

# Dealing with Security Guards

## What Powers do Security Guards have?

- a) The power to prevent you from entering certain places (s.254 Criminal Code).
- b) The power to require you to produce identification in venues that sell alcohol.
- c) The power to remove you from premises (s.254 Criminal Code)
- d) The power to detain you until police arrive.
- e) The power to remove a person behaving in a disorderly manner on or in the place (s.254 Criminal Code).
- f) The power to make a citizen's arrest of any person who is, or who they suspect on reasonable grounds to be, in the course of committing an arrestable offence or a person who is or about to do an act that they are entitled to prevent.

## Do Security Guards have the power to refuse entry to a shopping centre?

Yes. Most young people come into contact with Security Guards at Shopping Centres. The Security Guards are employed by the owners or managers of the shopping centre. Their role is to act to protect property and people by deterring illegal and inappropriate behaviour and to keep a look out for any potential unsafe or illegal behaviour before it occurs.

## Why would a person be prevented from entering premises?

- a) if he/she was banned or have become known as a "trouble maker".
- b) if he/she was drunk and behaving in a disorderly manner.
- c) if the premises were about to close.
- d) if the premises were too crowded.
- e) if he/she looked like he/she was carrying a weapon or disreputable or likely to cause trouble.

If someone was refused entry because of age, race or sex, they may (if they could prove it) make a complaint to the Equal Opportunity Commission. Make a formal complaint to the owners of the premises first.

## Do Security Guards have the power to demand your name and address?

Security Guards do have the power to ask a young person's name and address where a young person is on Licensed Premises or anyone is found trespassing on "enclosed land" (s.70B Criminal Code).

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**Important:** This general information is not the same as legal advice. You should speak with a lawyer about your situation.



For assistance contact:

**Kids Helpline**

1800 551 800

**Crisis Care**

9223 1111 or 1800 199 008

For help with this and other issues contact:

**Youth Legal Service Inc (WA)**

(08) 9202 1688 (Perth Metro)

1800 199 006 (Country WA)

[www.youthlegalserviceinc.com.au](http://www.youthlegalserviceinc.com.au)