

COMMUNITY DEVELOPMENT AND JUSTICE STANDING COMMITTEE

INQUIRY INTO THE PROTECTION OF CROWDED PLACES FROM TERRORIST ACTS



**TRANSCRIPT OF EVIDENCE
TAKEN AT PERTH
WEDNESDAY, 9 MAY 2018**

SESSION ONE

Members

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

Hearing commenced at 9.55 am

Mr CHRIS DAWSON

Commissioner of Police, Western Australia Police Force, examined:

Mr CRAIG ROBERT DONALDSON

Commander, Counterterrorism and Emergency Response, Western Australia Police Force, examined:

Mr PAUL ZANETTI

Assistant Commissioner, Specialist and Support Services, Western Australia Police Force, examined:

The CHAIRMAN: Good morning. I will open the hearing. On behalf of the committee, I would like to thank you for agreeing to appear today to provide evidence in relation to the inquiry into the protection of crowded places in Western Australia from terrorist acts. My name is Peter Katsambanis. I chair the Community Development and Justice Standing Committee of the Parliament. I will introduce the other members. The Deputy Chair, Mark Folkard, will be here in about half an hour. We have the member for Dawesville, Zak Kirkup; the member for Bunbury, Don Punch; and the member for Carine, Tony Krsticevic.

It is important that you understand that any deliberate misleading of this committee may be regarded as a contempt of Parliament. If, in the course of the hearing, you believe that some committee questions require answers containing sensitive or confidential information, you can request that the committee take that evidence in a closed session. You will need to explain briefly why you feel that it is necessary to close the hearing. Should the committee accept your explanation, the committee will receive your evidence in closed session. Hansard will continue to make a transcript of the session but the transcript of that closed part of the session will not be made publicly available unless the committee or the Legislative Assembly resolves to authorise its release. As a matter of practice, we would not do that unless we liaised and discussed it with you and everyone is comfortable with what is to be publicly released. If we do move into closed session, members of the public or non-members of the committee will have to move out and then come back in when we reopen the session. Your evidence is protected by parliamentary privilege. However, this privilege does not apply to anything you might say outside of today's proceedings. Before we begin our questions, do you have any questions about your attendance here today or the procedures?

Mr DAWSON: No.

The CHAIRMAN: Is there any opening statement that you want to make?

Mr DAWSON: I would simply like to say that we have provided a succinct, written submission to the committee.

The CHAIRMAN: Thank you for that.

Mr DAWSON: I look forward to assisting the committee in your deliberations and wish to provide you every possible assistance.

The CHAIRMAN: From our perspective, we consider this as an exercise in everyone working together to ensure that the public of Western Australia is as protected as possible from any of these possibly less likely but still possible events. We have a series of questions we would like to go through and I

will go through all the committee members as well. Starting off, how often are you required to exercise and review the state hazard plan for terrorist acts?

Mr DAWSON: I am a member of the State Emergency Management Committee. We meet in a structural calendar of events. In fact, I met with that committee last Friday morning. While we have a statutory and structured meeting program, that is also reflected in a continuous examination of all of the hazards that that committee must discharge in its role. My response is that we routinely and regularly review all of our plans and guidelines. That is also under the auspices of allied structures such as the Australian–New Zealand Counter-Terrorism Committee specifically dealing with crowded places, the terms of your inquiry. We have both a layered response to reviews and also a statutory requirement that the State Emergency Management Committee must review its plans. We recently did so and they were completed in February in terms of some of our internal arrangements as well.

The CHAIRMAN: In relation to that, you say “regular”, but what does regular mean? Is it at least once a year or more often than once a year?

Mr DAWSON: We have an obligation to assist the State Emergency Management Committee itself on a state level, and that basically cascades into some of our district and local management plans covering a range of hazards of which counterterrorism is one. Coupled with that, we have the national review underway. I am aware that there are matters presently under review relevant to this committee’s terms of inquiry at a national level. My response is that it is quite layered and structured across both a national, state and local level.

The CHAIRMAN: In that review that was conducted in February, were there any major changes or different approaches that have been brought in as a result of the review, or was it a clean bill of health and we continue doing what we are doing?

[10.00 am]

Mr DAWSON: In particular to the matters that this committee is concerned with in its terms of reference, the State Emergency Management Committee has reshaped and it is more than just changing the terms from what was previously known as Westplans to now hazard management plans. But I might defer to one of my colleagues that routinely deals with these matters on a day-to-day basis and they might be able to provide you with better information.

Mr DONALDSON: In short, no, there were no major changes. It was, in essence, a template change to make it more contemporary across all the state hazard plans. But what sits underneath is that in that layered approach in the command that I have got are two people who, in essence, have the hazard plans open on their desk pretty much every single day. That layers the change or effort put into the prevention, preparation and response and, in respect of counterterrorism, the investigation spaces. It is a layered approach and it is almost our day-to-day business in ensuring that we are doing whatever we can in relation to maintaining that state hazard plan.

The CHAIRMAN: With this state hazard plan, I know you review it and look at it, but do you stress test it or exercise it in any way whether on a desktop basis or on an actual live exercise basis; and, if so, how often?

Mr DAWSON: I will answer first but I am sure that Assistant Commissioner Zanetti and Commander Donaldson could add to it. The penetration testing of systems, for instance, or the major exercise plans are set out nationally in a calendar of exercises. For quite a number of years, I was the state representative on the Australian–New Zealand Counter-Terrorism Committee and we have within that structure capability framework and also an exercise regime. They range from multiagency MJEXs—as we call them—which are major joint exercise plans. They are both

conducted on an inter-jurisdictional, national matter. One was recently conducted, for instance, in South Australia, which we had Western Australian representatives attend. At a state level, we also conduct major exercises, again, multiagency, and then it also flows through to what we call no-notice drill exercises and desktop exercises, and we do that with a multitude of interested parties be they from the private sector, local government or other state government agencies through to the political and other allied response agencies, be they St John Ambulance, the Australian Defence Force and whatever. It is quite a comprehensive exercise regime and it is not confined to desktop.

The CHAIRMAN: Are you able to provide us with, even in a closed submission, a schedule of that broad range of testing perhaps over the last three-year period?

Mr DAWSON: Yes, I probably prefer if we do that in a closed session on notice in the sense that some of the exercises I would not want to alert parties outside of those that need to know as to what we have done and where. Some of them are very overt and public, so I have no difficulty with those. We conducted one recently at Optus Stadium. That is quite well-known and those such events do not have any particular security element around them, but we do have other exercises that I prefer to inform the committee in a closed session.

The CHAIRMAN: We will correspond with you afterwards and if you can provide a list of what can be publicly made available and a list of the information that would be important for us to know in our inquiry but will be treated as confidential, that would be most welcome.

What is the difference between the crowded places security collective and the people who comprise the crowded places forums that you are required under the national framework to implement?

Mr DAWSON: I will invite my colleague who is across this every day, to respond.

Mr DONALDSON: We have the national crowded places capability, which is an ANZCTC group. That is chaired by the deputy commissioner from Victoria Police and has representatives from all jurisdictions and other agencies and business. That translates down to the jurisdictions' crowded places forums. For us, we started in 2016 with the places of mass gatherings forums and then transferred the name when the strategy came out into the crowded places forums. That is the terminology—the crowded places forum. We also have a Pilbara security collective and a southern critical infrastructure security collective. They have different names, but the same content, if that explains it. It flows from the national group down to the jurisdictions and our naming conventions are pretty much consistent across all jurisdictions. It is known as the crowded places forums and the group that meets is the crowded places advisory group.

The CHAIRMAN: How is membership of these forums organised? Is it by invitation? Is it by request? Are operators of certain types of crowded places compelled to come along? How does the system work?

Mr DONALDSON: There is no compelling, but pretty much all of the above. It is done through our intranet site and through the national intranet site. Anyone can turn up if they have an interest and they are an owner-operator. Our last forum, which was held at VenuesWest, had 120 participants. Ours range from between 120 to 150 participants because it has been going on for some time now, so it is quite a healthy relationship. But it is your government agencies, your health, your education, your shopping centres and your sporting venues. It is quite a broad group of people who come along to our forums, which are held every three months and touch on a variety of topics on which we have feed from the national group.

The CHAIRMAN: In the period that they have been running, is there any obvious gap in the types of people who may not necessarily be attending? Are you missing out on anyone or someone who would be good to be there but is not there?

Mr DONALDSON: That is a really interesting question because the definition of crowded place is a place that, on a predictable basis, can have a lot of people there, but then it is as broad as when you do your security assessment—we offer templates to do that: “Do you have an identified gap in your business? If you do, come along and we can talk about it.” It is that broad and we certainly do not restrict on anyone, but it is that messaging out and advertising that is available to business owners and operators.

The CHAIRMAN: To me, and I think to the whole of the committee—I do not want to speak for the other members—it makes good business sense to be involved in this because there is not only a public risk, but a business and a reputational risk. Obviously, you can only know who turns up. You do not have a list of the people who do not turn up. Do you think there is any need to have some sort of legislative or regulatory framework about the nature or types of owner-operators who ought to be involved in these forums so that there is no potential for a gap, or does the system work fine as it is?

Mr DONALDSON: It is a bit of a challenging question because our space is in education and guidance. My view would be that if you are seeking education and guidance to build resilience for your business, come along. But you may choose that just simply going on an intranet site or the national site and drawing down on those templates is enough for you. We do not capture that. We can only hope that we are reaching out as far and as broad as we possibly can. I think, really, for our demographics, to get between 120 to 150 people at our forums, is quite healthy.

The CHAIRMAN: It is impressive that people are coming along and taking this seriously. Of those people who go away and use the self-assessment tool that is available from the national body from the ANZCTC, and put together their plan, who checks that they have a plan? Who audits it? Is there a check list? Does it come through you or is it a best endeavours—type of procedure with no cross-referencing or cross-checking?

Mr DONALDSON: It is best endeavours, but, again, dependent on the owner and operator and the type of business and the risk appetite, balanced with knowledge of our threat assessment. I do not think it is one-size-fits-all; it is a risk identification, risk mitigation space of which we talk about at the forums—how much risk are you willing to take with your business and what are your mitigation strategies?

[10.10 am]

Mr ZANETTI: I would probably add to that that while we do not audit people’s plans, certainly on a risk basis—you might pick some of the more obvious ones, for example, Optus Stadium—we will work with them, we will have visibility over their plans and an understanding of their plans and we will make sure that their plans and our plans are meshed, if you like, so that there are no surprises or confusion in there, so there would be a smooth transition between, say, an event that is being controlled by the owner-operator of a venue during a live event and, if an emergency occurs, it switches over to the police being in charge—that is a very smooth transition. We have visibility but we do not transfer the risk to WA Police, if you like, by putting a stamp on their plans because we are not the experts in the running of major events and those security initiatives. It is more about coordination and compatibility between the two and a joint understanding of what each other’s plans are.

The CHAIRMAN: I understand a lot of this requires cooperation from police, emergency services and private operators. But at the end of the day, if someone does not want to make their plans available to you and you ask kindly or simply does not take into account this risk at all in their space, what powers do you have to then look into what they have got in place or compel them to do something they do not want to do?

Mr DAWSON: Chair, I think the national strategy articulates quite well the issue that I think is at the heart of your question in the sense that it is very much based on a cooperative arrangement between the owner-operators, be they government, local government and/or private providers and, indeed, it does touch on reputational risk, the security footprint and while I do not think any party—certainly the Western Australia Police Force does not—contends that it can prevent all terrorism simply through design, the involvement that we have had with new developments of transport hubs cum other specific high-crowded venue places, does provide for a design element to be built in place. The difficulty with what may be categorised as a crowded place, be it a street, and we have seen terrorist events such as the tragedy in Nice, France, invites any owner-operator—we have 537 local governments in Australia and they are all part of this strategy. I guess to put in a compliance regime, which I think is what your questions turns on, really invites a national conversation about whether it should be compliance or whether it should be coupled up with planning regimes. Anything that at the moment does require both government taking a lead but a recognition that governments alone cannot do it. This is a whole-of-community element and so whether through a planning framework it should be complied with is not a matter that the national strategy presently talks to, nor that I particularly have a view to say that it should be a compliant regime as it applies to, for instance, fire mitigation or something like that.

Mr ZANETTI: I could add to that that whether or not there should be a compliance requirement attached to plan was part of the discussions before the strategy was finalised and it was deliberately not included as part of the current strategy. It was not the view that that was the way to go with the strategy nationally. The currently approved strategy does not involve a move toward compliance. However, the strategy is due for review and no doubt all those issues, the effectiveness of the strategy and the effectiveness of people voluntarily becoming involved and voluntarily complying, of course, will be part of that evaluation.

The CHAIRMAN: Obviously at the end of the day a national approach would be wiser, particularly given so many operators operate across the various state jurisdictions. It would be extremely onerous for them to comply to eight different sets of rules across the states and territories so that makes sense.

Mr DAWSON: Chair, I might make an observation that while the strategy does not confine itself, certainly what is often cited as a mitigating strategy would be physical elements. The strategy goes much broader than just physical elements but if we take two such physical elements, such as bollards and/or CCTV, that would, of course, if a compliance process is contemplated, involve a whole lot of stakeholder consideration, cost, proportionality to what you might have in a small town versus in a city. I am not suggesting that this is a matter that should not be considered or discussed but as my colleague said it was thought through and discussed prior to the national strategy being published and the decision collectively across the nation was that compliance was not adopted.

The CHAIRMAN: Sure. I can keep going for the whole two hours, but I will hand over to the member for Dawesville.

Mr Z.R.F. KIRKUP: Commissioner, I have three areas I want to talk about—security by design, electronic threat and the like and infiltration within security, licensing agents and WA Police. I will quickly move through those. In terms of security by design and picking up your previous point, you are quite right that it is not all about physical outcome. In our recent visits to eastern states jurisdictions, it is a very clear focus of police agencies over there to look at that element. They have come up against some constraints where the public open space might be shared amongst a number of owners and government agencies as well. Similar to the bushfire regulations where you can compel now an owner to take certain mitigation measures in a bushfire-prone zone, do you think it

is something that the state should look at to compel or look at compelling private property owners to make sure they harden targets of interest? I mean, I look at the malls, for example. I think only late last year were bollards put up in the Hay and Murray Street Malls. Obviously there is a lot of private property ownership there as well as the local government authority and some government agencies. Do you think that is something we should be looking at? I appreciate that it is not WAPOL's involvement there, but obviously you have to respond to a threat and the concern that I have looking at those other jurisdictions is that sometimes you have very exposed public open space that ultimately the police will have to respond to if it is not appropriately hardened in a possible mass-casualty circumstance. Is that something you think the states should look at in terms of making sure we have the ability to compel private proper owners to harden targets of interest or areas of interest?

Mr DAWSON: We regularly and routinely through the various fora discuss such matters with venue operators and clearly, as I responded earlier, local government have primacy in terms of the immediate planning requirements but certainly it is on the agenda as part of the business advisory group deliberations and matters such as that. As far as police having a role, we do not have, one, the primacy nor do we necessarily have the specific specialist capability in terms of planning and design. We offer advice, but this has a whole host of layered—I do not want to repeat words, but it is not free from complexity, put it that way. I would not see that, one, we would have—unless Parliament considered that we should—some planning primacy in terms of an advisory role, but that would also require me employing and recruiting such people, either contractually or embedded within our own agency. While we have dialogue and we do provide some advice, it is not directive. I know Commander Donaldson has had some further involvement on this element.

Mr DONALDSON: It is really difficult to silo these sorts of discussions because the sort of things that we constantly throw around the national space is: for what threat? Do we actually understand the threat? As we all know, that evolves so quickly and it changes so quickly. If we were to regulate or have some hard-and-fast rules, how soon would that be then expired? Hence, a robust, agile and flexible provision of advice as best as we can get across the industry.

Mr Z.R.F. KIRKUP: It concerns me, certainly when we look at public open space across Perth, that ultimately you will be the first responders if an incident were to take place there. We have the ability for Defence to do that desktopping to identify threats and mitigate accordingly, even with private property owners. There are a lot more obligations for, I think, a farmer to put in fire breaks and things like that than there might be for private property owners in a public open space that could be a targeted threat.

[10.20 am]

Mr ZANETTI: I think it is a valid question. In fact, I think the last time we appeared before you I raised that that was something that occurred to us as well, and we asked the question: is that something that should occur? Talking to the other jurisdictions as well, it is not a thought that has not occurred to people, but as Commander Donaldson mentioned, the challenge is coming up with the minimum standards, because what threat are you mitigating? We are probably thinking about trucks and cars, although as we know the nature of the threat changes from year to year. We are trying to set minimum standards for something we are projecting into the future as to what a threat may be. At the point where you had the conversation last time around, that was the view; that minimum standards is probably beyond something you could resolve for the moment.

Mr DAWSON: I am just going to add there that in terms of public open spaces, if we contemplate the amount of weekend sport, for instance, that might occur on any oval or park and which is quite heavily populated for several hours on a Saturday or Sunday morning and then does not have that

same density during the week, if we were to contemplate a minimum standard, again, as Mr Zanetti said, what proportion of that would be put around every public park for a moment in time? I think it is also analogous to the challenge of cyber: owners and operators being private people in their homes and/or business operators have a responsibility to manage their own security in their systems. If there is a cyberattack by a terrorist group, I think people are accustomed to physical security and an understanding of whether they should or should not harden physically. How do you then compel someone to actually do all the patch protection and mitigation around preventing a cyberattack on your business or whatever you operate? That is why I think we need to step through this quite carefully and understand what are we asking the community to do.

Mr Z.R.F. KIRKUP: Just on the cyber issue, given that you mentioned it, before I move on to the final part of my questions: in the eastern states jurisdictions it is very clear that the state police forces there are very focused on electronic means of preventing these types of incidents that we are talking about. They seem very advanced in some of the technology they shared with us in terms of mobile devices and general access to personal computers and things like that, as well as preventive measures such as biometrics. Without naming those jurisdictions, they seem very advanced. Perhaps this is for closed session. Other jurisdictions seem to be independently pursuing those outcomes, whereas I know that sometimes there has been a reliance to shift some of the responsibility or some of those obligations under the commonwealth agencies for that electronic side of things. How equipped are WA police in terms of monitoring and infiltrating electronic devices? Is that an area that is more challenging and that we need to be better at? I am keen to understand how it might key in with the national approach on biometrics.

Mr DAWSON: Police in Western Australia, like all police forces around the country, all have a capability in terms of our need to both interrogate and examine forensically any mobile or electronic device. In terms of facial recognition, elements like that, I would prefer and ask that we do any questions and response in a closed session. We certainly have capabilities. We certainly built and procured a lot in the lead-up to the Commonwealth Heads of Government Meeting. But I think some of the nature of this we would prefer to discuss in closed session.

The CHAIRMAN: What we might do is go through the public element of the hearing and perhaps at about 11.15 am move into closed session and we will keep a record of the issues that are best discussed in a closed session.

Mr Z.R.F. KIRKUP: I can reserve the rest of my questions for that.

I have one other in that case. I note as part of this committee's interest that in 2015 the Pope visited the United States. Various state police forces there warned about infiltration within the ranks of police and first responders, people who might seek to become involved in those agencies as part of a coordinated attack or the like. How robust is WA police's recruitment process to ensure that any prospective or present serving officer has not misled the WA police in terms of qualifications, history or background?

Mr DAWSON: Obviously we have a recruiting process that involves checking the bona fides of all such applicants. That is coupled up with a number of panel interviews. In addition to that, aside from a security check we also have a battery of psychological tests involving some psychology assessment by clinicians to assist us in our deliberations. It ranges from the desktop, the checking of backgrounds and references, a security check, personal interviews, coupled with a battery of psychological tests. We also do not just check bona fides in WA; we do that both nationally and internationally.

Mr Z.R.F. KIRKUP: If you find a serving or previous serving police officer who has misled WA police in terms of their qualifications, experience, employment or the like, what measures are in place to

pursue that individual? Does that happen regularly? How active is WA police's audit of existing officers who have served or previously served?

Mr DAWSON: At point of entry, obviously there is an assessment that takes place, so that is part and parcel of the recruitment process.

Mr Z.R.F. KIRKUP: And in terms of mechanisms or legislation that exists to empower WA police, if you find a police officer, current or previously serving, who has misled the force about their bona fides, what measures are in place to pursue that individual?

Mr DAWSON: Depending on the circumstances, whether we would have a need to investigate that, depending on how that emanated. But throughout an officer's service there are a number of matters that may require a higher classification and security assessment; going from negative vetting 1, negative vetting 2 to positive vetting. We do that through AGSVA, the Australian Government Security Vetting Agency. For instance, what Mr Zanetti and Mr Donaldson have under their command, almost the entirety of the command personnel would require a security vetting over and above that of a frontline officer. Depending on the specialised roles they do, we do it proportionate to the nature of the work they do.

Mr Z.R.F. KIRKUP: I guess in that case that someone who has served in a station in the suburbs, for example, might not be in the same sort of security classification. Is that what we are suggesting?

Mr DAWSON: That is correct.

Mr Z.R.F. KIRKUP: Obviously there must be a threshold, as you say, for that initial point of entry where a prospective officer first presents and goes through a rigorous testing. That is the first gate, I suppose, to making sure that when they present themselves, they are who they say they are?

Mr DAWSON: That is correct.

The CHAIRMAN: Can I just follow up on that? Obviously if you are recruiting constables, I imagine the scrutiny on people's claims to have done other things in the past is not that relevant to you. Their tertiary qualifications are nice to know about but you may not necessarily need to interrogate them because you do not need tertiary qualifications to be a constable. If I claimed that I had previously worked for NASA and wanted to be a constable, again, it is nice to know that I might have wanted to be an astronaut but it is not relevant to being a constable. Overall, given the recent publicity of certain matters, do you think there is any need at the moment to look at serving officers and perhaps audit some of the claims they have made about their history, particularly given that the public needs to have 100 per cent confidence about the integrity of police officers as we know, as we support that strongly? If there has been more than a handful of people who have misled in their application to join the police force—perhaps not misled the police force in information that is critical to the role they are performing, but more generally about who they are and what they have done in the past—does that raise a question of integrity for the entire force?

Mr DAWSON: Certainly if there was information that caused concern for me as commissioner about the integrity of an officer, obviously we have a professional standards portfolio and we do investigate any such matters that may arise. Like any employer, I have an expectation that our hidden resource and recruitment process not only receives an application and the claims and anything that might be appended to an application, but there is an expectation that is set out quite clearly in the application process that any such documentation, for instance—which turns into your question—should be certified as a true and correct copy.

I do not think anyone would be naive enough to expect that a person who makes such claims has always been 100 per cent correct. That is a matter of public interest. I have to be assured that the processes that we do require certified copies of any qualifications. That is coupled with, as I

mentioned, those other processes that take place in terms of character references, personal interviews, psychological tests and the like. There is clearly a matter of public interest that is topical at the moment, so that is probably relevant to your question.

[10.30 am]

The CHAIRMAN: Have you done or do you intend to do any form of review by selective audit or whatever process to check the bona fides of current serving officers who have provided information in the past, or are you just simply going to rely on those processes that, in at least one case, have been found to perhaps not have been as rigorous as they ought to have been?

Mr DAWSON: I will make an assessment based on the information that is presently afoot for a particular matter, but whether that transcends to 9 000 employees—I also must ensure that any contractors that come in to do any contractual work are also subject to a security assessment. These are not free of expense, of course, and I am not citing that as a reason, because in fact we do do that. Indeed, we do check every contractor who comes in to ensure that. The well-known case of Mr Snowden is one such reason as to why you would need to ensure that the integrity and security of any person, whether they are a permanent employee or whether a contracted person, and their bona fides are correct. Snowden is a very live and topical example of why we do such checks.

Mr A. KRSTICEVIC: You indicated that there was a different threshold depending on which area you are working in. If you are in the counterterrorism unit, obviously there would be a higher threshold. If you come in as a constable and have a 20-year career and find yourself being promoted through the ranks and then you move into the unit, does that threshold then extend to go back to look at where you came in and your background before you came there to make sure that that has met that higher threshold, or do you look at the 20-year career and say that you do not need to go back 20 years before the person came in, and what they said, and look at it in that level of detail?

Mr DAWSON: It certainly does. We do not only do a current interview assessment, but we do a retrospective collection and assessment of whatever place they have worked, what associations they have had, both personal relationships, conduct, any complaint history, so that is quite comprehensive, depending on the way of classification. It is certainly not the case that, for instance, a constable entering, running through and being deemed and suitable for employment as a constable does not translate to an open door to work in any area of the police force. We work with some highly classified material and, indeed, with other partners. So our national security agency, such as the one I led previously, would not transmit any material to any area within any force in Australia unless we were absolutely certain that, one, the system was classified and, two, that the recipients and access to that was very strictly controlled. There are very comprehensive security layers. In fact, it actually causes a delay for us in terms of appointment. I know my colleague sitting here beside me can at times want to recruit someone to backfill a position but will have to wait until that layered security assessment has taken place.

Mr Z.R.F. KIRKUP: There is no hiding that there is very clearly an issue with the former member for Darling Range, who was previously a serving police officer. Do you think the issues there in relation to his qualifications and his submissions to WAPOL in his employment application, the issues that have been exposed by the parliamentary privileges committee, expose a flaw within WAPOL's recruitment process and do you think that needs to be looked at to ensure that that cannot happen again?

Mr DAWSON: I will no doubt be asked this question as soon as I leave this building, so I may as well pre-empt that by responding as I should to you as a parliamentary committee. I have caused a criminal investigation to be commenced. I have written to the Speaker of the house in that regard because on the face of the material that I have read, and indeed I have provided to the Parliament,

a criminal investigation is underway now. As to whether it should be extended across 9 000 employees, I think proportionally I can assure you that that will not happen because I do not see a present need to do a complete audit right across the whole agency. Certainly I think there is sufficiency on the material I have read overnight that one such criminal investigation has now commenced.

The CHAIRMAN: Can I ask in this space, because this is critically important to maintaining the trust and faith of the Western Australian public, if some member of the general public had a concern about the bona fides of a police officer as opposed to what they might have done in their role—just their bona fides of who they claim they were and what they claim to have done—who would they address that to? Would it be addressed to your professional standards department, to you as commissioner, to the CCC or anybody else? When is the last time that WA police became aware of any such concern to have been found to be not a concern in the end? When was the last time you received this sort of report, other than in relation to the former member for Darling Range?

Mr DAWSON: As Commissioner of Police I expect that that would come to my office. Whether it is a recruitment and/or a professional standards matter would be a matter that I would simply have my officer determine. But I can assure you that this is a regular ongoing matter. If any such matter turns on the association or the bona fides of any officer I employ, be they a public servant or a sworn police officer, I am ready and willing and open to receive any such information, which again touches on your particular matter. In a former role some 20 years ago I was principal of the police academy and I recall swearing in an officer who had been through all of the necessary processes some 20 years ago. On the morning that officer started I received a personal telephone call from another person who gave me additional information because they had not been aware. That caused me then to start a process in which that officer left our employ that very day. It is a matter that is not unknown for any employer, I think, to actually then make an assessment of who is coming into your employ. Clearly in such a matter as the public interest of policing, we have to make sure that they are rigorous. I am confident that our processes are as rigorous as they presently have been, but certainly on the matter that the member has already asked about, if there is any allegation of criminality, clearly I will investigate it.

Mr D.T. PUNCH: Commissioner, those processes would clearly imply that discrepancies are the exception rather than the rule. I am getting a sense that this is a very isolated set of circumstances where someone presents with an incorrect set of bona fides in their application.

Mr DAWSON: I would agree with you in the sense that while there is a present matter afoot, I am not aware of any trend or any enduring concern that applicants for the police force are turning up with false material to that. Certainly if someone embellishes what they have done in a previous role, that is why you do things such as reference checks. I, like many people here, have been on many selection panels, be they promotional and/or at other times, and certainly you have to test what someone purports to have done simply on a CV. That is why the processes involve personal interviews, psychological interviews to test the voracity of what is in front of you. You cannot simply do it on a desktop.

Mr A. KRSTICEVIC: Do you think with the current climate we are in, and the potential for infiltration by terrorists or other such individuals, that that initial test and standard needs to be looked at again and potentially reviewed? More importantly, has it been reviewed since the climate has become more concerning?

Mr DAWSON: In terms of the integrity and the background of people, if there is a need, depending on where they are working, there will be a graduated response to the heightened sensitivity. If they are going to be working for Assistant Commissioner Zanetti or Commander Donaldson, or indeed in

some of my other areas, such as our intelligence portfolio, we of course do some additional assessments. But as far as a broad-spectrum approach, with the present probability layer of national counterterrorism and threat, I have not been briefed nor am I aware of any particular concern that would cause me to say that we need to turn up the dial even higher than we presently have. I think what we are dealing with here, on the present brief I have, is an exception as opposed to a normalised behaviour.

[10.40 am]

Mr A. KRSTICEVIC: I understand that, but in terms of the terrorism threats and someone just coming in as a constable, do you think the right checks and balances are there to make sure that nobody with the wrong intentions in their mind could falsify their information to a high enough standard to sneak in as a constable and maintain themselves at that level with ulterior motives?

Mr DAWSON: We cannot be—I would be naive to respond to you and say that we can be absolutely 100 per cent that we will never have an issue with a person coming in who lays out who they purport to be, because some of that might be in the mind of the person. Indeed, you cannot really vet that necessarily through a layer of documentation. That is why we do have clinicians assist us to understand the psychology of any applicant. That is part of the process that has been built in place for many years. But again, I am not seeing that there is a heightened need for us to do anything additional to what we are presently doing. Certainly if the current investigation makes recommendations that there is a need to adjust, clearly I will take that on board. But I would not want to be too reactive to a single matter that is presently afoot and layer something that may not be necessary.

Mr A. KRSTICEVIC: Of course, public perception is what it is all about now. Obviously there would be an impression out there indicating that the entry point is quite easy and maybe the checks and balances are not there. That is not true from what you are saying, but I am just saying that there is the public perception side of it, so it is about potentially reviewing the processes just to make sure in your own mind that the systems are not as they need to be, and potentially if there are any options for re-tweaking.

The CHAIRMAN: I have a question on a similar area, but slightly different. You mentioned that you have to deal with not only sworn officers and public service staff, but also contractors who are coming onto site. This committee has received evidence—it is just evidence at this stage; I am not suggesting it is accurate or not—that in at least one instance a person was installing locks and security equipment in a police station, including in the lock-up of the police station, and they did not have the appropriate security licence. It was discovered during the work that was being conducted. Does it concern you that an unlicensed person could come onto police premises and install effectively what is security equipment? Do you think that raises questions about how officers in stations, officers on the ground, are trained to identify the requirement to check this sort of licensing?

Mr DAWSON: While I am unaware of the particular matter you have raised, I would be interested in pursuing that, for a couple of reasons: one, how was that person identified? If it was in fact by a police officer during that time, that would at least give me some degree of assurance that officers present are doing their job to check the bona fides. My colleagues command a portfolio in which we do do penetration testing. We conduct that quite regularly. In fact, on my arrival as commissioner I was pleased to see that contractors are required to wear very visible clothing that labels them as a contracted security officer. They are required to have security checks. As to whether a security agency employed an unlicensed person—they are termed under the legislation “security guard”—to install a lock, that would on the face of it be an offence under the relevant legislation

for the security agent. We have a licensing enforcement division which readily does checks and appraisals and, indeed, prosecutes security companies. If your question was—again, I do not know the circumstances—that we individually hired someone to do that, not through a licensed security company, that would concern me even more.

The CHAIRMAN: The information we had was that, yes, the company was licensed but that perhaps they were not as rigorous in who they employed and it ended up being discovered during the work that the person doing the work did not hold the appropriate licence. Obviously there is an onus on the security company, but certainly also an onus on the officer in charge, or at the very least the officer on the desk, to do the appropriate checks. Clearly, from the evidence we received in this case that failed.

Mr DAWSON: I would be happy to receive from the committee any such material and I will pursue that.

The CHAIRMAN: Certainly. We do not have a timeframe either, so the evidence was not that it happened on 12 February this year or 30 September last year, so it may well be historic. I will provide you with what evidence we have and see what transpires out of that. I know that probably opens up the area of security officers more generally for some questions because many, many times, as you know, licensed security guards are the people who are the frontline in crowded places, whether they be shopping centres or sporting events, or even in the interface between a public space like a mall and the security guards at the door of department stores. They are a critical component of providing both deterrence and response for terrorism acts. Do you gentlemen see any current weaknesses in the regulation of security guards in Western Australia?

Mr DAWSON: I know my colleagues will add to something that is happening on a national level, but at a state level, Western Australia was one of the first jurisdictions to have a legislative framework to licence and regulate security guards and agents. That has been quite longstanding in Western Australia. We have a dedicated area, the licensing enforcement division, whose primary role is to ensure the licensing and regulation, which is under my responsibility as Commissioner of Police, to ensure that that industry is in fact regulated. The type of security that is provided does vary somewhat. Depending on the activity that they are contracted to do, it might range from a customer service ushering type of role. We certainly have categories with crowd controls at, for instance, licensed premises that sell alcohol, through to other layers that may be installing security measures such as CCTV or electronic passive infrared detectors and the like and the matter you referred to earlier, such as locks and doors et cetera. One, we have the primary responsibility; two, it is a present regulatory process that our licensing enforcement division do actively police. That is not just in reaction to complaints, but they proactively go out and test and regulate that industry.

Your question refers to gaps. I am unaware of any particular matters that your question is referring to. Given that it is a very broad sector, with you concurrence, Chair, I would ask whether there is any particularity to your question that I can respond to.

The CHAIRMAN: Yes, I think I deliberately asked it broadly. I think issues around licensing, first of all; secondly, the training or professional qualifications that are required by legislation. We have had some evidence that Western Australia is probably better than other places but that sometimes a quick and dirty course online gives people the qualifications to become security guards. I think another major area is in actually how we monitor the integrity of the entire licensing process so that we avoid circumstances like the one we referred to earlier about the locks in the police station, or circumstances of someone simply doing bag checks at Optus Stadium who does not hold a licence. They are probably the three areas that have been identified as perhaps a concern. I would appreciate the input from you.

[10.50 am]

Mr ZANETTI: You would have seen that in the crowded places strategy itself there is recognition that well trained and equipped security officers certainly can assist in prevention and in helping to mitigate any actual terrorism-type event that occurs. In recognition of that, there is national work underway: What should their licensing regime be nationally? What type of training should they receive? We know, for example, if there was an event at a crowded place and there was a requirement to either marshal people in, lock doors, protect them from a threat or to actually evacuate them and move them through, then a well-trained security officer can really assist in that circumstance. We are not talking about first responder in the sense of going at the threat and trying to do an emergency responder role, but a first response in assisting with those initial actions. That is all part of the national works undergoing at the moment through the ANZCTC. That is going to be looking right across Australia at the training requirements.

One of the other things as well, working with the owners and operators, is that a lot of this can be achieved through what they do themselves and put in their contracts. If they do not specify what level of skill they want their people to have and what level of training they want to have, then they may get people who are not trained. As some operators do, and they do it to a very high standard—to a gold standard almost—they make sure that the people they have really know what to do in an emergency and will really assist to mitigate. They not only help to prevent, they know what to spot. They know what to look out for—packages or people and things like that. But also in an emergency, whether it be terrorism, fire, anything, they know how to assist people and how to mitigate that threat.

Mr M.J. FOLKARD: Has the agency done any risk assessment on active days at Optus Stadium or the stadium in the city —

The CHAIRMAN: The arena.

Mr M.J. FOLKARD: The arena. Have they actually done any active risk assessments on days that the venues are being used?

Mr ZANETTI: What sort of risk assessment?

Mr M.J. FOLKARD: As a crowded places review?

Mr ZANETTI: We have been working with Optus Stadium, for example, for many years. We have had our people right through the planning process.

Mr M.J. FOLKARD: The question was: have you done a review when the facilities are being used?

Mr ZANETTI: We have got people there who are working with them. I am not quite sure of your question about what sort of review you are talking about.

Mr M.J. FOLKARD: Crowded places. We understand the crowded places strategy. One of the things we are looking at is oversight in this particular space. Has the agency done a review at both of those venues when the venues are actually being operated?

Mr DAWSON: Chair, let me respond. We have been not only working with Optus Stadium and the venue operators, VenuesLive, since the planning process began and construction has been completed, we exercise the stadium from both a security and a public order–public safety perspective physically. That has also involved high-level discussions at my level with the venue operators and, indeed, with VenuesWest as a peak body. In fact, the three of us only spoke to that board in the last two weeks. In terms of any assessment per se, that happens before any event. With the adoption of user-pays legislation, we have officers deployed to that stadium on all major events. Of course, that legislation does not impose me as Commissioner of Police to invite myself there. The

venue operator must ask for police assistance, but I can assure the committee that for all of the major events that have occurred at that stadium, yes, there has been an assessment. The assessment does invite a risk matrix that the venue operator provides. Our superintendent manages the deployment there. We have a commissioned officer present at every such event, be it an Ed Sheeran concert, an AFL match or a cricket match. We have had police present and we have done an assessment before every event.

Mr M.J. FOLKARD: I understand where you are coming from. The question is, has it been done while the venue is operating? I get that there have been a lot of preparations done prior to the event and you have liaised with all the particular stakeholders, but have you done it while the event is up and going? The reason I ask this is that I think we heard some evidence that the bag checkers at Optus Stadium are not actually licensed security guards, so how do we know what they are looking for? Are they looking for alcohol or are they looking for something more? It is a simple question. That may have come up if an audit was done of the places while they were actively being used.

Mr ZANETTI: They do a debrief, so they are there in the preplanning. They do the risk assessment. They work onsite with the owners and operators and they are aware of any complaints or incidents that come up during that period. Members of the public will raise things if they see things like that. If their bag does not get checked, they actually complain, "My bag didn't get checked." That all gets debriefed afterwards and if there are any gaps identified, like the ones that you mention, that is jointly actioned and then when the next event comes up they ensure that those things are part of that risk assessment for the next event.

Mr DAWSON: Without being disrespectful to the question you ask, one, there is not only an assessment prior to an event taking place in terms of our deployment and understanding of what the venue operator provides. But there are matters that occur at each such event, whether it is an alcohol-affected person who is being disorderly and is either evicted and/or arrested, and that has occurred. Also, there are other matters that get brought to our attention that I would not want to say in a public forum that we must, and do, respond to that cause us to make decisions and liaise with the venue operator. That is ongoing policing that we do every day. It is not the case that we simply have a template assessment and go, "That's it." We have people present at commissioned officer level down to make dynamic decisions based on the information and intelligence that they get. I have personally spoken and been briefed, as have my colleagues either side of me, to the areas that have the regular responsibility. Coupled with that, as Mr Zanetti has said, there is a debrief that occurs.

I finish my response to say that I am satisfied that as a venue, that is a very well-run venue. Yes, we have had some arrests and some evictions and probably some public sighted streakers et cetera, but there is nothing that I have been briefed on that causes me any present concern that either the venue operator or the deployment of police to assist the security operators have caused me any concern. I am not suggesting that we can be complacent and that we could close this off and say that nothing will ever occur there, but I am satisfied—it is a modern stadium so the design is helpful. The CCTV and security measures are helpful, but we also have with that venue operator very experienced chief executive-level people who have operated at ANZ Stadium in Sydney. They are well versed in how to run large crowded place stadiums. I have no cause for concern at present.

The CHAIRMAN: Just on Optus Stadium, you mentioned earlier that there had been a multiagency exercise. I think it was late last year. We do not need to talk about the specific date; there might have been one since. You share information with those agencies in good faith. In our case as a committee we were provided with your WA Police exercise report for that exercise by the Department of Transport and they said, "Here you are. Have it. You can publish it." We looked at it,

because we do those sorts of things, and we found information that we thought was pretty sensitive in there, not limited to but including details of where the assembly area for each of the agencies is. Firstly—I can almost guess your answer—do you have any concerns about publishing such information? Secondly, does that bring larger concerns about how sensitive information that you must share with other agencies might be treated when it is outside your control and the risks that provides to WA Police and, in particular, to the public?

Mr DAWSON: Thank you for your question, Chair. I would prefer to answer in closed session.

The CHAIRMAN: Okay. Thank you.

Mr D.T. PUNCH: The committee has received some general information about exploitation and possible underpayment of staff within the security industry. Some of that is also reflected in some of the pricing that we have seen around tender submissions. That raises a question about the conduct of security organisations; their commitment to ongoing training, professional development, supervision et cetera. Does WA Police have any concerns about the integrity or conduct of the security industry generally in this space?

[11.00 am]

Mr DAWSON: I have worked in that part of policing in a former part of my career. My response to that question is that there are many contributors and representatives of the security sector. Some are very, very well established and I would class them as A-grade operators in terms of the way they run their companies. Indeed, that extends to some particular venues that go way beyond a normal type of standard. They have quite enhanced security, in both physical and the training and deployment of their workforce. But like any employment sector, it is a competitive environment. The operator, or the person contracting, at times—this is certainly not a police role here. It is a competitive process by which you do not always get the same standard depending on the price the contractor is prepared to deploy. That is really the contracting agency's responsibility. What they are prepared to pay for and what they actually get by way of security is really a competitive process. The role I have as Commissioner of Police in regulating the industry does not extend to the competitive pricing schedule and the service that comes with it. I have got to be assured of the integrity of the operations and the bona fides of the security company or agency, but my brief does not extend to pricing schedules and I do not have anything that causes me —

Mr D.T. PUNCH: Setting aside the pricing issue, how can WA Police be assured about the standard of service that is being provided as reflected in the licensing conditions? Are there any best practice frameworks around for those organisations? Do you audit the organisations in terms of their compliance with licence conditions? Are you resourced effectively to do that?

Mr DAWSON: There is an auditing component that our licensing enforcement division do, but it would not be so complete as the full gamut of what a security provider does provide. We are centred more on the integrity of the operators and their employees as opposed to the quality of their service. My role as commissioner is not to do the quality assurance. We do work very closely with the Security Agents Institute of Western Australia and other like bodies. It is fair for me to respond and say that it is a competitive place. As an industry and as a sector there are very good relationships between WA Police and them, but we do not go right across in terms of industry standards.

Mr D.T. PUNCH: Is there an industry body that oversees the operation of these organisations? Are there any standards in terms of their operation that is supervised by somebody?

Mr DAWSON: There are both regulatory requirements under the security legislation. I am aware that the Security Agents Institute of Western Australia have some institutional standards that they require their members to adhere to, but that of course is not mandated because that is an opt-in,

opt-out before the industry. It is not embodied with any legislative framework. A person licensed as a security company does not have to be a member of the SAI.

Mr D.T. PUNCH: Just to finish up on that, is it a reasonable conclusion then to assume that there is no individual body that has a line of sight in terms of the quality of service generally provided by those organisations?

Mr DAWSON: I am unaware of any.

The CHAIRMAN: To follow up on that, your force—not you personally—interacts with these people at many public events. If your officers identify a gap, a breach, a lack of standards, or just simply a lack of quality, is there any mechanism for them, firstly, to report it, and, secondly, for someone to take some form of action, other than an informal chat to the venue operator?

Mr DAWSON: Again, we participate in debriefs post-event. That is an opportunity for both the owner-operator and/or those people who are contracted to provide a service. That is the very reason such debriefs do occur. If there are any concerns at any layer or level by a number of different participants, then we do such. Whether it be the transport ingress—egress, whether it be the operations through the day or evening or whatever period, there is a process that does take place. Do you want to comment on a national level?

Mr ZANETTI: Yes. This is the kind of conversation that is occurring with the national review into the standards and the training that should be achieved and what is the best way of achieving that if a standard is agreed. Those conversations you mentioned, the informal conversations, are a very engaging conversation and the owners and operators are extremely engaged in this space. The environment has changed. The skills required of a security officer 20 years ago was essentially crowd control. The skillset now is different. You will see more and more getting written into the contracts as to what skills the operators require and much of this would have been market-driven. Our role in that would probably be similar to our role in the rest of the crowded places strategy and that will probably be guidance and advice. We cannot necessarily be responsible for saying that here is a police-approved trained person, but in the sorts of skills that a person would have to assist in the sorts of events that we are talking about.

The CHAIRMAN: Is any time frame set for completing the work that is happening on a nationally consistent approach to security licensing and regulation?

Mr DONALDSON: Yes, I sit on the national group. In short, there is not at this time. The terms of reference are still being designed, but that is a positive space because it is a complex area and it is very broad. I caveat that in that our work is related to countering terrorism in crowded places, so not your security guard at a private party et cetera.

The CHAIRMAN: Yes, definitely, and that is our space too.

Mr DONALDSON: That national consistency requirement is what we are trying to achieve because clearly terrorism is a national problem. But in due course we may be able to provide you with some further detail on that.

The CHAIRMAN: That would be helpful because, as you all know, the discussion around this nationally consistent approach has been going for some years now. I am not sure where all the resistance comes from or whether it is just priorities on other things, but it would be very welcome and, in particular, it would be welcomed if it raised the bar on standards.

Mr ZANETTI: The ANZCTC has a process of identifying and prioritising work, and I can only say that this is a high priority.

Mr A. KRSTICEVIC: Venues have higher risk points and lower risk points. We have heard both from yourselves and from other people that the quality of security guard varies from A, B, C and D—I think there are different standards. The more you need, obviously the lower the quality goes. Do you think there is a need to have different classifications for security guards to say that some are trained at the highest standard and some have met the basic standard. Some are conscious of their environment and some are not; some have the skills and some do not. It is a bit of a concern to think that all security guards are put in the same bundle when some of them are very good and others are probably just meeting the bare standard and they could be put at higher risk points. If you had a different classification system, you could then say, “A-quality guards go here. B, C and D can go there.”

Mr ZANETTI: That would make sense.

Mr A. KRSTICEVIC: That is fair enough—thank you very much. On another point, I am assuming that you do have the specific planning capability for yourselves, obviously, but you do not have it to provide to other stakeholders or local governments or businesses. If you are not provided that specific planning capability, who is?

Mr DAWSON: The approach we adopt is that we will provide some, I would not describe it as a consultancy, but we have dialogue and discussion with owner-operators who are engaging security consultant professionals. Where we sit within that is to not position ourselves as getting discrete advice on the exact nature of what they are required to do. That really is an owner-operator expectation. There are some legal insurance reputational matters that touch on that matter in that I would not want police to be seen as a public authority that is providing consultancy advice to what is in fact private industry. Some of the venues are operated by very large corporations—multimillion-dollar corporations. Incumbency should rest with them if they are operating a commercial enterprise to ensure that they are meeting not only public safety, but their own organisational due diligence because, really, in many of these cases it is a very high dividend commercial operation. We have a role to play, but that does not extend insofar as to saying that you have not met a standard that we require you to meet. I think that onus, as the national strategy quite clearly expresses, is a shared responsibility for all. In my view it would not be prudent that police should be seen as the final arbiters for whether a security level has been reached. I think that really extends right across the community.

[11.10 am]

Mr ZANETTI: I can add to that too. I know that you have spoken to Tony Sheehan. Through the ANZCTC we obviously have many capabilities. A new one we are developing is a protective security advice capability. To clarify the intent of that, that is not for us to become the bollard counters, if you like, or deciding on what sort of bollard goes where or signing off on people’s plans, but essentially to give us the skills to be able to direct people towards the right advice. The question you are asking is: where does that go? It is the confidence of an officer to take the phone call and to deal with the venue owner-operator and give them that guidance and advice.

Mr M.J. FOLKARD: Further to that question on the ANZCTC, we had evidence given to us that different states had different levels at that base level security operative. However, he was very much mindful when we stated that there had to be interstate operability. Tasmania and the Northern Territory do not have any licensing that we could see, or absolutely minimal. We saw in Queensland the need for extra security to come in as a result of the Commonwealth Games, although there were disputes. If we were to hold an event over here, how would we quality assure the individuals that fronted over here if they came from Tasmania or the Northern Territory?

Mr ZANETTI: That is correct and that is one of the things this working group is looking at.

Mr DAWSON: I might add through the Chair that that is not foreign to us. The matter you cite in the Commonwealth Games in Queensland was not dissimilar to the Commonwealth Heads of Government Meeting here. What happens in a large planned event is that the workforce—in this case the security workforce—must surge and it can at times go beyond what is a normal event. If it is of such a scale that the security industry has capacity to stretch and meet that, if they have to recruit from outside Western Australia, that is what does occur with very large-scale events. We are very actively working at a national level to make sure —

Mr M.J. FOLKARD: Does our licensing framework then cope with the surges based on these events? For all we know we could have people fronting from all sorts of backgrounds as an exposure to ourselves. Do we have a temporary licensing system for those people by which we can vet them, or are we just reliant on —

Mr DAWSON: Each of those individuals must be licensed. We adapted and were able to license particular companies that provided such security. We had some other complementary legislation to assist in that. It turns on the earlier question about whether in fact there is a need to provide some further categories or classification as to what type of security response is being contracted.

Mr M.J. FOLKARD: Do we need to do a review in that space then?

Mr ZANETTI: That is certainly part of the review they are talking about. One of the challenges for us is the mutual recognition from state to state. That is all in the scope of what we are looking at.

Mr M.J. FOLKARD: Do we need to do a review in this state?

Mr ZANETTI: The mutual recognition provides a challenge for us in that essentially it is not about our capacity to license them. That is not where the pressure point lays. The pressure point lays in the fact that the standards are different from state to state and the rigour is different from state to state. Yes, it is an issue and yes, that is part of the terms of reference.

The CHAIRMAN: I know you are not responsible for it, but that is why that nationally consistent approach, the agreement to create a level playing field so that mutual recognition can be of value rather than a possible negative, is imperative. We know that other industries, including the one that I was in, the legal industry, resist changes at a state by state level—absolutely resist it—which does not really help with mutual recognition, so we cannot do much about that other than hope.

Mr A. KRSTICEVIC: Obviously local governments have a big role to play here. You said that you are not in the business of doing compliance checks and/or making sure that people have plans. But I would expect that every single local government would have done an assessment of its own risks and have a plan. Whether or not that plan is taken to the nth degree in terms of implementation is a separate issue. Do they all have a plan? If they do not, why not?

Mr DAWSON: I know that WALGA are active participants in this process and as a peak body they are well aware of the issues in the national strategy. I would not be so bold as to say that a small shire in the wheatbelt has a complete—I do not want to demonise any particular LGA, but knowing some of those shires and the size of them, I would be most surprised if they had a dedicated crowded place plan around there. I could be better informed by one of my colleagues.

Mr A. KRSTICEVIC: What about the city ones?

Mr DAWSON: The city ones are quite mature, but I will ask Mr Donaldson.

Mr DONALDSON: That is exactly right, sir. Each district has a local emergency management advisory committee. Part of my command is the emergency management arrangements. They are all legislative and feed up through district and emergency management committees. I know that the City of Perth with our central metropolitan district office has a relatively fresh and strong

partnership. I know for a fact that the local district office is working with the City of Perth in their emergency plans. It is an ongoing beast. WALGA is a very strong contributor to all of our committees and very aligned through organisations such as the Office of Emergency Management on a requirement for solid plans.

As to regional, it is a big state and it is of varying threats and thresholds. Certainly with the bigger shires through WALGA that LEMC and DEMC space measures their preparedness.

Mr A. KRSTICEVIC: Do you have a plan to evacuate the City of Perth if something were to occur, and has that plan been tested?

Mr DONALDSON: I would not want to answer on the plan; that is a question for the City of Perth. What I can lead you to is Monday's evacuation. A suspicious package was found in a place that was photographed through to our people, our bomb squad, who did an assessment. A protective forensic area was declared and that was evacuated very quickly. Practically you could draw from that that it can be done. That was a very well defined threat. There will always be challenges in evacuation. We can see that through some of the natural hazards as well. It is a very challenging space.

Mr ZANETTI: Can I also add there that if we are talking about attacks in crowded places, it may not be evacuation that we actually want or need. It might be the worst thing you can do in those circumstances. You might corral people towards a threat or bring people onto a street that were not on the street, and then they are in the threat. You might have seen in the Borough Market the run, hide, tell strategy in the UK. It is all about emergency communication, using smarter means of communicating with people through text message. It is national work, ongoing and building on those systems. We have our own strategy, "escape, hide, tell", which will be the Australian strategy. It is about smart communication and the smart movement of people as opposed to just evacuating and people madly moving through the streets.

The CHAIRMAN: One of the things we picked up on from the eastern states, because they are very conscious of that, is that during the Lindt siege there was an instruction to stay in place, which means that that cooperation has to work. Perhaps the cooperation through your crowded places forums and the like needs to extend beyond just the operators as crowded places and to those people who interface with them. For instance, you need to have line of communication quickly to the owners and operators of the buildings that are located in the malls here in Perth to get the message through into their building that they are not fleeing, they have read what is happening online, and they are staying in place. Do you think our mechanisms here in WA are robust enough to deal with those circumstances?

[11.20 am]

Mr DAWSON: The process that we have already expressed to you in terms of local emergency management plans and district emergency management plans does embody the public evacuation of places. I was once the superintendent in charge of the Perth metropolitan area and even then—I am talking several decades ago now—there were quite comprehensive plans that included ways and means of alerting. When we think through that, we had the property group—I cannot recall its exact term—as engaged stakeholders that had access to a list of any such building operators, accepting that there are multi-tenanted buildings that do not have integrated communication systems. I am not suggesting that this is so comprehensive that on any particular multistorey site we can contact every office simultaneously. Emergency alert systems through SMS and those sorts of things are regularly exercised, and obviously through the State Emergency Management Committee framework, DFES and other providers, there are alert systems and they will not be confined to knowing who exactly is in what particular building at a given time. One, they are part of

the plans; two, we have engagement with relevant stakeholders about that; and, three, it is also addressed by way of emergency led systems.

Mr ZANETTI: These are not things that are specific to crowded places, terrorism-type attacks. With all hazards, fire or any of the other hazards that you can imagine, some of these mitigations and actions that you would take are common across all of those. They get exercised and tested and developed through the all-hazards approach as opposed to just necessarily a crowded places forum.

Mr DAWSON: Without wanting to use ridiculous examples, if there is a toxic plume drifting across the CBD, no, we have not exercised the evacuation of several hundred thousand people from the city, but certainly there has been planning around that in terms of the hazard, and systems that would support that. But as to the real time exercise, I think we have been fortunate not to have had to exercise that in real time.

The CHAIRMAN: And hopefully we do not ever have to.

Mr M.J. FOLKARD: We saw over east a demonstration of maturity in this particular space. I get your hypothetical example of the toxic plume. What we have picked up on is that the evidence of the maturity of an organisation, as they are in this emergency management space, is whether they are actually exercising an evacuation in place, such as the Lindt siege and hiding in place, et cetera. With that being the case, is there any evidence out there that we are exercising our emergency management plans to that extent? If so, how can that be evidenced back to the inquiry that this has actually been implemented? The maturity of a particular organisation is when they have gone to the actual stage of exercising “stay in place”. Everyone is doing emergency evacuation exercises; it seems to be a case of a tick and flick exercise. We saw the maturity of a particular organisation that actually says that they will hold the people there until such time as they can manage them coming out properly. Has that been exercised over here to that extent? That evidences to us the maturity of that. If so, where can we find that?

Mr DAWSON: I will respond first and then invite Mr Donaldson to add to it. Let me assure the committee that this is not a tick and flick exercise. We have plans in place for the reasons the legislation requires under the state Emergency Management Act. I as a member would not be accepting, nor indeed would Dr Edwards as the chair be suggesting, that it is a light touch, to use my words. Yes, we do exercise; we exercise across a range of hazards. We have already given evidence about exercising it over Optus Stadium. I am well aware that we have done that through the train network, through the tunnel network, through other facilities where they are not just desktop exercised but they have physically been exercised, in which I have been a participant myself. It should be recognised that that is beyond a paper exercise. It does involve multiagency, whether it be the Public Transport Authority and/or other operators that are regularly and routinely exercised. That is my first response. I might let Mr Donaldson respond broadly.

Mr DONALDSON: I think it is two separate issues that you are touching on here. The first issue you will clearly see when we provide you with our exercise calendar. The second component is that you are probably touching on response. When you talk about the maturity of an agency such as Victoria and New South Wales, we have seen the transition from participation in national exercises to those states actually doing it, which is a value to us when we exercise. You move into the space of command and control and the functions of response and judgement and critical decision-making when you are giving people who have been trained and exercised in command to make critical decisions and judgement decisions on “evacuate” or “stay in place”.

The maturity side of it: we have been part of that regime for many, many years. We have a critical incident command cadre who are regularly exercised nationally. We have a member overseas at Harvard who is feeding us best practice/good practice on critical decisions. It is a very well matured

space. It is a very well-rehearsed and exercised space that feeds from not only information and intelligence but the biases that go into making those critical decisions. I do not mean to be disrespectful, but it is not as simple as evacuating and moving a crowd to another crowded place. What is the threat? What are the impacts? What is the decision we are going to make to protect people and save life and so on and so forth?

The CHAIRMAN: We will need to move into a closed hearing. We are not able to sit as a committee when Parliament is sitting so we will run out of time. Very quickly, when WA Police becomes aware of a threat to a crowded place or event, do you have a protocol of when and how and who, which particular level of officer, informs the owners and operators of those crowded places or do you do it on an individual basis? I ask particularly in the context of the plot to blow up the MCG at the 2005 grand final. The operators of the stadium found out about it a couple of years later only when the convictions were recorded and sentencing was done of the people who planned to execute that plot. Do you have a protocol in place or do you just build on it on an individual basis?

Mr DAWSON: We have a regime by which we allocate responsibility to senior officers, certainly at any planned events. But at an unplanned event, such as a terrorist attack, yes, as Mr Donaldson has already expressed, not only have we provided training, but we take stock and evaluate what events may have occurred in other places. You mentioned earlier the Lindt cafe matter. We not only took on board recommendations that the coroner made in that matter, but we had the police forward commanders come over and brief our cadre of officers so, one, there are lessons learnt; and, two, we are continually revising what our capabilities are in terms of the officers who are responsible. If it is a planned event, as I expressed earlier, we have ordinarily a commissioned officer for a large public gathering who would have the core responsibility. If they have to exercise a judgement call in terms of what may be in front of them that they do not have authority, we have a very well structured plan by which that will be elevated to a more senior responsible officer to make critical decisions. Insofar as the MCG matter, I would rather respond in closed session. I do not have any information about that particular matter, but I think my response would be better given in closed session.

The CHAIRMAN: We will take that one in a minute. Just to close this, in relation to private operators of crowded places, the committee has received some evidence from a former police officer in another jurisdiction who works in the counterterrorism and security space that, given the interaction between police and operators, there may be a need to provide a higher level of security clearance for some officials in those businesses in the future so that police can confidently relay information that can be acted on an operational level, yet that information still be treated in the cloak of, for want of a better term, national security. Do you think that is something that ought to be considered? If it is, should it be done on a state-by-state basis or a nationally consistent basis?

[11.30 am]

Mr DAWSON: I have dealt with people operating in the private sector—as an example, the aviation sector, in which people who are not employed by law enforcement, intelligence or national security do have security clearances.

The CHAIRMAN: Yes, aviation and ports are separate. So there is that regime. Do you think that that works, and can it be transplanted across?

Mr DAWSON: I think my response to your question is that it should be nationally consistent, for obvious reasons. The portability and interaction are not always confined to our wonderful federation borders, so we have to be adaptive to whatever the sector is doing and where they are operating. What might happen in one state or territory can easily, and does, impact on the response, planning and any activity in another, depending on the nature of what is occurring. Firstly, my

response is, yes, I think that at a national level it is a very worthy enterprise. Secondly, security clearances should not be confined to law enforcement and national security agencies.

The CHAIRMAN: Unfortunately, we will need to move into the closed part of the hearing. Given the time, we do not have any intention to reconvene in a public hearing. We will ask everyone who has very consciously and quietly followed the proceedings to please exit and we will then move into a closed hearing.

[The committee took evidence in closed session]