



1. Introduction

1.1 Parliamentary security has been an increasing concern for legislatures across the world. In the face of possible threats, some Parliaments have enhanced security measures such as improving physical infrastructure, restructuring security personnel organization and reinforcing the role of the police in parliamentary security. This information note studies the security arrangements¹ of the Parliament of Australia, Canada, New Zealand, and the United Kingdom ("the UK"), covering issues such as security personnel, governance, financing and training. A brief introduction on the security arrangements in the United States Congress is also given in **Appendix I**.

2. Parliament of Australia²

2.1 Security responsibilities at the Parliament of Australia can largely be divided internally or externally. Depending on the location within the parliamentary precincts³, either an in-house security team or the police is deployed. Yet, this division has been modified after the Australian

¹ For the purpose of this information note, the security and policing functions are distinguished from each other, with the former referring to general functions like guarding, patrolling, access control, screening of people and properties, and maintenance of order while the latter referring to law enforcement such as crime investigation, incident and emergency response, and other special operations. This division does not preclude police officers from taking basic security functions such as guarding, patrolling and access control. Internal security in this paper refers to security within the parliament buildings, while external security refers to security outside the buildings or on the parliamentary grounds. This paper does not cover cyber-security.

² The Parliament House is located on a 32-hectare site in Canberra. With a floor area of 250 000 square metres, it houses the Chambers of the House of Representatives and the Senate, the Ministerial Wing, offices of Members of the Parliament and their staff. It has over 4 000 rooms. On a typical sitting day, about 5 000 people work within or visit the parliamentary precincts.

³ In Australia, the *Parliamentary Precincts Act 1988* defines the precincts as land on the inner side of the boundary stipulated in the *Act*, and all or part of buildings, structures and works on above or under that land.

government heightened its terrorism alert in 2014. In the face of higher risks, the police force has been given a bigger role in both the internal and external security of the Parliament.⁴

Internal security

2.2 The Parliamentary Security Service⁵ is the frontline uniformed staff responsible for the day-to-day security operations of both the House of Representatives and the Senate inside the Parliament House. The officers of the Service are employees of the Department of Parliamentary Services⁶ whose main duties include access control, security screening and internal mobile security patrol.⁷ None of the officers is armed. The Service also assists the Sergeant-at-Arms and the Usher of the Black Rod in delivering their traditional role of maintaining order and security of the Chambers and galleries.

2.3 In response to the escalation of the national terrorism alert to "high level"⁸ and with authorization from the Presiding Officers, armed officers from the Australian Federal Police ("AFP") have begun guarding inside the Parliament House under "strict protocols" since February 2015.⁹

External security

2.4 AFP is responsible for the protection of the parliamentary precincts outside the Parliament House.¹⁰ Its main duties include patrolling, dealing with security incidents and providing armed first response capability for the

⁴ In his address to the Parliament on national security on 22 September 2014, former Prime Minister Tony Abbott cited the possible threats from terrorists from the Middle East and the increasing involvement of Australian forces in Iraq.

⁵ The Parliamentary Security Service was formed in 2003 by unifying the two security teams of the House of Representatives and the Senate. There were 176 officers including 155 frontline officers in 2013-2014.

⁶ The Department is the largest of four parliamentary departments, with about 800 staff and a budget of around A\$150 million (HK\$819 million) in 2015-2016.

⁷ The Service is also responsible for staffing the security control room and security for functions, official visits and other significant activities.

⁸ The Australian government heightened the terrorism alert on 12 September 2014. Under the four-level national terrorism alert system maintained by the Australian Security Intelligence Organization ("ASIO"), "high level" means that attack is likely while "extreme level" means that attack is imminent or has occurred.

⁹ See the Speaker's statement on 10 February 2015.

¹⁰ AFP is also responsible for the protection of the Ministerial Wing in the Parliament House, subject to the terms agreed between the Presiding Officers and the Executive.

Parliament House. AFP also manages demonstration activities within the precincts, in accordance with the guidelines issued by the Presiding Officers. It is also empowered by laws¹¹ to deal with matters relating to public order within the precincts and remove unauthorized structure erected by demonstrators in the immediate area outside the precincts. Prior to December 2014, as an established practice, AFP normally does not enter Parliament House to carry out duties without the consent of at least one of the Presiding Officers¹².

Line of command

2.5 Under Sections 6(1) and 6(2) of the *Parliamentary Precincts Act 1988*, the Presiding Officers are responsible for the control and management of the parliamentary precincts and they can, subject to order of either House, take action considered necessary to exercise the control and management. Therefore, the security responsibility within the precincts is also vested in the Presiding Officers.¹³ Since mid-December 2014, the Presiding Officers have authorized AFP to assume overall command of parliamentary security, both inside and outside the Parliament House. AFP now controls and coordinates all operational security and response functions within the precincts.¹⁴ Currently, AFP officers within the parliamentary precincts are headed by the Parliament House Protective Security Controller who is a senior AFP officer¹⁵ and is responsible to the Presiding Officers.

¹¹ The *Parliament Act 1974* prohibits erection of structures within the parliamentary zone, which covers an area outside the parliamentary precincts run by the National Capital Authority of Canberra. The *Parliamentary Precincts Act 1988* allows the application of *Public Order (Protection of Persons and Property) Act* within the precincts.

¹² As an established practice, AFP is subject to the authority of the Presiding Officers whenever they are in the Parliament House and limited by the powers and privileges of the House of Representatives and the Senate. Police officers have to surrender their weapons upon entry into Parliament House unless otherwise approved by the Presiding Officers. However, in performing their protection duties, police officers are permitted to transit through the basement of the parliamentary buildings to and from their specified posts and carry arms while doing so. See House of Representatives Practice, 6th edition, Chapter 4.

¹³ It is stated in the House of Representatives Practice that such responsibility is vested in the Presiding Officers under the *Parliamentary Precincts Act 1988* and that such jurisdiction used to be based on custom, practice and inherent powers of the Presiding Officers to maintain the proper functioning of the Parliament. See House of Representatives Practice, 6th edition, pp. 126.

¹⁴ See Submission from the Clerk of the Senate for *Parliamentary Service Amendment Bill 2014*.

¹⁵ The arrangement of appointing an AFP officer as the Parliament House Protective Security-Controller has been in place since 1992. The Controller used to be seconded from AFP on a two-year basis and was responsible for the overall coordination of security within the precincts, in consultation with the Sergeant-at-Arms and the Usher of the Black Rod.

2.6 The Sergeant-at-Arms and the Usher of the Black Rod still retain their traditional responsibility for security in their respective Chambers and galleries, though they are now discharging duties with assistance from the Parliamentary Security Service and AFP after the escalation of terrorism alert.

2.7 Organizationally, the Parliamentary Security Service is managed by the Director of Security Operations who answers to the Assistant Secretary of the Department of Parliamentary Services in charge of security. He also acts as liaison with AFP and officers of the House and the Senate in support of the day-to-day security operations of the Parliament House.

Relations between the Parliament and the police

2.8 AFP's security services are provided under a contract¹⁶ with the Parliament. Coupled with the contract are arrangements agreed between the Presiding Officers and the Government¹⁷ for the police to arrest and hold in custody persons required to be detained by order of either House. The requirement for such arrangements is specified in the *Parliamentary Precincts Act 1988* which assures that the powers, privileges, immunities and rights of the Members and Senators will not be affected.

Security governance

2.9 A Security Management Board has been formed since 2002 and was made a statutory body in 2005, advising the Presiding Officers on security matters including security policy, management and operation of security measures¹⁸. Chaired by the Secretary of the Department of Parliamentary Services, it used to comprise members nominated by the Presiding Officers, including the Sergeant-at-Arms and the Usher of the Black Rod. After March 2015, the Parliament amended the *Parliamentary Service Act 1999* to make the Commissioner of AFP or its deputy or a senior executive of AFP a Board member. Representatives from other security, the police, intelligence and finance agencies are also invited to the board meetings from time to time.

¹⁶ The contract is managed by the Department of Parliamentary Services.

¹⁷ The agreements were entered in 1988 and 1989 with the relevant Ministers responsible for AFP, and the Australian Protective Service which was integrated into AFP in 2004. There is also an agreement with Director of Public Prosecutions over prosecution matters relating to offence committed within the parliamentary precincts.

¹⁸ The passage of the *Parliamentary Service Amendment Bill 2014* has expanded the Board's responsibility to include operation of security measures.

2.10 Following the official announcement of the heightened terrorism alert in September 2014, a Parliament House Security Task Force¹⁹ chaired by the Speaker of the House was also created in 2014, which advises and discusses all security matters in Parliament House, with the focus on physical structures and integrity. The Task Force was considered necessary by the Presiding Officers as it could offer them formal advice from a range of security experts, by bringing together people that the Security Management Board does not have in its membership. The Task Force has recommended increasing armed police presence both inside and outside the Parliament House and enhancing the perimeter security.

Security cost

2.11 The services provided by AFP to the Parliament used to be financed by the budget of the Parliament. In 2013-2014, the security budget of the Department of Parliamentary Services amounted to A\$26 million (HK\$142.6 million), and about slightly less than a half was attributed to AFP's services. The Parliament has also received extra funding for security upgrade around the Ministerial Wing of the Parliament House proposed after the heightened terrorism alert was issued on 12 September 2014. In 2015-2016, the funding has been directly appropriated to AFP, instead of asking the Parliament to reimburse AFP.²⁰

Security training

2.12 The Parliamentary Security Service officers are required to be competent in performing x-ray screening, defensive tactics and first aid upon recruitment. Training for the officers is developed against Australian regulations for security, workplace health and safety, and legal liability. All Parliamentary Security Service officers have to engage in competency maintenance training including defensive tactics, first aid refresher, senators and members recognition, powers and authorizations, and

¹⁹ The Task Force was established on 22 September 2014. Chaired by the Speaker of the House, Members include the President of the Senate, representatives from the Department of the Prime Minister and Cabinet, the Attorney-General's Department, the Department of Finance, ASIO, AFP and the Department of Parliamentary Services. The Task Force was a temporary body to oversee the implementation of a capital works programme of security enhancement and deal with the technical design, project planning and heritage issues that might arise during the implementation.

²⁰ See Hansard, Senate Finance and Public Administration Legislation Committee on Estimates, 25 May 2015, pp. 105.

patrols and searches. The officers have also received training in "first attack fire-fighting".

2.13 A new accredited Parliament House-specific in-house training programme has been developed²¹ and a skills-enrichment programme on handling challenging and demanding persons has also been provided to Parliamentary Security Service officers. There are also regular joint security validation exercises between the Parliamentary Security Service and AFP to test how well security procedures work and how officers respond to those procedures. The exercise results are reported to the Security Management Board.²²

3. Parliament of Canada²³

3.1 Prior to the shooting incident in October 2014²⁴, security responsibilities on Parliament Hill²⁵ used to be divided among three security forces. Security arrangements underwent significant restructuring after the shooting incident, changing the division of labour and the way security services are provided.

²¹ The programme is a certificate course developed by the Department of Parliamentary Services for security team leaders. Accredited by Canberra Institute of Technology, the course comprises five modules: communications, administration, personnel management, managing staff development and security-specific training including risk planning and management, defensive tactics, powers and authorisations, and coordinating visits by dignitaries and delegations.

²² See Department of Parliamentary Services Annual Report 2011-2012.

²³ The Parliament of Canada is located on a site known as Parliament Hill in the city of Ottawa, with a size of more than 15 hectares and more than a dozen of buildings where 400 parliamentarians and 4 000 parliamentary staff work.

²⁴ On 22 October 2014, an attacker shot dead a Canadian soldier on duty at the ceremonial sentry near Parliament Hill and then ran inside the Central Block of the Parliament where he exchanged fires with security and police officers. The attacker was shot dead at the end.

²⁵ The *Parliament of Canada Act* defines parliamentary precincts as the premises or any part of the premises, other than the constituency offices which are used by individuals or entities of the House, Senate and other related institutions as designated by writing of either Speaker. According to the House of Commons Procedure and Practice, only designated parliament buildings are referred as precincts. The law also defines Parliament Hill as the grounds bounded by the Rideau Canal, Ottawa River, Kent and Wellington Street.

Internal security

3.2 Internal security of the Parliament is currently provided by a newly established security team known as Parliamentary Protective Service ("PPS")²⁶. The team was formed by merging two formerly separate security teams,²⁷ the House of Commons Security Service²⁸ and Senate Protective Service, with members of the Royal Canadian Mounted Police ("RCMP"), a federal police force²⁹. Prior to the shooting incident, RCMP officers did not enter into the Parliament buildings unless with approval from the Presiding officers or their delegates. Only plain-clothes officers of the House's Security Service were armed with pistols.³⁰

3.3 Apart from the newly established Service, the Sergeant-at-Arms³¹ of the House of Commons is primarily responsible for the protection of the occupants of the parliament buildings including the Members and maintaining order in the Chamber. The Sergeant-at-Arms, who acts under the authority of the Speaker of the House, is answerable to the Clerk of the House.

External security

3.4 After the merger of the forces, PPS is responsible for all physical security of both the buildings and grounds, replacing the previous arrangements under which RCMP was in charge solely of the physical security of the parliamentary grounds. The change, as effected by amendments to the *Parliament of Canada Act*, has expanded the jurisdiction of the Speaker to the grounds which are overseen by the Interdepartmental Committee on the

²⁶ PPS was officially established in June 2015 under the amended *Parliament of Canada Act*.

²⁷ The Auditor General of Canada found in its 2012 report to the Board of Internal Economy of the House of Commons the fragmented state of the security forces unsatisfactory, citing a Greenpeace protest in 2009 in which the forces refused to take up responsibility for the building roof and exterior. The decision to merge the two in-house services was made on 24 November 2014.

²⁸ It was a 300-strong uniform service reporting to the Sergeant-at-Arms.

²⁹ RCMP officers will not be involved in cyber-security of the Parliament and the officers will not be responsible for investigating parliamentarian or parliamentary staff for criminal offence.

³⁰ Each of the plain-clothes officers is armed with a 0.9 mm pistol. All officers of the House of Commons Protective Service will be armed after the shooting, according to a House of Commons report on the response to the shooting incident.

³¹ The preceding Sergeant-at-Arms Kevin Vickers was one of the officers to exchange gun fire with the shooter in October 2014. A former Chief Superintendent of RCMP, he was hired as Director of Security Operations, and later appointed as Sergeant-at-Arms.

Use of Parliament Hill.³² With members including RCMP and representatives from the Parliament including Sergeant-at-Arms and government departments, the Committee scrutinizes and approves application of proposed activities on the Parliament Hill which is Crown land and run as a public park under the purview of the Canadian Heritage. The use of the site is subject to a set of activity rules including the *Public Works Nuisances Regulations* which prohibit camping and loitering on the grounds. These regulations are enforced by the police.

Line of command

3.5 The shooting incident precipitated a new model under which PPS has taken over operational command of all security on the Parliament Hill including security oversight and command of security within the buildings. In the past, RCMP, with their access to more resources and intelligence, usually assumed the operation lead in case of significant incidents.

3.6 Under the new model, the Director of PPS must be a serving member of RCMP. The Director will be selected under the terms and arrangements as agreed between the Speakers and the RCMP Commissioner. Both of the above requirements are stated in amendments endorsed by the Parliament to the *Parliament of Canada Act*.

3.7 Having control and management over PPS, the Director acts under the joint policy direction of the Speakers, but also reports to the RCMP Commissioner. The Director and other RCMP officers serving within the Service will continue to be employed by RCMP on the terms of the police, while the other PPS officers are still hired by the Parliament on their own terms.

³² In a hearing on the amendments to the *Parliament of Canada Act* on 4 June 2015, the Law Clerk and Parliamentary Counsel of the Senate told Senators that the Speakers' jurisdiction would be extended to cover the grounds through the amendments as PPS which works under the Speakers' direction has been given the mandate to provide physical security to the grounds. Traditionally, the Speakers of the two Houses have authority and control over accommodation and services within the parliamentary precincts while the grounds of the Parliament Hill is treated as a public park. See House of Commons Procedure and Practice 2009.

Relations between the Parliament and the police

3.8 The security services of RCMP are provided according to an arrangement entered between the Speakers and the Minister of Public Safety and Emergency Preparedness as specified in the *Parliament of Canada Act*.³³ The *Act* also specifies that the arrangement shall not limit the privileges, powers, immunities and rights of the Members and Senators of the Parliament.

Security governance

3.9 The House, the Senate and RCMP have jointly developed a Master Security Plan. Coordinated and implemented by the Master Security Planning Office³⁴, the plan spans over a long period and aligns with the programme of the Parliament's long term restoration and renovation plan.

Security cost

3.10 After the merger of the security forces, the Government will provide funding for PPS as a whole. It is the responsibility of the Speaker to present the estimates of PPS to the House.

Security training

3.11 On top of conventional training, the probe reports on the shooting incident have identified additional training areas including firearm training for all security officers and advance defensive tactics. Joint training exercises across all security agencies were also recommended. In addition, a physical training standard has also been introduced for the security personnel.

³³ Section 79.55 of the *Parliament of Canada Act*.

³⁴ The Office is staffed by officers from the in-house security teams and RCMP officers.

4. New Zealand Parliament³⁵

4.1 Security responsibilities in New Zealand Parliament are divided between the in-house security team and the police according to the location of the parliamentary precincts³⁶. Under the *Parliamentary Service Act 2000*, the Speaker of the House of Representatives is vested with the responsibility of control and administration of the precincts. The Speaker has also entered agreement with the law enforcement agency on policing matters within the precincts.

Internal security

4.2 There are in-house uniformed and unarmed security personnel under the Precinct Services of the Parliamentary Service to safeguard the personal security of the Members, staff and other persons carrying out or observing parliamentary proceedings. The security services provided include the provision of a physical presence, safety and emergency response, security risk management, security planning and coordination arising from events, and development of physical security systems.

4.3 While the Sergeant-at-Arms is the officer of the House responsible to the Speaker for the maintaining of proper standards of behaviour of anyone in the galleries and areas around the Chamber, he or she however assumes no other security responsibilities.

External security

4.4 By law, the Speaker, on behalf of the House, controls the precincts including the parliamentary grounds³⁷. He or she sets the conditions³⁸ for demonstrations on the grounds and has powers to order removal of any

³⁵ The New Zealand Parliament is located in the city of Wellington. It consists of four buildings and a ground area with a total size of 4.5 hectares. The buildings provide office area of 75 000 square metres for 1 000 people. The parliament site receives about 100 000 visitors a year.

³⁶ The precincts refer to land occupied for parliamentary purposes, which is specifically defined in Schedule 3 to the *Parliamentary Service Act 2000*.

³⁷ The grounds as part of the parliamentary precincts are vested in the Crown for parliamentary purposes and they are freely open to and used by the public, subject to conditions set by the Speaker. See Chapter 11, *Parliamentary Practice in New Zealand*.

³⁸ See Speaker's Ruling – Demonstrations in Parliament Grounds, 27 July 1999. The ruling was made in response to a court proceeding in the same year in which the exercise of the power of Speaker as an occupier of the grounds under the *Trespass Act 1980* was examined.

person from the grounds under the trespass laws, and makes rules to facilitate the use of the grounds. In practice, the Speaker may also authorize any person to exercise powers as an occupier under the *Trespass Act 1980* in respect of every part of the precincts under Section 26(2) of the *Parliamentary Service Act 2000*. These authorized persons could be members of the police or parliamentary officials.³⁹

4.5 Despite the Speaker's authority in respect of trespassing, the New Zealand Police also exercises its policing powers and functions on the parliamentary grounds.⁴⁰ The police's main responsibility is to maintain law and order, and investigate and prosecute offenders committing offences within the parliamentary precincts, as well as protecting and ensuring unimpeded access of foreign delegations and visitors.

Line of command

4.6 The in-house security team is led by the Security Manager employed by the Parliamentary Service. The Manager reports to the Group Manager Precinct Offices who in turn advises the Speaker.

4.7 The police officers within the parliamentary precincts are under the command of the force itself. At least one police officer is regularly assigned to be on duty within the precincts to assist in maintaining law and order, though more officers can be assigned in consultation with the Parliamentary Service or the executive government officials.

³⁹ The Speaker generally does not issue any trespass notice. Instead, the Speaker delegates his or her power to the police officers or senior Parliamentary Service officers who can issue the notice on behalf of the Speaker. In exercising the power, the Speaker or his or her delegates must act in a reasonable manner and consider the fundamental right of every person to assemble peacefully. See Speaker's Ruling - Demonstrations in Parliament Grounds, 27 July 1999.

⁴⁰ In the agreement between the Speaker and the police on the policing functions within the parliamentary precincts, it is stated that nothing about the authority of the Speaker as an occupier is "intended to limit the capacity of any police officer to exercise the powers, functions or duties associated with his or her office as a member of the New Zealand Police".

Relations between the Parliament and the police

4.8 The functions of the New Zealand Police within the parliamentary precincts are governed by an agreement⁴¹ between the Speaker and Commissioner of Police. The agreement states clearly that parliament buildings are not a sanctuary and subject to the law of parliamentary privileges. In addition, the ordinary provisions of law do apply within the buildings. Nevertheless, the police should exercise their powers having full regard to the parliamentary privileges of the House.⁴²

4.9 The agreement also spells out that police officers do not need prior consent from the Speaker or the Parliamentary Service to operate on parliamentary grounds. When it comes to parliament buildings, police officers might enter upon request from the Speaker or his or her delegates to perform specialized policing functions such as examining buildings for possible explosive devices. If police officers want to enter the buildings to make arrest or prevent an offence, they can exercise the power under Section 317 of the *Crimes Act 1961* to enter premises for arrest purpose. In this case, the Speaker should be informed at the earliest opportunity through an appropriate Parliamentary Service official.⁴³ The decision of whether to prosecute an offender remains in the police. The agreement is reviewed every three years and changes to it is subject to mutual consent.

Security governance

4.10 Security policy is set by Parliamentary Service Security Manager using the government-mandated protective security requirement framework⁴⁴. The primary policy goal is to enable an accessible, safe and secure Parliament. There is no advisory board on security matters in the House of

⁴¹ The agreement with the police was first reached in 2004 and was last reviewed in 2007. The agreement also set out the rules regarding interviewing Members and staff by the police, and the service of legal proceedings. A review is being undertaken by the Parliament. See Policing Functions Within the Parliamentary Precincts, House of Representatives, December 2007.

⁴² It is contrary to the rights and prerogatives of the House for any person to obstruct or impede transaction of parliamentary business, and such business and Members must not be subject to any improper interference or pressure, according to the text of the agreement.

⁴³ This procedure only applies where a person is found committing an offence punishable by imprisonment and the Police are in fresh pursuit, or where the police has good cause to suspect that a person has committed such an offence on the premises, or to prevent the commission of any offence likely to cause immediate or serious injury to any person or property.

⁴⁴ This framework aims to ensure that all agencies within the parliamentary precincts work together in a collaborative approach to security.

Representatives. The Security Manager is the advisor on security to the Speaker.

Security cost

4.11 The Parliament is not obliged to pay the services provided by the police.

Security training

4.12 All security officers have individual training and development plans which are reviewed annually. Parliamentary Service also plans to identify an appropriate remuneration system that will recognize and reward security staff for developing and maintaining their skills.⁴⁵

5. United Kingdom Parliament⁴⁶

5.1 The UK Parliament's security arrangement differs from Australia, Canada and New Zealand in the way that it relies almost exclusively on the police force, the Metropolitan Police Service ("MPS"). The service is provided under a contractual agreement. However, the security framework is to undergo changes already endorsed by the decision-making bodies of the House of Commons and House of Lords.

Internal security

5.2 There is currently no in-house security officers directly hired by the Parliament, except a group of Doorkeepers⁴⁷ who are responsible for security and access control within the precincts of the Chamber, Committees and

⁴⁵ See Statement of Intent 2012-2017- Parliamentary Service as well as Parliamentary Service Annual Report 30 June 2013.

⁴⁶ The United Kingdom Parliament occupies an area of 7.3 hectares in London. The Westminster Palace is a key parliamentary estate with a perimeter of 3 km and is the place where 5 000 people working in. Each year, the parliament site receives about one million visitors.

⁴⁷ Doorkeepers are under the supervision of the Sergeant-at-Arms Directorate. In recent years, the Doorkeepers have taken up certain security positions previously undertaken by MPS. In maintaining order in the Chamber or Committees, both Doorkeepers and police officers could be deployed.

galleries of the House of Commons. Other internal security service is mainly provided by the *MPS Security Command's Specialist Operation 17 (SO17)*⁴⁸. The team deploys both police officers and civilian security officers hired by MPS.⁴⁹ The governing bodies of the two Houses have recently approved a plan to set up an in-house security department by converting the civilian security officers into parliamentary staff.⁵⁰

External security

5.3 SO17 also provides security outside the Parliament buildings, including patrolling, checking identity passes, conducting searches of visitors, staff, personal property and vehicles, maintaining public order, providing crime and security advice to Parliament members and staff, monitoring close circuit television, alarms and police communications, and responding to incidents and alarms. The team also has a dedicated search wing trained to conduct counter-terrorism and its own investigation and intelligence unit. It also undertakes sensitive enquiries requiring liaison with government departments, embassies and other constabularies.

5.4 MPS also assists enforcement of the Greater London Authority and the Westminster City Council which are the designated responsible authorities under the *Police Reform and Social Responsibility Act 2011*⁵¹ for the management of Parliament Square and surrounding areas. The *Public Order Act 1986* is applied to these areas where the police can impose conditions on public assemblies.

⁴⁸ The police has been protecting and keeping order within the parliamentary estate since 1839.

⁴⁹ The MPS's SO17 team for the Parliament comprises 150 police officers and 350 civilian security officers.

⁵⁰ The House Committee of the Lords and House of Commons Commission have agreed in November 2014 to bring in the civilian security officers employed by MPS as in-house parliamentary staff in 2016 following a security governance review. The MPS police officers will continue to be responsible for some core security functions. The Committee and Commission also endorsed review recommendations to make the Parliamentary Security Director a single accountable security expert ultimately responsible for every aspect of security.

⁵¹ The *Police Reform and Social Responsibility Act 2011* also repealed section 132(6) of *Serious Organised Crime and Police Act 2005*, and reinstated section 14 of the *Public Order Act 1986*. The 2011 Act aims to restore rights to non-violent protests, ensure the enjoyment of public spaces, and deal with the harm caused by encampments and other disruptive activities in and around Parliament Square.

Line of command

5.5 SO17 is headed by the Commander of the Operational Command Unit for the Parliamentary Estate, who is of the Chief Superintendent rank within MPS. However, the police on duty in the two Houses are also under the directions⁵² of the Sergeant-at-Arms and the Black Rod who are currently responsible for the operational delivery of security in the two Houses⁵³.

5.6 In 2011, the House of Commons Commission and House Committee of the House of Lords approved the creation of a new post of Parliamentary Security Director⁵⁴ who would be responsible for every aspect of the security across the two Houses. The Parliamentary Security Director manages the Parliament's contract with MPS, and is in charge of strategy, planning and overall delivery of security across the parliamentary estate⁵⁵. The Director also gives strategic and policy direction to the Sergeant-at-Arms and Black Rod on the implementation of security in their respective House. The post is outside the departmental structure of the two Houses, and reports directly to the Speakers, though organizationally he is under the Clerk of the House of Commons.

Relations between the Parliament and the police

5.7 The services delivered by MPS is governed by a five-year contract⁵⁶, known as Special Service Agreement, entered with the Parliament. In relation to the arrest and search of Members' offices, the Speaker of the House of Commons has set relevant protocols and guidelines.⁵⁷

⁵² See Erskine May Parliamentary Practice, 24th edition, pp. 107.

⁵³ The traditional role of Black Rod in operational security will diminish as the responsibility will eventually be transferred to the Parliamentary Security Director. See House of Lords Business Plan 2015-2016.

⁵⁴ The new post with executive responsibility was to replace the former part-time security coordinator to provide greater clarity in decision-making and accountability. See House of Commons Commission Bulletin, 8 November 2011.

⁵⁵ The Parliamentary Security Director is also responsible for tackling cyber threat against the Parliament, and act as principal interlocutor with external intelligence agencies and government departments on security matters.

⁵⁶ The contract was supposed to end by 2015 but was extended by one year, pending the implementation of some proposed changes to security governance.

⁵⁷ See the Memorandum by the Clerk of the House of Commons 2009 on the arrest of Members and searching of offices in the parliamentary precincts.

Security governance

5.8 The Parliamentary Security Board is set up in 2012 to draw up and recommend to the management boards of the Houses the strategy, plans and policies for the delivery of physical, personnel, cyber and information security across the Parliament. It is chaired by the Parliamentary Security Director, with other members mainly from the departments of the two Houses including the Sergeant-at-Arms and Black Rod.

5.9 The Board is tasked specifically with overseeing the management and implementation of parliamentary security review, assessing security threats of all kinds and planning appropriate measures in response, assessing security throughout the parliamentary environment including the physical estate, people and the cyber sphere, and identifying and prioritizing areas requiring changes. The Board consults and takes guidance from the Joint Committee on Security, a joint committee with membership from Members of both Houses.

Security cost

5.10 The contract of the Special Services Agreement is worth around £155 million (\$HK1.85 billion) for a five-year period⁵⁸. The cost is shared between the House of Commons and the House of Lords on a 70:30 ratio.

Security training

5.11 MPS is responsible for the training of SO17 officers.

⁵⁸ The Parliament had been considering outsourcing part of the security services such as the search and screening functions at main entrances to a private operator but no decision has been made. It had also intended to use more of its Doorkeepers to replace the civilian security officers hired by MPS to be responsible for maintaining internal division between the private and public areas of the Parliament.

6. Observations

6.1 As the highest ranking parliamentarian, the Speaker in Westminster-style parliaments is usually the ultimate party responsible for security of the Parliament. By law or established practices, the Speaker may assume different degrees of control and management of the parliamentary precincts, with the primary objectives to ensure unimpeded access to the Parliament and uninterrupted parliamentary proceedings in a safe environment for the occupants and users of the Parliament.

6.2 In most of the places studied, parliamentary security has been traditionally provided by both the police and in-house security, with an agreed division of labour that assigns the police to take charge of external security and in-house parliamentary staff to take charge of internal security.

6.3 However, that division has been changed and blurred recently in individual Parliaments such as Australia and Canada. In these two places, the police has been given increased role in internal and external security, in the face of perceived terrorism threats or actual security incidents. This is not just manifested in the presence of armed police officers in parliament buildings, but also in the leading role given to the police to assume overall command and coordination of operational security within the precincts.

6.4 In Canada, an inquiry into the shooting incident resulted in a number of recommendations. One of these was a permanent security personnel restructuring which put the original in-house teams under the leadership of a serving police officer who would answer to the Speakers and report to the Commissioner. There were concerns from Members if the change amounted to the relinquishment of the Speakers' control over security of the Parliament to the police. However, the Speakers who were responsible for the negotiation with the police, assured that Members' privileges and rights would not be affected.⁵⁹

6.5 In Australia, the nation-wide heightened terrorism alert was the catalyst driving recent enhanced security arrangements. These threats are seen as national security issues rather than a targeted threat against the Parliament. In response to these threats, AFP, which is in charge of national counter-terrorism operation, has been made the command of both the

⁵⁹ See Speaker's Rulings – Motion Concerning Parliamentary Security, the Senate, 18 February 2015.

internal and external security of Parliament. AFP officers within the parliamentary precincts are headed by the Parliament House Protective Security Controller who is a senior AFP officer and is responsible to the Presiding Officers. Armed police officers are also deployed to guard the Chamber under strict protocols and with authorization from the Speaker of the House of Representatives.⁶⁰

6.6 In the UK, the development of security arrangement took a different course from other places. Instead of solely relying on the police providing security functions, it is moving towards building its own security department following a review of security governance. In New Zealand, with terrorism alert remaining at low level⁶¹, the security arrangements have largely remained unchanged in recent years. Under the existing arrangements, the Speaker may also delegate the authority to the police which may at the same time exercise their own law enforcement powers on parliamentary grounds. **Appendix II** provides a table summarizing the arrangements in these selected places.

⁶⁰ That arrangement raised concerns from some Members who were worried that allowing firearm into the Parliament House was a divergence from the long established practice of Westminster-style parliament. In justifying her decision, the Speaker has made it clear that the safety of the occupants in the Parliament House was her top concern.

⁶¹ The terrorism alert was raised from "very low" to "low level" in October 2014, compared to Australia's "high level".

1. United States Congress⁶²

1.1 The provision of security for the United States Congress differs substantially from the Westminster-style Parliaments. The Congress has a dedicated police force known as United States Capitol Police to provide comprehensive security and policing functions in the area of Capitol Hill. The force is a federal police force with an area of jurisdiction covering the Capitol's vicinity. It has its own establishments and ranks, and recruits and chooses its own officers themselves. Established by law by the Congress in 1828, the force was specially formed with a mission to protect the Congress, its legislative processes, Members, employees, visitors, and facilities from crime, disruption, or terrorism. It has security responsibility within the Capitol Buildings including the Library of Congress and Capitol Grounds.

1.2 The powers of the force is stipulated in Chapter 29, Title 2 of the *United States Code*. It has the power to arrest within the Capitol buildings and grounds for any violations of any law of the United States, District of Columbia, or any states or any regulation promulgated in the relevant laws of the *United States Code*. The force is also authorized to protect in any area of the United States, the person of any Member of Congress, officer of the Congress, and any member of the immediate family of any such Member or office if it is necessary.

1.3 The armed force carries out a wide range of security functions including access control, security screening, physical search, traffic rules setting and enforcement, regulation of demonstration activities on Capitol Grounds. It also has specialist units to handle emergencies and incidents. The force has uniformed and plain-clothes officers to station in the House and the Senate Chambers, and throughout the buildings.⁶³

⁶² The Congress is located on Capitol Hill, Washington DC. The whole site occupies an area of 116 hectares housing the House and Senate office buildings, library, other office buildings, a botanic garden, and a visitor and education centre.

⁶³ Miller, D. (2002) *Terrorism: Are we ready?* Nova Science Publishers.

Appendix I (cont'd)

1.4 The force works under the direction of the Capitol Police Board which comprises the Sergeant-at-Arms of the House of Representatives, Sergeant-at-Arms and Doorkeeper of the Senate and Architect of the Capitol.⁶⁴ The Sergeant-at-Arms, nominated by the Speaker and elected by the House, and the Sergeant-at-Arms and Doorkeeper, nominated by the President of the Senate and elected by the Senate, are the chief law enforcement officers in the House and the Senate respectively. They take turn to chair the Capitol Police Board every other year. The Board appoints the Chief of Police of Capitol Police who also sits in the board as ex-officio member.

1.5 The Capitol Police Board has exclusive charge and control over the regulation and movement of all vehicular and pedestrian traffic on Capitol Grounds. This includes the authority to promulgate and enforce regulations, impound vehicles and impose speed limits. The Board also sets rules regarding demonstration activities on the Capitol Grounds and process permit applications for activities.

1.6 The force is also subject to the oversight of the Committee on House Administration and the Senate Committee on Rules and Administration. The Committee on House Administration with the chair elected by the majority party manages daily operations of the House including overseeing the security of the House side of the Capitol Buildings and is responsible for oversight of House officers including the Sergeant-at-Arms. The Senate Committee on Rules and Administration oversees the Sergeant-at-Arms and Doorkeeper, and issues policies and regulations governing his or her duties and responsibilities.

1.7 As a department of the Congress, the Capitol Police receives a standalone funding under the same appropriation bill for the legislative branch. In the fiscal year beginning 2016, it will receive US\$366 million (HK\$2.85 billion), including US\$300 million (HK\$2.34 billion) salaries enough to hire up to 2 145 full time equivalent officers.⁶⁵

⁶⁴ Architect of the Capitol is responsible for the development, operation, preservation and maintenance of Capitol buildings and facilities.

⁶⁵ In its report on the 2016 appropriation for the legislative branch, however, the Senate asked the Capitol Police to review what duties currently performed by the officers such as command centre, communications, training and firearm instruction and special events, that could be done by civilians so that the police's highly trained officers might perform primarily sworn activities.

Appendix I (cont'd)

1.8 Recruited Capitol Police officers will be trained at Federal Law Enforcement Training Center for 12 weeks. The scope of training will cover officer safety and survival, constitutional and federal law, communications and interviewing, arrest techniques, defensive tactics, physical security, firearms, physical fitness, and driving. During the course of their employment, certain mandatory training courses are also provided to the police officers in their respective divisions. In 2014, officers received training in the areas of active shooter and security screening.

Parliamentary security in Australia, Canada, New Zealand, and the United Kingdom

	Australia	Canada	New Zealand	United Kingdom
Responsible body for the overall administration and security of the parliamentary precincts	<ul style="list-style-type: none"> • Speaker of the House of Representatives and President of the Senate exercise joint control over the parliamentary precincts. 	<ul style="list-style-type: none"> • Speaker of the House of Commons and Speaker of the Senate. 	<ul style="list-style-type: none"> • Speaker of the House of Representatives. 	<ul style="list-style-type: none"> • The House of Commons Commission and the House Committee of House of Lords are responsible for the administration of the their respective House.
Dedicated in-house security personnel	<ul style="list-style-type: none"> • Parliamentary Security Service. 	<ul style="list-style-type: none"> • Parliamentary Protective Service ("PPS"). 	<ul style="list-style-type: none"> • Parliamentary Service's security team. 	<ul style="list-style-type: none"> • To be set up in 2016.
Jurisdictions of the in-house security personnel	<ul style="list-style-type: none"> • Responsible for internal security within the Parliament House but excluding the Ministerial Wing. 	<ul style="list-style-type: none"> • Responsible for all matters with respect to physical security throughout the parliamentary precincts and Parliament Hill. 	<ul style="list-style-type: none"> • Responsible for security within the parliamentary precincts. 	<ul style="list-style-type: none"> • Information not available.
Whether the in-house officers are armed or unarmed	<ul style="list-style-type: none"> • Not armed. 	<ul style="list-style-type: none"> • At present, some are armed with 0.9 mm pistol. However, all will be trained to be armed eventually. 	<ul style="list-style-type: none"> • Not armed. 	<ul style="list-style-type: none"> • Information not available.

Parliamentary security in Australia, Canada, New Zealand, and the United Kingdom (cont'd)

	Australia	Canada	New Zealand	United Kingdom
The police force within the precincts	<ul style="list-style-type: none"> Australian Federal Police ("AFP"). 	<ul style="list-style-type: none"> Royal Canadian Mounted Police ("RCMP"). 	<ul style="list-style-type: none"> New Zealand Police. 	<ul style="list-style-type: none"> Metropolitan Police Service ("MPS").
Jurisdiction of the police force	<ul style="list-style-type: none"> AFP commands and controls all security operations within the precincts, whether internal or external. 	<ul style="list-style-type: none"> RCMP as part of PPS provides physical security throughout the parliament buildings and grounds. 	<ul style="list-style-type: none"> The police maintains law, investigates and prosecutes offences committed within the precincts. 	<ul style="list-style-type: none"> MPS provides security throughout the parliamentary estate.
Presence of the police inside the parliament buildings	<ul style="list-style-type: none"> Armed officers station in a booth adjacent to the House Chamber, and patrol other areas inside the Parliament House. 	<ul style="list-style-type: none"> Police officers serving as part of PPS will be allowed to be posted inside the parliament buildings. 	<ul style="list-style-type: none"> Police officers are not posted inside the parliament buildings. 	<ul style="list-style-type: none"> Police officers and security officers employed by MPS can carry out their duties inside the buildings.
Agreement between the Parliament and the police	<ul style="list-style-type: none"> An agreed arrangement with AFP on the provision of services. 	<ul style="list-style-type: none"> An agreed arrangement on the provision of physical security throughout the precincts and Parliament Hill. 	<ul style="list-style-type: none"> An agreement covering policing functions such as power to arrest and detain. 	<ul style="list-style-type: none"> The Parliament purchases services from MPS through a special service agreement.

Parliamentary security in Australia, Canada, New Zealand, and the United Kingdom (cont'd)

	Australia	Canada	New Zealand	United Kingdom
Security command	<ul style="list-style-type: none"> • AFP assumes command of all security operations within the precincts via the Parliament House Protective Security Controller who is seconded from AFP and is responsible for leading all AFP officers on duty within the parliamentary precincts. • The Parliament House Protective Security Controller is responsible to the Presiding Officers. • Parliamentary Security Service officers are led by the Security Branch of the Department of Parliamentary Services. 	<ul style="list-style-type: none"> • Director of PPS, who is a serving member of RCMP, assumes command of physical security throughout the buildings and grounds, and leads the police officers and in-house security officers. • The Director acts under the joint policy direction of the Speakers, but also reports to the RCMP Commissioner. 	<ul style="list-style-type: none"> • The security team is led by a Security Manager who reports to the General Manager of the Parliamentary Service. 	<ul style="list-style-type: none"> • The Parliamentary Security Director, who controls and manages the contract with MPS and hired by the Parliament, answers directly to the Speaker. He will be in charge of all security matters under a proposed restructuring. • Currently, both the police officers and civilian security officers hired by MPS are headed by a Chief Superintendent rank police officer.

Parliamentary security in Australia, Canada, New Zealand, and the United Kingdom (cont'd)

	Australia	Canada	New Zealand	United Kingdom
Security policy and governance	<ul style="list-style-type: none"> A Security Management Board is an advisory body established under the <i>Parliamentary Service Act 1999</i>. It aims to advise the Presiding Officers on matters relating to security policy and the management and operation of security measures. A Parliament House Security Taskforce was created in 2014. Having a wider scope than the Board, it is tasked to develop recommendations on security infrastructure and to discuss all matters of security. 	<ul style="list-style-type: none"> A Master Security Plan has been jointly developed by the House, the Senate, and RCMP. It is coordinated under a Master Security Planning Office, aligning with the programme of the Parliament's long term restoration and renovation plan. 	<ul style="list-style-type: none"> Security policy is set by the Parliamentary Service Security Manager using the Government-mandated Protective Security Requirement framework. The Service is also responsible for the development and implementation of the Security Strategic Plan. 	<ul style="list-style-type: none"> The Parliamentary Security Board chaired by the Parliamentary Security Director is responsible for recommending to the Houses the strategy, plans and policies for the delivery of physical, personnel, and information security across Parliament.

Parliamentary security in Australia, Canada, New Zealand, and the United Kingdom (cont'd)

	Australia	Canada	New Zealand	United Kingdom
Financing security	<ul style="list-style-type: none"> • Department of Parliamentary Services is responsible for the funding of its in-house security team. • AFP receives separate funding for its operation within the precincts. • Additional security infrastructure upgrade is financed by extra funding during the course of the fiscal year. 	<ul style="list-style-type: none"> • The Speakers are responsible for the estimates and funding required to finance the expenditure of the integrated PPS. 	<ul style="list-style-type: none"> • Parliamentary Service is only responsible for the financing of security operations of its own in-house security team. 	<ul style="list-style-type: none"> • The Parliament pays MPS for a five-year contract for the provision of security services out of its own budget.
Training requirements for security team	<ul style="list-style-type: none"> • Training covering areas such as defensive tactics, first aid, Senator and Members recognition, patrol and search, power and authorizations, and fire-fighting are provided. • There is also an in-house certificate training course for potential team leaders. 	<ul style="list-style-type: none"> • Firearm training, training on defensive tactics, behavioural analysis, and other techniques that will improve the capabilities of security personnel are provided. A physical fitness standard has also been introduced for security personnel. 	<ul style="list-style-type: none"> • All security officers have individual training development plans which are reviewed annually. 	<ul style="list-style-type: none"> • Officers are trained by MPS.

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