



GOVERNMENT SECURITY OFFICERS

This sheet is intended to provide **general legal information** about the law in Queensland. **This information is not legal advice.** If you have a particular legal problem you should contact a solicitor for legal advice. At the end is a list of agencies that might be able to assist you, including legal agencies.

Protective security officers and senior protective security officers are people, who are not police officers, who are hired by the government to monitor state buildings and facilities. The main purpose of security officers is to act as security guards to state buildings. At times they may also work as guards for buildings which are not state buildings. However if they are **NOT** working at a **STATE** building they are not considered "government security officers" and only have the powers of a regular security guard - see the security guard fact sheet.

What are the powers of protective security officers?

If you are inside or within the precinct of a **state building**, a **SENIOR** protective security officer may ask:

- Your name and address
- Evidence of your name or address (driver's licence, student ID card etc)
- Your reason for being at the building.

If you provide the officer with false information, do not provide any information, do not provide any evidence of your name or address, or provide the officer with a fake ID, or an ID card that contains someone else's details - then you will have committed an offence.

If the building that you are entering has a walkthrough metal detecting device, an x-ray machine or if an officer at the **state building** has a hand held scanner, a security officer can direct you to:

- walk through the metal detector
- pass your things through an X-ray machine
- let the officer scan you and/or your belongings with a hand held scanner

What is a state building?

- A state building is basically any building that is owned by the government (State libraries, public service buildings, council offices).
- This also includes any outside part of the building like a courtyard, garden or park.

Security officers can ask you to:

- let them look through your things

- take off outer garments (jackets, jumpers etc)
- empty all of your pockets
- open your things for inspection
- open a vehicle (bike, scooter, skateboard etc) or part of it
- take something off the vehicle
- park the vehicle in a specified place.

Other powers:

- If an officer believes you are using one of your belongings to hide something dangerous (an explosive, firearm or other dangerous weapons) then they can ask you to put the item in a certain place.
- If you fail to provide the officer with your name and address, or are acting in a way which makes them think you are not there for a "**good and lawful**" purpose they can ask you to **leave the building**.
- If you do not leave when asked then the officer and other officers can physically remove you from the building using **necessary force**.

What security officer's need to do:

- They can only touch you or the clothes you are wearing if they are the **same sex as you**. If they are not they must get another security officer that is the same sex as you or they can direct another adult that is the same sex as you.
- If you leave any of your things with a security officer they must give them back to you when you ask for them, and if it is clear that you are **actually going to leave the building**.
- If you tell an officer **before or during** a search of **you or your things** that you do not want to be searched and are going to leave the building then the officer has to **stop immediately** - you will need to leave.
- If the officers want you to take off an outer garment then they must tell you that the examination can be carried out somewhere in the building that is out of view of the public.
- They have to tell you that even after your outer garment is removed and examined, you may be examined further. They also need to do this if they

want to touch clothes that you are **actually wearing**.

- They also need to touch you or your clothes in a way which “preserves your dignity”. This means that they should not **scare or embarrass** you.
- **BEFORE** a security officer asks you to provide your name and address or leave a government building they need to warn you that if you **do not give them your name and address, give them the wrong name or address, or refuse to leave** then you will be **committing an offence**.

Can security officers arrest me?

If a **SENIOR protective security** officer thinks that you have committed an **offence** then they can, with the help of other protective security officers, use **necessary force** to detain you.

Treated unfairly?

If you think you have been treated unfairly, you can contact YAC on 3356 1002 for further information and advice.

If you want to complain about being moved on by security or the way you were treated by security, you should contact the Office of Fair Trading on 13 74 68.

Who can help?

If you need legal advice or want help in making a complaint, you can contact one of the agencies listed below:

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| Youth Advocacy Centre (YAC) www.yac.net.au | 3356 1002 |
| Youth Legal Advice Hotline | 1800 527 527 |
| Hub Community Legal www.communitylegal.org.au | 3372 7677 |
| YFS Legal www.yfs.org.au | 3826 1500 |
| Legal Aid Queensland www.legalaid.qld.gov.au | 1300 651 188 |
| Youth Legal Advice Hotline..... | 1800 527 527 |
| Aboriginal & Torres Strait Islander Legal Service www.atsils.org.au | 3025 3888 or |
| | (free call)1800 012 255 |
| | (24hrs 7 days a week) |
| Translating & Interpreting Services (24hrs) | 131 450 |
| Community Legal Centres (CLCs) see www.naclc.org.au for your nearest CLC | |

This sheet was last reviewed and updated in January 2020. The Youth Advocacy Centre does not accept responsibility for any action or outcome as a result of anyone relying on the information provided.

However they must **quickly** hand you over to **police**.

- Try to remain calm and not fight back because **assaulting or resisting** a security officer is an offence - with a maximum penalty of 6 months imprisonment.

Penalties:

- For providing a security officer with a false name and/or address you could be **fined up to \$1334.50**.
- If you do not leave a staffe building when asked by a senior security officer you could be **fined up to \$2669.00**.
- If you resist or assault a security officer, during the course of “the performance of” their duties - you could be **fined up to \$1334.50 or be sentenced to 6 months imprisonment**.

If you think the Protective Security Officer laws are unfair, you can contact your State Politician (listed in the front of the White pages under government information) and tell them you think that the laws are unfair and that the law should be changed.