

Question on Notice

No. 496

Asked on Tuesday, 6 August 2013

MRS MILLER asked the Attorney-General and Minister for Justice (MR BLEIJIE)–

QUESTION:

Will the Attorney-General detail the licensed premises and licensees prosecuted, successfully and unsuccessfully, since 2010 under section 156(1e) of the *Liquor Act 1992* and explain the government strategies to engage the alcohol industry in the prevention of alcohol-related violence?

ANSWER:

I thank the Member for Bundamba for her question.

Since 1 January 2010, there have been two successful and one unsuccessful prosecutions under section 156(1)(e) of the *Liquor Act 1992* (the Liquor Act).

Liquor licensees have an obligation to ensure liquor is served in a responsible manner and to maintain a safe environment for patrons and staff of their premises. The Liquor Act allows authorised people, including employees of licensees, to refuse entry to, or require a person to leave licensed premises for various reasons, including if they are considered to be unduly intoxicated, disorderly, creating a disturbance or are a minor.

It is an offence for a person to enter or attempt to enter premises to which the person is refused entry or resist an authorised person who is preventing them from entering premises. It is also an offence for a person to not immediately leave premises when required to, or to resist an authorised person who is removing them. The maximum penalty for these offences is \$2,750.

During 2012-13 there were 1,182 prosecutions relating to these offences. Only one of these resulted in the person charged being found not guilty¹. There were also 1,600 liquor infringement notices issued during 2012-13 for these offences².

In collaboration with other key stakeholders such as the Queensland Police Service (QPS), the Office of Liquor and Gaming Regulation (OLGR) uses a multifaceted regulatory framework which prioritises community safety and minimises harm while allowing the liquor industry to grow in a sustainable manner and contribute to the Queensland economy.

Compliance assessment and enforcement by the OLGR and the QPS is only one aspect of the regulatory framework, other key elements including licensing and probity assessment, employee training obligations and place based management approaches (through Drink Safe Precincts and liquor accords).

¹ Prosecution data has been obtained from the Queensland Wide Inter-linked Courts (QWIC) system. The QWIC system is a live operational system in which records are updated as the status of court matters change and or input errors are detected and rectified. This constant updating and data verification may result in a slight variance of figures over time.

² Liquor infringement notice data has been obtained from the Office of Liquor and Gaming Regulation's LNR database. This data may change as further previously issued infringement notices are provided by police and entered into the database.

As well as working with licensees individually during compliance visits and through licensing processes, the OLGR uses various other opportunities to engage and collaborate with industry members on a range of matters, including strategies to minimise alcohol-related violence. The OLGR officers attend liquor accord and industry liaison meetings with stakeholders around the State and promote responsible service practices through in-house and industry publications.

In 2012, the Government established an expert panel which is reviewing liquor licensing laws and considering reforms to increase their effectiveness. The panel includes members from Government, industry and the community. In February of this year, I released the discussion paper *Red tape reduction and other reform proposals for regulation of liquor and gaming* for public consultation. This included matters relating to licensed premises trading hours, which are relevant to the issue of alcohol-related violence. The expert panel has considered submissions and an interim report including the panel's recommendations and the Government's response will soon be released.

The expert panel has also been provided with a copy of the interim evaluation and recommendations of the Drink Safe Precinct trial to inform their deliberations.

The Government's two year Drink Safe Precinct trial, aimed at reducing alcohol-related violence in three key entertainment precincts around the State, concluded at the end of November 2012. Services in the precincts have been continued to allow for the full two year trial to be evaluated by the Department of the Premier and Cabinet. The evaluation report will shortly be available for consideration by the Government.

The evaluation of the Drink Safe Precinct pilot will inform the public and the Government about the success of this initiative. It will also serve to inform decisions on the future development of the Government's regulatory framework for liquor management and alcohol-related violence in Queensland, including the future of the place based management concept in the three trial locations, as well as other potential locations.