



3 December 2025

Ms Alison Cameron
Acting Deputy Ombudsman
Ombudsman Western Australia
2nd Floor, Albert Facey House
469 Wellington Street
PERTH WA 6000

By e-mail: pepsubmissions@ombudsman.wa.gov.au

Dear Ms Cameron,

SUBMISSION ON THE PROTECTED ENTERTAINMENT PRECINCTS SCHEME

Introduction

Thank you for the opportunity to provide a submission on the Protected Entertainment Precinct (PEP) Scheme which was established within the *Liquor Control Act* commencing Christmas Eve 2022.

The PEP scheme was established with the intention of improving public safety and confidence in protected entertainment precincts (**PEP areas**) by excluding people who have behaved in unlawful ways from the PEP areas for a period of time.

Designated PEP areas include parts of Perth, Northbridge, Scarborough, Hillarys, Fremantle and Mandurah.

The Australian Hotels Association (WA) (AHA(WA)) has members operating in all of the PEP areas, who are primarily licensed premises. However, we also have members who operate unlicensed restaurant and accommodation businesses who have no way to identify persons who are subject to an exclusion order and should not be on their premises.

This submission considers the three questions outlined in the Ombudsman's invitation, provides feedback from the perspective of our members within the PEP areas, together with our observations in liaison with WA Police and Liquor Accords in the PEP areas.

Has the PEP Scheme enhanced public safety and confidence in PEP areas?

Some aspects of the scheme such as the amendments to the Weapons Act have given Police increased powers of search and seizure of “edged weapons” and have resulted in an increase in public safety and a perceived reduction in the incidence of knife crime and serious assaults.

There are currently 208 exclusion orders issued since the introduction of the scheme, it is difficult for the AHA to ascertain if there has been an increase in public confidence as a result, as there is no quantifiable metric to measure public confidence.

Based on feedback from our members & Liquor Accords within the precincts there are mixed impressions regarding the effectiveness of PEP orders, with licensees unable to identify persons who are subject to an exclusion order by way of ID scanning devices.

Currently the only way to identify a person with a PEP Order is for an approved manager of a licensed premises to log into the RGL portal and manually sort through the list of Barring Notices and PEP Orders and remember the current exclusion orders and barring notices [REDACTED].

This manual method of identifying exclusion orders renders identification of individuals practically impossible, especially when not all records have the address or photographs of the individual.

The only way to view exclusion orders is through the RGL Approved Manager portal, meaning operators of non-licensed venues have no way of identifying individuals who should not be on their premises. This antiquated and cumbersome method of viewing banned persons means that most breaches of exclusion orders would be individuals identified by Police who recognise the person in question and have knowledge of the exclusion order.

The feedback of our members is that the PEP scheme would be more effective if there was a more efficient way of identifying excluded persons and a shared responsibility between all businesses operating in the PEP area together with the relevant enforcement agencies.

Exclusion orders relate to the entire precinct and not just licensed premises within the designated area, therefore ultimate responsibility for enforcement of orders within the precinct should lie with the Department (LGIRS), WA Police and the relevant Council.

Is the PEP Scheme is being administered fairly and appropriately?

It appears the scheme is being administered fairly and appropriately, however the primary equity related concern voiced by our members operating in the PEP area is that the liability falls on licensed premises.

We hold concerns that non-licensed accommodation properties have no way of identifying individuals who are subject to an exclusion order and should not be on their premises.

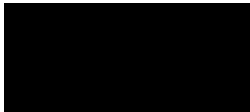
Has any group in the community been particularly affected by the PEP Scheme.

We do not have access sufficient data to properly determine if particular groups within the community being disproportionately affected by the scheme.

Conclusion

The future success of PEP scheme is reliant on developing and implementing an efficient and reliable means of identifying individuals subject to exclusion orders.

Yours sincerely,



Michael Andrew
MEMBERSHIP AND LICENSING MANAGER