



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.

Government security officers are protective security officers, who are not police officers, 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. 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 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 electronic screening devices such as a metal detector, an x-ray machine or hand held scanner, the officer can ask you to:

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

What is a state building?

- A state building is 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, park.

Powers of a protective security officer

If an officer considers it necessary for the security of a state building, they can ask you to:

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

If an officer believes you are using one of your belongings to hide something dangerous or an unlawful item (weapon or drugs) then they can ask you to put the item in a certain place. If you are in possession of an unlawful item, they may seize it.

Other powers

- If you fail to provide them 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, the officer and other officers can use **necessary force** to remove you from the building.
- **You can be fined up to \$2,200.00** if you provide false details like your name to the protective security officer or you do not leave a state building when asked.

What a protective security officer needs to do:

- They can only inspect the outer clothes you are wearing if they have provided you the reason for the request and the officer is the **same sex as you**. Otherwise, they must get another officer or adult assisting the officer of the same sex to search you or your clothing.
- If the officer wants you to take off an outer garment, they must tell you the reason for the request and ask you to do this in a room out of the public view.
- They need to inspect you in a way that does not embarrass you and ensure the protection of you dignity.
- Provided your things are not unlawful to possess, a security officer must give back your things when you ask for them and 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, you will need to leave and the officer must not give you a direction to enter or **leave the building or take your belongings**.
- **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 follow their request** then you will be **committing an offence**.

Can protective security officers arrest me?

If the 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. 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.

<p><i>Where it happened:</i></p> <p><i>Date:</i></p> <p><i>Time:</i></p> <p><i>What happened:</i></p> <p><i>Name of anyone who saw what happened:</i></p> <p><i>Name and badge number of police officers:</i></p>

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.

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.

Who can help?

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

Youth Advocacy Centre (YAC) www.yac.net.au **3356 1002**

Youth Legal Advice Hotline **1800 527 527**
South West Brisbane Community Legal Centre www.communitylegal.org.au **3372 7677**
Logan Youth & Family Legal Service www.yfs.org.au **3826 1500**
Legal Aid Queensland www.legalaid.qld.gov.au **1300 651 188**
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 June 2023. The Youth Advocacy Centre does not accept responsibility for any action or outcome as a result of anyone relying on the information provided.