



## **MEDIA RELEASE**

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Wednesday 27 January 2016

### **NEW ENGLAND HOTEL CONVICTED OF INTOXICATION AND SECURITY GUARD LICENCE BREACH**

The licensee of the New England Hotel in Armidale has been convicted of selling alcohol to an intoxicated person and breaching a licence condition requiring security guards to continually patrol a 50-metre boundary around the venue after 1.30am.

On 25 July 2015, inspectors from the Office of Liquor, Gaming & Racing (OLGR) conducted a covert inspection of the hotel. About 11.55pm, inspectors observed an intoxicated male patron swaying near the bar. The intoxicated male ordered three vodka drinks and had to be assisted in counting his money to pay, and then required further assistance of his friends to guide him back to his table. The intoxicated male then fell sideways into a friend's lap and was later observed skolling his drink.

Only when OLGR inspectors identified themselves to a bar staff member and asked him to assess the intoxicated man did hotel staff intervene and require him to leave.

The intoxicated man advised police he consumed 12 to 14 beers during the night.

From about 2am, OLGR officers observed security guards standing around the hotel doorways but failing to conduct mobile patrols outside. A condition of the hotel's licence states that from 1.30am two licensed uniformed security personnel are to continually patrol an area 50 metres from the boundary of the licensed premises. This is to ensure there is no disturbance to the neighbourhood from patrons leaving the hotel.

At the time security guards should have been patrolling, inspectors observed large groups of patrons loitering at the western end of the mall and at the taxi rank and making a considerable amount of noise.

As a result of the breaches, two penalty notices were served on the licensee of the New England Hotel, Ingham-Myers Hotels Pty Ltd, for selling alcohol to an intoxicated person and failing to comply with a licence condition. The bar worker who served the intoxicated man was also issued with a penalty notice for selling alcohol to an intoxicated person.

The hotel challenged the penalty notices but pleas of guilty were later lodged on all three offences and on 25 January 2016 the matter was dealt with in Armidale Magistrates Court.

In sentencing, Magistrate Michael Holmes said a liquor licence was a privilege not a right, alcohol-related violence was a significant community issue, and a lack of proper security patrols can lead to problems if incidents occur.

Mr Holmes said a strong message needed to be sent to ensure licensees comply with their legal and social obligations and to ensure future compliance with licence conditions and the liquor laws.

On the selling alcohol to an intoxicated person charge, the licensee was convicted and fined \$3,000 and ordered to pay a further \$560 in professional costs. On the licence breach, the licensee was convicted and fined \$2,000 and ordered to pay professional costs of \$560.

The bar employee was convicted and fined \$500 and ordered to pay professional costs of \$560.

As a result of the sell to an intoxicated person conviction, the hotel will now be considered for a second strike under the Three Strikes disciplinary scheme by OLGR. The hotel, which was previously listed on the state's violent venues list, incurred a first strike after it was caught using glass after midnight in September 2013 in breach of a requirement placed on violent venues.

OLGR Acting Director of Compliance and Enforcement Sean Goodchild said: "A liquor licence carries with it great responsibility. It is important that all licensed venues abide by their licence conditions and the liquor laws to prevent alcohol-related harm and impacts on their local communities."

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