

Acting Premier John Rau

Attorney-General

Saturday, 19 March, 2016

Declaration of public precincts

The State Government is proposing new laws that will help manage anti-social and disorderly behaviour in public areas.

The *Summary Offences (Declared Public Precincts) Amendment Bill 2016* will allow for the declaration of public precincts and give police the same powers they already possess in a licensed venue.

Attorney-General John Rau said a public area will be declared for a specified time, where there is a reasonable likelihood of conduct occurring that would pose a risk to public order, safety or security.

“We know that in some areas on a Friday or Saturday night, the combination of alcohol, large groups of people and licensed venues can create situations that might escalate into violence,” Mr Rau said.

“The Government has been working closely with South Australia Police on ways they can proactively deal with this type of behaviour, particularly alcohol-related incidents, before more serious offending occurs.

“The ability of officers to react and effectively manage inappropriate behaviour as it happens could be enhanced by extending current powers and allowing them to be used within a declared area.

“Careful consideration has been given to building on existing powers and maintaining a balance between providing police with sufficient powers to ensure public and personal safety and the right of a person to use, enjoy and move freely through public spaces.

“The declaration would operate for a specified period on both a recurring basis; for example Hindley Street on Friday and Saturday nights, and on an as-needs basis for example Gouger Street during Chinese New Year.”

The proposed amendments would see SAPol given the following powers in a declared public precinct:

- conduct a metal detector search of a person;
- ban a person between specified hours;
- direct a person to move on, similar to the current powers in the Act;
- provide an offence of “behave in a disorderly or offensive manner in a declared precinct” with a penalty of \$1250 or an expiation notice of \$500;

- remove a child under the age of 16 years if the child is not subject to the supervision or control of a responsible adult and the child is, in the opinion of a police officer, in the declared public precinct in circumstances that place the child at risk.

Mr Rau said while police already have a suite of powers, many of these have limitations as they either rely on arresting and charging a person in order to remove them from an area, or their powers are limited to licensed premises and cannot be used in surrounding laneways or other public spaces.

“The proposed amendments will also enhance the vibrancy of entertainment precincts by attracting more law-abiding patrons and business owners, and reducing the number of patrons charged with public order offences, which in turn reduces the strain on the criminal justice system,” he said.

“We intend to consult with relevant government agencies and other interested parties and will consider all feedback received on the draft Bill.”