



**“You’re on Notice  
or  
Banned from the Bar!”**

**Liquor Control Amendment  
Bill 2010  
(Alcohol & Antisocial Behaviour)**

**Legislative Assembly  
Exercise LA1  
(First & Second Reading)**

**Adapted by the Parliamentary Education Office from the original text of the  
Western Australian Parliamentary Debates, 2010.**

# **“You’re on Notice! Or Banned from the Bar”**

## **TEACHER’S NOTES**

### ***Introduction***

The *Liquor Control Amendment Bill 2010* (the Bill) amends the *Liquor Control Act 1988*. The Bill introduces:

A portion of the Bill introduces Barring Notices; An initiative which is intended to regulate patron behaviour in licensed premises and reduce the incidence of anti-social behaviour and alcohol-related violence. The WA Police have the power to issue Barring Notices to individuals who are violent or disorderly, engage in indecent behaviour, or contravene any written law on licensed premises.

A person can be prohibited from entering specified licensed premises, or a specified class of licensed premises, for a period up to 12 months.

The penalty for breaching a Barring Notice can be up to \$10,000.

Other provisions raised in this Bill debate include bar owners being able to apply to the Director of Liquor Licensing to have their premises declared as a liquor restricted premises.

Other facets of the Bill introduced during this debate which are not included in this scripted debate are:

- A new licensing regime for approved managers providing flexibility for licensees and managers to move between licensed premises throughout Western Australia without application to the licensing authority.

and

- A range of technical and operational amendments to clarify certain provisions of the existing legislation and support current operational policies.

The text of this bill debate has been adapted from the Parliamentary Debates (Hansard) record of the first and second readings in the Legislative Assembly (the Lower House). It is designed for use during the class visit to Parliament and aids in explaining the key workings of the Parliament. However, the script and glossary can also be used by the class teacher as a springboard or adjunct to programs aimed at achieving outcomes set out in the Society & Environment Learning Area of the Curriculum Framework.

### ***Preparation for Role Play***

It is important that the background information contained in the Introduction and the listed glossary terms be discussed with the students. Roles can be allocated and rehearsed prior to the visit to Parliament so that the students can read their part with confidence and understanding.

**Glossary**  
(Concepts and vocabulary within the context of this exercise)

<b>Vocabulary</b>	<b>Meaning</b>	<b>Usage</b>
bill	a proposed or draft law.	<i>The bill was debated yesterday.</i>
commend	to give approval and support - (base word in <i>recommend</i> ).	<i>I commend this film to you all. It's a fantastic thriller.</i>
motion	a formal proposal – an application for a ruling.	<i>The motion is, we all wear uniform to the parade.</i>
adjourn (v)	to close a session of discussion.	<i>We will adjourn the meeting.</i>
Liquor	an alcoholic beverage that is distilled rather than fermented	<i>He often drinks liquor to excess.</i>
Aye	the old-fashioned word used for voting "Yes" in Parliament.	<i>All those in favour say "Aye".</i>
anti-social behaviour	behaviour that lacks consideration for others and that may cause damage to society, whether intentionally or through negligence	<i>Alcohol fuelled violence and anti-social behaviour will not be tolerated.</i>
barring/ barred	To ban a person from entering into a public venue for a designated period of time.	<i>You are barred from this Pub. Please leave now or I will call the Police.</i>
patron	a customer	<i>Some alcohol fuelled patrons lose control and cause violence on our streets.</i>

<i>Hansard</i>	the official written record of the debate speeches from Parliament and so named after the first British family who printed the transcript of the House of Commons.
Introduction and first reading	the House formally grants permission to a Member to introduce a bill and the Clerk then reads the long title.
Second reading <b>speech</b>	a second reading of the bill at which time the principle or purpose of the Bill is summarised and explained by the Minister or Parliamentary Secretary introducing it.
Second reading <b>debate</b>	the debate of a bill by members of the House where they express their views and may hint at changes or amendments they would like to make.
Consideration in Detail [not occurring in this role play]	a committee stage (and not technically a debate) where the Bill is considered clause by clause and changes can be suggested through motion and then voted on.
Third reading [not occurring in this role play]	the formal final reading of the Bill's long title by the Clerk in readiness for it to be delivered to the other House of Parliament, with a message seeking agreement and acceptance of the Bill.

CAST DATA SHEET  
PARLIAMENTARY DEBATES EXERCISE

**“You’re on Notice! Or Banned from the Bar”**

(18 reading roles)

Mr Peter McHUGH <b>Clerk</b> of Legislative Assembly	Mr Vince Catania <b>Member for North West</b> (Government – National Party)	Ms Adele Carles <b>Member for Fremantle</b> (Government – Independent Greens)
Hon. Grant WOODHAMS <b>SPEAKER</b> Member for Moore (Government – National Party)	Mr Mick Murray <b>Member for Collie - Preston</b> (Opposition – Labor Party)	Mr Ben Wyatt <b>Member for Victoria Park</b> (Opposition – Labor Party)
Hon. Terry WALDRON <b>Minister for Liquor, Racing &amp; Gaming</b> Member for Wagin (Government – National Party)	Mr Peter Abetz <b>Member for Southern River</b> (Government – Liberal Party)	Mr John Hyde <b>Member for Perth</b> (Opposition – Labor Party)
Mr Roger Cook <b>Member for Kwinana</b> (Opposition – Labor Party)	Mr Bill Johnston <b>Member for Cannington</b> (Opposition – Labor Party)	Ms Lisa Baker <b>Member for Maylands</b> (Opposition – Labor Party)
Dr Janet Woollard <b>Member for Alfred Cove</b> (Government – Independent)	Mr Andrew Waddell <b>Member for Forrestfield</b> (Opposition – Labor Party)	Hon. Mark McGowan <b>Member for Rockingham</b> (Opposition – Labor Party)
Mr Peter Watson <b>Member for Albany</b> (Opposition – Labor Party)	Ms Margaret Quirk <b>Member for Girrawheen</b> (Opposition – Labor Party)	Mr Murray Cowper <b>Member for Murray-Wellington</b> (Government – Liberal Party)



# Liquor Control Amendment Bill 2010 (Alcohol & Antisocial Behaviour)

## “You’re on Notice! Or Banned from the Bar”

The following scripted debate is based on the original text from the Parliamentary Debates of the 38th Parliament of Western Australia, Legislative Assembly 2010. It has been adapted by the Parliamentary Education Office to suit the needs of students.

**Best results occur when the reading roles are allocated and rehearsed beforehand.**

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### LEGISLATIVE ASSEMBLY

#### *Introduction and First Reading*

**MINISTER FOR  
LIQUOR, RACING &  
GAMING:**  
(Hon. Terry Waldron)

Mr Speaker, I move a bill for an Act to regulate patron behaviour in licensed premises to reduce the incidence of anti-social behaviour and alcohol-related harm.

I present a copy of the bill and an explanatory memorandum and I move that this bill be read a first time.

#### *Minister presents the bill document to be read for the first time.*

**SPEAKER:**  
(Hon. Grant Woodhams)

Members, the question is that the bill be read a first time.

Those in favour say “Aye” (*most members say “Aye”*).  
Those against, “Noe” (*nobody says “Noe”*)

I think the “Ayes” have it.  
The “Ayes” have it.

#### *The bill is delivered to the Clerk for its First Reading*

**CLERK:**  
(Mr Peter McHugh)

The Liquor Control Amendment Bill 2010. A Bill for an Act to

regulate patron behaviour in licensed premises to reduce the incidence of anti-social behaviour and alcohol-related harm.

**MINISTER FOR  
LIQUOR, RACING &  
GAMING:**

Mr Speaker, I move the second reading of this bill. This bill aims to provide an enjoyable, safe and protected environment for the general public and licensees. We are trying to find a reasonable balance between access to alcohol and address some of the key issues to behavioural controls such as barring notices.

Mr Speaker, we have worked with the Australian Hotels Association to iron out any problems surrounding barring orders issued by the Commissioner of Police to target those people displaying anti-social behaviour and banning them from one or more licensed venues for up to a month with no right to appeal. Also a photograph of the offending person will be posted on a secure website which can only be accessed by Police and the Licensees.

This bill contains a number of law and order amendments that are aimed at minimising the incidences of antisocial behaviour in and around licensed premises.

Mr Speaker, I commend this bill to the House.

**ALL MEMBERS**

HEAR! HEAR!

**Member for  
Girrawheen**  
(Ms Margaret Quirk)  
**SPEAKER**

Mr Speaker!

The Member for Girrawheen

**Member for  
Girrawheen**

Mr Speaker, I move that this debate be now adjourned.

**SPEAKER**

Members, the question is that the debate be adjourned.

Those in favour say "Aye" (*most members say "Aye"*).  
Those against, "Noe" (*nobody says "Noe"*)

I think the "Ayes" have it.  
The "Ayes" have it.

( 3 weeks later)

## LEGISLATIVE ASSEMBLY

Debate resumes

**Member for Kwinana**  
(Mr Roger Cook)

**SPEAKER**

Mr Speaker!

The Member for Kwinana

**Member for Kwinana**

Alcohol is a drug like any other that afflicts our community: it is freely available socially; it is abused; and is used at a huge cost to our society both in terms of health and social impacts. But unlike other drugs, alcohol is legal in our community.

Alcohol affordability and the marketing of alcohol to our young people and their corresponding behaviours are cause for great concern.

Alcohol abuse is a significant problem and as a community we have to start getting serious about it.

Barring notices are just one of many areas we need to address as a community

**Member for Girrawheen**

**SPEAKER**

Mr Speaker!

The Member for Girrawheen.

**Member for Girrawheen**

Under the proposed barring system in this bill, the Commissioner of Police can post details of a person including a photograph to appear on a website.

The problem with this method is that internet information lasts forever and if someone has a barring notice against him and the allegation is withdrawn, it will still be on the internet.

We support this bill however; there is a need for some restriction on who has access to that material.

**Member for Victoria Park**  
(Mr Ben Wyatt)

**SPEAKER**

Mr Speaker!

The Member for Victoria Park

**Member for Victoria Park**

I have an inner-city electorate that has some big pubs and some small wine bars. Regularly when those pubs close, some alcohol fuelled patrons cause problems when they spill out into neighbouring residential streets keeping police busy on Friday and Saturday nights.

However, having spoken to students in my electorate, it seems that younger Western Australians are more aware of the consequences of alcohol abuse. Education and alcohol awareness in this instance has paid off!

The opposition supports this bill. However, creating barriers to limit access to licensed premises and liquor will not necessarily

result in reduced alcohol consumption.

**Member for Forrestfield**  
(Mr Andrew Waddell)  
**SPEAKER**

Mr Speaker!

The Member for Forrestfield

**Member for Forrestfield**

I agree with the Member for Victoria Park!

This bill is about restriction. If we restrict the number of places where people can drink then we will see people roaming the streets, which is a recipe for greater crime and violence simply because in some areas there is no access to public Transport or taxis in the early hours of the morning. We need to open things up, break the barriers down, reduce the regulation and allow commonsense to prevail!

**Member for North West**  
(Mr Vince Catania)  
**SPEAKER**

Mr Speaker!

The Member for North West

**Member for North West**

This bill has amendments that will work well in the electorate of North West, particularly with issues relating to alcohol fuelled violence and crimes that arise from it. This bill allows tenants and landlords to apply to the Director of Liquor Licensing to have alcohol barred from their premises. That is a fantastic move by this government!

**Member for Perth**  
(Mr John Hyde)  
**SPEAKER**

Mr Speaker!

The Member for Perth

**Member for Perth**

I commend the Minister for introducing amendments to the current Liquor Control Act. My electorate of Perth has the city's vast majority of licensed venues.

We have an issue with people leaving major alcohol-free events, such as Skyworks or sporting venues, where crowds are continuously consuming alcohol in our streets and café areas whilst walking back to the car park. The ability of police to seize and dispose of unopened liquor in a public place is important. Local residents should enjoy the ambience of their streets and not have it destroyed by people who misuse alcohol.

**Member for Southern River**  
(Mr Peter Abetz)  
**SPEAKER**

Mr Speaker!

The Member for Southern River.

**Member for Southern River**

I am particularly pleased to see that the bill contains a number of law and order amendments that are aimed at minimising the incidence of antisocial behaviour in and around licensed premises. The provision for the Commissioner of Police to issue barring notices to individuals will be a very useful tool in controlling behaviour.

I support the Bill!

**Member for Maylands**  
(Ms Lisa Baker)

**SPEAKER**

Mr Speaker!

The Member for Maylands.

**Member for Maylands**

I find myself agreeing with the member for Southern River on one of those rare occasions, and I will remember it for a long time, I am sure! Alcohol is the most understated drug and certainly the most under policed in our society. We need to do a range of things to address the problems that alcohol creates in our society.

**Member for Fremantle**  
(Ms Adele Carles)

**SPEAKER**

Mr Speaker!

The Member for Fremantle.

**Member for Fremantle**

I understand that the Minister's barring notices include access to published photographs of offending patrons on a restricted website to Police and Licensees. However, many staff members will be able to access that site. I am very concerned how they may misuse that information and potentially publish it in various other forms. The legislation will also place a legal obligation on bar staff to know which people have been barred.

**Member for Cannington**  
(Mr Bill Johnston)

**SPEAKER**

Mr Speaker!

The Member for Cannington

**Member for Cannington**

I ask the Minister a number of questions regarding barring notices. How can a publican identify a person who has been banned? And, how does a publican know that person is there?

**MINISTER FOR LIQUOR,  
RACING & GAMING:**

The person's details will be on the secure website!

**Member for Cannington**

That is not what I am asking Minister!

If a barred individual turns up at a pub with large crowds with people coming and going how are bar staff going to police this? Perhaps a system at the door would be appropriate, whereby the publican scans a person's form of ID as they enter the premises, which could then flag a banned patron.

Keeping such considerations in mind, the opposition will support this Bill.

**Member for Albany**  
(Mr Peter Watson)

**SPEAKER**

Mr Speaker!

The Member for Albany

**Member for Albany**

I too support the Liquor Control Amendment Bill. It is great that licensees can bar people from nightclubs and hotels. I think that as the Parliament and as Western Australians we should be doing more to look after our youth!  
Mr Speaker!

**Member for Alfred Cove**  
(Dr. Janet Woollard)

**SPEAKER**

The Member for Alfred Cove.

**Member for Alfred Cove**

I am pleased to support this bill. Throughout debate on this bill many aspects relating to alcohol have come up. I am very hopeful that these amendments will go some way towards reducing some of the harm caused to the community by alcohol abuse.

**Member for Collie-Preston**  
(Mr Mick Murray)

**SPEAKER**

Mr Speaker!

The Member for Collie – Preston

**Member for Collie-Preston**

Another issue is glassing which is my primary concern. It grieves me to see photos of people, mainly young, with scars on their faces that will be there for a lifetime. The people who inflict these injuries should be barred immediately from entering the premises for 1 year or more! The use of tempered or polycarbonate glass should also be introduced in this state as an urgent action.

I support the bill and the barring notice idea is feasible.

**Member for Rockingham**  
(Hon. Mark McGowan)

**SPEAKER**

Mr Speaker!

The Member for Rockingham.

**Member for Rockingham**

Mr Speaker, there could be confusion in identifying people. The Minister might be surprised to know that sometimes people look alike. It would be easy for bar staff to confuse a banned patron from a regular punter and the question would then be asked, "Is that the guy on the website or is that someone else?"

Mr Speaker, I have some photographs of members with look-alikes which I will table because the similarities are uncanny! For instance, I have a photo of the member for Murray–Wellington.

Members may think that nobody in the world looks like this member!

But I found a perfect match: Bill Murray of *Ghostbusters*! Check it out! They are identical.

**Member for Murray-Wellington**

Always the charmer Member for Rockingham! I can't think of anyone in the world who would look like you and that's not a bad thing.

**Member for Rockingham**

I thought you'd like that Member for Murray-Wellington however I have more.

**Member for Murray-Wellington**  
**SPEAKER**

No more about me I hope!

Member for Rockingham, I am giving you leeway but make it quick!

**Member for Rockingham**

I only have a couple more, Mr Speaker. You do not feature, so you will enjoy this very much!

I have a photograph of the Leader of the National Party and he's not an unpleasant looking fellow.

However members might remember the show *Red Dwarf* and its character Rimmer, who is well known on *Red Dwarf* as the biggest loser in the universe. The Leader of the National Party and Rimmer are virtually identical!

And finally, I have a photograph of the Attorney General, that well-known, gaunt, skinny-featured bloke who is almost robotic in appearance. The Attorney General looks like the robot from *I, Robot*. The only difference between the two photographs is that the robot shows more humanity and compassion with members of the public than does the Attorney General.

**Member for Alfred Cove**

Point of Order Mr Speaker! I don't see how insulting members of this house bears any relation to the issue of Barring Notices in Pubs!

**Member for Rockingham**

Get a sense of humour Member for Alfred Cove!

**SPEAKER**

There is no Point of Order but I suggest the Member for Rockingham completes his comments.

**Member for Rockingham**

Yes Mr Speaker, The point I am trying to make with a bit of humour, is that it's easy to manipulate photographs and bar staff could easily get confused with look-alikes. Also, this website could be an insidious way for Australians to develop a dob-in culture.

**SPEAKER**

The Minister for Liquor, Racing and Gaming.

**MINISTER FOR LIQUOR,  
RACING & GAMING:**

Thankyou Mr Speaker. People have a wide range of views on where they think we should go on alcohol. How we balance the desire of people to go out, have a good time and drink alcohol with controlling the effects and damage that alcohol causes is where I think every member of this place wants to get to. That is what this bill is all about.

I think it's safe to say that this bill has had very thorough coverage and I thank the members for their input!

Mr Speaker, I move this bill be now read a second time!

**SPEAKER**

Members, the question is that the bill be read a second time.

Those in favour say "Aye" (*most members say "Aye"*).  
Those against, "Noe" (*nobody says "Noe"*)

I think the "Ayes" have it.  
The "Ayes" have it.

**Clerk** Liquor Control Amendment Bill 2010. A Bill for an Act to regulate patron behaviour in licensed premises to reduce the incidence of anti-social behaviour and alcohol-related harm.

This bill received leave from the House to proceed directly to its third reading.

The bill was read a third time, on motion by **the Minister for Liquor, Gaming & Racing** and transmitted to the Legislative Council for their consideration.

In the Legislative Council, after debate, it was passed without amendment on Wednesday, 25 November 2010.

The bill was given Royal Assent by the Governor, His Excellency Dr Ken Michael on 8 December, 2010.