

Victoria Police Manual – Procedures and Guidelines

Policing licensed premises

Source Policy

These procedures and Guidelines support and must be read in conjunction with the following:

- Liquor Control Reform Act 1987
- VPMP Public Order
- VPMG Liquor Control

Application

Procedures and Guidelines are provided to support the interpretation and application of rules and responsibilities. They include recommended good practices and assessment tools to help employees make lawful, ethical and professional decisions. Employees should use the **Professional and ethical standards** to inform the decisions they make to support interpretation of Procedures and Guidelines.

Procedures and Guidelines are not mandatory requirements on their own. However, where rules and responsibilities state that employees must have regard to Procedures and Guidelines, the Procedures and Guidelines must be used to help make decisions in support of the rules.

These guidelines apply to:

- Liquor Licensing Inspectors/Local Area Commander
- Licensing Sergeants
- Sub Officers

Procedures and Guidelines

1. Overview

The role of Victoria Police is to monitor and enforce the requirements of the *Liquor Control Reform Act 1998* (LCRA) by ensuring the licensees operate within the law.

The policing of licensed premises occurs at a local level under the direction of the Local Area Commander (LAC), who is also the Licensing Inspector for the purposes of the LCRA. (For the purposes of this document LAC may be taken to mean the Licensing Inspector)

The LCRA provides Victoria Police with a range of enforcement options:

- Victoria Police can enforce breaches to liquor licensing laws through verbal and written warnings, the issue of infringement notices and undertaking prosecutions at the Magistrates Court.
- Victoria Police is also responsible for assessing liquor licence applications to determine whether they should be contested on the grounds provided by the LCRA.

2. Framework for policing licensed premises

The following framework outlines the roles, actions and responsibilities in policing licensed premises. The aim of the framework is to reduce alcohol related violence and public disorder associated with licensed premises in Victoria. To be successful, the framework requires collaborative partnerships between government agencies, licensed premises and Police Service Areas (PSA).

Role & Approach	Actions	Responsibility
Prevention - Police to evaluate self regulation among compliant licensees to prevent future harms from occurring.	Victoria Police's Operations Support Division, implements a robust and thorough evaluation system allowing for continuous improvement within the framework.	- Licensing Enforcement Unit Management - Victorian Commission for Gambling and Liquor Regulation (VCGLR) - LAC
Education/Early Intervention - Implement positive initiatives to educate the licensees and the community about alcohol related harm.	- Educating and raising awareness within the community about alcohol related harm. - Inform licensees of education available via VCGLR. - Engage with licensees to educate and establish their needs. - Regular training programs conducted for Licensing Inspectors, Sub Officers and those members performing licensing duties. Specific guidelines to assist members establishing Liquor Licensing forums and accords.	- Youth Resource Officers - LAC
Strong and timely enforcement - Police actions that will prevent new and emerging risks at licensed premises from escalating	- Apply the Licensed Premises Harm Prevention and Enforcement Model (flowchart); see section 3.3. - Issue verbal warnings to licensees for non serious breaches. - Submission of Licensed Premises Incident Reports through Interpose - LACs work with local councils to restrict the number of licensed premises in an area, improve transportation hubs and investigate the potential to install CCTV in public areas. - Contest new liquor licenses and applications to extend trading hours of existing licenses where the licence will impact on the amenity of the area and/or encourage harmful alcohol consumption.	- Liquor Licensing Unit (Transit and Public Safety Command) - LAC - Licensing Sergeants - Operations Support Division - RAZON TASKFORCE-OIC
Effective evaluation - Police actions that will influence the policy, regulatory and legislative environments to improve our capacity to deter and detect, and deal with the risk of harm associated with licensed premises.	- Targeted compliance checks to discuss emerging issues with licensees. Assist to identify causes and develop resolutions. - Develop partnerships with local councils and community representatives to collaboratively assess the impacts of new liquor licence planning permit applications. - Examine ways to improve the capacity of the VCGLR to support Victoria Police. - Submit recommendations for policy and legislative changes to the Victorian Government.	Operations Support Division Management in consultation with: - Consumer Affairs Victoria - Business Licensing Authority - Vic Health - Local Traders Associations/ Licensees/ Crowd Controllers and patrons

3. Prevention of harm and enforcement options

3.1 Overview

The following information details the course an LAC should take to prevent harm and the appropriate use of enforcement options. Details include how a risk rating is applied to licensed premises and the enforcement options available.

3.2 Alcohol Harm Index

The Alcohol Harm Index is an intelligence tool used to assess a premises level of risk. The index records levels of alcohol related harm by rating levels of harm emanating from licensed premises. This information is extracted from LEAP and used to create a venue profile. Specific crimes against the person/venue are given a numerical score dependent on the seriousness of the crime and these scores are collated to represent the annual 'Alcohol Harm Index' for a specific venue. The numbers dictate the colour of the venue, which range from low to extreme risk.

Number of offences	Level of risk	Colour
1 – 4	Low	Green
5 – 9	Medium	Yellow
10 – 14	High	Orange
15 +	Extreme	Red

The index provides valuable data for not only Operations Support Division, but for all LACs. Contact the Manager of Taskforce RAZON to help identify trends within individual PSAs and to identify strategies to assist.

Once the level of risk which the venue falls into has been established, the Licensed Premises Harm Prevention and Enforcement Model (flowchart) should be followed.

3.3 Licensed Premises Harm Prevention and Enforcement Model

The key objective of the Licensed Premises Harm Prevention and Enforcement Model (flowchart) is to establish a broad principle based approach to alcohol related harm management which can be drawn on to identify the most appropriate combination of initiatives to meet local PSA needs.

The Licensed Premises Harm Prevention and Enforcement Model provides specific information in relation to the range of enforcement options available based on a premises level of risk. The model is supported by policy within the Victoria Police Manual to assist with licensing responsibilities and navigation of the options available. Having a range of enforcement options has been shown

to support compliance with the law. It is based on the principle that compliance will be enhanced by utilising the most appropriate enforcement option available to address the licensee's behaviour and type of offence committed.

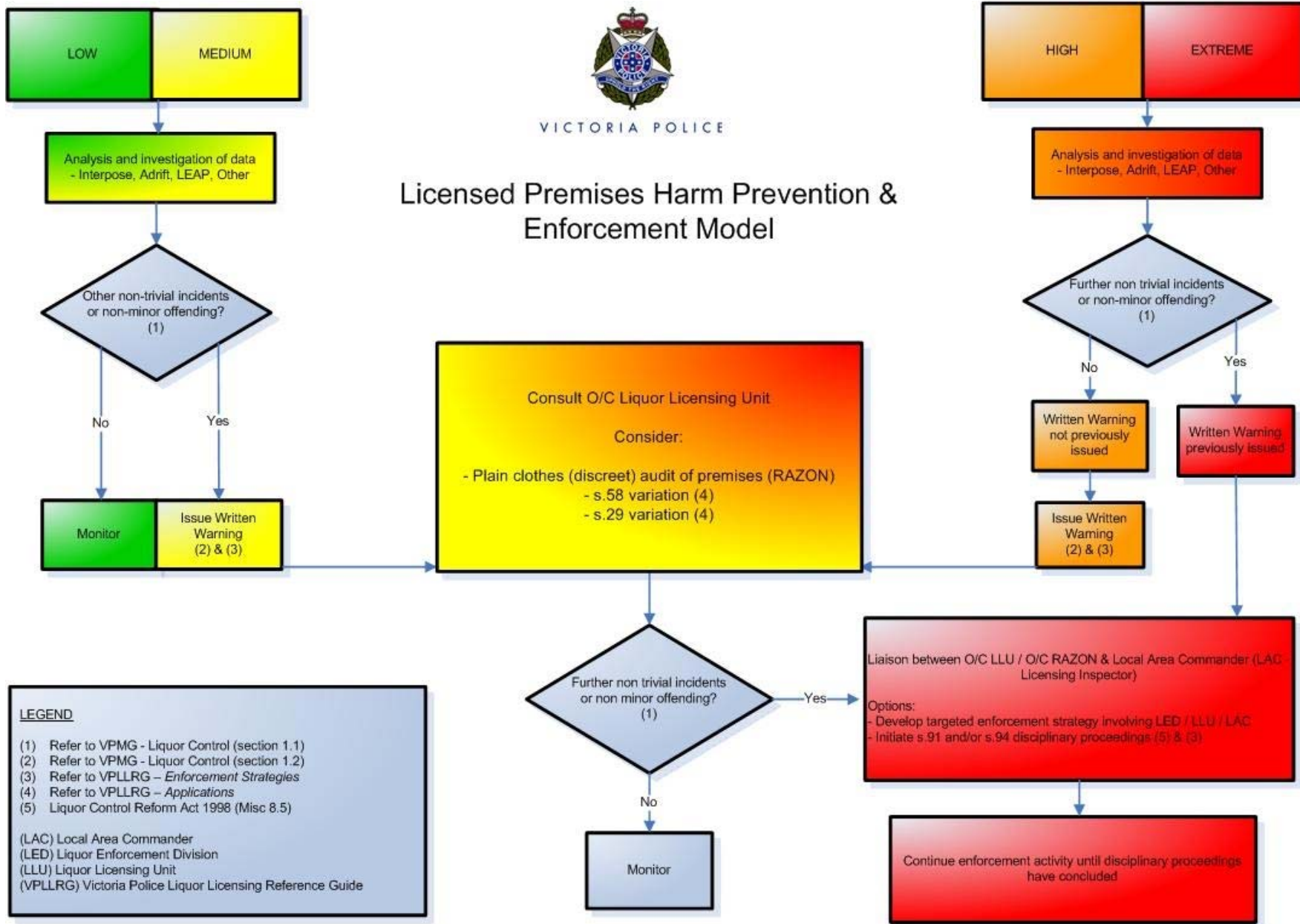
Licensed Premises Harm Prevention and Enforcement Model is a step by step guide for LACs to determine the most appropriate enforcement option to use based on the premises level of risk. This model is to be used as a guide. It is not prescriptive and allows for LAC discretion as best suited to each PSA.

It should be noted that the Liquor Licensing Unit referred to in the flowchart is located in Transit and Public Safety Command.



VICTORIA POLICE

Licensed Premises Harm Prevention & Enforcement Model



4. Undertaking enforcement action

The investigating member must ensure that the following is undertaken:

- completion of appropriate VP Forms and LEAP reports
- consultation with Operations Support Division Inspector
- completion of Licensed Premises Incident Reports
- any other documentation required by:
 - **VPMG Liquor control**
 - **VPMG Infringement notices and official warnings.**

Any follow up action in relation to any enforcement action is taken in accordance with **VPMG Liquor Control**.

Documentation is to be retained and maintained in accordance with **VPMP Information review, retention and disposal**.

Quick Links

- VPMP Disposition of Offenders
- VPMP Public order
- VPMG Infringement notices and official warnings
- VPMG Liquor control
- Delegations and authorisations under the *Liquor Control Reform Act 1998*.

Further Advice and Information

For further advice and assistance regarding these Procedures and Guidelines, contact Liquor Licensing Unit, Operations Support Division and RAZON TASKFORCE-OIC.

Update history

Date of first issue	27/5/13 [Force File 070442]	
Date updated	Summary of change	Force File number
18/11/13	References to redundant instruments following IMSSD review have been updated with corresponding new instruments.	069562/11