



63

20<sup>th</sup> October 2009

The Research Director  
Law, Justice & Safety Committee  
Parliament House  
BRISBANE QLD 4000

Dear Sir/Madam,

I am writing this submission as an individual who is employed in the hospitality industry. In total, I have over eight years experience in the industry and have been employed at a Casino and, for the last five years, as a part time employee of a hotel in a regional town.

I fully endorse the process of the inquiry as, I believe, people are suffering harm from alcohol related violence. People are also suffering from other undesirable effects of alcohol, without question. Personally, I have been the victim of violence whilst undertaking my responsibilities as an employee, and as a patron.

To ensure my submission is understood I have addressed each "section" of the inquiry's investigation individually. Specifically, I have addressed each item with regard to the regional area I currently work in, but I have taken into account my experiences in other locations.

#### **Best Practice Harm Minimisation Measures**

Without doubt, there is a small group of people who are adversely affected by alcohol from a behavioural point of view. I am in no way qualified to comment on medical or psychological factors but I do believe that "personality" plays a major role when determining who will perpetrate violence whilst under the influence of alcohol.

My experience is that the majority of "offenders" are under 30 years of age and limited or no respect for authority. Further, these people believe that there are no (or little) consequences for their actions.

In my opinion, the best measure to affect these persons is to combat their perceptions of the consequences. There would need to be a "two pronged" response to these perceptions along the lines of:

- i. The consequences of injury to the "victim" of violence
- ii. The legal consequences and associated punishment that applies to perpetrators

I believe that, as applies to other areas of "non-desirable behaviour", the legal consequences and punishment must be seen by the potential perpetrator as making their actions "not worth the risk".

The system of bans from an individual license premises simply does not work. Banned persons simply move to another venue or continually flout these bans. Unfortunately, the current penalties breaching the bans imposed by licensees are simply not effective and, from my research, any monetary penalties are minor and often remain unpaid. This results in perpetrators becoming "repeat offenders" who often increase their level of violence, particularly toward venue staff, when they are refused entry or service.

In our area a "liquor accord" has been put in place. Unfortunately, this system also does not seem to work as

In my opinion, an initiative that would be effective in reducing "reoffending" would be bans imposed by the courts or police. Any person convicted of an offence in or near a licensed venue could be the subject of a ban from that premises for varying periods, depending on the offence. The length of the ban should be in accordance with a set "schedule" whereby ALL offenders are treated equally and, dare I say it, harshly without exception. These bans could be extended to cover areas in which several licensed venues are co-located or within an "entertainment precinct". Non-compliance with such a ban would need to result in the escalation of punishment, and the extension of the ban.

It must also be possible for "front line" police to impose a ban as an interim measure. Again, this could be from a "schedule" and would be a part of an offence notice issued for a minor offence (such as public notice). For more substantial offences, a notice outlining the period of the ban could be served when the offender is released from Police custody (e.g. the watch house).

I am unsure as to whether ID scanning would be achievable for smaller venues, mainly due to cost. However, if this was possible, appropriate measures would need to be in place to ensure banned persons were easily identified when attempting to enter licensed premises.

Another issue that must be addressed is the prevalence of violence by groups of people. My personal experience is that most incidents of violence now involve more than two persons (perpetrator and victim). Where a group of persons perpetrate violence, the penalties should be harsher. By discouraging groups, security staff and Police will be able to more effectively intervene to reduce the harm to the victim/s. Appropriate penalties that discourage group activity would also reduce the number of victims seeking treatment, as well as the severity of injury.

Perhaps the greatest effect on behaviour, in my opinion, is the prevalence of drugs. My experience is that a large proportion of those involved in violence have not consumed substantially large amounts of alcohol. Several people also appear to be affected by substances other than alcohol that affects them psychologically and physically. It would be worth considering increased enforcement of the applicable laws in licensed premises AND mandatory testing for illicit substances of those detained for incidents involving violence in or near licensed premises. This would allow appropriate penalties for consumption or possession of illicit substances to be imposed and may assist in ridding our communities of this scourge.

The licensing processes that apply to this area of business must also be addressed. It is, in my opinion, fair to say that most licensees are simply business people hoping to make a profit. They are, by and large, responsible people who realise that violence does not increase the value or profitability of their business. Currently, the attitude of Liquor Licensing, from my research, is that an incident that occurs in or close to licensed premises is the fault of the licensee or their staff.

I have been advised that every call to Emergency Services results in another issue that can be raised when licenses are reviewed. Surely, there should not be discouragement toward a licensee or their staff contacting Emergency Services when required. This would appear to conflict with the Duty of Care required by licensees.

To clarify this point, I believe an illustration is necessary. If a person who is banned from a premise approaches that premise and is denied entry they, quite often, become violent toward venue staff. My understanding is that the calling of Police results in a negative effect on the licensee; even though the person has not been admitted to the premises. Surely, it is most appropriate for the relevant authority (Queensland Police Service) to deal with these people. Yet, there are theoretical (at least) penalties when Police assistance is requested. Surely, it is logical that a pro-active licensee (or their staff) is a great asset in deterring violence. Why, then should this proclivity negatively affect the premise.

The licensing of Security Staff is another issue that needs to be addressed. As it currently stands, the process produces staff that have only a theoretical knowledge of their role. Many are simply not physically capable of intervening to reduce the effect of, or prevent, violence. I am unsure how this can be addressed.

In smaller areas like the one I work in, Police presence is also an issue. There are simply not enough Police to allow them to be pro-active. On several occasions, I have noticed a distinct change in behaviour when Police are present. However, as I mentioned above, there is an issue in that some people do not respect Police. The penalties I have outlined above should act to address this to some degree.

In short, I believe that patrons of licensed premises need to be made aware of the consequences of violence, especially by the implementation of harsh penalties. Drugs needs to be addressed as part of the root cause of violence and licensees (and their staff) need to be encouraged to involve law enforcement, not discouraged due to possible negative affects on the business.

### **Impact of Late Opening Hours**

My comments on this portion of the enquiry will be limited due to the fact that the venue I work in only trades until 3am. However, I do not believe that the further reduction of trading hours will decrease the

incidence of violence. In my opinion, people will simply commence consuming alcohol earlier or, even more concerning; consume greater quantities of alcohol in the same period.

The venue I work in has a voluntary 1am lock out. This strategy appears to have a positive effect and I believe that the 3am lock out that applies in other venues should remain in place.

Further, I do not believe that imposing bans on “full strength” alcohol will have any positive effect. As mentioned previously, this would simply result in people drinking earlier or in greater quantities over a shorter period.

### **Flow-on Issues**

Unfortunately, I cannot comment on the flow-on issues as I am not fully aware of the impact, other than the increased work load. I believe this segment requires contributions from individuals employed in these areas, rather than the comments of the general public.

### **Education Campaigns**

I find it hard to imagine that a cultural change toward alcohol is something that is achievable in the short term. However, we can ensure that individuals are aware of the consequences of alcohol-related violence.

My belief is that the current education campaigns are not working. Having some experience in advertising and marketing, I believe that “consequential education” is far more effective. Historically, campaigns such as the “Grim Reaper” campaign seem to work on major social issues, such as this issue.

### **The Role of Parents**

I believe that parents are one group who can positively contribute to the reduction of violence. Although I am unsure how to reach parents effectively, this is one area that could assist in any campaign.

One area I can comment on is the prevalence of children near licensed venues. In our area, it is not uncommon for groups of children to roam the streets at night. Given our community is small and there are not late night facilities for these people, it is common for them to congregate near licensed premises.

Whilst a community group and the Police endeavour to remove these children from the area, I believe it would be far more effective if this was an issue addressed by parents. Unfortunately, it appears that some parents simply do not care where their children are late at night. How this attitude can be changed is an issue I cannot comment on.