

MULTI-VENUE BARRING POLICY (MVBP)

All venues in the Coffs Harbour Liquor Accord have implemented the following 'Multi-Venue Barring Policy' known as the MVBP, to reduce alcohol related violence, anti-social behaviour and other alcohol related harm in and around licensed premises.

- 1 Persons who are involved in any of the following behaviour on or near accord venues may be subject to a barring from all premises under this MVBP:

- a. Actual Bodily Harm
- b. Aggravated indecent assault
- c. Assault
- d. Assault officer
- e. Assault with intent to have sexual intercourse
- f. Grievous bodily harm
- g. Indecent assault
- h. Kidnapping
- i. Manslaughter
- j. Murder
- k. Riot & Affray
- l. Sexual assault
- m. Shoot with intent to murder
- n. Violent disorder
- o. Other offences as determined by the Coffs Harbour Liquor Accord.

NOTE: The right for a licensee of any premise that is a member of the Coffs Harbour Liquor Accord to bar a person under this MVBP is based upon their rights as set out in s.77(13) of the Liquor Act 2007.

- 2 In the case of offences occurring as outlined in schedule (1), the local NSW Police will be contacted immediately. On arrival the police will be supplied with the barring notification and full known details of the person committing the offence. The NSW Police will be required to serve the barring notice to the offender.
- 3 If the offender is not present the barring notice will remain in police possession until such time they are able to serve the notice.
- 4 A licensee (or delegate) of any licensed premises that is a financial member of the Coffs Harbour Liquor Accord will submit the details of a person they have barred for any reason. The submission should include the name, police event number, address (if known), description and/or photo of the person for

which the barring is applicable, combined with a summary of the circumstances leading to the request. Where possible, the barring should be accompanied by supporting evidence such as incident register logs, CCTV or witness statements.

- 5 All barring's take effect immediately. Once barred, information will be uploaded to the Coffs Harbour Liquor Accord website by the barring venue. This information is only accessible by financial members of the Coffs Harbour Liquor Accord. Notification of the barring will be distributed via email to venue representatives.
- 6 All barring's will be for a minimum period of 1 year. The barring will be reviewed by a panel of Liquor Accord representatives ("The Panel"). The panel will meet prior to each Liquor Accord meeting. The panel will be comprised of four Accord representatives (as elected) plus the licensee (or representative) issuing the barring notice.
- 7 Accord stakeholders including police who are from public sector agencies, as defined by the *Privacy and Personal Information Protection Act 1998*, will not be voting members of the panel. They can, however, be requested to attend any panel session and provide expert advice.
- 8 When considering the final barring decision, the panel will consider:
 - a) the seriousness of each incident.
 - b) the cumulative impact of all incidents.
 - c) the acceptance or not of wrongdoing by the person.
 - d) the likelihood of further incidents.
 - e) any restitution or penalty already paid by the person.
 - f) whether aggravating circumstances occurred such as a failure to comply with police/staff instructions.
 - g) any other information which is relevant.
- 9 Any barring period will be determined in consideration of the guidelines adopted by the Coffs Harbour Liquor Accord and attached to this MVBP. However, these are a general guide and should not be regarded as inflexible. Where appropriate, longer or shorter periods may be agreed upon.
- 10 If the initial barring period is changed by the panel, the Police will be provided with an updated notice to serve on the offender. Barred persons will also be notified in writing, with the logo of the Coffs Harbour Liquor Accord appearing in lieu of the name of the accord chairperson.
- 11 Where the address of the barred person is not known, the accord will take all reasonable steps to ascertain the address and notify the person of the barring.

- 12 Each licensee of the Coffs Harbour Accord that participates agrees to exercise their common law right to refuse entry or remove the person for the period determined by the panel. This does not prevent licensees from implementing a longer barring period for their individual venue.
- 13 The barred person will be afforded an opportunity to make a written submission in reply. Note: No personal appearance will be made.
- 14 Any request for a review must be made in writing within 30 days of the date of the notification, addressed to the Coffs Harbour Liquor Accord and include supporting statements/material. The barring period remains in effect until the review is determined.
- 15 In reviewing the barring period, the panel will give consideration to all relevant information in accordance with this MVBP. The panel will then determine whether to uphold, remove or vary the barring. This could include increasing the barring period.
- 16 The barred person will receive written notification of the review decision, including confirmation of any barring period in effect.
- 17 A barring notice issued in accordance with this MVBP may be delivered by mail (if the address is known to the Accord), upon attendance at any of the premises where the identity is known, or by NSW Police Force officers
- 18 A notice of the MVBP will be displayed prominently near each entrance of all participating venues to notify persons of this MVBP. This will include specific information in relation to the use of any personal information collected being only for the operation of this MVBP.
- 19 Any amendments to this MVBP can only be made through the consensus of members of the Coffs Harbour Accord, as detailed in the accord constitution.