

If you require any further information in relation to this matter, please contact Ms Shelley Tofilau, A/Senior Investigator, Office of Liquor and Gaming Regulation, Department of Justice and Attorney-General on 3872 0892.

Yours sincerely



for

**MICHAEL SARQUIS**  
**Executive Director**

If you require any further information in relation to this matter, please contact Ms Shelley Tofilau, A/Senior Investigator, Office of Liquor and Gaming Regulation, Department of Justice and Attorney-General on 3872 0892.

Yours sincerely



for

MICHAEL SARQUIS  
**Executive Director**  
20 / 11 / 2013

If you require any further information in relation to this matter, please contact Ms Naomi Lennox, Senior Investigator, Office of Liquor and Gaming Regulation, Department of Justice and Attorney-General on 3033 0013.

Yours sincerely



*for*  
MICHAEL SARQUIS  
Executive Director  
23/04/2015



## Investigation Running Sheet

Action Notes		
Date	Officer	Action Type
21-JUN-2013	Virginia JONES	File Notes
	caution issued to AM for supply of minor. No evidence to show that staff supplied minor with liquor. Evidence shows that father was responsible for supply.	
	Warning issued to AM for minor on premises. Staff did not do their jobs by walking around the premises. A walk around would have shown that there was a minor on the premises and no ID requested from minor.	
21-JUN-2013	Virginia JONES	File Notes
	Letter issued to AM	
	see attached.	

Breaches and Outcomes			
Class	Type	Section	Description
Unlawful Trading	Minors	S.155(3A)(a)	Licensee fail to ensure minor not on premises
Date	Recommendation	Outcome	Detail
20-JUN-2013		Warning	see filenote
Class	Type	Section	Description
Unlawful Trading	Minors	S.155A	Sell liquor to minor ? Licensee, Permittee or Approved Manager
Date	Recommendation	Outcome	Detail
20-JUN-2013		Caution (advisory)	see filenote.

Section 156 of the Liquor Act 1992 states:

**156 Liquor prohibited to certain persons**

- (1) A person must not, on premises to which a licence or permit relates—
- (a) **supply liquor to;** or
  - (b) **permit or allow liquor to be supplied to;** or
  - (c) **allow liquor to be consumed by;**  
a person who—
  - (d) **is a minor;** or
  - (e) **is unduly intoxicated or disorderly.**

In this instance, OLGR has determined a caution is to be issued to the licensee in respect to supply liquor to a minor and a warning is to be issued to the licensee in respect to allow liquor to be consumed by a minor. OLGR reminds you of your obligations under the *Liquor Act 1992* (the Liquor Act) and requests that you continue to address all matters relating to minors on the premises. Further you are requested to ensure staff are aware of their obligations under the Act in respect to minors on premise.

If you have any queries regarding this matter, please feel free to contact Virginia Jones on telephone number (07) 4938 4930.

Yours sincerely



*MS*  
Michael Sarquis  
Executive Director  
21/2/2014



### Investigation Running Sheet

Action Notes			
Date	Officer	Action Type	
		Response received from applicant. Due to the club hiring police to act as crowd controllers on special duty, they appear to have taken all steps necessary to ensure that service to a minor would not occur. Due to the evidence provided by the club it is recommended that this investigation be finalised as consultation conducted.	
Breaches and Outcomes			
Class	Type	Section	Description
Unlawful Trading	Minors	S.155A	Sell liquor to minor ? Licensee, Permittee or Approved Manager
Date	Recommendation	Outcome	Detail
17-APR-2013	Consultation Conducted	Consultation Conducted	

148A Obligations of licensees and permittees relating to the service, supply and promotion of liquor

*(4) The licensee or permittee must provide and maintain a safe environment in and around the premises.*

Section 156(1)(c)(e) of the Liquor Act states:

156 Liquor prohibited to certain persons

*(1) A person must not, on premises to which a licence or permit relates—*

- (a) supply liquor to; or*
- (b) permit or allow liquor to be supplied to;*

*a person who—*

- (d) is a minor; or*
- (e) is unduly intoxicated or disorderly.*

Section 155(3A)(a) of the Liquor Act states:

155 Minors on premises

*(3A) If a minor is on the premises, each of the following persons commits an offence—*

- (a) the licensee or permittee;*
- (b) if another person is in control of the premises—the other person;*
- (c) if an employee or agent of the licensee or permittee allowed the minor to enter the premises—the employee or agent.*

These matters are considered to be very serious by OLGR. You are requested to make a submission in relation to these allegations and of mitigating factors that should be taken into account when considering an appropriate course of action.

Your response should be in writing and lodged within 7 days of receiving this letter and should include copies of the staff RMLV/RSA certificates, Approved Managers Identification card and certificates of the manager who was employed at the time of this incident and full details of the person.

You are also required to provide a response in relation to the above matters and your advice as to how this incident came to be on the 22 March 2013 and any action taken by the licensee to prevent this type of incident from reoccurring in the future.



If you require any further information, please contact Anna Gregory, Senior Compliance Officer, Office of Liquor and Gaming Regulation, Department of Justice and Attorney-General, on 4637 6055 who will be pleased to assist.

Yours sincerely

A handwritten signature in black ink, appearing to read 'MS', written over a light gray rectangular box.

For MICHAEL SARQUIS  
Executive Director  
02/04/2013





### Investigation Running Sheet

Action Notes			
Date	Officer	Action Type	
		further action by OLGR.NFA.	
Breaches and Outcomes			
Class	Type	Section	Description
Unlawful Trading	Minors	S.155(3A)(a)	Licensee fail to ensure minor not on premises
Date	Recommendation	Outcome	Detail
08-MAY-2013	Refer to Police (General)	Refer to Police (General)	Local police dealt with matter.
Class	Type	Section	Description
Unlawful Trading	Minors	S.165A	Sell liquor to minor ? Licensee, Permittee or Approved Manager
Date	Recommendation	Outcome	Detail
08-MAY-2013	Refer to Police (General)	Refer to Police (General)	Dealt with by local police

## Attachment

### 156 Liquor prohibited to certain persons

- (1) A person must not, on premises to which a licence or permit relates—
  - (a) supply liquor to; or
  - (b) permit or allow liquor to be supplied to; or
  - (c) allow liquor to be consumed by;a person who—
  - (d) is a minor; or
  - (e) is unduly intoxicated or disorderly.
- (2) A person must not, on a street or place adjacent to premises to which a licence or permit relates, or in a public place supply liquor, or cause or permit liquor to be supplied, to a minor
- (3) A person must not send, or cause or permit to be sent, to premises to which a licence or permit relates a minor with a view to the minor or another person being supplied with liquor.
- (4) Subsection (2) does not apply to the supply of liquor to a minor in a public place, designated under section 173C, if the minor is accompanied by a responsible adult who is responsibly supervising the minor.

### 157 Prohibitions affecting minors

- (1) A minor who is not an exempt minor must not be on premises to which a licence or permit relates.
- (2) A minor must not, on premises to which a licence or permit relates or in a public place—
  - (a) consume liquor; or
  - (b) be in possession of liquor.
- (3) Subsection (2) does not apply to a minor in a public place, designated under section 173C, if the minor is accompanied by a responsible adult who is responsibly supervising the minor.
- (4) Subsection (2)(b) does not apply to a minor who is on the premises for a purpose mentioned in section 155(4)(b) if the minor is in possession of liquor in the course of performing the duties mentioned in the paragraph.

### Section 148A Obligations of licensees and permittees relating to the service, supply and promotion of liquor

- (1) This section imposes obligations on licensees and permittees in the conduct of business on licensed premises or premises to which a permit relates for
  - (a) maintaining a safe environment for patrons and staff of the premises; and
  - (b) ensuring liquor is served, supplied and promoted in a way that is compatible with minimising harm from the use of liquor and preserving the peace and good order of the neighbourhood of the premises.
- (2) The licensee or permittee must not engage in a practice or promotion that may encourage rapid or excessive consumption of liquor.
- (3) The licensee or permittee must engage in practices and promotions that encourage the responsible consumption of liquor.



- (4) The licensee or permittee must provide and maintain a safe environment in and around the premises.
- (5) A regulation may prescribe examples of what are acceptable or unacceptable practices or promotions for subsections (2) to (4).
- (6) A practice or promotion prescribed under a regulation for a subsection does not limit the subsection.



## Investigation Running Sheet

Action Notes			
Date	Officer	Action Type	
04-AUG-2014	Marty BATTLE	Issued Infingement Notice number LL2898999 to [redacted] for selling liquor to a minor - \$1138.00 File Notes	
Investigation file attached.			

  

Breaches and Outcomes			
Class	Type	Section	Description
Unlawful Trading	Minors	S.155A	SELL LIQUOR TO MINOR - LICENSEE, PERMITTEE OR APPROVED MANAGER
Date	Recommendation	Outcome	Detail
04-AUG-2014	Infringement Notice	Infringement Notice	LL 2898999 issued to [redacted] sch.4/3/3 name \$1138





## Investigation Running Sheet

Action Notes		
Date	Officer	Action Type
	To: Lindsay.AaronB[SER] Subject: RE: LIR - QI1401534386	
	Aaron,	
	Has there been any progress on the information requested as per below	
	Mark	
	Mark Wilson Compliance Officer, Liquor Office of Liquor and Gaming Regulation Department of Justice and Attorney-General 7 Short Street, Southport QLD 4215 PO Box 3520, Australia Fair Q 4215 t: +61 7 5581 3326 f: +61 7 5581 3334 e: mark.wilson@justice.qld.gov.au	
14-JAN-2015	MARK WILSON	File Notes
	Requested an update from QPS on the progress of information requested. Once received and review further action can be decided.	
15-JAN-2015	MARK WILSON	File Notes
	From: Lindsay.AaronB@police.qld.gov.au [mailto:Lindsay.AaronB@police.qld.gov.au] Sent: Thursday, 15 January 2015 2:20 PM To: Mark Wilson Subject: FW: LIR - QI1401534386 Importance: High	
	Mark	
	As per below.	
	The officer is in process of providing the requested info.	
	He has audio and will download and provide.	
	regards	
	Aaron Lindsay	
	Sergeant 10696	
	Liquor Coordination Unit	
	Gold Coast District   Queensland Police Service	
	Gold Coast District, Level 6, 68 Ferny Avenue Surfers Paradise Qld 4217 Australia	
	+61 7 55707967   +61 7 5570 7990  * Lindsay.AaronB@police.qld.gov.au  * Liquor Unit.Gold Coast@police.qld.gov.au	
	From: Cooper.KayneJ[SER] Sent: Thursday, 15 January 2015 2:11 PM To: Lindsay.AaronB[SER] Cc: Bolitho.ScottA[SER]; Dowling.MatthewB[SER]; Braddy.SandIN[SER]; Gilby.NoelF[SER]; France.MarkD[SER]; Te	



# Investigation Running Sheet

Action Notes		
Date	Officer	Action Type
	Mete.AliciaJ[SER]; Johnson.AdamG[SER]; Lardner.AndrewD[SER] Subject: RE: LIR - QI1401534386 Importance: High	
	Sergeant, [Redacted] sch.4/3/3 name, personal	
	I have started looking into and preparing the information required. I can advise of the following at this stage: - No action was taken against [Redacted] however I did mention this matter will be investigated further. - I have minimal notebook entries with [Redacted] however I have Audio Recordings of my conversations (will download and send to you). - Photographs were taken of the liquor (attached) - I will complete a statement for you as a matter of urgency - There was no receipt that I could find for the liquor (believe me, we were was hunting everywhere for it)	
	[Redacted] [Redacted]	
	[Redacted] s.73(2)	
	Regards, Kayne COOPER Constable 30159 Surfers Paradise Police Station	
09-FEB-2015	MARK WILSON	File Notes Recieved from QPS the required statements in relation to minor being supplied liquor. Statement from Constable Kayne John 30159
25-FEB-2015	[Redacted]	
25-FEB-2015	[Redacted]	sch.4/3/3



## Investigation Running Sheet

Action Notes			
Date	Officer	Action Type	
		sch.4/3/3 name, phone, ID, personal	
02-MAR-2015	MARK WILSON	File Notes	
		Recommend closing file All documents uploaded to COGs and eDocs	
02-MAR-2015	MARK WILSON	File Notes	
		[Redacted]	
		Infringement notice approved by RM T. Forden [Redacted] was issued with an infringement notice - LL4741271 Offence code 007 - \$1138.00	
02-MAR-2015	MARK WILSON	File Notes	
		Data entered in error	
02-MAR-2015	MARK WILSON	File Notes	
		Data entered in error	
Breaches and Outcomes			
Class	Type	Section	Description
Unlawful Trading	Minors	S156(1)(a)(d)	Supply Liquor to Minor on Licensed premises
Date	Recommendation	Outcome	Detail
02-MAR-2015	Infringement Notice	Infringement Notice	[Redacted]



## Investigation Running Sheet

Breaches and Outcomes			
Class	Type	Section	Description
Unlawful Trading	Minors	S156(1)(c)(d)	Allow liquor to be consumed by a minor
Date	Recommendation	Outcome	Detail
11-AUG-2015	Caution (advisory)	Caution (advisory)	





## Investigation Running Sheet

Action Notes			
Date	Officer	Action Type	
		Please correct me if I am wrong in this instance.	
	Regards Sean "		
		Later that same day LCO Griffiths received a phone call from Police Officer Sean Terry who stated that he had re-attended the premise and obtained copies of training material which employees are supplied upon hiring at the venue. Terry stated he 'now' did not believe the Licensee showed due diligence as the induction material was very devoid of essential elements, training protocols and procedures. Terry stated he was now going to interview the Licensee after which a SETON would be issued.	
		Matter handled by police. No further action required. NFAD	
Breaches and Outcomes			
Class	Type	Section	Description
Underage Matters	Minors	S156(2)	Supply liquor to a minor in Public Place
Date	Recommendation	Outcome	Detail
10-NOV-2014	Refer to Police (General)	Refer to Police (General)	