

Legislative Council

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LIQUOR LICENSING (MISCELLANEOUS) AMENDMENT BILL

The Hon. A. BRESSINGTON (12:26):

I rise briefly to speak to the Liquor Licensing (Miscellaneous) Amendment Bill, and I will be brief. I would like to say at the outset that I am a little divided on which parts of this bill I would support and which parts I would not. Coming from a background in hospitality and being manager of a nightclub in Queensland, I have to say that really the image that is put out there by some of the things that have been said in here of nightclub proprietors or managers of nightclubs is perhaps a little misleading—that it is our goal to get people as drunk as possible as quickly as possible and that those people in those positions act irresponsibly most of the time.

The fact is that if you are managing a nightclub and are responsible for patrons in that nightclub and responsible for staff and their wellbeing, the last thing that you want is for patrons to be rowdy and drunk and abusive.

The Hon. R.I. Lucas: They won't come back.

The Hon. A. BRESSINGTON: That's right. You hire security to make sure that those issues can be dealt with swiftly. I do have a problem with the responsibility falling on people behind the bar to be determining when a person is drunk or too intoxicated to be served drinks. To think that a couple of hours of training on how to identify when somebody is drunk is going to make their job easier is quite untrue. I think I have used in here the example of when I was just starting in Queensland to work behind bars and tried to cut somebody's drinks off because he was too far gone and literally got dragged over the bar because I refused to serve him.

These are the sorts of things that happen when we are trying to shift the responsibility of law enforcement onto bar staff rather than making sure that law enforcement are there to do their job and that there are enough of them, and that licensees feel comfortable that, if they call police, the police will attend in a reasonable period of time and, in the meantime, security staff will deal with the patron who is causing the trouble.

I do not believe that a 4am close is the way to go. I do believe that it is going to herd people out onto the streets in great numbers. I think the number is that we would be pouring out about 5,000 onto the streets of Adelaide's CBD at 4am, and I do not believe that we can increase the number of taxis or improve public transport enough to be able to deal with that. I know that the Casino is quite concerned about that outpouring of people onto the streets at that time, and it is looking to recruit these people as patrons, a totally different clientele from those it is trying to attract.

In my own mind, I also couple this piece of legislation with the weapons legislation we are currently debating. I am sorry, but I see both of these fitting together as creating a situation where we are going to have more confrontations on the street between police and patrons than we think. We are increasing police powers but we are not increasing police numbers, and we are relying on bar staff to curb antisocial behaviour by their cutting of people's drinks and, no doubt, some are going to get rowdy.

We are also forgetting, too, what happened with the introduction of poker machines into hotels. A lot of the hotels in the suburbs used to provide entertainment for our young people (live music, live bands, discos or whatever) and, with the introduction of poker machines into those hotels, a lot of licensees of those venues saw it as being far more cost-effective to install poker machines and get extra revenue from them rather than spending money on entertainment and providing that sort of outlet, if you like, out in the suburbs, and I saw that when I first moved down here as well and was working in hotels.

We have created this situation of people flooding into the CBD. We have created the situation of young people going out now at midnight instead of, as the Hon. Rob Lucas said, in our time having to be home by midnight. We have created a culture where a lot of people rely on alcohol to be able to go out and have a good time. But we are also assuming that the majority of those people are irresponsible drinkers, and the majority of them, as the Hon. Rob Lucas said, are not. It is the minority of people who are causing a problem, and it is because of their actions that everybody else will be penalised.

Quite frankly, I see this bill as a way for this government to live up to its tough on law and order agenda through restricting activities and entertainment and businesses without having to spend extra money on extra policing. That is not the way to solve the problems that are stated as the reason for this bill. It is also not, I believe, good public policy.

We do have young people now who live a very different life from the life we lead. A lot of people are working that 4am to 7am shift; that will be money out of their pocket. What are we going to do? When most people in the entertainment industry live on 22 to 24 hours a week of employment and we are going to take three hours from a great many of those people because we want to shut down the CBD, what will they do with that shortfall in their pay packet?

A lot of those people (and I was one of them) are single mothers who rely on the three hours that will come out of their pay packet every week because the government believes it will curb violence in the streets. It is a huge ask for many people who live on the minimum amount of money and work in hospitality. Quite frankly, a lot of these people work in hospitality because it is either their kick-off as their working career, or they are older people who simply do not have the skills to get into any other kind of employment and they will take whatever they can get.

I know as a single mum that I used to work the late late shift because in Queensland they had penalty rates, and I used to work those shifts to be able to take home extra money. I know that is not the case here as it is a flat rate across the board, but it is still three hours a week out of somebody's pay packet that we will just take away because someone says that, after 4 o'clock, the streets are more violent. I cannot see that this will actually make that any better; in fact, I think it will make it worse.

I also have a problem with these management plans that the commissioner will have the power to negotiate as part of a person's liquor licence. I do not believe that it is government business. I do not believe that we have the right in this place to be interfering with how businesses operate. If businesses break the law, there are laws in place already for them to be penalised and prosecuted under those laws.

I would like to ask one question, given a comment the Hon. Carmel Zollo made in her speech. I would like to know how many licensees in the CBD have been issued with two or more expiation notices for a breach of their liquor licence since 2008. I am asking that genuinely because I do not know. I am not sure that businesses, managers or licensees want the reputation of being in constant breach of their liquor licence and paying expiation fees. I

know that expiation fees are quite affordable to some of these businesses, but it goes with the reputation as well.

The image being projected about licensees and managers of licensed premises is quite one sided, as put across by the government. The majority of them, like the majority of people who go out on a Friday and Saturday night, behave themselves. Constantly in this place we are drawing up legislation for one-off situations or for the behaviour of the minority, rather than changing how we as a government and the police as a police force undertake their business. In saying that, I also look forward to the committee stage of this bill.

Very quickly I mention that the Hon. David Ridgway made the point about increased police presence being a great deterrent. That has been proved over and over again. I also say that the morale of the police force depends on how they conduct their business in the street. I have had a number of complaints to my office from young people who have been targeted by police for doing nothing more than walking up the street in a group of three—doing nothing, not even drunk—and being called over. One of them said that the police officer said to him, 'You look like you've been in trouble with the police before.' As a matter of fact he had never been.

If we are to talk about training bar staff to be able to deal with drunks and to cut off drinks, we should also be training some of our new police officers on a bit of diplomacy and how not to escalate situations. I had a meeting with Mr Bönig, President of the Law Society, who conducted a survey which showed that young people have zero to no respect for our police officers, and I think that is a sad, sad indictment on both our young people and our police force. You cannot demand respect: you actually earn respect. I have had a situation in here with a police officer who was rude, aggressive and young. It was not what I would have expected of a police officer doing business.

As I said, I have had a number of complaints about young people being targeted on the streets on a Friday. Already—before we pass the weapons bill, before we even consider the right to arbitrary search—there are some (and I agree that they would be the minority) police who go out there gung-ho, but this is both sides of the argument. It requires training on both sides of the fence and requires an honest review of not only how businesses are operating but also our police force and its resources. As I said, I look forward to the committee stage of this bill and taking into consideration all the other aspects of this bill we will be debating. I will be interested in the outcome.

Debate adjourned on motion of Hon. R.P. Wortley.