



LAW, JUSTICE AND SAFETY COMMITTEE

Members:

Ms B.G. Stone MP (Chair)
Mr A.P. Cripps MP
Mr S.A. Kilburn MP
Mr A.P. McLindon MP
Mr M.P. Watt MP

HEARING INTO ALCOHOL RELATED VIOLENCE

TRANSCRIPT OF PROCEEDINGS

FRIDAY, 30 OCTOBER 2009

Brisbane

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Committee met at 9.45 am

AITKEN, Peter, Acting Superintendent, Queensland Police Service

DONNELLY, Steve, Inspector, Queensland Police Service

DUNCAN, Tony, Detective Inspector, Queensland Police Service

CHAIR: Good morning. Firstly, I would like to apologise for the lateness of the start. I declare this hearing for the inquiry into alcohol related violence open. I acknowledge the traditional owners of the land upon which we meet today and the custodians of the sacred lands of our state.

Thank you all for your interest and your attendance here today. Before proceeding any further, I would like to introduce the members of the committee present today: Mr Andrew Cripps, the member for Hinchinbrook and deputy chair of the committee; Mr Steve Kilburn, the member for Chatsworth; Mr Aidan McLindon, the member for Beaudesert; and Mr Murray Watt, the member for Everton. The Hon. Dean Wells, the member for Murrumba and Mr Jarrod Bleijie, the member for Kawana, are members of the committee but are unable to be present here today. My name is Barbara Stone and I am the member for Springwood and chair of the Law, Justice and Safety Committee. The committee is a statutory committee of the Queensland parliament and, as such, represents the parliament. It is an all-party committee which adopts a nonpartisan approach to its inquiries.

On 4 August 2009, the committee received the following referral from the Legislative Assembly: that the Law, Justice and Safety Committee conduct an inquiry and report on alcohol related violence in Queensland, with a focus on community safety and preventative measures to reduce levels of alcohol related violence, including its ramifications. In undertaking this inquiry, the committee should consider best practice harm minimisation measures in other Australian and international jurisdictions, including specific measures such as restrictions on the use of glass; the impact of late opening hours on the incidence of alcohol related violence; the flow-on issues for emergency service workers, police and front-line health workers of alcohol related violence; education campaigns and their role in cultivating effective social change in terms of community attitudes to alcohol consumption; the role of parents in influencing the attitudes of young Queenslanders towards alcohol consumption; and the economic cost of alcohol related violence. Further, the committee should take public submissions and consult with community leaders, educators, law enforcement agencies, medical professionals and the liquor industry.

The committee has advised the public of the inquiry by advertising in the print media and also by writing directly to a number of individuals, organisations and government departments. The committee released an issues paper on 31 August 2009 and has invited submissions from the public through advertisement and by writing directly to a large number of stakeholders. The committee has also established the Parliament's first Facebook page as part of its consultation process.

After considering submissions and other material, such as transcripts of hearings like this one today, the committee will report to parliament. An interim report will be given to the parliament by 26 November this year and the final report by 18 March 2010.

I would like to remind everybody to please switch off their mobile phones or put them into silent mode. In the unlikely event that we need to evacuate, I would ask that you please follow staff directions. I would also like to remind members of the public who are here to observe that the hearing must not be interrupted. You are here to observe the hearing.

We also have members of the media here today and I would like to ask the witnesses if they are comfortable to have the media proceed and film them and record, if that is all right, or if they would prefer not to?

Acting Supt Aitken: We are quite prepared to, thank you.

CHAIR: Thank you. Although the committee is not swearing in witnesses, I remind all witnesses that these hearings are a formal process of the parliament. As such, any person intentionally misleading the committee is committing a serious offence. I also remind witnesses that Hansard will be making a transcript of the proceedings and I ask that you please identify yourselves when you first speak and to speak clearly and at a reasonable pace.

Today, the hearing will hear from representatives of the Queensland Police Service, the Queensland Hotels Association, Clubs Queensland, the Office of Liquor and Gaming Regulation and Professor Paul Mazerolle from Griffith University.

I now open the public hearing with our first witnesses. I welcome from the Queensland Police Service Acting Superintendent Peter Aitken, Inspector Steve Donnelly, and Detective Inspector Tony Duncan. I have an apology from Superintendent Peter Savage, who is unable to be here today. I ask that you clearly state your name, your organisation and if you would like to make a statement.

Acting Supt Aitken: Thank you, madam chair. Acting Superintendent Peter Aitken is my name. I am currently the district officer in the Brisbane Central District. My colleagues on my right are Inspector Donnelly, who oversees the operations of the Fortitude Valley police area, and Detective Inspector Duncan, who looks after crime related issues in the district as a whole.

The Brisbane Central District is a vibrant and challenging policing environment. Geographically, the district, made up of the Brisbane city and Fortitude Valley divisions, is the smallest in the state. Based on the 2006 census data, the current population is approximately 54,000 people. The key focus of this district is public safety. This is achieved through using partnerships with key stakeholders and a commitment to high-visibility policing. I intend to provide some insight into the issues facing officers policing this district.

Estimates based on the average occupancy of licensed venues and pedestrian movements in the district indicate that the night-life crowd is in excess of 75,000 people on any Friday or Saturday night. This figure will increase when there is a major sporting event, a major festival or concert in the district. There are approximately 540 liquor licences in the district. Of these licences, approximately 330 can trade until 12 midnight, approximately a further third can trade up until 3 am and approximately 60 can trade until 5 am. The evidence suggests that patrons begin their night out by drinking at locations other than licensed venues. This increases the chances of higher levels of intoxication before they travel to the city or the Valley at approximately 11 pm and into venues. This practice potentially increases the risk of drink driving, drinking as passengers in vehicles, drinking in taxis, unruly behaviour on public transport and littering the streets with alcohol bottles on arrival.

The opportunity to consume liquor has increased with the duration of the typical night out, as I have just explained. A patron may feasibly commence drinking at 6 pm at home outside our district and potentially finish drinking at 5 am the following morning. Any person who has little or no sleep in the preceding 24-hour period will become psychologically vulnerable later in the night. This level of vulnerability is magnified when the person is affected by alcohol.

A reduction in trading hours has reduced the incidence of alcohol related violence in other police jurisdictions. In Newcastle city, the New South Wales Liquor Administration Board conducted an investigation and in March 2008 handed down restrictions on the trading of 14 licensed venues in Newcastle city. It was reported that between March and November 2008 there were reductions in attendance at the emergency department, assault offences and other crime. The limitations of these restrictions could be seen in the neighbouring area of Hamilton, where the trouble shifted to unrestricted late-night venues.

The serving of mid-strength alcohol has been standard practice in this district for some time. Suncorp Stadium hosts around 43 sporting events each year and is well patronised, yet contributes marginally to the incidence of alcohol related violence. A recent rugby union test match saw a crowd of 45,000 people attend and resulted in one eviction and one arrest. This year, the district managed the Sounds of Spring and Parklife music festivals on the same weekend. These festivals brought a combined total of 44,000 extra persons into the district. Using the high-risk guidelines developed with the Office of Liquor and Gaming Regulation, conditions negotiated with these event organisers included mid-strength liquor sales, responsible service of alcohol marshals, on-site medical support, free water and chill-out areas. This resulted in a very low rate of reported disturbances and reported crimes at the events.

It is our experience that fast-food outlets and taxi ranks are places where the night-life group find friction and increased risk of confrontation. Queensland Transport currently supports the provision of security providers and rank marshals in our district, greatly improving the safety at the secure ranks in the district. Nonetheless, some alcohol related violence issues continue to arise once patrons are in a taxi with passengers and drivers the victim or perpetrator of a crime.

There is anecdotal evidence in the district of disturbances and associated violence in the proximity to fast-food outlets, other premises which trade at night and in the vicinity of licensed venues and in public spaces such as the malls. An added dimension is that these places are also frequented by young people not otherwise permitted in licensed venues.

There is an existing framework for managing important spaces, such as at South Bank, by excluding persons who exhibit risky behaviour relating to the consumption of alcohol. In some instances, these people continue into Brisbane city and contribute to the level of violence in the area, typically travelling over the Victoria Bridge and other pedestrian bridges.

Prosecutions for suspected breaches of the requirements to responsibly serve alcohol in licensed venues are problematic, difficult to substantiate and infrequent. There is no authority to breath test a patron and difficulty in interpretation of a subjective assessment of a patron's level of intoxication, especially in our district where there are large numbers of patrons in the precincts and crowded bar areas inside licensed venues. It is my observation that no one person on the premises is tasked specifically with monitoring the intoxication of patrons. The window of opportunity for a doorperson or a bar person is limited to a brief interaction, which does not always provide sufficient opportunity for the employee to make an accurate assessment of the patron. A patron may be able to pull themselves together for long enough to look sober when gaining entry or being served. The use of specifically appointed responsible service of alcohol marshals would assist licensees to monitor patron behaviour and the other staff employed in the venue to cut off the supply to intoxicated persons.

This district currently has a liquor investigation unit, which was a recommendation of the 17-point Brisbane City Safety Plan. This unit regularly conducts multi-agency compliance operations, targeting licensed venues. Where there is noncompliance with specific provisions of the Liquor Act, the unit takes appropriate enforcement action. In some instances, the unit conducts an investigation and refers this to the Office of Liquor and Gaming Regulation to instigate show cause proceedings. Some licensed venues are also case managed by the unit to improve their level of compliance and highlight best practice.

There have also been two security forums hosted by the district to assist the venue operators and security companies to provide a safer environment at licensed venues. These forums highlight best practice and address and resolve security related issues. What I have highlighted are a number of important issues from anecdotal evidence and personal observations in the Brisbane Central District. No one strategy, I would suggest, can be considered in isolation; rather it is a combination of strategies aimed at improving patron behaviour and improving adherence to licensing obligations.

CHAIR: Thank you. Firstly, I would like to thank your officers who took us around the Fortitude Valley area and the city area over a month ago now. I have to say that we certainly witnessed how very busy your officers are in that area and the information they provided us and what they showed us has been very informative to the committee. So I would like you to pass that on to them.

Acting Supt Aitken: I will, thank you.

CHAIR: The figure of 75,000, I have to say that we have been getting quite a number of figures for the Valley area and 35,000 has been quoted as an average to me. I am just wondering where 75,000 came from, if you could explain that to me?

Acting Supt Aitken: I spoke as a district as a whole, that is, there is Fortitude Valley and also the Brisbane city police divisions. Our figure was based on the average occupancy of all of our licensed venues plus the number of pedestrian movements in the mall areas.

CHAIR: Okay. Thank you. Is there a time frame that you could tell the committee that is the risky hours? Is it 3 am to 5 am? Is it 1 am to 4 am for violent incidents that your members are attending to?

Acting Supt Aitken: Whilst it is very difficult to actually give specifics on when one is a riskier time rather than the other, I would just like to reiterate again that many patrons commence their night out drinking at home. They travel to our area later in the night. Some of them drink until 5 am, having little or no sleep. What I can say is that we at the present time have two peaks in confrontation and disturbances: the first from about 2 am until 3.30 am when patrons leave to travel home or move into specific venues prior to the 3 am lockout. It continues until about 3.30 am, because there is confrontation where patrons who have missed the lockout are in conflict with the security providers at the front doors. There is a lull between 3.30 am and 5 am whilst most patrons are inside. There is again confrontation after five o'clock as patrons leave and until patrons have boarded taxis or public transport to continue their trip home.

CHAIR: Thank you. What does the liquor unit entail? Who is in that? What resources does it have?

Acting Supt Aitken: We have a specifically designated liquor unit. Their responsibility is solely to work in liquor investigation and provide advice to other officers on liquor related matters.

From an enforcement and compliance point of view, they regularly conduct multi-agency operations to assess the compliance with the current Liquor Act of late night trading venues and in fact all late venues. They also comment from a police perspective on liquor applications and renewals of liquor licences and conduct investigations and, where appropriate, refer those to the Office of Liquor and Gaming Regulation to instigate show cause proceedings.

CHAIR: I want to talk about your calls for service and how that affects you operationally. If you have officers tasked to be in the Valley or Surfers Paradise or in any area and they attend to situations that they see just occur on the streets—they are not actually called to those incidents—how does that affect your figures?

Acting Supt Aitken: There is a number of incidents that we actually attend to which would not be recorded on normal calls for service. Because of the small size of our geographical area, there is an increased chance of police coming across incidents and resolving incidents without being detailed or receiving the information from a third party.

CHAIR: Therefore, possibly we have a lot of officers doing unrecorded work, which does not reflect the figures correctly for staffing perhaps.

Acting Supt Aitken: A percentage of the total work we do would be unrecorded. However, having said that, many of those incidents they come across would result in arrests, so they would be recorded in that way. So there is really no one figure that you could use in isolation to show how busy we are, rather than a combination of figures from different areas such as crime statistics and calls for service.

CHAIR: So they are looked at in a combination. I know that my committee members will have many questions.

Mr CRIPPS: I would like to welcome you all here today. Thanks for appearing before our committee to give evidence. Can I firstly go back to the evidence you gave earlier about the number of patrons in the Valley precinct and in the city precinct and the figure of 75,000 on any given Friday or Saturday night? Acting Superintendent, did I hear you correctly when you said that there were six venues that could trade to 5 am?

Acting Supt Aitken: There are 60 venues.

Mr CRIPPS: I am sorry—60 venues that trade until 5 am.

Acting Supt Aitken: Mr Cripps, it was 60 licences that can trade up until 5 am. The decision to trade to 5 am is one for the licensee, rather than one that they will actually trade till 5 am.

Mr CRIPPS: Do you know approximately what the capacity of those licences are that are permitted to trade until 5 am? What is the capacity of patrons who could stay out at that time between 3 and 5 am, acknowledging that earlier on in the day you had 75,000 in those precincts?

Acting Supt Aitken: The estimate that we make is approximately at 11 o'clock at night or just before midnight. To accurately assess on any one particular night whether that would be greater or smaller—I would suggest probably smaller—would be problematic in that we do not really account for the people who are moving and travelling away. There is evidence reported to me from our officers that people do move to the licensed venues before three o'clock and they are inside and that is where most of the activities occur and that there is very little activity in the public space between 3 and 5 am. So from our point of view it would be difficult to put an actual estimate on that without further research and a further estimate judging on our observations and on the observations of those venues. The venues themselves may not always necessarily trade until 5 am. Because of patron numbers they may close earlier or the like. It could be something that would need to be done on a weekend by weekend basis.

Mr CRIPPS: Correct me if I am wrong, but those licences would have a patron capacity attached to their licence. So, amongst those 60 licences that trade till 5 am—whether or not they choose to do so is a matter for them—they would have a patron capacity. Amongst those 60 licensed premises, do you have an idea what the total patron capacity of those venues would be?

Acting Supt Aitken: I would not without further research.

Mr CRIPPS: That is fine. I was just interested, because 75,000 patrons in those precincts is a significant number of people. There is a lawful patron capacity for those 60 venues that have the ability to trade between 3 am and 5 am, with 5 am being the key time for many different issues. Perhaps we could come back to that later or the Queensland Police Service might be able to provide the capacity of those venues at a later date.

I would like to move on to something you said in your submission about multiagency approaches to public safety. In particular, I would like to talk about some comments in your submission about the security industry. I can recall in the last parliament that there was an amendment to the Security Providers Amendment Bill. What initiatives do you consider to be appropriate or what changes would be appropriate to achieve a greater level of professionalism and ethical practice in the security industry?

Acting Supt Aitken: Whilst I cannot comment on the security industry as a whole, I know from our experience that the forums we do have with the security industry provide that avenue where we can let them know about best practice and legislative changes. At the last forum we were able to provide them information on what we call verbal judo, which is the resolution of confrontational events without the use of force. In that respect, the forums that we host and the interaction we have with our particular security providers provides a great deal of improvement in their behaviour.

CHAIR: One of the things that we all noticed when we were out that night in the Valley was the fact that, apart from the chaplaincy service and yourselves, there really were no other support services or agencies out there doing anything at that time of the night or morning. Have there ever been any discussions with other departments as to what agencies are required to help support you in those hours that probably would take a load off the police force? It seems to me that everything is being left to you.

Acting Supt Aitken: We meet fairly regularly with the Brisbane City Council to discuss security and safety issues generally. We conduct safety audits and involve stakeholders on a quarterly basis to improve security, especially around the Valley. As for agencies that are involved, ChaplainWatch is a key one that is used. They have recently trialled during the Fortitude Valley Fiesta the use of a chill-out zone so that we are able to involve other people in helping to manage the public space.

CHAIR: How did that chill-out zone work? Was that in the evening or during the day? Was it effective?

Insp. Donnelly: I have a meeting with the person who ran it on Monday who is sitting in this room. They processed about 16 people who would otherwise have probably required police attention or intervention.

CHAIR: What hours did they operate?

Insp. Donnelly: I am not sure. Basically they targeted the busy period, which is 10 pm to 6 am.

CHAIR: So if there were other organisations that were able to assist the police, that would take a bit of a load off. You do have situations that possibly could go to other agencies rather than be dealt with as a law enforcement problem.

Insp. Donnelly: Certainly.

Acting Supt Aitken: We currently also have a working protocol with Murri Watch. So, instead of incarcerating people who are intoxicated, we are able to divert them from custody. It acts as a non-adversarial approach to managing intoxication in a public space. We also work closely with the Indigenous Youth Health Service. That gives us opportunities to manage younger people who may become intoxicated and to transport them home. So there are some organisations which do provide us support when it comes to managing intoxication.

CHAIR: At those hours of the night and morning?

Acting Supt Aitken: In many cases it is a call-out, but it is still another way we have to respond to intoxicated people's needs.

Mr KILBURN: I thank you all for attending today. I did go on the precinct tour with the Police Service and it was a very interesting night. I would like to go a bit further in relation to what the chair was just asking you about those support services. We did see an instance of an inner-city park full of young people drinking at night. One of the suggestions to us was that it would be very difficult to do anything about them proactively because there were limited places for you to take them and that you would basically tie up nearly all your resources in some cases babysitting, because they were underage youth drinking. It would appear to me, as the chair said, that the police are the ones carrying the load for a lot of other social services. We would like to hear whether there is an opportunity for us to recommend other agencies, other than volunteer or limited resourced support agencies, to assist you and what you think would make a big difference to your ability to get those people off the street and remove them from potential harm earlier.

Acting Supt Aitken: Our recent relationship with the Indigenous Youth Health Service is one such service. That organisation does not have specific premises, but it provides us with the opportunity to relieve our staff, especially in cases where there are intoxicated young people, by transporting them home. It links in with other support services at a later time but principally it takes the onus off us to find a place of safety for them. In most cases the Indigenous Youth Health Service provides transport and eases our resources to do that job. Obviously we have a very large transient population that are from outside of the city. So our time spent travelling could be better spent in the precincts policing the public space.

Mr KILBURN: One of the submissions that I see here is about exclusions of persons from public areas along the lines of powers under the South Bank Corporation Act. Could you expand on that? Are we talking about moving them on just at that point in time or are we suggesting some sort of system where we can ban people from either all licensed premises or a precinct for a period of time, say, three months or a week?

Acting Supt Aitken: We currently have move-on provisions where people are displaying risky behaviour to move them on for a period of time. The suggestion there is to move to the model that is occurring at South Bank, where they can be excluded for periods of time because they are displaying risky behaviour. The current situation is that, apart from a move-on direction, we do not have that long-term ability to move people on for extended periods. I envisage that it would be more a situation where they have committed offences or committed behaviour that is that risky that they should not come back into the public space. It would be more aligned with the mall areas. Many of those public spaces are very iconic and the perceptions of safety can sometimes be aligned with the people who are in the public space and what their behaviour is like.

Mr KILBURN: In relation to the five o'clock lockout, the suggestion to us was that there will potentially be interaction between people who are leaving at five o'clock and the people who are coming in to open shops, to set up market stalls and that sort of thing. Is there much evidence that there is interaction between the people leaving at five o'clock and the people commencing their work day?

Acting Supt Aitken: Specifically in the Valley mall that does occur. There is a flea market that operates there each weekend and that can be the situation where there is confrontation between those who are conducting their business at the markets and those who are trying to get home.

CHAIR: You mentioned the public space. How much of a problem is lack of amenities—lack of toilets—very narrow footpaths or queues such as those queues to get into nightclubs as well as the taxi queues where we saw fights break out because people think they are pushing in. How much of that is the environmental design?

Acting Supt Aitken: In most cases, apart from the licensed venues, there is very little access to public toilets especially in that 3 am to 5 am period and hence public urination is an issue for us.

CHAIR: Are there any other public amenities that you find are not there that cause some of the problems? Not that you can think of at the moment?

Acting Supt Aitken: No.

Mr WATT: Thank you, chair, and again thank you all for coming along today and again particularly thank you to Inspector Donnelly for taking us around the Valley on our recent inspection. One of the issues that I would like to pick up on is the culture of people going out these days. We have had a lot of anecdotal evidence in all of the different public hearings that we have had that there is something changing in the culture: that people are more aggressive these days, they do not think before they hit, all that kind of thing. No-one has any firm evidence for that, but there is definitely a feeling around to that effect. Equally, people,

particularly those from the hotels industry, throughout the inquiry have been making the point to us that we need to encourage some greater individual responsibility on the part of patrons to do the right thing. I just wanted to explore that a little bit. Given that you would be the first people who see someone who has hit someone else, I am interested in anything that you can draw out from them about why they say they did what they did. It seems to me that if we can try to tackle the motivation people have for hitting someone in the first place we will be doing a good job of trying to address this problem.

Acting Supt Aitken: I make the comment that the people who we deal with, because it is normally later in the night, have had a lack of sleep and their decision-making processes, because of the fatigue, are different. It is magnified by alcohol. I would think that the best way to address that would be, rather than look at the specifics, to try to condition people to come into town earlier and possibly finish drinking earlier so that they can go home and recover and then the next day be able to undertake some normal routine family activities. At the present time, the way that we are now situated, people can be technically drinking for 11 or 12 hours and then it is the next day. We experience two peaks in our calls for service, at 3 am and again at 5 am. There is a significant impact on our officers. Whilst I do not think there is any qualitative evidence, our experience is there may very well be an unmeasurable cumulative effect on police officers dealing with that. If they are dealing with conceivably in one seven-day period 14 potential confrontational periods that becomes cumulative. What occurs in the long run is that officers approach myself, Inspector Donnelly and Inspector Duncan just wanting that little bit of respite from dealing with drunks every night. We have a process where we can just put them off line. They are still performing front-line duties but we put them in places such as police beats where they can just get that little bit of respite and be ready and recharged to go back into policing the public space.

Mr WATT: Just sticking with that point about individual behaviour, you mention in your submission that you think that the One Punch Can Kill campaign has been quite successful and you have encouraged the committee to think about building on that. Can you just tell us a little bit about what you perceive to have been the benefits of that campaign and how we could build on it?

Acting Supt Aitken: At the moment it is a branding, from our point of view. You see people mention it. What we see is building on that and building on trying to improve people's behaviour and taking responsibility for their own behaviour. Specifically, we see it as a point where people should be able to be accountable for their actions. What we see is to take some of the strategies like excluding people and work up a campaign that looks at 'no-one fights here any more', very much like the cigarette campaign, so that there is a bit of understanding, and maybe a little bit more cheek with the younger generation.

Mr McLINDON: Thank you, madam chair, and thanks to the acting superintendent, inspector and detective for coming today. And thanks to the inspector for showing us around. It was certainly amazing how much a culture can change in six years since I was married. With regard to the support agencies, it is no doubt an ongoing debate whether it is the agencies that should be taking some of the slack off the Police Service or vice versa. In terms of following this hearing and the direction you would like the committee to take, would you say that our time would be best spent in looking at resourcing support agencies or further resources for the Police Service?

Acting Supt Aitken: I do not think any one particular strategy in isolation can work. It would be a combination of strategies. Rather it would be improving resources, especially for support agencies. At the moment, at times we do undertake that role and then act as a conduit to the support agencies. If that particular area was improved it just frees us up to police the public space.

Mr McLINDON: The party precinct used to be in Brisbane, then it started going towards the Valley and now obviously that is the epicentre. Given the numbers that you are suggesting will be in the Valley at any one point in time, would there be any sense in having a strategy to possibly shift some of that back to the Brisbane precinct and spread it or do you think the containment is working successfully?

Acting Supt Aitken: The situation as it stands now is that in the Valley entertainment precinct there is a lot of people. Because people are in close contact with each other, because of the sheer numbers in one given area, there is greater potential for people to come into contact and hence confrontation. Whilst it would be a commercial decision and very difficult for entrepreneurs, it is probably something that is very difficult for us to comment on.

Mr McLINDON: Being on the front-line and getting feedback from the people who you oversee, what would be a desirable closing time?

Acting Supt Aitken: From our point of view, whilst I could not state probably one specific time, to have one time that is consistent would make it a lot easier to police. It means that we can concentrate our efforts in that period, especially if it was earlier than what it currently is. The issue that we see is that we have two peaks that we must cover, albeit two hours apart, but that does impact on our resources. To go back to one would be a situation where we could concentrate and focus all of our resources at that one time. What was highlighted with the experiences in Newcastle was that while it could be imposed in one area, all that did was shift the problems to another area. There needs to be consistency across all precincts and all locations.

Mr CRIPPS: Acting superintendent, can I just go back quickly to your answer to the member for Everton in relation to the cultural changes that have happened in relation to the behaviour of patrons in these entertainment precincts. Whilst I was not on the tour of the Valley with the inspector, I have been on a tour of the entertainment precincts in Townsville and Cairns closer to my electorate. We appreciate the moderation of your evidence in relation to your description of how cheeky the younger generation of people are. I would have said that they were downright disrespectful of police. I express my regret about how much disrespect is extended to police when they are undertaking their duties in those areas.

I wanted to ask you a question specifically about the evidence that you gave earlier in your submission to the committee and that is the experiences the police have policing special events, say, sporting events or entertainment events. I would like you to provide the committee with some more advice about the fundamental differences between the policing of an event venue where alcohol is served as opposed to the policing of entertainment precincts where there are standard licensed venues.

Acting Supt Aitken: The Office of Liquor and Gaming Regulation developed high-risk guidelines. Quite simply, in our case myself or Inspector Donnelly in the case of events work with the event organiser using these high-risk guidelines to police the event. The guidelines provide advice on security numbers, a policing response, serving practices and a myriad of things that act as harm minimisation strategies. Many of these events, especially in our district, are policed using a user-pay model. We do not actually actively contribute rostered staff to the event, rather the user pays for the police response.

Mr CRIPPS: My last question relates to an issue that our committee has heard a lot of evidence about that is not specifically related to our referral and that is the relative prevalence of illicit drug use and its contribution to violence in the community. Would you be able to provide any anecdotal advice to the committee from the point of view of the Queensland Police Service about the prevalence of illicit drugs and its use and its contribution to violence in entertainment precincts? In the opinion of the Queensland Police Service in the Brisbane precinct, do the police need any powers to test violent offenders for illicit drug use?

Acting Supt Aitken: To answer your first question, it is very difficult to put a quantity on what impact the illicit drug taking or legal drug taking has on offending behaviour. In many instances, people who may or may not have taken illicit drugs do not know what they have taken. It is very difficult to make that assumption and to actually qualify that and to say that such-and-such a drug causes people to become violent or such and such a combination. Whilst there may be some drug taking in our precinct, the effects of that drug taking and what specific drugs have on specific behaviour would be very difficult to say.

As to whether we need to have the ability to drug test people, at the moment our only legislative authority is to drug test people when they are driving. It would be very difficult, I think, to extend that to people who are using public space. It may be something that would be considered should a person be charged with an offence.

Mr CRIPPS: That was not my question.

Acting Supt Aitken: It may be a little bit easier, but to actually randomly drug test people walking in public spaces is certainly not something that would be—

Mr CRIPPS: That was not my question. It was, if someone was a violent offender, do the police need that power to test them?

Acting Supt Aitken: It would be very difficult, actually, whether it would be something that we would be wanting or needing as an organisation as a whole. Within our precinct we deal with violent offenders and they are placed in the watch-house and put in specially designed areas so that they cannot hurt themselves further.

CHAIR: I want to clarify this Newcastle study. It mentions a reduction of trading hours in the 14 licensed venues. What were they trading before they were restricted? It does not actually say.

Acting Supt Aitken: The New South Wales Liquor Administration Board handed down restrictions on the 14 licensed venues that traded in Newcastle City. Seven of the premises traded until 5 am and four until 3 am. Five were among the worst in the state for reported assaults. Between March and November 2008 attendance at the local emergency department dropped 30 per cent; assaults between 1.30 am and 6 am fell approximately 34 per cent; robberies, break and enter, motor vehicle crime and malicious damage dropped between 24 and 24 per cent.

CHAIR: It actually says a reduction in trading hours, but we do not know what they were trading before, we only have what they were trading during the study.

Acting Supt Aitken: Sorry, they reduced their trading hours to a 2 am close with a 1.30 stop selling.

CHAIR: Thank you. With that I will close this part of the hearing and thank you for attending here today.

AYLWARD, Mr Steven, Membership and Marketing Services Consultant, Queensland Hotels Association

O'CONNOR, Mr Justin, Chief Executive, Queensland Hotels Association

MATHIESON, Mr Bruce, National Operations Officer, Australian Leisure and Hospitality Group

CHAIR: I now call the Queensland Hotels Association witnesses to the table. Thank you for being here today. Before proceeding any further, I will introduce the committee. We have the Deputy Chair, the member for Hinchinbrook, Mr Andrew Cripps; Mr Steve Kilburn, the member for Chatsworth; Mr Aidan McLindon, the member for Beaudesert; and Mr Murray Watt, the member for Everton. I am Barbara Stone, the member for Springwood and chair of the Law, Justice and Safety Committee.

The Law, Justice and Safety Committee is a statutory committee of the Queensland parliament and as such represents the parliament. It is an all-party committee which adopts a non-partisan approach to its inquiries. On 4 August 2009 the committee received the following referral from the Legislative Assembly that the Law, Justice and Safety Committee conduct an inquiry and report on alcohol related violence in Queensland with a focus on community safety and preventative measures to reduce levels of alcohol related violence, including its ramifications. I know that you have received information from us on the criteria.

The committee has advised the public of the inquiry by advertising in the print media and also by writing directly to a number of individuals, organisations and government departments. We released an issues paper on 31 August 2009 and have invited submissions from the public through that advertisement and by writing directly to a large number of stakeholders.

Could people please switch their mobile phones off or put them on silent mode. In the unlikely event of the need to evacuate, I ask that everyone follow staff directions. I also remind the public that you are here to observe the hearing and may not interrupt the hearing. I would like to ask the witnesses if they are comfortable with having the media in the room and media filming or recording.

Mr O'Connor: We are.

CHAIR: Although the committee is not swearing in witnesses, I remind all witnesses that these hearings are a formal process of the parliament and as such any person intentionally misleading the committee is committing a serious offence. I also remind witnesses that Hansard will be making a transcript of the proceedings. I welcome you and ask you whether you would like to make an opening statement.

Mr O'Connor: I would like to make an opening statement and thank the committee for the opportunity to input to this forum. At the outset, may I say that the Queensland hoteliers and licensees generally share many of the government's and community's concerns about violence and lack of respect for the law that are the subject of the committee's considerations. We experience antisocial activities and offences against the law on a daily basis. Our industry has always been willing and remains willing to contribute positively and to play our part in bringing about effective solutions.

Today we live in a much more aggressive and violent society than we have in the past. Daily we hear reports of road rage, schoolyard bullying, cyber bullying, physical assault, the carriage of knives and concealed weapons and we even have police called to oversee junior sport on the weekends.

Our industry's experience is that the threshold at which some young men will visit violence on each other is progressively lowering and there is less tolerance for others in our community and respect for the law and authority generally than there has been in times past. Not surprisingly, some of this poor behaviour migrates into the night economy and to entertainment venues. The point here is that this poor personal attitude, personal behaviour, absence of personal responsibility and personal accountability and disrespect for authority and the law is already entrenched in many young people before they enter a licensed premises or an adult social environment. In a majority of cases, antisocial and criminal attitude is imported into entertainment environments with the prevailing community standard, not exported from them.

As an example of how violent we have become as a society, there were 14 murders in the state of Queensland in August 2009, almost none of them involving alcohol. That is a murder every two days. In the months of October, September, August, July and June there were no deaths on licensed premises in Queensland but 14 murders in the month of August.

In recent years there has been a considerable amount of regulatory focus on the licensed trade in Queensland. We have had Premier Beattie's 17-point plan with more than 30 separate safety measures introduced at that time. We have had a 3 am state-wide lockout introduced. We have just completed a three-year review of Queensland's Liquor Act, which took effect in January this year. We have introduced mandatory responsible service of alcohol for every retail seller in the state and responsible management of licensed venue qualifications for every manager. We have also had the introduction of annual licence administration fees which quietly took out \$25 million a year indexed from the licensed industry in the state. We have had elevated harm loadings, mandatory CCTV introduced and mandatory ratios of security officers. Since then we have had a moratorium on late trading applications. That came on top of indoor smoking in 2006. Now of course we have your committee's inquiry into alcohol related violence.

Alcohol and licensing generally is the second most regulated industry in Australia behind medicine and pharmaceuticals. We are used to living in a regulatory environment. As we have heard from the Queensland Police Service, there needs to be a consistent approach and a consistent set of rules. Changing the rules frequently and gratuitously certainly confuses the industry and certainly confuses patrons.

More importantly, none of the measures that I have just mentioned that have been introduced in recent times have ever been evaluated for effectiveness and yet we are now faced once again with the challenge of solving the problem. It is said that the height of stupidity is to keep doing the same thing and yet expect a different outcome, yet that is the stage we have reached with licensing regulation in Queensland.

You all know that we are drinking 20 per cent less alcohol per capita than we were 20 years ago and that 72 per cent of liquor consumption in this state takes place away from a licensed venue. Yet we continue to progressively crack down on licensed businesses to add restrictive conditions, to make them more threatening to patrons, to increase the costs of operation and compliance. Ultimately this makes them more challenging and more expensive to drink and socialise in.

In our view, this process works directly against the government, the community and industry's objective of creating safer drinking environments. If we force particularly young people away from licensed venues by increased regulatory or cost pressures we are forcing them to drink and socialise in more risky drinking environments—no responsible service of alcohol, no measured pour, no security staff, no cameras to catch the baddies, no emergency service response and no public transport. This is the reality. Remember that 72 per cent of liquor is consumed in private places and public spaces, not in licensed venues.

So further crackdowns on licensed businesses have been and, in our view, will be counterproductive. It will undermine industry profitability. I am here to tell you that only a profitable business has the luxury of putting additional resources into patron safety, staff training, CCTVs and all the measures that we would all like to see in every licensed business. It will have a counterproductive effect of forcing young people into more risky drinking environments.

If all that we have been doing in recent years cooperatively has not curbed the problem of violence and antisocial behaviour, perhaps it is time to try a different approach. The one factor that has been missing in all that we have done in recent years is any focus on the actual cause of the problem—the violent law-breaker. In our view, the time is ripe to increase the focus on the obligations of the consumer such that violent crime is deterred. We need to balance the obligations and responsibilities of licensees with the obligations and responsibilities of the consumer. That balance is out of balance.

We have had success with these types of measures in Queensland in hooning. We had a problem with hooning. We introduced the three strikes and you are out legislation. Now even the dumbest hoon knows that if they get caught three times they lose their wheels and they have still got their debt.

We have had success with drink driving. One in a hundred people get caught now. When drink-driving laws were introduced in the mid-1980s it was one in 30. It is now time to focus on targeted measures on the small number of people who are not prepared to obey the law and who commit violent crimes in entertainment settings. We have expanded on these views in our formal submission, but there are some people who will only respect the law if it is imposed on them. These people, in our view, only respect three things—the hip-pocket nerve, being banned from being out with their mates and friends and being jailed.

Over the decades organisations like the QHA have urged the government to develop policy based on the evidence. In the case of violence in the night economy there is clear evidence that it is a cultural trend towards violence that is at play and that a relatively small number of offenders are the cause of much of the violence.

We therefore urge you and your committee to focus on the cause of the problem and to consider targeted measures to deter these criminals. There is very little violence in Birdsville, or Julia Creek, or Bell or Killarney. There are no universal solutions required across the state, simply targeted solutions to segregate, identify and punish offenders such that we set an appropriate deterrence culture.

It is quite apparent to even a casual observer of community trends that community standards have deteriorated significantly in recent decades, and this is reflected in outcomes like higher rates of personal assault and so on that I have mentioned. Consequently, entertainment, hospitality and licensed businesses are not remote or isolated from this trend as their customers are, of course, drawn from the wider community. Consequently, whilst specific measures have been and can be implemented in licensed businesses and licensed precincts to deter, prevent and mitigate the effects of violence, the wider issue of cultural change around violence in the community must be addressed if a universal and enduring solution is to be found for this problem.

I will close by briefly touching on four topics that are of central interest to you—firstly, illegal drugs. Let me assure you that the use and availability of illegal drugs in Queensland is widespread in the night economy. It is everywhere. It is not a case of if it is there; it is a case of whether you want it. So no consideration of alcohol related violence can be credible unless it includes consideration of drug use.

When we test people for drink driving in Queensland, one in 100 fail. When we have introduced drug driving, one in 45 fail. One in 100 for DUI and one in 40 for drug driving. So that will give you an idea of the level of consumption of alcohol versus drugs in the night economy. It is not just Brisbane. Drugs of choice are ecstasy and methamphetamines. The scenario that I will offer to you is that a young person out for a night on the town generally has a fixed budget, typically \$80 to \$100 for a night on the town. Eighty dollars or \$100 will get you \$10 in at the door, \$5 for a hamburger and \$5 towards your share of the taxi home. So you have 60 bucks left if you started with 80. Sixty dollars in the night economy will get you, if you are lucky, seven Coronas. Sixty dollars in the night economy will get you two ecstasy tablets Monday through to Wednesday and 1½ on the other nights of the week. Young people make a choice. If you take ecstasy, you get twice the hit, you get no calories, you get no hangover and you can dance much more energetically than you can with alcohol. So I am telling you that, from our observations, if we keep making alcohol more and more expensive and less and less attractive then there will be direct displacement from alcohol into recreational drugs.

The second topic is trading hours. Businesses make money when they are open. So do licensed businesses. We are different from everybody else, because we are open 100 hours a week but we make most of our money in a very short time frame. Most of the money is made on Friday and Saturday nights. In some businesses it is up to 50 per cent. So in our considerations of trading hours, we have to be a little bit careful about the impact that those kinds of issues have on the profitability and viability of businesses. So when you say, 'We are thinking about perhaps cutting down on trading hours,' you are not talking about cutting down on, say, six hours out of 100; you are probably more likely talking about cutting down on six hours out of the 12 or 15 highly profitable hours that licensed businesses have. So there will be a disproportionate response there.

I would also mention to you that we have just finished a three-year review of the Liquor Act. The Liquor Act review concluded that the current regime we have in relation to trading hours was appropriate for Queensland—that is, ordinary trading hours of 10 am until midnight and then, provided there was community need and a safe environment, in two bands after that until 3 am and 5 am—of course, with the payment of the elevated risk fee.

Strangely, it was decided during that review that there would be no general licensed trade before 10 am, even though the evidence from the police, the Office of Liquor, Gaming and Racing and the industry was that there was no harm profile associated with that. But there are 6,300 licensed businesses in Queensland. Only about 670 of those are currently approved to trade beyond 1 am—that is about 10 per cent—and 230 of them are approved to trade beyond 3 am, and that is four per cent. Of course, as we have heard from the Queensland police officers, not all of those businesses exercise their right to trade late. Generally, those businesses will trade late on the busy nights of the week—the Friday and the Saturday. I would also say to you that the majority of the hotel industry closes at 1 am but competitive pressure in some areas, particularly in entertainment precincts, has resulted in licensed businesses operating until 3 am and a small number, as we have heard, trading to 5 am.

I would also urge you to resist the temptation to view Queensland's liquor and licensing operations exclusively through the prism of Fortitude Valley. There are many hundreds of businesses that operate responsibly and effectively well into the night that do not have the risk profile that is attached to the entertainment precincts. Many of our suburban and regional pubs and hotels, for example, operate low-risk function or gaming operations. Of course, any universal solution would impact across low risk, medium and high risk altogether.

I would now just like to switch briefly to glassware, which at the moment is the topic of the month. Our view is that the focus on glassware and the glassing issue generally is on the symptom, not the disease. In recent times there has been much focus on the rise in the number of assaults using glass—some of it sensationalist misreporting, but some of it based on fact. This is a new development in Australian society which hoteliers hate. We hate the idea of somebody using glass as a weapon. We hate the idea of somebody kicking someone in the head when they are down on the ground. But the reality is that that is the way our society is evolving. These are new trends and they must be nipped in the bud.

It is the overall violence in society that is our concern. You will hear later from Professor Paul Mazerolle—and I am sure you have heard his report; 190 pages of very comprehensive, good research into the phenomenon of glassing. Paul Mazerolle and his colleagues concluded that these assaults are spontaneous, unpredictable, haphazard and can occur in the best and worst run licensed venues and elsewhere. There is no magic solution.

We have moved to do what we can to address this new phenomenon and, as we speak, over 100 licensed premises in Queensland have already voluntarily moved towards safety glass as part of our commitment to customer safety—voluntarily moved towards it. But we know, and I am sure you know, that you are only treating the symptom. It is not the glass that is the problem; it is the idiot who is wielding the glass. And we need to stop that person in their tracks to have them think before they assault somebody. After all, glassing is simply another form of violent assault. I am not in any way trivialising that, but it is the assault and the tendency for people to be violent that is the cause. We would love to eradicate these kinds of assaults overnight, but the culture has changed and that is what we must address as a society.

The final topic is entertainment precincts. Over the last decade, state and local governments have been supportive of the establishment of entertainment precincts in Queensland and there are now seven such areas. These precincts have become entertainment and licensing hot spots, and their activities are supported by a range of specific measures including less restrictive noise measures, improved public and commercial transport, the higher availability of support and emergency services and so on. Fortitude Valley is the principal entertainment precinct in the state and routinely draws up to 40,000 mainly young patrons to the area on Friday and Saturday nights. The logic behind these precincts—which the QHA supports, by the way—is that a concentration of licensed and entertainment venues in such precincts enables the community safety and harm minimisation resources to also be concentrated to best effect.

There is a view about that the police and emergency services are overstretched in supporting the needs of these entertainment precincts. I would agree with this view, but it is a simple statement of fact that if these venues and precincts were not available to young people late into the night then young people would simply move to less concentrated and less safe drinking and recreational environments. They would be displaced and dispersed and, instead of having seven entertainment precincts to police, resource and develop, we would have hundreds of Corey Worthingtons running riot in the suburbs.

We already have evidence of that in Queensland, because we have introduced alcohol management plans in our Aboriginal and Islander communities. It is clear that all that has done is displace the issue from the communities that are restricted to other geographic areas. That will happen if we crack down and close down entertainment precincts. Remember, these precincts are a product of government and industry policy over the last decade. Believe me, policing and supporting 40,000 young revellers spread throughout the neighbourhoods of Brisbane is going to be much harder to do than policing the Valley or the Brisbane CBD.

Ladies and gentlemen, that concludes my introduction. I commend to you the QHA's formal submission to the inquiry and I thank you for listening to me today. We encourage the committee to look at the real cause of violence in our society and focus on deriving and recommending targeted solutions against the law-breakers. I would urge you not to look at licensing activities in this state through the prism of Fortitude Valley. There are 6,300 licensed businesses in this state and 200 in Fortitude Valley. So universal solutions are not what is required. We need targeted solutions against the cause of the problem, which is a small number of people who disregard and disobey the law. Thank you.

CHAIR: Mr O'Connor, you will be very happy to know that the committee has travelled throughout Queensland looking at other places. We referred to Fortitude Valley in the last part of the hearing because those police officers were designated to that area. We will also be going out to regional Queensland early next year and looking at other places there. The committee is fully aware of the point that you make about the differences between regional hotels, nightclubs, the suburban hotels, restaurants and all of those types of venues. Our regional member of the committee, Mr Cripps, will make sure of that—as we all will make sure of that. We are fully aware of that and certainly we have taken that on board.

One of the areas that we were asked to look at was the impact of violence on our front-line workers, our emergency workers. I feel that we have forgotten the impact violence has on your staff members. I would like you to tell us a bit about that, because that is something we have not heard about.

Mr O'Connor: Generally speaking, the violence inside licensed premises is limited. The serving staff are all qualified in RSA. There is a cultural change in the industry to move towards prevention as opposed to cure. But increasingly, licensed businesses are responding to the issues that we are dealing with collectively by using their own security staff. So although the front-line serving staff are generally behind the bar, people like glass collectors and food staff, for example, are probably immune from this kind of activity. We find that our front-line security officers are the first point of contact.

Increasingly, particularly among young people who are out and about, there is an expectation that somebody else will set the standards of behaviour. Going back 20 or 30 years, if you had a group of men out and about on the town they would generally police themselves because if they did not they would be chucked out.

These days, if you have a group of young men who are out and about having a good time, if someone starts to act the goat more often than not his mates will egg him on and so you have a situation where either another group of patrons who are being impacted intervenes to impose an appropriate standard of behaviour or a member of the hotel staff, particularly the security staff, intervenes to do the same thing and that becomes a point of conflict. Our experience is that the violence associated in and around the licensed precincts is increasingly happening outside the venue where people are either refused entry at the door or people are ejected from a premises or people come into confrontation with security or other patrons, rather than inside the venue.

Those people who are long-serving members of the hospitality industry really see the interaction between patron and staff as an occupational hazard. We are one of the few industries in the country where the majority of our workforce is female. Fifty-two per cent of our employees are female. That softens the image. People are less likely to abuse or visit violence on a female. But generally speaking the trend is towards violence at points of conflict and outside licensed venues rather than inside.

CHAIR: In the old days, when most clubs or hotels were big on table service, a staff member would come up to the table. They knew how much you had to drink and how long you had been there. Today we see four or five people at a time along bars. I do not know how your bar staff can keep up with who has bought what and who has taken what drink back to whom. At every club we went to, everybody wanted to tell us how many more security providers they had on for the night even though only two were required. Looking around that room, I do not think that they required two; I think they required the number they had on, to be quite honest. I wonder how much the staff members are able to keep track of what is going on out on those floors and out on those tables. The venues are dark and very crowded in certain areas. I do not blame your staff at all for not knowing what is going on, because they are just absolutely rushed off their feet at those peak hours. I do not think we will ever go back to table service—don't think that for one minute—but I wonder if there is a need for staff members to be solely doing the job of watching out for who is doing what in those venues.

Mr O'Connor: We are moving in the right direction is what I would say. From 1 January this year it is mandatory under Queensland law for every retail server of alcohol to be qualified in responsible service of alcohol. As your committee members know, it is an offence in Queensland to serve alcohol to somebody who is unduly intoxicated. It is a legal obligation on all licensees to maintain a safe environment. We are moving in the right direction. We are certainly a lot better at it than we were.

You will all appreciate that licensed businesses put in place efficiencies to remain profitable. That includes efficiencies in labour. So if there is a better way of serving people, a better way of getting drinks and so on to tables or cleared from tables, it will generally be used. And, of course, in the night economy particularly—and I can't really talk for the nightclub sector, but certainly in the hotel sector—young people who are out and about do not particularly want the neon lights on. They are out and about having a good time, looking for entertainment and that is the name of the game. We are in the hospitality business. You have to strike a balance between responsible practice and the ability of patrons to enjoy themselves in terms of RSA.

Quite often you will have somebody who does a high five to a friend because they have had a bet on the races or whatever. That could be exuberant activity or it could be a sign of undue intoxication. The only way that you can really know is to have done the course, have an RSA qualification, and look for the signs of undue intoxication.

What I would say to you is that we are moving in the right direction. Certainly with universal RSA it is a giant leap forward. As I mentioned in my opening remarks, many of these impacts or changes that we have introduced from 1 January are yet to be evaluated or bear fruit, but I certainly think that, in terms of responsible practice, the industry is light years ahead of where it was 10 and 20 years ago.

CHAIR: I would agree with you wholeheartedly on the point that you made about drinking at home. That is what is happening out there. People are drinking at home and then going out. It is very easy sometimes to look very sober in that queue and once you get inside and have that one more drink it all falls down. I would like to hear your opinions on the number of bottle shops—liquor outlets—that we have in our suburbs and on our streets. I have done a little bit of research myself up on the Sunshine Coast. In a 10-minute walk I could buy alcohol from 15 places. It was just ridiculous. Do we have that side of things right in what we are allowing to be opened up? I would like to hear your views on that.

Mr O'Connor: In terms of off-premise liquor sales, there are more restricted hours on off-premise liquor sales than on-premises sales, of course. There are two sides to the argument. Under Queensland's competition laws and processes, our industry has a community service obligation to make sure that off-premise liquor is available to even the remotest communities of our state. In terms of bottle shops on Thursday Island and that sort of thing, we are obliged under the laws to make sure that off-premise liquor is available.

Commercially, as you know, the rules are that the owner of a commercial hotel licence is approved to apply to establish up to three detached bottle shops of 150 square metres maximum sale area within a 10-kilometre radius of their premises. Our view is that commercial imperatives and competition set the rules for how many of those there are. Generally speaking, a detached bottle shop needs to turn over about \$30,000 a week to be profitable and maintain its relevance to the business. What we are finding is that competition is essentially setting its own watermark for those kinds of retail outlets.

As you would have seen, in more recent times there has been a tendency back towards the large liquor barns that were around in the 1970s and 1980s, and that is having the effect of reducing the profitability and therefore the need, so to speak, for those detached bottle shops. The availability of liquor is an interesting area. There is very basic research into licence density that exists globally. I am not an expert in it. I guess it is one of those areas where, in our view, commercial competition sets the standard in terms of how many of those outlets there are.

Mr CRIPPS: Thank you, Mr O'Connor, for your submission to the committee. It was very comprehensive and related to quite a number of the issues that our committee has heard a lot about in its inquiry so far. Can I take you back to your comments about the major review of the Liquor Act which introduced many changes to the regulatory regime relating to licensed venues and was effective from 1 January this year. There really has not been any opportunity for data or information to be collected which could point to the effectiveness of the changes to the regulatory regime. Can you offer the committee any advice on an anecdotal basis about the effectiveness of those changes?

Mr O'Connor: A little bit early to tell is the short answer. Liquor policy and the way that it impacts on the regulation and consumption is a bit of a moving feast. As I have outlined in my introduction, we have had a large number of reforms that have taken place in the last decade. Many of those, like normal regulation, have unintended consequences.

Our general view of the liquor reforms from 1 January is that they will be effective in creating more responsible drinking environments. We were nonplussed by the requirement to do away or stop general service prior to 10 am because the evidence at that time, and the evidence still in other jurisdictions, is that there is a zero harm profile attached to general trading prior to 10 am. The introduction of harm fees for late-trading traders will have an impact in that it will reduce or certainly impose pressure for a reduction in the number of licensed businesses that trade after 12 midnight and 3 am respectively, although, as I observed to you, the number of licensed premises in Queensland that trade in that space is relatively low proportionally anyway.

The major change in terms of mandatory industry training for RSA and RMLV respectively is certainly having an impact in terms of cultural attitude within the business. How this translates into patron behaviour and alcohol related violence and so on is yet to be assessed. Interestingly, as a peak industry body we find it almost impossible to attain meaningful statistical information from any source that is publicly funded. When your inquiry was announced, I and members of our board met with the Police Commissioner and two of his assistant commissioners to seek the Queensland Police Service's support to access relevant statistical arrest and other data around alcohol related violence. We were given assurances that that would be provided. But as we went further down the chain of command to the inspector who is in charge of that particular section of the Queensland Police Service, we became advised that that would not be possible because those statistics were not generally available to the public, they were available to the government to make its submissions in relation to your and other inquiries, and that sort of data was really not for general consumption. So, our only request really in terms of the bigger picture is that public policy around liquor in Queensland be evidence based. It is very difficult to do that when the evidence is not available to you or the evidence is conflicting.

In terms of the measures that were brought in, one of the things that we have encouraged your committee to do is make sure that the measures in place currently are evaluated for effectiveness. We have heard from the Queensland Police Service about the unintended consequence of the 3 am lockout whereby there is a massive increase in public urination. That is true. Young kids come out of licensed venues at three o'clock, they are going home, their bladders are full, they hit the cold air, they are waiting for public transport or a taxi and they need to go to the toilet but there are no public toilets available. So where do they go? In somebody's shopfront or somebody's front yard. Who gets the blame? We get the blame. That is not what we want. We want a proper evaluation of these measures so that we get a proper responsible outcome. If that can be one of the recommendations of your committee, it would be a giant leap forward.

Mr CRIPPS: I draw your attention to your submission where you discuss a range of industry developed harm minimisation measures. Could you provide any anecdotal evidence to the committee about the effectiveness of the industry developed harm minimisation measures on instances of violence relating to licensed premises? If they have been effective, has this been recognised by licensing authorities as mitigating risk at those licensed premises and reduced the licensing regulation accordingly at those venues?

Mr O'Connor: The measures that I refer to are really over a 20-year period. Queensland hoteliers in the late seventies and early eighties were national leaders in what was called patron care. That really came from self-preservation. We know, because, like you, we are intimately involved in daily consideration of these issues, that a broke, injured or drunk patron is no good to you. We are about repeat business. So from the late seventies to now we have been on the front foot with industry initiatives aimed at making our venues safer.

I will give you a couple of modern examples. I mentioned in passing that we had voluntarily moved more than 100 premises to safety glass as a result of the uptake in glassing. We have also introduced technology such as people counting—that is, where you have something like a smoke detector over each door. It is linked to a computer and it gives you an immediate notification of the number of patrons in the venue. We have introduced ID scanning where the appropriate form of ID is scanned at the point of entry, and that acts as a clear deterrent to patrons who might otherwise be intending to get up to no good. People know that, if their identity is held in a safe computer and if they create harm or create violence or break the law, those people who are authorised to access the hard drive, being the Police Service, will be able to track them down.

We also introduced voluntary water. Hoteliers have tried and rejected things like metal detectors at doors. We have tried and generally rejected other technology that has a negative impact on our businesses. We have over a period of time attempted to self-regulate, but the factors that are driving the current violence in our society are really beyond our control. These are really cultural issues that are imported into our businesses, not exported from our businesses. It really needs some form of deterrent driven by the state to stop this increasing swing to violence across the whole of our community.

CHAIR: I am aware of the time; that has been our 45 minutes. I know that three other committee members want to ask questions. I will ask them to put them on notice, and we will send them to you and ask you to respond. On your last comment about moving to plastic and tempered glass, what has the patron response been to that?

Mr O'Connor: If you do not mind, Madam Chair, I will pass over to Mr Bruce Mathieson, who runs hotels, for his response.

Mr Mathieson: I am the National Operations Manager for the ALH Group. We operate approximately 290 hotels across Australia. We have deployed tempered glass in virtually every state across Australia, and it has been very well received. So far we have not seen the results of any violence, but the patrons have not really been affected badly in any way.

CHAIR: And they have been your tumbler glasses, or has there been a range of glasses?

Mr Mathieson: Across the whole range. In some instances, the reason why we have not applied it to all 290 venues is that we adopted a risk-profile rating analysis. In some cases, that resulted in total movement to tempered glass.

CHAIR: I would like to thank you for coming along today. Your submission certainly was very informative and did supply a lot of information. There will be a few more questions on notice from our committee members, but thank you for attending.

Proceedings suspended from 11.18 am to 11.33 am

LAWRENCE, Ms Terri, Assistant Manager, Licensing, Office of Liquor and Gaming Regulation

McKARZEL, Mr David, Director Policy and Research Branch, Office of Liquor and Gaming Regulation

SARQUIS, Mr Mike, Executive Director, Office of Liquor and Gaming Regulation

TURNER, Mr Craig, Deputy Executive Director, Office of Liquor and Gaming Regulation

CHAIR: Good morning. This hearing into alcohol related violence is resumed. Thank you for your interest and your attendance today. Before proceeding, I will introduce the members of the committee present: Mr Andrew Cripps, member for Hinchinbrook and deputy chair of the committee; Mr Steve Kilburn, member for Chatsworth; Mr Aidan McLindon, member for Beaudesert; and Mr Murray Watt, member for Everton. We have two members, the honourable member for Murrumba, Mr Dean Wells, and Mr Jarrod Bleijie, who are unable to attend today's hearing. My name is Barbara Stone. I am the state member for Springwood and Chair of the Law, Justice and Safety Committee.

The Law, Justice and Safety Committee is a statutory committee of the Queensland parliament and, as such, represents the parliament. It is an all-party committee which adopts a non-partisan approach to its inquiries. On 4 August 2009 the committee received the following referral from the Legislative Assembly: that the Law, Justice and Safety Committee conduct an inquiry and report on alcohol related violence in Queensland with a focus on community safety and preventative measures to reduce levels of alcohol related violence, including its ramifications. I understand that you have received a discussion paper and the referral notice which refers to the criteria about which we are looking into.

The committee has advised of the public hearing by advertising in the print media and by writing directly to a number of individuals, organisations and government departments. The committee released an issues paper on 31 August 2009 and has invited submissions from the public through advertisement and by writing directly to a large number of stakeholders. The submissions that we receive and other material and transcripts of hearings like today will be considered and we will report to the parliament. An interim report will be given to the parliament by 26 November this year and the final report by 18 March 2010. I remind people to please switch off or put on silent mode any mobile phones you may have with you. In the unlikely event of the need to evacuate, I would ask that you please follow staff directions. Members of the public, I remind you that you are here to observe the hearing and not to interrupt the hearing.

We do have media present. I would like to ask the witnesses if they are comfortable with the media filming and recording the proceedings, or would you prefer not to have media present?

Mr Sarquis: We are comfortable to have the media present.

CHAIR: Thank you. Although the committee is not swearing in witnesses, I remind all witnesses that these hearings are a formal process of the parliament. As such, any person intentionally misleading the committee is committing a serious offence. I also remind witnesses that Hansard will be making a transcript of the proceedings. I would now invite you to make an opening statement.

Mr Sarquis: As the committee would be aware, the government has made a submission to the inquiry. The Office of Liquor and Gaming Regulation and the Office of Regulatory Policy were substantial contributors to that submission. My introductory remarks will be reasonably limited having regard to the fact that we have made that significant contribution.

There is no doubt that there is increasing community concern around alcohol related violence. That was one of the major drivers for the government recently introducing a range of liquor reforms. They were passed through parliament on 10 September 2008. Among those significant reforms was a change to licence types and the introduction of the requirement to have an approved manager reasonably available. That was designed to improve the professionalism with which licensed premises are managed. There is also a requirement for mandatory RSA training—responsible service of alcohol training—for staff involved in the service of liquor on licensed premises.

There are also significant changes around trading hours. Standard hours are now 10 am to 12 midnight. There is an opportunity, obviously subject to the existing moratorium, for some extended trading hours to be applied for. Additionally, the other significant change was the introduction of licence fees. That was to ensure that the industry was contributing appropriately to the regulation and the provision of other services to that industry and to meet some of the costs of the outcomes of dealing with the liquor industry. Those requirements were largely introduced from 1 January. However, there are still a number of changes which are being introduced now. I guess it is fair to say that the complete implementation will not be finalised until the end of July 2010.

Given that it is quite early in the piece in terms of the implementation of those reforms, it is still too early to assess whether the benefits that were sought from those liquor reforms have been realised or are being realised, although anecdotally I think there is some indication of benefits flowing from some of those

changes. More recently, we have seen amendments to the Liquor Act to deal with the glassing issue. The office is in the process of implementing those requirements. Notices have been issued to 74 premises already in relation to alleged glassing matters that may have occurred on those premises.

In addition to those changes, we are also involved in a number of social marketing campaigns, and we can elaborate on that if you are interested. One of the deficiencies that we face as an office is the availability of statistical information. We are cooperating with the Commonwealth in the development of a statistical database, and I think that will be of significant benefit to us. We have always liaised closely with the police and we have good cooperation with the Queensland Police Service. More recently, we have been working with them to get information from them in relation to incidents on licensed premises. Hopefully over time that will provide additional statistical information on which we can develop our strategies and better monitor the performance of the initiatives which have been implemented.

With respect to dealing with issues of the drinking culture and alcohol related violence, I think it is a multipronged approach. I do not think there are any silver bullets. I think it is a strategy which needs to be applied, to be honest, over quite a number of years to change the culture around drinking. That is not to say that there are not some short-term measures which we can look to introduce and have introduced or are introducing—for example, the glassing measures. While those glassing measures will not stop violence, they will hopefully reduce the impact of any violent act involving a glass or a drinking utensil.

In terms of changing the drinking culture and addressing alcohol related violence, I think it is important that we, as the regulator, work closely with industry in addressing those problems. To that end, we have undertaken some work around the formation of a safety forum which is dealing with a range of issues which we are happy to talk more about. Essentially, we are looking to develop standards which we then can promote to industry—standards around things like use of ID scanners and security arrangements and so on. We are also working closely with accords. We see accords as a good way of addressing some of the problems and addressing local problems locally. So we are putting some additional effort into working closely with the accords. That is probably all that I would like to say by way of introductory remarks.

CHAIR: I would like to start by asking about some restaurant licences, I think they are called. The committee has seen an example of a so-called restaurant licensed premises which looked very much like a nightclub. I am wondering what the criteria is for that. The committee saw this on one night in particular and I have seen it in other areas, where hotels and pubs call themselves restaurants but to anyone walking down the street they are very clearly a hotel, a pub or a nightclub yet they come under restaurant licences. Can you please explain how that works?

Mr Sarquis: For a restaurant licence, a commercial on-premises licence, there is a requirement that the primary business be serving food, meals, and they are required to do that during their trading hours up until at least two hours prior to closure.

CHAIR: Two hours prior to closing?

Mr Sarquis: That is right.

CHAIR: Do you police the revenue for meals? How is this policed?

Mr Sarquis: We do not police revenue on meals. Obviously, our inspectors would attend those premises periodically. Our compliance program is conducted on a risk assessment basis. If we were to identify premises which were not acting in accordance with their primary purpose under their licence, then we would take some appropriate action.

CHAIR: Are they required to have the security providers and all the other things that we would expect a nightclub or a busy hotel to have?

Mr Sarquis: Generally a restaurant would not be required to have those sorts of requirements.

CHAIR: In relation to assessing new licences, I have had it put to me that liquor licensing officers as well as probably police and community members such as myself—because I put in submissions on behalf of my community—often say there are enough of these types of licensed venues in one area yet they are being given a licence. What is the criteria that is looked at? If even the liquor licensing officers are saying they are not needed, what is the criteria that is looked at to then proceed to grant the licence?

Mr Sarquis: If I could just clarify that: you said the liquor licensing officers are saying that?

CHAIR: Liquor licensing officers have said that they have ticked off saying that it is not required in the area because there are already X number of licensed venues of that type in the area—say, a Sunshine Coast area or the Flinders Street East area in Townsville—and the police submission has said no and the community leader has said no as well. I am wondering what criteria you use because they are turning up as approved.

Mr Sarquis: Generally density is not a criteria, and I think we are talking about density here. In two instances where that has become an issue, the matter has been considered by the Commercial and Consumer Tribunal. On both those occasions, the ruling has been that there was insufficient evidence to substantiate that density was a basis on which a licence should not be issued.

CHAIR: I would just like to clarify this next issue. I have been told through the committee that often there are venue owners who may not be the best and who may have venues that have had high incidence of police having to come to trouble, yet they can go and open in another area and have a licence approved for another venue and it is basically just said that the other area cannot be judged for a new licence. Is that correct?

Mr Sarquis: We look at the suitability of the applicant licensee in terms of our considerations for the issuing of a licence. In terms of their performance at another premises, we would be dealing with that through our compliance area, evaluating those incidents. In an incident where we think it is warranted to take enforcement action, we would do so. For example, we may take action to reduce the trading hours, and we have done that on a number of occasions including one quite recently. As I say, in looking at a further licence for the same applicant, we would have regard to their performance but if they are holding a current licence then it would be reasonable to assume that they are judged as being appropriate to hold that licence.

CHAIR: Thank you.

Mr CRIPPS: Good morning, Mr Sarquis, and thank you for attending our inquiry this morning. I would like to talk about the list of venues that were recently issued with show cause notices regarding the use of glass on their premises. Can you please provide the committee with the criteria on which these venues were placed on the list? Will you please provide to the committee any data and information upon which the decision was made to issue the show cause notices?

Mr Sarquis: Taking up your second point first, we are happy to provide you with the list of premises on which those notices were issued and the information that we acted on in terms of making the decision to take that action. Unfortunately, we do not have those here at the moment, but we will provide those to you out of session, if that is satisfactory. In terms of the criteria, the criteria is that we act upon information that was provided to us by the police, and essentially that was information to indicate that a glassing had occurred on licensed premises in the last 12 months.

Mr CRIPPS: Could you indicate to the committee if that included any single incident?

Mr Sarquis: It is one or more glassing incidents, yes.

Mr CRIPPS: Thank you.

Mr WATT: Thanks, Mr Sarquis, and everyone else for coming along. One issue I am interested in talking about is enforcement. I think we all have been in situations—although, of course, not ourselves—where we have seen other people who have had too much to drink but they have been served. I suppose I am a bit of a sceptic about the level of enforcement that goes on. Just coming back to some of the comments the chair made with the previous witnesses, it is very difficult for a person who is working at a bar and is facing a line four or five deep to be able to keep track of how much each person has been drinking. How often would you say that premises are visited by compliance officers? I am not saying for every single one, but can you give us a sense of how often it happens and how seriously it is taken.

Mr Sarquis: It is taken very seriously. I will just make some preliminary comments before I get to the specific question. With the introduction of compulsory responsible service of alcohol training, we would expect—and this is one of the reasons why this legislation was passed—that this would better equip staff to be able to deal with people who may be unduly intoxicated. As I say, we are at the very early stages of the implementation of those requirements so I do not think we have fully realised the benefits from that strategy at this time. I will pass to Mr Turner, if I could, in respect of the frequency of visits to premises.

Mr WATT: Yes. I suppose what I am trying to establish is if I am running a licensed venue, how often I could expect to see liquor licensing officials turn up; would it be an announced visit or an unannounced visit, that kind of thing.

Mr Turner: In the last financial year, there were over 13,000 investigations conducted in licensed premises. They were broken into things like: risk assessments; complaints from the public, of which there are about 2,500 a year; day time routine investigations and risk assessments prior to licensing; and specific night-time compliance investigations where the officers go out and specifically target issues of high risk, such as the intoxication levels, security numbers, the operation of CCTV in those areas that are required to have it, those sorts of major focus type things.

In relation to the unduly intoxicated, it is a difficult concept to establish on an individual. What is normally the case with those compliance investigations is there is a general understanding that there are unduly intoxicated people who are in the premises and there are strategies of having them removed or having disorderly people removed.

In terms of where a licensee is showing a course of conduct as being unable to address that, the officer has an option to conduct a disciplinary action against the licensee, and a range of information over a period is compiled through observation from OLG as well as a lot of information provided by the police. The difficulty in establishing that person A was unduly intoxicated and being served is normally done on a larger scale through a course of conduct with the licensee.

Mr WATT: If you were getting reports—whether it be through the police or other sources—about violence around a particular location, would that give you reason to go and inspect that venue more than the one up the road?

Mr Turner: It certainly would. Our compliance plan outlines a risk basis to what we do. Our compliance plan for this year is that we break down licensees into a range of risk categories. Obviously people who trade beyond 3 am are considered reasonably high risk from an internal perspective and a number of visits are proposed based on that risk.

We will also be having a self-assessment—going out to licensees to further broaden our compliance activities. Subsequent to the self-assessment, we will be looking at adopting an audit based approach to determine the veracity of a percentage of those responses. That risk based approach will go from high-risk right down to low-risk permit holders and restaurants, that type of thing.

Mr Sarquis: Could I add to Mr Turner's comments. It also should be recognised—and this is not to push responsibility to the police—that the police are a major enforcer of compliance requirements in relation to liquor. We have 40-odd compliance staff who operate across the state. Just to give you an example, under the Liquor Act we issue around 20,000 infringement notices in a year and more than 90 per cent of those are issued by the Queensland Police Service.

Mr WATT: Thanks. I am not sure if you were present when we had some representatives from the Police Service here this morning, but one suggestion they made, which I thought had some merit, was the idea of RSA marshals. Again, this recognises the fact that it is very difficult for a bar attendant to keep track so you could have people specifically on duty, whether they be employees of the premises or perhaps liquor licensing officials. Do you see any benefit in that kind of approach?

Mr Sarquis: I certainly do and there have been instances where we have actually encouraged a licensee to have an RSA marshal, particularly with major events. I guess it is a fairly new strategy but it is certainly one that we think has some attraction and we will be looking at increasing it.

Mr Turner: I think it is a very attractive opportunity or option. Part of the RSA training, as you may be aware, is for bar staff who are at the front line of service to be able to effectively assess the level of intoxication of a person buying a drink. That person cannot be at the back of a beer garden to see who is drinking the three beers when somebody else is always going up to the bar to buy them. That is the benefit of having an RSA marshal going around, doing a meet-and-greet, getting to know the customers and being able to make an assessment of people who may not find themselves at the bar every half-hour.

Mr McLINDON: I have two quick questions. Firstly, you raised the possibility of introducing ID scanners. As a primary measure you can check ID, but the concern I have is that as a secondary measure you have that information on a database, and it is no secret that there is no such thing as a safe computer. We have heard in evidence this morning that most incidents occur away from the venue. At the venue you have cameras and security and everything that goes with that. I have real concerns about identity fraud or stalking or any other consequences of private stakeholders having that sort of information. Where to from there? Is there any evaluated evidence that ID scanners actually prevent incidents? If there were an incident in the street and that patron was previously at a certain venue, there would be some hesitation in disclosing that information as it would bring that venue into disrepute. Is there any evaluated evidence on the effectiveness of this? Who maintains the database and who owns the information?

Mr Sarquis: The database is held by the licensee. I must admit that I am not able to clarify how long that data is held for. I think it is probably held for about a week. Mr Turner may be about to comment on that.

Mr Turner: I am not too sure about the period that it is retained for. What Mike alluded to in his opening address was one of the outcomes of the safety forum that we are conducting at the moment in conjunction with the rest of the industry. What we are aiming for there is putting together a best practice ideal, which is not something that would be legislated but something that could be aimed for depending on what licensees do. One of the projects was best practice for ID scanners.

Although I cannot comment on the evaluation of the information, anecdotally through police information regarding ID scanners—and you may have heard this, but we were not here for the police presentation—with security surveillance in public areas, such as in the mall and the Valley, the police are able to identify a lot of individuals who may have committed crimes. So they know what these people look like, but their identity is difficult to track down. I believe that the police take that evidence or impound that evidence necessarily from local licensees. I do not think it is something that the licensees freely give up, but that is just anecdotal.

Mr Sarquis: In our experience, most licensees are very cooperative in providing assistance to police. So if there were an event off-premises then that licensee in all probability would be very cooperative and make that database available to police if that was going to assist them in their inquiries. I think that is what you were alluding to with your question; is that correct?

Mr McLINDON: Yes. My concern is that private people are able to obtain information that many government departments are not able to obtain. As this is something that is not legislated and the information is on a database for potential private use, to me that is very concerning.

Mr Sarquis: We do understand that, and that will be a consideration in the preparation of the standard that we are currently developing in conjunction with the industry.

Mr McLINDON: My second question is in relation to glassing and the show-cause notices that have been issued. I know you commented on which clubs had been getting those notices and whether there were one or more incidents of glassing. It would be fairly unreasonable to suggest that because a glassing occurred at that club they have to show cause. It could have been the fourth or fifth venue that that patron went to before that glassing occurred. Is there any evidence to suggest whether the glassing was sporadic, spontaneous or had anything to do with the club in which it was done? Nine times out of 10, people have been drinking already at a previous venue. I am a big believer in individual responsibility, and often governments regulate for the lowest common denominator. Is there any evidence to go a little bit deeper than to say, 'Glassing has occurred at your venue. You are on the bad list'?

Mr Sarquis: We generally do not have that evidence available to us. Inquiries are made by police, and they generally would be able to make that information available to us. However, the way the legislation is constructed, the glassing requirements deal with where the incident occurred, not the lead-up—although, if we had information available to us that there had been problems at other premises, that may be cause for us to make some inquiry in relation to that other premises. In dealing specifically with the glassing matter, it is where the event occurred.

Mr McLINDON: So potentially a venue that has ticked all the boxes and never had an incident in its whole history overnight could then be brought into disrepute and given a show-cause notice?

Mr Sarquis: That is correct.

Mr KILBURN: Thank you everybody for coming along. I particularly thank you, Mr Turner, for the information you gave us on the tour of the Valley. It was most informative. A number of things have been suggested to me particularly about licensing aspects and the granting of a licence. The statement that has been made to me as a member of this committee is that there is a very limited number of tools available to reject a licence and that in fact the ability to reject a licence is very limited on grounds. In some ways it is more of a 'yes, unless proved otherwise' than a 'no, unless you can prove a benefit'. So the community has to prove that it is detrimental, and sometimes the community would be up against huge organisations with a massive number of resources. Would you agree that the onus generally is on the community to prove harm rather than on the applicant of the licensee to prove benefit when a licence is applied for?

Mr Sarquis: When the office evaluates an application for a licence, clearly it has to do that in a transparent and defensible way because if we refuse a licence or impose conditions that an applicant considers unreasonable they have the ability to appeal, and we need to be in a position to reasonably defend the stance that we have taken. I think your comments are reasonable in the sense that if a person has objections then they need to be able to reasonably substantiate those or at least we need to have the capacity to substantiate those to take those matters into account. The fact that someone has an objection does not automatically mean that a licence ought not be granted. We usually go through an objections conference process, and very often some of those matters about which the objector has concerns can be satisfactorily resolved through discussion. A very simple example would be noise from bottle removals. So it might be agreed that bottles or garbage will not be removed during the middle of the night but will be removed early in the morning, for example, as a way of mitigating that objection.

Ms Lawrence: The objectors also have the opportunity to appeal any decision the chief executive makes. Following on from what Mr Sarquis said about any decisions having to be to defensible, that works in both directions. So anyone who lodges an objection to an application and is aggrieved by the decision also has an opportunity to appeal that decision. If they feel that they have basis for that objection and that that has not been considered properly, they have that avenue open to them.

Mr KILBURN: I suppose the argument would be that it is very hard for an individual or a community to prove harm until the building is built. Then the problem is there and they collect the evidence after. There seems to be a lack of ability for the general community to compete against the massive resources on an equal footing when it comes to objecting to an application for a licence. What legislative changes could we make to ensure there is a more equal level of robustness in the discussion when the community objects to an application? I will use an example in my electorate. Someone has applied to build a tavern basically on school grounds. There is a car park and they want to build the tavern there. The community is opposed to that but it is difficult for them to prove that it will be detrimental. Is there anything that we could do that would give your department a better ability to help the community fight applications for licences?

Mr Sarquis: There is a requirement for applicants to provide a community impact statement. In fact, some of the costs of dealing with what might be considered adverse matters in relation to the application are actually incurred by the applicant in terms of the preparation of that community impact statement. In turn, those applicants have to respond to any concerns or objections that have been raised through that process. It potentially would be possible to further increase the robustness of that process.

Mr KILBURN: Lastly, there has been a lot of talk about the onus being on the licensed venues and potentially not enough onus put on the responsible behaviour of the individual. In relation to the infringement notices that you give, are they all directed to the licence owners or are they given to people on licensed premises?

Mr Turner: Generally there is a pretty clear delineation between what OLGR do and what the police do. The police look towards good order and public offences, which I think from their submission make up maybe 80 per cent of the infringement notices that they issue. Our major focus is within the premises and the administration of the licensed premises as well as minors. Minors are a big issue for us. So our focus is on minors and the administration of the licensed premises including staff, approved managers and that type of thing.

Mr CRIPPS: The committee heard earlier from the Queensland Hotels Association that research by Professor Paul Mazerolle, whom I understand we will hear from later, indicates that there is no real profile of high-risk patron or a high-risk venue in relation to the possibility of an offence of glassing occurring at that venue. How, then, does the Office of Liquor and Gaming Regulation justify the issuing of a show-cause notice to licensed premises when a single, one-off incident can result in a venue being issued with a show-cause notice?

Mr Sarquis: We are charged with the administration of the Liquor Act and the provisions in relation to the glassing issue are clear and the government's policy around this issue I think has been made very clear by the Premier. The process has a natural justice component attached to it in that if we issue a notice the licensee has 14 days in which to respond. We will then have regard to all of the information before us in making a determination as to whether a direction to get out of regular glass is issued or not.

Mr CRIPPS: Is there any other risk based regulatory restriction that a licensed premises will be asked to comply with or implement at their venue on the basis of a one-off, isolated incident?

Mr Sarquis: It would depend on the nature of the incident. If there was a major act of violence and upon investigation it was established that the licensee was in some way complicit or negligent in their management of a premises, then we may take some action against the licensee within the confines of our powers under the Liquor Act.

CHAIR: Thank you. If the committee has any further questions, we will put them to you in writing. Thank you for being here today and for your information.

FLOCKHART, Mr Doug, Chief Executive Officer, Clubs Queensland

McENROE, Mr Dermot, Chief Executive Officer, Northcliffe Surf Lifesaving Club

MURPHY, Mr Tony, Chief Executive Officer, Redcliffe Leagues Club

CHAIR: I welcome the Clubs Queensland witnesses to the table. Good afternoon and thank you for your interest and attendance today. Before proceeding any further I will introduce the committee. We have the Deputy Chair, the member for Hinchinbrook, Mr Andrew Cripps; Mr Steve Kilburn, the member for Chatsworth; Mr Aidan McLindon, the member for Beaudesert; and Mr Murray Watt, the member for Everton. I am Barbara Stone, the member for Springwood and chair of the Law, Justice and Safety Committee.

The Law, Justice and Safety Committee is a statutory committee of the Queensland parliament and as such represents the parliament. It is an all-party committee which adopts a non-partisan approach to its inquiries. On 4 August 2009 the committee received the following referral from the Legislative Assembly: that the Law, Justice and Safety Committee conduct an inquiry and report on alcohol related violence in Queensland with a focus on community safety and preventative measures to reduce levels of alcohol related violence, including its ramifications. I believe that you have received a copy of our discussion paper and the criteria under which the committee is working.

The committee has advised the public of the inquiry by advertising in the print media and also by writing directly to a number of individuals, organisations and government departments. The committee released an issues paper on 31 August 2009 and has invited submissions from the public through advertisement and by writing directly to a large number of stakeholders. We will be considering those submissions, any other material we obtain as well as transcripts of hearings such as today's hearing and providing an interim report to the parliament by 26 November and a final report by 18 March 2010.

Could people please switch their mobile phones off or put them on silent mode. In the unlikely event of the need to evacuate, I ask that everyone follow staff directions. I also remind the public that you are here to observe the hearing and may not interrupt the hearing. I would like to ask the witnesses if they are comfortable with having the media in the room and media filming or recording if they turn up.

Mr Flockhart: No problems.

CHAIR: Although the committee is not swearing in witnesses, I remind all witnesses that these hearings are a formal proceedings of the parliament and, as such, any person intentionally misleading the committee is committing a serious offence. I also remind witnesses that Hansard will be making a transcript of the proceedings. Would you like to provide the committee with an opening statement?

Mr Flockhart: Yes, I would. I am extremely pleased to be before you today to present the views of community clubs and their members. As CEO of Clubs Queensland, the peak industry body representing community clubs throughout the state from Weipa Bowls Club in the Far North to Coolangatta Surf Life Saving Club in the south, I would like to sincerely thank you for the opportunity to have the voice of community clubs from throughout Queensland heard. Additionally, I would like to introduce Tony Murphy, the GM of Redcliffe Leagues Club, and Dermot McEnroe, the GM of BMD Northcliffe Surf Life Saving Club at Surfers Paradise, who will contribute to any answers from an operational perspective on the basis that they are at the coalface daily.

We live in a society today that values instant gratification. If we want something we want it now and we want it often. It is very often all about me. Personally, it saddens me that such mentality knows no bounds and is being reinforced constantly by the media with little or no objectivity about the difference between being inspired or simply aspirational. When it comes to alcohol consumption, for many people it translates into more is less, chasing that illusive feeling of a total experience no matter what the real cost.

I am very proud to say that community clubs do not subscribe to the cultural norm of what is in it for me. Community clubs were formed on age-old camaraderie, the notion of sharing and caring and doing what is for the common good. The first community club formed in Queensland was in 1888. It is now called the Booroodabin Community & Recreation Club. This club still exists today and is now affectionately known as the Boo. Yes, the original founders have long gone but the spirit of camaraderie remains ingrained in the community club culture.

You may have noticed my use of the term 'community clubs' rather than just clubs. It seems that anyone can use the term 'club' these days because the term implies a group of people coming together for a purpose. The purpose can range from profit generation to mutual benefit to benevolence. Community clubs are just that. They exist to serve a community or community need, from being a club that serves the whole town—for example, Moranbah Workers Club—to a club that services a specific need—for example, any bowls club in Queensland.

Community clubs occupy the middle ground. They are not-for-profit mutual associations. But they are more than that because all of their facilities and services are delivered in such a way that, on balance, their local community benefits significantly from their presence, hence the use of the term 'community' in their name.

As the committee may be aware, there are currently 939 liquor licensed community clubs operating in Queensland. Earlier this year Clubs Queensland completed a socioeconomic impact study of the community clubs industry throughout the state in association with Dickson-Wohlsen Strategies and BDO Kendalls. Let me share with you some of the findings from the report.

Community clubs service more than 3.5 million members across the state. In real terms, that is one membership of a club for every 1.3 people in Queensland. The largest club is Greenbank RSL, which has over 50,000 members. The smallest club is Herberton War Memorial Bowls Club near Atherton with just 44 members.

Community clubs provide, maintain and continually improve a range of community assets for public use such as sporting fields, dressing sheds, pools, greens, welfare officers, cenotaphs, memorials and equipment. The total value of all assets actually reported and excluding clubhouses amounts to \$1.776 billion at current replacement value. If clubs did not provide this crucial social and community infrastructure, I ask who would.

In 2008 alone 4.83 million hours in unpaid labour were provided by volunteers within the community club sector. Volunteers input to the maintenance of sporting fields, the coaching of teams and attend to administrative functions. This was valued at \$103.97 million of labour input and equals 2,998 full-time equivalent jobs. Community clubs paid \$480 million in net wages and super in 2008 and directly employed 26,900 staff. A further 3,400 contractors are engaged to work in the community club sector.

The total estimated value of direct community and economic benefits in 2008 was \$668 million or on average more than \$711,000 for every community club in the state. These figures point to one vital fact. We are a sizeable industry, perhaps the biggest component of Queensland's not-for-profit sector, and certainly the largest focus for community volunteers. Our size reflects the interests of the many Queenslanders we count as members. It is hard to imagine where Queenslanders would be without their community clubs and where they would go for active and affordable socialisation and recreation with like minds.

Whilst responsible service of alcohol is just one of the many offerings in community clubs, it is an important one because it provides an avenue for socialisation and the recreation of members, guests and bona fide visitors, something that has been happening for decades in club land without any major incidents in a majority of community clubs. One has to ask why this has been the norm rather than the exception. The answer is threefold. Community clubs do not have private owners so they do not explicitly trade for profit but they trade for a surplus to sustain their operation. Their sole purpose of existence is the pursuit and promotion of their constitutional objectives as decided by the collective membership.

Community clubs have stringent entry rules that restrict access to clubs from the general public and ensure security. You just cannot walk off the street into a community club. In addition, community clubs are member based associations. The potential consequence of suspension or termination of membership is an effective and strong deterrent in containing aggression or other undesirable behaviours.

Community clubs mostly do not trade after midnight when most violent incidents are likely to occur. Latest data from the Office of Liquor, Gaming and Regulation shows that only 72 of the 939 community clubs trade past midnight—that is, 7.7 per cent of community clubs across the state actually have a licence to trade past midnight.

These three factors are critical in understanding why community clubs are low-risk venues compared to other liquor licensed venues. The community club model actively discourages risky behaviour by being proactive and responsive to the needs of members and the local community. The classic example is a club's weekend cricket matches or netball fixtures which are family-friendly affairs within the safe, family-friendly club environs.

It is also not unusual to find that community clubs do far more than just provide vital recreational facilities in their local communities. In the case of sporting clubs, for instance, the intangible dimensions include development of social values such as working as a team or caring for each other and the codes of behaviour such as compliance with rules and respect for authority, for example a coach or referee. These are essential life skills which impact positively on young people throughout their lives.

In years gone by, taking personal responsibility was a given. It was one value that was not consciously taught but rather demonstrated through good role models. Parents were often the primary role models. This balance has shifted over time perhaps because the need for two incomes to support the family has meant less time to spend with one's children. While teachers and others have, to some extent, filled the void, they are not substitutes for the primary influence of parents and important life matters cannot be left entirely to them. The result, it is suggested, has been a generation or two of people who have little if any notion of personal responsibility. It seems that this attitude is even promoted by media attention in certain modern role models.

As well there has been a distinct breakdown in family values. Unfortunately, I would suggest the cycle often continues with their own children. It is time to break this cycle. I am speaking from experience, having a daughter of 20 years of age and a son of two years of age. Reflecting on my time as a father of a young daughter, I certainly put more emphasis and time into building my career rather than nurturing my daughter. It is a mistake and I have recognised that and it is certainly one that I am determined not to repeat with my son.

While I do not discount the efforts of the government to address the issues of alcohol-fuelled violence, it appears to those of us working in the community club industry that the majority of measures implemented so far operate in lieu of personal responsibility. A liquor licensed venue is already required to have all staff involved in the service of alcohol to be trained in RSA. Venues must comply with advertising and promotion restrictions and special conditions on certain days such as Anzac Day, Christmas Day and Good Friday; provide food options; reasonably priced water; display signage; and implement a house policy.

These are only some measures, but the common denominator is that none of them place any significant onus on the patrons to do the right thing or make responsible choices. Of significant concern is also the fact that these measures are designed to target the minority offenders but, in effect, have many adverse impacts on the majority of patrons who consume alcohol responsibly.

I cannot stress enough the need for patrons to take personal responsibility for their actions and to understand that there are serious consequences for their behaviour. They need to understand that their risky behaviour may not only put them at risk but also jeopardise the safety of others and expose the venue to a range of compliance breaches. It goes without saying that the government must consider imposing significant on-the-spot penalties for individuals who break the law because a slap on the wrist is no longer effective.

Personal responsibility is not hard to encourage, and we suggest that the starting point is well-planned education campaigns that target both the young and the old and that are built around core values of respect for self and others. Such campaigns should be ongoing, reinforcing positive messages that promote the need for people to take personal responsibility for their actions and to encourage the responsible consumption of alcohol. This will help bring about much needed cultural change, because supporting mechanisms such as liquor accords are already in place.

It is worth noting that approximately 72 per cent to 79 per cent of alcohol is sold for off-premise consumption, the vast majority through bottle shops and liquor barns. If more onerous requirements are placed on venues, it is suggested that many more people may decide to take their patronage away from regulated environments and onto the streets and parks and to house parties in the suburbs. That will simply escalate the problem, stretching limited police resources beyond their ability to respond in a timely way and could even endanger lives as a result.

Finally, it is important to recognise that, while alcohol has been widely identified as a contributing factor, it is not the only factor. Other issues such as drug use and a shortage of public transport and public facilities must be focused on, not just offending controls. The evidence suggests that in many cases alcohol and/or drugs are often consumed in an individual's home prior to patronising licensed premises and yet when the violent incident is reported it is always associated with the venue that the offender is patronising at the time of the incident. Additionally, my own daughter has told me about the prevalence of drug taking in the Fortitude Valley nightclub zone. I find this very disturbing, firstly, as a father and, secondly, as a citizen who is concerned about the community and associated values.

These facts of life and other broader issues must be considered in the search for holistic solutions to the problems of unruly behaviour, violence and criminal activities, because these factors have a direct bearing on patron behaviour. I am deliberately focusing on patron behaviour, because this aspect needs to be recognised in government policy. That does not mean that venues can have it easy. If a venue is proven to be irresponsible in regard to serving intoxicated patrons on several occasions—not just an isolated incident—then appropriate action should be taken against the venue, such as reducing its hours of trade or, in extreme cases, suspending or cancelling its liquor licence. This would be preferable to using a one-size-fits-all approach.

In our view, a harm minimisation framework that recognises the shared responsibility between licensed venues and patrons without overburdening venues with regulatory controls, often in lieu of little or no controls on patrons, or penalising the vast majority of patrons who consume alcohol responsibly, is the most appropriate response to this matter in the short term.

For the longer term, I want to get back to the issue of education. This is crucial if there is to be the needed change of community culture embracing the family values of previous generations such as caring for others, self-respect and personal responsibility. It is not something that can happen overnight, and it may take time to address the issues and the causes, but such objectives are surely the domain of good government. We have to make a start, and community clubs are well placed to be part of that solution. In fact, we want to be part of that solution. We want to influence meaningful change that will shape society in the future—and we believe we can—just as community clubs have shaped the lives of Queenslanders for generations. It is time we addressed the social disease rather than treating the symptoms only.

In summary, society today runs 24/7. People work all hours of the day and night and expect to be able to have a meal, to be entertained and to have a drink when they feel like it. Responsible licensed premises should be able to respond to society's needs. We should not be faced with a situation that, because of the actions of the irresponsible few, everyone else has to suffer through the introduction of draconian measures, including restrictive hours of trade, plastic glassware and lockouts. By engendering cultural change and developing a more caring society, anything should be possible.

This outlook was the very basis of the forming of community clubs in our state and it is the basis of their continued success. Community clubs are not the problem. We are safe, family-friendly venues. Thank you for the opportunity and we are very happy to take questions.

CHAIR: Thank you. I just want to get it very clear. You only represent community clubs and no other clubs? Are they part of the QHA or what? Can you answer that for me?

Mr Flockhart: No, community licensed clubs are not-for-profit liquor licensed clubs.

CHAIR: That is your organisation.

Mr Flockhart: Correct, yes.

CHAIR: But the other—

Mr Flockhart: Nightclubs have their own association. Hotels come under the hotel association.

CHAIR: The QHA?

Mr Flockhart: Yes.

CHAIR: I would suggest that most of the clubs that you represent are in suburbia. I am thinking that the Surfers Paradise RSL is probably in the middle of a hub, as is Cowboys up in Townsville. I cannot think of many more. Would that be correct? They are mostly suburban?

Mr Flockhart: Yes, spread across communities. Fortitude Valley does not have a community club. In the Brisbane CBD the Irish club is the only community club, yes.

CHAIR: You are right; we all have to sign in, or we all have to be a member. Do you feel that that makes a very big difference to the attitude and behaviour of patrons, because they know that they either have to be a member or have signed in and that somehow they are recognisable?

Mr Flockhart: I will ask Tony and Dermot to comment on that as well, but I think the sense of membership in a community club often offers a sense of pride and a sense of belonging. You see that genuinely throughout the membership—a camaraderie and a mateship that is often not there in other venues. But also it presents as an opportunity to actually define who you let into the venue. So it is the first filter of patrons coming into community clubs.

Mr Murphy: Just on that one, with the club itself we have only the one entry. It is manned at all times during the day and night. There are not several different entry points. So we certainly know everybody who enters the place. Our doormen tend to be long-term, older people who certainly have a rapport with the community. So they really know who comes into the venue and we know in what sort of state they come into our venue. So as community clubs, we recognise if people have had too much to drink and they are not allowed into the venue at all.

CHAIR: On saying that, I think possibly there is a change. I have noticed that the Greenbank RSL on a Friday or a Saturday night is full of young people now. I think we heard from the member for Kawana, who is on this committee, that the Caloundra RSL is going the same way. Possibly there are other community clubs out there going the same way. Has that brought any challenges to those clubs that they did not previously have that you may know of?

Mr Flockhart: You mentioned Greenbank RSL. My comment would be that in that community there are limited facilities offered in terms of entertainment for families and youth across-the-board. In turn, transport is a real issue there. People get there, but then actually being able to get them home by public transport or taxi is often a real challenge.

CHAIR: Would that be where most incidents occur? Out on your street level where people are coming and going?

Mr Murphy: Certainly with taxi ranks, especially out at Redcliffe, it is sometimes very hard to get a cab. We do not have buses coming through at that time of night. It is a bit tough if you have a courtesy bus to take home people who are intoxicated because they can cause a bit of trouble to the patrons who have not had anything to drink. However, it is usually in cab ranks and they are standing there for quite some time. People get frustrated and that is where issues can occur.

Mr Flockhart: I think another example of that is if you have a community club venue where patrons arrive intoxicated and are denied entry. Then again there is the issue of getting them home, whether that be in a taxi or by public transport. Again, there is often a reference back to the venue that they are at, yet you have not even let them in the front door. So it is a problem.

CHAIR: Actually, I had a young person raise that with me last night. If there is going to be any trouble, it is the person who is not allowed in or the person who has been kicked out. I have heard that before. Where does your obligation end? You have had to ask a patron to leave. Where does your obligation end? At that door?

Mr Murphy: If the patron is acting violently towards our staff or our security, we will march that patron off the premises and we will try to make sure that they have some transport to get home, in a cab or whatever, but we will take them right off the premises.

Mr Flockhart: There have been stories across the state. In community clubs where you have an intoxicated patron, particularly in a rural community where most people are known, a community club will often take their keys off them, put them in a taxi at the club's cost and send them home. So again, it shows some camaraderie, which gives us a point of difference, I suppose.

Your obligation in terms of licensed venues does not necessarily stop, in our mind, at the delineation of where your licence stops. Having said that, it is extremely difficult that, once they leave the premises, you lose control markedly as to what you can actually do to help them and often people do not want help. They want to be left to their own devices and that may be a noisy walk home, knocking a letterbox off someone's fence and so on, which is unfortunate.

CHAIR: In terms of the education side of things, I have noted that you are looking at—you may have even commenced it—a focus on binge drinking and personal responsibility. You are aiming that at teenagers aged 12 to 15. Where is that up to? How is that going, if you have already commenced it?

Mr Flockhart: Yes, we have written a script for a short film on the basis of producing that and, in turn with facilitators or guides, distributing that to every community club in the state and interacting with football clubs and surf clubs and so on where the coaches and the mentors within those clubs then facilitate evenings or sessions where parents and children, in association with this film and the guide, work through some of the issues. It is about creating a dialogue.

I call it the McDonald's philosophy, I suppose. If you have a young child who attended their first McDonald's birthday party at the age of three, it is my opinion that psychologically they feel some comfort or enjoyment in a McDonald's environment. As long as McDonald's can continue to grow with them, they will feel comfortable with that. McDonald's is quite an interesting model in that they have grown. They have coffee shops now and they have heart-ticked meal offerings and so on.

If you take that mentality in terms of education and say, 'We're going to grow younger generations now who are more comfortable with situations and understand where the line is—certainly still have fun but do not cross the line,' we see that as being a strong objective. To answer your question about where it is at, we have written the script. We are ready to roll. We are just finalising funding for that initiative and I would hope that we would have that rolled out in Queensland by mid to late next year.

CHAIR: Actually, you raised a good point, because most times parents will probably go to a community club with their kids and have a meal. So the kids have seen that type of environment—that club environment, a meal and a quite good time. Then with the nightclub scene or the pub scene, we have actually just tossed them in at 17—18, sorry; we all know that they would be 18—and said, 'Here you go.' You have raised a good point there about modelling, yes.

Mr CRIPPS: Thank you, Mr Flockhart, for coming along to our inquiry today to give evidence on behalf of Clubs Queensland. I notice that Mr Murphy is here from the Redcliffe Leagues Club. I wish the Dolphins all the very best for next year. But as a North Queenslander and a Northern Pride supporter, let me tell you right now that we are gearing up for a big one, so watch out!

Mr Flockhart, my experience in my electorate is that community clubs have elected to be part of the local liquor accord initiatives, notwithstanding that they are generally considered to be a relatively low-risk venue for all the reasons that you have pointed out today. Can you advise if this is the case across Queensland? Are all community clubs across Queensland electing to be part of the liquor accord initiatives? Why is this so? Why do community clubs see a benefit in being involved in liquor accords, which I believe would be generally focused on licensed premises that may be considered to be high risk?

Mr Flockhart: Certainly the first part of it is, yes; community clubs across the state are willing and active participants of liquor accords. In fact, the community club sector was instrumental in one of Queensland's first liquor accords at Dalby and have continued to champion that cause significantly in that area. Why get involved? It is part again of being part of a community. You are actually in a licensed regulatory environment and therefore it makes a lot of sense to be working with your other licensed venues and the police in the community so that you take regional issues and make them regional issues.

It is often challenging for George Street decisions to be enacted in a local patch when every local patch has its own nuances. I think working within the regulatory requirements of those nuances is often recognised by the liquor accord for the good of that community and that in turn achieves solid outcomes.

Mr CRIPPS: I refer to your submission and your emphasis that there must be more individual responsibility put on patrons for their behaviour and the emphasise that your organisations, community clubs, put on the value of membership. Can you advise the committee when the rubber hits the road, Mr Flockhart, when you have to ask a patron who is a member of your community club to leave the premises because they are intoxicated or they are involved in an incident, maybe a violent incident, do you link that incident to their membership and subsequently cancel their membership of your club?

Mr Flockhart: The membership formation in community clubs is very much structured on the camaraderie that comes with membership. In the event you have a disruptive member, per the example that you just gave, causing havoc in a community or inevitably or potentially as a by-product of their actions causing harm to others, that is a very serious offence. They would be asked to show cause by the committee of that community club. The constitution of community clubs gives the committees of those clubs the power to suspend or cancel a membership subscription and, as I have prefaced in my introduction, that is seen as a major deterrent and, in turn, provides for potentially, most of the time, ongoing good behaviour in community clubs.

CHAIR: Mr Kilburn?

Mr KILBURN: Thank you very much. I welcome you all here today. I take on board your comments about the community benefit of the community clubs. I am sure we all have some wonderful clubs in our electorates. I have the Carina Leagues Club in my electorate and I know what a wonderful job it does in my community. One of the things that we keep hearing is that we want people to take more personal responsibility. I do have sympathy for that point of view. What we do not hear is what is that personal responsibility. I note already that we have penalties of seven years jail for assault and 14 years for aggravated assault or grievous bodily harm. Given we already have those seven- and fourteen-year terms, I do not know that putting it up to nine and sixteen years will make any difference to the behaviour of people. If seven is not enough to put you off, I do not know what is. I know this is not necessarily your domain, but maybe you have some suggestions or thoughts on what other penalties or sanctions could apply as an organisation particularly for more low-level behaviour, such as banning people completely from licensed premises throughout the state. Is that something that is even achievable? Would it work? I am trying to get some ideas about what are the increased sanctions or personal responsibility sanctions that we can apply to people.

Mr McEnroe: Recently the Gold Coast Liquor Accord, with Liquor Licensing, committed to a course of action where if a member or a customer in a club refused to leave the club and police were called and they eventually left before police arrived, that if the club supplied the person's name and address they would go around and find that person. They have done that now on a number of occasions in some clubs on the Gold Coast. That has really worked well. On a Friday and Saturday night if you do have to call the police, which is pretty rare, but if you do it is unlikely that they will get there quickly. In many instances where you have asked somebody to leave, and initially they refused and you have had to call the police and then they have eventually left, they will be gone by the time the police get there. Having additional powers like that, and Liquor Licensing being prepared to do that, it certainly helps the case.

Mr Flockhart: I might add that in terms of blanket banning across the state I think operationally that would be very difficult to enforce. It might sound good in rhetoric but actually being able to enforce that at the coalface, when you are talking about in Queensland community clubs some 3.5 million memberships, I don't think it is doable. In turn, I think there should be some consideration given to social responsibility. Let us say you have been a model community citizen and a model member of our club and for some unforeseen reason you have a brain snap due to various pent up situations throughout that day and that has caused you to act abnormally. Should you be penalised across the state for that one indiscretion? Certainly you need to pay the penalty in relation to the offence you have caused. There is no issue there. But I would say to you that I do not think there should be a determination that a statewide ban or anything like that should be considered.

In turn, when you look on a smaller level in a liquor accord, if you have a gentleman or a lady cause a problem in one venue, yet again they have been a model citizen in my or our community clubs, do they deserve blanket banning? I think a lot more navel gazing and research needs to be determined on that issue as to what is right and what is wrong. Certainly if it is a serial offender I would agree, but if it is not, if it is a one-off isolated incident, I think that we have all made mistakes in our lives and therefore that needs to be a consideration.

In terms of other penalties, we have a clinical psychologist working with us at Clubs Queensland, a contractor, to assist us in endeavouring to find ongoing above-best-practice initiatives that we can implement in community clubs or offer to community clubs across the state. I asked that question of her yesterday, actually, prior to coming today. Her interpretation—and there is some evidence of this—of Western Australia is that specifically offenders really dislike fines. Given the opportunity to pay a fine or attend counselling, inevitably nine out of 10, in her opinion, go to counselling because they are fine-shy. Therefore, I do not think jail is the answer—certainly for lesser offences. And we have our own issues with jails being full now and we certainly wouldn't want to be building more, in my opinion. Having said that, based on her suggestion as a professional in that field, and more research would need to be done, stronger on-the-spot fines, it appears, could be a very strong deterrent.

Mr KILBURN: In your submission I notice that there is one club that has a 5 am licence; is that right?

Mr Flockhart: Yes.

Mr KILBURN: What club is that?

Mr Flockhart: It is a club on the Gold Coast. It is the Casino Workers Club.

Mr McLINDON: My question has been answered. I would comment on the submission by saying it is very thorough. I think that there is a lot that can be learned from Clubs Queensland. I like the amount of times you used the term 'individual responsibility'.

Mr WATT: My issues have been covered as well.

CHAIR: Thank you very much. If the committee does have any more questions we will put them in writing to you and ask you to comment. Thank you for attending here today.

MAZEROLLE, Professor Paul, Director, Key Centre for Ethics, Law, Justice and Governance, Griffith University; and Program Leader, Violence Research and Prevention Program, Griffith University

CHAIR: Before proceeding, I will introduce the members of the committee present: Mr Andrew Cripps, member for Hinchinbrook and deputy chair of the committee; Mr Steve Kilburn, member for Chatsworth; Mr Aidan McLindon, member for Beaudesert; and Mr Murray Watt, member for Everton, who will have to leave before the close of the committee but who will be here for most of this session. The honourable member for Murrumba, Mr Dean Wells, and the honourable member for Kawana, Mr Jarrod Bleijie, are unable to be present today but are part of the committee. My name is Barbara Stone. I am the state member for Springwood and Chair of the Law, Justice and Safety Committee.

The Law, Justice and Safety Committee is a statutory committee of the Queensland parliament and, as such, represents the parliament. It is an all-party committee which adopts a non-partisan approach to its inquiries. On 4 August 2009 the committee received the following referral from the Legislative Assembly: that the Law, Justice and Safety Committee conduct an inquiry and report on alcohol related violence in Queensland, with a focus on community safety and preventative measures to reduce levels of alcohol related violence including its ramifications. Am I right in believing that you have received a discussion paper and the criteria under which the committee is working?

Prof. Mazerolle: Yes.

CHAIR: Thank you. The committee has advised the public of the inquiry by advertising in the print media and by writing directly to a number of individuals, organisations and government departments. The committee released an issues paper on 31 August 2009 and has invited submissions from the public through advertisement and by writing directly to a large number of stakeholders.

The committee has also established the parliament's first Facebook page as part of its consultation process. After considering submissions, other material and transcripts of hearings like today, we will provide an interim report to the parliament by 26 November and a final report by 18 March 2010. I remind everyone to turn off their mobile phones or switch them onto silent. In the unlikely event of the need to evacuate, I would ask that you please follow staff directions. I remind members of the public that you are here to observe the hearing and may not interrupt the hearing.

Representatives of the media may film today's proceedings. I would like to put on the record: Professor, are you happy for that to happen?

Prof. Mazerolle: Very much so.

CHAIR: Although the committee is not swearing in witnesses, I remind all witnesses that these hearings are a formal process of the parliament. As such, any person intentionally misleading the committee is committing a serious offence. I also remind witnesses that Hansard will be making a transcript of the proceedings. I therefore ask that you please identify yourself when you first speak, and speak clearly and at a reasonable pace.

First of all, I would like to say thank you for coming this afternoon. Would you like to start with an opening statement?

Prof. Mazerolle: Yes, thanks very much. By way of introduction or comment, I want to commend the committee for looking at this issue. I think it is an issue that has been around for a few years, but in the last 24 months at least it is starting to hit a crescendo with regard to concerns relating to public health and public safety about alcohol related violence. I think it is very timely that you are looking at this. I am very pleased to have the opportunity to share with you some of the work I have been involved with over the last few years as the Director of the Violence Research and Prevention Program at Griffith University, and my work in the Key Centre for Ethics, Law, Justice and Governance.

I thought by way of context I would share with you some of the trends that we have seen over the last year or so across some parts of the country. I have tabled a PowerPoint presentation that I gave last year at a youth violence symposium that we hosted at South Bank with some national and international experts. In that handout I have given you, again, it has contextualised the police statistics, which have known benefits but also known challenges with respect to uncovering what is called the dark figure of crime and violence. It is only really focusing on crime that comes to the attention of police.

I think it shows some fairly compelling trends across the jurisdictions of Queensland, New South Wales, Victoria and South Australia. In particular, what is important is that it looks at the trends for 10-to 14-year-olds as well as 15-to 19-year-olds across those four jurisdictions. It also shows some year-to-year fluctuations which, for Queensland, for example, are some fairly substantial increases for both males and females.

I want to call your attention to Queensland. If you look at the bar charts, in particular, which are about halfway through, they show for the youngest age category, which is 10-14, over a 10-year period from 1996 to 2006 substantial increases for both males and females—60 per cent for females and 45 per cent for young males. On the next page for the 15- to 19-year-olds it also shows substantial increases over that time period.

One of the challenges with police statistics that you are probably aware of is that it is very difficult to differentiate whether this is reflecting a real change across the community or a changed response by police. Absent other types of information, survey information et cetera, my view is that it is probably a combination. There are some real increases going on but also increasing police response because of the nature of youth violence and public concern over certain types of behaviour. The recent statistics are bearing this out as well, particularly for things like serious assault. Last year there was a pretty substantial increase in Queensland. I think the one-year increase was about 14 per cent for serious assaults. Trends in violence are going up for young people, and some serious assault is driving a fair amount of that.

The other thing I would call your attention to in these trends is the last section. We ask the question: is the proportion of juvenile offending that involves violence changing over time? I think this is a more powerful way to look at it, because what it says is that, of the volume of juvenile offences being processed and responded to by police, is the mix of violence to nonviolence changing over time? The trends show that it is dramatically changing. For Queensland, for both males and females it is changing. From the mid-nineties for 15- to 19-year-old males about nine per cent of the juvenile offences were for violence, and it is approaching 14 per cent. Most juvenile offending is nonviolent but the proportion is changing over time. Juvenile offences involving violence is increasing in Queensland for males and females. This trend is common across Victoria and New South Wales. What it suggests is that this is not just a Queensland phenomenon. It is a bit more widespread around the country. Our criminal justice system is processing more juvenile violence. There is something more structural going on. So it is appropriate to have a concerted look at the policy options.

The other thing I would call your attention to in terms of trends of youth violence is some fairly dramatic increases for females. It is not just something we are observing in Queensland; it is something that has been observed in other parts of the world, in Canada and America as well. Youth violence for females is changing. This seems to be different from the recent comments on cyber offending or cyber bullying. School bullying is an adjacent activity that is not necessarily represented in the criminal justice system, thankfully, but that is another dimension of youth violence that has a gender mix to it.

The other thing that police statistics and trends illustrate is some substantial data gaps. It shows us that we do have some gaps around the country in our ability to look at juvenile offending, juvenile violence et cetera independent of police response. I am originally from Canada and have lived in America. I have been looking at this issue for 15 to 16 years. We do have some known data gaps. There is more we could do with respect to investments in surveillance programs. For instance, the city of Boston has had a youth violence problem for a number of years. It has invested substantially in what is called a public harm surveillance program where kids in school are surveyed and trends, attitudes, victimisation rates and perpetration rates are monitored. Then there are targeted community based strategies to try to turn it around. We could do those things in Queensland. It is just a matter of trying to get the right investments, the right mix and the right partnerships together. So we do have some data needs.

The other theme that I want to shift gears on is to talk about alcohol related violence around the night-time economy. There are a few things I would like to quickly identify, the first of which is the recent focus on glassings and putting in place some strategies which I think are really useful. You would be aware we have recently completed a report for the government on glassings. This stemmed from a request the year before from Liquor Licensing to examine this issue.

It is an issue that is relatively under-researched the world over. When we did the research, we noticed there was not a huge amount of literature looking at strategies and evaluation evidence. There was some, but not a huge amount. I think our report is one step forward to saying there is a problem. It has been focused on the Gold Coast, in terms of that is what our brief was, but it obviously has some real attraction in Brisbane as well in terms of concerns. Our belief is that the move towards plastic is one strategy, but it also needs to consider other kinds of options, such as rapid removal of plastic and glass, the issue of amenity of a licensed establishment, the issue of responsible service of alcohol training, the issues related to management of the night-time economy, the issue of concentration of bars and clubs in areas—these can have a big impact. So there are general marketing and other violence related strategies, not just the move to plastic. It has to exist within other kinds of related strategies to be most effective. But, again, those types of initiatives will require further evaluation evidence to see what impact it is having.

One of the good things about that sector is that it is a fairly responsive sector. I think most of the nightclubs have a very vested interest in making sure they do not have violence problems and they do not have high levels of victimisation, glassing related injuries and assaultive behaviour, because that will affect their bottom lines. I think that industry is ripe, in my view, for some effective and innovative types of responses.

The issue of trading hours is reasonable to look at. We have been involved with a project for the last couple of years. Some of it is related to some work with the QPS looking at some partnerships, the LEAPS program. We have been looking at that with some of my colleagues at Griffith.

We found out some things as part of our wider initiative looking at trends and violence around nightclubs when we did a survey of about 350 young people who are frequent 'clubbers', for lack of a better term. We surveyed them on their attitudes about the lockout, drugs, alcohol et cetera. I will share with you some of the emerging findings. We have not published this in a report yet because we are still working through some of the process in terms of the perception by the young people. The sample was frequent nightclubbers—that is, they go every weekend to the Valley, for instance.

Forty-one per cent believe that the lockout had increased violence in the area, compared to about 21 per cent who said that it had not. The other issue we asked briefly was the impact on taxi waiting times. That is a flash point for the location of violent victimisation—when you have intoxicated people walking around the streets waiting for cabs. Seventy-six per cent said there had been an increase in taxi waiting times, versus about six per cent who said there had been a decrease and 18 per cent who said there had been no impact. Thirty-nine per cent said there had been an increase in binge drinking because of the lockout, and only six per cent said there had been a decrease in binge drinking. Lastly, about 52 per cent said there had been an increase in crowding problems since the lockout, versus 20 per cent who said there had been a decrease.

I wanted to pass along a bit of evidence because I know this issue is really prone to a lot of anecdotes and people's perceptions. One of the things we have been doing is trying to put a bit more evidence to it, such as with that survey of the perceptions of 350 young people who go out every other weekend or every weekend. Again, there is more work that needs to be done in that space.

There are a lot of issues to do with the night-time economy. There are no easy fix solutions. It does relate to our underlying cultural disposition to party and to use alcohol. It is affected by trading hours, it can be affected by the concentration of locales—in that if you put a number of nightclubs et cetera in the same space, you are going to have concentrations of individuals. There is no question that can have an impact.

There has been some discussion about drinking ages, and I think that is a useful discussion to have. Some are controversial. There are some studies overseas that look at the drinking age. There is some anecdotal evidence out of New Zealand, because they went in the other direction to reduce the drinking age and they have had increases in violence, but it has not been examined systematically yet. The issue is that the jump from 18 to 21 is a fairly substantial jump. There might be minor jumps that could be considered—18 to 19—but that might not have the impact people would be expecting; it might not have any impact. I think most of the evidence is looking at those three gaps of 18 to 21, which in our context would probably be very controversial.

The final point I want to make by way of some themes is that this is a big social problem and aspects of it are getting worse. There is a need for more research. I do not want this to sound like a plug, but we do have a real concerted focus on violence research at the university and we are planning to put in a bid to the Australian Research Council for a centre of excellence in violence research. Part of this is an opportunity to bring together not only our existing researchers but a network of researchers across Australia and the world into a group of people who are looking at youth violence, sexual violence, violence around the night-time economy, Indigenous violence et cetera.

So it is a great opportunity. We have a coalition of people now, but we want to ramp it up because there is no dedicated violence research centre in Australia. There are really good models overseas. There are probably a dozen youth violence centres in the States and eight domestic violence centres in Canada. We think it is a social problem that will not get better unless we help build the evidence base and the evaluation research base so that governments can make more informed decisions, recognising that research is one aspect of policy decision making but it is not the only one. I am happy to take any questions.

CHAIR: I think the rest of the committee is probably like me and has 20,000 questions for you now. I want to touch on the transport. You spoke about the number of young people who said that the time waiting for a taxi had increased quite a lot. When I have asked young people about waiting for a taxi and whether we need more public transport, the answer I have got every time is, 'No, we don't want to go home in a bus or a train because they stop and start and they take too long. In a taxi you just get driven home and you don't have to deal with anything else.' Have you asked that question? If public transport was there, would they actually use it?

Prof. Mazerolle: We were focusing more on the perceived problems of wait times around taxis. We did not explore further the other options, such as keeping trains running longer or things like that. I think that is a worthwhile point. If we go to invest in other types of strategies and there is no uptake, it is money not well spent. We did not ask those other alternatives, but I take your point. I guess part of the thing to think about is if there was anything to be done in that space it could be trialled for a three-month period to see if it does have any impact, but if the buses are not full then it is a waste.

CHAIR: I want to go to your point on amenities. Since the committee has been touring around the state having a look at different places, I have to say that the real grotty, dirty clubs that have not been updated and that do not have that good dress code, I have to add, have been very noticeable. Certainly, they do not have the same sort of clientele as the hotel or club across the road that has had new lighting and new bars put in and is really up-market and represented today. I am just wondering how much that design, lighting and dress code affect the behaviour.

Prof. Mazerolle: I think it is a substantial effect. It sends a message when a club is not well managed and out of control. It sends clear messages of disorder: 'It happens here and it's tolerated.' So I think the amenity is a big part of the equation. The message to people coming in the door is that there is an expectation of dress code and that comes with an expectation of behaviour. The extent to which glasses are picked up quickly—all of those things are part of that general impression of an establishment and where the line between appropriate and inappropriate conduct is. I think it is a very important part of it.

CHAIR: Just on your glassing report, I am wondering about what you call teapots, because in Cairns we serve teapots and we stand on the floor and pour out of a teapot, a cocktail. So are we having teapotting incidents?

Mr CRIPPS: They are porcelain teapots.

CHAIR: The committee has found that very interesting: big, burly young blokes having tea parties on the dance floor. I thought I might throw that in and suggest that when you look at your glassing stuff again you might want to talk about teapots and see how dangerous they are with a handle.

Mr CRIPPS: Porcelain teapots.

CHAIR: Because it is whatever they have in their hand, isn't it?

Prof. Mazerolle: Intoxicated people can wreak enormous havoc, there is no question. Looking at glassings and glasses is one part of it, which is not to say there are not a lot of other instruments people can get, whether they are porcelain teapots. One thing we struggle with too is if we move to unbreakable glass that can become a blunt instrument. It does not break but it can be like hitting somebody with a brick. It can create other types of blunt force injuries that cannot be ignored.

CHAIR: Are you finding the glassing incidents are more with tumblers, wine glasses or bottles, such as vodka cruisers or stubbies?

Prof. Mazerolle: There is a real mix in terms of the police reports that we examined. There are some beer bottles being thrown et cetera. I would say the modal response was a glass but there were some others as well. Certainly, some of it is glasses being broken and used as an instrument, but some of it is very incidental to aggression. So in a fight that happens very quickly, somebody punches one person and one person punches back with a glass in his or her hand—usually his—and that is different to using a glass and breaking it. It seems a little bit contextually different than breaking a glass and using it as a knife, as opposed to punching someone back with a glass in your hand. It can have the same impact—massive injuries—but it does seem to be a different context, all fuelled by alcohol.

CHAIR: Is it that last one you just said—just something in their hand—that is the more frequent?

Prof. Mazerolle: Yes, it seems to be.

Mr CRIPPS: Good afternoon, Professor, and thank you for making yourself available to give evidence to our inquiry. We now have your 'War and Peace' on glassing incidents, and I am sure it will be useful for the purposes of our inquiry. Your research is popular in so far as this morning we heard from the Queensland Hotels Association which drew on some of your research to offer some evidence to the inquiry. I asked a question of the Office of Liquor and Gaming Regulation on drawing from the evidence that I interpreted from the Queensland Hotels Association. I hope I have not misrepresented you, but the interpretation was that it was difficult to provide a profile of a high-risk venue for a glassing incident and it was difficult to provide a profile of a high-risk patron for a glassing incident. Is that an accurate interpretation of your study?

Prof. Mazerolle: It is probably a matter of precision, so in a precise sense it is because if you ask who is likely to be somebody who glasses somebody else, we can say in a blunt way what those characteristics look like—the certain age groups, male more than female, those kinds of things. However, if we are talking about one study in one concentrated location, we have to be careful not to draw very strong broad inferences given our limits of data. But what we can say is that glassings are a subset of wider concerns of violence. So if we have strategies that try to reduce violence in pubs and clubs, there can be some spillover benefits on reducing assault levels and then associated glassings.

There is probably some truth in their interpretation of that. We do not have the precision that we would like. It is not like medical research where we give somebody an antidote and we can sit and watch what happens to the virus or their infection. It is very different. It is more of a blunt instrument in terms of what we are finding. Part of it is the limitations and the constraints of the study, given the resources and the time and also our focus. The other context of our focus was that there had been a spate of increases in glassings—so a real rapid upsurge in a relatively short amount of time. So there was lots of community concern. We wanted to show some evidence on it, recognising that what we threw at it was necessarily limited given our constraints.

Mr CRIPPS: I take on board very much the answer that you gave. It instructs me in terms of some of the concerns that I have about the policy initiatives of the government recently to issue show cause notices to a number of licensed venues in terms of glassing incidents taking place at their venue. As a result of a single incident they can be issued with a show cause notice, but that may not necessarily reflect the level of risk at that venue. The evidence based approach is something that I am very much interested in pursuing.

I take the point that even some of your recommendations in your *War and Peace* on glassing incidents in Queensland take the form of recommending more trial and error research, reflecting some of the problems with sparse data being available in relation to a number of matters that the committee is looking into. For example, recommendations 1(a) and (b) talk about trialling various forms of hard glass and plastic and seeing what happens. So, even after you have looked into this issue fairly deeply, you are still recommending that the data is not comprehensive enough to make really strong recommendations and you consider in your professional capacity that more needs to be done to look into the root cause of these issues.

Prof. Mazerolle: I think that is a fair summary. There are a couple of things I could reflect on there. It is a relatively new phenomenon in terms of the scope of the social problem and the concern. Obviously glassings are not new but the fact that they have shot up relatively quickly seems to be something new. There is a lack of an international evidence base in terms of what is strong evaluation evidence on what does work. There is some evidence but not a huge amount. That is why we needed to be necessarily a bit circumspect about what is the best way forward. We think that moving forward to tackle the problem is actually worthwhile. We need to do something. The government ideally needs to do something. It is not just a government issue but also an industry issue and individuals being responsible. So there is a range of things that need to happen. Having said that, it is about looking at a range of different options and strategies. Plastic might be one of them, rapid removal might be another, bar training might be another et cetera.

The other thing I should qualify is that our role was to undertake some research, which we happily did. In terms of what the government decides to do with that is really up to the government. I think research evidence is important but it is not the only thing. The government has access to other types of information, strategies and priorities that we do not, and it is not our job to say, 'You must have this policy or this regulation.' Our job is to do the research and to ventilate what we can learn and to say, 'This is what we are finding. It is over to the government to use this bit of information as well as its priorities and information to move forward.'

Mr CRIPPS: Thank you, Professor.

Mr KILBURN: Thank you, Professor, for your report. Along the lines of what we have been talking about, there is the perception of a problem as opposed to the reality of a problem. Does the definition of 'glassing' mean any incident where someone is injured and a glass was involved? You spoke about the difference between someone glassing someone and someone being cut by glass in the process of a melee just because there are glasses around. Did you identify how many people were actually attacked deliberately with glass being used as a weapon?

Prof. Mazerolle: With the police reports that we received over that limited period we were able to do some systematic coding—when it happened and what were some of the circumstances. All the ones that we looked at, and again for that limited time period, were not situations where somebody tripped over and fell and cut their hand on glass on the floor. That is not what we were talking about. We were looking at incidents where glass impacted within an assaultive context. So some of them were where people were stabbed. More of them were incidental where they were having a fight and hitting someone over the head with a glass. So it was the more serious utilisation of glassings, and that is the context of the upsurge during that period on the Gold Coast that we were looking at. There is probably a whole other level of injuries that do occur at nightclubs. That is in the lower level threshold where people get cut but it is not in the context of assaultive behaviour.

Mr KILBURN: We are looking at alcohol fuelled violence. The problem that has been identified by the police and when we have visited hospitals is that the police can only breathalyse or take a breath sample of someone who is involved in a traffic related incident. How are we getting the evidence that these are people who are just violent and who would lash out whether they were at a birthday or at a pub? How much of it is alcohol fuelled in your opinion?

Prof. Mazerolle: That is a really good question. There are two subgroups in the population, I would argue. There is a subgroup of people who are violent people—who are violent when sober and violent when intoxicated. One aspect of the study that we were not able to do but would have liked to do was look at the criminal history of all of the glassers which would paint a further more precise profile, but we were unable to get that data.

The other subset of violence—youth violence and alcohol related violence—is the situation where it is incident driven. So you have people who do not have a criminal history but they are out with their mates, they are at a nightclub or they are on the streets and they get in fights and bad things happen. So collectively the majority of the violent incidents is driven by the latter category and it is largely alcohol and group fuelled. But in terms of the sustained and persistent violent offenders over time, they also can wreak a great deal of havoc. But they are very different subcultures or subsets, if you will.

Alcohol affects the behaviour of both, but the former group tend to also be violent in other contexts, whether it is workplace bullying or violent at home with their intimate partner or their children. It is that former category whom we see mostly in the criminal justice system. There have been quite a few birth cohort studies identifying chronic violent offenders. Some of the best evidence shows that it is roughly six or seven per cent of a birth cohort—so six or seven per cent of the population—will uncover a small group of high rate offenders; 18 to 20 per cent of all offenders account for about 52 per cent of the offending and 71 per cent of the violence. So that former category is something that we are concerned about but we mostly already have the attention of those people by the juvenile and criminal justice system.

The problem that we face in the night-time economy is that the vast majority of people out are not in that category. They are law-abiding citizens and, because of their age, their peer context, their prior drinking before they go to a nightclub and their lack of constraint given their intoxication and their blunted perceptions of reality, they get into strife as well.

Mr KILBURN: To clarify for me, are we saying that most of the time, a large percentage of the time, it just happens to be that a glass is what is in their hand and if they happen to have something else in their hand they would hit the person with that, and we do not hear about that because with glass it is easy to see when someone gets sliced and there is scarring? So they are lashing out and it just so happens that they have a glass in their hand most of the time and that causes a problem. And, as you mentioned, with tempered glass—which to me to all intents and purposes feels the same weight as a normal glass—you would still get an injury except that it may not be as bad because you do not get the slicing.

Prof. Mazerolle: There is no question that quite a number of these incidents are incidental to existing attempts to fight with somebody or assaults. Things happen in a split second where people do not have the time to put the glass down. So it could well be that if somebody had a brick in their hand they would use that. But what we do know is that, much like the impact of a firearm on somebody's wellbeing given an assault, glasses have immediate injurious effects—cutting people's faces, affecting eyesight et cetera. So when people walk around clubs and pubs they tend not to be walking around with pool cues en masse; they are carrying glasses because they want to drink and they want to have fun. So, to the extent to which we think about what else they have in their hand and the probability of what that could be, I would not want to speculate. But we do know that glasses are particularly scarring and injurious.

Mr KILBURN: I suppose what I was trying to say is that it is not necessarily the intent to glass someone. The intent is to hit them or to commit a violent action and to the extent that there just so happens to be a glass involved would be the majority of cases rather than an intent to glass.

Prof. Mazerolle: I think that is clear and it is a useful distinction. The other thing to take away from that is that the net result is still the same—somebody gets glassed. Whether there was motivation or not, there is still a bad result.

Mr McLINDON: Thank you, Professor, for your in-depth report. I have one question with two parts to it. Having spent six months in the United States myself, as a young reckless Aussie going from venue to venue, I did not see any of the types of violence that we see now. I do not know whether that is a cultural thing or whether it has to do with the age limit of drinking. Could you comment on the timing? In California most of the clubs are shut by one o'clock or maybe two o'clock. Also, could you comment on whether we should be introducing alcohol at a younger age or an older age? There are the two extremes: in Italy they introduce you to drinking a glass of wine at 14 or 15 with your meal and in the United States the legal drinking age is 21. Can you comment on the timing and whether you have done any studies or research on when drinking should be transitioned into the lifestyle of a teenager?

Prof. Mazerolle: I think that they are really good questions. I will start with the issues of culture and lifestyle in relation to introducing alcohol to young kids and what is appropriate. There is a cultural dimension to a great deal of this in terms of the role of alcohol in a culture—whether it is in America given their history, or Canada where I am originally from, or Australia, or Italy, or Europe. Some of the best evidence that we are seeing is coming out of Victoria by John Toumbourou and his colleagues, looking at young kids in school here compared to young kids in Washington in the States. They are building a pretty interesting profile on some of the Australian youth and their alcohol patterns.

They have also done some additional research showing that it is a bad idea to introduce alcohol earlier to try to normalise it, because what that tends to do—at least in the data they are showing—can lead to further alcohol problems down the track. I think the Italian and French context is quite a bit different from ours in terms of our culture—our emphasis on our youth culture and the machismo aspect that we have. Our settlement is very different and our history is very different. I think the evidence is showing do not introduce alcohol earlier. Do not try to normalise it because, if anything, that can lead to further problems or exacerbate problems in our culture.

So it is fair to say that there is some uniqueness to Australian cities and entertainment districts which seems to be different from other parts of the world. That is not to say that we do not have problems in parts of America and parts of Canada where I am originally from; we do. But when you take an entertainment district that is designed to bring thousands of young people together into an urban area and into the same space—I think the estimates are 50,000 to 60,000 on the weekend; that is bigger than my home town—we are going to have lots of problems. I know that some parts of the world have moved to a decentralised model where we have two or three nightclubs over in one area and maybe a couple of pubs in another area but they are not all together.

The other thing I will say, having spent 10 years in the States—and I think it is a useful comparison—is that there is a difference in terms of considerations of personal security and the level of security around cities and urban areas. There are concerns about gun violence. So even though people will behave in certain ways in nightclubs, being intoxicated and walking around the streets of some highly urbanised areas in America is very dangerous in terms of hand guns. I think people's awareness levels are a bit different. Maybe some of our young people here let their guard down a little bit because they know that we have a relatively safe country and safe cities. So that level of needing to be personally aware of victimisation risks is a little bit freer here which can be good but can also have some bad consequences.

I think the other point you mentioned was about the timing of when bars and nightclubs close. I grew up in a context of 2 am closing and that was pretty firm. But I know that different jurisdictions have 1 am closings et cetera. I do think that when we have nightclubs and pubs open all night that presents other challenges. We see that in certain vacation destinations—be it in Cairns, Townsville et cetera—where, if the nightclubs are open all night and somebody has to catch a 6 am flight, why would he pay for that last night in the hotel when he can stay at a pub or club until 5 am and catch a plane?

By having unrestricted hours I think that introduces more problems. Looking at when the best time is to close is very important. It is part of the mix here. It is about how we want to stagger people on the streets when they are intoxicated and having the supports and scaffolding around that and public transport. I think some of our liberal closing times are part of the ingredient that does make things worse.

Mr McLINDON: Could you briefly comment on the 21-year-old aspect—the other extreme—and whether or not that would be something that would suit the Australian context?

Prof. Mazerolle: I understand there have been some studies in the States that have looked at this and have shown that it does have an impact. The other qualification is that it is a comparable country in terms of it is a western democracy but there are also some differences. When you talk about those kinds of constraints in a state like Queensland, which has a high emphasis on entertainment and vacationers and the economic realities of the benefits of people and travellers, we do not know what impact that would have here. It might have a very drastic impact on the night-time economy and it might take us too far in the other direction.

Where I grew up the drinking age was 19. Most of Canada was 19 or 18. Canada is also a high alcohol consuming country and does have high levels of violence and assaults. Some colder countries tend to have higher levels of depression, economic disadvantage and violence but not handgun violence. I do think there is further debate and discussion that needs to happen in terms of whether the age should be 18, 19, 20 or 21.

I have worked previously on the Youth Violence Task Force. We did talk about the drinking age. It did not end up in the final report. We did discuss some of the merits of it. We also talked about alcohol-free schoolies and those kinds of things. It was maybe a bit too controversial at the deliberative stage. I think the age is worth looking at. New Zealand is worth looking at a little bit closer because they have liberalised. They have come from 21 down. They are having some anecdotal reports of violence increases. I do not think it has been studied comprehensively yet.

CHAIR: Just going back to your point on violence and glassing, when we see 47 stitches in someone's face that is horrific. To us that is a very serious incident. If you ask anyone what they protect when they are falling it is always their face. I think the seriousness of the injuries that they cause is really what we must think of as a committee. I do not think it is the same as having a stab mark in your arm.

Prof. Mazerolle: I would agree.

CHAIR: There is another thing that we have observed as a committee and we have discussed and have different opinions on. I personally believe that the seriousness of the violence has increased. Once upon a time you would have someone hit someone and they would be on the floor and they would walk away. Now, as soon as they are down on the floor the 15 other cowards come out and kick them, stomp on them and practically kill them and, in some case, they have.

Prof. Mazerolle: Have some hoarding behind it. We have seen anecdotal reports of that.

CHAIR: I think most people out there are scared for their kids when they go out because they see these incidents. We have seen them on the CCTV, so this is happening. That is the type of violence that is scarring people and upsetting people. Their children will be out there amongst this. As you are the leader in this, is that true? Has the violence escalated to a point where it has become more serious?

Prof. Mazerolle: There are two comments on that. The most police statistics I have looked at did show very rapid increases in not just assaults but serious assaults. The fact that the increase is 14 per cent in one year shows that it is a fairly substantial change that the police are picking up. You are right, we are hearing reports of group orientated violence and hoarding behaviour. We have seen a lot of that around teen parties. Teenage drinking parties and party crashers are part of the concern. I do not want to say it is a new phenomena but awareness has been raised about it and I think it is probably increasing.

People are more visible today with CCTV. The alcohol turns them off in terms of their constraints. They do not think about the consequences. Most violent activity we know is group oriented activity. So things that you would do by yourself are quite different to the things you would do in a group with seven of your mates or if someone gives you a dirty look or says something provocative to your girlfriend or boyfriend. I agree that it is an increasing problem. We need to tackle that dimension as well.

CHAIR: Thank you very much. I would like to thank everyone for coming along and participating in this hearing today. I would like to thank our staff—our Hansard staff, our research staff, our security officers and also the staff who were here very early this morning setting up. I declare the hearing into alcohol related violence closed.

Committee adjourned at 1.50 pm