

INVESTIGATIONS BRANCH PROSECUTION REGISTER - FINANCIAL YEAR 2014-15

Inv Ref No	Defendant	Site No	Premises	Act	Section No	Offence Description	Date of Offence	Complaint & Summons Date	Hearing Date	Outcome Description	Conviction Recorded	Fine Amount	Court	Officer	Comments/Costs
137903	Evansross Pty Ltd ATF the Evansross Trust	3218	Royal Hotel (Meandarra)	Liquor Act 1992	156(1)(b) & (e)	Allow liquor to be supplied to an unduly intoxicated person.	23/08/2013		7-8/8/2014	Convicted and fined \$60000	Yes	\$60,000.00	Dalby Magistrates Court	GREGORY, Anna (Toowoomba)	First mention 22/4/2014 Plea of not guilty - trial set for 7-8/8/2014
137903	Evansross Pty Ltd ATF the Evansross Trust	3218	Royal Hotel (Meandarra)	Liquor Act 1992	156(1)(c) & (e)	Allow liquor to be consumed by an unduly intoxicated person	23/08/2013		7-8/8/2014	as above - one fine for all			Dalby Magistrates Court	GREGORY, Anna (Toowoomba)	First mention 22/4/2014 Plea of not guilty - trial set for 7-8/8/2014
137903	Eric Martin ROSSMULLER	3218	Royal Hotel (Meandarra)	Liquor Act 1992	156(1)(b) & (e)	Allow liquor to be supplied to an unduly intoxicated person.	23/08/2013		7-8/8/2014	Convicted and fined \$5000	No	\$5,000.00	Dalby Magistrates Court	GREGORY, Anna (Toowoomba)	First mention 22/4/2014 Plea of not guilty - trial set for 7-8/8/2014
137903	Eric Martin ROSSMULLER	3218	Royal Hotel (Meandarra)	Liquor Act 1992	156(1)(c) & (e)	Allow liquor to be consumed by an unduly intoxicated person	23/08/2013		7-8/8/2014	Nil	Withdrawn		Dalby Magistrates Court	GREGORY, Anna (Toowoomba)	First mention 22/4/2014 Plea of not guilty - trial set for 7-8/8/2014
137903	Selinaa Kate HOWARD	3218	Royal Hotel (Meandarra)	Liquor Act 1992	156(1)(a) & (d)	Supply liquor to an unduly intoxicated person	23/08/2013		7-8/8/2014	Convicted and fined \$1000	No	\$1,000.00	Dalby Magistrates Court	GREGORY, Anna (Toowoomba)	First mention 22/4/2014. Magistrate decided to hear the matter at the trial for other defendants on 7-8/8/2014
154203	C Breeze Resort Pty Ltd	1184	Royal Hotel (Gympie)	Liquor Act 1992	156(1)(b) & (e)	Allow liquor to be supplied to a person who is unduly intoxicated	1/08/2014	20/03/2015	16/04/2015				Gympie Magistrates Court	Grant Gittos Stacey Coker	16/4/2015 - Adjourned to 7 May 2015 at 9am. 7 May 2015 - Stacey Coker appeared for OLGR. Fine as shown + costs of court
154203	C Breeze Resort Pty Ltd	1184	Royal Hotel (Gympie)	Liquor Act 1992	156(1)(c) & (e)	Allow liquor to be consumed by an unduly intoxicated person	Between 31/7/2014 & 3/8/2014	20/03/2015	16/04/2015	Plea of guilty - fined \$1500	No	\$1,500.00	Gympie Magistrates Court	Grant Gittos Stacey Coker	16/4/2015 - Adjourned to 7 May 2015 at 9am. 7 May 2015 - Stacey Coker appeared for OLGR. Fine as shown + costs of court
154203	Karlee Lynette DENNIEN	1184	Royal Hotel (Gympie)	Liquor Act 1992	156(1)(a) & (e)	Supply liquor to a person who is unduly intoxicated	1/08/2014	20/03/2015	16/04/2015	Please of guilty - 6 month good behaviour bond with a recognisance of \$600	No	6 month good behaviour bond	Gympie Magistrates Court	Grant Gittos Stacey Coker	16/4/2015 - Adjourned to 7 May 2015 at 9am. 7 May 2015 - Stacey Coker appeared for OLGR. Fine as shown + costs of court
154203	Herbcliffe Pty Ltd	484	Billy's	Liquor Act 1992	156(1)(c) & (e)	Allow liquor to be consumed by an unduly intoxicated person	1/08/2014	29/04/2015	4/06/2015	Fine of \$1200, no conviction	No	\$1,200.00	Gympie Magistrates Court	Grant Gittos	First mention - 4/6/2015; 4 June 2015 - plea of guilty - Stewart Archbold appeared and read submissions prepared by Stacey Coker.

Liquor Act 1992

Section 156(1)(b) & (e)  
Section 156(1)(c) & (e)  
Section 233(2)(e)

Justices Act 1886

Section 4  
Section 142A

<b>Filed Date</b>
<b>Fee</b>
<b>Receipt No.</b>

**QUEENSLAND**  
**Justices Act 1886**  
**(Forms 3 and 6)**

**COMPLAINT - GENERAL PURPOSES - SWORN, AND  
SUMMONS**

THE COMPLAINT of Grant Darren Gittos, an Investigator under the provisions of the *Liquor Act 1992*, of the Office of Liquor and Gaming Regulation, Department of Justice and Attorney General in the State of Queensland and a Public Officer within the meaning of sections 4 and 142A of the *Justices Act 1886* (QLD), sworn this 20<sup>th</sup> day of MARCH 2015 before the undersigned, a Justice of the Peace for the said State, who says that:

**CHARGE 1:** On the 1<sup>st</sup> day of August 2014 at 190 Mary Street Gympie in the Gympie Magistrates Courts District in the State of Queensland, **C Breeze Resort Pty Ltd as Trustee for C Breeze Resort Unit Trust** did, on premises to which a licence relates, namely the Royal Hotel (Gympie), allow liquor, namely beer and tequila, to be supplied to a person who was unduly intoxicated, namely sch.4/3/3 name

**STATEMENT AS TO LIQUOR (SUPPLIED)**

and the said Grant Darren Gittos states that the offence as set out in the within complaint happened on licensed premises and the fluid alleged to have been supplied was liquor.

**AND FURTHER**

**CHARGE 2:** Between the 31<sup>st</sup> day of July 2014 and the 3<sup>rd</sup> day of August 2014 at 190 Mary Street Gympie in the Gympie Magistrates Courts District in the State of Queensland, **C Breeze Resort Pty Ltd as Trustee for C Breeze Resort Unit Trust** did on premises to which a licence relates, namely the Royal Hotel (Gympie), allow liquor, namely beer, bourbon and tequila, to be consumed by a person who was unduly intoxicated, namely [redacted] sch.4/3/3 name

**STATEMENT AS TO LIQUOR (CONSUMED)**

and the said Grant Darren Gittos states that the offence as set out in the within complaint happened on licensed premises and the fluid alleged to have been consumed was liquor.

Particulars of charges:

1. C Breeze Resort Pty Ltd as Trustee for C Breeze Resort Unit Trust was issued a Commercial Hotel (licence No. 85498) under the Liquor Act 1992 on 13<sup>th</sup> day of June 2007 for premises known as the Royal Hotel (Gympie).
2. On 1<sup>st</sup> day of August 2014 Officers of the Office of Liquor and Gaming Regulation conducted a covert inspection of the premises, Royal Hotel (Gympie) during which they made observations of staff and patron activity.
3. A male person, who is now know as [redacted] was seated at an electronic gaming machine consuming a beer, he came to the attention of the covert officers immediately as they entered the Royal Hotel as he yelled out to the officers for no apparent reason, he was having difficulty sitting on his chair and almost falling off, he had slurred speech and was abnormally loud in conversation. [redacted] was unusually aggressive towards the officers and attempted to grab the sleeve of one officer's shirt as he passed.
4. The officers observed [redacted] for a substantial period of time while at the premises and believed that [redacted] was unduly intoxicated as during that time he was under observation, officers engaged in conversation with him and he was found to have slurred speech, was unsteady on his feet, unable to stand still and generally lacking coordination and balance, swaying from side to side while standing, was at times incoherent with his speech, was unusually loud and aggressive in conversation,

had difficulty recalling facts given to him a few minutes earlier and dropped his mobile phone for no apparent reason and failed to pick it up requiring a female patron to pick it up for him [sch.4/3/3 name] also used offensive language towards other patrons for no apparent reason referring to the patrons as "fuckwits" and "fucking faggots" and saying to a group of other patrons "you're all cunts". [redacted] behaviour was considered disorderly as the result of his level of intoxication.

5. Office of Liquor and Gaming Regulation officers, as part of the investigation into this matter, also obtained a copy of the closed circuit television (CCTV) footage for the night of 1<sup>st</sup> August 2014 to close of business on 2<sup>nd</sup> August 2014.
6. During the period [redacted] was kept under observation, he remained in close proximity of the bar area where a bar attendant [redacted] was working and where she would have been able to easily observe [redacted] indicia and hear his comments.
7. Officers noted that at approximately 9.45 pm [redacted] refused service to [redacted] and was noted to make a hand gesture indicating that he had been "cut off".
8. A short time later [redacted] was observed to supply [redacted] who was unduly intoxicated, a shot of tequila [redacted] was observed to drink the tequila shot immediately and quickly in one draught whilst seated at the bar in front of [redacted]
9. A few minutes later [redacted] was observed to supply [redacted] who was unduly intoxicated, with a second shot of tequila [redacted] was again observed to drink the tequila shot immediately and quickly in one draught whilst again seated at the bar in front of [redacted]
10. Short time later [redacted] approached the officers and engaged in conversation and while he was with the officers he was noted as still being in an unduly intoxicated state as he had slurred speech, was unsteady on his feet and stumbling, was argumentative and had trouble comprehending what officers were saying. He then poured the remaining dregs of his beer over his own head and the security officer standing near by told [redacted] to leave.

11. sch.4/3/3  
Complaint [REDACTED] did not leave and a short time latter he attempted to take one officer's mobile phone without that officer's permission.
12. [REDACTED] then returned to the bar where [REDACTED] was seen to supply [REDACTED] [REDACTED] who was unduly intoxicated, with a schooner glass of beer.
13. Officers issued a requisition to the licensee for the closed circuit television footage (CCTV) from 9pm on 1<sup>st</sup> day of August 2014 until close of business at approximately 1.30am on the 2<sup>nd</sup> day of August 2014.
14. The Hotel CCTV shows that [REDACTED] who was unduly intoxicated, just after midnight, consume bourbon and cola from a pre-mixed bottle.
15. The footage showed [REDACTED] was still unduly intoxicated as his indicia included staggering around the bar, swaying while standing in the bar, tripping on furniture, annoying other patrons, lifting a female patron off the ground, patting a male patron on his bald head, dropping his bottle of bourbon and cola for no apparent reason, pushing and grabbing other patrons, slapping a male patron across the face and loss of balance resulting in him falling backwards into other patrons.
16. During a record of interview with [REDACTED] she stated that she was employed at the hotel at the time of the incident as a bar attendant. She also advised that she had completed a Responsible Service of Alcohol certificate course in December 2013 but had not been provided any other training by the licensee. [REDACTED] also confirmed that she supplied liquor, namely tequila and beer, to [REDACTED] on the night.
17. During a record of interview with [REDACTED] the director of the licensee company, [REDACTED] advised that the licensee does not provide any paid training to staff as they are expected to have their own Responsible Service of Alcohol certificate to be hired. [REDACTED] also advised that his General Manager, [REDACTED] looks after the training at the premises and has regular meetings with staff and they discuss who the security is, what's on in town and what is to be expected on the night only. [REDACTED] could not show that the licensee had exercised due diligence to avoid the commission of the offence.
18. During a record of interview with [REDACTED] the general manager of the Royal Hotel, on 2<sup>nd</sup> day of August 2014 she advised that she did not work on the 1<sup>st</sup> day of



August 2014. She could not elaborate on what training or advice has been provided to bar staff and security.

Contrary to the Acts and Regulations in such case sworn and provided.

WHEREUPON the said **Grant Darren Gittos** prays that I, the said Justice, will proceed in the premises according to law.

(Signature of Complainant).....

Sworn before me the day and year first above mentioned at *Southport* in the said State.



A Justice of the Peace



Kay McInnes  
J.P. (Qual)