

Are Hotel Lock-Out Laws Effective?

The licensee of a prominent Sydney bar has been fined \$2,000 and given a criminal conviction in Downing Centre Local Court after he pleaded guilty to breaching [strict lockout laws](#) introduced last year.

The venue also accrued one 'strike' under the ['three strikes and you're out' regime](#).

Chady Khouzame, who is the licensee of Hotel Chambers in Martin Place, allowed two women into the venue at around 1.40am on the 1st of June last year.

It is believed that one of the women was the girlfriend of a DJ who was playing at the venue that night, yet Khouzame claimed that she was a 'staff member' who was working for the DJ.

Inspectors from the Office of Gaming and Liquor entered the premises around the same time as part of a compliance check and observed Khouzame letting the women in.

Khouzame's criminal lawyer argued for a ['non conviction order'](#), which is a finding of guilt that does not result in a conviction on that person's criminal record.

But the Magistrate rejected that request, stating that Khouzame's conduct was particularly serious as he had made the decision to admit the patrons himself, not a bouncer or another employee. In handing down the sentence, Her Honour noted that there is a strong need for 'general deterrence' to ensure that other licensees do not similarly flout the lock-out laws.

The sentence has been welcomed by the Office of Liquor and

Gambling, with a spokesperson saying that the outcome sends a clear message to other licensed venues in the area who are subject to the laws.

Lockout Laws: A Brief Summary

The lockout laws, introduced early last year, make it an offence for a licensee to admit or re-admit patrons into premises after 1.30am. The laws also impose a 3a.m cut-off period for the service of alcohol which prohibits them from serving alcohol to patrons after this time.

Licensees found in breach of these laws face fines of up to \$11,000 and / or 12 months imprisonment. They will also be automatically issued with a first 'strike'.

However, where a licensee already has a strike on their record, a magistrate may choose whether or not to issue a second or third strike if that licensee is convicted or is made to pay a penalty notice or comply with an enforcement order under the Liquor Act.

Strikes accumulated under the scheme are active for a period of three years. Where three strikes are accumulated, conditions may be imposed on the licensee's licence or it may be suspended altogether.

Operators of the venue may also be prevented from obtaining another liquor licence for a period of up to 12 months.

One Year On: Have the Lockout Laws Worked?

This February marked the one-year anniversary of the controversial lockout laws, which were introduced by former Premier Barry O'Farrell following a number of highly-publicised alcohol-fuelled assaults.

BOSCAR statistics have shown that non-domestic violent assaults have been on the decline for some time now, however surprisingly in the months immediately following the

introduction of the laws, there was a slight increase in the number of assaults in the Kings Cross and CBD areas.

However, across the whole year, BOSCAR reports a 40% decrease in the number of alcohol-related assaults at venues in the Kings Cross area.

But the director of the BOSCAR research project cautioned that the sharp fall in alcohol-related assaults is not because of a lower consumption of alcohol per person, but rather a massive decline in the number of visitors to the Kings Cross area. He suggests that the laws may have just transferred crime to other areas in Sydney, and have had little impact on overall violent crime trends.

Since the laws were introduced, 42 venues in the precinct have closed their doors, including the once-popular Flinders Hotel. Business owners have reported a fall in profits of up to 40%, while foot traffic in the area has decreased by 84%.

Brisbane Destined for Harsher Lockout Laws

With some politicians declaring the Sydney lockout laws a resounding success, Brisbane looks set to embrace their own lockout laws in the near future.

The proposed laws seek to impose a 1am lockout on businesses in the Brisbane CBD, along with a 3am closing time and a ban on serving shots after midnight.

Police will also be granted greater powers to breath test people who appear intoxicated. It is suggested that evidence obtained from breath tests will then be used to prosecute licensees for breaking the laws.

But it's unclear when Brisbanites are likely to be subjected to the new laws – as a start date has not yet been set.

In the meantime, NSW Premier Mike Baird has promised to undertake a review of the Sydney lockout laws in a move that

has won support from suffering businesses in the CBD area.

Licensees hope that the review will reverse some of the negative economic effects they have experienced thus far