

POLICY

Title: Patron Refusal of Entry, Removal and Banning

CATEGORY: EVENTS AND SERVICES

OWNER: VENUES
VENUE MANAGEMENT DIRECTORATE

REFERENCE: D20/1376

POLICY STATEMENT

VenuesWest is committed to providing a safe, enjoyable and low risk environment for all patrons and staff and as such, entry into a venue is subject to specific conditions.

VenuesWest reserves the right to refuse entry, remove from a venue and/or issue a temporary suspension or ban to patrons where their behaviour and conduct contravenes the Conditions of Entry requirements.

This policy is to be read in conjunction with the:

- EVENTS AND SERVICES - Conditions of Entry Policy
- EVENTS AND SERVICES – Patron Refusal of Entry, Removal and Banning Procedure
- RISK AND SECURITY MANAGEMENT – Public Safety and Security Policy

SCOPE

This policy applies to patrons attending self-managed venues.

This policy does not apply to co-managed and partner managed venues. However, the contractual mechanisms in place will be used to ensure that the related policy resources at those venues address the core components of this policy.

OBJECTIVE


This policy aims to outline the circumstances under which VenuesWest may:

- refuse a patron entry to a venue;
- remove a patron from a venue including issuing a temporary suspension; and/ or
- issue a complete ban to a patron.

PRINCIPLES

The following principles will guide the decisions and actions taken when managing risks associated with patron behaviour and conduct:

GENERAL

1. Expected standards of behaviour and conduct will be communicated via the Conditions of Entry to ensure patrons are informed of their responsibilities.
 2. Event and service delivery planning will incorporate strategies to mitigate risks associated with patron behaviour and conduct.
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3. Processes implemented for the management of incidents involving patrons will incorporate the principles of natural justice and actions taken will be proportionate to the nature and seriousness of the incident.
4. Decisions relating to breaches will be determined by an authorised delegate and be managed to ensure legislative requirements are met.

REFUSAL OF ENTRY

1. Where an individual is refused entry to a venue, they are to be given a clear indication by the staff at point of entry the reason for the refusal and referred to the Conditions of Entry.
2. Where the refusal is contested the matter will be referred to a senior staff member on site or security staff if appropriate.
3. Any decision on admission later the same day must be made by the senior staff member on site or security staff considering the rationale for the previous decision.
4. Each case will be considered on an individual basis.

REMOVAL OF PATRON

1. Where it is determined an individual must be removed from a venue, immediate action will be taken to minimise the risks to others.
2. Removal will be undertaken by security staff or a senior staff member on site with assistance as required.
3. Individual discretion should be used regarding police involvement.
4. Those removed should be given a clear indication of the reason for the removal and referred to the Conditions of Entry.
5. Removal is not negotiable and will apply for a period of 24 hours to the venue (including surrounding car park where applicable).

SUSPENDING OR BANNING A PATRON

1. When considering whether to issue an interim suspension or ban a patron the following will be considered:
 - a) The seriousness of the incident
 - b) The cumulative impact of all incidents
 - c) The acceptance or not of wrongdoing by the patron
 - d) The likelihood of further incidents
 - e) Any action already taken
 - f) Whether or not there was police involvement
2. The powers of VenuesWest are without prejudice to any other legal remedy that licensees may have in relation to the patron.
3. The term of the interim suspension will align with the time taken to investigate, report and obtain a decision from the authorised delegate.
4. The total length of the ban will be decided by the relevant delegate as defined in the VenuesWest Delegation Instrument.
5. Banned patrons will be notified in writing and given the opportunity to formally request an independent review via appeal.
6. Should a ban appeal application be lodged the interim suspension will continue for the duration of the independent review.

AUTHORITY

Western Australian Sports Centre Trust Act 1986

Liquor Control Act 1998

Liquor Control Regulations 1989

DELEGATION

Delegation Instrument – Item 17: Refusal of Entry

DEFINITIONS

WORD	MEANING
Authorised Delegate	Role/s which have: <ul style="list-style-type: none">– undertake the front-line assessment and management of incidents relating to contraventions of the Conditions of Entry– formal delegated items for decision-making in the VenuesWest Delegation Instrument.
Closed Circuit Television (CCTV)	A surveillance system in which several cameras are connected through a closed circuit. The footage taken by the cameras is sent to a television monitor or recorder.
Co-managed Venues	Venues that are licensed for operation to a third party in cooperation with VenuesWest and with shared accountability for management, operation and financial outcomes.
Conditions of Entry	The approved rules and regulations patrons must abide by to obtain entry and upon entering a venue
Licence	A form or contract under which VenuesWest gives formal permission for an Entity to enjoy non-exclusive use of specified VenuesWest facilities for a defined period.
Licensee	The venue or facility hirer for a specific event (e.g. FFA and Cricket Australia)
Natural Justice	An administrative law principle which applies to any decision-making involving the rights or legitimate expectations of an individual. Natural justice has three rules: <ul style="list-style-type: none">– BIAS RULE: decision-makers (the authorised Delegate, Case Manager and Investigator) are to be objective, act fairly and free of bias and have no vested or direct personal interest in the outcome of the process;– HEARING RULE: the employee is to be informed of the substance of any allegation; provided reasonable opportunity to respond to allegations or decisions affecting them; and for their responses to be genuinely considered.– EVIDENCE RULE: decisions are evidence based on the balance of reasonable probability and irrelevant considerations are excluded when making a decision.
Partner-managed Venues	Venues owned by VenuesWest which are operated and managed under an agreement.
Patron	An individual who attends an event or enters a venue; whether as the holder of a ticket or otherwise and/or using VenuesWest property or facilities.
Security Personnel	Personnel engaged through supplier contractual arrangements to undertake security responsibilities for general operations or event modes as required.
Self-Managed Venues	Venues owned, managed and operated by VenuesWest.
Senior Staff Member	A more senior Line Manager or Event Manager on duty to which a matter can be referred or escalated for appropriate advice or action at the time of a decision relating to refusal of entry or removal from a venue.
Venue and Event Managers	Representatives of VenuesWest delegated with responsibilities for monitoring and ensuring Conditions of Entry are enforced at venues during normal business operations and events.



PRIVACY

VenuesWest collects information for the purpose of establishing and maintaining employee and personnel records. Personal information will not be passed onto any third party unless prior approval is obtained from the individual or unless legally required to do so. Information is collected in accordance with the principles of the *Freedom of Information Act 1992 (WA)* and the *Privacy Act 1988*.

RELATED RESOURCES

Overarching Policy / Supporting Procedures or Resources

EVENTS AND SERVICES – Refusal of Entry, Removal and Patron Banning Procedure

Related Policies

EVENTS AND SERVICES – Conditions of Entry

RISK AND SECURITY MANAGEMENT – Public Safety and Security

EXTERNAL RELATIONS – Customer Service and Feedback Policy

GOVERNANCE – Privacy Policy

EXTERNAL RELATIONS – Media Policy

OSH – Occupational Safety and Health

RISK AND SECURITY MANAGEMENT – Risk Management

Related Procedures

RISK AND SECURITY MANAGEMENT – CCTV Operations Procedure

RISK AND SECURITY MANAGEMENT – Visitor Management Procedure

Related Legislation or Standard

Occupational Safety and Health Act 1984

Occupational Safety and Health Regulations 1996

Surveillance Devices Act 1998

Related Policy, Regulations or Guidelines

[Football Federation Australia \(FFA\) – National Banning Regulations](#)

Forms, Instructions, Standard Letters or Memorandum

FORM – Patron Ban Recommendation

TEMPLATE – Patron Ban Notification Letter

FORM – Patron Ban Appeal Application

TEMPLATE – Appeal Findings Notification Letter

Rescinded or superseded policies and/or procedures


POLICY - Refusal of Entry, Removal and Patron Bans 2018 (D18/94396)

PROCEDURE - Refusal of Entry, Removal and Patron Bans 2018 (D18/94395)

GOVERNANCE DECISIONS

AUTHORITY	DECISION		DATE
POLICY GOVERNANCE COMMITTEE	<input type="checkbox"/>	SUPPORTED	
	<input checked="" type="checkbox"/>	APPROVED	21 May 2020

RESOURCE OWNER AUTHORISATION

Date of operation:	21 May 2020
Date to be reviewed:	May 2023
	
PETER BAUCHOP Chief Operating	

Signing of this policy resource means the Delegate confirms:

- *Compliance with the delegated level of authority*
- *Appropriate governance and approval processes have been undertaken*
- *Publication of the policy resource is approved*

