



## Security Guard Powers

### What Is A Security Guard?

Security guards are generally employed to protect property and people by deterring illegal or inappropriate behaviour and keeping a look out for any potentially unsafe or illegal behaviour before it occurs. They are commonly employed by banks, airports, shopping centres, pubs, night clubs, music festivals and many other venues. They can be employed to investigate or conduct surveillance. They are sometimes known as bouncers or crowd controllers.

Security Guards must be Licensed by WA Police to carry out their work.

Security guards usually wear a distinctive uniform, making them easily recognisable.

### What Powers Do Security Guards Have?

Security guards may look similar to police officers, but they do not have the same powers as the Police. They have the following powers:

- **The power to prevent you from entering certain places.** The owner or manager of any premises can decide who can enter and who cannot enter their premises, even if the premises is open to the public. The security guard acts on behalf of the owner or manager and, accordingly, can decide who may enter the premises. You may be refused entry where:
  - You are banned or have become known as a troublemaker.
  - You are intoxicated and/or behaving in a disorderly manner.
  - The premises are too crowded or about to close.
  - You look like you are carrying a weapon.
  - You look disreputable or likely to cause trouble.
- **The power to require you to produce identification in venues that sell alcohol.** See our fact sheet on 'Alcohol laws' for more information.
- **The power to remove you from a premise.** If a security guard asks you to leave a premise you must leave. They have the power to escort you from the premises using 'reasonable' force. If you refuse to leave when asked, you can be charged with trespassing.
- If you are found trespassing on premises or enclosed land, **a security guard can ask you for your name and address.** If you refuse or give a false name you can be charged.
- **The power to make a citizen's arrest** of any person they reasonably suspect to have committed an offence or to be doing any act that involves or looks like it may involve violence or a breach of the peace. Having made a citizen's arrest, a security guard may detain you using reasonable force for such time as is reasonably necessary for the Police to arrive. Alternatively, they may take you to a police officer.



## What Can I Do If I Think A Security Guard Has Acted Unlawfully?

If you believe a security guard has used excessive force against you, this could constitute an unlawful assault. You can report the matter to the Police.

If you think you were unlawfully refused entry to a premise because of your age, race, or sex, you can make a complaint to the Equal Opportunity Commission. However, such allegations can be difficult to prove.

If you think you are being victimised by a security guard, you can complain to the owner or manager of the property or the security firm where he or she is employed.

### More Information

Legal Aid: Powers of security guards and bouncers: <https://www.legalaid.wa.gov.au/find-legal-answers/crime/under-arrest-and-police-powers/powers-security-guards-and-bouncers>

**Please note:** Laws are subject to change. Last updated July 2020.

**Important:** The information provided in this infosheet is for information only.

It should not be relied on as legal advice.

Please seek legal advice about your particular circumstances.