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MEDIA RELEASE

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THREE STRIKES AND YOU'RE OUT PASSED BY PARLIAMENT

Licensees repeatedly found guilty of serious liquor offences are on notice that their licence is at risk following the passing of key legislation by Parliament to introduce the NSW Government's Three Strikes and You're Out scheme.

Minister for Tourism and Major Events, Hospitality, Racing and the Arts, George Souris, said the Upper House last night passed the final stage of the *Liquor Amendment (3 Strikes) Bill 2011* which imposes some of the toughest ever sanctions on irresponsible pubs, clubs, liquor stores and night clubs that continually putting the safety of patrons and the broader community at risk.

"This strict new scheme targets those licensees wilfully or knowingly committing serious offences and is the centrepiece of the Liberals and Nationals' election commitments to reduce alcohol-related violence and anti-social behaviour. We have delivered on this significant promise," Mr Souris said.

"The Government will now take action to implement this scheme as soon as possible.

"All licensed premises need to understand the potential consequences of this policy and the Office of Liquor, Gaming and Racing will make it clear to venues what sort of offences are captured by the scheme and when and how strikes are imposed.

"Upon conviction the first strike is automatic and the licensee will be on a path which could lead to the ultimate sanction of licence cancellation if they don't lift their game.

"Following extensive consultation and revision of the original draft Bill, we are confident that we have struck the right balance with this policy to ensure it targets rogue operators and does not adversely impact on responsible licensees.

"A venue will incur a first strike upon being convicted of one of a range of serious liquor offences, including knowingly permitting intoxication, violence and illicit drugs on the premises, supplying alcohol to a minor and breaching key liquor licence conditions.

"A second and third strike can be incurred upon further serious offence convictions within three years.

"A third strike can result in licence suspension for up to a year, licence cancellation and a moratorium on a new liquor licence being granted to the venue for up to 12 months, or disqualification of a licensee for any period of time.

"In the case of a registered club a third strike can result in disqualification of a club secretary, dismissal of any or all of the club directors or the appointment of an Administrator to take over the management of the club.

“Venue size and capacity, change of licensee and business practices, compliance and incident history, and crime statistics will be taken into account.

“To provide escalating penalties and restrictions, conditions will be imposed on licensed venues in response to the behaviour that led to strikes being incurred such as bans on glass, lockouts, drink restrictions and reduced trading hours.

“Licensed venues will also be able to seek reviews of decisions to impose strikes. A second strike may be reviewed by the Casino, Liquor and Gaming Control Authority and a third strike by the Administrative Appeals Tribunal.

“The Office of Liquor, Gaming and Racing will maintain a public registry of strikes, providing a transparent scheme where venues are named to provide incentive to licensees to avoid strikes and inform patrons of venues where offences have led to strikes.

“Effective protocols are also being established between OLGR, NSW Police and the Attorney General’s Department to ensure the currency and accuracy of convictions used in the scheme.

“The Three Strikes and You’re Out policy is all about protecting local communities from incidents of unacceptable alcohol-related behaviour.

“It’s part of new individual personal responsibility laws and increased police powers to protect local communities from irresponsible behaviour by lawless individuals.

“The Government’s message to the liquor industry is that well-run venues implementing effective measures to prevent violence, intoxication, underage drinking and illicit drug use minimise the risk of strikes being incurred.

“We are determined to weed out rogue operators – a small minority of NSW licensees – who repeatedly commit serious liquor offences that lead to violence, anti social behaviour and neighbourhood disturbance.”