

3 July 2015

Mr Mark Furner  
Chair  
Legal Affairs and Community Safety Committee  
Parliament House  
George Street  
Brisbane QLD 4000

Dear Mr Furner

#### **LIQUOR AND FAIR TRADING LEGISLATION (RED TAPE REDUCTION) AMENDMENT BILL 2015**

The Queensland Coalition for Action on Alcohol (QCAA) welcomes the opportunity to provide a submission on the *Liquor and Fair Trading Legislation (Red Tape Reduction) Amendment Bill 2015* (the Amendment Bill).

QCAA is a coalition of like-minded health and community organisations in Queensland committed to reducing alcohol-related harm. Alcohol harm in Queensland is significant with more than 1,100 lives lost every year and more than 33,900 people hospitalised, making alcohol one of Queensland's greatest preventive health challenges.<sup>i</sup> These harms not only affect the drinker, but also impact on people in the broader community. The majority (52 per cent) of Queenslanders consider the city or centre of town unsafe on a Saturday night and 30 per cent of Queenslanders have been affected by alcohol-related violence, whether directly or through a family member or friend.<sup>ii</sup>

In light of the known harm from alcohol, QCAA offers a general caution against actions to reduce regulation of the liquor industry and conditions associated with the sale, purchase, promotion and consumption of alcohol. The primary purpose of the *Liquor Act 1992* (the Act) should be to minimise harm from alcohol. Any increase in the availability of alcohol has the potential to increase harms.

QCAA commends the Government's commitment to reduce alcohol-related violence and in particular its intention to introduce 3am last drinks at licensed venues across Queensland. These reforms will not only make Queensland a leader in the country but also a leader across the world in preventing alcohol harms.

In addressing the contents of the Amendment Bill, QCAA makes the following comments and recommendations on particular proposals outlined in the draft legislation. QCAA has made comments on proposals within the Amendment Bill that potentially risk increasing alcohol harms and on proposals relating to enforcement of the Act and subordinate legislation. The sequencing of QCAA's response to the proposals follows that used in the Explanatory Notes.

The QCAA acknowledges the good intentions behind the Bill for local community groups and small business however our coalition believe it should not be supported in the Parliament because overall the proposed legislative measures are likely to increase the risk of alcohol-related harm.

### ***Exempting campdrafting events from the requirement for a community liquor permit***

QCAA opposes the proposal to exempt campdrafting events from the requirement to get a community liquor permit. As detailed in the explanatory notes, campdrafting events can currently trade liquor up to 14 hours a day (between 7am to midnight) over three executive days. By exempting these events from requiring a community liquor permit, the appropriate risk assessment and harm minimisation principles are not being put in place. These events should be subject to community liquor permits to ensure that the appropriate considerations are given by the Commissioner when approving liquor permits.

### ***Provide flexibility in the timeframe in which an approved manager must be available***

QCAA opposes the proposal to allow approved managers to be more than one hour away from the premises with the proviso that an RSA trained alternative is appointed to take on the responsibilities of the approved manager in their absence for venues that cannot trade past midnight.

The current requirements for approved managers under the Act are that they must either be on site or 'reasonably available', described as being on-call and located within an hour's travelling time to the venue, during ordinary trading hours and during extended trading hours that fall between 7am and 10am.

It is imperative that people involved in the management of venues that serve alcohol are suitable and appropriately trained. Alcohol is a harmful product and needs particular consideration to minimise harm related to its consumption. The Queensland Police have called for an approved manager to be on site from 10pm. It could therefore be argued that the current requirements should go further to ensure that an approved manager is on site from 10pm rather than from midnight.

### ***Sale of takeaway liquor to signed-in guests and visitors***

QCAA opposes the proposal to allow community clubs to sell takeaway liquor to signed-in guests and visitors. If the intention of the club is to sell packaged liquor then the licensee should apply for the appropriate packaged liquor licence under the Act.

### ***Deeming of all police officers as investigators under the Liquor Act***

QCAA supports the proposal to provide all police officers with the powers of an investigator as described under the Act. This measure will provide greater powers to regulate and enforce provisions within the Act and all subordinate legislation. Appropriate enforcement mechanisms are essential to ensure that staff in licensed venues are serving and supplying alcohol in accordance to the Act and to ensure harm minimisation is central to all staff and patron behaviour.

### ***Restricting patrons from taking liquor into and away from events subject to a community liquor permit and a commercial public event permit***

QCAA supports the proposal to restrict patrons from taking liquor into and away from events subject to a community liquor permit and a commercial public event permit. While the intent of the Act is to prevent patrons from taking alcohol into or away from an area that has been approved for a community liquor permit and/or a commercial public event permit, it is apparent that the Act does not clearly prevent patrons from doing so. This addition to the Act will assist in the management of risk and responsible service of alcohol.

### ***Use of car parks for sale and consumption of liquor***

QCAA opposes the proposal to allow all licensees to apply to use car parks for the sale and consumption of liquor. There is potential for a licensee to double the size of their premise based on the size of their car park. The risk management associated with extending the area of the liquor licence, such as the number of staff, security and other responsible service of alcohol requirements needs to be given careful consideration before approving the use of car parks for the sale and consumption of liquor.

Thank you again for the opportunity to respond to measures under consideration in the Amendment Bill.

I would welcome the opportunity to discuss this submission with the Committee.

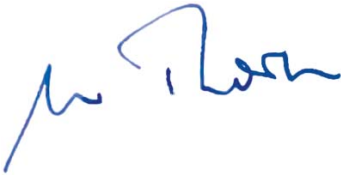
Yours sincerely



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**CHAIRMAN**  
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<sup>i</sup> Gao, C., Ogeil, R., & Lloyd, B. (2014). Alcohol's burden of disease in Australia. Canberra: FARE and VicHealth in collaboration with Turning Point

<sup>ii</sup> Foundation for Alcohol Research and Education. (2015). Annual Alcohol Poll: Attitudes and Behaviours. Canberra: Foundation for Alcohol Research and Education