



Speech By  
**Hon. Yvette D'Ath**


**MEMBER FOR REDCLIFFE**

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**TACKLING ALCOHOL-FUELLED VIOLENCE LEGISLATION AMENDMENT BILL;  
LIQUOR AND FAIR TRADING LEGISLATION (RED TAPE REDUCTION)  
AMENDMENT BILL**

**Second Reading (Cognate Debate)**

 **Hon. YM D'ATH** (Redcliffe—ALP) (Attorney-General and Minister for Justice and Minister for Training and Skills) (4.01 pm): I move—

That the Tackling Alcohol-Fuelled Violence Legislation Amendment Bill 2015 be now read a second time.

I proudly rise to speak to the Tackling Alcohol-Fuelled Violence Legislation Amendment Bill 2015 and to call upon all members to support this bill. I thank the Legal Affairs and Community Safety Committee for its consideration of the bill. I note the committee tabled its report on 8 February 2016. I now table the government's response to the committee's report.

*Tabled paper:* Legal Affairs and Community Safety Committee: Report No. 20, 55th Parliament—Tackling Alcohol-Fuelled Violence Legislation Amendment Bill 2015, government response [\[175\]](#).

I would like to thank all of those who made written submissions to the committee and those who made themselves available to present to the committee's briefings and hearings. I would also like to thank my colleague the member for Stafford, a minister of the Palaszczuk Labor government, and, importantly, a doctor, Dr Anthony Lynham, who today sees his lifelong work and dedication come to fruition.

I stand here today to honour those who have lost their lives, those who have endured serious injury through alcohol fuelled violence, their families, their friends and their work colleagues who will never be the same because of these violent incidents related to alcohol. I stand here in honour today of the police, the ambulance officers, the doctors and nurses who deal with this violence on the front line on an all too regular basis.

Prior to the election the Palaszczuk government made a commitment to the Queensland people to tackle alcohol fuelled violence. We said, all of us, here last year 'Enough is Enough'. We said it to domestic violence. We said there should be zero tolerance to violence in our communities, whether it is in our homes or in our broader communities.

What I did not realise at the time is that zero tolerance came with an escape clause that in fact some tolerance is okay if it means not infringing on someone's right to drink after 3 am. If the choice is zero tolerance to violence or condoning this behaviour so that people can drink in the early hours of the morning, I think we have an obligation to stand up for those who cannot speak for themselves.

As parliamentarians we have an obligation to act to reduce the number of assaults, sexual assaults and deaths that result from alcohol. To lose this opportunity presented here before us today, all of us, to create lasting change would be regrettable to say the least. I do not want to lay another

bunch of flowers at a makeshift memorial for a young life lost too soon. My heart goes out to those families who have lost family members as a result of alcohol related violence.

The fact is that there is one thing this parliament has not been able to address and that is the service of alcohol trading hours. We are not asking members to simply take our word for it, extensive, independent, peer reviewed research could not be clearer. For every hour of reduced liquor trading there is a corresponding reduction in alcohol related harm of up to 22 per cent.

During this debate I will explain what this bill does, why we are doing it, how we came to this decision and why Queensland should not be shy in leading the way and in the process dispel the myths that there is no reason or need to do this based on current assault rates, that changes to liquor hours will cost jobs, businesses and affect tourism and that there is no evidence to show that changing liquor hours reduces assaults.

The bill before the House consists of effective yet modest measures. The government measures to address the hours in which alcohol can be served can be summarised in the following four key measures: 2 am statewide last drinks, patrons will be able to purchase their last drink at 2 am and then have a 20-minute grace period within which to consume that last drink; safe night out precinct boards can choose to apply to have last drinks called at 3 am with a 1 am lockout; no new approvals for takeaway liquor licences beyond 10 pm; and high-alcohol-content drinks designed to be consumed rapidly, such as shots, will be banned from midnight.

We are aware members of the Katter's Australian Party will be moving amendments that will see a phase-in in the lockout for precincts to come in from 1 July but that the 3 am last drinks will apply to precincts from 1 July. There will be an amendment to mandate a review of the legislation after two years. The government will be supporting these amendments.

I can also advise, through discussions with members of the Katter's Australian Party, that we will also be consulting with key stakeholders about widening the banning orders by courts to include those charged and found guilty of drug offences to rid our precincts of drugs. We know it is an issue. We know the community wants us to address it. We are happy to sit down and look at legislative changes to expand those banning orders. We will also look at the guidelines for grants for the safe night out boards to ensure that that grant funding can be accessed for assistance to transition to the new liquor laws, including for security.

The government's strategy has been shaped by significant consultation over the last 12 months with stakeholders including liquor industry groups, business groups, community service providers, health organisations, legal associations and academics. Further consultation will be undertaken to finalise certain measures in the bill such as the type of rapid consumption drinks that will be banned for sale or supply after midnight. Too many Queenslanders are being impacted by harm caused by alcohol abuse, misuse and the associated violence. Action is needed. An evidence based approach proven to achieve rapid decreases in assaults will save lives and lessen the impact of this scourge.

So why are we doing this? There has been a lot of misinformation thrust into the public debate by those who have vested interests and who do not have the safety of Queenslanders at heart. I have travelled North Queensland and the Wide Bay region. I have held round tables in Brisbane and Cairns. I have listened to the public firsthand and I have spoken to the doctors and nurses, the paramedics, the police officers who are so sick of being verbally abused, spat on, bitten, assaulted and seriously assaulted. The simple truth of the matter is that we have a problem when it comes to alcohol fuelled violence in Queensland. The independent evidence proves this. When I talk about independent evidence, I mean peer reviewed, published research and statistics.

To quote Professor Najman, Chair of the Queensland Coalition for Action on Alcohol, at the Brisbane committee hearing—

The evidence base is for hours. That is, the evidence indicates that for every extra hour you continue to make alcohol available ... you increase the level of harm.

Let us start with the Queensland Police Service statistics as to why we are doing this. The total number of offences against the person in Queensland in 2015 where alcohol was an indicator was 6,049. This represents a total of 21.1 per cent of all offences against the person—that is, more than one in five offences against the person are alcohol related across the state. That is an extraordinary figure. The total number of assaults on police in the Brisbane CBD and safe night precincts in the past 12 months was 324, up by 11 from the previous year. Across the state there were 5,229 alcohol related assaults in 2015. There were 427 alcohol related sexual offences across the state. There were three alcohol related homicides across the state.

Much has been made of Cairns and Townsville. So let us look at the statistics from those cities. In Cairns, in 2014, there were 266 alcohol related assaults and 21 alcohol related sexual offences—rape, attempted rape, sexual assault. In 2015, there were 257 alcohol related assaults and 16 alcohol

related sexual offences—a drop of nine and five respectively. We will hear that, because there are signs of a marginal decline in these figures, somehow we no longer need to do anything further, that everything is working—there is no need to take further action. Instead of talking about the nine who were not assaulted in Cairns over the last 12 months, how about we talk about the 257 who were. How about we talk about the 16 alcohol related sexual offences. Who is going to speak up for these victims? It is our responsibility to do so, to give them a voice.

These decreases have come at a cost to Queensland taxpayers as well. The reduction of nine alcohol related assaults comes at the cost of the police rostering on an extra 12 to 18 police officers in the Cairns safe night out precinct every Friday and Saturday night. At the police briefing to the committee held in Cairns, Acting Chief Superintendent Rhys Newton said, in response to the following question from the chair, ‘Dealing with people under the influence of alcohol is your core business; is that what you are suggesting?’—

We certainly see those challenges on those nights where there is late night trading in liquor and there is that extra demand on our resources and there will be calls for service, yes.

Let us now turn to Townsville. In 2015, there were 497 alcohol related assaults—up on the previous year by an additional 48. Once again, who is speaking up for those 497 victims? Who is their voice? In reference to Townsville, the Queensland Police Union of Employees, represented by Ian Leavers, said at the Gold Coast community hearing—

Cairns is one area. I know that in Townsville you take from Stuart, Deeragun and the shopfront there which polices The Strand in Townsville. We are having to suck police out of there to go and perform duty on The Strand. The problem is that we cannot just flood it with police because we cannot have police just working during the night-time hours, between 10 pm and 6 am. It is not feasible. Police have to work at other times. Part of our core duties is protecting life and property but also investigating other things, such as sudden deaths and domestics, which take a lot of our time at this point. It is pulling us away from our core duties.

To suggest that alcohol fuelled violence is only a Brisbane problem is a myth. This is a statewide problem that needs a statewide solution. The government does not claim that the bill is a silver bullet, as I have heard some on the other side say in their media interviews. Just as the introduction of seatbelts were not a silver bullet to stop every motor vehicle death or assaults, neither are these laws. But what they do is reduce harm, and that reduction is significant and can lead to saving lives.

Last year we stood together as a parliament, united as one, against domestic violence. I ask members to do the same today. If this House votes against this bill, it sends a message to our constituents that alcohol related violence is somehow okay and that it is okay to turn a blind eye to it. This would be morally wrong. Queenslanders expect us to take a zero tolerance approach to violence. There should not be an out clause. I echo the Premier’s remarks about taking the politics out of this. Let us do our jobs as parliamentarians—examine the independent evidence and take the necessary action to provide an evidence based solution. Let us make Queensland safer for our kids going out to have a good night on the town.

How do we know it works? The evidence is in and it is clear. If you do a Google search of ‘alcohol and damage’ you will get 1.3 million articles come up. I will not try to table all of them. We know that the Premier put up a very large pile of articles and research papers the other day in relation to alcohol and violence. I want to make it easier for those who want to do a bit of research before the end of this debate, so I table the 15 research papers that Professor Jake Najman referred to in the parliamentary committee’s report—15 research papers that have been put together from around the world that have tested the propositions looking at this particular issue in relation to legislation.

*Tabled paper:* Research reports and journal articles, various dates, regarding reducing alcohol fuelled violence from the National Drug Law Enforcement Research Fund, the Society for the Study of Addiction, International Journal of Drug Policy, British Journal of Addictions and others [176].

Similar liquor laws have been implemented in Newcastle, Kings Cross and the Sydney CBD. In the first 18 months of the implementation of liquor reforms, research indicates there was a 37 per cent decrease in alcohol related assaults in the Newcastle CBD and a reduction of almost 340 emergency department presentations per year. Professor Gordian Fulde, who was recently named Senior Australian of the Year, has urged people to remember what the Sydney CBD and Kings Cross were like two years ago before the new laws were implemented. He said—

... as time passes it’s harder for people to remember just what those days were like—but those of us who work on the frontline, we remember. Quite simply, it was a war zone.

The data in the peer reviewed Newcastle studies specifically relates to the area in which the measures were implemented. As at March 2015, alcohol related assaults in the Newcastle CBD were measured as having dropped by 52 per cent overall. Speaking about the Newcastle experience to the committee hearing held in Brisbane, Mr Tony Brown, an alcohol reform campaigner, said—

In real practical terms we have seen more than a doubling in the number of licensed premises in Newcastle, which refutes the hysteria and scaremongering from the industry that it would be devastated. What this has practically translated into in Newcastle is more jobs and more opportunities for our young people. With respect, I do not think any responsible government or opposition should deny their communities that.

Kings Cross and the Sydney CBD have a 1 am lockout and last drinks at 3.30 am. In April 2015, the impacts of the January 2014 liquor reforms were assessed by Professor Kypros Kypri and the New South Wales Bureau of Crime Statistics and Research, BOCSAR. The findings were—

Significant and substantial reductions in assault occurred in both Kings Cross (down 32%) and Sydney CBD entertainment precinct (down 26%) (including a 40% cent decline in the sub-section George Street South.)

The City of Sydney's *Late night management areas research: phase 4 report*, September 2015, indicated the number of premises licensed to trade liquor was up by 13 per cent in the Sydney CBD since 2012. It is hard to see where the devastation in Sydney is with such an increase. Despite the comments we have heard that the reductions are as a consequence of the reduction in foot traffic and patrons, we fail to see how Newcastle can have over a 100 per cent increase in licensed venues and Sydney can have a 13 per cent increase in licensed venues if in fact no-one is going there.

More recent BOCSAR data from 16 months of the reforms shows an overall reduction in assaults of 45 per cent in Kings Cross and approximately 20 per cent in Sydney's CBD. Furthermore, data gathered at St Vincent's Hospital in the Sydney CBD has shown a 25 per cent decrease in alcohol related serious injury presentations during the first 12 months of the liquor reforms. The results we saw in Newcastle, Kings Cross and the Sydney CBD involve rapid drops, with an accelerated decline beyond the generally decreasing assault rates. Put quite simply, rapid declines in assault rates such as those in Newcastle, Kings Cross and the Sydney CBD mean that people are saved from injury and death. Waiting for a gradual decline is not an option this government is prepared to accept.

In relation to lockouts, we have seen lockouts utilised successfully in Newcastle, Kings Cross and the Sydney CBD as part of a package of reforms that, in combination, has achieved the successful reductions in assaults I have just described. Byron Bay venues have implemented a voluntary lockout at 1.30 am. There is also peer reviewed evidence demonstrating that lockouts reduce preloading and are effective at reducing violence inside premises. A 3 am lockout is already in place in Queensland and licensees have been operating effectively with this lockout since 2006. The Sunshine Coast, a popular tourist destination, has implemented a voluntary lockout at 1.30 am. Lockouts also support the Queensland Police Service as a crowd control measure. Lockouts assist in managing patron migration and maintaining order during the high-risk late-night trading period.

Prior to discussing some of the myths that have been peddled by opponents of the bill, I must say how disappointing it has been to not see any data being put up by those who are opposing this legislation. I have heard many claims about significant job losses and the cost to the economy. I have been advised through media interviews that this modelling has been done by the entertainment industry, but no-one has yet produced that modelling. I have offered, I have met with stakeholders, I have said, 'Put up your evidence. I will consider that evidence. I will take it on face value. Show me what you've got to show that it affects jobs and the industry,' and no evidence has been put up.

I will deal with the casinos. The hysteria around the issue of casinos is quite appalling. Let us be real about this. For those opposite who are carrying on and saying, 'This is hypocritical. Casinos are going to be exempt,' I remind them that the LNP was in government for three years and for that entire time the 3 am lockout operated across the state for every licensed venue and every single casino was exempt.

**Mr Rickuss:** You were in government 20 years before that. Why didn't you do something about it then?

**Mrs D'ATH:** I am doing something about it now. I am responding to those who have come out in the media carrying on about casinos and that this legislation is being hypocritical in allowing those exemptions. The fact is that the LNP themselves acknowledged that those exemptions have existed for many years and for particular reasons and that they chose to leave them in place, despite bringing in their safe night out initiatives. They left the lockout in, they left the exemptions in, but now they are crying out that it is not appropriate and it should not be happening. They carry on about Queen's Wharf, which was their project that they started, but I can guarantee that if they were still in government that project would go ahead and they would be exempt like every other casino and that their safe night out policies would still be in place with a 3 am lockout. So they should stop carrying on and misleading the public about this debate about casinos.

**Mr Walker** interjected.

**Mrs D'ATH:** I am happy to hear the shadow minister when he gets to debate his arguments. We have heard the Leader of the Opposition come up with the myth that this legislation is inconsistent—that a pub will have to close but the strip joint next door will not and that this is what these laws will allow. There is nothing whatsoever in this bill that actually has that provision. Every single venue will stop serving drinks at 2 am, and for licensed venues in precincts it will be 3 am. Whether it is a strip club, whether it is a pub, whether it is a hotel or whether it is a club, it is 2 am and 3 am. So to say that

a club or a pub will be forced to shut but the strip joint next door will not is just a ridiculous argument, and they should read the bill before they go and make those public statements. I want to quote Ian Leavers from the Queensland Police Union to the parliamentary committee hearing in relation to casinos. He said—

When it comes to intoxicated people and people behaving badly, their security are a hell of a lot more strict and they have a lot more systems in place than a lot of the other licensed premises.

They are highly regulated—much more than any licensed venue—and I would call on any licensed venue that is willing to put their hand up and say, 'I'm happy to be as regulated as a casino if it means changes in this area,' because I can guarantee that none of them will.

I go to the issue of tourism and jobs. There are many international tourist destinations and we are expected to believe that this is going to destroy tourism in this state. Honestly, in California, in Los Angeles, San Diego and San Francisco, they shut at 2 am. In Boston, Ottawa, Toronto and Ireland, it is 2 am. Is someone telling me that in Ireland they do not like a drink, they do not enjoy live music and they do not have good tourism? In Dublin, last drinks are at 2.30 am. Let us be honest with the people of Queensland when we run this rhetoric out there about the impact of these laws. Stopping the service of alcohol at 2 am in these cities does not impact on their desirability as a tourist destination—as it will not in Queensland, because we are not just about our night-life. That represents one facet of our overall tourism offering—it is an important part, but it is one element.

Similarly, many of the areas have vibrant music scenes which are not inhibited by their liquor licensing laws. I have already talked about the New South Wales figures about licensed venues. Let me talk about closer to home, though, because I have been told that we are not California, we are not Newcastle and we are not Sydney. What about the Sunshine Coast precinct? Are we honestly expected to believe that the Sunshine Coast precinct—one of the fastest growing tourism regions—would voluntarily impose a 1 am lockout on themselves if it was going to affect tourism, if it was going to close businesses, if it was going to result in job losses? No. If it was not going to have any impact on reducing violence, would they do it? No. Have they at any stage since introducing it said, 'This is hurting business. It is affecting tourism. We're going to lift the voluntary 1.30 am lockout'? No. It is still operating. The Sunshine Coast knows it works. The Sunshine Coast knows that it improves tourism, and that is why they are now getting cruise ships and they are one of the fastest growing areas for tourism. So the evidence is there. Members only need to open their eyes and look at it.

There is the myth that there is no evidence to say that the measures will work. I have referred to many, many research papers. Members only need read the parliamentary committee report. If they do nothing else, they should just read the parliamentary committee report. It is there. I have to say that in my almost nine years in federal and state parliament I have never seen so much independent evidence to back up a bill. I have never seen so much evidence to support a piece of legislation coming before the parliament. I have already said that studies reveal that in Newcastle, Sydney and Kings Cross assaults are down 37 per cent, 26 per cent and 32 per cent respectively. We want to see these sorts of decreases here.

There is the argument about punishing the many and not the few. Let me talk about that, because there are penalties in place for the offenders. Let us not pretend that innocent people going out for a night on the town are not being punished now. I have already talked about the level of assaults. I have already talked about the 324 assaults on police officers in precincts in the Brisbane CBD in the last year. So the innocent are being punished. They are being punished by alcohol fuelled violence and we have a responsibility to act.

There is the argument that this is just one issue, that they think it is a silver bullet and that there are all of these other initiatives. The other initiatives are there. They are still there.

**Mr Watts** interjected.

**Mrs D'ATH:** The education, the penalties, the safe night out precincts—they are there. The only thing we did not bring in are the mandatory ID scanners and I really want to address the mandatory ID scanners.

**Mr Watts** interjected.

**Madam DEPUTY SPEAKER** (Ms Farmer): The member for Toowoomba North has been interjecting on quite a regular basis. You will have your turn and I ask you to keep your thoughts until it is your turn to speak.

**Mr WATTS:** Madam Deputy Speaker, I rise on a point of order. I am just trying to make sure that the member—

**Mr DEPUTY SPEAKER:** There is no point of order. Please resume your seat.

**Mrs D'ATH:** I want to talk about the mandatory ID scanners because I have seen some of the comments from those opposite and from former members of this House about mandatory ID scanners and the carry-on that somehow if I had brought the mandatory ID scanners in we would not need to do this. First of all, again, if they read the evidence in the parliamentary committee report, they would find that Geelong introduced all of those initiatives but did not reduce the trading hours and have a lockout, but Newcastle did, and there was clear evidence that it worked in Newcastle and resulted in a rapid reduction in assaults and it did not work in Geelong. Why? Because they are important initiatives but without this key element they do not work.

Mandatory ID scanners were supposed to come in in March last year—absolutely. We got elected, we came in and I was sworn in as the new minister in February—which was wonderful—but what did I find? They were not ready. They did not have them. The equipment was not there to install. The previous government was going to make it a requirement under law for venues to install equipment that was not even ready. So we pushed it out to July, but it was still not ready. The industry was told that there would be at least two providers operating the mandatory ID scanners so there would be competition out there. No, there was only one. I was being told that it was going to take 20 seconds to scan each person. Think about that—20 seconds for each person. Think about the unintended consequences of people lining up outside a club because every person takes 20 seconds, when the standalone ID scanners take about three to five seconds now. If I do this, I am going to do it in a responsible way. I will work with the stakeholders. I will make sure that the technology is there and it works properly. That is why we have said we will continue to consult on this.

We should not be afraid to do this. Queensland should lead the way, as we did back in 2004. People may remember that this same debate about the sky falling in, mass job losses and the end of the industry was argued when Peter Beattie sought to bring in smoking bans in pubs and clubs. It was going to destroy everything. I refer to an article in 2004 from the Centre for Policy Development. It states—

But pubs and club bars were said to be different.

There had already been bans in restaurants across various states, but pubs and clubs were said to be different. It went on—

Romanticised as the last bastions of smoking, their representatives stood their ground, brandishing a heady mix of economic snake oil and talk about returned soldiers who'd fought for the right to smoke, drink and eat a pie. Studies of the greatly elevated blood nicotine levels of bar staff came and went, as did stratospheric measures of toxic tobacco smoke particles in pub air. All namby-pamby nonsense to pub industry officials. Reports of the improved respiratory health of Californian bar staff after that state banned smoking in bars in 1998 changed nothing. When non-smoking Port Kembla bar worker Marlene Sharp was awarded—

almost \$500,000—

in damages for her throat cancer in 2001, predictions of rising workers' compensation insurance premiums failed to materialize.

...

The club and hotel industries fed governments and an often unblinking media a diet of empty bars and cataclysmic job losses if smoking were to go.

...

The pubs and clubs sought to position those pushing for the ban as dreary fun phobics who never went out after dark and couldn't stand the thought of anyone enjoying themselves with a beer and cigarette. They knew nothing of real life. They saw this as a resilient caricature that, when combined with 'pick a number and double it' talk of pub collapses and mass sackings, would create a powerful and enduring spectre that would daunt any pragmatic cabinet minister.

Despite advertisements and massive campaigns from health professionals and key stakeholders about this, the AHA continued their line saying this would destroy businesses. So what happened? In 2004 amendments to the act introduced the most comprehensive smoke-free laws in Australia at the time with effect from 1 January 2005. Smoking was banned anywhere within four meters of an entrance to a non-residential building and, importantly, smoking bans in enclosed liquor licence premises in poker machine gaming areas were phased in from 2005 to 2006 with smoking being permitted in one-third of these areas up until 30 September 2005 and completely phased out from 1 July 2006. Queensland led the way and we can do it again.

**Mr Ryan:** We should.

**Mrs D'ATH:** We should be doing it again. I wish to very quickly talk to other amendments in relation to the private member's bill. We examined the Liquor and Fair Trading Legislation (Red Tape Reduction) Amendment Bill 2015 in a bipartisan fashion just as we ask those on the other side to do right now in relation to our bill. We do not play politics when it comes to liquor reforms and ensuring that licensed premises are not managed by inappropriate persons, consistent with harm minimisation that

will assist small businesses and enforcement activity by liquor and gaming inspectors and the police. We have adopted 14 of the amendments from the private member's bill out of a total of 18. We have incorporated them into our bill. Why? They are sensible, practical changes that we are happy to adopt in our legislation. I want to run through briefly what they are.

Granting formal investigator powers to police officers: this amendment would assist police by lifting an unnecessary administrative and evidentiary burden and simplify their work in relation to the Liquor Act. Removing duplication in recording incidents in registers: this amendment will reduce unnecessary duplication for licensees while still ensuring that there would be no decrease in record keeping or accountability for licensees in relation to incidents. Prohibiting persons from taking liquor into or away from certain events: this amendment will assist in reducing alcohol related harm as it will address uncontrolled and unregulated drinking by patrons at large events. Clarifying acceptable evidence-of-age documentation: this amendment will strengthen the requirements around evidence-of-age documents and ensure that any additional entities approved to issue proof-of-age documents have been through a rigorous assessment of their processes and controls. Amending car park event approval processes: this amendment will ensure that the car park approval process is uniform for all licensees and will help to address issues that have arisen during car park events regarding the health and safety of members of the public and the amenity of the community and locality. Providing notices to licensees of approved manager suspension or cancellation: this amendment will assist licensees and permittees to comply with their obligation under the Liquor Act to ensure that a person employed by them as an approved manager holds a valid approval. It is also considered that it would help to ensure that licensed premises are not managed by inappropriate persons.

Clarifying the meaning of liquor: this amendment will clarify what constitutes liquor while still providing safeguards to address problem behaviour. Allowing investigators to issue notices to produce documents: this amendment will increase the capabilities of liquor investigators to conduct investigations and address noncompliance and will also allow investigations to be finalised in a more efficient and effective manner. Reinstating the ability to specify requirements for a risk-assessed management plan: this amendment will rectify a deficiency in relation to risk-assessed management plans, which are intended to curb alcohol fuelled violence and ensure appropriate management practices are in place to mitigate risk. Allowing sale of craft beer at promotional events: the provision will assist the growth of the craft beer industry by expanding the way that this product can be promoted and supplied in the community, bringing it into line with the wine industry. Allowing sale of takeaway liquor to community club guests and visitors: this amendment will allow takeaway liquor sales to signed-in guests and visitors of community clubs and will increase the range of hospitality services that community clubs can provide and support the funding of community activities of clubs.

Increasing maximum allowed guests for bed-and-breakfast liquor licence exemptions: the provision of liquor at bed-and-breakfast accommodation is considered to be a low-risk activity and the amendment will support bed-and-breakfast operators and the tourism industry. Extending risk-assessed management plan exemptions to certain low-risk licence types: it is proposed that the management plan exemption be supported for florist and gift basket licence types only as there is very little nexus between the business and alcohol related violence. We oppose the exemptions for all other licence types as we are of the view the exemption should only occur in circumstances where there is very little possible nexus with service environments where alcohol related violence is a risk or because of the vulnerability of those around whom alcohol is served.

Directors' liability amendments: we will support the repeal of section 96 of the Fair Trading Act. Doing so will bring the Fair Trading Act into line with reforms implemented by the Directors' Liability Reform Amendment Act 2013. The amendment will also ensure consistency across Queensland statutes dealing with directors' liabilities.

I now turn to the committee's recommendations. The committee recommended that appropriate data on alcohol related incidents be collected and available from agencies which the bill affects. The government concurs. The government supports this recommendation. While there is significant independent, thorough, peer reviewed evidence supporting the reforms set out in the government's bill, the government agrees the collection and analysis of statistics and data going forward is an important part of public policy delivery. This is why the government has committed to establishing an independent crime statistical body to publish reliable statistical information for all criminal offending across Queensland. This independent body will be vital in providing robust data to inform the development and implementation of crime prevention strategies.

Recommendation 2 is noted. However, the government is of the view that a two-year period is the appropriate time frame for a proper independent assessment to occur. The government recognises the importance of evidence based policy and is committed to ensuring a robust evaluation of the impact of the government's policy is conducted. The government is committed to a thorough and independent

evaluation of the changes in the community as a result of the bill's implementation. Because of the staged approach to the introduction of the changes, the review will commence from 12 July 2018, which is 17 months after the commencement of the full suite of measures under the bill.

The committee also recommended that the government address a small number of identified drafting issues regarding clauses 18 and 55. I have foreshadowed moving an amendment during consideration in detail to correct these cross-referencing and numbering issues. However, regarding the recommended amendment to clause 49, I can state that section 155K(1)(e) was deliberately not referenced in section 155AL(3)(d)(i) and it is not a drafting error. Undertaking this recommended amendment would allow the Commissioner for Liquor and Gaming to impose a requirement on a licensee to ensure that the type and quality of the liquor they sell and the way in which it is served continues to differ from other premises in the locality. As the licensee would not have the power to influence how other businesses operate in a locality, the obligation being imposed would be impossible for a licensee to comply with. Accordingly, I am not proposing to move an amendment to this clause.

I turn to the government members' recommendations. The government members of the committee recommended that the current approved late-night extended trading hours of takeaway outlets be wound back to 10 pm. While the recommendation is noted and has merit, any such proposal would require broad consultation and that has not occurred in relation to this issue. The government will not be winding back extended trading hours for takeaway liquor to 10 pm for all premises at this stage.

The measure to prohibit the approval of new extended trading hours for takeaway liquor after 10 pm is a complementary measure to the restrictions to on-premise liquor service hours that will be introduced from 1 July 2016. It is intended to curb the further proliferation of takeaway liquor sales between 10 pm and midnight and to address the issue of preloading. The winding back of takeaway liquor hours to 10 pm for all venues is not considered to be warranted at this time. Our first priority is to address the on-premises consumption of liquor associated with violence and deliver on the commitment that we made in relation to no further applications being granted in relation to the extension of liquor hours beyond 10 pm. However, I can state that it is intended that an examination of the issue of late-night extended trading hours for takeaway liquor will form part of the evaluation of the government's overall policy.

In relation to the government committee members also recommending that the definition of 'lockout' be changed to 'one-way door', I certainly have some sympathy for this proposal and acknowledge that 'one-way door' terminology is much more accurate. I have heard some of the comments about people being locked out—or should I say 'locked in'. I have heard claims that with a lockout suddenly at one o'clock everyone is pushed out into the street at once, which is completely inaccurate. The reality is that the term 'lockout' is used throughout areas of New South Wales, and a 3 am lockout has already been in existence across Queensland since 2006. Patrons across Australia are well aware of the mechanisms of the lockout function in legislation, and the government believes that it is appropriate to leave the term 'lockout' in place at this stage.

In relation to the statement of reservations by the opposition members, they talked about a multifaceted approach being required. I do not think that we could spell out any more that that is already occurring. Those initiatives which have been implemented by previous governments over the years, both Labor and LNP, will continue to be in place and implemented. This is in addition to those initiatives, not in place of them, and they should be honest and start saying that as opposed to, 'This is not a silver bullet. You need all of these other initiatives.' Those other initiatives are happening, and they know they are happening and they should be honest about that.

I understand that there were also arguments from the opposition members in their statement of reservations in relation to data issues. We have already said that to have proper analyses going forward we need to work on improving that data where we can. It is very important and that is why we are creating the independent crime statistical body, but that should not be used as a basis to say that data does not exist now. That argument has no validity whatsoever. The evidence is clear; it is there for everyone to see. To say that this recommendation is somehow evidence that the data is not there is false.

**Mr Walker:** Have a look at what some of those who gave evidence said.

**Mr Rickuss:** Read the report.

**Mrs D'ATH:** I take the objections of those on the opposite side, because of course there is so much evidence out there. I have read the parliamentary committee's report but I do not know if everyone else has. I have read the committee's report, and the fact is that there is a mountain of international evidence which supports this. I fail to see how anyone could come up with the argument that there is not evidence out there to support these measures and that they work. I know that those on the other



side sought to cite David Rosengren, chair of the Australasian College for Emergency Medicine, who gave evidence before the committee. Dr Rosengren expressed concern that there is a lack of clear and definitive data around many of the arguments put forward for and against the legislation. Yes, he was quoted as saying that but—

**Mr Rickuss:** He said it!

**Mrs D'ATH:** Yes. But what the opposition failed to put in their statement of reservations is the rest of the quote, so let us hear the rest of the quote. Dr Rosengren goes on to state—

This is clearly a significantly important strategic step to tackle a complex problem. A failure to take this forward and to really work on this would be fairly similar, in my mind, to a decision by the government to walk away from drink-driving legislation or seatbelt legislation or bike helmet legislation.

He goes on to say—

With a complex problem we have to start somewhere. This seems to be a great step.

That is what he said, so do not pick out little bits and try to verbal the doctor. If you are going to quote a professional who is giving evidence to a parliamentary committee, then quote him accurately and fully.

In relation to the statement of reservations, the opposition contends that the Safe Night Out Strategy should be given a chance to work before further amendments are introduced. The opposition also made reference to assault rates in Queensland being lower than those in New South Wales. I have no doubt that we will hear some figures in this debate, and I hope there are professionals who were at the forum this morning listening to this debate. I noticed that none of the opposition members went to the forum this morning to listen to the academics who have put this data together. The chart of assaults shows that there has been a gradual decline in assaults over the years. There has been a gradual decline, but we are talking about significant declines that can be achieved with these reforms and not cherry-picking figures and comparing something that happened at this time in one month in one year to this month in this year. Look at whole year data and look at the figures that we are putting up.

Even if you accept that there has been a gradual decline in assaults that is not a reason why we should not act. It is okay to have over 5,000 alcohol related assaults, is it? Are we supposed to stand back as Queenslanders and say, 'Oh, our alcohol related assaults aren't as bad as the other states, so it's okay; we don't need to do anything'? The latest polling shows that 29 per cent of Queenslanders have been affected by alcohol related violence. One in six has been a victim. Coward punches have taken too many lives across Queensland. People are still offending despite the penalties put in place by the previous government. It has been reported that police are spending 60 per cent of their time dealing with alcohol related issues. A recent Australian College of Emergency Medicine survey found that 92 per cent of emergency department staff in Australia and New Zealand have reported experiencing physical aggression from a drunk patient in the past six months. Ambulance paramedics, hospital staff and police dealing with emergency situations in Queensland are still being attacked by intoxicated people, often by the person they are trying to help.

For these reasons, the Palaszczuk government believes that alcohol fuelled violence remains at an unacceptable level in Queensland. This government is prepared to take action by implementing evidence based measures in order to lessen the human cost of alcohol fuelled violence. While we certainly appreciate the merits of the safe night out measures, our view has always been that the strategy did not go far enough. The evidence before us today certainly supports that view; therefore, our tackling alcohol fuelled violence policy builds on the existing legislation to ensure that the best possible mix of measures is in place to prevent alcohol fuelled violence across all of Queensland.

The opposition raised issues regarding the casino, and I do not intend to go back over that. They did not see that as an issue when they were in government and they introduced the safe night out policies. Those exemptions exist around those particular premises because they are regulated differently and they are highly regulated. Casinos are in a different business. They are not there to sell alcohol. To say that we are being hypocritical in any way by allowing that exemption to continue—when they were happy to do so for the three years that they were in government while there was a 3 am lockout—is just appalling and not being honest.

The opposition raised the issue of recreational, illicit and synthetic drug fuelled violence. We have already said that we have given an undertaking to the member for Dalrymple and the member for Mount Isa in relation to looking at widening court ordered banning orders to drug offences as well. We have also put \$20 million into the 2015-16 budget to specifically tackle the drug ice, organised crime and alcohol fuelled violence over the next four years. Work is being done in this area, but you cannot use that as an excuse not to address this measure. We know this is important.

I turn to the private member's bill. I have already said that we will be adopting 14 of those initiatives and incorporating them into our bill. There are four elements that we do not support. I stand to be corrected, but I understand one particular one that goes to church and community organisations is not being progressed at the moment.

**An opposition member:** No, but it will be.

**Mrs D'ATH:** Okay. We are opposing the private member's bill as a whole on the basis that the four elements we have not picked up we do not believe should be supported. The first relates to reducing the requirements for approved manager availability for venues that do not trade after midnight. Approved managers are directly accountable for responsible service of alcohol measures, which are critical in minimising the risk of alcohol related violence and harm. This amendment would have the effect of increasing the potential for harm. It would potentially put a young person who is working there, in a busy pub or nightclub late at night, in the difficult position of having to make serious decisions about the responsible service of alcohol to intoxicated patrons alone. The government simply cannot support this irresponsible proposal.

The second relates to allowing after-hours consumption in hotel and resort foyer bars. The amendment is opposed on the basis that it could result in high-risk venues such as backpacker hostels converting existing private bars into quasi-nightclubs in the early hours of the morning to get around other liquor laws. We do not believe it is appropriate and it puts people at risk.

The third relates to the introduction of community liquor permit exemptions for campdrafting events. Campdrafting events are family orientated occasions attended by children and teenagers. This amendment would give rise to the possibility of unregulated liquor consumption over 14 hours per day for the duration of the events, some of which last multiple days. The government's bill proposes to bring about cultural change in our drinking culture. Exposing children to unregulated liquor consumption over 14 hours per day over multiple days at these events is just not good policy and we would oppose it.

I mention the church and community organisations amendments. It is our intention not to support this at the moment, while the royal commission into institutional child abuse is continuing. We hold that position.

Once again, I thank the committee for its consideration of this important bill. The bill has the support of the Queensland Police Service, the Queensland Coalition for Action on Alcohol, the Australasian College for Emergency Medicine, the AMA Queensland, the Queensland Police Union, the Foundation for Alcohol Research and Education, Clubs Queensland, Healthy Options Australia, National Alliance for Action on Alcohol, the Salvation Army Australia Eastern Territory, the national Trauma Committee of the Royal Australasian College of Surgeons, Lives Lived Well, the Public Health Association of Australia, the Queensland Nurses' Union, the Queensland Network of Alcohol and other Drug Agencies and the Australian Christian Lobby—just to name a few.

I want to point to someone else who supported these sorts of initiatives in 2010—actually, even before that. The Leader of the Opposition is a man who truly stood for what he believed in at one point, from the moment he was elected. Back in 1992 the Leader of the Opposition said on a debate on liquor laws in this chamber—

I turn now to the issue of extending the hours of a hotel from 10 a.m. to 12 midnight. This may be of great benefit to many tourism areas throughout Queensland, but I do not think that it will provide a great benefit to some of the State's smaller hotels. The Minister would be well aware that last year I led a deputation to him. That deputation was concerned with the issue of youth drunkenness and some violence in the township of Goondiwindi.

He went on to talk about the impact of extended hours in those areas, youth drunkenness and a certain amount of violence in the town which was causing a general nuisance. He said—

What may be an advantage on the Gold Coast or in Cairns may not necessarily be an advantage in towns such as Goondiwindi or Stanthorpe where hotels are universally open from 10 a.m. to 12 midnight.

He went on to say—

For the major part of the year, we are not talking about dealing with tourists or people who are passing through, but about people who reside in the town, who are employed in the town ...

He went on to say in relation to extra facilities of alcohol—

That may not necessarily lead to a better work life, a better home life or a better social structure in the town. It may still contribute to the problems that I suggested before, such as drunkenness that occurs late at night ...

But in 2005 the Leader of the Opposition said—

In many ways, today this parliament is reaping what it has sown. I came into this place in 1989. At that time, there were far more strict regimes in place for the service of alcohol and the closing time for licensed establishments around Queensland. Maybe we could argue that the 7 o'clock closing of establishments on Sunday and the 10 o'clock closing of establishments during the week was not right. But how long do we need in order to go and drink?

He went on to say—

... it is interesting to note that maybe in that respect we have gone a little bit too far. We let the genie out of the bottle and now we are trying to catch it and put it back in the bottle.

Importantly, in 2010 the Leader of the Opposition went on to say, in talking to a parliamentary committee report that actually suggested similar changes—

People might have the view that some of them were over the top or some of them were a little bit misguided—

talking about the recommendations of the committee—

but it was charged with the responsibility by the Premier to look at this issue, to do its research, to talk to those people who use these precincts, to talk to the licensees of the establishments and to talk to police officers and those involved in the various support services.

He went on to say—

It was supposed to be such a big issue—it was an earthshattering issue reported on by this bipartisan committee—yet the report was not even debated in parliament.

He went on to be critical of the government of the day saying—

'No, we're not going to do that. We're going to give them a few extra police officers and a bottle of water and a bit of token response along the way.' That is hardly a comprehensive response to this issue.

He went on to say—

I believe that we should be seriously looking at trading hours so that we can clean up some of those areas before we have people walking down the street when the sun rises.

I ask people to read that speech from 2010, because it talks about Cairns and Townsville and the absolute disgust of the Leader of the Opposition going out for a morning walk and seeing people stumbling out of clubs early in the morning. That is reflected in his comments over a decade. Where has that conviction gone?

**Mr Rickuss** interjected.

**Mrs D'ATH:** Two decades, yet the Leader of the Opposition has spent the past couple of weeks running around in the media saying that there is no evidence to support this, that there is no evidence to say that this is needed. Where did his beliefs go? The Leader of the Opposition knew that this needed to happen. He has been saying it for years. He should back these laws.

I know that there are members across the chamber who support the government's proposals. I urge them to hear what their own leader has said over previous years about trading hours. I urge them to listen to Queenslanders and what they have asked for. I urge them to look at the evidence that is before us. It is overwhelming.

A week ago when I was at home I flicked on the new show about the St Vincent's Hospital emergency department. I saw Senior Australian of the Year Dr Gordian Fulde and other doctors and nurses at work in the early hours of the morning. I watched as people were brought in—bloody, injured, violent. My daughter, who shortly turns 16, stopped and took notice of what was on the TV and said to me in quite a surprised, if not shocked, voice, 'What are you watching?' I said to her at the time, 'This is why I am pursuing these liquor law changes.' Her response to me was, 'I think what you're doing is a good thing.' I leave this thought with members across the parliament: sometimes you just have to do what is right, put aside what it means for your longevity in this job—the votes—just stand here in this esteemed institution and make a difference. I am proud that I am. I commend the bill to the House.