

# Queensland Police Union of Employees

217 North Quay, Brisbane, Qld 4000. Telephone (07) 3259 1900

ABN 75 781 631 327



Fax: (07) 3259 1994

The Research Director  
Legal Affairs and Community Safety Committee  
Parliament House  
George Street  
Brisbane 400

23 December 2015

Dear Sir/Madam

**Re: QPUE Submission on the Tackling Alcohol-fuelled Violence Amendment Bill 2015**

I write in relation to the above Bill which is presently being considered by the Committee.

The Queensland Police Union of Employees ("QPUE") currently represents over 11,500 sworn police officers, civilian watchhouse officers and police liaison officers, representing approximately 95% of the membership of the Queensland Police Service (and over 99% of officers eligible to be members) across the State of Queensland.

The issues of liquor licencing, late night trading, lock outs and alcohol related violence are of primary importance to my membership. Like our fellow emergency service workers in the Queensland Ambulance Service, and the nursing and medical practitioners in our hospitals, it is my membership who are responsible for responding to, and picking up the pieces of, irresponsible and excessive consumption of alcohol.

The QPUE believes sensible liquor licencing laws are a must, and that restrictions on the sale of alcohol, including lock-outs of patrons, are essential in reducing alcohol fuelled violence. IN this regard, please find attached submission from the QPUE on the Bill.

I am available on 3259 1900 should you wish to discuss any of the matters I have raised.

Yours Faithfully

A handwritten signature in black ink, appearing to read 'Ian Leavers', is written over a light blue circular stamp.

**Ian Leavers**  
**General President & CEO**  
**Chief Executive Officer**  
**Queensland Police Union**



**SUBMISSION TO**  
**The Legal Affairs and Community Safety Committee**  
**of the Parliament of Queensland**  
***On the Tackling Alcohol-fuelled Violence Amendment Bill 2015***  
on behalf of  
**THE QUEENSLAND POLICE UNION OF EMPLOYEES**

Contact:  
Queensland Police Union  
217 North Quay  
Brisbane, QLD 4000  
Ph: 07 3259 1900

22 December 2015

**Submission to the Legal Affairs and Community Safety Committee of the Parliament of Queensland on the Tackling of Alcohol-fuelled Violence Amendment Bill 2015 on behalf of the Queensland Police Union of Employees**

**EXECUTIVE SUMMARY**

The Queensland Police Union of Employees (QPUE) appreciates the opportunity to provide comments and feedback on the proposed bill. Tackling alcohol-fuelled violence is commendable and supported by the QPUE.

Against a backdrop of community concern about alcohol-related crime, measures were introduced in recent liquor reforms to minimise the harm from alcohol misuse and abuse. Yet binge drinking and alcohol-related violence remains a significant problem in Queensland. The QPUE sees a need for further measures, which this bill addresses, and the integrity of the licensing system must be maintained to safeguard the community from irresponsible providers in the liquor industry who exploit loopholes to gain business at any cost, regardless of the risks to the individual and to society. Public safety, police safety, and health carers' safety is paramount and must be put before profit. The QPUE agrees that an effective regulation of alcohol is an absolute necessity, putting people (safety, health, and welfare) before profit.

**The Queensland Police Union of Employees (QPUE)**

The Queensland Police Union of Employees (QPUE) consists of sworn police who are Constables, Senior Constables, Sergeants, Senior Sergeants, Police Liaison Officers, sworn Recruits, Assistant Watchhouse Officers, and Police Band members. Membership is voluntary, with over 11,500 members (99% membership).

## Introduction

On 12 November 2015, the Attorney-General and Minister for Justice and Minister for Training and Skills, the Hon Yvette D'Ath MP, introduced the *Tackling Alcohol-fuelled Violence Legislation Amendment Bill 2015* into the Queensland Parliament. In accordance with Standing Order 131 of the Standing Rules and Orders of the Legislative Assembly, the Bill was referred to the Legal Affairs and Community Safety Committee (the committee) for detailed consideration.

## Objectives of the Bill

### The key objectives of the Bill are to:

- Tackle alcohol-fuelled violence, particularly late at night, through an evidence-based, multi-faceted approach by way of legislative amendments
- Provide greater clarity and improve operational efficiency in the regulation of licenced premises through miscellaneous amendments to the *Liquor Act 2002*
- Ensure consistency across Queensland statutes dealing with director's liability through amendments to the *Fair Trading Act 1989*.

### Some key outcomes of the Bill would be:

- Regular service hours for alcohol in licensed venues across Queensland would end at 2am unless the venue is located in a prescribed safe night precinct approved for 3am liquor trading, in which case a 1am lockout will apply.
- The 1am lockout would apply to all licenced venues within prescribed safe night precincts approved for 3am trading, including those which cease trading at 2am.
- The reduced trading hours and lockout would not apply to casinos and airports that are subject to a commercial special facility licence or to industrial canteen licences.
- Licensees would retain the ability to apply for and be granted extended hours permits for trading up until 5am on up to 12 occasions per year.
- No new approvals for trading hours outside of 10am – 10pm for takeaway liquor.
- Premises licenced to provide gaming or adult entertainment would be able to remain open past 3am, though not serve alcohol past that time.
- High alcohol content and rapid consumption drinks could not be sold or supplied after midnight. The specific types and amounts of drinks would be prescribed by regulation following stakeholder consultation.
- Low risk specialist venues could apply for exemptions from the ban on high alcohol content drinks after midnight.



- Blood alcohol content readings lawfully taken by police would be admissible as supplementary evidence in prosecutions against a licensee.
- Drug and Alcohol Assessment Referrals (DAAR) conditions on bail would apply to those most likely to benefit from the program. DAAR conditions would be discretionary, failure to complete them would not be criminalised, and a defendant's consent is required for making such a condition of bail.

**The Bill would also:**

- Allow for the sale of takeaway liquor to signed-in guests and visitors of community clubs
- Provide some exemptions in the preparation of RAMPs
- Allow the sale of craft beer at promotional events
- Clarify acceptable proof of age documentation
- Clarify the meaning of 'liquor'
- Better regulate the use of carparks for the sale and consumption of liquor.

**QPUE Response**

Please find the QPUE's response to the following specific issues raised in the Bill:

- *Regular service hours for alcohol in licensed venues across Queensland would end at 2am unless the venue is located in a prescribed safe night precinct approved for 3am liquor trading in which case a 1am lockout will apply.*
- *The 1am lockout would apply to all licenced venues within prescribed safe night precincts approved for 3am trading, including those which cease trading at 2am*
- *The reduced trading hours and lockout would not apply to casinos and airports that are subject to a commercial special facility licence or to industrial canteen licences*
- *Licensees would retain the ability to apply for and be granted extended hours permits for trading up until 5am on up to 12 occasions per year.*

The QPUE supports this amendment. It designates between a safe night precinct and another venue and provides for a 2am cessation of alcohol service or the 3am scheme with 1am lockout. Currently, alcohol providers can trade anywhere up to 5am in safe night precincts and this reduction in service hours should see a reduction in the number of police interactions in the early hours of the morning.

- *No new approvals for trading hours outside of 10am – 10pm for takeaway liquor*

The QPUE supports this recognition of the level of saturation of alcohol trading hours for takeaway liquor. These traditional trading hours for takeaway liquor seem reasonable.

- *Premises licenced to provide gaming or adult entertainment would be able to remain open past 3am, though not serve alcohol past that time*

The QPUE supports this provision to provide some flexibility to licensees.

- *High alcohol content and rapid consumption drinks could not be sold or supplied after midnight. The specific types and amounts of drinks would be prescribed by regulation following stakeholder consultation*

The QPUE supports this provision however will be interested to see the final version and considers itself an important stakeholder for the purposes of consultation under this provision.

- *Low risk specialist venues could apply for exemptions from the ban on high alcohol content drinks after midnight*

The QPUE supports this provision.

- *Blood alcohol content readings lawfully taken by police would be admissible as supplementary evidence in prosecutions against a licensee*

The QPUE supports this provision because it will provide tangible evidence that a person who commits an offence may have an excessive blood alcohol reading. The QPUE envisages this provision would only be used to take readings from specific offenders, complainants, and witnesses because the QPUE understands that policing only works when it is a partnership with the community. The QPUE does not envisage having a provision so broad as to mean police could be tasked with breathalysing patrons who are not causing any concerns to others and simply minding their business. The QPUE does not envisage turning licensed premises into RBT lines.

- *Drug and Alcohol Assessment Referrals (DAAR) conditions on bail will apply to those most likely to benefit from the program. DAAR conditions would be discretionary, failure to complete them would not be criminalised, and a defendant's consent is required for making such a condition of bail.*

A number of amendments in respect of regulation of licenced premises.

The QPUE supports these amendments.

The Bill would also:

- *Allow for the sale of takeaway liquor to signed-in guests and visitors of community clubs*
- *Provide some exemptions in the preparation of RAMPs*
- *Allow the sale of craft beer at promotional events*
- *Clarify acceptable proof of age documentation*



- *Clarify the meaning of 'liquor'*
- *Better regulate the use of carparks for the sale and consumption of liquor.*

The QPUE supports these measures.

Essentially, the QPUE's position is not to be the "fun police" but rather to reduce the impacts alcohol-fuelled violence has on both police and the community.

Information researched by the Foundation for Alcohol Research and Education (FARE) on behalf of the Queensland Coalition for Action on Alcohol (QCAA) has demonstrated Newcastle saw a 37 per cent reduction in night time assaults between the hours of 10pm and 6am 18 months after it introduced earlier closing hours in conjunction with a lockout (3.30am close; 1.30am lockout).<sup>i</sup> Five years later, the reduction in alcohol-related assaults remained with an average 21 per cent reduction in assaults per hour observed.<sup>ii</sup> More recently in Sydney, non-domestic assaults have decreased by 32 per cent in Kings Cross and 26 per cent in the Sydney Central Business District (CBD) following the introduction of 3am last drinks and 1.30am lockouts in February 2014.<sup>iii</sup> In one area of the Sydney CBD, the reduction in non-domestic assaults was as high as 40 per cent.<sup>iv</sup>

These figures demonstrate that reducing trading hours for alcohol service, even by only a couple of hours, has a very real and demonstrable effect.

---

<sup>i</sup> Kypri K, Jones C, McElduff P, Barker DJ. (2010. Effects of restricting pub closing times on night-time assaults in an Australian city', *Addiction*, 106 303-310

<sup>ii</sup> Kypri, K, McElduff, P & Miller, P (2014) Restrictions in pub closing times and lockouts in Newcastle, Australia five years on *Drug and Alcohol Review* 33, 323–326

<sup>iii</sup> Menéndez P, Weatherburn D, Kypri K & Fitzgerald J (2015) Lockouts and last drinks: The impact of the January 2014 liquor licence reforms on assaults in NSW, Australia *Crime and Justice Bulletin: Contemporary Issues in Crime and Justice* Number 183

<sup>iv</sup> Menéndez P, Weatherburn D, Kypri K & Fitzgerald J (2015) Lockouts and last drinks: The impact of the January 2014 liquor licence reforms on assaults in NSW, Australia *Crime and Justice Bulletin: Contemporary Issues in Crime and Justice* Number 183