



# 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 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") systems are a highly effective technology which contributes 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;
- (c) on an extended trading permit that seeks to trade beyond 1am; or
- (d) for occasional licences.

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 controllers requirements:

Permanent Licences that Trade Beyond 1am

Crowd controllers licensed under the *Securities and Related Activities (Control) Act 1996*, are to be employed.

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.

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/events 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, licensed security officers, approved managers or responsible service of alcohol marshals. 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.
  - a) This system is required to be able to provide vision / footage that enables identification, as defined by the current [Australia and New Zealand Policing Advisory Agency \(ANZPAA\) CCTV Recommendations and the WA Police Local Interpretation Guide for the ANZPAA Recommendations for CCTV Systems](#), of all people entering and exiting a licensed premises, as well as enable the licensee to monitor crowd movement at all entrances and exits of the licensed premises.
  - b) Images recorded via the CCTV 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.*

4. 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 on duty management 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 a 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.

A template example of the written authorisation is attached and can be downloaded from the Department's website at [www.rgl.wa.gov.au](http://www.rgl.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...".

Further, the *Western Australian State CCTV Strategy* (the strategy) aims to deliver more effective use of CCTV in Western Australia to enhance community safety and security. The strategy can be accessed at the following website:

[Western Australian State CCTV Strategy | Western Australia Police](#)

As part of the strategy the WA Police has adopted the *ANZPAA CCTV Recommendations* and developed the *WA Police Local Interpretation Guide for the ANZPAA Recommendations for CCTV Systems*.

A copy of these documents can be downloaded from the following website:

[CCTV Criteria, Guidelines and Procedures | Western Australia Police](#)

Licensees either considering the use of CCTV systems and various security resources, should familiarise themselves with the above legislation, the *Western Australian State CCTV Strategy* and associated recommendations referred to in the strategy. By ensuring that CCTV systems meet the *ANZPAA Recommendations for CCTV Systems* and complies with the variations under the strategy, the chance of successful prosecution due to good quality CCTV evidence is greatly increased.

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](mailto: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.rgl.wa.gov.au](http://www.rgl.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 Racing, Gaming and Liquor** on telephone [08] 6551 4888 or email [rgl@rgl.wa.gov.au](mailto:rgl@rgl.wa.gov.au)

For advice on the choice of CCTV 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](mailto:info@saiwa.asn.au)
- **Australian Security Industry Association** on 1300 127 425 or go to Australian

**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.