



Government of South Australia
Office of the Liquor and Gambling
Commissioner

Liquor Licensing Act 1997 **Report on Barring Orders 2009-10**

Report of the Liquor and Gambling Commissioner

30 September 2010

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Hon. Minister for Consumer Affairs

I hereby present the first annual report on barring orders in accordance with section 128A of the *Liquor Licensing Act 1997* (the Act).

On 1 March 2009 the *Statutes Amendment (Power to Bar) Act 2008* was proclaimed. The amendments to the Act enabled the Commissioner of Police and police officers of a specified rank to bar persons from a licensed premises or multiple licensed premises for specified periods.

Prior to these amendments, only licensees could bar a person from their own licensed premises. Unlike licensees, the Police have the power to bar people from all licensed premises, from all licensed premises in a particular area or all licensed premises of a particular class. The grounds of barring can be on:

- reasonable grounds based on criminal intelligence;
- welfare grounds;
- offences or offensive, disorderly behaviour on or adjacent to licensed premises; or
- other reasonable grounds

Previously, licensees may have been reluctant to issue barring orders, particularly to patrons who appeared to be linked to outlaw motorcycle gangs because of threats and intimidation. The new amendments will relieve licensees of these pressures.

Licensees may bar for a number of reasons including if they are satisfied that the welfare of a person is seriously at risk as a result of the consumption of alcohol. Licensees may also bar if a person who commits an offence or behaves in an offensive or disorderly manner on licensed premises or they may bar on any other reasonable ground.

A person who has not previously been barred can be barred by the licensee for up to 3 months or for a longer period approved by the Liquor and Gambling Commissioner. A person who has already been barred once may be barred by the licensee for up to 6 months or for a longer period approved by the Commissioner. A person who has been barred on at least two previous occasions can then be barred by a licensee for an indefinite or specified period.

A person in respect of whom a barring order has been made, may apply to the Commissioner for a review of the order, or apply to the Licensing Court for a review of an order by the Commissioner for an extended period.

The amendments have given the police and licensees greater powers to protect their staff, patrons and the premises from violence and other offensive behaviours, while also protecting vulnerable members of the community through the welfare barring provisions.

I would like to thank South Australia Police for the provision of information relevant to this report.

Paul White
Liquor and Gambling Commissioner
Office of the Liquor and Gambling Commissioner



Licensee Barrings - Welfare

There were 22 welfare orders made during the reporting period. The locations of the licensed premises from the persons were barred are shown in the table below:

Table 1: Licensee Welfare Barring Orders 2009-10

Location of Licensed Premises	No. of Welfare Orders by Suburb
Aberfoyle Park	1
Adelaide	11
Glenelg North	1
Glengowrie	1
Para Hills West	1
Paradise	1
Paralowie	1
Plympton	1
Seven Hill	1
Unley	1
Warradale	2
Total	22

Licensee Barrings - Other

There were licensee barring in relation to 898 individuals in other cases are outlined in the table below. Some barrings were for more than one type of conduct.

Table 2: Statistical Information about Type of Conduct

Type of Conduct	Number of Instances
Disorderly behaviour	584
Assault	98
Staff Assault	55
Property Damage	54
Drunken behaviour	51
Theft	37
Entering premises when barred	25
Drugs	13
Other Reasons	13
False Pretences	4



Table 3: Location of the Licensed Premises from which the persons were barred

Location Of Licensed Premises	No. Of Orders
Aberfoyle Park	9
Adelaide	192
Aldinga	1
Andamooka	6
Angaston	7
Balaklava	1
Beachport	1
Berri	6
Beverley	3
Blackwood	6
Bolivar	1
Bordertown	3
Brighton	2
Brompton	1
Brompton Park	2
Burnside	2
Camden Park	1
Carpenter Rocks	2
Ceduna	16
Cheltenham	4
Christies Beach	3
Clare	6
Cooper Pedy	1
Davoren Park	2
Edwardstown	2
Elizabeth Downs	9
Elizabeth South	10
Enfield	1
Ethelton	2
Fairview Park	1
Findon	3
Gawler	16
Gepps Cross	1
Gilles Plains	6
Glenelg	37
Glenelg North	4



Location Of Licensed Premises	No. Of Orders
Glenelg South	1
Glengowrie	3
Glynde	2
Golden Grove	2
Goodwood	1
Goolwa	2
Grange	1
Hackham	2
Hahndorf	1
Hallett Cove	7
Henley Beach	2
Hindmarsh	2
Kadina	3
Kent Town	1
Kilburn	10
Kingston	2
Klemzig	2
Lameroo	1
Laura	1
Littlehampton	3
Lonsdale	11
Loxton	12
Marryatville	1
Meningie	1
Millicent	10
Mitcham	2
Modbury	3
Moonta	2
Moorook	1
Mount Barker	1
Mount Gambier	17
Mount Mary, Via Morgan	1
Murray Bridge	11
Naracoorte	5
Newton	1
Noarlunga Centre	3
Noarlunga Downs	4
Normanville	3



Location Of Licensed Premises	No. Of Orders
North Adelaide	1
Norwood	2
Oaklands Park	1
Owen	1
Para Hills	3
Para Hills West	9
Paradise	1
Parafield Gardens	18
Paralowie	4
Parilla	1
Paringa	5
Pennington	8
Pinnaroo	1
Plympton	7
Pooraka	2
Port Adelaide	8
Port Augusta	4
Port Lincoln	90
Port MacDonnell	1
Port Pirie	4
Prospect	1
Regency Park	2
Renmark	45
Riverton	2
Robe	1
Robertstown	1
Roxby Downs	2
Royston Park	2
Salisbury	23
Salisbury Heights	9
Sandy Creek	1
Seacliff	1
Seaford	1
Seaton	2
Seaton Park	3
Sefton Park	5
Semaphore	16
Sevenhill	1



Location Of Licensed Premises	No. Of Orders
Smithfield	7
Stirling	1
Strathalbyn	1
Streaky Bay	1
Surrey Downs	2
Tea Tree Gully	30
Thevenard	4
Unley	2
Victor Harbor	7
Waikerie	1
Warradale	5
West Lakes	8
Whyalla	15
Whyalla Norrie	2
Willunga	1
Woodcroft	2
Woodville North	7
Yankalilla	5
TOTAL	898

Police Barrings - Criminal Intelligence

No barring orders were issued on the grounds of "criminal intelligence" for the period 1 July 2009 to 30 June 2010.

Review of Orders conducted under section 128

During the reporting period, there were 53 reviews of barring orders conducted under section 128 of the Act.

Table 4: Outcome of Review of Barring Orders

Outcome Of Review	No. Of Reviews
Application Withdrawn	11
Confirm the Barring Order	22
Revoke the Barring Order	8
Vary the Barring Order	12
Total	53