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**Australian Protective Service Amendment Bill
2002**

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Australian Protective Service Amendment Bill 2002

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27 May 2002

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Australian Protective Service Amendment Bill 2002

Date Introduced: 16 May 2002

House: House of Representatives

Portfolio: Justice and Customs

Commencement: On Royal Assent

Purpose

To transfer responsibility for the Australian Protective Service (APS)¹ from the Secretary of the Attorney-General's Department to the Commissioner of the Australian Federal Police (AFP).

Background

Commonwealth policing and protective services

Until 1917, Commonwealth offences were investigated by Commonwealth public servants or State police. However, pressure to create a Commonwealth police force grew—especially after the passage of the *Crimes Act 1914* (Cwlth) and following growing reluctance of State police forces to investigate Commonwealth offences. A Commonwealth Police Force was established in 1917 when regulations were made under the *War Precautions Act 1914* (Cwlth). During its short life (1917-1919), the Commonwealth Police Force existed primarily to monitor the activities of unlawful associations.

From 1917 to 1979, Commonwealth policing functions were often combined with protective security and intelligence gathering services. In 1919, after the disbandment of the Commonwealth Police Force, the Commonwealth Investigation Branch (1919-1945) was set up. It combined police functions and a Special Intelligence Unit. In the 1920s, a Commonwealth Peace Officer Guard was established to protect Commonwealth property.² In 1927, following the opening of Parliament House in Canberra, a Federal Capital Police Force was established to enforce local laws in the ACT and protect Parliament House.³ In 1945, the Commonwealth Investigation Branch was re-named the Commonwealth Investigation Service and given responsibility for investigation and security. The Service

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existed from 1945-1960 although in 1949 its security function was given to the newly created Australian Security and Intelligence Organisation. The *Commonwealth Police Act 1960* (Cwlth) created a Commonwealth Police Force (1960-1979) which absorbed Peace Officer (protective service) functions and investigative functions. Over time it also acquired specialist capabilities such as a criminal intelligence unit and a fingerprinting bureau.⁴

During the 1970s, there were a number of inquiries into the efficiency and effectiveness of the Commonwealth Police Force and growing concern about organised crime in Australia. Inquiries conducted in the 1970s included the Milte Inquiry (1973), the Carmody Report (1974) and the Bennett Report.⁵ However, the Australian Federal Police (AFP) was not established until 1979, after a report to the Commonwealth Government by a former London Metropolitan Police Commissioner, Sir Robert Mark.

Mark's appointment followed the bombing of Sydney's Hilton Hotel in March 1978. His inquiry was given the task of examining policing resources, protective security and counter-terrorism. He recommended the amalgamation of the Commonwealth Police Force and the ACT Police Force—a recommendation given statutory force with the passage of the *Australian Federal Police Act 1979* (AFP Act). Mark also examined the issue of protective security functions, such as guarding Commonwealth property, diplomatic missions, VIPs and airports. He did not recommend the creation of a Commonwealth protective security arm to deal with all of these functions. For instance, he thought that one of the roles of his proposed Australian Federal Police should be to escort VIPs and he suggested that some other functions should be devolved to State police. However, he proposed that consideration be given to '... employing civilian security guards as members of the AFP Civil Staff'⁶ and added:

Formal security duties are a wasteful use of police manpower, a disincentive to the better type of policeman, a cause of excessive overtime and premature wastage ... This can be done just as well by civilians not requiring the lengthy, complex and expensive training necessary for police duties. The effect of such a change would also be to release police officers for duties on which they could be better employed.⁷

The AFP Act, which commenced in 1979, divided the AFP into two components:

- commissioned and non-commissioned police officers, and
- commissioned and non-commissioned protective service officers.⁸

The functions of each component were determined by General Orders issued by the Police Commissioner under section 14 of the AFP Act.⁹

However, the protective service component did not remain with the AFP for long. Protective service functions were excised from the AFP Act by the *Australian Federal Police Amendment Act 1984*. In May 1984, in his Second Reading Speech for the

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Australian Protective Service Amendment Bill, Special Minister of State, Mick Young MP said:

The Government has taken this decision on the basis that the quality of service able to be offered by an organisation dedicated to a single task is significantly better than that offered by an organisation responsible for two or more dissimilar functions. There is a clear distinction between the requirements and characteristics of an organisation which is intended to perform the range of duties required of a modern police force and those of an organisation dedicated to performing the more specialised functions of access control and the security of premises. The decision is strongly supported by the AFP and user departments, is consistent with the views of the previous Government announced in December 1982 and with the proposal made last year by Royal Commissioner Mr Justice Stewart.¹⁰

Minister Young said he expected the transfer of protective service functions to the Department of Administrative Services would occur in October 1984. With the commencement of the *Australian Federal Police Amendment Act 1984*, the Australian Protective Service (APS) became a creation of the Executive Government. It was not put on a statutory footing until the passage of the *Australian Protective Service Act 1987* (the Principal Act).¹¹ In introducing the Australian Protective Service Bill 1986, the portfolio Minister, Tom Uren MP said:

The Protective Service was a new departure in Commonwealth security arrangements. As a first stage the Government agreed that property functions only would be handed over to APS. As the Service has proved its effectiveness it has been given a wider range of responsibilities. Besides its regular property protection work it now provides all the custodial staff for immigration detention centres and performs routine security duties at the official residences of the Prime Minister and the Governor-General. Its services are also available to meet ad hoc requirements for guarding people and property either in conjunction with police or where the risk level does not justify a police presence. Some such tasks have included escorts for art treasures and protection for visiting foreign VIPs. Of course there will continue to be a need for police services in the personal protection area. The Protective Service is not equipped to carry out close personal protection duties but it is now clear that it, too, has an ongoing role to play in personal as well as property protection.

...

As the Service's role has grown it has become increasingly clear that relying on existing law is not really satisfactory. Commonwealth law on protective security has been built up on the assumption that the only major body working in this area will be a police force. Provisions to give appropriate powers to Commonwealth officers outside the police are generally very cumbersome when used for a body of over 600 people, and the law is unclear about just what powers of arrest are available to such officers and how they should be exercised.

...

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... so the Bill I am now presenting is intended to do two things: First, to make sure that officers of the Australian Protective Service have all the powers they genuinely need to perform their full range of duties, and, secondly, to ensure that the private citizen is protected against abuse of those powers.¹²

Current statutory scheme

Under the Principal Act, the functions of the APS are to provide 'protective and custodial services for and on behalf of the Commonwealth'. These include protecting Commonwealth property or the property of a foreign country or international organisation, protecting certain Commonwealth officers¹³ and their families, protecting internationally protected persons, and keeping persons in migration detention.¹⁴ The Secretary of the Attorney-General's Department has responsibility for the APS.

The Principal Act enables the Secretary to create the position Director of Protective Service.¹⁵ The Director is responsible for the administration and operations of the APS.¹⁶ General Orders dealing with administrative and operational matters can be issued by the Director with the approval of the Secretary and must be complied with by APS officers.¹⁷

Powers conferred by the Principal Act¹⁸ on APS officers include power to arrest without warrant in relation to offences committed in certain circumstances, including sabotage, escaping from custody or detention, espionage, trespassing on Commonwealth land, offences under the *Crimes (Internationally Protected Persons) Act 1976* or the *Public Order (Protection of Persons and Property) Act 1971* and offences of theft of Commonwealth property and bribery of Commonwealth officers. Once a lawful arrest is made, an APS officer can, in certain circumstances, search the person, their clothing and any vessel, vehicle or property in their immediate control and seize weapons and evidentiary material.¹⁹

Powers are also conferred on APS officers under other Commonwealth laws. For instance, under the *Crimes Act 1914*, a protective service officer can require person found on prohibited Commonwealth land to provide his or her name and address. Failure to do so is an offence.²⁰

The Principal Act limits the use of force that can be exercised by an APS officer when making an arrest, specifies how a search is to be carried out, and imposes certain duties on APS officers. These duties include informing a person of the grounds of their arrest²¹, delivering them 'forthwith' into the custody of a police officer²², and releasing them if there are no longer any reasonable grounds for believing they have committed an offence.²³ An APS officer must, in general, wear a uniform and identification number and produce an identity card if he or she is not in uniform but is carrying out an arrest.²⁴

Section 25A of the Principal Act enables the APS to charge for its services.

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The role and location of the APS

There has been a recurring debate about the role and location of the APS. In his history of the APS, Peter Donovan describes some of the issues that emerged in the aftermath of the APF's creation:

[The protective service component's] separateness, its distinct function and members who believed themselves to be regarded as second class citizens by those concerned with both community policing in the Australian Capital Territory or investigative work in other parts of Australia caused problems. This distinction was reinforced by differences in uniform ... and different training procedures .. The differences between the two components were further exacerbated by different rates of pay with officers of the Protective Service Component receiving lower rates of pay than their counterparts in the General Police Component ... Moreover, some of the more plum jobs previously performed satisfactorily by Protective Service Component personnel were transferred exclusively to the General Police Component.²⁵

During the early years of the AFP, protective service officers were sometimes given policing roles. The first AFP Commissioner, Sir Colin Woods, reported using protective service officers for general policing duties because of the demands on the AFP's criminal investigation resources.²⁶ Then, in the early 1980s, protective service officers who guarded diplomatic premises, Parliament House, Government House and the Lodge were reclassified as police officers.

The Commissioner's second *Annual Report* remarked on the need to 'expend great effort to consolidate the amalgamation of three disparate²⁷ and often hostile groups which have made up the new force'.²⁸ The Commissioner's third *Annual Report* stated:

... for so long as the AFP is to perform routine protective service duties, it will be difficult to achieve that harmony of purpose (or the public reputation) necessary to reach all the objectives set for it.

...

While I appreciate the advantages seen by government departments of having someone wearing AFP uniform deployed on guard duty, these are merely an illusion. The uniform does not make the man and the amount of training time and effort which can reasonably be devoted to producing guards of this kind is strictly limited. This illusion tends to negate every advance we make towards a higher standard of professionalism.²⁹

Sir Colin Woods' position that protective service functions should be removed from the AFP was endorsed by his successor as AFP Commissioner, Major-General Ron Grey.³⁰ In the AFP's 1982-83 *Annual Report*, Major-General Grey remarked:

Until such time as the question of whether ...[the protective service] function remains part of the Australian Federal Police is resolved, the situation must continue to be one of frustration and some bitterness.³¹

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In 1982, both the Stewart Royal Commission into Drug Trafficking and the Government of the Day agreed that protective service functions should be removed from the AFP. Mr Justice Stewart said:

A significant proportion of the Commonwealth's police are not engaged in investigative duties at all. They are responsible for guarding Commonwealth property and embassies of foreign countries. It really is a misnomer to call these police; their duties are far more what one would expect from military sentries. The Government has already indicated an intention of severing this group from the Australian Federal Police. They should be reformed into a gendarmerie called the national guard or some suitable name.

In the mid-1980s, following the establishment of a separate APS, Major-General Grey and his successor, Peter McAulay, lobbied the Government for the AFP's airport security function to be transferred to the APS. This eventually occurred in 1990.³²

The relationship between the AFP and the APS was considered again in 1992 when Mike Codd AC presented his *Review of Plans and Arrangements in Relation to Counter-Terrorism*. The review was commissioned by the Government after an attack on the Iranian Embassy in Canberra which injured several people and damaged property. Amongst other things, Mr Codd looked at the division of responsibilities between APS and the AFP and commented:

Given their complementary responsibilities, it is sensible to ask whether the two organisations should be under one command—that is, the APS be under the command of the AFP Commissioner.

...

There might be merit ... in contemplating such a change (albeit keeping the APS as a discrete function under its own legislation) if there were inadequate co-operation between the two organisations. But the level of co-operation between them has improved markedly over the years and is now commendable.

Moreover, it should be noted that the relationship between the APS and the AFP is essentially in relation to the AFP's responsibilities for policing in the Australian Capital Territory—just as the APS has co-operative relationships with the police forces in the States and the Northern Territory.³³

Mr Codd then considered whether what he called 'operational inefficiencies' between the AFP and the APS should be addressed by either:

- increasing the APS's powers eg to deal with incidents in the vicinity of embassies, or
- giving the AFP Commissioner the power to authorise the APS to exercise such powers.

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He suggested the latter, a recommendation not implemented. However, the Government did respond to his other recommendation about the APS—that it should be located within the Attorney-General's portfolio with other law enforcement agencies instead of in the Administrative Services portfolio.³⁴

In 1994, the Government established a Review of Commonwealth Law Enforcement Arrangements. The Review acknowledged that while the APS was primarily a commercial enterprise, its counter-terrorism functions and diplomatic protective services meant that it had 'direct operational relationships with mainstream law enforcement agencies'.³⁵ It concluded:

... it is timely for a fundamental assessment to be made of the role, functions and nature of the APS. There are some core functions, such as counter-terrorism and diplomatic security duties, that are probably best discharged by a government authority.

The Review believes that rethink [sic] is needed about whether a government body needs to continue to provide such commercial services as guarding less sensitive buildings and custodial and other services at immigration detention centres. It also believes that further consideration needs to be given to issues of operational coordination and control within the AFP in relation to counter-terrorism.

In particular, the Review believes that serious consideration should be given to transferring the non-critical functions to the private sector and combing the critical protection/counter-terrorist functions of the APS with similar guarding functions of the AFP.

Accordingly, the Review recommends that the Government commission a specific review of the role, functions and nature of the APS. The Review Committee should comprise representatives of the APS, its stakeholders and the AFP.³⁶

After the election of the Howard Coalition Government in 1996, the National Commission of Audit commented on the APS in the following terms:

Currently, 70 per cent of the business of the Australian Protective Service is based on the principle that a Commonwealth agency should protect Commonwealth clients for national security reasons. The profitability of the Australian Protective Service reflects this partial monopoly. There is also a core government function related to the Government's security network.

There are well established private sector service providers in this field. It should be possible, while retaining core functions, to accredit them to provide the level of security required for a significant proportion of the Australian Protective Service's activities.³⁷

A review of the APS was undertaken following the National Commission of Audit's work. As a result, the Government reportedly:

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... reaffirmed its support for the APS, stating that there is a suite of protective security work which, due to its importance and sensitivities, should continue to be performed by a government agency ...³⁸

In the aftermath of the September 11 attacks, the Government decided to merge the AFP and the APS in order to enhance national security.³⁹ On 14 February 2002, the Minister for Justice and Customs, Senator Ellison, announced that:

The Australian Protective Services (APS) will become an operating division of the Australian Federal Police (AFP) ensuring the closest possible co-ordination between two of Australia's key counter terrorist agencies ...

"This consolidates and enhances the national security initiatives currently being implemented following the terrorist attacks in the United States on September 11, last year," Senator Ellison said.

The administrative changes are likely to take effect from 1 July 2002 and a working group comprising representatives of both the AFP and the APS has been established to progress the initiative.

A key consideration of the working group will be the enhancement of existing training courses for both AFP and APS with a view to ensuring Australia's law enforcement training regimes maintain their world class reputation.

"The realignment will take into account, and seek to preserve, the current competition arrangements applying to the APS, including arrangements allowing private security agencies to bid against APS for Commonwealth guarding contracts," Senator Ellison said.⁴⁰

Current role of the APS

The APS has been described as 'the Commonwealth Government's specialist protective security provider'.⁴¹ It supplies a counter terrorist first response (CTFR) at security-designated airports. It provides security services at Parliament House, the office of the Prime Minister, the residences of the Prime Minister, the Governor-General and other office holders, sensitive defence establishments, foreign embassies and the Australian Nuclear Science and Technology Organisation. Apart from the protective security services mentioned above, the APS operates competitively with the private sector to provide such things as training, security risk management surveys, secure Internet firewalls and other services to government.⁴² It is a cost recovery agency and does not receive specific budget funding.⁴³ Where it has spare capacity, its services can be contracted to the private sector. The APS also provides Air Security Officers who fly covertly on Australian flights. The Air Security Officer Program was established in December 2001.⁴⁴

Apart from its counter-terrorist role at major airports, a recent article reports that the APS provides a 'community policing service' involving 'directing disoriented passengers and

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public, maintaining civil [order], removing intoxicated persons from aircraft, bars and public areas and intervening in domestic disputes'.⁴⁵

In its 2002-2003 Budget announcements, the Government stated that APS CTFR services will be supplied at three additional Australian airports⁴⁶ and that CTFR capabilities at all designated airports will be upgraded to Advanced First Response level. This means that:

APS personnel will receive self-loading pistols (instead of the current use of revolvers), upgraded bomb appraisal equipment, and chemical, biological and radiological protective equipment. The officers will also be required to achieve higher levels of tactical training, skills and fitness.⁴⁷

Current role of the AFP

The AFP enforces Commonwealth criminal law. Its priorities are set by Ministerial direction and include enforcing laws relating to organised crime, transnational crime, money laundering, major fraud, illicit drug trafficking and e-crime. The AFP supplies community policing services to the Australian Capital Territory, Jervis Bay, Norfolk Island, Christmas Island, and Cocos (Keeling) Island. It also works with Australian and international law enforcement bodies and contributes to overseas peacekeeping missions. Additionally, it provides some protection services. These include Close Personal Protection services to certain Australian office holders, internationally protected persons, diplomats and visiting dignitaries. It operates a National Witness Protection Program and provides protective security for the Family Court. The AFP also operates a security intelligence program directed at protecting the Commonwealth interest.⁴⁸

Main Provisions

As a result of **item 7 of Schedule 1**, the Australian Protective Service will be headed by the Australian Federal Police Commissioner.⁴⁹ At present, the Secretary of the Attorney-General's Department has responsibility for the Australian Protective Service. **Items 2-6, 8, 9, 11-13, 17, 21, 23 and 24** make consequential changes. For instance, the Commissioner rather than the Secretary will approve the issuing of General Orders by the Director of Protective Service (**item 13**). And the Commissioner, rather than the Secretary, will be empowered to create the positions of Director and protective service officer (**items 8 and 9**). The functions and powers of the Director and protective service officers remain, for the most part, unchanged.⁵⁰

The combined effect of **items 19 and 20** means that the Director of Protective Service will be able to delegate certain of his or her powers to public servants who are Protective Service employees ie to administrative employees as well as those who are protective service officers. At present, delegations can only be made to protective service officers.

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Currently, the Principal Act does not mandate an annual report. **Item 25** inserts a requirement for the AFP Commissioner to submit an annual report to the Minister on the administration and operations of the Australian Protective Service. This report may be combined with the Australian Federal Police Annual Report and must be tabled in Parliament.

Items 26-29 are transitional provisions. They preserve Australian Protective Service appointments, identity cards, delegations, oaths or affirmations and General Orders that were operative before the commencement of the Australian Protective Service Amendment Act 2002.

Concluding Comments

As a result of the Government's 1 July 2002 timetable for merging the Australian Protective Service and the AFP, the AFP's appropriations for the 2002-03 financial year include an amount of \$31.6 million for guarding and security services ie it contains an appropriation for the APS.⁵¹ The commencement date of the Australian Protective Service Bill 2002 dovetails with the 1 July date.

Both the Minister and the Australian Federal Police Association have suggested a number of ways in which the two services might be realigned. In his Second Reading Speech for the Bill, the Minister for Justice and Customs indicated that the Government would 'explore further steps to align the Australian Federal Police and the Australian Protective Service, following the passage of this Bill, having regard to current competition and efficiency arrangements applying to the Australian Protective Service. This will be done in full consultation with the employees of the two organisations.'⁵²

The Australian Federal Police Association has suggested that Australian Protective Service shed its private sector security services, that all Australian Protective Service officers should be upgraded as 'first response anti-terrorism trained', given appropriate law enforcement powers and that mobility provisions should be introduced so that AFP and Australian Protective Service officers can move between agencies.⁵³

The Bill makes the basic administrative changes necessary so that the AFP Commissioner can become the head of the Australian Protective Service. One question that might be asked is whether the merger of the Australian Protective Service and the AFP will necessitate or result in further legislative changes to the Principal Act and the AFP Act. Will the matters raised by the Minister lead to statutory reform? Will those raised by the Australian Federal Police Association, if accepted by the Government, necessitate statutory change? Will the fact that both the Australian Protective Service and the AFP provide protective security services result in further reorganisation? And might there be other areas where legislative consistency is indicated or might be called for? For instance, the AFP Act, unlike the Principal Act, contains a detailed statutory regime relating to such things as assignment and suspension of duties and compulsory drug and alcohol testing.

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Endnotes

- 1 In this Digest, where the acronym ‘APS’ is used it refers to the Australian Protective Service and not to the Australian Public Service.
- 2 Chris Chatterton, ‘A history of the Australian Protective Service 1917-2000’, *AUSPOL: the Official Publication of the Australian Federal Police Association and the ALAJA*, 2001, pp. 15–18.
- 3 Peter Donovan, *Changing the Guard. A History of the Australian Protective Service*, AGPS, Canberra, 1994.
- 4 *ibid.*
- 5 *Report of the Review of Commonwealth Law Enforcement Arrangements*, AGPS, Canberra, February 1994.
- 6 *Report to the Minister for Administrative Services on the Organisation of Police Resources in the Commonwealth Area and other Related Matters*, ‘Summary of Recommendations and Suggestions’, AGPS, 1978, p. 4.
- 7 Quoted by Steele Hall MP, House of Representatives, *Parliamentary Debates (Hansard)*, 10 October 1984, p. 2074.
- 8 Section 6, AFP Act.
- 9 Section 7, AFP Act.
- 10 House of Representatives, *Parliamentary Debates (Hansard)*, 30 May 1984, p.2482.
- 11 During debate on the earlier Australian Federal Police Amendment Bill 1984, the (Coalition) Opposition called for legislation to underpin the newly established Australian Protective Service. See Steele Hall MP, House of Representatives, *Parliamentary Debates (Hansard)*, 10 October 1984, pp. 2074–75.
- 12 House of Representatives, *Parliamentary Debates (Hansard)*, 16 October 1986, pp. 2192–93.
- 13 Such as the Governor-General, a Minister, Senator or Member of the House of Representatives, or a High Court judge. See the definition of ‘office under the Commonwealth’ in section 6 of the Principal Act.
- 14 The particularised functions set out in subsection 6(2) have remained virtually unchanged since 1987. ‘The protection of property in which a designated overseas mission has an interest’ was added by the *Overseas Missions (Privileges and Immunities) (Consequential Amendments) Act 1995*.
- 15 Section 7, Principal Act.
- 16 Section 11, Principal Act.
- 17 Section 12, Principal Act.
- 18 These statutory powers and duties are, however, additional to any powers or duties conferred by other Commonwealth, State or Territory laws—see section 21. Subsection 21(4) of the Principal Act provides that the powers and duties it confers are additional to ‘any other powers conferred, or duties imposed, by any other law of the Commonwealth or a law of a

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State or Territory ...'. Following the High Court's decision in *R v. Hughes* (2000) 202 CLR 535, there may be doubt about whether a Commonwealth law can validly authorise a Commonwealth officer to perform a duty or a coercive function under State law, unless a Commonwealth head of constitutional power would support the authorisation.

- 19 Section 16, Principal Act.
- 20 Section 89, *Crimes Act 1914* (Cwlth).
- 21 Section 15, Principal Act.
- 22 Section 17, Principal Act.
- 23 Section 18, Principal Act.
- 24 Section 20, Principal Act.
- 25 Peter Donovan, *op.cit.*, p. 48.
- 26 'A short history of the AFP through the comments of the Commissioners in their Annual Reports', *Australian Federal Police Association Journal*, 1(5), Spring 1997, pp. 9–12. And see Australian Federal Police, *Annual Report 1980-81*.
- 27 The Commonwealth Police Force, the ACT Police Force and, with the commencement of the *Australian Federal Police Amendment Act 1980*, the Federal Narcotics Bureau.
- 28 Australian Federal Police, *Annual Report 1980-81*, p. 1.
- 29 Australian Federal Police, *Annual Report 1981-82*, p. 2.
- 30 *ibid.*
- 31 Australian Federal Police, *Annual Report 1982-83*, p.vii.
- 32 *ibid.*
- 33 MH Codd AC, *Review of Plans and Arrangements in relation to Counter-Terrorism*, 25 May 1992, pp. 9–10.
- 34 'APS moves to Attorney-General's Department', *Australian Protective Service Journal*, 2(8), September 1992, pp. 8–9.
- 35 Law Enforcement Review, *op.cit.*, p. 246.
- 36 *ibid.*, pp. 246-7. Emphasis in original.
- 37 National Commission of Audit, *Report to the Commonwealth Government*, AGPS, Canberra, 1996.
- 38 'Government recognises a continuing role for the Australian Protective Service', *Profile. Special Budget Edition*, May 1997.
- 39 'Security merger to enhance national safety', *The Age*, 15 February 2002.
- 40 Minister for Justice and Customs, 'Australian Protective Services [sic] to become a division of the Australian Federal Police', *Media Release*, 14 February 2002.

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- 41 House of Representatives, *Parliamentary Debates (Hansard)*, Second Reading Speech, Australian Protective Service Amendment Bill 2002.
- 42 See <http://www.aps.gov.au> (accessed 27 May 2002).
- 43 <http://www.aps.gov.au/docs/media.htm> (accessed 27 May 2002).
- 44 Minister for Justice and Customs, 'Increased commitment to air security', *Media Release, Budget 2002-2003*, 14 May 2002.
- 45 Chatterton, op.cit.
- 46 Alice Springs, Canberra and Hobart in addition to Adelaide, Brisbane, Cairns, Coolangatta, Darwin, Melbourne, Perth and Sydney.
- 47 The Attorney-General's Portfolio, 'Counter-terrorism measures', *Budget 2002-2003, Fact Sheet 2*, p.1.
- 48 Australian Federal Police, *Annual Report 2000-2001*.
- 49 Amendments made by the Bill will also establish the APS as a Statutory Agency with the Commissioner as Agency Head. See Explanatory Memorandum, Australian Protective Service Amendment Bill 2002.
- 50 An exception is the Director's power of delegation—see **items 19 and 20**.
- 51 Agency Budget Statements 2002-03, Australian Federal Police, p. 223. Guarding and security services are expected to produce revenue of \$66 406 000 in the 2002-03 year.
- 52 House of Representatives, *Parliamentary Debates (Hansard)*, Second Reading Speech, Australian Protective Service Amendment Bill 2002, 16 May 2002, p. 2234.
- 53 'APS must shed private guarding jobs: union', *Canberra Times*, 28 April 2002.

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