




Speech By
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SAFE NIGHT OUT LEGISLATION AMENDMENT BILL

 **Mr WATTS** (Toowoomba North—LNP) (9.44 pm): I rise to support the Safe Night Out Legislation Amendment Bill 2014. I reflect on some of the contributions that have been made particularly by members in the Labor Party suggesting that there are people who do not have any experience in this. I have worked in the industry on three continents for nearly 30 years. I have worked in venues that close early, I have worked in venues that close late and for many years I have dealt with lots of the problems that Queensland and Queensland youth are currently facing and have been involved heavily in many harm minimisation strategies for a long period of time. With that, I will just go back and reflect on history. I know the hour is getting late, but I will ask members to bear with me because I am particularly passionate about this legislation. The member for Brisbane Central is to be congratulated on the work that he has done and the consultation that has been done in terms of this legislation. The Premier and the Attorney-General have made a very strong choice and a very brave move not to just jump to some populist 'let's close everything early kind of decision' in the vain hope that it will grab a few votes prior to an election and not solve anything.

Let me take members back to 1788. The First Fleet has just landed. There are no closing hours. There are no venues. There are no curfews. One of the first things that happened on the first day after they landed is that people were issued some rum. What do members reckon happened next after many days at sea if soldiers, criminals and various other people are issued with some rum after they have been on a boat for a long period of time? There was a fair amount of drunkenness, there were some assaults and there were some sexual assaults. Lots of things happened and the first piece of legislation that was passed by the Governor at the time was to regulate alcohol, and Australia has been facing problems with alcohol regulation since then. It is a cultural issue. We can try to slam the door closed as hard as we like, but unless we solve the cultural issues around alcohol we will not correct the problems. We will just shift the problem somewhere else.

We are all aware of legislation that has been passed in this House in terms of so-called Facebook parties and other things. That is an example of shifting the problem of alcohol to somewhere else. If we do not have venues where people can go and enjoy a safe night out, a good night out, in a controlled environment, in an environment that is policed and looked after, where there is support, where there are trained people and where the buildings are designed for it, they will party in other places. Those places may well have mixed aged groups. It may be someone's house with a deck that cannot support everybody who is jumping around on it. It may be a house that does not have the right fire regulations and people cannot get out of the building when something goes wrong. As I said, there might be mixed ages. There are no standard drink measures. There are no CCTVs, there is no trained security and the police do not know it is there. There is no regulation and you are in a very dangerous environment. As a father of four teenagers, I do not want that environment to expand and grow because we have tried to grasp this problem and the quicksilver that is this problem just slips through our fingers. It is a cultural problem. This legislation will comprehensively address the

cultural problems. It also gives the department teeth to be able to deal with licensees that are doing the wrong thing. Something needs to happen.

I am aware of a premises that in 2009 was proudly named on the front page of the *Courier-Mail* as a high-risk, superdangerous venue that must switch from glass to plastic for fear of someone getting injured by a glass—a knee-jerk reaction. Unfortunately, for the previous four years that that premises had been operating, that premises had already been using plastic. It had already done everything that was being suggested that would solve the problem and in fact there had never been a glassing event there.

It was a knee-jerk reaction based on some hearsay put forward by the previous government. It is really incompetent management of a really complex problem—something that this legislation begins to address, something that I think this government can be very proud of in making the first move. Nobody should think that this problem is going to go away in six months, or a year, or two years, or a parliamentary term; this problem is going to take a long time to be dealt with properly.

But let me take members back to when I first moved to Toowoomba. I had been working down in the Valley at venues that operated until 5 am while I was at university and I moved up to Toowoomba. In 1988-89, the Valley was maybe not quite as friendly as it is now. But let me assure members that, when I moved to Toowoomba and the venues closed at three o'clock, there was plenty of violence on the street. There were plenty of problems on the street. There were massive difficulties in controlling people's behaviour, but yet the venues closed early.

We have heard a lot about the Newcastle experiment and how wonderful it is. I will run through some of the facts that come from such a disreputable source as the New South Wales Bureau of Crime Statistics and Research. It is important that people hear these numbers. When that state first introduced the 1.30 lockout, the 3.30 close, the drink restrictions, including no shots and no more than four drinks at once after 10, something did happen. For the first year there was a big drop—a 23.4 per cent drop in assaults in that first year. That is a really good outcome for the people of Newcastle. The number fell from 304 assaults to 233. Unfortunately, the following year when all of that legislation still existed, assaults increased by 21 per cent. To recap, the silver bullet that the opposition would have us load and fire at this problem has been fired in Newcastle. It had an effect for the first year and then the number of assaults jumped back up.

But the situation is worse than that. Over a five-year period, under this legislation Newcastle has had a reduction of 25.3 per cent of assaults. I think everybody would agree that that is a pretty fantastic outcome. Interestingly, the New South Wales average is 30 per cent. So in Newcastle, where the hours are restricted, the number of assaults has fallen less than it has in the rest of the state. Over that same period in a very similar town, Wollongong, which does not have the restrictions in place, assaults fell by 34.6 per cent. These are figures provided by the New South Wales Bureau of Crime Statistics and Research. I understand that it might not have all the facts and figures, or that the researcher has, with one eye closed, proclaimed the Newcastle solution as the panacea for this problem. But across that five-year period assaults in Gosford went down 37.7 per cent; as I said, in Wollongong they went down by 34.6 per cent; and in Campbelltown they went down by 42.7 per cent. There is no restriction on opening hours in those places. So if opening hours is really the silver bullet that the members opposite wish to fire, how come Newcastle is performing worse than the rest of the state? Clearly, the problem is not going to be solved by closing early and locking out. Clearly, the solution is to address the culture.

I have had some experience with this issue in Toowoomba. Since 1994, I have chaired either a liquor industry action group or its predecessor, or been on the board. Those bodies have put in place many harm minimisation strategies. Many of them were very similar to what is proposed in this legislation and there have been some great outcomes. If we look at the assault rate in Toowoomba and the difficulties that might occur at night, we find that it is pretty good in comparison to the assault rate in some other areas. I just want to highlight a couple of assaults that occurred in Toowoomba in the proposed safe-night precinct. In 2012-13, between 8 am and 1 am, there were 31 assaults in the proposed safe-night precinct. I am not sure how the 1.30 lockout is going to stop those 31 assaults. After 1 am until 6 am, there were 38. A lockout may have some effect on that assault figure, but it is certainly not going to get it back to zero. If the suggestion is that restricting opening hours is the cure, then why are we not suggesting to close at eight o'clock, because in that time there were still 31 people being assaulted compared to the 38 people who were assaulted after that period? The number has fallen a little bit. In 2013-14 in Toowoomba, 31 assaults occurred between 8 am and 1 am and between 1 am and 6 am there were 28. So there were fewer assaults. So using the logic that has been espoused about opening hours, we suggest that, based on those numbers, we should close

between 8 am and 1 am and open at one o'clock in the morning until 6 am because there will be fewer problems.

It is easy to cherry pick figures—and, clearly, I have heard the opposition members do that tonight—but the simple fact is that what is being proposed is not going to solve the problem. I believe that the opposition—I believe that everybody in this House—wants to see this problem solved. I do not think that there is anybody here who wants to be the father of a daughter or the father of a son who goes out and gets into trouble with alcohol, or is assaulted, or, God forbid, someone throws a coward punch and someone dies. I have worked on premises where people have been killed by a single hit—not when I was there, but the night before I did my shift—and let me tell members that there is nobody in the industry who wants that outcome. There is nobody in this House who wants that outcome.

This legislation is very strong legislation, because we need people to take personal responsibility for their behaviour. No government can enforce that behaviour on them. It is going to take education. It is going to take a multifaceted approach, which is exactly what this legislation does with simple little messages like the advertisements that are running now—'Red card, your behaviour is unacceptable.' Society is civilised when people are civilised. We need to educate people so that, when they go out at night, they behave in a civilised way. We need to make sure that if a venue is encouraging people to become uncivilised the operators are punished severely. We need to make sure that there is legislation in place so that people who misbehave cannot go out. The scanning regime that is being implemented here is a wonderful suggestion and, in my opinion, a tool that will make one of the single biggest differences.

One of the things that we implemented in Toowoomba for a long period was bans, which involved all the premises across town, including our golf clubs and our other sporting clubs. When someone misbehaved in one licensed premises, they were banned from all licensed premises. I have had someone who had been charged and found guilty of assaulting with a coward punch crying because they cannot go and play golf because the golf course is licensed and they cannot get in. Bans will change behaviour. The reason bans have struggled to be effective is that they have not been applied to all premises. People have been able to select where to go out. Having a comprehensive strategy across 15 areas that are open late at night with compulsory scanning means that if you misbehave you will not be able to go out, and I think appropriately so. I do not want to be out with someone who is misbehaving. I certainly do not want my children, as they are growing up, to go out and be exposed to someone who is a known troublemaker, someone who has caused problems repeatedly on licensed premises to the point at which the police have found cause to ban them. The scanning technology regime will solve this problem. It will encourage people to behave. People know that the venue knows who you are.

A venue that I had control of had 36 CCTV cameras. There were 15 people trained in security under the Security Providers Act as well as trained in first aid. They were all able to provide support. We were in direct communication with the police. The building was in direct communication with the fire brigade. All of the staff were RSA trained. Across five years, my average alcohol intake was 2.2 drinks per person. When people asked me, 'What is the strategy for stopping people drinking too much?' I would say 'price'. People did not come to my venue to get drunk. My best customers were people who were out for a birthday party, or an anniversary, or a wedding. They were out to celebrate in what is part of Australia's culture to be able to go out and enjoy the company of others in a public space, have a few drinks, and have a good time.

A person should be able to go out without someone coming up and punching them in the back of the head. A person should be able to go out without having someone's behaviour cause their whole night to crash and burn. If I am honest, I would say that the behaviour of patrons in venues has actually got a lot better over a period of time. A lot of the difficulties we see are on the street because the venues are so much better run than they were back in the late eighties. I think the industry is to be commended for that. People have talked about the industry being after profits. Why shouldn't someone in hospitality be entitled to make a profit from investing their capital, taking some risk and running a business? When a venue operator is paying \$40,000 a year for public liability insurance, they know that their business is a serious business. They want to look after and take care of people. We should encourage people who want to be in this industry to make a profit and enjoy it. I can tell members that they will make a profit far quicker by charging a cover charge than they will by charging for the alcohol. We know that if you go down to the liquor barn you can buy alcohol cheaply. We know that the people at most risk of drinking excessively are our teenagers and our youth. We know that they are going to be price motivated. Why are they going to walk into a nightclub and pay \$9 a drink when they can walk into a liquor barn and buy half a litre of spirit for much the same price? The reality is that the solutions are multifaceted. That is what this legislation does. It will take cooperation

between venue owners, police, the fire brigade, taxis, the community, the various people who provide ministries at night and schools. At the point when this starts maybe we can move on from what happened in 1788 where a culture of drinking excessively when given the opportunity was first founded on these shores.

To the member for Stafford, who I have a great deal of respect for, for the profession he has been in and for the work he has done in putting people back together, many venue owners are no more responsible for the person who gets hit in their venue than he would be for having the person on his table. If someone mindlessly comes up and commits an act that is completely indefensible by anybody because nobody knows it is about to happen, all we can do as a civilised society is tell people that that is completely unacceptable and create legislation that will punish them accordingly and then let people know that that legislation exists. People in Queensland, be aware that the coward punch is off the table. The penalties are severe. I do not want to see anybody charged under this legislation because I want people to stop the behaviour. I do not think anything else we do will achieve the same outcome as these severe penalties. The word will go out: this is not going to make you a man; it is not your rite of passage to go and hit some innocent person who is not looking; it is not going to make you tough; what it is going to make you is a criminal, very lonely and ruin the potential of your life. People need to stop and think before they do it.

There are many parts of this legislation that I support. I would say to my community of Toowoomba that it is very attractive to grab at the early closing hours and think that that will be a solution. In 1991 Toowoomba used to close early and there was plenty of trouble on the streets. During Expo Queensland venues were open 24 hours in some spots and there was less trouble. If opening hours are the panacea why do the statistics from New South Wales tell us otherwise? Why are we in a situation where people are saying this is the solution and it is not. Downstairs there is one of the biggest petitions put before this parliament suggesting that restricting opening hours would be a good solution. People have been grappling with this problem for a long time. It is time for us to deal with it. It needs comprehensive legislation. It needs bipartisan support. I would encourage the opposition to throw their support behind this. Give the legislation a chance to work. The people of Queensland deserve it. The children of Queensland deserve it. Your children and grandchildren deserve an opportunity for the culture to be changed permanently. I commend this legislation to those opposite and seriously consider that what they have on the table is no solution at all, it is just something that looks really attractive when in actual fact it will be an empty promise to the electorate of Queensland. I congratulate both the Premier and the Attorney-General for putting this legislation forward. They will have my full support in implementing it.