

LIQUOR LICENSING AMENDMENT BILL 2001

Second Reading

Resumed from 9 August.

HON BARRY HOUSE (South West) [9.07 pm]: I support the Bill on behalf of the Liberal opposition, and will make a few general comments on the liquor licensing laws and the availability and consumption of liquor in the State of Western Australia.

The Bill was introduced as a result of a joint approach to the Government from the Cabaret Owners Association, the Australian Hotels Association and the Liquor Stores Association of WA. Components of the Bill were agreed to by the previous Government, and the current Government with some additions.

Hon N.F. Moore: Not a lot.

Hon BARRY HOUSE: It has been said that the Bill was introduced with industry support. That is not totally correct, because elements of the industry are not satisfied with all aspects of this amendment Bill; different stakeholders have different views on some issues. For example, Clubs WA, the Restaurant and Catering Industry Association of Western Australia and the Tourism Commission have different views on some aspects of the Bill.

Hon N.D. Griffiths: The Tourism Commission should not express a comment.

Hon N.F. Moore: Are you saying that all statutory authorities should toe the party line?

Hon N.D. Griffiths: I think there should be a whole of government approach on these matters, and I think there is.

Hon BARRY HOUSE: Will the minister muzzle every statutory authority in the State?

Hon N.D. Griffiths: I did not say that.

Hon BARRY HOUSE: No? Some people might infer that from what the minister said. The WA Tourism Commission exists to present arguments that are relevant to tourism in this State. That is surely its purpose.

Hon N.F. Moore: There are industry people who do not work for the Government - surely they are entitled to a view?

Hon BARRY HOUSE: Although significant stakeholders in the industry have put aside some of their differences about trading hours and other aspects of liquor law and have united to present a proposal to the Government to change this legislation, they hold different views on some aspects of it.

The Bill clarifies purposes for which special facility licences are allowed. It prohibits the establishment of multiple satellite bottle shops on one licence. It permits, but does not make obligatory, the selling of packaged liquor by hotels and taverns. It clarifies the powers and obligations of authorised persons, sometimes called bouncers, to refuse admittance or to remove people from licensed premises. The overall aim is to protect the integrity of the current licensing system by closing some loopholes which have been highlighted by examples in recent years.

Special facility licences were introduced in the 1980s. I think the catalyst for them was the America's Cup defence in Fremantle. It centred around the needs of the tourist industry and the availability of liquor and alcohol. In recent years there have been some examples of licence use by a variety of establishments to operate like a hotel or nightclub in some cases. The special facility licence has been used in such a way that the facility applying for it has not been obligated to abide by the usual conditions of licensing. The example that is often thrown up is a restaurant in Northbridge called The Good The Bad and The Ugly Mexican Restaurant which, after a period of time, was a facility that catered for up to 1 100 mainly young drinkers in a beer garden-type atmosphere until 3.00 am.

Hon N.D. Griffiths: Some were good, some were bad and some were ugly.

Hon BARRY HOUSE: I am sure there were a lot of ugly ones by 3.00 am.

That use was clearly a distortion of the original purpose of special facility licences. I understand that establishment has closed but the use was clearly outside the spirit of the Act. I will not say that the application and availability of special facility licences under the current relaxed provisions in recent years has been all bad. For some facilities it has provided a worthwhile community service. It has clearly allowed some establishments to offer relevant services to a modern lifestyle.

The argument of this legislation is that those licences should have been applied for and operated under existing provisions of the Act when a licence would have been adequate. For hotels that have used the special facility

licence, the argument is that the current Act, through a hotel licence and an extended trading permit on top of that, is adequate. I will question some aspects of that a little later, but that is the tenure of the legislation.

In the minister's response I would like him to provide for the Parliament some guidelines for the clear direction of the Director of Liquor Licensing to apply in the future. The argument from some elements of the hotel industry is that extended trading permits are not granted beyond 1.00 am when there has been no debate in the Parliament which allows the director to exercise some discretion. Some elements of the hotel industry would like that to be the case.

I am not saying that every hotel would like to operate until 3.00 am, but some might. Clearly some with a tourist facility in a tourist precinct and some in non-residential areas might wish to do so. Certainly public opinion would not support it in residential areas, and economic viability would not support it in remote locations. A hotel in a clearly designated tourist area, catering for a tourist market, might well want to have the facility to provide a drink for people into the early hours of the morning beyond that which the current provisions allow.

It is my understanding, and I hope the minister will correct me if I am wrong, that extended trading permits at the moment are granted only for an extension till 1.00 am.

Hon N.D. Griffiths: What the member says is correct for how the director is applying the law at the moment. I note that a number of applicants who have been refused extended trading permits then take the matter before the Liquor Licensing Court. They have on a number of occasions been granted extended trading permits. I am aware of those concerns but they are not being addressed by this Bill. They are a separate although related issue.

Hon BARRY HOUSE: The issue is closely related because this legislation is forcing liquor establishments back to the existing provisions in the liquor licensing legislation.

Hon N.D. Griffiths: That is so.

Hon BARRY HOUSE: It is reasonable for the minister with the portfolio to clearly outline during this debate the policy which might allow the director to exercise more discretion when dealing with the relatively few hotels across the State which seek the possibility of an extended trading permit. I know of a couple of such hotels in Kalgoorlie, and obviously there are such hotels in areas like Subiaco, Northbridge or Fremantle in the metropolitan area.

Hon N.D. Griffiths: I am conscious that it is a very live issue. When I respond I shall give you a fairly full response in respect of the role of the director, the law and the current position of the Government.

Hon BARRY HOUSE: If that is not forthcoming from the minister in this debate, this legislation will represent a significant constraining of the availability of some facilities to serve liquor when it is needed. That does not need to happen if the minister is prepared to make that response in this debate.

Hon N.D. Griffiths: It is a separate but related issue. I will deal with it.

Hon N.F. Moore: It is fundamental.

Hon BARRY HOUSE: Yes, it is fundamental to the whole question, otherwise we will be seeing a significant reduction in the availability of liquor licensing to some facilities. I do not think that is the real intention of the legislation.

Hon N.D. Griffiths: The intention of this legislation is to provide a regime which will tighten up applicants getting special facility licences, because too many special facility licences have been issued in circumstances that are not warranted. That has undermined the liquor licensing system.

Hon N.F. Moore: In your view.

Hon N.D. Griffiths: In my view and in the view of the Australian Hotels Association, in the view of the Liquor Stores Association of WA, and in the view of the Cabaret Owners Association.

Hon BARRY HOUSE: I have outlined the potential for an unforeseen consequence of this whole amendment to the Liquor Licensing Amendment Bill - perhaps unnecessarily and unreasonably - unless the minister provides a bit more discretion for the Director of Liquor Licensing to provide those extended trading permits when needed.

Hon N.D. Griffiths: I will tell you what the current position is and what may occur.

Hon BARRY HOUSE: I am sure the minister will respond. From my discussions with the industry I am aware that the restaurant and catering section, for example, is concerned about this general trend. That section will be forced to use existing provisions of the legislation, which, for an individual restaurant owner, can turn out to be a costly and prohibitive exercise if faced with opposition from organisations that have expensive legal representation, for instance. I have been quoted a figure of \$30 000. I hope the minister takes that aspect on board. I have a couple of other issues to raise later about the definition of "tourist" and the 20 per cent rule.

The Bill also closes a loophole that has allowed some organisations selling stationery and even quick coffee to sell packaged liquor. I am not sure that is all bad. I concede that this is an unintended consequence of the original special facility licence, and in that respect I am happy to support the Government in its efforts to restore the integrity of the licensing system. However, this issue will not go away tomorrow; it is a very live issue for the public. The fact that some of these organisations have been able to sell packaged liquor along with seemingly unrelated products, such as coffee or stationery - and these outlets have gained that ability through the back door of the legislation - has not received proper analysis, has not had a full review within the liquor laws and has not been done with a full public debate. I guess I am suggesting that that public debate is happening around us.

The other provision about satellite licences arose because of two high-profile situations, one involving a Woolworths liquor store in Midland and another involving Lakers Tavern, somewhere in the southern suburbs, where an existing liquor store operator operated another outlet a significant distance away from their premises on the one licence. That is not the intention of the existing law, which has the intention of tying an operator to one licence. These operators are in effect obtaining a second liquor outlet without going through the proper checks and balances involved in obtaining their original licences.

It is worth noting that the two major retailers in Australia - Coles and Woolworths - are now responsible for 55 per cent of the Western Australian retail liquor market. That is of some concern to many people in the liquor industry. The consolidation of retail strength in Australia generally is a growing debate and the dominance of these major companies in all forms of retailing is quickly spreading to the retailing of liquor. A reasonable exception to this rule is hotels that are heritage listed and have no room for a packaged liquor outlet. That provision has been in the legislation for some time and will remain. An obvious one that comes to mind is the Subiaco Hotel, where the liquor outlet is away from the main premises.

The Bill also provides for hotels and taverns to sell packaged liquor, but it does not oblige them to. This is a sensible amendment. A hotel that wants to trade until midnight or 1.00 am but does not necessarily want to keep its liquor store open for all that time can close its liquor store at 10 pm or something like that. That is a reasonable amendment.

Another provision authorises bouncers to remove people and to manage the crowd. The present provision of the legislation effectively requires the owner or the licence holder to stand alongside the person who is admitting or throwing out people at an establishment that sells liquor, whether a hotel, tavern or nightclub. This amendment is reasonable in the sense that it will allow those responsibilities to be transferred to the authorised person who is conducting these activities. There was an example on television last night - captured by a security camera - of a young person being severely beaten outside a nightclub in Northbridge. That relieves for many of us the debate we had in this House some time ago on the obligations and powers of bouncers or security personnel. It is like everything in life, I suppose: alongside rights go responsibilities. If it is the right of an authorised person to administer authority and admit people or throw people out of an establishment, it is also his responsibility to do it in a professional way and not an excessive way.

Hon Nick Griffiths interjected.

Hon BARRY HOUSE: No, I know that. I am just raising it because it is topical. It happened and it was on our news bulletins last night. It is something that is covered in other legislation.

Hon N.D. Griffiths: It is. The real point about this is that the construct of section 115 as it now stands is a bit all over the place. What we have put in the Bill will clarify it. It extends it, but it really clarifies that section and makes life easier.

Hon BARRY HOUSE: I am just saying that it is very alarming when one sees a young person put in a coma or on life support as a result of excessive action by a crowd controller. The Bill also contains a transitional provision that will allow applications that are in the pipeline to be considered in accordance with the changed rules. I guess that is an element of retrospectivity, but its purpose is to cover what is happening at this time. An amendment was made in the Legislative Assembly to cover a recent decision of the Liquor Licensing Court with regard to the Mustang Bar in Northbridge.

Hon N.D. Griffiths: There is a precedent for this too.

Hon BARRY HOUSE: I have done some research on this matter, and it is worth reminding the Parliament of some of the history of the evolution of the liquor licensing laws in this State, because it provides a fascinating insight into the changes in this State over the past 170 or 180 years. We cannot get a better summary than is found in the document entitled "National Competition Policy Legislation Review - Liquor Licensing Act 1988", of March 2001.

Hon N.D. Griffiths: Is this the document that I caused you to be provided with a copy of?

Hon BARRY HOUSE: That is right.

Hon N.D. Griffiths: Am I going to regret that?

Hon BARRY HOUSE: I am not sure whether the minister has read it. The document states that the first liquor laws of this State concerned only public revenue and drunkenness and were passed following the foundation of the State in 1829, and the licensing laws in Western Australia have been reviewed 11 times since that time. The minister will be pleased to hear that I will not recite it all, but it is worth noting that between 1829 and 1856, there were two forms of licence: a public house licence that permitted the sale of liquor for consumption on and off the premises, and a retail licence that entitled the holder to sell liquor for consumption off the premises in quantities of not less than one gallon. This led to the provision that no public house could be licensed until it contained one sitting room and one sleeping room for public accommodation, and if without reasonable cause the keeper refused lodging and refreshment to any traveller and his horses at night or during the day, he committed an offence. Therefore, in those early days in our colony, the association between liquor and accommodation was established as a primary tenet in our liquor law.

Hon N.D. Griffiths: And horses.

Hon BARRY HOUSE: I am not sure whether the horses were allowed to have a drink! The public houses felt the pressure of regulation, however, and in the 1856 consolidation they were required to provide, in addition to at least two sitting rooms and two sleeping rooms, stabling for six horses and 12 bullocks, presumably to meet the needs of settlers on the move.

Hon B.K. Donaldson: What about camels?

Hon BARRY HOUSE: I am not sure whether a camel would qualify as a horse. The 1872 consolidation increased the number of licence types to 10, and it banned liquor sales on Good Friday and Christmas Day, except to bona fide travellers. Sales on Sundays had been banned since 1855. Therefore, originally liquor was more freely available than it was for about a century in between then and now. Trading hours were restricted for the first time in 1880. The restrictions were from 4.00 am to 10.00 pm in summer, and from 6.00 am to 10.00 pm in winter. They were still pretty liberal! However, despite these restrictions, liquor became readily available on the goldfields, with three breweries and 23 hotels serving 15 000 people in Coolgardie and a further 10 000 people in surrounding districts. Obviously not all the gold that was found in the goldfields was in the form of metal!

Hon N.D. Griffiths: Swan Gold!

Hon N.F. Moore: It was cheaper than water.

Hon BARRY HOUSE: In 1886 the statutory closing time was extended to 11.00 pm; and that was before the influence of the temperance movement, which played a role over most of the next century. The licensing Act of 1911 introduced 15 different licences, as well as local option polls. That is interesting. Perhaps local option polls are an avenue to which people interested in direct democracy can revert. Those local option polls were based on electoral districts and were introduced to determine whether electorates should be wet or dry. It would be terrible if one's electorate decided that it would be a dry electorate!

Hon N.D. Griffiths: You would resign, would you?

Hon BARRY HOUSE: In 1921 the Government appointed a select committee, which became a royal commission, to review the Act in the interests of the public. In that 1921 review, the chairman of the commission said -

Until prohibition comes about, the Government desires to tighten up the liquor laws and exercise better control of the trade.

That is an interesting statement. It was anticipating prohibition. We are all familiar with the old movies, mainly from the United States, about prohibition, wowsers and speak-easys.

Hon N.F. Moore: And Elliott Ness.

Hon BARRY HOUSE: Yes. We saw some of that influence in Australia. These provisions provided for a statewide poll every five years to gauge public opinion on prohibition. These polls remained in the Act until 1950, when the last poll disclosed a turnaround in public thinking and fewer people wanted prohibition. After World War II, a maturing community influenced by overseas travel and the influx of European cultures accepted the benefits of more relaxed drinking. In line with these trends, the reports of the 1969 inquiry recommended that the law should be changed to meet the varying needs and conveniences of all sections of the public, provided that it was consistent with the safety and wellbeing of all. Here we have for the first time in the laws of the land an association between food and liquor. The committee decided, first, that liquor was a service to the public; second, that those who sold liquor for consumption on the premises should also provide adequate food at

all reasonable times for those who might require it; and, third, that the interests of those engaged in the industry should be regarded as important but not as important as the first two points. Therefore, two clear tenets were established in this 1969 inquiry: the association between food with liquor, which has grown over the years, and a regard in legislation for those who are engaged in the industry; and that is aimed principally at hotel owners.

The report mentions a number of other things that set the stage for the modern community's attitude to the consumption of liquor. It states -

In its report, the Committee stated -

It was put to us many times during the inquiry that any increase in the number of drinking outlets available for the consumption of liquor or any extension of hours during which liquor is available must inevitably increase consumption, with its attendant ill effects. After examining the evidence available on the subject, we came to the conclusion that there was no substance in this contention. Instead, we believe that drinking should be leisurely and that it should be done in comfortable and attractive surroundings. We also believe that less harm can come from liquor where drinking conditions are of a high standard.

It is interesting that those parameters were established in that report in 1969, which I guess acknowledged the change in our society and set the stage for liquor consumption up to the modern day. It may be time to have another look at those things. As a result of that inquiry, a Liquor Act was introduced in 1970 that made major changes to the liquor laws. The Liquor Act 1970 permitted hotel trading hours to be varied to meet a public demand in special circumstances. It also lowered the drinking age from 21 to 18 years. Some of us in this place might remember that. I remember it well, because I was a university student at the time. I remember at the age of 19 or 20 years being at Steves Nedlands Park Hotel, as are all university students, and being apprehended by the police - not arrested but issued with a caution - because I was under-age drinking.

Hon M.J. Criddle: I was there the other day. I could still see your shadow.

Hon Dee Margetts: Did you inhale?

Hon BARRY HOUSE: I drank it, thanks.

The Liquor Act 1970 also introduced tavern licences to create smaller outlets without accommodation. It established cabaret licences for restaurant-type nightclubs and hotels, and changed grocery store gallon licences - grocery stores with those licences could sell a minimum of six large bottles, and I can still remember that vaguely, as a kid - to single bottle store licences. This is interesting in terms of equality. According to the inquiry, this was done as a service to shoppers, particularly women. Also, the tendering processes for new licences were dropped. I guess it was decided that it was very unseemly for women to front up to these gallon licences to get their six bottles. It would be much more civilised if they were able to obtain them at a properly provided for liquor store.

Hon Derrick Tomlinson: But then they had to go to the liquor store six times.

Hon N.D. Griffiths: A day.

Hon BARRY HOUSE: Yes. The other stage is also worth noting. In the current liquor industry in this State, there are some powerful industry bodies. In 1970 the pressure from the industry's self-interest groups that were fighting for commercial protection increased, particularly between cabarets, hotels and liquor stores. Therefore, we have seen the emergence of the well-organised, strong vested interests within the liquor industry today.

In 1983 a committee of inquiry was appointed - it later became an honorary royal commission with a series of terms of reference - and a major review was conducted. A recommendation from that royal commission was that the Licensing Court be reconstituted with a single judge of District Court status, who would decide new licence applications after a proposed liquor commission had indicated that all requirements under the Act had been met. At the same time, the liquor commission, which would comprise a full-time registrar, who would be chairman, and three other full-time members, would relieve the Licensing Court of its administrative responsibilities. Appeals from the commission to the court would be limited largely to whether the decision in question contravened a regulation or provision of the Act. It is worth noting that this recommendation was not implemented. What was implemented two years later was a Liquor Licensing Authority comprising a Liquor Licensing Court and a Director of Liquor Licensing. That was introduced in legislation in 1986. That is the basic system we have today.

Section 178 of the Liquor Licensing Act at the time required that the minister review the operation of the Act as soon as was practicable after the expiration of five years from the time the Act came into operation. On the basis of that, a review was due in February 1994. However, on 6 February 1993 the Minister for Racing and Gaming announced that the review would be brought forward. It was brought forward a year. At that time, one of the catalysts for that was an outbreak of binge drinking across the State. Members might remember that a 24-year-

old man died following a competition to drink more than six snorters at a South Perth hotel. There had been five similar deaths in Kalgoorlie, and some others across the State. That was one of the issues addressed by that review.

Hon M.J. Criddle: What is a snorter?

Hon BARRY HOUSE: I do not really know. I think people tip their head back, drink quickly and follow it with a beer - a beer chaser or something like that. I do not know - I did not get into them.

Hon Christine Sharp: Maybe the minister knows.

Hon BARRY HOUSE: Maybe he does. It was decided by the coroner at one of the investigations that it was time for those involved in both the management and regulation of licensed premises to get fair dinkum about the problem of excessive consumption of alcohol on licensed premises. That was the catalyst for some of the changes that came a little later.

At the same time, the review referred to the fact that the minister was recorded as saying, "It is the responsibility of those in the liquor industry to regulate the behaviour of their bar staff, but if they fail to do this, then new regulations may have to be imposed." Therefore, the minister put the liquor industry on notice that it must be responsible in serving its liquor.

The report came down in 1994, and the Liquor Licensing Act was tabled in June 1995. The major Act in 1998 implemented most of those changes. In response to community concerns - this is the first mention of this - the concept of minimising harm or ill health caused by the use of liquor was introduced as one of the Act's primary objects. Therefore, a central tenet, as it is in this legislation, was harm minimisation of alcohol in the criteria surrounding our liquor laws. In determining licensing applications, consideration would be given to the public interest as opposed to private commercial interests. Harm minimisation would be a ground for objection to licence applications. The other requirement was that licensees and managers must demonstrate a mandatory knowledge of liquor licensing laws and responsible server practices.

I read through that review, and I thought it was a good summary of the evolution of liquor laws in this State. I guess it puts into context a few of the issues that exist in the liquor licensing industry today, and the issues that will have to be debated and decided in the future. One of those major issues, of course, is the national competition policy report, which was provided to the Western Australian Government last year, I think.

Hon N.D. Griffiths: And to the Opposition, as it now is.

Hon BARRY HOUSE: It was provided to the Government. The Government is an entity that carries on through all these things. The report is scathing in its commentary on the Western Australian liquor legislation. We must keep in mind that it is only analysing competitive elements within the industry; it is not analysing anything else. Therefore, I am not saying that as a criticism of anybody in particular. I just note that it is one of the issues that must be dealt with in the near future.

Hon N.D. Griffiths: I understand its format, but it is not the view of this Government or the previous Government.

Hon BARRY HOUSE: Sure. The liquor laws were being looked at through narrow blinkers in terms of the competition elements within the industry. The national competition policy review identified restrictive competition on a range of fronts and came up with more than 45 areas in our liquor laws that provide some restriction on competition. I do not say that all those restrictions are bad and that we should say yes or no to the NCP review. I do not believe that is intended at all.

Hon N.D. Griffiths: Many of the recommendations are uncontroversial, but some are.

Hon BARRY HOUSE: However, the consequences for the Government are that penalties apply if the Government does not respond in a reasonable time frame, and I believe that time frame is getting shorter. Is it by June next year or has it already expired? That is one imperative that the Government now faces. This legislation is a stopgap measure. The major debate on our liquor laws is happening already in the community. The major debate on legislative change will occur in this Parliament probably next year or the year after.

I am providing an opportunity to the minister in this debate, by going through these issues, to give us the general direction in which the Government intends to go, and I invite him to do that in his response. We must all consider these issues. In general, we must consider our response to society's changed lifestyle in recent years. We are very much an international society now, far more than we ever have been in our history. Many people move between Asia, Europe and other parts of Australia. Some of those areas have vastly different liquor laws, from very relaxed liquor laws through to very prescriptive liquor laws. Our liquor laws must reflect a lifestyle that is more of a 24-hour-a-day world for many people. Many people elect to dine out more than they ever have before, and along with dining goes liquor consumption. People elect to dine at later and different hours of the

day and to consume far more wine than they ever have as a people before, whereas in the past our major consumption centred on beer. Social issues centre on commentary concerning large crowds and trading hours at hotels and nightclubs. Often difficulties arise when crowds of people are emptied onto the streets at the same time, whether that time is midnight, 3.00 am or 5.00 am. One of the current arguments in the industry is that our laws should allow for more flexibility to prevent that crazy situation, which has transferred the old six o'clock closing swill to a 10 o'clock, midnight or 3.00 am closing swill when large number of happy people pour onto the street, with the associated problems.

We must also be cognisant of the efficient use of resources in the liquor industry. Large amounts of capital are invested in the liquor industry, primarily but not exclusively in hotels. In past centuries hotels have traditionally provided the main avenue of liquor supply in our society. Hotels go a lot further than that. A hotel, particularly in a country region, is the hub of a community. They provide terrific facilities for those communities. Like a school and a police station, they are central to a community's being. Many hotels are currently in tough economic situations. It is estimated that up to one-third of the State's hotels are effectively in receivership. I do not know if that figure is accurate but I know many hotels are doing it tough. Some hotels that are well located are doing okay. Some hotels have adapted to a modern lifestyle, have moved with the times and done well. However, the issue is the efficient use of resources.

While I am talking about hotels, I note that many clubs are in the same situation. Many clubs have recently moved from being professional organisations to being volunteer organisations, with all the difficulties associated with making such organisations operate efficiently. Many clubs are also doing it tough in WA. They have facilities that they would dearly love to be able to use to greater effect to service the public in general. I shall say a little more about that later.

Hon N.D. Griffiths: They want to operate as hotels in some instances.

Hon BARRY HOUSE: Yes, and I will say a little more about that later. Many clubs and pubs in this State believe their saviour is the poker machine. That has been mentioned many times in this place and has been debated in the community. There is effectively no change in the policy implemented by the previous Court Government through the previous Minister for Racing and Gaming, Hon Norman Moore, to the policy of the current Government.

Hon N.D. Griffiths: What is the position of the Opposition on that?

Hon BARRY HOUSE: It is clear-cut. Our position has not changed since we were in government.

Hon N.D. Griffiths: So you are the same as we are.

Hon BARRY HOUSE: That is right; the Government followed us.

Another issue that needs to be considered relates to restaurants. Restaurants have always changed in response to society's needs. Many restaurants now have issues about providing liquor. They see a need for some changes in our liquor laws to be able to meet the needs of their customers. Associated with one of the primary objects of harm minimisation is the effect of alcohol on society. I say by way of an aside that I was interested in the stunt - I cannot call it much more than that - of Hon Christine Sharp last week during the Community Drug Summit when she attracted some media attention by saying that the summit should have considered alcohol and cigarettes along with the rest of the issues involved in the summit. She got a headline. If that was the object of the exercise, she was successful. I am unsure whether the exercise was constructive.

Hon N.D. Griffiths: She may have been promoting a major product of her electorate.

Hon BARRY HOUSE: I observed that situation and I wondered what she was promoting. I was unsure whether she was promoting or denigrating alcohol, but alcohol was involved.

I have had many discussions in the past couple of months with stakeholders in the liquor industry. Some issues that are important to some of the stakeholders need airing during this debate and need a response from the minister. I shall start with restaurants and catering services, which have an issue relating to the current 20 per cent rule. That rule means that 20 per cent of their premises can be roped off, where they can serve a drink without food to clients. I admit that I have some sympathy for their cause. Many people go to a restaurant and do not know whether they will eat. They are happy to have a glass of wine and contemplate whether they want food. A party of six or eight people might be joined by two others who want only to drink. As it stands, they are required to move to another table. That is unacceptable.

Debate adjourned, pursuant to standing orders.