



PARLIAMENT of AUSTRALIA HOUSE of REPRESENTATIVES

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Committee Secretary
Senate Standing Committee on Finance and Public Administration

INQUIRY INTO PARLIAMENTARY SERVICE AMENDMENT BILL 2014

Thank you for the opportunity to make a submission to the inquiry. In the submission I make some background comments on security arrangements at Parliament House before commenting specifically on the provisions of the bill.

Background

Prior to 2002 security at Parliament House was a joint responsibility of the two House departments (Department of the House of Representatives and the Department of the Senate). Between them, the Departments employed the security staff (half employed by each) and shared the budget for security. The Serjeant-at-Arms and Usher of the Black Rod exercised this responsibility on behalf of the two departments. To ensure that there was coordination among the security staff a Security Controller was employed with the day to day operational responsibility for security. This person was a senior police officer seconded from the Australian Federal Police, although directly answerable to the Parliament whilst here. Together with the Serjeant and Black Rod, these three formed a triumvirate with the responsibility for security at Parliament House, answering of course to the Presiding Officers who have ultimate responsibility for security. In terms of the security staffing, it comprised two components. The first was parliamentary security staff (PSS) who were directly employed by the House departments and performed all security duties (including security screening, gallery security etc) within the building. The second were Australian Protective Security officers (APS) who performed the external security role and were trained to, and did, carry weapons. The APS were engaged under an MoU with the Parliament, effectively a tied contractual arrangement. Subsequently, the APS were absorbed by the Australian Federal Police as the AFP-UP (AFP Uniformed Protection). Both components ultimately answered to the Security Controller for security operational purposes, ensuring a unified command and control.

Following the 2001 terror attack in New York and the Bali bombings, a major review of the administration, including security management, of the Parliament (the Podger review) was undertaken. The review recommended, and the Presiding Officers agreed, to consolidate the operational security responsibility into the joint service department (now the Department of Parliamentary Services – DPS). All the staff and funding were transferred to DPS. Although DPS took on all the staffing and funding for security and the responsibility for day to day

security operations, the House departments retained significant security responsibilities. For example, the Serjeant and Black Rod have retained their traditional responsibility for security in their Chambers and galleries and in relation to Members' and Senators' offices in Parliament House. The Serjeant-at-Arms discharges this responsibility in close collaboration with the PSS and, now, the Australian Federal Police.

The House departments also retained a significant role in the development of security policy. A Security Management Board (SMB) was established, and ultimately was made a statutory body under the *Parliamentary Service Act 1999*. Currently the SMB has three members – the Secretary of DPS, the Serjeant-at-Arms as the SES employee of the Department of the House of Representatives nominated by the Speaker and the Usher of the Black Rod as the SES employee of the Department of the Senate nominated by the President. The Presiding Officers have nominated the Secretary of DPS as the Chair of the SMB. The SMB's responsibilities are to provide advice to the Presiding Officers on security policy and security measures at Parliament House. In addition to the three members, the SMB could invite other representatives to attend SMB meetings with the approval of the Presiding Officers. On this basis, representatives of the Department of Finance, the Attorney-General's Department and the Australian Federal Police would attend meetings of SMB. This ensured that the SMB had available to it expertise from other relevant agencies, including expert advice on security matters.

Recent developments

These arrangements largely remained in place until the most recent rise in the national terrorism public alert level, from medium to high. Just as the changed security perception after 2001 and the Bali bombings caused a rethink of the security requirements of Parliament House, the recent change in the national threat level, as well as recent incidents, have caused security and its management to be assessed again. As Madam Speaker noted in her second reading speech on the bill, as the presiding officer of the House of Representatives:

'my primary concern is for the safety of Parliament House, but more importantly its occupants, and to ensure that people may go about their business in a safe and secure environment.' (*House of Representatives Debates*, 26 November 2014, p 13225)

The most recent reassessment has resulted in changes to provide an enhanced and coordinating role for the AFP in Parliament House security; effectively a lead agency role in relation to security. It also has resulted in enhanced perimeter controls, changed access arrangements for public and private areas of Parliament House and a more obvious armed presence of AFP officers both outside and inside Parliament House. In addition to the changed arrangements for security management and operations, there has been attention given to the governance arrangements for security, and these are most relevant to the bill which the Committee is examining.

Proposed changes to the Parliamentary Service Act

The bill makes two changes to the Parliamentary Service Act which are designed to strengthen the governance of security at Parliament House.

Firstly, the bill would amend the Act to provide for the Commissioner of the AFP to be a member of the SMB. In the event that the Commissioner did not take up membership, a Deputy Commissioner of the AFP or a senior executive AFP employee nominated by the Presiding Officers would be a member of the SMB.

In light of the AFP's new coordinating and lead agency responsibility for security at Parliament House it seems entirely appropriate for a senior representative of the AFP to be included as a fourth member of the SMB. This would ensure that those with a central operational responsibility for security at Parliament House also are involved as a full member in advising the Presiding Officers on the policy, management and operational aspects of security. Also it will strengthen the security capacity of the SMB in providing advice to the Presiding Officers, noting that the Board also has available to it expertise from relevant agencies, such as the Attorney-General's Department, the Australian Security Intelligence Organisation etc., as observers at meetings. While the AFP would be included as a full member of the SMB, the interests of Members, Senators, building occupants and the parliamentary institution would continue to be represented effectively by the three parliamentary department members.

Secondly, the bill amends the functions of the SMB to add a role in advising on the operational aspects of security measures as well as the management of security measures. In light of the recent changes to security measures at Parliament House, it is sensible to add to the existing roles of the SMB an advisory responsibility on the operation of security measures.

Yours sincerely

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