among the industry that technical guidance was warranted, we continued to work with stakeholders on a proposal and a scope of work limited to the private sector, as we were making it clear that law enforcement applications are outside the scope. We received support from industry and government on this proposal. Accordingly, in April of this year, we kicked off a project to develop an Australian standard for private sector security and detection dogs. This Australian standard aims to provide technical guidance for the training and welfare of security and detection dogs. It's currently being prepared by a Standards Australia technical committee, which currently includes members representing a range of key stakeholders within industry and government, such as the Australian Federal Police, the Australian Veterinary Association, Working Dogs Alliance, the Security Providers Association of Australia and others. In addition to the main technical committee, we have experts providing input on our working groups.

It is expected that the new Australian standard for private sector patrol and detection dogs will be released for public comment early 2021. The public consultation period is an integral part of the standards development process, where we seek perspective and input from the general public. It would also allow those working in the security industry the chance to give feedback, raise questions or suggest changes to the document before it is published. In terms of publication of this Australian standard, this is scheduled for late next year.

In closing, the benefits of the new Australian standard are broad. It aims to directly benefit providers in the private sector security industry with dogs for property, crime and street safety as well as services to assist in the detection of biosecurity and conservation risks. It can be used to supplement law enforcement services in this space and aims to provide a measurable standard to increase public confidence and security. We recommend that any Australian government considers the use of the new Australian standard when available and where fit for purpose. Thank you again for the opportunity to appear before you today.

**CHAIR:** Dr Bowden, would you like to make an opening comment?

**Mark Bowden:** I have nothing further to add to Daniel's comments; thank you.

**CHAIR:** Just as a general question, where does Standards Australia tie in with government where things become mandatory as opposed to recommended best practice?

**Mr Chidgey:** That's a good question. On their own, the standards we develop are voluntary, but we work really closely with government and regulators, and many sit on our technical committees. At the time of publication, government and regulatory bodies can choose to reference or call up our standards as part of their regulatory framework.

**CHAIR:** How is Standards Australia financed?

**Mr Chidgey:** We're a non-government, not-for-profit organisation. There are three areas where we are resourced and financed. Firstly, we have an investment portfolio. Secondly, there are the royalties from the

standards—which has been a small amount. We also get funding from the Australian government, but that is about supporting Australia's expert participation in international standards.

**CHAIR:** Of the standards that you set, how many of them would be mandated by government?

**Mr Chidgey:** That's probably something I'd have to take on notice. I'm happy to get back to you on a number.

**CHAIR:** Okay. I'll move on to private sector patrol and detection dogs. The way I understand it is that you would work with industry itself to develop the standards, and those standards would then become voluntary across the industry, and that it would then be up to government to decide whether they make the standards mandatory. Is that the process they would generally go through?

**Mr Chidgey:** That's correct, in terms of being mandatory. As I said, the standard is voluntary. It's an agreed benchmark that's been developed by stakeholders across the sectors so that the market and consumers can use it as they see fit, but the government can also choose to call it up as part of their regulation as well. When that happens, it becomes mandatory.

**CHAIR:** I will play devil's advocate here. Is there the potential for those standards to be used by existing industry players to create a barrier for new market entrants?

**Mr Chidgey:** It's a good question. What is important is that we get the right people involved in our process, from manufacturers and consumers to industry and government. As part of our technical committees, we have widespread representation, and it's a consensus process. Another important part of the development process is the public comment stage, which I mentioned. It goes out to the public, and it gives them an opportunity to provide feedback and input into the standard before it progresses to publication. So, we have steps in place to minimise that.

**CHAIR:** On the dogs especially, what do you see as the specific problem at the moment that requires—dare I say it—more red tape into the sector?

**Mr Chidgey:** I couldn't comment on the technical matters. We don't initiate the work. Stakeholders came to us and said that there was a need for some guidance for the training and welfare of security and detection dogs. We had widespread support to undertake that work. We would form a technical committee, which we have, which would go through the development process. For us, it's making sure that we have widespread support on a piece of work and, if we do, then we would undertake that work for the net benefit of Australia.

**CHAIR:** Okay. Mr Conaghan, over to you.

**Mr CONAGHAN:** Thank you, gentlemen, for coming along today. Following on from what the chair was inquiring about, the standard will be developed and will be voluntary, and then, as I understand it, it will be called up as part of the regulatory framework based on what the stakeholders who are engaged want. Is it the experience of both of you that there is definitely an appetite for government to make it mandatory?

**Mr Chidgey:** Again, that's something that I couldn't comment on. It's up to government to consider any proposed regulatory changes in calling up the standards, whereas our role is bringing the experts together to develop the technical guidance. But, as I said, on their own, the standards we develop are voluntary.

**Mr CONAGHAN:** I understand that. But aren't you sitting at the table with all the stakeholders at the moment?

**Mr Chidgey:** To develop the voluntary standard, yes; but in terms of government and regulation, that would be a matter for government.

**Mr CONAGHAN:** But have those people sitting at the table with you expressed a view in relation to making it mandatory?

**Mr Chidgey:** There's no direct feedback that I've received on that, no.

**Mr CONAGHAN:** You gave us a snapshot of the time frame. Its goes out for public consultation in early 2021. How long is the public consultation period for?

**Mr Chidgey:** It's nine weeks.

**Mr CONAGHAN:** Then what do you do with that public consultation, from the general public?

**Mr Chidgey:** Good question. The technical committee that we've put together that is responsible for developing the work would consider each of those comments and make any necessary changes to the draft.

**Mr CONAGHAN:** So in effect Standards Australia is really the facilitator?

**Mr Chidgey:** That is correct.

**Mr CONAGHAN:** So you have all the actors, all the interested parties at the table with a common desire. They put the structure, implementation, compliance together and you then develop that as an Australian standard?

**Mr Chidgey:** That's right. We're really an independent platform for the experts to come together to develop the technical guidance.

**Mr CONAGHAN:** And clearly that's well under way and will happen?

**Mr Chidgey:** Yes, it's well progressed.

**Mr CONAGHAN:** That's very positive.

**CHAIR:** Do you often find that your standards are referenced by insurance companies when they're writing policies?

**Mr Chidgey:** Again, I wouldn't know in terms of how many are brought up by insurance companies. But it is an agreed benchmark that they can use. They can equip insurance companies. But I'm not sure how many of them actually use our standards.

**CHAIR:** Is it something you've come across before, where an insurance policy says that whatever you're doing has to meet Australian Standard X, Y, Z, otherwise your insurance policy is void?

**Mr Chidgey:** Yes, it is something I'm aware of in different sectors. In the building sector that can occur, where they call up our standard as an agreed benchmark.

**CHAIR:** I'm thinking, here in the dog sector, we talked to a couple of the witnesses earlier, and they said they have a public liability policy for the security companies. They go to an event, and if one of the security guards in person or there is a problem with their dogs or a firearm gets discharged, and there's a claim against them, they can have public liability up to \$20 million. When I asked them what there is in the policy about the quality of your dogs, as your security guards themselves have to be registered and licensed, there doesn't seem to be any registering or licensing procedure for the dogs. I was wondering if, rather than the government making this mandatory, if it could be made quasi-mandatory through the insurance, where if a security company, for example, had their dogs all trained to Australian Standard X, Y, or Z, and the dogs had some certification that that was the case, then that would enable them to get a lower premium than a company that didn't meet the standards. Is there any experience you've had in that respect in other industries that you could shed any light on?

**Mr Chidgey:** Not directly, Chair. But you are correct. The standard is an agreed benchmark. That can be caught up by the market, by insurers, and of course by government and regulators. It depends on what they will accept. So it's something that could supplement policies that are already in place. What we aim to do is to equip the market with some guidance that's not currently there.

**CHAIR:** Do insurance companies approach you for information about Australian standards in certain industries and fields?

**Mr Chidgey:** No. But we do have their representation in terms of the development of some of our standards. That would be our main engagement with insurance companies.

**CHAIR:** Thanks for your time, gentlemen. Do you have any other final comments before we finish?

**Mr Chidgey:** Nothing further from me, thanks, Chair.

**CHAIR:** We greatly appreciate your work. We thank you for your submission and your time today.

**LOMAS, Sergeant Lateisha, NSW Police Force**

**McERLAIN, Commander Peter, NSW Police Force**

**STOCKLEY, Ms Lisa, Assistant Director (Industry Regulation) Security Licensing and Enforcement Directorate, NSW Police Force**

*Evidence was taken via teleconference—*

[13:00]

**CHAIR:** I welcome representatives of the NSW Police Force.

**Cmdr McErlain:** Good afternoon, Chair. I am the commander of the New South Wales Police Dog Unit, now dog and mounted unit. I also have got Sergeant Lateisha Lomas here. Lateisha has been with us for 14 years. She is a qualified dog handler and is head of training profession at the moment at the dog unit. We have Lisa Stockley, the assistant director of the New South Wales Police Force state licensing enforcement directorate. Lisa is qualified to provide any evidence to the committee today, both historical and contemporary, on the standards discussion and all that security information

**CHAIR:** Fantastic. Just before we start, I would like to congratulate you guys and the entire New South Wales Police on the way you have been handling yourselves over the last couple of months during very difficult policing circumstances. I think it is a credit to everyone here in New South Wales who wears the blue uniform. I thought I would put that on the record. Also, where are you guys based at? I know there was dog handling at Menai in my electorate.

**Cmdr McErlain:** We are still in that district, Chair. Moves are afoot and we have been looking at other venues. That is on the horizon about moving. We are outgrowing Menai at the moment. Perhaps we will have a different venue into the future.

**CHAIR:** Is there any quick opening statement you guys would like to make?

**Cmdr McErlain:** Our submission to the joint committee indicates, amongst other things, our continuous willingness to support the development of a national standard for security patrol dog teams, and we welcome involvement with any of that. However, our submission, as you know, does not support the development of a standard for drug detection dogs. From today's discussions I don't think it is on the books at the moment. It is more the development of standard for explosive dogs. We base our argument on legal risks, unacceptable risk to public safety and liability risks, mainly. In a dot-point version, we have spoken today about legal liabilities and authority to stop, search and detain people when private security dogs perhaps give a positive indication. We talked about that. Basically the threshold under our legislation is about reasonable suspicion and how we meet that. Also taking possession of explosives: when we do our operations we have a very, very large support policing presence around our detection handlers, which can react to any sort of situation that might occur, should explosives be found. False positives are another issue. It is well documented in the drug world at the moment and taking resources away from New South Wales Police, should we get false positives in the private sector. We have got concerns about methodology as well and how explosives are made and hidden, particularly in the criminal world and also in the terrorism world. We have got some issues about that and about mutual recognition in the security area right across Australia. That really poses a risk to us with criminal intelligence and sharing intelligence and risk to organised crime and terrorism within the security industry.

Possession and storage of explosives is another issue—which Mr Goodwin mentioned that today. We have issues over that, the legislation surrounding that and the resource implications. There is also the failure of private security dogs to actually detect explosives. Explosives in the mining industry is natural and not criminal, but explosives in freight, air, road transport and public spaces—which we have heard about today in a few submissions—is certainly criminal and it is within the terrorism environment. If we do reach a standard, we have a concern as to whether that standard is below standard, mid-standard or high standard. The circumstances that may arise out an incident where explosives are found and detected could be catastrophic. The three of us are here to answer your questions, and we are happy to do that.

**CHAIR:** How regularly does the New South Wales Police Force call on extra support from the private sector with dogs for security work?

**Cmdr McErlain:** In my time here at the dog unit that has never happened. We haven't really had a request for assistance, nor the other way around. We haven't really provided any support to the private industry and nor have they to us.

**CHAIR:** So whatever public event that is being held, you have enough resources, with your own internal police dogs, rather than having to go to a security firm and say, 'Can you give us an extra half a dozen dogs?' So that is not something that happens?

**Cmdr McErlain:** No. Over the last 12 months there have been about 900 requests for assistance from internal stakeholders, on behalf of external stakeholders in some requests, and almost all of those requests have been resourced. There might be one per cent for various reasons. We might have had someone there to attend, but generally 100 per cent attendance.

**CHAIR:** So in those circumstances in public events, is there any legitimacy for private firms having security dogs there?

**Ms Stockley:** I would just like to clarify that a little bit, because we are unsure of the scope of what is intended to be covered by the standards with regard to detection dogs at those sorts of events. In New South Wales, it is not permitted within our legislation to use detection dogs for screening of persons entering into major events like premises or public or private functions. So, if we are looking at the use of detection dogs for screening people, that is not permitted in New South Wales.

**CHAIR:** So it is not permitted by the police force under the police legislation, or it is not permitted period?

**Ms Stockley:** Under the Security Industry Act 1997, the use of dogs is not permitted for crowd control activity, and the screening of persons entering into licensed premises, public venues, private or public functions is a crowd control activity.

**CHAIR:** Okay. And that is both the police and the private sector?

**Ms Stockley:** No, it doesn't apply to police. This is just in relation to private security licensees.

**CHAIR:** But the police can do that work?

**Ms Stockley:** They can.

**Cmdr McErlain:** Absolutely.

**CHAIR:** That's what I thought, but I just wanted to clarify that. So there is really no need for explosive or drug detection dogs in the private sector whatsoever. Is that a fair comment?

**Cmdr McErlain:** There is a disproportionate argument, which I will probably let Lisa address.

**Ms Stockley:** In New South Wales we have about 55,000 individual security licensees. Of those licensees, only 635 hold a 1D licence. A 1D licence is obviously a dog handler licence and it authorises the licensee to patrol, protect or guard property with a dog. So about 1.15 per cent of the industry has that licence class. Of those numbers, I would say a much smaller proportion would be trained to do detector dog work. The majority of those people would be doing the security, guard and patrol dog work. So we're looking at a very, very small percentage of industry that would actually be trained and competent to perform those detection duties.

**CHAIR:** But 635 is still a reasonably large number. What is the requirement to get one of these 1D licences?

**Ms Stockley:** All jurisdictions have eligibility requirements but, in New South Wales, we have requirements that you must be a citizen or permanent resident or of a particular visa class that gives you the particular working right. We actually exclude student working visas and holiday working visas from being eligible, because we say that we are unable to properly background check those people. We do probity checks, and there are disqualifying offences that automatically exclude you.

In New South Wales, we also use criminal intelligence as part of our probity checking. That is not available in all jurisdictions in Australia. Some jurisdictions have expressly prohibited the use of criminal intelligence in their probity checking. That means that, in terms of the mutual recognition scheme, we do have to accept the licensing decisions in other states where they don't use criminal intelligence for background checking. That is the issue of mutual recognition that was brought up earlier by another person appearing.

Once you pass through the eligibility in terms of working rights and then you pass through the probity check, you then, for class 1D licence, you need to go to an approved training organisation and do a course which is based on the national training package, which includes various competencies relevant to security and dog handling. In New South Wales we currently have seven RTOs that are approved to deliver that training. However, in the last few years, only one of those RTOs has delivered dog handling training and they have only delivered two courses in the last two years. So it is not a particularly large section of the industry. Further to that, on the licences that were issued in the last two years, we have issued 77 1D licences, but, of those, 29 of those were mutual recognition and, of those 29, 20 came from Queensland, which is one of those jurisdictions that, as I said, has different eligibility criteria and different criteria in terms of probity checking.

**CHAIR:** So, at the moment, that 1D licence is basically all about the individual security guard rather than anything to do with the dog itself?

**Ms Stockley:** That's correct.

**CHAIR:** So, in that 1D licence, you get a general licence that allows you to basically have a security dog with your work, but that security dog could be anything from a German shepherd to a poodle or something? I don't mean to be facetious, but there is no requirement about what the dog is, what the dog can do or what training the dog has got?

**Ms Stockley:** That's correct; there isn't.

**Mr CONAGHAN:** Commander, you referred to explosive detection. I don't know if you heard Mr Mick Willing's evidence. He indicated that Dog Force conducted 740 hours solely in explosive detection work, and he's only one of the 635 agencies that I think we were referring to. That doesn't sit with your evidence that private firms weren't out there doing explosive detection. Have I missed something there?

**Cmdr McErlain:** I am well aware of private security doing explosive detection work. But the legislation that I think Lisa was talking about is that people screening in for explosives is prohibited by legislation in certain areas in New South Wales. Lisa might want to follow up on that.

**Ms Stockley:** I just want to clarify that, when I was talking about 635, that's 635 individual licensees—the guard dog handlers. That is not actually representative of the number of businesses that are doing that type of work. I wouldn't have figures on that because in New South Wales your master licence isn't tied to a particular security activity.

**Mr CONAGHAN:** Sure. This public hearing is specifically in relation to the standards for privately contracted security and detection dogs, and we don't want to interfere with the New South Wales Police or the Queensland Police. We know that their standards are internationally recognised. Would you want a national standard for explosives detection or just a national standard for dogs generally to ensure that the private contractors that are going to be used are of a standard that gives the public some confidence?

**Cmdr McErlain:** The standard is probably is a legitimate argument, but the virtual elephant in the room—sorry, online—would be, in my respectful submission: how is it going to be regulated? If it is regulated, you'd think it wouldn't be lowering the bar, but the risks that I mentioned before, costs, needs, compliance and who's going to regulate it, are probably the main questions.

**Mr CONAGHAN:** I want to go back to the training for explosives. Are you saying that private security firms should not be conducting that work?

**Cmdr McErlain:** Well, it's happening at the moment. What we say in our submission is that we don't support the Australian standard for explosives dogs working in the private sector.

**Mr CONAGHAN:** But that Australian standard hasn't been developed yet. That's why we're having this inquiry.

**Cmdr McErlain:** That's right.

**Mr CONAGHAN:** Wouldn't you prefer a high-level standard for private operators than not being regulated?

**Ms Stockley:** If I may assist here, in terms of a little bit of a history on this issue, there's been a lack of clarity around exactly what the standard is proposed to cover. The original standard, as far as I was aware from documents that I have seen, actually referenced narcotics. That was taken off the table, obviously because there wasn't regulatory support for it due to the legal impediments of what a security guard would be able to do when they were faced with a positive indication. A second project was put forward, which is the one that's currently being considered. You're right: we don't know what is part of that standard. That is part of the difficulty, because, as I said, screening of people is not something that's permitted in New South Wales, for the most part. The standard, as pointed out by Standards Australia and other people who have given evidence, is voluntary. For it to be able to be enforced would mean that the regulator would have to adopt that standard, either in legislation or through other regulatory conditions that would be placed on the training organisations et cetera. If we were to do that, it would be incumbent upon us as the regulator to be able to monitor compliance with the standards and enforce the standards. Our position is that it would be a very big impost on New South Wales Police to effectively set up a regulatory regime around a very small proportion of the industry. Given the risks are quite high, we would need to do that proactively and we would need to have the expertise around being able to determine whether a dog or a person is complying with that standard.

**Mr CONAGHAN:** You basically have the position that the enforcement, the implementation and compliance would be handled by each of the states and territories police forces? Is that your evidence?

**Ms Stockley:** At the moment, there are three jurisdictions that are regulated by police: New South Wales, Victoria and Western Australia. The other jurisdictions are regulated by fair trading organisations. I think Mr de Caires from ASIAL pointed out there are significant differences between the jurisdictions in terms of their regulatory arrangements and also their licence classes. For example, there is a jurisdiction in Australia that doesn't even have a dog handling licence class, and therefore training requirements and competency requirements around that are unknown—whether that's occurring in that jurisdiction and, if so, how it's regulated. There's a difficulty in terms of regulating the national standard. It would be up to each jurisdiction to come up with a program, but if we were to do it in New South Wales consistent with the other regulation we have around the security industry, we would do that proactively through the Security Licencing and Enforcement Directorate, in terms of both training and industry activity.

Regulation is not just about the training. We also investigate complaints that are received from members of the public and other areas of industry, so we would need to be able to investigate complaints of, for example, services not being rendered competently or perhaps fraudulently, and the types of complaints that you get from dog handling activities in the general community about false indications, false-positive indications or infringement on civil liberties. A whole heap of work goes into regulating the security industry and particularly this risky activity, which, as I said, represents a very small proportion of the overall New South Wales security industry.

**Mr CONAGHAN:** Wouldn't a national standard weed out the cowboys in the industry?

**Ms Stockley:** It possibly could. The difficulty that we also have is that we're not really clear on what the demand actually is for this commercially. ASIAL made a broad statement in their submission about the increased demand, and certainly Dog Force Australia has been helpful in being able to provide some information about the services they deliver, but we haven't actually heard from any other commercial providers as to the extent of the services that they provide or the demand. So it's a little bit hard to say whether there are cowboys, but certainly my experience in regulating the security industry is that, whenever there is an area of increased demand, it will attract new interest to the industry. The cost of complying with the standards and the huge amount of training and maintenance and reaccreditation et cetera that is involved in both the dogs and the handlers would mean it's quite an expensive service to deliver. If you attract other people into the industry that decide not to adopt a voluntary standard and, in fact, are able to undercut the costs of some of those more credible providers, then you create a situation where, if it's not regulated, we have the riskiest group not adhering to a standard and not being overseen.

**Mr CONAGHAN:** The solution is to have it regulated?

**Ms Stockley:** Yes; it is, but the regulation, as I said, is extremely difficult in terms of the cost implications. In terms of the cost, we couldn't fairly spread that into licensing fees across the whole industry when it represents only about one per cent of the industry. We would then probably have to look at whether it was involved in some sort of application process that could be triggered by a section of our legislation that exists already, and the applicant would pay those costs, but then it would become cost prohibitive, I would imagine, for the applicant.

**Mr CONAGHAN:** What I'm hearing from you, and correct me if I'm wrong, is that, whilst it may be a good idea to have a national standard, the implementation and compliance would effectively be too burdensome and costly for the police to do and for security companies to pay for?

**Ms Stockley:** That would be the current position. I note that one of the previous witnesses mentioned that canine detection is listed in *Australia's strategy for protecting crowded places from terrorism*. In the same document is a statement that the government is responsible for robust regulation of the security industry, in terms of training and the providers. They go hand in hand.

**Mr CONAGHAN:** Thank you. I may have a couple more questions, Chair, but I want to think about it for a moment.

**CHAIR:** You mentioned you are expanding the operations up at Menai. Where were you looking at expanding them to?

**Cmdr McErlain:** There are a number of venues that we're looking at. We're currently expanding a lot of our operations regionally. This is probably a better opportunity to explain that. We've been placing some resources up in the north-west sector, out to the Riverina, of course, and then we're looking at resources going down to the coast. As far as expanding resources venue-wise, that's still in the proposal stage, and we are looking at a number of venues.

**CHAIR:** Are you doing any work specifically with Border Force, such as customer screening at the airport, or is that all separate from what the New South Wales police do—it's the AFP and Border Force, and they have their own dogs that are completely separate from you?

**Cmdr McErlain:** They are separate. Even in the COVID world, we are working separately on that. We are not doing any mutual assistance jobs.

**CHAIR:** As I understand it, a dog is trained for one or two specific tasks. A dog doesn't multitask?

**Cmdr McErlain:** It's probably appropriate to hand you over to Sergeant Lateisha Lomas, who is our training supervisor, to answer that.

**Sgt Lomas:** Good afternoon. In relation to that question, some dogs are multiskilled, in that we do have some general purpose dogs doing urban search and rescue. We have some drug dogs that do urban search and rescue. In relation to explosives dogs, we do not multiskill the explosives dogs. They just focus on that discipline.

**CHAIR:** What's the dog's working life?

**Sgt Lomas:** They work until about seven or eight years of age. It depends on their health and obviously the number of jobs they've been doing, but generally it's until they're about seven or eight years of age.

**CHAIR:** Is there a canine retirement plan for them? What do you do in that respect?

**Sgt Lomas:** Yes. Generally, our dogs are offered up to their handlers and family. We do have an adoption program for members of the public. That's a fairly rare circumstance, but it does happen.

**CHAIR:** Are there any new areas that you are looking at expanding the dogs' detection skills to?

**Cmdr McErlain:** I might be able to answer that one for you. We have discussed some technological detection with the AFP in recent times, and we have been in discussions with the University of Adelaide about COVID detection dogs as well. At the moment, they're discussions. We're also talking with the AFP about currency detection as well. But, at the moment, they're just discussions.

**CHAIR:** I was just interested. As a general comment, whenever I see the dogs working, I think, 'Wow, they are doing the work of about 200 people!' I know that there is a lot of work behind the scenes that goes into training the dogs, but they do seem a very efficient way to do many policing activities.

**Cmdr McErlain:** Yes, absolutely. Our core business is keeping the public safe, and that is just what they do.

**CHAIR:** Mr Conaghan, have you had a chance to think of any other questions?

**Mr CONAGHAN:** Yes. Commander, have you been at the table with Standards Australia and the other interested parties to develop or talk about what a standard looks like?

**Cmdr McErlain:** No, I've had no discussions with them at all.

**Mr CONAGHAN:** Okay. Thank you for that.

**CHAIR:** Any final comments, ladies and gents? I am getting a deadly silence. If that is the case, thank you for your appearance before us today. Thank you for your time. It's greatly appreciated. Thank you for putting your submission together. We wish you all the best in the work that you do, and hats off to you all. There are no documents that need tabling. If there are any questions that were taken on notice, we've agreed that they be submitted two weeks from today. With that, thank you to Hansard, thank you to broadcasting, thank you to all of the witnesses today, thank you to the secretariat and thank you also to Mr Conaghan up there on the Central—the Mid North Coast.

**Mr CONAGHAN:** Get it right! It's the Mid North Coast!

**CHAIR:** I would be in big trouble if I got that wrong! With that, thanks, everyone. We stand adjourned.

**Subcommittee adjourned at 13:29**