



Security Providers Association of Australia Limited

8 December 2015

Research Director
Legal Affairs and Community Safety Committee
Parliament House
George Street
BRISBANE QLD 4000

Via email: lacsc@parliament.qld.gov.au

Dear Sir / Madam

Thank you for the opportunity to submit comments in relation to the Committee's consideration of the *Tackling Alcohol-fueled Violence Legislation Amendment Bill 2015*.

The Security Providers Association of Australia Limited (SPAAL), established in 1966, is a National Security Industry Association and an approved security industry association in Queensland, providing industry education, compliance and business services.

SPAAL provides National representation to its members through engagement with Federal & State Governments, Australasian Council of Security Professionals, Standards Australia and the Construction and Property Services Industry Skills Council (CPSISC).

In broad terms, our Association supports many of the proposed initiatives that form the *Tackling Alcohol-fueled Violence Legislation Amendment Bill 2015*, but would take this opportunity to raise a few concerns on behalf of our Queensland membership.

1. Author of Submission

The author of this submission is our National President, Garry OLIVER who is uniquely qualified after serving over 24 years in operational policing with the Queensland Police Service now having over 33 years policing and liquor licensing experience.

For the last 9 years of his police service, Garry coordinated up to 7 agencies specialising in the development and maintenance of harm reduction. Garry was the original founder of the Liquor Enforcement and Proactive Strategies (LEAPS) process instrumental in regulating the Queensland lock-out laws and that now forms a part of the Brisbane City 17 Point Safety Action Plan.

“Your secure association for the future”

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Garry is highly recognised within industry and Government circles for his unique skill set with both the liquor and security industries, sitting on a number of Government and Non-Government committees as the National President of the Security Providers Association of Australia (SPAAL).

2. Training

Our Association has been expressing concerns over Queensland's Mandatory training programs since May 2011. Whilst modern Government's often seek to reduce so called red tape, the Queensland liquor industry has seen the Liquor Act 1992 and Liquor Regulations 1992/2002 balloon from a combined 171 pages on enactment in 1992 to a staggering 660 pages in their current form with even more changes on the immediate horizon outlined in the current bill.

In late 2013, the Liquor (Red Tape Reduction) and Other Legislation Amendment Bill was passed, where clause 42 of the Bill inserted two new sections into the Liquor Act 1992, in sections 155AD (4A) and 155AD (4B) removing the requirement to have an approved manager present or readily available in low risk premises throughout Queensland.

This amendment meant that over half of all licensed venues in Queensland didn't require an approved manager, and therefore management didn't need to complete the OLGR Responsible Management of Licensed Venues (RMLV) Course.

On the 1st July 2013, further amendments were made removing the ongoing training requirement in Queensland for staff involved with the serve or supply of liquor. Staff now only have to complete a national accreditation in Responsible Service of Alcohol (RSA) once in a life time, instead of completing this course every 3 years.

Our Association can only stress that the lack of knowledge relating to responsible service practices is a critical issue for Queensland. The *Tackling Alcohol-fueled Violence Legislation Amendment Bill 2015* fails to address these training issues that in our submission, directly impact on competency standards of staff to address Alcohol-fueled Violence in Queensland venues.

3. Reducing Alcohol Related Violence

Licensees must provide a safe environment for patrons and staff. They can choose to achieve this with the employment of licensed security staff who may be required to screen patrons entering and exiting the premises, and to control patron behavior in and around the premises.

Under current laws, a licensed premises trading after 1am in the Brisbane City Council area has specific requirements that apply under the Liquor Act 1992 which include:

- Provide sufficient security;
- Keep an incident register;
- Install closed-circuit television (CCTV) at entrances and exits;
- Responsibly promote alcohol; and
- Prevent irresponsible drinking games and competitions

These additional conditions were introduced in the Brisbane City Council area in 2006 and aimed to curb irresponsible drinking and improve the safety of patrons, hospitality employees and the general public without restricting trading hours.

The objective of this current Bill is to tackle alcohol-fueled violence, particularly late at night, through an evidence-based, multi-faceted approach. In our submission, the only evidence-based, multi-faceted approach that should be supported is the expansion of the current trading conditions for post 1am Brisbane City Council venues across all Safe Night-Out Precincts across Queensland.

In our submission, there appears to be little evidence that the proposed provisions if implemented, (modelling those implemented in Newcastle and Sydney) would result in the objective of the Bill being met. Assault rates in the Brisbane area subject to the current additional trading conditions are already 63% lower than Newcastle.

Fair comparison statistics drawn from Queensland Police and NSW BOCSAR statistics demonstrate the following:

- Brisbane Police District Assault Rate 2015 = 256.8 assaults per 100,000 population
- Sydney LGA Assault Rate 2015 = 1652.8 assaults per 100,000 population
- Newcastle LGA Assault Rate 2015 = 700.7 assaults per 100,000 population

In our submission, it is clear that the current conditions imposed since 2006 on licensed premises trading after 1am in the Brisbane City Council area are having a significant impact on tackling alcohol related violence without any restriction of trading hours.

4. Trading restrictions

In August 1999, a report was released following a comprehensive National Competition Policy Review of the Queensland Liquor Act 1992. The report made recommendations which were implemented to address competition policy elements within the Liquor Act 1992 including changing premiums on licenses, take away liquor, restrictions on the promotion and sale of liquor, different trading privileges for different license types and similar considerations.

More recently, a 2015 Competition Policy Review report of Professor Ian HARPER has recommended a further review of Liquor Legislation to ensure that unnecessary restrictions on competition are removed (Recommendation 8).

Federal Government competition policy dictates that each element of legislation should not restrict competition unless a clear community benefit test demonstrates the benefits of the legislation outweigh the costs and that the policy objectives can only be achieved by restricting competition.

In our submission, the current Bill not only restricts trade but also restricts competition within the Queensland Liquor Industry. It is clear that any restriction in trading hours should only be implemented to achieve the stated public policy benefits, which current data shows is being achieved with current conditions imposed since 2006 on licensed premises trading after 1am in the Brisbane City Council area.

5. Recommendations

- A State-wide review of required competency standards for all staff serving and/or supplying liquor within the Queensland Liquor Industry.
- A State-wide approach to implementing the type of conditions imposed by the Brisbane City Council requiring, amongst other things, mandatory CCTV, security ratios, and drink promotion restrictions for all venues trading after 1am.
- No restriction of trading hours in Queensland be considered.

6. Conclusion

As a Security Association we are aware that many of our members are in the front line dealing with violent and anti-social incidents in and around licensed premises. It is certainly the view of our Association that the rights, obligations and accountabilities of the industry are currently well out of balance with the rights, obligations and accountabilities of the patron.

Our records clearly indicate that outside the Brisbane City Council area where crowd control ratios are not regulated venues choose not to employ security as a cost cutting strategy. In contrast, there already exists several venues in Queensland without trading hour restrictions (Casinos). These venues have a low incidence of violence, service a large number of patrons and are considered by patrons themselves to be a safe environment. We would submit that the principle reason for is, is that these venues investment heavily in staff training and security (both personnel and CCTV) which historically has demonstrated a considerable impact in lowering alcohol related violence in and around licensed venues.

Our Association strongly believes that appropriate training standards and a security presence is paramount to safety and meeting the objectives of this Bill. We look forward to working with the implementation committee for the benefit of all Queenslanders.

Yours sincerely,



Garry Oliver
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