



Tackling Alcohol-fuelled Violence Legislation Amendment Bill 2015

Submission to the Legal Affairs and Community Safety Committee,
Queensland Parliament, 23 December 2015

INTRODUCTION

Clubs Queensland welcomes the opportunity to comment on the Tackling Alcohol-fuelled Violence Legislation Amendment Bill 2015. As Queensland's peak industry association of registered and licensed community clubs, we have a keen interest in the proposals contained in the Bill given community clubs are licensed venues and government's ongoing consultation around the issues. Like all businesses, community clubs depend on certainty and clarity in the laws that apply to them in order to operate effectively in a highly regulated, competitive and rapidly changing marketplace.

There are approximately 1,400 sporting, returned services leagues, surf lifesaving, cultural, ethnic and special interests clubs in Queensland. Together, they hold 3.4 million memberships, employ close to 27,000 people, return approximately \$670 million in cash and in-kind support for various community projects and generate economic activity valued over \$2 billion in the Queensland economy.

As an industry, we believe alcohol-fuelled violence is a risk that can be proactively managed, despite the fact that such violence is a direct manifestation of anti-social behaviour, rather than arising from responsible operation of licensed premises. We, therefore, support an evidence-based and multi-faceted approach that offers practical and cost-effective solutions, including but not limited to strategies relating to preloading, illicit drug consumption, mental health and personal responsibility. Unfortunately, it is often easy and convenient to target licensed premises, however the evidence confirms the issues contributing to this scourge are varied and complex as already alluded. Having said this, all stakeholders must however have a preparedness to contribute to the solutions whilst being cognisant of commercial viability.

The Bill contains a number of proposals that have been an integral part of the discussion in the Liquor and Gaming Red Tape Reduction Expert Panel, Stakeholder Roundtable Discussions and other forums. Clubs Queensland has made our position known on these matters and this submission reiterates our views.

KEY AMENDMENTS

Clubs Queensland supports the proposal to cease service of alcohol in licensed premises:

- across the State at 2am without a lockout; and
- in declared safe night precincts at 3am. NOTE: We have been consistent in our position that lockouts are not required, therefore we are yet to be convinced a 1am lockout (as proposed) for those trading post 2am in declared safe night precincts is required.

We strongly support the continued flexibility given to licensed premises to apply for and be granted up to 12 extended hours permits for liquor trading until 5am for special occasions or events. Without a doubt, these occasions and events would include New Year's celebration and national / international sports broadcasts.

In addition, we believe that it is fair and reasonable that all applications for extended trading are subjected to the current laws, with the 3am and 2am timeframes only applying to them from 1 July 2016 (when the Bill is expected to come into effect).

We believe the above reforms are sensible for two important reasons:

- Firstly, they eliminate the imposition of regressive measures that are neither backed by research nor supported by industry, for instance the moratorium on extended late night trading applications, which has negatively impacted competition and business viability.
- Secondly, a lesser impact on hours of trade than was originally proposed - i.e. reviewing the cessation of alcohol service to 2am (outside safe night precincts), rather than imposing a statewide 1am lockout, indicates a pragmatic and balanced approach to ensuring ongoing vibrancy in the night economy whilst also tackling issues of violence in Queensland's communities.

The night economy is critical and integral to the success of many licensed premises for a range of reasons, most important of all being that it represents the "new normal", as more and more people are up late (e.g. shift workers and socially, given the shift to a 24/7 society) and are willing and able to enjoy responsibly the hospitality and entertainment services and facilities on offer. It is important that both the government and industry move with changing/evolving consumerism, if we are to retain our relevance, appeal and currency, for our local communities and all sectors of tourism.

NOTE: The majority view of the 18-person Red Tape Reduction Expert Panel, of which Clubs Queensland was a contributor, saw no need to impose a lockout overall, given the recommended implementation of reduced trading hours. Clubs Queensland has been on the public record many times opposing a lockout, and continues to do so, although we acknowledge and value the cooperative approach taken in this Bill, which is reflective of industry consultation.

The ability as proposed in the legislation for community clubs to be able to continue to offer entertainment and non-alcoholic beverages post the proposed 2am cessation of service of alcohol is important and welcomed, as it ensures they have the ability to remain competitive given ever changing/evolving consumerism alluded to above.

For the record - all must also be cognisant of the fact that "approved trading hours" does not equate to "actual trading hours", particularly given the commercial realities associated with a 7 day trading cycle, i.e. demand early in the week against Fri/Sat/Sun for example.

Clubs Queensland supports the sale of takeaway alcohol within the approved hours to non-members who are signed in as guests or visitors as we have actively been seeking change in this area for some time.

The sale of takeaway alcohol is an important consideration for community clubs because, as hospitality venues, they must be able to provide the convenience of full suite of services to their members, guests and bona fide visitors ('patrons') to ensure currency, relevance and appeal. The sale of takeaway alcohol to signed-in guests and visitors addresses a business anomaly where currently a guest or visitor can enjoy all major services on offer, except purchase takeaway alcohol. It is important to note that these patrons have no desire to become members (because of the temporary nature of their visits) and often have no reciprocal status with other clubs (international tourists for example); hence, are subject to the current restriction without any sound basis (i.e. not being a member or reciprocal member). For regional Queensland, this is a genuine issue for tourists as there is often not the same level of options or competition as is the case in the Southeast corner, and additionally the ease of travel from a venue to their accommodation could also be a challenge. Member data indicates takeaway liquor sales represent approximately 3-5% of total beverage sales at best, and it is not foreseen changes proposed will see a massive change to this. This issue is more one of convenience so that visitors and guests can enjoy the full range of services and products that community clubs have to offer. Community clubs feel it is commercially appropriate that they are able to meet the needs of all patrons.

Feedback from clubs constantly point to statements such as:

- "We're a hospitality venue. We should go about providing hospitality services efficiently."
- "Revenue from visitors is vital to our business. It's hard to understand the logic of this restriction."
- "It is embarrassing and insulting to the visitor who does not understand why the person in front of them can buy liquor and they can't. As guests in our state (tourists), you can hear them saying to themselves why can't I spend my money with you!"

Clubs Queensland supports the proposals to:

- delink liquor and gaming trading hours
- allow for up to two additional hours of gaming (upon approval) without liquor service
- maintaining the current "approved" gaming hours after the winding back of liquor hours to 2am for the cessation of alcohol service

The above acknowledges that the industry is appropriately mature given its some 23 years since the first gaming machine was switched on at Kedron-Wavell Services Club on 11 February 1992. Community club gaming operates in a highly regulated environment with responsible gaming compliance regimes, industry lead best practice and separate enforcement units within the regulator being enhanced and enforced.

The link between liquor and gaming is purely historical. By way of background, in 1992 there were serious concerns about probity given the Fitzgerald Inquiry, which had, among other things, also looked at illegal gambling. By originally linking gaming and liquor hours, the Government provided

a disincentive for licensed premises to be used for illegal gambling, particularly outside the approved liquor trading hours. With stringent regulation and oversight, backed by mandatory training (e.g. RSA and RSG) and ongoing awareness and industry led campaigns to minimise problem gambling, such concerns do genuinely not exist in the industry today.

Whilst the community club licence is essentially a liquor licence, community clubs offer a great deal more than liquor at their licensed venues, e.g. there are many non-liquor related services such as sporting – facilities and infrastructure, food, dancing, entertainment on many levels and provides a common meeting place. The confirmation of gaming as a non-liquor related entertainment service, confirms the merit of the de-linking of liquor and gaming aspects of the business.

There is growing evidence that more and more people are working and socializing in non-traditional hours in recognition of the convenience that comes with it (e.g. to avoid peak-time transport congestion, to fit in with family commitments etc.). Community clubs continue to respond to these trends by acting as social outlets and meeting places, which are safe, familiar and friendly, and offer the suite of services that people desire. De-linking the two licences (liquor and gaming) will appropriately assist with ensuring community clubs remain relevant and current to both their members/patrons and Queensland's communities in general.

OTHER AMENDMENTS

There are many other amendments contained within this Bill that will not be discussed in detail in this submission. Proposals such as removing the duplication across incident and crowd controller registers removes administrative burden and is strongly supported by the community club sector. Clubs Queensland is keen to continue to work with industry and the Government to get the balance right regarding 'high alcohol content' provisions past midnight to ensure the night economy remains vibrant and appealing to locals and tourists alike. Clubs Queensland also supports the streamlining of operational requirements and changes as proposed that mean the regulator can more effectively execute its compliance and enforcement roles.

As highlighted above, we support an evidence-based and multi-faceted approach and these minor legislative amendments measures will provide meaningful reductions in duplication, process, and administrative red tape for the benefit of the entire hospitality industry.

SUMMARY

The community club sector appropriately views alcohol-fuelled violence very seriously; given patron safety has a direct impact on all aspects of our members' operations and the communities they service. We share government and community's concerns around pre-loading, alcohol abuse, misuse, and importantly, the ever increasing trafficking and consumption of illicit drugs that impact the lives of many. These are challenges that must be addressed through sound policies and working collaboratively. Queensland's community clubs also applaud the Government's commitment to introduce ongoing awareness/education campaigns that will also assist over time, with social change and improved personal responsibility.

It is important that all stakeholders do not lose sight of the fact, that licensed premises already operate in a highly regulated, competitive and rapidly changing environment. All retail providers must however have the flexibility to ensure the currency and relevance of their services/offers is what a 24/7 consumer expects and requires. As the boundary between traditional and recreational hours is continually blurred, licensed premises must have flexibility in the way they do business and also, long term certainty and clarity in relation to the laws that apply to them.

Queensland has one of the strongest and robust liquor licensing and compliance regimes in Australia. Whilst the legislative reforms in question continue to tighten the trading environment for licensed premises specifically in relation to alcohol service, a less restrictive approach than first proposed indicates the Government's willingness to listen, consult and heed industry feedback when formulating this Bill. A thriving night economy will not only benefit the State but also the venues operating in it, including community clubs, which is why this Bill has our support.

Contact Person:

Doug Flockhart
Chief Executive Officer:



END