

Monday 22 March 2010

COALITION TO INTRODUCE TOUGH NEW LIQUOR OFFENCES

A Victorian Liberal Nationals Coalition Government will introduce tough new offences relating to anti-social behaviour at or near licensed premises as well as higher penalties for failing to leave licensed premises when drunk, violent or quarrelsome.

As part of our suite of policy reforms in this area, the Coalition will introduce two new offences that specifically target sources of violent and aggressive behaviour around licensed venues.

Being denied entry to a venue or being required to leave is no excuse for violent and aggressive behaviour.

Police and venue operators say that many incidences of aggression on the street stem from people who have been refused entry to or removed from licensed premises engaging in violent and aggressive behaviour in the immediate vicinity.

A Coalition Government will not tolerate a mindless few threatening the safety of the responsible majority. We will take tough action against individuals who behave irresponsibly with these new laws and increased penalties.

A Victorian Coalition Government will:

- introduce a new offence of remaining in the immediate vicinity of a licensed premises which an individual has been refused entry to or ejected from;
- introduce a new offence of re-entering a licensed premises within 24 hours of being refused entry to, or ejected from, the premises; and
- increase penalties by 150 per cent for failing to obey a direction to leave licensed premises when drunk, violent or quarrelsome.

These announcements follow the Coalition's pledge to ban violent offenders from licensed premises for two years where alcohol is found to have been a contributing factor to their actions, and the introduction of a demerit points liquor licensing system that will lead to instant liquor licence suspensions for repeat offenders.

The Brumby Government's failure to deal with violence in and around licensed venues has created an environment of fear for many Victorians.

The Coalition recognises that responsibility is a two-way street. Liquor licensees need to obey the law, but so do patrons. The Coalition understands the importance of individual responsibility in liquor licensing laws.

The new offences will be:

1. Loitering in vicinity after being refused entry or being required to leave

Aggressive behaviour from people who have been refused entry to licensed premises is a significant cause of violent and aggressive incidents. Currently, there is no specific law dealing with such behaviour.

Being refused admission to, or ejected from, a licensed venue does not provide an excuse for violent, aggressive or threatening behaviour in the vicinity of the premises.

A Coalition Government will **introduce a new offence**, which makes it illegal for a person to remain on the footpath or area adjacent to licensed premises where the person has been refused entry to, or required to leave, the premises. This offence will carry a maximum penalty of 20 penalty units, with an infringement notice carrying a penalty of 5 penalty units (\$584.10).

2. Returning to a premises within 24 hours after exclusion

Labor's liquor laws have a loophole which means that a person removed from a premises by a licensee can attempt to re-enter the premises without consequence.

Many licensees have had the experience of requiring a person to leave their premises because they have become drunk or aggressive, only to find that the person has re-entered the premises later in the evening.

A Coalition Government will **introduce a new offence**, which makes it illegal for a person who has been required to leave a premises under s.114(2) to re-enter that premises within 24 hours. This offence will carry a maximum penalty of 20 penalty units, with an infringement notice carrying a penalty of 5 penalty units (\$584.10).

Increased penalties for failing to leave a licensed premises if drunk, violent or quarrelsome

Liquor licensees face tough penalties if they have drunk people on their premises. However, the on-the-spot fines for individuals who refuse to leave licensed premises when required to do so are relatively small, sending a mixed message.

Licensees who do the right thing by ordering drunk, violent or quarrelsome patrons from their venues should be backed by appropriately tough sanctions if they are ignored.

An infringement notice for breaching s.114(2) of the *Liquor Control Reform Act* presently carries a penalty of 2 penalty units (\$233.64 at current rates). A Coalition Government will **increase the penalty** incurred under an infringement notice for a breach of this provision **by 150 per cent** to 5 penalty units (\$584.10).

OFFENCE	CURRENT (maximum)	CURRENT (on the spot)	COALITION GOVT (maximum)	COALITION GOVT (on the spot)
Failing to leave	20 pen.units (\$2336.40)	2 pen.units (\$233.64)	20 pen.units (\$2336.40)	5 pen.units (\$584.10)
Loitering in vicinity	n/a	n/a	20 pen.units (\$2336.40)	5 pen.units (\$584.10)
Returning after exclusion	n/a	n/a	20 pen.units (\$2336.40)	5 pen.units (\$584.10)