

LIQUOR STORES, SUNDAY TRADING

1196. Hon BARRY HOUSE to the Minister for Racing and Gaming:

I refer to the minister's announcement last week, heralded by the media statement entitled "Liquor stores to get green light for Sunday trading".

- (1) What process, for example, of research and public consultation was adopted by the Government prior to this announcement of a major shift in policy?
- (2) Who was consulted or engaged in discussions with the Government in relation to these changes?
- (3) What is meant by the public interest test that is proposed to replace the needs test currently embodied in the Liquor Licensing Act 1988?

Hon NICK GRIFFITHS replied:

- (1) The honourable member would be well aware that, in dealing with these issues, consultation has taken place over a number of years. In fact, the first substantive degree of consultation occurred during the period of the previous Government. The then Office of Racing, Gaming and Liquor, after taking into account the views of relevant people in the industry and other interested persons, prepared a review of national competition policy on the operation of the Liquor Licensing Act. That document was kept under wraps until the present Government came to power. The honourable member may recall that, early in 2001, I caused the document to be released so that members of the public could be made aware of its contents. I invited submissions, which were received, and as a result of that, all people in Western Australia with an interest in these issues were able to comment on them. That is quite a detailed consultation process.
- (2) The second part of the question is substantially answered by the first. There has been extensive consultation with the industry groups that have advocated different positions from time to time. The Government is aware of where they stand on the issues involved and the reasons they hold particular points of view.
- (3) There is a public interest test in the Liquor Licensing Act, but it is overridden by the needs test, which is considered by the National Competition Council to be protectionist in nature. On any reading, it certainly is protectionist. The public interest test that will be proposed will be to determine matters to do with liquor licensing, having regard to the true public interest on these matters. Broadly speaking, the public interest test in liquor licensing relates firstly to matters of public health. The honourable member would be well aware that harm minimisation is a major plank of the Liquor Licensing Act. That was a major change that occurred in the late 1980s. When the Act last had a revisiting in 1998, that principle continued to be embodied. The other aspect to the public interest test involves matters to do with law and order.

Various issues that were dealt with in the media statement and the announcements of the policy last Monday are important for the future of the liquor industry and the wellbeing of Western Australia. However, one of the major difficulties with the use of alcohol and the liquor industry in Western Australia is not whether liquor stores should be able to sell takeaway liquor on Sunday or otherwise, but the abuse of alcohol that exists in many parts of Western Australia. In some instances this has led to local accords and, in other instances, to a strong tightening of licence conditions to minimise the great degree of social disorder that regrettably occurs. The public interest test that is required to deal with these two broad categories of health and law and order is very much in the interests and for the wellbeing of Western Australians.