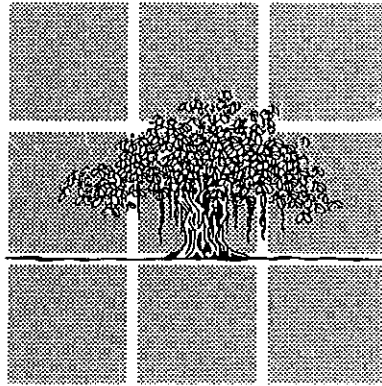


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BACKGROUND
TO REGISTRATION OF
BOUNCERS IN THE
NORTHERN TERRITORY

Research Paper No. 7
September 1995

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TO THE REGISTRATION OF
BOUNCERS IN THE
NORTHERN TERRITORY

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INTRODUCTION:

Allegations of violence or commonly-called bashings have been reported from nightclub patrons for many years in the Northern Territory (NT) . Bashings often involve security personnel referred to in this paper as bouncers. Wide ranging debates have been held by politicians, security personnel, nightclub owners and police in regard to some form of registration and training of bouncers. Steps need to be taken to help nightclub staff and their patrons control the violent encounters which occur with distressing monotony.

This paper will look at the incidence of violence in the 1990s in relation to NT bouncers, specifically in the Darwin area which has on average a dozen nightclubs.

Steps which have been taken, and others which can be introduced to diminish the cycle of violence are also discussed.

Also included in this paper are copies of legislation and a number of articles on studies relating to this subject in Australia. From these readings it is evident that violence in nightclubs occurs throughout Australia. This paper focuses on incidents reported in the Northern Territory.

BACKGROUND TO REGISTRATION OF BOUNCERS IN THE NORTHERN TERRITORY

Brian Ede (Leader of the Opposition) on October 3, 1991 called for the registration of bouncers which should include "police checks for any history of violent behaviour...Bouncers should also receive training in dealing with the public and their powers of restraint."¹ Ede's comments came after it was discovered that a man who had served a jail sentence for causing grievous bodily harm, had been previously employed as a bouncer for a Darwin nightclub.² Marshall Perron (Chief Minister) stated in October 1991 that he would look at systems in New South Wales (NSW) and Victoria where police registered bouncers and checked for criminal records.³

In January 1992 Ken Parish (Tourism Shadow Minister) expressed concern at the high number of complaints received about assaults by bouncers in Darwin hotels and nightclubs. Parish invited victims to contact his office to estimate the scope of the problem and to bring it to the attention of the public and Members of the Legislative Assembly (MLA's). Parish threatened to name persistent offenders in the Legislative Assembly (LA) if the MLA's did not take effective action on the proposed registration of bouncers.⁴ Parish's course of action followed a well publicised case, in which a man was found guilty of attacking a bouncer at a Nightcliff hotel with an icepick after allegations that the bouncer had incited the attack.⁵

¹ Ede, Brian (Leader of the Opposition). "Bouncers Must Be Registered Says Ede", *Press Release*. 3.10.91.

² Ibid.

³ "Bouncers May Be Registered", *NT News*. 4.10.91.

⁴ Parish, Ken (Shadow Spokesperson for Industries & Development; Tourism and the Arts; Small Business). "Bouncers Cause Concern", *Press Release*. 13.1.92.

⁵ Manicaros, Ashley. "Parish Warns Club Bouncers", *NT News*. 14.1.92.

In February 1992 a bouncer was sacked after complaints that excessive force was used to evict a patron from the Brewery Bar in Darwin on a Saturday night. The victim received a suspected broken nose. The bouncer was employed by J R Security, who supply casual security staff to Darwin hotels. ⁶

Registration of bouncers was still being considered in 1992 by the Department of Law officers. The Department was expected to provide recommendations on a system that could be introduced by the end of February. ⁷

By 1993 a registration system was still not in place and complaints continued to be recorded against bouncers. For example, in June 1993 three Victorian tourists reported being assaulted by bouncers at a Darwin hotel on a Sunday night; the men had physical evidence of head, face and back injuries. This complaint followed a previous allegation that four bouncers had beaten a man at the same premises on the Saturday morning whilst removing him from the hotel. Witnesses claimed that the man had been thrown down a flight of a stairs after being kneed and punched by three of the bouncers whilst the fourth held the victim up. The victim was left lying in the hotel car park. ⁸ These series of attacks in Darwin hotels over the long weekend focused public attention on the debate about whether to register bouncers. Brian Ede reiterated that registration and criminal checks were essential to ensure the safety of hotel patrons. In 1993 Victoria, NSW and South Australia had introduced legislation in regard to security personnel.

Sergeant Bruce Penney (NT Police) believed that a registration and training course "would prove valuable to bouncers and hotel patrons". ⁹ In June 1993 the Liquor Commission

⁶ Beach, Cherie. "Casual Bounces Off Work", *NT News*. 5.2.92.

⁷ Ibid.

⁸ Wilson, Michael. "Bouncer Bashings Claim: Probe". *NT News*. 15.6.93.

⁹ Wilson, Michael. "More Hotel Bash Claims", *NT News*. 16.6.93

chief, John Maley, claimed the registration of bouncers was not the complete solution to reducing assaults on the public and suggested that training courses and education of security personnel would prove to be more helpful. In comparison, Territory Hotels Association president John Auchter backed the Opposition's call for registration.

In June a bouncer who had worked in the Brewery Bar was "charged with three charges of common assault, one of inflicting bodily harm and one of assault with an offensive weapon."¹⁰ He was released on a bond and given a curfew between 9pm and 6am.

Michael Wilson in the *NT News* in June 1993 came to the conclusion that the rise in complaints over excessive use of violence by bouncers appears to be "an annual event in Darwin, returning with the tourists. That is not to say the tourists are to blame. They are simply the catalysts".¹¹ With the steep rise in population during the tourist season, bouncers have more patrons to cope with. Wilson claims that bouncers are subjected to provocation, but it is their job "to put up with alcohol-induced antics of the punter who pays his wage".¹² Wilson claims that the call to register bouncers is an annual exercise which does not seem to get past the discussion stage; the Government having been less than active in addressing the situation after the initial inquiry in 1992.

In defence of the bouncers, 'Smokin' Joe Romelo, the chief of Darwin's J R Security, claimed that his employees attitudes were changing and stated "today's security officer, as we call them in preference to bouncers, is better prepared to deal with any given situation...Foremost he must be a talker - a communicator."¹³ Romelo claimed that his employees, "my boys", are banned from going outside the front door because to

¹⁰ Wilson, Michael. "Don't Panic Over Bouncers: Maley", *NT News*. 17.6.95.

¹¹ Wilson, Michael. "Problem Bounces Back Again", *NT News*. 19.6.93.

¹² Ibid.

¹³ Grundy, Neale. "Security Chief Hits Back at Criticisms", *Sunday Territorian*. 20.6.93.

to do so would be placing them out of their jurisdiction. Romelo stated that his employees were already "screened for criminal record by the NT Police and underwent a NTHHA-accredited course."¹⁴ The course included instruction in: identifying drug dealers, the Liquor Act, self defence and dealing with the public. Reporter Neale Grundy spent two nights with security staff at various Darwin nightclubs to look at the situation from a bouncer's point of view. Grundy reported in the *Sunday Territorian* that bouncers faced abuse and claimed it was "a shit of a job...no matter what you do you're in the wrong in someone's eyes".¹⁵

Late night revellers can cause problems for bouncers, patrons, health workers and police. A case before the courts in June 1993, saw Phillip Farrell a NT fishing boat skipper being charged with assaulting police after he had been bashed by bouncers who had refused him entry into a nightclub because he was drunk. He sustained injuries which were physically evident and admitted to assaulting police whilst St. John Ambulance officers were attending to him. Farrell was released on a 12 month good behaviour bond.¹⁶ Another case in July saw a former bouncer ordered to do seventy two hours of community service after he broke a bond imposed after an earlier offence in a nightclub. In both instances the bouncer was not on duty.¹⁷

In August 1993, Matt Tatum from Berrimah complained to police that he had been assaulted by a bouncer in a Darwin nightclub. The club stated that the man had been warned 15 times not to walk out of the club with liquor and had on occasions abused staff. Also in August a bouncer accused of assault in November 1992 was found guilty of causing grievous bodily harm. Sentencing was adjourned until November 1993

¹⁴ Ibid.

¹⁵ Grundy, Neale. "Night in the Life of a Disco Bouncer", *Sunday Territorian*. 27.6.93.

¹⁶ Watt, Bob. "Bouncers Vermin: Lawyer", *NT News*. 25.6.93.

¹⁷ "'Fiery' Bouncer Cops Work Order", *NT News*. 8.7.93

after a psychological report had been compiled.¹⁸ In November the bouncer did not appear in court and a warrant for his arrest was issued.¹⁹

In a series of cases of violence in Darwin nightclubs during November 1993 patrons and staff were put in danger when weapons such as knives were discovered in the possession of patrons. In one case a knife was used to threaten another patron. In another incident two men were taken to hospital with head wounds. A special operation was put in force by the Darwin Police Watch in response to the escalating weekend violence during the month.²⁰

In November 1993 the Territory Hotel Association called for the regulation of bouncers as part of a program for lowering the level of violence around Darwin nightclubs. Brian Ede welcomed the proposals and restated that the Opposition had called for controls to be introduced during the past two years.²¹ Eric Poole (Minister for the Liquor Commission) rejected the introduction of off-duty police being used as security officers in nightclubs, but said that he would look seriously at the introduction of compulsory registration of bouncers. Poole stated he would consider "a system whereby trouble-making patrons could be banned from drinking in all Darwin nightclubs."²² These statements were the result of Poole and John Maley (Liquor Commission chairman) touring Darwin nightclubs early on a Saturday morning to experience the problems first hand. Poole believed that the registration of bouncers could help to alleviate the current situation but it did not address the problems associated with

¹⁸ "Bouncer's Punch 'Broke Man's Jaw'", *NT News*. 18.8.93.

¹⁹ "Warrant Out For Bouncer's Arrest", *NT News*. 5.11.93.

²⁰ "More City Violence: 3 Injured", *NT News*. 29.11.93.

²¹ Ede, Brian (Opposition Leader). "Ede Welcomes AHA Support For Bouncer Registration", *Press Release*. 25.11.93.

²² Wilson, Michael. "Poole Rejects Police as Bouncers", *NT News*. 30.11.93.

"unruly patrons".²³ After attending a meeting with hotel and nightclub representatives, in December, Poole said that the compulsory registration of bouncers was unlikely to be imposed. Poole said "Police have not proposed it as the solution...and the Government has some reservations regarding the costs and more regulation in a very regulated industry."²⁴ The high increase in the turnover of staff (out of 200 trained people over 60% had moved on) was also put forward as a obstacle in enforcing such legislation. Poole believed that licensees could gain a better understanding of the situation if they could "spend more time at the front doors".²⁵

December saw a spate of trouble between bouncers and patrons with the actual frequency of bashings impossible to estimate, but with a disturbingly high number of assaults being reported and coming before the courts. In December a bouncer in a Darwin nightclub being accused of assaulting two patrons with a martial arts baton.²⁶ In January 1994 the bouncer pleaded guilty to three charges of assault while armed with an offensive weapon in January 1994 and was remanded in custody.²⁷

1994 continued to record evidence of violent behaviour by patrons and bouncers in Darwin nightclubs with 44 complaints reported to NT Police between 4am and 7am during January to March. This represents a 100% increase for the same period in the previous year.²⁸ The tourist season again proved to be a crisis time with a particularly severe beating in June of Scott Barlow at the Northern Territory University Student Bar. Barlow was beaten and thrown down a flight of stairs and sustained a broken

²³ Ibid.

²⁴ Chandler, Cap. "Bouncer Rego Not Likely Says Poole", *NT News*. 9.12.93.

²⁵ Ibid.

²⁶ Watt, Bob. "Bouncer Bashed Man With Baton", *NT News*. 4.12.93.

²⁷ Watt, Bob. "Bouncer Admits Bashing Patrons", *NT News*. 18.1.94.

²⁸ Scott, Jason "New Bid to Beat Nightclub Brawls", *NT News*. 29.8.94.

arm. The bouncer claimed that the patron had hit a woman and "deserved to be ejected". Barlow denied these allegations.²⁹

Another case involved Trevor Thompson who claimed he was attacked outside the Big Country Saloon after his girlfriend was asked for identification. The owner of the bar, David Harrison, said he had no knowledge of the incident and believed that his staff handled situations by avoiding violence. Harrison, who had been at the club for 3 weeks, said that he made it clear to his staff that "excessive violence " was not acceptable.³⁰

August 1994 saw the release of the Public Safety and Social Development Committee report by the Menzies School of Health Research, commonly known as the d'Abbs report, which included recommendations on strategies to tackle problems associated with nightclubs. A number of problems were investigated "although it is accepted that almost every violent incident is laced with alcohol."³¹

Researchers recorded 33 nightclub incidents of which 27 included physical violence. Out of these, 19 were instigated by the following:

- * Ejection or refusal of entry (5)
- * Sexual competition (2)
- * Apparently unprovoked assault (2)
- * Challenge or invitation to fight (4)
- * Pay-back (2)
- * Domestic disputes (1)

²⁹ Tondorf, Christine. "Bouncer Did This: Teenager", *NT News*. 15.6.94.

³⁰ "Father Hits Out at Club Bouncers", *Sunday Territorian*. 3.7.94.

³¹ Scott, Jason. Op.cit.

* Dispute over facilities (1)

* Intergroup clash (2) ³²

A training course for nightclub staff at the Liquor Commission was held in 1994 to train security staff "in more effective interpersonal relations, legal responsibilities and the Liquor Commission Act". ³³ NTHHA spokesman Doug Sallis stated that "It would soon become a prerequisite for security personnel to have successfully completed this course to be able to register for security in the hospitality industry." ³⁴ The course would be unavailable to anyone who is found to have a previous criminal conviction. From an interview in the *NT News* a number of those attending the course believed it helped them to handle situations at work, and one of the trainees stated that he was in favour of checking criminal records and the moves towards developing a security personnel register.

In October a bouncer was assaulted shortly before 5am outside the Victoria Hotel. This incident added to the debate over the d'Abb's report recommendation the LA consider closing nightclubs at 4am on weekends and 3am during week nights. ³⁵ In the same month two women claimed they sustained injuries which required stitches after they were physically ejected from the nightclub. This complaint occurred on the first weekend after the enforcement the d'Abbs recommendation being put into place, which included a \$5 cover charge after midnight and a 4am closing time on weekends. ³⁶

³² Ibid.

³³ "Bouncers' Training Starts", *NT News*. 1.9.94.

³⁴ Ibid.

³⁵ Stanley, Warwick. "Bouncer 'King Hit' at City Hotel", *NT News*. 1.10.94.

³⁶ Bane, Nathaniel. "Bouncer Assaults Two Women", *NT News*. 31.10.94.

Brian Ede in November 1994 called again for the CLP Cabinet to adopt tough measures for the registration of bouncers. Ede stated "I have been calling for public entertainment venues to have registered security staff since 1986 and I am pleased the CLP has finally decided to consider the matter".³⁷ The introduction of legislation to licence bouncers, security officers, security firms and private investigators in Queensland was supported by the NTHHA had trained and registered security staff since August 1993. Eric Poole (Liquor Commission Minister) stated that Cabinet was yet to debate the issue.³⁸

A report in the *Sunday Territorian* on February 26, 1995 introduced a new approach to security personnel in Darwin nightclubs, the use of women as "pseudo" bouncers. Alice Stratford is called a "door greeter" and polices the door of the Victoria Hotel on Friday and Saturday nights. Since July 1994, Stratford has checked patrons for ID, appropriate dress and troublemakers. Stratford has encountered abuse but tends to remember problem patrons and simply refuses them further entry rather than becoming aggressive. If necessary Stratford is able to call on the bouncers for extra backup and believes that her approach is proving to be successful.³⁹

In April it was reported that Daryl Manzie (Police Minister) was expected to report to the Territory Cabinet on the licensing of bouncers in the Territory following a visit from a security staff specialist Stephen Frost (deputy registrar of the Private Agents Registry of Victoria police). Frost said that "before 1990, 20 per cent of violence in and around licensed premises was directly attributed to bouncers". Since legislation the percentage of reported cases of violence had been reduced to 1-2% in some key

³⁷ Ede, Brian (Opposition Leader). *Press Release*. 8.11.94.

³⁸ Whitfield, Rebecca. "Bouncer Licences Get NT OK", *NT News*. 17.2.95.

³⁹ "Bouncer Alice Keeps a Watchful Eye", *Sunday Territorian*. 26.2.95.

areas.⁴⁰

In June 1995 a man sustained injuries including a fractured cheekbone after being attacked by two bouncers outside a city nightclub. Another man required 30 stitches after an attack by an alleged four bouncers outside Squires Tavern.⁴¹ Darwin Police Regional Superintendent Denver Marchant said a "pattern was emerging which indicated that some Darwin nightclubs were more likely than others to experience trouble with their bouncers". Marchant believed that a system of registering bouncers would reduce violent incidents.⁴² In July 1995, the Assistant Police Commissioner said that plans to introduce licensing for bouncers was nearly ready after examining regulations throughout Australia. In August the new Chief Minister Shane Stone announced that a discussion paper - *A Case for Regulation of the Security Industry* - was being released to canvass ideas for the bouncer registration system. Stone cited the inclusion of this topic in this years inaugural Youth Parliament as one of the reasons he was pushing the establishment of a "bouncer registration system".⁴³ The Opposition would move for the Government to table any proposed bouncer legislation and Stone has said he "would attempt to hasten this process so that a registration system was in place before the end of the year".⁴⁴

CONCLUSION:

The continuous reports of and convictions for violence in Darwin's nightclubs throughout the 1990s demonstrates that the problems are not just a result of the influx of population

⁴⁰ "License Bouncers 'to Protect Public'", *NT News*. 6.4.95.

⁴¹ Loizou, John. "Club Bouncers Batter Drunk Man Senseless", *Sunday Territorian*. 2.7.95.

⁴² Stanley, Warwick. "Bouncers Did This to Me: NT man accuses", *NT News*. 12.5.95.

⁴³ Stanley, Warwick. "Licence-Bouncers, City Cameras Plan", *NT News*. 15.8.95.

⁴⁴ Ibid.

related to the tourist season. Many of those who appear in court are locals and in most cases are male.

/ The Territory Liquor Act (Part XI , 121 (4)) allows bouncers to use such force removing persons from the premises that is considered reasonably necessary. ⁴⁵

Question to be posed from this paper, include:

- * Does any behaviour of a patron or bouncer legitimise a violent response?
- * What is the definition of reasonable and excessive violence?
- * Should bouncers be trained, licensed and registered?

⁴⁵ Loizou, John. 1995. Op.cit.

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