



Policy

Safety and Security at licensed premises (including those licences issued as an Occasional Licence)

Disclaimer

This Policy is designed to provide information in regard to the subject matter covered, and with the understanding that the Director of Liquor Licensing is not passing legal opinion or interpretation or other professional advice. The information is provided on the understanding that all persons undertake responsibility for assessing the relevance and accuracy of its contents.

Introduction

The safety and security of people on and in the vicinity of licensed premises is a significant public interest issue and one which licensees must give appropriate consideration to, having regard to the nature of their licensed premises or event.

The principle of implementing crowd control strategies, particularly at licensed premises or events of high risk, is to deter, detect, delay and respond to anti-social behaviour and crime that puts the safety, health or welfare of people resorting to the licensed premises or in the vicinity of the licensed premises at risk. High risk licensed premises or events include those that attract large numbers of people or trade late at night and into the early hours of the following morning.

Consequently, some licensees will be required under the *Liquor Control Act 1988* ("the Act") to have crowd control measures in place. Where appropriate, and in accordance with section 64 of the Act, this requirement will be made by way of the imposition of conditions on the licence.

In addition to crowd control strategies, closed circuit television video ("CCTV") surveillance systems contribute to the 'deter and detect' objectives of the security function at licensed premises.

Licensing Procedure

As a general rule, conditions consistent with this policy **will be** imposed:

- (a) on a nightclub licence;
- (b) on a special facility licence that seeks to trade beyond 1am; and
- (c) on an extended trading permit that seeks to trade beyond 1am;

With respect to licences, permits or approvals granted for events where more than 1000 persons are expected in the licensed area at any one time, conditions consistent with this policy **may be** imposed.

When considering the nature of the licence and the circumstances of trade, the Director of Liquor Licensing may determine to impose conditions consistent with the following principles:

1. Crowd control requirements:

Permanent Licences that Trade Beyond 1am

The licensee must be able to achieve the outcomes of minimising anti-social behaviour, crime and alcohol related harm on their premises. This will require employing crowd controllers licensed under the *Securities and Related Activities (Control) Act 1996*.

As a general rule, a ratio of two (2) crowd controllers for the first 100 patrons and one crowd controller for each additional 100 patrons or part thereof will be applied. However, this may vary depending upon the nature of the licensed premises; the entertainment being provided; the hours of trade; the event; and the target patronage of the premises. If the licensee is able to meet the objectives through alternatives initiatives, such as by employing responsible service of alcohol marshalls, these will be considered. Nonetheless, at least 50 per cent of the security staff must be licensed crowd controllers. When assessing the use of alternative measures, the Director will consider whether the licensee has a demonstrated history of compliance with the Act.

Other Licence Categories including Occasional Licences

The crowd control requirements for other licence categories will be determined on the merits of the application and the level of risk to the community the premises/event may present. In this regard, consideration of such applications and the crowd controller requirements will be subject to the initiatives the applicant proposes to implement to minimise risk.

Crowd controller requirements will be determined on a case-by-case basis depending on the nature of the licensed premises/event and the initiatives proposed by the applicant to mitigate risk. The licensing authority may determine that the security requirements can be met through the use of a combination of: licensed crowd controllers, approved managers or responsible service of alcohol marshalls. However, a minimum number of crowd controllers determined by the licensing authority may be required.

2. Where crowd controllers are required, those crowd controllers will be responsible for monitoring the licensed premises and the behaviour of patrons arriving and departing the premises from a specified time (which is generally 8 pm or the time of opening the premises if after 8 pm) and up to one (1) hour after trading ceases.
3. For permanent licences that trade beyond 1am, a CCTV surveillance system is required to be operational and recording from 8 pm (or the time of opening the premises if after 8 pm), until one (1) hour after trading ceases.
4. In cases, where a licence, permit or approval is granted for an event where more than 1000 persons are expected in the licensed area at any one time, a CCTV surveillance system **may be required** to be operational and recording for the duration of the event depending whether the event is considered high risk.
 - a) The CCTV surveillance system is required to provide vision/footage that aims to identify people entering and exiting a licensed premises, as well as assisting the licensee to monitor crowd movement at all entrances and exits of the licensed premises. Furthermore, the system must comply with the current [Australia and New Zealand Police Recommendations for CCTV Systems](#).
 - b) Images recorded via the CCTV surveillance system must be retained for 28 days (or such period as the Director of Liquor Licensing specifies) and must be made available for viewing and/or exporting and removal by the Police or other persons authorised by the Director.

- c) The recorded vision when viewed or exported for removal must include:
- i) Time/date stamp;
 - ii) Camera location;
 - iii) Camera identifier.
 - iv) Watermarking or method of verifying the original image for authenticity ensuring tamper prevention.
- d) The details of any incident must be recorded in the Incident Register for the licensed premises.

The licensee and approved manager are responsible for the management and storage of the surveillance images and the general effectiveness of the system. Therefore, only the licensee, the approved managers, the Police or other persons authorised by the Director of Liquor Licensing, are authorised to access stored images and recordings.

5. Licensees are expected to develop and implement a communication strategy that enables crowd controllers to be able to effectively and clearly communicate with each other and management on duty throughout the duration of trading.

Other Legislative Requirements

Crowd Controllers

While the activities of crowd controllers may be governed by a number of pieces of legislation, the *Securities and Related Activities (Control) Act 1996* provides for the licensing of persons engaged in work relating to:

- property protection;
- investigation or surveillance;
- crowd control; and
- agency services that supply persons to carry out such work.

Licensing of these individuals is undertaken by the Licensing Enforcement Division of the WA Police.

Under the Liquor Control Act, a person who holds a crowd controller's licence and is employed, or contracted to provide crowd control services, at licensed premises does not automatically have the authority to remove a person from those licensed premises. The crowd controller must be specifically authorised in writing by the licensee or manager to do so, in accordance with section 126C(2) of the Act and he/she must have successfully completed the nationally accredited course in the Responsible Service of Alcohol. Please refer to the Director's [Mandatory Training](#) policy for further information.

A template example of the written authorisation is attached and can be downloaded from the Department's website at www.dlgsc.wa.gov.au.

CCTV Systems

The *Surveillance Devices Act 1998*, and its associated regulations, regulates "...the use of listening devices in respect of private conversations, optical surveillance devices in respect of private activities, and tracking devices in respect of the location of persons and objects...".

The Western Australian Police has adopted the *ANZPAA CCTV Recommendations* as the recommended guidelines for CCTV surveillance systems. A copy of this document can be downloaded from the following website:

[Australia and New Zealand Police Recommendations for CCTV Systems.](#)

Licensees considering the use of CCTV surveillance systems and various security resources, should familiarise themselves with the above legislation and ensure that CCTV systems meet the *ANZPAA Recommendations for CCTV Systems* to increase the likelihood of successful prosecution due to good quality CCTV evidence.

System installation must be carried out by experienced, qualified and licensed security system installers. For guidance on appropriate installation, licensees can contact the Security Agents Institute of Western Australia ([Security Agents Institute of Western Australia](http://www.saiwa.asn.au)) on [08] 9427 0814 or email info@saiwa.asn.au.

The system supplier should be selected in accordance with reputation and experience and most importantly, have reliable backup (ie: preferably maintenance and support systems in Western Australia). Systems should be regularly maintained by a licensed technician.

Incident Registers

Section 116A of the Act requires that the licensee must maintain on the licensed premises a register of incidents that take place at the licensed premises.

For guidance on the requirements relating to these registers, please refer to the Director's policy "*Incident Register at licensed premises*" which can be downloaded from the Department's website at www.dlgsc.wa.gov.au.

DIRECTOR OF LIQUOR LICENSING

Contacts:

For general advice on the implementation and application of the policy on "*Safety and Security at licensed premises*", licensees should contact the **Department of Local Government Sport and Cultural Industries** on telephone [08] 6551 4888 or email rgl@dlgsc.wa.gov.au

For advice on the choice of CCTV surveillance systems, appropriate installation, and for details of licensed installers and technicians, licensees can contact:

- **Security Agents Institute of Western Australia** on [08] 9427 0814 or email info@saiwa.asn.au
- **Australian Security Industry Association** on 1300 127 425 or go to <https://www.asial.com.au/>

LIQUOR CONTROL ACT 1988
Section 126C(2)
NOTICE OF AUTHORISATION

In accordance with the powers given by way of section 126C(2) of the *Liquor Control Act 1988*:

(Name of licensed Crowd Controller)

is authorised to exercise the power to remove a person from:

(Name of licensed premises)

in accordance with sections 115(4)(c), 121(7)(b) and 126(3) of the *Liquor Control Act 1988*.

This Notice of Authorisation has effect from the date signed below until it is withdrawn or until such time as the licensed Crowd Controller no longer performs crowd control duties at the above licensed premises, whichever occurs first.

Name of Licensee or Approved Manager

Name of licensed Crowd Controller

Signature of Licensee or Approved Manager

Signature of licensed Crowd Controller

Date

Date

Please note: Pursuant to section 126C(3) of the *Liquor Control Act 1988* this authority may be withdrawn at any time by notice in writing given to the crowd controller by the licensee or approved manager.