

From: [Dominic Davies](#)  
To: [Legal Affairs and Community Safety Committee](#)  
Subject: REF: 11.1.9b  
Date: Wednesday, 23 December 2015 6:09:22 AM

---

## **Submission to: Legal Affairs and Community Safety Committee**

**In relation to: Tackling Alcohol-fuelled Violence Legislation Amendment Bill 2015. Reference number: 11.1.9b**

**There is no evidence that lockouts are effective in reducing alcohol fuelled violence. Studies relating to area's such as Newcastle, Kings Cross and Sydney CBD do not take into account that the clientele' has been displaced to neighbouring localities, with different hospitals and police stations servicing these localities. Therefore statistics such as hospital admissions at St Vincents hospital do not accurately reflect the impact of lockouts.**

**My primary concern is in relation to closure of all premises at 3am on weekends. Cairns simply does not have the public transport infrastructure to clear the crowds away in a timely and orderly fashion. The extraordinarily long taxi queues will result in people walking. It is well documented that the pedestrian routes exiting the CBD are very dangerous after dark. As such the proposed legislation will almost certainly result in an increase in serious assaults.**

-  
**There is strong broad based opposition to the legislation in Cairns**

- Cairns Chamber of Commerce does not support changes to closing times or lockout.
- Cairns Regional Council voted unanimously to reject the 1am Lockout and 3am closure.
- Cairns Concerns which have not been addressed are:
  - We do not have the transport infrastructure to clear the patrons if all venues close at 3am. *As stated by the sole transport operator, Black and White Taxis at consultation with Attorney General.*
  - 1am lockout, 3am closure will indelibly damage Cairns reputation as an International Tourist Destination. A vibrant nightlife is a key component of our portfolio of attractions.
  - Cairns Economy is more reliant on tourism than any other in Regional City in QLD, after many tough years the industry cannot afford such a setback.
  - Similar measures in centres such as Newcastle and Kings Cross have resulted in the nightlife has moving to other area's not affected by the legislation. For Tourism it is vital that Cairns City maintains a vibrant nightlife, close to accommodation. There is no suitable area for the nightlife to move to.

- There is no need for a 1am/3am. Cairns has a terrific track record over many years with all stakeholders working together effectively.
- Whilst Dr Lynham claim an increase of 35% in alcohol related admissions to Cairns Base Hospital, the statistics do not determine whether the injury occurred in and around venues or elsewhere. However the statistics to show admissions after 11pm, represent a negligible portion. The Government have released statistics regarding alcohol related admissions which encompasses every single admission regardless of origin or cause. This is completely misleading to use this against last night trading venues as the vast majority have nothing to do with licensed premises. The large part of these admissions are from itinerant's, Domestic Violence and other incidents which have nothing to do with licensed premises. To link the two together is an extremely deceptive way of the Government trying to thrust their message of poor public safety in Cairns.
- The only data collected separating out related injuries was more than 5 years ago, collated by JCU. The venues did not show to be a disproportionately large source of admissions, in fact particularly low for females.

#### CAIRNS PROPOSED ALTERNATIVE:

- Keep current 3am – 5am balance, however introduce linked ID Scanners for all venues trading beyond 2am.
- Work with JCU, to collate data from all stake holders.

#### GENERAL NOTES, NOT EXCLUSIVE TO CAIRNS.

- Rates of violence in Kings Cross and Newcastle is/was 4 times worse than any precinct in QLD. Extreme circumstances warranting extreme action.

#### Fast Facts:

- • Brisbane Police District Assault Rate FY15 = 256.8 assaults/100000 people
- • Sydney LGA Assault Rate FY15 = 1652.8 assaults/100000 people
- • Newcastle LGA Assault Rate FY15 = 700.7 assaults/100000 people
- The legislation is clearly not workable in regional cites due to limitations of public transport, this will certainly lead to an increase in drink driving thus trauma.
- Same goes for people walking beyond CBD to near suburbs, the chance of all assaults increases exponentially, particularly in Cairns.

Will one problem simply lead to another?

- The public consultation with stakeholders was pointless as the Government had no intention of varying its position at the time.
- Currently the partying occurs in concentrated precincts, in venue's with licenced security staff and CCTV, working with Police, Council Security, night chaplains etc. *Has the Government costed the additional patrols for police to disperse drug and alcohol fuelled parties in the suburbs? Currently Police struggle to maintain order at teenage house parties before midnight.*
- Running cost of venues is substantial. *The idea of allowing venues to run beyond 3am without the supporting income of alcohol sales is preposterous. It will drive our youth to drugs and dealers to venues.*
- The proposed legislation does not incorporate the use of ID Scanners, which is a backwards step.
  - Violent and anti social behaviour is perpetrated by a minute proportion of perpetrators, who are repeat offenders.
  - It is unreasonable to expect Crowd Controllers to memorise lists of names on Police and Accord Banning lists.
  - ID scanners are a very powerful tool to communicate, readily identify offenders and ban them from venues and precincts alike. They work in real time.
  - Scanners have the potential to making unruly and violent behaviour anti – social in much the same way breathalysers minimised and change attitudes to drink driving.
  - Scanners are the future and the technology is here now.
- Previously Restaurants applying to Trade Beyond 2am were subject to a Public Interest Test / Submission. Restaurants are not subject to the same stringent conditions as late night venues, according to the amended proposed legislation it will now be open slather. *How can late night venues provide quality safety measures and quality entertainment when they have a 1 hour window (2am – 3am) exclusive to all other licences?*

**In summary the legislation stems from problems experienced in Brisbane and perhaps, should be cautiously applied in Brisbane only for a trial period.** The problems the legislation seeks to solve could well be outweighed by the problems it creates, particularly in Regional Centres. Make no mistake, this is Social Engineering on a Grand Scale, the government has not put forward any hard data to justify the change nor research predicting the outcome. *Queenslanders deserve a comprehensive document, rather than a few slogans and sound bights published in the paper.*

Cairns more than any region warrants special consideration, our community has most at risk balanced by an industry with a demonstrated track record of proactively working with all stakeholders to ensure the safety of the public.

The greater Cairns Community overwhelmingly rejects the proposed legislation.

Footnote: I would encourage the committee to consult with other independent stakeholders such as:

- Charmaine Hayes-Jonkers
- Criminologist | College of Arts, Society & Education | James Cook University, Cairns  
[REDACTED]
- **Cliff Singer** | City Safe Officer  
Community Development | Cairns Regional Council  
[REDACTED]
- Carol Christopher – Safe Night Mates (Formerly President over the past three years of Cairns Street Chaplains)

Please see the email below which provides a perspective from a well informed person with no commercial stake in the proposed legislation changes.

**From:** Charmaine Hayes-Jonkers [REDACTED]  
**Sent:** Tuesday, 7 July 2015 5:22 PM  
**To:** Dominic Davies  
**Subject:** Re: 1am lockout/3am closure.

Hi Dom

Thanks for forwarding that. You have covered the issues quite well and as discussed, transporting people out of the city at 1am and 3am is going to be a big issue for Cairns. This has already been expressed in a number of forums in town such as the Safe Night Precinct meetings and the Safety Summit meetings. To date, we and all relevant stakeholders have succeeded in reducing assaults at the taxi ranks to zero. The earlier closes will just swell the numbers and put us back to square one. Very frustrating for our hard working security teams and stakeholders.

Statistics shared by QPS, the Cairns Street Chaplains and City Safe have shown a clear drop in incidents for almost every month compared to last year. I believe what has not been made clear is the fact that we have a lot of committees in place to address all related problems as they arise. We also have real-time communication and street security which a lot of other towns and cities do not have. In short, Cairns is doing a great job in reducing the number of alcohol-related violence and disorder issues in the inner city. All statistics reflect this. This is not the case in other centres which is why blanket legislation should be approached with cautions.

The new on-the-spot banning are having a positive impact in reducing incidents, as are the extra police as part of the Safe Night Precinct. Cairns now has two permanent drug dogs

and are operational. Whatever can be done and needs to be done is happening in Cairns, but as a Far Northern Regional city, we tend to be forgotten in favour of what is occurring in the South-East.

Knee-jerk reactions to hyperbolic news media reporting is also problematic in that it held up as an example of what is occurring on our streets, when in reality it is rare. Images of blood-splattered people, clustered police and ambulance officers attending patrons is not a normal sight on the streets of Cairns any more. That may be the case in Sydney or the Gold Coast but it is not happening here. RSA is being addressed by the OLGR and our dedicated LEAPS teams. Cairns is proactive not reactive but this is not taken into account in any parliamentary debate.

Decisions around early lockouts and early closes should be based on fact and reality, not emotive, subjective arguments. Consultation and statistics to look at the reality of what is happening on our streets is the key to smart decision-making. Hyperbolic media reporting should be discounted and ignored in favour of facts and figures. Cairns is well informed. Cairns is proactive with some very hard working people dedicated to monitoring, intervening and managing issues as they arise or when problems occur. Data sharing, collaboration and information sharing is the key to Cairns success. Perhaps issues like this need to be discussed in favour of the easy 'bullet' of earlier closes and lockouts. That is a band-aid solution that will only create more issues and problems that Cairns has already addressed.

I remain extremely sceptical of such 'easy solutions' as it does not address patron behaviours and cultural influences of heavy drinking. We need to think smarter and look at the underlying causes of the issues. It required more discussion and a much deeper understanding of the issue. Currently, and in the past, this has not occurred and in this day and age, I find that concerning. We need to look at the contributing factors, not the resulting product. This is about cause and effect. What is the cause? We don't know because no one in parliament has actually asked that question. How incredibly disappointing in the 21st Century to have to say that. Local issues require local solutions and each area has to deal with their own idiosyncratic issues. We know the general cause of alcohol-related violence and disorder. It is well documented, but there are few evidence-based interventions in place in most areas. This also needs to be addressed in some meaningful way.

Happy for you to pass on my comments if necessary.

Regards

Charmaine

Charmaine Hayes-Jonkers  
Criminologist | College of Arts, Society & Education | James Cook University, Cairns

To finish I apologise for the rather informal style of this submission, however the month leading up to Christmas is a very busy time with functions and family. Be aware that the proposed changes may be accepted by larger lobby groups. This is because 2am trading across the board is commercially beneficial to the majority of their members, however likely to be of negative benefit to the broader community. Venues trading to 5am are a very small percentage of the industry.

I have 30 years experience in the industry, have been actively involved in the Cairns Liquor Accord since '98 with most years serving as president of secretary. I have focused on harm minimisation for many years with OLGR studying my venue and using our IP, with our permission. I would be happy to address the committee in person, and request the opportunity to do so, at my own expense. Please consider my submission carefully.

**Dominic Davies** | Managing Director |  
**Woolshed Holdings Pty Ltd**

[REDACTED] | P.O. Box 2204,  
Cairns, QLD, Australia

The information contained in the above e-mail message or messages (which includes any attachments) is confidential and may be legally privileged. It is intended only for the use of the person or entity to which it is addressed. If you are not the addressee any form of disclosure, copying, modification, distribution or any action taken or omitted in reliance on the information is unauthorised. If you received this communication in error, please notify the sender immediately and delete it from your computer system or network.