




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

**MEMBER FOR REDCLIFFE**

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Record of Proceedings, 2 March 2017

### **LIQUOR AND OTHER LEGISLATION AMENDMENT BILL**

 **Hon. YM D'ATH** (Redcliffe—ALP) (Attorney-General and Minister for Justice and Minister for Training and Skills) (8.52 pm), in reply: I thank the honourable members for their contributions to the debate on the Liquor and Other Legislation Amendment Bill 2017. The tackling alcohol fuelled violence policy is one of the most comprehensive frameworks implemented in Australia to reduce alcohol related violence. The policy is based on national and international research which demonstrates that reducing late-night liquor service reduces harm. Following the recent release of the six-month interim evaluation report by the researchers, the government has acted quickly to introduce a bill into parliament that will address the report's findings and ensure that our policy continues to reflect the key evidence based measures that demonstrably reduce alcohol related harm.

The Palaszczuk government recognises that reduced liquor service hours are the single most important measure to effect change and reduce harm. That is why on 1 July 2016 we reduced liquor service hours to 2 am across the state and 3 am in safe night precincts. It is imperative that we take action to safeguard the integrity of these reduced liquor service hours in order to reduce harm. We want Queenslanders to enjoy themselves on a night out in a safe environment. It is for these reasons that we are making amendments to the Liquor Act to tighten the temporary late-night extended hours permit framework to require that permits are only issued for infrequent special occasions and to limit the number able to be issued.

After careful consideration of the interim evaluation report and evidence available, the government has decided not to implement the 1 am lockout provisions. We want to allow the new regime of 3 am last drinks in safe night precincts and 2 am last drinks outside of them to be implemented as intended. I also note the amendments that this bill makes to the Penalties and Sentences Act 1992 with regard to banning orders for prescribed drug offences. These amendments recognise the harm that this cohort of drug offenders can present to persons in and around licensed premises.

I will now address some of the matters raised by the honourable members during the course of this debate. I have noted the comments made by other members of the opposition, including that the permit system was introduced as part of the tackling alcohol fuelled violence policy. In fact, that is incorrect. I am advised that the maximum 12 late-night extended hours permits that can be issued particularly for premises in a one-year period was originally inserted into the Liquor Act on 1 January 2009. It is important to realise that these permits have been operating for some time but in a moderate, sensible way. It was only from 1 July last year that we saw a change in behaviour of licensed venues in the way these permits have been issued. We have heard much from those on the other side that the system has allowed this to happen, and it is true to say there was not any specific proscription in the legislation. The OLGR always talked about the permits being for special occasions, and up until 1 July that is the way licensed venues used them, but they saw an opportunity and they grabbed it and it is extremely important to ensure—

**Opposition members interjected.**

**Mrs D'ATH:** The figures say it all: 1,500 applications in just six months. There have been ongoing applications weekend after weekend after weekend. Were they for special events? Not at all. Were they for business as usual to trade until 5 am? Absolutely. I did not hear much from the other side about the 2 am and 3 am liquor service hours and the evidence that backs the reduction of hours. If you are going to have legislation that says that liquor service hours are 2 am and 3 am across the state, then it has to be legitimate. It has to be genuine and it has to be implemented. You cannot have a system that allows for those laws and for those hours to be circumvented by using permits on a regular basis. They are not temporary extended hours; that is a regular extension of existing trading hours. That is what it is, that is what it becomes and that is what it has become. The report shows that over the six months in the safe night precinct of the Valley there was not one weekend in six months where there was not a pub or club open until five o'clock in the morning.

**Opposition members** interjected.

**Mrs D'ATH:** We have to give this a chance. The evidence shows that for every hour we reduce liquor hours we can make a difference in assaults. It is worth giving it a go, but we need the licensed venues to work with us. That is why we need to ensure that the permits are used for the reason for which they were originally intended, which is special occasions and special events in the particular areas.

**Opposition members** interjected.

**Mrs D'ATH:** I hear, 'What about casinos?' The reality is that although the opposition talks about its Safe Night Out policy and how great it is, it exempted casinos as well. It had casinos exempt the whole time.

**Mr Watts** interjected.

**Mr SPEAKER:** One moment, member for Toowoomba North. It is getting late. There is more work to be done. I would urge you to allow the Attorney-General to finish, we will go to the vote and then we will move on.

**Mrs D'ATH:** It is an important debate, and I understand that those on the other side have had their fun, their jokes and their criticisms about bringing this bill before the parliament. Why? Because we had independent research. Why? Because we took note of that independent research. We publicly released that independent research. It is not a report that we hid and said, 'Trust us. We're doing this because there's a report that you haven't seen that says we should.' We released it. We showed what the report says, and the report says that we have not seen a marked decrease in assaults. That is because we have not been able to properly assess the 2 am and 3 am liquor service hours because of the way the permit system works.

Some members on the other side talked about how jobs have already been lost, venues have already shut and live music venues have already had to cut back on live music. I have met with representatives of the live music industry over and over again on this issue. Every one of them will tell you that when they have a live musician in their performance has finished by midnight. They are not playing at three o'clock in the morning.

**Ms Leahy** interjected.

**Mrs D'ATH:** I take the interjection of the member for Warrego, who said, 'Rubbish.' She should talk to those representing the live music industry. The DJs might be playing at that time, but live bands and musicians—big headline acts—are not playing at three o'clock in the morning. We have not heard the name of one venue that has allegedly been shut down as a consequence of the first few months of these provisions.

The member for Kawana made the claim that ID scanners were due to start in June 2015. That might have been the intention of the opposition when in government, but the reality is that when we came to government a start date for ID scanners had not been proclaimed. When I became the minister and asked where things were at in relation to ID scanners, I was told they were not ready. The industry was promised that there would be at least two providers so that there would be competition in relation to the scanners in order to reduce cost. Two providers were not available so they were not ready to go.

The industry was raising genuine concerns about privacy issues and so on. I wanted to work through those issues. I conducted a round table with every stakeholder that wanted to be there. We had providers in the room. We had police in the room. I asked how the scanners work. We had great dialogue across the room on issues such as how we ensure that when a young female's driver's licence is scanned a security guard or other person working on the door cannot retrieve that data later on. The providers were able to say how the systems work. The moment it is scanned it is encrypted. The venue cannot pull that data back. It is held off-site in a database that is matched to police and court records. It cannot be pulled back. That is really important when it comes to the safety of patrons going into those venues.

To clarify the record, I am advised that the commencement date for the provision in section 74 of the Liquor Act, the provision that gave effect to the requirements for relevant licensees to operate ID-scanning equipment, was not proclaimed under the former government. The then government had announced that ID-scanning provisions would be in force from 1 July 2017. That is what we will do.

With regard to permit changes, the new conditions will ensure that applications for extended trading hours are appropriately linked to special events of real community significance. I remind members that the changes introduced as part of the tackling alcohol fuelled violence policy effectively decouple hours from gaming and opening hours, allowing premises to stay open. I know that a number of venues are doing that.

I note comments about the importance of education and cultural change in tackling alcohol fuelled violence. We heard some members on the other side saying that none of that has happened. Members would recall that a number of campaigns have been rolled out for consumption across the state. These campaigns are aimed at increasing awareness of responsible drinking behaviour, impacts of alcohol fuelled violence, changes to alcohol service times and increased enforcement of regulations. This has been ongoing since 2015 under our government's policy. Similarly, the alcohol and other drugs education program for Queensland students continues to be available for years 9 to 12 across Queensland.

Members would also be aware that over \$8 million has been made available under the safe night precinct grant funding program for safe night precinct boards to pursue, although I heard at least one member on the other side saying that we had scrapped all of that. We have not scrapped safe night precincts or the funding that supports them. This includes initiatives to educate and support patrons and licensees. We will continue to encourage licensees and other members of the community to work collaboratively to minimise harm.

I have heard that by removing the lockout we are simply now following LNP policy and nothing more. I want to point out the key differences. There is a reduction in liquor service hours to 2 am and 3 am. This is the most important initiative in reforming behaviour in relation to alcohol fuelled violence and is backed by international evidence. There is also a ban in relation to high-alcohol, rapid consumption drinks. Both initiatives were implemented on 1 July last year. An initiative we brought in on 1 July last year saw no new bottle shop trading hours beyond 10 pm. With this bill there will be a reduction in the number of permits and the banning of drugs. I am really disappointed that no members on the other side talked about the extension of the court ordered banning orders to drugs. I remember all of the talk in the debate last year about it being just as important to tackle drugs in our licensed venues and precincts, yet no-one talked about this and said, 'We back it. It's good.' It is and we should.

**Mr Watts:** I didn't have time to congratulate the minister.

**Mrs D'ATH:** I take that interjection. I will take that congratulations now.

I do want to concentrate on the reduction in liquor service hours to 2 am and 3 am, because it is critical. The initiative, brought in on 1 July last year, is one that the member for Stafford has talked about a number of times. I know that the opposition has foreshadowed amendments and intends to oppose the reduction and the changes to the permits. The reality is that in doing so those opposite are saying that they back a continuation of liquor service hours to 5 am.

**Mr Bleijie:** No, we back your current law. You put it in.

**Mrs D'ATH:** I take the interjection. We did not put the 12 permits in our bill this year. It was not in the most recent legislation in this term of government. If we are to genuinely have 2 am and 3 am last drinks in this state, those opposite cannot back the ongoing use of these 12 permits in the way they are being used now, which is having venues constantly operating until 5 am.

**Mr Bleijie:** You did this.

**Mrs D'ATH:** I take the interjection. We reduced the hours—absolutely—and we are proud of it. It is the one thing the opposition just did not tackle. The former attorney-general put together an expert panel. That expert panel recommended reducing liquor service hours. That report was never released publicly. What did those opposite do? Not only did they not take that recommendation and reduce liquor service hours; they lifted the moratorium and allowed more applications for licensed venues to trade past midnight. They went directly against the recommendation of the expert panel that they put together to tackle alcohol fuelled violence.

When we talk about transparency, reviews, criticism, reports and evidence, the LNP need to look at their own record. They had an expert panel. They had a report. They had recommendations. They did not act on those recommendations and they never released the report. I call on members to support the changes to these permits. We should have some responsible practice in relation to liquor service hours in this state. We should give the reduction in liquor service hours to 2 am and 3 am the opportunity to properly work.

Earlier the member for Warrego tabled some letters. Considering the hour at which I received them, my department is still checking on these letters. I understand that last year my chief of staff did respond to the venue directly, but I am following up on that for the member for Warrego. I am happy to make sure a detailed response from me is provided to the member for Warrego. I say to the member for Warrego: this issue does not go to the detail that is in the bill. These letters go to the 2 am service of alcohol, which was in the bill on 1 July last year. It does not go to anything in this bill. I am happy to follow it up for the member for Warrego, but it does not go to what is before the House right now.

I thank government members for their contributions to the debate. We as a government have resolved to meet community expectations—that is, to do what we can using the best evidence available to reduce the toll of alcohol fuelled violence. I thank members on this side of the chamber for their contribution. I mention particularly the members for Pine Rivers and Stafford, because they specifically spoke to the integrity of Professors Miller and Najman and their career-long commitments to reducing alcohol related harm. It was disappointing to hear how Professor Najman was referred to in the selective quoting of his evidence before the parliamentary committee.

Lastly, I refer quickly to the additional amendment that I will be moving tonight relating to trading hours that the Minister for Industrial Relations has already spoken to. This amendment seeks to ensure that non-exempt shops in South-East Queensland will have the opportunity to trade on Easter Sunday in 2017. If this amendment does not pass, those non-exempt shops in South-East Queensland will continue to be closed despite many other shops around the state in the regions already having the opportunity to trade. If the opposition opposes that, the opposition is opposing those businesses having the opportunity to open and trade on that day. The government will continue to work for a vibrant, safe night-life for all Queenslanders. In conclusion, I once again thank all honourable members for their contributions during the debate. I once again thank the parliamentary committee and the secretariat for their hard work and their ongoing work not just on this bill but all of the bills that are referred to them. I commend the bill to the House.