



Speech by

Grace Grace

MEMBER FOR BRISBANE CENTRAL

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GAMBLING AND OTHER LEGISLATION AMENDMENT BILL

Ms GRACE (Brisbane Central—ALP) (4.40 pm): I rise to support the Gambling and Other Legislation Amendment Bill 2009 and note that this bill amends a number of acts relating to liquor and racing acts as well as the Residential Services (Accreditation) Act and have a few comments to make on each of those. I start by declaring that, although I am the member for the inner-city seat of Brisbane Central, which has many pubs, clubs, nightclubs and gambling establishments, I do not generally partake very much the way my colleague the member for Mermaid Beach does. However, I do have a once-a-year flutter on the Melbourne Cup and if the member for Mermaid Beach has a good tip could he let me know, because it is about the only time of the year that I put any money on the horses.

Ms Croft interjected.

Ms GRACE: My good friend the member for Broadwater says not to trust his tip, but I will take it into account if he wants to give me one of his recommendations.

Mr Lawlor: His last tip was Peter Dutton!

Ms GRACE: I take that interjection. There is a concern in the community that we do not check the number of gaming machines that are in the community, that we do make a number of amendments which do not allow what is supposed to be a pastime for the majority of people to become a problem for them, thus making it a problem for the larger community in Queensland. When we look at the many thousands of people who entertain themselves in clubs and pubs and also entertain themselves on gaming machines, the large majority of them—in fact, I think there is only a small minority who ever do have a problem—are responsible and take a very responsible attitude towards their gaming and drinking. However, we cannot allow this industry to go unchecked and I support many of the amendments that are contained in the bill before the House.

Since April 2008 there has been a moratorium on the release of new gaming machines in clubs and hotels. In November last year we capped the number of those gaming machines to 24,705, and the cap on that number is now given legislative effect through this bill. Having served for 11 years on the Jupiters Casino Community Benefit Fund, that is one way in which we can look at gaming machine revenue doing some good in the community. It does a remarkable job in providing many community groups with much valued funds for them to inject into their community activities. But I must admit that in the 11 years I was on the fund I was amazed at the increase in the amount of money that we were handing out to the community. More and more people were unfortunately pouring lots of money through these machines. Under the legislation which gave money to the community, we saw the gaming machine fund grow to incredible numbers of millions of dollars and the Jupiters Casino Community Benefit Fund doing the same. It went to worthy causes, but this is all about stemming the growth of gaming machines in this state and hopefully at the same time stemming the causes and the temptation for people to use these machines in an unhealthy way.

There are of course many people employed in the club industry, and we have heard figures of around 27,000. Indeed, it is a high employer of what are often regarded as casual or part-time workers. Nevertheless, there are many people in numbers in this industry and we certainly do not want to cripple

people's livelihoods. I would be far from the person who would want that to occur and I do not believe that any of these changes are going to do that. These machines contribute much money to the community not only through the funds that I have mentioned but also via sporting and recreational facilities. However, what we need to note about this bill in capping the number of machines is that no machine will be taken from clubs because of the cap. Rather, this bill gives effect to a reallocation scheme.

A reallocation does not increase the number of machines but will move those gaming machines around where they are required. Some clubs may not require the number that they have. My understanding is that they will then go into a pool where other clubs that may want to expand will be able to purchase those machines as part of the cap. In a way, it is transferring machines from where they are not needed to where they are needed while maintaining the cap but not disadvantaging any clubs that may want to increase the number of their machines. They will be able to utilise those clubs' machines that are not being put to proper use. This is a reasonable approach. I want to take this opportunity to acknowledge the valuable input in the development of the reallocation scheme by the Queensland club industry. There are many of those licensees and proprietors in my area. The majority of them do a wonderful job and are very keen to ensure that their premises are first-class, professional and offer entertainment for their guests.

There are of course further measures in the bill that I want to refer to. I support wholeheartedly the zero tolerance approach to gambling operators that provide distribution and promotional material to known excluded persons. It will now be an offence under the bill. This is aimed at protecting those vulnerable problem gamblers in our society, and I fully endorse the fact that gambling operators will now face clear financial penalties if they aim to distribute this promotional material to known excluded persons. I very much welcome the provisions of the bill which include training for staff in these facilities. They will now have to undertake mandatory responsible service of gambling training for those hotel and club staff employed in gambling related roles. Obviously training goes a long way to highlighting the harms and some of the responsibilities that should be associated with gambling services. I fully endorse that. That will assist those staff to understand, identify and do their job a lot better. Most staff in hotels and clubs would welcome being able to be part of the industry in a more meaningful way, say, than the role that they are currently undertaking.

I also endorse changes to the Charitable and Non-Profit Gaming Act. This bill corrects an incredible anomaly where unfortunately P&Cs of state schools can run an art union but not non-state schools. It was a ridiculous anomaly. We all agree about that in the House, and it is good to see that this bill rectifies this inconsistency. I like the flexibility that this bill introduces—for example, things like changes to the definition of 'reasonably available' in terms of the manager with regard to clubs. That gives the chief executive discretion based on distances in regional areas to vary the time needed to travel to the premises. It makes eminent sense. Obviously we do not all live in the CBD as I do and often travelling from where a person lives to where they work can take a lot longer than an hour. This bill introduces much flexibility for the chief executive to give that flexibility where it is warranted.

The chief executive also can approve a schedule of part payments, and this is in recognition that natural disasters occur throughout Queensland. We know that the new legislation that we brought in last year increased the fees quite substantially in this area. This legislation now gives a discretion for the chief executive where it can be proved that a natural disaster has caused hardship to a club or pub's ability to pay the increased licensing fees and allows them to make a schedule of part payments. There is no doubt at all that that makes eminent sense. The chief executive is also able to review extended trading hours, particularly where they perceive that there have been problems. This is based on the premise that extended trading hours are a privilege, not a right. They are something that is given to those facilities that have a proven good track record. Obviously where the chief executive believes that that track record has been breached, this bill gives the chief executive the ability to review extended trading hours.

The bill also makes a number of amendments to which I would like to pay a little bit of attention. The chief executive will now be able to ban the use of regular glass, particularly in areas where there is a history of glassing or a history of excessive violence. I note that the list contains five such places that are located in my electorate: two in the CBD and three in the Valley. I also wish to note that at this stage it is a 'show cause' as to whether or not those premises should have glass banned totally during all hours. I know that the minister is at pains to ensure—and I commend him for this—that these premises are given every opportunity to show cause as to what should occur with regard to glassing. Where we have areas where there is a history, where there is a high risk, I think this is a step in the right direction. My understanding is that these days much of the tempered glass is of a very fine quality and really should not impact significantly on the clients that these places entertain.

I note that the Law, Justice and Safety Committee, chaired by my good friend the member for Springwood, Barbara Stone, is looking into alcohol related violence, including this whole issue of glass products in pubs and clubs. I think that committee is comprised of an eminently sensible group of people who can look at all of the issues associated with alcohol related violence. I await its report and support very much the moratorium on extended trading hours beyond midnight for a period of 12 months.

I also welcome in the amendments the exemptions for a part of the Brisbane Central electorate, namely the CBD and the Valley Entertainment Precinct, from the moratorium. I believe that this

amendment makes eminent good sense and does not necessarily, in the case that some would not be able to extend their licence, disadvantage those licensees during the 12-month moratorium. These areas are known as club and pub areas. The proprietor of Limes Hotel is a very good proprietor. Damien has emailed me in relation to this subject. He was very keen to ensure that his hotel was part of the Valley Entertainment Precinct and not disadvantaged in his application for extended hours. I think this would be good news for him. Of course he will have to undergo the process, but where he is located will be exempt under the 12-month moratorium.

I also like a couple of other amendments that are made to the liquor licensing legislation. Under this bill, the chief executive must take harm minimisation—the main objective of the legislation—into account and apply a public interest test when we are looking at extending liquor licensing rights to those individuals who may make application or ask for extended licences. As the member for Whitsunday pointed out, it is good to see clarification that room service and mini bars are only for those who hold certain special facility licences. I think we all endorse that and realise that, obviously, the anomaly is now being corrected.

This bill amends the Residential Services (Accreditation) Act. A number of issues have arisen in my electorate in relation to this act. These amendments provide clarity and certainty as to the coverage of the act. The residential services sector provides both accommodation and a food or personal care service to older members of the community. Aged rental schemes provide rental accommodation and a food service to older members of the community in privately owned premises. As we know, these residents are vulnerable. They tend to be elderly and rely on the age pension for income support. The residents pay the majority of their age pension—sometimes up to 85 per cent—and all of their rent assistance to service providers and have limited other accommodation options.

This sector differs from other residential services, such as boarding houses, in its organisational and management structure. Whilst boarding houses tend to be owned and managed by the same person, aged rental schemes are often owned and controlled by different persons. Consequently, sometimes there is uncertainty as to whether the act covers aged rental schemes. The act was always intended to cover the aged rental scheme sector of the residential services industry. However, there has been some uncertainty as to whether the act adequately captures aged rental schemes, particularly those where accommodation and food service or personal care services are not provided by the same person—that is, if they have been outsourced.

To provide certainty, key definitions in the act for a residential service and a service provider are being amended to make it clear that aged rental schemes are residential services and, as such, may be regulated by the act. A definition for an aged rental scheme has also been added to the act. This makes eminent sense. It makes it very clear. It makes it much easier for me, when I have situations arise in my electorate, to apply the 38 parts of the regulation as to how these premises should be run. As I have said, these amendments will clarify the coverage of the act and deliver consumer protection to residents of aged rental schemes, many of whom are on fixed incomes such as age pensions and have limited other accommodation options.

The bill also amends the Racing Act 2002—an act that I must admit I know very little about. Since 30 June 2009 the Racing Act has required wagering operators who wish to use Queensland race information in conducting their wagering business to obtain an authority from the Queensland control bodies and pay a fee to them for the use of the Queensland racing information. The Queensland control bodies are Queensland Racing Ltd, Queensland Harness Racing Ltd and Greyhounds Queensland Ltd.

To assist the control bodies to protect the integrity of the Queensland racing industry, the bill gives the control bodies the power to obtain betting information from TABs, bookmakers and betting exchanges that hold a race information authority. The purpose of the amendments is not to persecute punters. Racing Queensland control bodies do not have jurisdiction over non-licensed persons. The purpose of the amendments is to enable the control bodies to obtain information that will help identify any offences committed by licensed persons under the rules of racing.

The amendments give the control bodies the power to obtain betting information and betting trend analysis from wagering operators using Queensland race information and to require wagering operators to be subject to betting monitoring systems. For example, if an analysis of betting patterns on a race show that large amounts of money had been bet on a particular horse that did not warrant such bets, that could be an indication of an attempt to manipulate the result of the race. The control body could use that information to conduct an investigation and, if necessary, charge and prosecute those licensees who may be a party to the corruption of the race results or wagering markets.

I think many members in this House would remember the infamous Fine Cotton ring-in where another horse, Bold Personality, was substituted for Fine Cotton which resulted in bookmakers Bill and Robbie Waterhouse being warned off racecourses. The analysis of betting on Fine Cotton showed that large amounts of money had been bet on the horse, which was in poor form and not expected to win. This bill will give the ability, where those trends are identified, to highlight those trends and make further inquiries.

For all of those reasons, I fully support this legislation. I congratulate the minister on the number of amendments that are before us in this bill. I commend the bill to the House.