

From: Bob Taylor [REDACTED]
Sent: Saturday, 24 October 2009 5:55 PM
To: Law, Justice and Safety Committee
Subject: Fw: Alcohol-RelatedViolence in Queensland
Attachments: LJS Submission 221009.doc

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----- Original Message -----

From: Bob Taylor
To: Law, Justice & Safety Committee
Sent: Thursday, October 22, 2009 4:23 PM
Subject: Alcohol-RelatedViolence in Queensland

Attention:

The Research Director
Law, Justice & Safety Committee

Parliament House

Brisbane Qld

Please find attached an individual submission for the Inquiry into Alcohol-Related Violence in Queensland.

I only became aware of this Inquiry after reading the Sunday Mail last weekend. I have taken the opportunity to read the Issues Paper and I find it very limiting in the scope provided by the Terms of Reference for the Inquiry to come to any really rational conclusion about how to deal with the issues.

The Terms of Reference appear to concentrate on what government ought to provide to stop drunks from violence and make little allowance for the role which those who create the problem ought to do.

I trust that my contribution is seen as something different from the mould in which government is the sole determinant for every so-called wrong in society.

Yours faithfully

26/10/2009

Robert F Taylor .
22/10/09

LAW, JUSTICE AND SAFETY COMMITTEE

Inquiry into Alcohol-Related Violence in Queensland

SUBMISSION

This is a submission by Robert F Taylor concerning the increasing violence in the State of Queensland generally and, in particular, in those areas with many Licensed Liquor Outlets (LLO). This submission is made as an individual.

The terms of reference (TOR) appear to focus on what the government can do with little or no emphasis on the role that the industry and the family can do to mitigate the outcomes that are obvious to us all.

This submission will concentrate on those issues with which the community generally may be aware and without specific information being available. A Conclusion is offered that spells out how this can be done.

1. **Harm minimization** impacts on many areas of the TOR. One takes this as to be in public places. Glassing appears to be the only issue that makes the public media. There is little public knowledge of other harm occurring within a LLO. The public would assume that this is not a problem. Perhaps the fact that persons are thrown out when they become a trouble is the reason that events appear to occur only in public areas.
2. As one who was around when 6pm closing was in vogue in NSW, **late opening hours** appears not to be the problem. It is a matter of the individual not wanting to adhere to a standard that a high percentage of others find to be reasonable.
3. **The flow-on of costs** to the public purse is obvious from the reports in the Newspapers and on the Television News. And that is only the tip of the iceberg (as it were). Repeated and repeating reports of the outcomes of ejection from LLO are legendary.
4. **Parents have little say in the influence** of their offspring to avoid harmful activities. All teenagers are aware of the law and rely on the fact that minors are protected from those programs that might affect their later life if criminal charges are laid.

It is understood that there are difficulties in prosecuting LLOs who fail to observe the protocol of not serving alcohol to persons who are perceived to have had enough at that time. Certainly, the curfew of 3am may have helped to lessen the impact on some but others may have used that curfew to stay on and imbibe.

It seems to me that the issue lies in the above. The ejection of troublesome persons should be stopped and the LLO should be made to rectify the problem persons by not permitting them to leave the premises until they are

capable of dealing with the outside world, even to the stage of providing meals, should the person have imbibed so much that it will take hours to reach a suitable level blood alcohol level for admission to the normal world where others are not so affected and that the person can function normally.

There is no knowledge of why some individuals resort to violence and others do not. So. comment is not possible on this issue.

How can negative impacts on police, service workers and the health industry be reduced?

The practice of ejection of troublesome persons from LLOs should be prohibited. Those with a blood alcohol level above 0.1 should not be allowed to enter general public areas until the blood alcohol level has fallen to 0.1. Instead of security staff ejecting individuals, they should test them inside the LLO at the expense of the LLO and should not permit those above the level being outside the LLO premises. It is an issue brought on by the LLO and they should solve it, not the public purse. This will solve the problem of the impact on publicly funded workers, including those from Councils who have to clean up after these persons, again from rates and taxes.

It will be necessary to bring in new laws to allow Targetted Breath Testing outside LLOs and for the requisite authority to have the power to direct persons back into the LLO where appropriate. If the LLO did not serve these persons as required by law, then the problem would not arise.

Those injured inside an LLO and requiring medical attention at a Hospital should be charged with exceeding blood alcohol limit as though they had left the LLO with excess blood alcohol.

Education Campaigns

It should be reasonably apparent that those presently in existence have no effect. Programs have been aimed at drink drivers for decades but without apparent effect as many persons (71 on average in Queensland) each day continue to offend, despite the known penalties. Maybe these are not effective, also.

Parental Influence.

In this day, non-existent.

Peer influence counts for more unless the parents have assumed responsible roles from a very young age of their children. As for teaching responsible drinking when they themselves, in many cases, are not responsible drinkers, appears to be a noble but impossible task. In places like Tugun and Palm Beach, underage drinking is rife. Parents should be made to carry out community work together with their children at the same time. It may assist in communication about the issues of underage drinking between parent and sibling. Both may learn a lesson. At least 100 hours seems appropriate.

Cost of alcohol related violence

Not known in the public arena and certainly not known in the LLOs. The general public does not even know if LLOs have been damaged. Press and Television never report it. Only the police who attend a disturbance may be able to make some estimate of the cost to LLOs.

Solution

1. Amend laws already in place to make LLOs and bar staff more accountable for serving liquor to minors and those with excess blood alcohol, setting a standard of 0.1 as excess.
2. Require LLOs to monitor blood alcohol levels of persons wishing to leave a LLO to conform to the above standard. Leave the LLO with the responsibility for damage incurred within the establishment by persons who have been served with excess alcohol.
3. Establish a law allowing Targetted Breath Testing outside LLOs to conform to the above standard.
4. Permit Local Government Councils to bill LLOs for the cost of cleaning up public areas where Targetted Breath Testing has established the cause of the fouled area.
5. Cause the Licensee of an LLO to be responsible if 5-10 persons leaving a premise exceed the limit above to be closed on the next day for 24 hours.
6. Cause the Licensee of an LLO to be responsible if more than 10 persons leaving a premise exceed the limit above to be closed for one month.

Conclusion

The inadequacy of the laws to control those persons who use alcohol to excess is manifest. And only government can control that and has failed to do so over many years, perhaps decades. When violence is involved, the justice system appears to accept any excuse, even to abuse at a young age, even for older persons who have forged a place in the community.

Violence in public places is usual because the LLOs have been permitted to pass the buck on their selling liquor to excess to many patrons of their establishments over many years. They should have to live with the letter of the law and cease selling in excess to persons within the LLO at the time.

Thus, harm minimization will accrue naturally, because no person will have a level of alcohol in his or her system that may promote violence.

RF Taylor
22/10/09