

# Patron bans

Powers to ban people from licensed premises

Office of Liquor and Gaming Regulation

## Patron bans

Powers to ban people from licensed premises and areas around these premises came into force in December 2010.

The powers are a part of a range of initiatives the Queensland Government introduced in response to recommendations from a parliamentary inquiry into alcohol-related violence.

The Government's response is aimed at reducing the incidence and impacts — both social and economic — of alcohol-related violence in Queensland.

## Drink safe precincts

A central component of the Government's response to alcohol related violence is a place-based management approach that is being piloted in three areas: Surfers Paradise, Fortitude Valley and Townsville. The two year pilot commenced in December 2010.

The pilot drink safe precincts use the combined resources of state and local government agencies, as well as industry and community organisations to deliver coordinated plans adapted to local contexts. The approach includes enhanced, targeted and flexible police responses; improved transport information and traffic control, addressing issues such as crowding and footpath queuing; and better on-the-ground coordination between community groups, security, police and licensees.

Drink safe precinct committees made up of local representatives operate in each location.



## **Banning legislation**

Legislative changes provide courts with powers to ban people from specified licensed premises or specified areas around licensed premises. The changes were rolled out in December 2010. Amendments were made to the:

- *Penalties and Sentences Act 1992*
- *Bail Act 1980*
- *Liquor Act 1992.*

Amendments to the Penalties and Sentences Act created banning orders as a sentencing option for offences relating to violence in, or in the vicinity of, licensed premises and under the Bail Act as a condition of bail. The court or a police officer is required to consider attaching such a condition to bail in certain circumstances. Changes to the Liquor Act enable courts to impose civil banning orders in drink safe precincts, as a result of acts of violence in a precinct.

Court banning powers are just one component of the State Government's commitment to reducing alcohol-related violence in Queensland and build on a licensee's existing rights regarding venue entry. The court-issued banning orders can be for up to 12 months duration, or longer if attached to a sentence for a criminal offence, and can apply inside and outside of venues.

These powers strengthen the ability of the courts and police officers to enforce expected standards of community behaviour, recognising that everyone deserves to be able to enjoy themselves responsibly and feel safe in community spaces.

With court-ordered patron bans, and the establishment of 'drink safe precincts' in key entertainment areas, a whole-of-community approach has been taken to address the rising number of alcohol-related incidents in the state.

## **Other rights and powers for dealing with patrons**

Court-ordered patron bans are in addition to other methods licensees and police use to deal with patrons demonstrating violent and inappropriate behaviour. It is important that these methods continue to be used. These include:

- removal or refusal of entry for people exhibiting disorderly or other inappropriate behaviour—this removal or refusal cannot be discriminatory in nature
- venue-specific bans where a licensee bans a patron indefinitely or for a specified period of time due to inappropriate behaviour, including acts of violence
- group-venue bans where a number of licensees (usually members of a liquor accord) ban patrons from all participating venues indefinitely or for a specified period of time, due to inappropriate behaviour, including acts of violence
- police utilising "move on" powers, requiring people leave a stated area and not return for a specified period of up to 24 hours.

## **What court-ordered patron bans mean for licensees**

- Through court-ordered bans, patrons who endanger public safety through violence can be held to account. There are significant penalties for persons found to contravene a banning order and any breach of a ban made through bail conditions may also have serious consequences for the individual, including having their bail revoked. Penalties include a fine of up to \$4000 or up to 1 year imprisonment.
- The legislation allows for copies of banning orders to be provided to venues to which the ban relates. Queensland Police and the Office of Liquor and Gaming Regulation

will work closely with industry to facilitate suitable arrangements for the distribution of this information.

### **More information**

For more information on the Queensland Government's response to the parliamentary inquiry into alcohol-related violence visit our website at [www.olgr.qld.gov.au](http://www.olgr.qld.gov.au)

