



Speech by

## Dr Alex Douglas

MEMBER FOR GAVEN

Hansard Tuesday, 23 November 2010

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### LIQUOR AND OTHER LEGISLATION AMENDMENT BILL

**Dr DOUGLAS** (Gaven—LNP) (3.55 pm): We are currently swimming upstream against a wall of water flowing against us here in Australia, as alcohol excess and the consequence of its misuse make ordinary Australian life a bit more miserable. The evidence for this lies in two recent major statements. Initially, Odyssey House has publicly stated that now 40 per cent of all presentations and treatments are for alcoholism and, secondly, alcohol both as a percentage and in total cost of sales has increased year on year since 2006. That was an eight per cent increase last year on a total sales volume amount of \$16.3 billion, beer having gone down to \$7.9 billion but wine going up considerably. I table the document.

*Tabled paper:* Copy of article, dated 15 November 2008, from the *Daily Telegraph*, titled 'From beer to eternity' [[3586](#)].

Odyssey House figures show a 30 per cent increase in alcohol related admissions in 2008-09 and, similarly, 30 per cent on the previous year as well. Generally it is accepted that in times of stress and difficulties in the financial circumstances of society both alcohol and cigarette sales increase. What has happened on this occasion is that Australians have taken more alcohol, less cigarettes and gambled far more. It is uncertain whether overall drug taking rose, but anecdotal evidence suggests that it did.

What is known is that we are seeing the consequences of cheap alcohol in our detox and rehabilitation services. This has occurred at a time when governments have cut back on detox services widely throughout Australia. What is not being stated is that, whilst amphetamine and heroin addiction presentations at these sites are down between five and seven per cent across Australia, presentations to accident and emergency centres in our hospitals have seen a 100 per cent increase in the last 12 months, with Indigenous areas being three to four times the non-Indigenous percentage of presentations. There were 70,000 Australians who were victims of alcohol related violence last year. I table that document as well.

*Tabled paper:* Copy of article, dated 22 November 2010, titled 'Demand up for alcohol rehab' [[3587](#)].

That is effectively in this current year. We have one of the highest rates of alcohol abuse in the world. In their lifetime, 22 per cent of all Australians will have an alcohol use disorder. That is reported in *Australian Doctor*, and I table that document as well.

*Tabled paper:* Copy of article, dated 13 August 2010, from *Australian Doctor* titled 'One in five abuses alcohol' [[3588](#)].

This is a serious matter that the public are demanding answers for from their representatives. They want solutions, too. Societies, communities and families are all really struggling. This is an intergenerational problem that is compounding with each following generation. This bill is the Bligh Labor government's first steps in what it believes should flow from the Law, Justice and Safety Committee's findings and its recommendations. Only a few have been followed. Like others, I will look at those and discuss those not included and question the priorities. I will address the 18-plus cards and the Bail Act changes separately. The primary changes to the Liquor Act are overwhelmingly where the critical changes are to be made.

There is no magical way to save the community from themselves, because we have both the great privilege of democracy and the ability to have free choice. Throughout history, every plan implemented that

embraced near-total temperance or gross excess failed. The USA had prohibition in the late twenties and thirties of the 20th century. That was utterly a failure. In the early 1800s Australia had the Rum Corps, which severely hampered our national progress. Absolutism never works. The way forward in the day-to-day management of responsible alcohol consumption must be practical and reflective of the times.

What we do know in Australia is that teenage binge drinking has massively increased. Alcohol is directly proportionate to violence and social problems. Alcohol is a significant contributor to road trauma, hospital admissions and death. Too many of these are young people and, increasingly, too much of our chronic disease burden is alcohol induced. An article in the *Australian* states—

A recent study commissioned by the AERF found the cost of alcohol's harm to others—  
in Australia—

totalled more than \$20 billion annually.

Ross Fitzgerald, writing in the *Australian* on the 20th of this month, stated—

Alcoholism and drug addiction among the young is much more prevalent than most people in Australia realise.

Therefore, our current efforts in alcohol management must be focused on youth, absolute amounts consumed, availability and venue management. They should all be responsible for their own actions, but legislative changes must be driven by outcome rather than process. As much as possible it must be cost neutral, with a heavy emphasis on user pays, or nothing we do will change current trends.

Just as in any other area of life, market forces will and must be allowed to apply their own control mechanisms. Alcohol is now too cheap in Australia. Our excise, GST and tax control mechanisms have been defeated by the combined effects of mass marketing in our shopping centres by our two major supermarkets, which are not only vertically integrated in sales and distribution but increasingly in production, too. The great fear is that if Fosters divests the massive Southcorp Mildara Blass conglomerate the potential buyers may be our major supermarket retailers—either one or both. The current best evidence about the effect change can have directly is that a one Euro increase in price leads to a one to two per cent reduction in overall consumption. That is the most recent finding in Europe. That is nothing like this ridiculous alcopop tax proposed by Kevin Rudd in the federal sphere three years ago. That did nothing other than drive young people back to greater consumption of hard liquor and less soft drink. This was a dreadful outcome that has not been reversed, with vodka and bourbon sales increasing by 10 per cent annually since that decision.

So what has been offered by virtue of legislation? Three new designated precincts in Flinders Street in Townsville, Fortitude Valley in Brisbane and Surfers Paradise. The specific changes have been listed as drink-safe precincts from December 2010 for a two-year trial. Existing trading hours and lockouts will remain. New laws will allow for the banning of specific individuals from the new precincts. What is missing is the action taken by London Lord Mayor Boris Johnson and Clover Moore, Lord Mayor of Sydney. They have temporarily suspended the issuing of licences in specific areas where their biggest problems are occurring, that being Soho and Kings Cross respectively. Unashamedly, they have done so both in an environment of strong litigation by would-be entrants into already very heavily provided for areas and, conversely, the massive increase in serious alcohol fuelled violence. In London, it is knifings and murder; in Sydney, it is largely physical assault and a lifetime of tragedy. There is incontrovertible evidence that for each hour that clubs and pubs stay open after midnight, the number of assaults increases exponentially. Ross Fitzgerald in that article I quoted earlier states—

There is incontrovertible evidence that for each hour clubs and pubs stay open after midnight, the number of assaults increases exponentially.

Ross Fitzgerald is actually on the drugs reference committee in New South Wales. Additionally, the increased number of outlets annually in specific areas is directly proportionate to increased levels of violence, yet the government here with 10 million plus tourists annually—in a bad year, last year—on the Gold Coast alone last year will not support a temporary moratorium on new licensees in these specific areas. The bill proposes to increase compliance costs on existing owners, give greater powers to the public to complain, a provision for motherhood—community impact statements—and renaming the Queensland Gaming Commission as the Queensland Liquor and Gaming Commission. Tragically, the government appears to have taken the weakest of nearly all options and divested responsibility—read blame—to the rebranded proxy. This is a victory for process over outcome and the public will be the ones who suffer the dreadful consequences of this decision.

Actions speak louder than words. If the government were really serious here, it would have not only copied what happens in Sydney and Melbourne but it would have gone further; it would also have addressed the issue of opening hours.

The New South Wales review of drugs and alcohol found—

... restrictions on the opening hours of licensed premises produce a corresponding decrease in injury and crime.

Equally, we as a parliament have a responsibility to protect our young people to be allowed to develop into mature adults and to be able to make choices. Sure, it has to be balanced against freedom of assembly, but if the actions of alcohol and drug fuelled groups impede that group then there is no freedom to choose.

The Labor government, via this bill, thinks that banning specific individuals and implementing all sorts of new penalties and Magistrates Court directions will deliver change. I accept change is incremental, but most offenders do not bother turning up in court, and I accept that. The changes are far too small, too far removed from the critical problem sites and far too heavy on all sorts of provisions to provide procedural fairness, balance of probability defences and reasonable explanations and provisions for what is a hard core of repeat, violent, serious offenders. One would hope that CCTV, which was mentioned here today by the shadow minister, master listed ID scanning and control systems and better security officer training can really do what the legislation will not do. It is hoped that the new proof of age 18-plus card will link into these existing systems and help us rid ourselves of under-age drinkers and reported known offenders, and give us an idea of what demographic is moving through our pubs and clubs.

On the Gold Coast the LICA, which is the licensed clubs association—and the minister regularly comes to the meetings—has for many years engaged in resolving problems at the coalface as a self-regulatory organisation. Under the current president, Wayne Thompson, they have proactively addressed nearly all of the problems confronting them well in advance of legislative change. I congratulate them. We are very lucky to have such members.

In my electorate of Gaven, the Nerang RSL goes one further and has funded many programs that encourage alternative avenues for community participation in sport, study tours and research groups to make our lives better. I say to the president, Terry McDonald, the manager, Andrew McInnes, and the board that our community is very lucky that you care.

I, too, would like to thank the Law, Justice and Safety Committee for its efforts. I think the members of that committee did make an effort to find out what was going on. I do hope that they carefully considered my submission, which also involved a detailed research paper into alcohol and public disturbance on the Gold Coast undertaken by Dr Gillian McIlwain that was commissioned by former Premier Beattie. I remain very concerned that too much of that detailed information has been politely ignored or possibly even disregarded. If these critical parts of those major recommendations were included, we would have seen changes to the allowed sites of licensed venues matched with temporary caps, a fixed charge on alcohol that is directed totally to detox and rehabilitation facilities, and a much greater emphasis on takeaway licensing and opening times thereof. The last one is casually addressed in the legislation in a mishmash of assessments due to community concerns when the evidence absolutely confirms that if takeaways cease before 9 pm on ordinary trading days, violent crimes, social problems and domestic violence fall exponentially. I think 70,000 injured Australians is 70,000 too many.

Whilst we in the opposition support these very minor changes to very major community problems and we support the three outcomes of the Liquor Act—those being harm minimisation, adverse other impacts minimisation and community adverse outcome minimisation—these legislative changes just do not do enough to bring about significant change that is measurable. There seems to be far too short-sighted an approach when the public was calling for substantive change. There is far too much government emphasis on protecting state revenue over protecting Queenslanders. There is far too much sidestepping so as to avoid the wrath of both our major supermarket retailers and liquor giants over the legitimate freedoms of our young people, who are our future. The government could not have done worse than copping what has happened in New Zealand, with its 126 changes implemented in August of this year. This bill should have been a step into a brave new world when all that is being offered is a window-dressing on existing failing policies. It is an opportunity wasted.