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Mr Peter Russo
 Chair
 Legal Affairs and Community Safety Committee

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Dear Mr Russo

Thank you for providing AMA Queensland with the opportunity to provide feedback on the new *Criminal Code (Consent and Mistake of Fact) and Other Legislation Amendment Bill 2020* (the Bill).

AMA Queensland is the state's peak medical advocacy group, representing over 6000 medical practitioners across Queensland and throughout all levels of the health system. AMA Queensland provides comments about one section of the *Criminal Code (Consent and Mistake of Fact) and Other Legislation Amendment Bill 2020* (the Bill):

- Implement the second tranche of the Government's legislative response to the final evaluation report of the Tackling Alcohol-Fuelled Violence Policy.
- AMA Queensland read with much interest the response of the Queensland government to the Quantum Report and despite their being 38 recommendations contained within the report, it is hard to find any detail of what the final actions of the Queensland government are apart from those listed in the explanatory notes;
 - i. ID scanning and banning
 - ii. Ongoing effectiveness of safe night precincts, and
 - iii. Increased transparency around liquor and gaming machine decisions.
- AMA Queensland agrees with the increased rigour around ID scanning and banning regime such as the proposed change to the PPRA to increase the police banning notice from 10 days to one month and the increased penalties against the licensee if the actions necessary for controlling entry to regulated premises are not put in place.
- AMA Queensland believes the right balance has been achieved on the one hand by increasing the period of the banning notice and on the other hand by introducing changes to the period which the respondent who receives a banning notice can seek an internal review (from five days to 15 days).
- We agree with the view of the Queensland government that the changes to the ID scanning amendments are in the public interest and will ensure fairness and effectiveness in the regulatory framework.
- However, we disagree with the provision that licensees in safe night precincts be granted extended trading hours on the basis that their premises are within the safe night precinct boundaries.

- Despite the Safe Night Precinct project achieving some modest improvements in rates of serious assault and reductions in violence, ambulance call-outs in high-alcohol areas and a decrease in ocular bone fractures, more needs to be done, because the report also identified a 19 % increase in serious assault between the hours of 8.00pm and midnight.
- AMA Queensland believes the combined effect of pre-loading by patrons and the fact that patrons continue to be served alcohol despite already being under the influence (in the Quantum report as having higher BAC of patrons in the Safe Night Precinct than when the project started) creates the perfect scenario for people who are alcohol dependent and who also become violent, disorderly or offensive.
- We are calling for three additional actions to be included as part of this Bill:
 1. Introducing more stringent controls over responsible service of alcohol obligations for online liquor sales:
 - a) introduce a penalty for not complying with risk assessment management plans for online sales, and
 - b) For compliance checks to be conducted at the point of delivery of alcohol.
 2. Undertake a review of measures related to the safe and responsible service of alcohol, namely, strategies used to assess patrons’ levels of intoxication before effecting service of alcohol.
 3. Include actions related to recommendation 11 and recommendation 27 from the Quantum report:

Recommendation 11	Amend the Liquor Act to include, and document, consideration of violence rates, family violence rates and the current density of outlets in any granting of new liquor licences or changes to existing licences.
Recommendation 27	Commission ongoing Independent evaluation and monitoring of alcohol-related harm in Queensland.
- AMA Queensland is recommending these additional actions on the following grounds; firstly, the link between alcohol being consumed at harmful levels, certain cancers and poor mental health and the link between alcohol consumption and levels of domestic violence (DV) at the community level, something which the Queensland government should be congratulated for taking serious concerted actions to address, particularly since the high profile campaign led by Rosie Batty.
- Secondly, Doctors working in Queensland hospitals and ambulance services continue to witness the devastating injuries and deaths caused by excessive alcohol consumption including fractured jaws, facial lacerations and eye and head injuries, which occur as a result of excessive alcohol consumption.¹ A troubling fact is that alcohol-affected patients create more of a disruption to Emergency Departments when compared to patients affected by ice.²

¹ AMA (2019) “National Alcohol Strategy a Missed Chance to Include Volumetric Tax.” <https://ama.com.au/media/national-alcohol-strategy-should-include-tax-reform>

² Ibid.

Thank you for providing AMA Queensland with the opportunity to provide feedback on this important issue. If you require further information or assistance in this matter, please contact [REDACTED]

Yours sincerely



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President
Australian Medical Association Queensland



Dr Bav Manoharan
Executive General Manager & Company Secretary
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