

LIQUOR CONTROL AMENDMENT BILL 2010

Second Reading

Resumed from 23 September.

MR C.J. TALLENTIRE (Gosnells) [7.50 pm]: I rise to continue my speech on the Liquor Control Amendment Bill 2010. When I was last on my feet, I was discussing various aspects of concern that I have about this legislation and how it perhaps fails to deliver some of the outcomes that, I think, most members of this house would expect. There is, of course, an enormous problem —

The SPEAKER: Members, there is a member on his feet making a contribution to the second reading debate. I would like to hear it and I know there are other members who would like to hear it also. If members have other matters they wish to discuss, I suggest that they take them outside this place.

Mr C.J. TALLENTIRE: There is, of course, in Western Australia an enormous problem of binge drinking, especially amongst younger people. I think it is disappointing that this legislation does not really address that issue in any serious way. We also have the problem, associated with binge drinking, of antisocial behaviour in various nightspots around Perth and elsewhere in the state. I think this legislation could have presented an opportunity to really tackle that problem; there is clearly an issue around the need for premises to be doing things such as lockouts, and to try all sorts of innovative ideas that have been tested elsewhere. We know, for example, that there has been success in Newcastle in New South Wales in winding back antisocial behaviour through the lockout system. We need to try whatever methods are available to us to decrease the amount of antisocial behaviour that goes on in Western Australia.

We have seen some positive steps—I note that they occurred under the previous government—such as the development of small bars, which is getting us away from the typical beer barn. One of the big problems we have is our attitude towards alcohol. I recall that the member for Southern River addressed this point and gave some very useful information on how we need to change our cultural attitude towards the consumption of alcohol. I previously mentioned that in my electorate we have seen an increase in the number of alcohol-free events—events that have been very successful. People enjoy going to them, and they are alcohol free. I think that that is something to be encouraged; we need to get away from the mindset of every major occasion being accompanied by alcohol. That is an old-fashioned attitude; it may have some historical resonance for some in our community, but we need to be able to move on from that and accept that we can have very successful events and happy occasions without necessarily consuming alcohol.

I also touched on the issue of the professionalism of both those who own alcohol-selling establishments and those who work in the sector. I have nothing but the utmost respect for those who decide to make the hospitality sector their choice of professional career, but I note that when we compare Australia with, say, Europe, our attitude towards the hospitality sector is that it is a sector where one only works while one is studying or travelling as a backpacker for a bit of spare cash. It is not a sector that people in Australia necessarily choose for their main career, which is quite different from the European situation, where people do actually choose the hospitality sector for their professional career. That is a real shame, and I think it has knock-on implications for our general attitude towards going out to different events and our attitudes when we are in different venues.

I turn back to the issue of the beer barns around Perth. These are places that obviously make a lot of money for their owners and are on the weekend itinerary for many young people, but they are chosen because young people do not necessarily have much of an alternative. They phone up their friends, ask where they are going to go, and the answer is invariably “XYZ beer barn”. They consume huge amounts of alcohol, and we have all sorts of problems following on from that. We really need to turn that around and get people to realise that going out of an evening is about the company that they are with; it is not about the amount of alcohol that they consume. It is about enjoying the occasion.

I think the venues could play a major role in turning things around. One thing that I think is sadly missing from our entertainment venues—although a few are picking up on it—is table service. That would make a huge difference, and I think there is scope in legislation such as this to encourage the owners of establishments to provide table service. Instead of people arriving at a venue and straightaway having to go and spend 10 minutes queuing at the bar to bring jugs of beer back to the table, they would actually arrive at a venue, sit down at a table and be served, and by being served they would have contact with a waiter, a professional person, who would be able to give them advice on what to drink, such as a specialty of the house perhaps; but they would be there to enjoy the company of their friends. They would not be there just to swill alcohol. It would also mean that there would be an intermediary between the bar and the table—a waiter or waitress who can actually look at the level of alcohol being consumed by people sitting at a table. They would be able to keep an eye on them, and

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there would be a moderating effect. That is what we see in Europe; there is not the problem of people constantly going up to the bar, buying jugs and swilling loads of alcohol. Table service would give our hospitality sector a degree of sophistication that it presently lacks. It would also mean that we would have more jobs in the hospitality industry, jobs that require a degree of professional skill, and that would elevate us.

I recognise that I am being very critical of the standard beer barn that we see around Perth at the moment. However, I do not think it is surprising that when one looks at tourism information, one never sees those sorts of pubs promoted as tourist destinations. Why? It is because there is nothing unique to Australia about them, there is nothing particularly enticing about them and no-one in their right mind from overseas would ever visit Australia to go to the standard Northbridge-type beer barn; it just would not happen. We definitely need to elevate the quality of service and the approach that people have, and that can be done. It is true that a lot of this is about changing people's attitudes towards their consumption of alcohol; I can see that that is a major education program that needs to be undertaken, but there are certain technical things we can do, and we have already embarked upon the journey and done a good job with the small bars. We are getting people attuned to the more intimate experience of a pleasant night out, which is actually about the company they keep, not the quantity of alcohol they consume. By introducing table service more extensively in other venues, we could help speed up the increase in the level of quality of service and experience.

I am very disappointed to note that organisations such as the Australian Hotels Association do not seem to be embracing the idea of table service. I suspect that they like the idea of people working only behind the bar; they can have fewer staff that way, which must work out brilliantly for the profit margins of certain pub owners. It also means that they can rely on a fairly disposable workforce, such as backpackers who are not properly trained. I know that people are occasionally sent on training courses, but when employees are quite young and not necessarily supported by management, they are not confident enough to refuse alcohol to patrons who request more to drink when they have clearly passed normal levels of alcohol consumption.

I accept that the opposition is supporting this legislation but I have grave reservations about it. I think there is a missed opportunity here to attack excessive alcohol consumption and binge-drinking problems that lead to antisocial behaviour. It is also a missed opportunity for improving the quality of entertainment venues and quality of service and experience that patrons might enjoy at entertainment venues. I look forward to hearing the minister's response. Perhaps he will enlighten us by telling us that there is more to come and there will be mechanisms and legislative initiatives for improving the standard of entertainment venues in Perth. But at the moment I fear that many people will be disappointed with the outcomes of the passing of this legislation.

DR J.M. WOOLLARD (Alfred Cove) [8.01 pm]: I appreciate that the minister has made some changes to the Liquor Control Act that will bring some much-needed improvements. However, I agree with what some other members have said about the Liquor Control Amendment Bill, which is that although it goes some way to tackling the problems that we have in Western Australia with alcohol and the culture that has developed with the abuse of alcohol, it does not go far enough. The current act needs to be changed a lot more to reverse the culture that has developed in our society and the approach that has developed towards not only adult drinking, but also youth drinking. The drinking of alcohol starts with children. Children are turning up at school now with alcohol in drinking bottles. They are taking alcohol in water containers to school.

Ms J.M. Freeman: Where? Which schools?

Dr J.M. WOOLLARD: In Western Australian schools. They are taking alcohol to schools. Before teenagers go out, they are drinking; they are buying alcohol. It is cheaper for them to buy alcohol from shops than it is to buy bottles of water, because the alcohol is sold so very cheaply. The harm that they are doing is not just to themselves but also to their friends, to their family and to the community. The harm caused by alcohol extends throughout the community. There are huge social and financial costs resulting from alcohol. They extend to work. There are hospital admissions, the attendance of ambulance staff at road accidents and medical staff in emergency departments and rehabilitation clinics, police attendance at accidents, assaults in the community, domestic violence, work absences and welfare payments for those unable to work. As a result of accidents, people become quadriplegics and paraplegics and there are the consequent costs to the community. There are children walking the streets because they fear for their safety from physical or sexual abuse. Because they are walking the streets, they are not going to school the next day. There are the ongoing social and psychological costs for those children later in life. There are problems with public transport because of the fear of using public transport and the additional guards that are needed on public transport. There are the costs to local government. The Education and Health Standing Committee saw during its visit to the north of the state the huge vacuum machines that local governments use in their towns to vacuum up the beer bottles and cans the morning after. The costs just go on and on.

Extract from Hansard

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We must do something to stop what has become the norm. I therefore congratulate the minister for the many initiatives that he has introduced over the past 12 months, and for most of the measures that he is introducing with this bill. I do have some concerns with one, which I will come to later. However, it is not enough. A lot more needs to be done to the legislation and in this area if we are going to change the culture that has developed. The culture has developed not just in Western Australia; the problems with alcohol extend across Australia and internationally. It is not only a problem that we have here, but also a problem that is accepted internationally. Some other countries have already taken the initiative. We have led the way with other initiatives; for example, we are leading the way in tobacco control. I believe that we could lead the way in alcohol control. I know that the Education and Health Standing Committee, with the inquiry it is doing into alcohol abuse and drugs, would like to work with the minister. We hope that when we finish our inquiry next year we will have some recommendations that, hopefully, the minister will be able to adopt, and that will help Western Australia lead the way and maybe start to turn the tide, because we really do face some very serious problems here. The cost to the community from alcohol is too much at the moment.

When we debated this bill the other week before the recess, I was very disappointed listening to particularly some members of the opposition who gave the industry position. The objects of the act at the moment are very disappointing when one looks at part 3 of the act that supports industry. I really think that needs to be taken out of the act. What we should have is what other countries have whereby one of the objects of the act is the protection of children. Scotland and England include the protection of children in the objects of their acts. If we focused on the protection of children and started to look more closely at advertising, in particular, maybe the AHA might not have the advantage that it seems to have at the moment.

As I said, at the moment we see the media report on a regular basis on the impact of alcohol-related violence in the community. It is never shown in a positive manner; it is always shown in a very negative manner. We always see devastating stories of individuals and families who have been harmed by the effects of alcohol. That is why the Liquor Control Act must be updated to meet the needs of today and address the current problems of the culture of intoxication and the serious and ongoing harm alcohol causes in the community. We have to focus on access, affordability and advertising. The government's amendments address the three primary objects of the Liquor Control Act, which are to regulate the sale and supply of alcohol, minimise harm and cater for the requirements of consumers for liquor and related services. The government is looking at reducing the trading hours for nightclubs. I wonder whether the minister is aware of a recent paper by Tanya Chikritzhs and Tim Stockwell, who looked at the impact of later trading hours for hotels on levels of violence, impaired driver road crashes and driver breath alcohol levels. They found that late trading was associated with increased levels of impaired driver road crashes and alcohol consumption, particularly higher risk alcoholic beverages, greater number of patrons and characteristics specific to clientele of hotels that applied for late trading hours. Younger ages, a greater propensity to drink-drive and a preference for high-risk beverages were suggested as having contributed to this increase. I think that hotels as well as nightclubs should be cutting back their hours.

Mr Acting Speaker, I request an extension of time.

Ms M.M. Quirk: You've still got eight minutes. Just get on with it.

[Member's time extended.]

Dr J.M. WOOLLARD: I am just asking now in case I miss out later. I say to the member for Girrawheen that it is a shame I cannot ask for double time, otherwise I would.

The ACTING SPEAKER (Mr P.B. Watson): Members, get back to the bill please.

Dr J.M. WOOLLARD: We also need to look at affordability. It was very sad to see that vodka drinks were recently released for sale in four-litre casks in supermarkets. Youngsters are able to buy alcoholic beverages at very low prices. We should be supporting a minimum price per standard drink to try to reduce the amount of alcohol that young people are consuming. Research shows that a 10 per cent increase in the price of alcohol leads to a five per cent decrease in the consumption of alcohol. Affordability does affect consumption of alcohol. The World Health Organization's report on strategies to reduce the harmful use of alcohol addressed both access and affordability. Its report found that increased density of alcohol outlets is associated with increased alcohol consumption amongst young people and increased levels of assault and other harm. It recommended reducing the number of alcohol outlets and reducing their hours of operation, thus reducing the number of alcohol-related problems. It recommended that the more affordable the alcohol, the more it was consumed and the greater the level of harm from consumption.

The second object of the act—to minimise harm or ill health caused to people—is addressed through the introduction of provisions to allow owners or occupiers of residential premises to apply to the Director of Liquor

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Licensing to have their premises declared liquor-restricted premises. This is a good step. As the member for Southern River said in his speech on 23 September, when the Education and Health Standing Committee travelled to the Kimberley recently, the people we spoke to made it very clear that not only the family members but also the people nearby—the whole community—were affected by the people who drink alcohol. Introducing these provisions into the legislation will give some protection to people in their own homes. I also believe that it is a good measure to provide the Commissioner of Police with the power to issue barring notices for up to 12 months to people who engage in antisocial behaviour in licensed premises.

I wonder, minister, whether allowances will be made to enable a person who happens to work in one of these premises to enter the premises for work-related purposes.

Mr T.K. Waldron: There is an amendment that will deal with that.

Dr J.M. WOOLLARD: I agree with the provision in the bill that the Commissioner of Police must publish on a website the details of persons who are subject to a barring notice, because that will assist in the identification of people who have been subject to such an order.

I am not sure that I can support the object that is listed in section 5(1)(c) of the Liquor Control Act; namely, “to cater for the requirements of consumers for liquor and related services”. I certainly support that part of the bill that seeks to support businesses by providing greater flexibility for licensees and managers of licensed premises to move freely between licensed premises without application to the licensing authority. However, I am concerned about small charter vehicles and limousines. The rationale that the minister has given for this amendment is that it will enable, for example, brides to share a drink on their wedding day with their bridal party in a limousine.

Mr D.A. Templeman: Are you opposed to that?

Dr J.M. WOOLLARD: As the minister knows, these days, children as young as 14 and 15 years of age go to school balls in a limousine —

Ms M.M. Quirk: Do you think parents have some responsibility in all of this?

Mr T.K. Waldron: People cannot drink in a limousine if they are under the age of 18. The same laws apply. People under the age of 18 are not allowed to consume alcohol. The driver would commit an offence. So we cannot have a 16-year-old girl going to a school ball in a limousine and drinking alcohol.

Dr J.M. WOOLLARD: But if a group of seven girls get in a limousine, is the driver going to ask all those girls to show him their driver’s licence?

Mr T.K. Waldron: The driver has a responsibility to make sure that they are of age. Kids need to have a card to show their age. If the driver allows them to drink, he will commit an offence and take that risk, as is the case now. It does happen now that people drink in these small charter vehicles. What we are doing here is the same as applies to a BYO restaurant. A 15-year-old cannot go to a BYO restaurant and drink alcohol. But anyway, make your point.

Dr J.M. WOOLLARD: But will it be a requirement that the driver will have to see every person’s driver’s licence?

Mr T.K. Waldron: It will be up to him.

Ms J.M. Freeman: Or her!

The ACTING SPEAKER (Mr P.B. Watson): The member for Nollamara should not interject when out of her seat.

Mr T.K. Waldron: It will be illegal to allow people to drink in a small charter vehicle if they are under age. So you and I, Terry Waldron, could get a small charter vehicle to go to a movie night, and we could bring a bottle of wine and drink it on the way there, and that would be legal. A 15-year-old or 16-year-old boy or girl cannot do that.

Mr P. Abetz: That is illegal now.

Mr T.K. Waldron: Yes. I do not want to waste your time. But that is the situation. It is like a BYO restaurant, as I have said. A person has to be 18 to legally drink wine at a BYO restaurant.

Dr J.M. WOOLLARD: If there is a group of people in a limousine, and one or two of them are under age, it will put a lot of responsibility on the driver, because his attention has to be on the road, and he cannot be watching to see whether those young people are drinking. If everyone else is drinking, they are going to want to drink too. If the minister is going to allow under-age girls and boys to be in a limousine with girls and boys who are 18-plus, it is going to happen; and, depending on what the penalty will be, the driver will possibly lose his

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licence because of this legislation. The minister has said that he will deal with this in the regulations. But I do not think we should be introducing something like this, because it really is an accident waiting to happen.

I would support most of this legislation. I say again that in the Liquor Control Act, we should be looking at access, advertising and affordability. The objectives of the liquor licensing act in the United Kingdom are preventing crime and disorder, enhancing public safety, preventing public nuisance, and protecting children from harm. The objectives of the liquor licensing act in Scotland are preventing crime and disorder, enhancing public safety, preventing public nuisance, protecting and improving public health, and protecting children from harm. Because of the problems that we have in the community with alcohol, we need to look closely at the objectives of our Liquor Control Act. The member for Southern River mentioned that the Alcohol Education and Rehabilitation Foundation's latest report estimated that the cost to Australia of drinking was \$15 billion annually, and that 14 000 people are admitted to hospital each year as a result of other people's drinking. Alcohol is not something that affects only the individuals who abuse alcohol; it has a profound effect on everyone around those people. Because of that, we have to do more in this area and I hope that not only will the minister look at what can be done within his portfolio, but also, because alcohol affects almost every government portfolio—health, housing, corrective services, transport, disability services and mental health—someone from each of the departments is looking at the problems of alcohol. It should be an issue that the government takes on across government. There should be a lot more communication across government to try to address these problems.

MR D.A. TEMPLEMAN (Mandurah) [8.32 pm]: God help us if the member for Alfred Cove becomes Minister for Racing and Gaming! I respect where the member is coming from, and I think everybody in this place understands the issue of alcohol, and particularly alcohol abuse and the effect of alcohol abuse on families, individuals, people's financial position et cetera. It is a major concern in our communities; we know that. It has probably been an issue since the first grape was squashed and fermented and drunk, and the first bit of barley or wheat was allowed to ferment to be turned into beer. The simple fact is that alcohol has been an issue for centuries—yea, to the Middle Ages—and it probably will go on being an issue into the future.

Ms M.M. Quirk: Jesus turned water into wine.

Mr D.A. TEMPLEMAN: Exactly. We always need to be mindful that no matter how much —

Mr M.P. Murray: Excuse me, member, not all of us want to be in bed at half past eight either! Knock off early, go on!

Mr D.A. TEMPLEMAN: The member for Alfred Cove is off to have a glass of wine, after we listened to her drive!

The fact is that no matter what legislation or regulation we put in place, when there were periods of history in which alcohol became a major problem, over-regulating or over-legislating just drove it underground. The prohibition period in the 1930s showed us that. When we approach this issue of alcohol, we all have to be very careful and mindful of our experiences. We would all remember our youth. Unless we are absolute puritans, of which there may be some—the member for Collie–Preston is probably a classic example of a puritan!—no matter whether we are male or female and whether we grew up in a country town or the city, the fact is that there are periods in our own lives in which we remember that we had a few too many drinks with our mates or got a bit sloshed with the girls and things got out of hand.

Mr D.T. Redman: You didn't surely!

Mr D.A. TEMPLEMAN: I said "we", being in the collective!

The problem is there now, for young people in particular, but not just young people. Although we often see this as a young person's problem, it is not always the young person who is the problem. When we see this happening to young people, it is far more visible. One thing that the member for Alfred Cove was right on, and she is not right on many things, is that the media love—I am going to give an example tonight—the photos that they can splash on Channel Seven or Channel Nine or Channel 10 of the helicopter —

Ms M.M. Quirk: Would that be Mandurah?

Mr D.A. TEMPLEMAN: That would be Mandurah! The rampant youths are running about causing havoc. They do, do not worry; there have been a few examples and I am going to go into them a bit later on. The media love this; it is wonderful hype.

Mr M.P. Whitely: So, member, are you saying that it is about balance?

Mr D. A. TEMPLEMAN: Absolutely, and it always will be about balance. It will always be about recognising that there are responsibilities. There are responsibilities in legislation, there are responsibilities in policing, there are responsibilities in parenting and there are responsibilities in educating. I think that, quite often, some of the

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problems occur when the current legislation or regulation or rules are not policed. Rather than just adding more legislation, we should be policing exactly what is already there. That is something that we have to be very mindful of. I will use an example. I became quite distraught when there were about three parties in a row down in Mandurah that gained notoriety a couple of months back. The helicopters were there taking photos of everything that was happening, and the infra-red imaging was showing all these young people zapping and darting about causing havoc. It really distressed me because it was giving my city a bad name. There should have been policing of current laws. For example, there are already laws in place to deal with people who allow the serving of alcohol to minors. Who was supplying alcohol to people at those parties, and has that been followed up? Those sorts of issues are very important. Before we start imposing a range of things, let us look at the current laws.

I was just amazed to hear some of the comments of the member for Alfred Cove, who comes in here, delivers a speech and then goes home early. She has darted off, down to Alfred Cove, down to her little place there —

Ms M.M. Quirk: She's having a hot toddy!

Mr D.A. TEMPLEMAN: She might be! She makes comments about limousines and things like that. I think that is quite a sensible, reasonable change that the minister is making. I mean, why should people not do that?

Dr K.D. Hames: Part of the reason is that we get lots of people from Mandurah who come up here for functions. They come up in a limo and they have a grog or two or have a wine. That is what they do and I think it is perfectly reasonable.

Mr D.A. TEMPLEMAN: Absolutely. Why should people not do that? The minister has highlighted that. The drivers of these limousines have a clear responsibility. We have to make sure that they very clearly understand the law and that they know that they are liable if there is a trespass of the law. But for goodness sake, why should people who are going to get married not have a few quiet drinks in the limousine with their bridal party or their mum and dad as they go to the wedding or to the function? I reckon that is absolutely reasonable. I listened to the member for Rockingham's comments before I had to leave to go to a function in Mandurah on the Thursday of the last sitting. He said some reasonable things. I remember he was highlighting some of the issues within this bill about early closing and his concerns about some of those issues. An issue such as serving alcohol in limousines is a no-brainer, and any reasonable person would understand the intention behind that.

During the member for Rockingham's contribution—I will call it that—he highlighted what I think was a very important issue, which was the problem with Facebook and photo identification. The member wheeled out photographs of people, including of me and my good friend and brother in arms, Hon Colin Holt, who sits in the other place. I am warning the National Party, so that they are warned, that I intend at some stage in the future—I will not give the exact date—to attempt to infiltrate the National Party meeting room under the guise of Hon Colin Holt. I will have a haircut at some stage in the future—his hair is receding a little faster than mine—and I just warn the National Party that I want to see whether National Party members can tell us apart, because there is a resemblance. We call each other “brother” now. When we pass each other in the corridors, I nod approvingly to him as my brother. The last time I saw him in the courtyard I said, “How are you, brother?” He said, “Not too bad, brother. When are you going to talk to mum?” I said, “Well, mum and I aren't talking at the moment, but send her a message and tell her that I might talk to her before Christmas.” Of course, Hon Colin Holt takes it in good humour. I must tell members a very quick story—a very important story.

The ACTING SPEAKER (Mr P.B. Watson): Member for Mandurah, I am trying to find where this is in the bill.

Mr D.A. TEMPLEMAN: So am I, but I will find it! In late November last year at the time of the impending birth of Donna and my twins, I could not be here during the parliamentary sittings. There was a function of wonderful seniors from the Belswan retirement village, who were here as guests of mine. We had a morning tea for them and they all went up into the Labor caucus room and because I was not able to be here, Hon Sally Talbot filled in for me. Apparently, they were all in the caucus room and they were saying, “Isn't it sad David can't be here? We've seen him in the corridor; it's sad he can't join us.” Hon Sally Talbot was saying, “What do you mean?” They said, “We've seen him. He's been waving to us. We've been waving to him and he's been waving back. Isn't it sad he can't come in and join us for a morning tea?” Of course, Hon Sally Talbot was saying that I was not there as I was down in Mandurah waiting on the impending birth of my twins. “Oh, no, we've seen him,” they said. “We saw him in the corridor. We were waving to him and he was waving back.” Of course, it was actually Hon Colin Holt. I am concerned by the National Party. I feel a threat in my seat of Mandurah. If Hon Colin Holt stood for the seat of Mandurah as a National Party candidate, no-one could tell the difference between us. They would not know whom to vote for: “Do I vote for the good looking one, Templeman, or the not so good looking brother?” This has absolutely nothing to do with this bill —

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The ACTING SPEAKER: I agree.

Mr D.A. TEMPLEMAN: However, it does highlight where we can have a problem with mistaken identity. The member for Rockingham went through a range of things and highlighted a number of different people who looked very similar and could be caught out by this attempt by the Minister for Racing and Gaming—although I think the minister is going to do something about it, is he not?

Mr T.K. Waldron: We are onto it.

Mr D.A. TEMPLEMAN: I can tell the minister is onto it. I can tell by the steely look in his eyes that the minister is onto it. I thought he might be. As I said at the beginning of this contribution, we only need to look at our own experiences, particularly as younger people. The member for Collie–Preston pointed this out very well. One of the problems we have now is that a lot of young people, before they go out to nightclubs or pubs, fill up at home. Quite often that is an affordability issue, and the member for Alfred Cove highlighted that. Young people make sure that they have a few good, solid drinks before they go out. In my day, we would watch *Hey Hey It's Saturday* first, and I am sure many other members would have done that. Some of the younger members like me would remember watching *Hey Hey It's Saturday* first. We did, did we not? Then, of course, we would pile into the Kombi or the Datsun 200B or, in my case, the Datsun 120Y, and off we would go. We would go off to the pub and after that to the nightclub. The funny thing is I cannot ever remember going to a place, whether it was in Northam where I grew up or later Mandurah, but before that Perth, where there were glassing incidents. The sort of violence that we are seeing now is the key issue. I cannot remember the glassing phenomenon that we are seeing now being prevalent when I was 18, 19 and in my early 20s. The violence we see now really is a concern. I think we are going into this phase in which it is almost like punch, kick or slash first and ask questions later. It seems that this violent attitude permeates a lot of street violence that we are seeing.

When amendments on liquor licensing come into this place, it is very important that we look at what already exists in our legislation and make sure that the laws that already exist are working or are being enforced. That is one of the big challenges, because the police will tell us that it is all very well to put more laws in place, but how do we make sure that we have the resources to enforce them? Indeed, we know that some of these amendments involve enforcement and some of these changes will mean additional enforcement. I think the issue of education comes in at a critical point there, because there is no doubt that those who operate or seek to operate licensed premises must be of the highest calibre, and we have to be confident that they are well versed in the responsibilities that they have under the law. I am reasonably pleased with most of the amendments contained in the bill. I do not have a great problem with most of the amendments proposed in this bill. However, I know that the member for Collie–Preston will in the third reading stage highlight a number of concerns that are very valid and very important, and I hope that the minister will be listening to those when they are presented.

I want to finish on a proposal that was highlighted to me by Naomi Oakley, a former Victorian policewoman. It is more in relation to the phenomenon of parties that get out of hand, particularly the parties that are gatecrashed by people who use particularly social networks through which to communicate that a party is happening, and before we know it someone who has organised an eighteenth birthday at which 100 young people are attending suddenly has a 300-person affair. One of the things that Naomi is advocating is a very formal party permit scheme. Some members may have seen some press comments of mine on this. I have not ruled out what she is proposing, but it comes back to preparation and the mitigation of potential problems in our neighbourhoods. It is happening in my electorate and in that of the member for Dawesville. There have been a couple of places in the central Mandurah and Greenfields area only recently where parties have attracted a large number of people. Of course, I can understand neighbours and people who live in those localities being absolutely fearful and scared.

Mr T.K. Waldron: A lot of parents are fearful of that.

Mr D.A. TEMPLEMAN: The last thing anyone wants to see is a big party getting out of hand down the end of their cul-de-sac or down the end of their street. Of course it is frightening, particularly for an older person living alone.

[Member's time extended.]

Mr D.A. TEMPLEMAN: Naomi Oakley is proposing a national approach to this. She very much believes in the legislative line, and included in her proposal is a party permit scheme. I would love to see a hybrid of her idea; a trial somewhere. I approached the City of Mandurah and asked whether we should trial something like this. It might not be a permit as such, but certainly it would require parties that people intend to hold in their neighbourhood to fit a certain criteria. I am talking mainly about milestone parties such as eighteenth and twenty-firsts that are likely to attract an audience that can be easily gathered through social networks. The eightieth birthday of Mrs Smythe, for example, is very unlikely to attract that sort of attention. We should require those types of parties to be registered. It is interesting that neither of the two parties that got out of hand recently

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in Mandurah was registered. Nine parties were known to be happening in Mandurah on the same night as the last one that was reported widely in the media. Of the nine parties, the only one that was not registered was the one that got out of hand. I am not saying that registering a party will solve the problem, but it puts the responsibility back onto the organisers.

Mr T.K. Waldron interjected.

Mr D.A. TEMPLEMAN: I would be happy to do that. I am not a wowsler like the member for Alfred Cove, who does not want a couple who are getting married to have a few drinks in the back of a limousine. I am not a wowsler, but I recognise that some people are genuinely concerned about this. I believe we should tighten up the process. My understanding from the police department—the member for Girrawheen might be able to help me—is that there is no compulsion to register a party. I believe that if a party fits a particular criterion, particularly if it is what I call a milestone party, it should at least be registered. Naomi Oakley talks about a range of other things. It is interesting that this legislation includes ratios of security to attendees in a licensed premises.

Mr T.K. Waldron: It is only a suggestion.

Mr D.A. TEMPLEMAN: Naomi Oakley reckons that if someone is going to have a party with more than 100 people, the organisers should provide registered security people. That is where she is coming from. I believe that a registration process is needed so that the person who is holding the party goes to the police and fills out a form outlining as much information as possible, including the number of intended guests and how the party was advertised. A lot of people have said that their party was by invitation only, but how was it advertised? Was it advertised on the social networks or was it a written invitation only? The party organisers should give more information to the police so that they can mitigate its effect.

Some places, even in residential areas, are unsafe to hold large-scale parties. Most of the local governments I have spoken to—not all of them—have very clear criteria regarding the hiring of their facilities to the public. They have requirements about what is to happen if alcohol is served, the number of people who can attend and the amount of people a venue can hold et cetera. With some finetuning, we can tighten this up and mitigate the threat brought about by the social networks. This is a new phenomenon. When I was in the theatre and was having parties in Mandurah, the only way we knew about a party was if we went to the show that night and we all decided to go to my place afterwards for a few drinks. We had mobile phones then but I do not think we could even send text messages on them, and that was not long ago. Imagine if I was doing it today. I would send a text saying that there was a party at Dave's and 300 people would arrive, or I could advertise on the social networks Facebook or MySpace.

Mr T.K. Waldron: Once again, it gets back to the issue of balance. You have to strike the balance of how to do that, but it is worth having a look at.

Mr D.A. TEMPLEMAN: I am not a wowsler who is saying that people should not have a party in their home. Of course they should. Nanna Smythe should be able to celebrate her eightieth birthday in the backyard and people should be able to celebrate their sixteenth and twenty-first birthdays at home. In some cases, it might be safer to hold a sixteenth birthday party in someone's home than in some other premises. Let us be a bit more sensible. When I hear unbalanced and quite biased viewpoints, such as those put by the previous speaker, the member for Alfred Cove, it concerns me. One of the best things that the member for Rockingham, a former Minister for Racing and Gaming, did was the establishment of small bars. I can remember that there was a huge amount of debate on it. The member for Rockingham would come into caucus and say that he had had another meeting with the Australian Hotels Association or another lobby group and that they were totally opposed to it and were attacking him at every point and had claimed that the world was going to end, the sky was going to fall in, the drinks would dry up, everyone would lose their jobs and the entertainment industry would collapse. What has happened is the reverse in many respects. The small bar licences, I hope, have helped to change the drinking culture, which dated back to the six o'clock swill days, so that people now recognise that drinking is part of our culture, whether or not we like it. Some puritans, such as the member for Collie-Preston, might not want anyone to have a drink. However, many people want to enjoy a few social drinks and to do it in a safe environment. Initiatives like the small bars policy and other initiatives mentioned in this legislation are appropriate. However, we should make sure that we analyse the current laws and ensure that they are policed so that we must not continuously bring down prohibition-style legislation of the sort that I believe the member for Alfred Cove would like to see. I thought that I was in a time warp about 25 minutes ago. I thought that I had suddenly stepped into a time warp and was in this Parliament in the 1950s. People back then would have a drink on a Sunday afternoon from between five o'clock and six o'clock during the Sunday swill. I did not do it, because I was far too young, but my father told me that everyone used to line up jugs of beer on the bar and drink as much as they could in an hour. We do not want to go back to that. We want to make sure that that is a relic of the past. Let us not go back to the 1950s, which the member for Alfred Cove would like to do, when a wedding was simply an

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affair at which people drank a cup of tea and ate a biscuit, a couple of cucumber sandwiches and iced cakes, and nothing more. Let us not do that.

Mr P. Abetz: They were simpler days.

Mr D.A. TEMPLEMAN: I was not there. The member for Southern River might have been, but I was not. I do not want to go back to those days because I think they would be terrible. I am happy to leave my contribution there. I will be watching very closely the consideration in detail stage because the member for Collie–Preston will raise some excellent points, which I hope the minister will listen closely to so that we can make this the best possible legislation we can get.

MS J.M. FREEMAN (Nollamara) [8.57 pm]: I want to speak on the Liquor Control Amendment Bill 2010. The Minister for Racing and Gaming probably knows, having raised this issue with him previously, that I want to talk about alcohol advertising. Before I speak about that, I will provide some context about why I raise this matter. This legislation misses a couple of opportunities to address some of the serious issues of alcohol abuse in the community. I take into account what the member for Mandurah said. I believe that the change in culture about how we look at the debate on alcohol and alcohol-related violence is important. Many aspects of this legislation try to address those problems, but in trying to address the issue of alcohol and alcohol-related violence, we have probably missed a couple of opportunities.

I will reiterate some statistics that some of my colleagues have provided previously, because it is important to understand them in the context of this debate. Excessive alcohol consumption, as we all know, continues to pose severe and widespread health and social problems for Western Australia. As I understand it, on average, around 39 per cent of people consume risky levels of alcohol on a weekly basis. I would be interested to know whether the Minister for Health acknowledges those percentages. Excessive alcohol consumption is responsible for the majority of antisocial behaviours, almost half of all assaults, and a large proportion of crime in general. Police estimate that between 60 per cent and 80 per cent of their time is spent dealing with people who are drunk and the damage they have caused. Again, I would be interested to know whether the minister concurs with the figures that I have gathered.

Alcohol-related injuries and illnesses put a great strain on our health system. According to my figures, more than 30 000 people attend Western Australian emergency departments each year due to alcohol, and about 8 000 are hospitalised. It is one of the leading causes of death in Australia, and contributes to a vast array of long-term health problems, including liver disease, cancer and brain damage. In total, it is estimated that alcohol-related problems cost the Western Australian community more than \$750 million each year.

Given all that, whilst we can say that we do not want to be wowsers, we also want to be realists. We know that we have a major issue in our community; it is a health issue and it is unfortunately linked, in some cases, to violence. We clearly need to reduce the level of excessive alcohol consumption in Western Australia.

Colleagues have previously talked about the small bar mentality of walking to have a congenial social drink and walking back home, versus the six o'clock swill mentality. Although we need to talk about that, we also need to think about what it is about our culture that is creating the binge drinking mentality, and how we are to address that in a manner that is proactive rather than reactive, as this legislation is. Although aspects of this bill might have some of that reactive effect, it does not reflect a strategic and long-term approach to the issues, particularly the promotion of responsible alcohol demand; it simply addresses supply and does not look at demand, which is one of the critical aspects of this matter.

One of the biggest overarching deficiencies in alcohol policy is the poor level of understanding of the health risks associated with alcohol abuse in the community. Surveys around Australia have shown that the level of knowledge and understanding of the long-term health issues associated with alcohol is abysmally low. In fact, I was surprised to find out that there was very little knowledge of the issues surrounding women drinking whilst pregnant. I think that there is confusion in the community about that, which is perpetrated by some of the studies in the media. One can speak to health professionals in this area who will say that avoidance of all alcohol during pregnancy, especially during the early stages, is absolutely optimal for the health of children.

Although knowledge of the link between violence, injuries and alcohol is more prevalent in the community, it is nevertheless downplayed in our community and by the drinking culture, and it is frankly ignored in practice. Preventive health measures, such as informing the community so that people are less likely to expose themselves to risks, have a significant role to play in combating the problems surrounding alcohol in our community. The recommended drinking limits provided through standard drink measurements provide a measure by which to drink safely, but it is very rare that one sees them. The last time I saw one was in the WorkSafe toilets. Apart

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from that, I very rarely see what a standard drink looks like. WorkSafe has those sorts of things, as one would imagine. One goes to the toilet and sees the limit to which one should be drinking, if one has been drinking.

There are two problems with standard drink measurements. Firstly, they are poorly understood; few people are sure about what the limits are. Secondly, the recommendations are easy to forget about or ignore in some cases, because when one is out there having a good time, it is easy to ignore standard drinks because there are not advertisements around to bring one back to reality about responsible drinking. The other problem is that, in some places, alcohol is served in larger quantities than the standard drink. As a student, I worked in the hospitality industry in the WAFL, and I served ponies of beer during half-time and quarter-time. I probably would have served 100 ponies at most; I was a very good pourer of beers, because it was very important not to get a head on ponies! Maybe we would occasionally get people asking for glasses of beer, but the point was that people were having a small drink in between time at the game. When one walks into a pub now, there are no longer any such things as ponies or seven ounce glasses; there are middies and pints. To me that seems to be forced drinking beyond the limits of a standard drink. I can pretty much assure members that a middy is two standard drinks and that a pint is probably three. Similarly, when one has a glass of wine and it is filled to the top, one probably thinks that one is having one standard drink, but in fact it is 100 ml.

Mr T.K. Waldron: Some wine glasses have markers.

Ms J.M. FREEMAN: Some do, although fewer and fewer do. There was a time when there were no places that did not have the marker. One of the problems is that we do not have advertising in those places to tell us the measurement for a standard drink.

Education campaigns for that aspect of responsible drinking are lacking. One can join Alcoholics Anonymous, but there is nothing along the lines of the Quit program or anything else to encourage moderation in drinking. Frankly, the void seems to be being filled by social media and fundraising, so we have Dry July, Abstaining August and October, and it all revolves around fundraising. However, it involves a feast or famine attitude; people take the attitude that they are going to raise money by not drinking all July. We have all heard people agonising over how they are going to spend an entire July without drinking. How does that promote responsible drinking? People complain that they have to withdraw and go through this; it is a feast or famine attitude, which means that people take the view that they cannot drink responsibly—they either have to stop completely or not. Other than through fundraising events and the social media, there is nothing to address responsible drinking.

I would like to acknowledge the website Hello Sunday Morning. It is a great site that is targeted at young people and the social media of blogging. It runs counter to the old way of promoting health. I have some health promotion background through occupational health and safety, and this site acknowledges that the old way is not going to be the way to reduce drinking or encourage responsible drinking in our community. Scaring people will not undermine the illusion of confidence and the emotional buffering provided by alcohol, and the belief that alcohol is going to give one social and verbal skills. Scare campaigns, such as the ones currently being run, do not resonate with what young people are thinking; they are thinking about the social consequences of their emotional wellbeing.

I would really appreciate it if, when I am addressing the minister, my colleagues would not stand around the minister.

Ms M.M. Quirk: Now you know what it feels like.

Ms J.M. FREEMAN: I am much more gentle about how I say it! I am big enough and ugly enough to look after myself!

We need to understand that it will take a properly resourced, universal public health campaign that includes measures such as health warning labels on alcohol containers. The introduction of such labels would serve to educate people about the risks of alcohol and hopefully deter them from excessive drinking. The labels would primarily be aimed at informing people about specific alcohol health effects and statistics, similar to cigarette warning labels. It would also be good to include advice about safe consumption of alcohol. The form of these labels is a matter for debate; we need to go out and consult, but we need to make these moves.

Not only should my colleagues not interrupt me, neither should the Leader of the House! One would think that the Leader of the House would know better!

It is also necessary to decide how to avoid the problem of bars and other venues that serve alcohol by the glass not being subject to these labels. I am not suggesting that people will pick up a nice glass of wine and find a warning sign on it, or that there could be a bell at the bottom that rings when people have reached the standard level! I think a solution would be to have some legislation around licensing that forces the prevalent display of posters with similar content to carry warning labels. When researching for this, I looked at advertising, which I

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will talk about a little later. One internet site that I went to showed old Russian posters trying to stop the level of drinking that was happening in Russia during the 1970s and the 1980s. They were fantastic and could be re-used.

Mr T.K. Waldron: I do not know how well they have done in Russia.

Ms J.M. FREEMAN: It was in communist Russia. They would look funky in any small bars that were able to display them. All I am saying is that we need to be innovative about how we pass this message on. We need to make people know that it can be just as confidence boosting to drink in a moderate and responsible manner, and adult-like, as it is to get completely sloshed on a Saturday night, as the member for Mandurah has said he has done occasionally—certainly not now that he has twins, I am sure.

Furthermore, we should consider whether nutritional information and a list of ingredients should be required to be included on the packaging of alcoholic beverages, which under current laws they are not. It might make a difference for many women if there was a calorie limit on them. If a calorie limit was put on it, it would probably reduce some of the drinking issues that women face. Frankly, it is a terrible indictment of our community at the moment that we do have body image issues. However, alcohol advertising is where I want to come to. I did look at it. Alcohol advertising is now at a place where advertisers are targeting young people and the vulnerable in our community. It is about being sexy. I would dare members to google Cointreau at the moment and have a look at its advertising. Cointreau is “Cointreauversial” at the moment and is advertised by gorgeous young women draped in oranges. The advertisement looks fantastic. There is also the whole aspect of lifestyle. Advertisers are selling a lifestyle. At Sydney airport an advertisement shows people sitting on an ice lake, which is not part of the global warming aspect. I cannot remember but I think it is advertising whiskey. They are fishing. Again, it is the whole issue of alcohol selling a lifestyle. We really need to address alcohol advertising.

One of the great successes of the anti-smoking campaign is the fact that people took on the advertisers. Anyone who watched *Mad Men* would know that the smoking industry made some advertising companies in America, or at least that is the prevailing way that history is being portrayed. My 14-year-old son would never think of smoking; he thinks it is disgusting. Through the education campaign and because it has not been made sexy, there is nothing about it that adds to his confidence. He might do it because he wants to rebel, but, frankly, I am sure there are other ways in which he could rebel. However, drinking is an ongoing and difficult debate in our household, because he sees it as something to aspire to, which will make him cool and okay. Despite my saying differently, when advertising is focused on kids, lifestyle and confidence, there is the problem.

I thought it would be interesting to look at the controversy in 1982 when Dr Tom Dadour introduced the Western Australian Smoking and Tobacco Products Advertisements Bill.

Mr W.R. Marmion: He was the member for Subiaco.

Ms J.M. FREEMAN: He was indeed. Looking through the *Hansard*, the Premier’s is the only other name I can see of a member who is currently in the house. The Labor Minister for Health, Barry Hodge, subsequently introduced legislation.

[Member’s time extended.]

Ms J.M. FREEMAN: Tom Dadour introduced the legislation and it was reintroduced by a Labor minister. It was defeated both times in the Legislative Council because two Liberals voted it down, although it had got through the Legislative Assembly. Tom Dadour said at page 4137 of *Hansard* —

Basically, advertising sells the product—if not, why spend such large amounts of money on advertising? As the Minister for Health has rightly stated, the idea would be for all States to introduce similar legislation but Queensland would never agree to such a proposition, —

It did have that strange Premier in those days —

which has led me to introduce this Bill for the benefit of Western Australia. This legislation if passed would put Western Australia in the lead in Australia, similar to the lead it showed in the war against tuberculosis.

...

Surveys in three Australian States estimate that the percentage of children who smoke has risen from about 10 per cent in the late 1960s to the order of 25 per cent today. Repeatedly surveys show Australian children to be smokers of the most heavily advertised brands.

In 2001, a United States study published in the journal *Archives of Paediatrics and Adolescent Medicine* tracked the behaviour of over 6 000 youths over several years and concluded that those with alcohol-branded merchandise, such as T-shirts and hats, were twice as likely to engage in risky drinking during their teens. Further, a comparison of 17 countries from 1970 to 1983 found that countries with a ban on advertising had

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16 per cent lower consumption and 10 per cent lower motor vehicle fatalities than countries with no such ban. That information is cited in Hill and Casswell 2001, "Alcohol advertising and sponsorship: commercial freedom or control in the public interest?" The proof is there and it is an issue that we will have to address. I know that the minister does not agree with it and that he thinks it is something we do not have to do. The European Union and the World Health Organization specify that the advertising and promotion of alcohol need to be controlled. We do not control them. Currently, advertising of alcohol is only very lightly regulated. We have the "Drink Responsibly" slogan, which we do not use in a sustained and well-resourced way so that it is a properly instituted public health campaign. We need to do that. A European Union report of 2007 stated —

As long as alcohol advertising is appealing to young people through humour, animation, bright colours and music, reinforcing the link between drinking and socialization and being accepted by peers, the codes will be ineffective in terms of reducing the pressure put on young people to drink.

Basically, the report was saying that we cannot rely on voluntary codes. I take my hat off to organisations such as the WA Trotting Association at Gloucester Park because it has banned alcohol advertising and just has a point of sale. I think that is where we need to go, but we need to have that discussion. We need to do it gradually, but we need to start. We have those problems with our youth that are happening now.

One of the other ways in which I think the state can prosecute this issue of advertising is to stop the price competition that currently occurs in local newspapers, which pushes volume sales. It is not about the local IGA selling a cheap two-litre carton of milk of Masters versus Brownes. This is about saying that they can sell two slabs of beer for such and such an amount, and asking who down the road can do that. That is why we have the barns. Frankly, we hate the barns. We have said that we do not want the barns. The barns exist because people can advertise alcohol that is sold in volume, so our kids can get drunk before they go out and then we have problems. We must start thinking much more strategically about how we approach this. We should take away the capitalist capacity for the market, so there is not this market-driven issue with advertising. I am okay with the fact that they can advertise their products to sell, but it is the attitude that people can get six bottles for so much and it is all on sale. We need to do something about it.

Mr T.K. Waldron: We can tackle the liquor licenses here but it is really a national issue and comes under the Trade Practices Act.

Ms J.M. FREEMAN: So is smoking, but we tackled it. We can do it in *The West Australian* and we can do it in the local papers.

Mr R.H. Cook: That is like saying daylight saving is a national issue.

Mr T.K. Waldron: Don't start on daylight saving or we will be here all night!

Ms J.M. FREEMAN: Anything is a national issue now.

Mr T.R. Buswell interjected.

Ms J.M. FREEMAN: The member should not start me on whether I think we should have state governments. We will not go there.

Mr T.K. Waldron: I actually agree with some of what you are saying about advertising. The other thing is that we talk about sport and the sponsorship of sport. We have the best network of all to get the right messages out there and we do not use it. I think we should be using that more. I will talk about that.

Ms J.M. FREEMAN: I do not disagree that we need a sustained and well-resourced education campaign. That is about health promotion and how we set up public health campaigns. We will not do that unless we tax them. We will not get that out of general revenue. We will not get the critical level that we need to be able to do it. We can use DrinkSafe and those sorts of things but unless they have the same sophistication as the "Cointreaversial" ads, we are just not going to get results. We are fighting big business, which uses advertising to sell to young people. Sport is being used to do that, too.

Mr T.K. Waldron: We're not using it the other way; that's the problem.

Ms J.M. FREEMAN: We should stop them advertising in sport.

Mr T.K. Waldron: You're not listening to what I'm saying. We've got a great network of sport and we can deliver a result. I have seen it happen. I have been involved in it. I will talk about it when I speak.

Ms J.M. FREEMAN: I am listening to what the minister is saying. There is a reactive aspect to what he is saying. I am asking the minister to be proactive. He is being reactive. He is trying to stop people drinking. I am trying to take the sexiness out of it.

Extract from Hansard

[ASSEMBLY - Tuesday, 12 October 2010]

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I turn to the taxing of alcohol. While accepting that the current system of tax on alcohol in Australia is a federal responsibility, I believe that alcohol tax should be changed to reflect the quantity of alcohol in each product, with higher taxes for higher alcohol proportions. Introducing such a tax would make cheap, high alcohol content products such as cask wine increase in price significantly while more expensive bottled wine would only increase in price by a relatively small amount. Low alcohol content products would not see a substantial price rise, if any at all.

Later I will talk about the capacity for police to seize and dispose of unopened liquor. I could look at some of the things that are occurring in the areas that I represent in Nollamara. Street drinking and antisocial behaviour are big problems. We cannot necessarily have bans and barring notices when most of the drinking occurs in the street. People buy five-litre horrible cask wine or Fruity Lexia and go down to Homeswest land—I have raised this with the housing minister—that has not been developed and consume large amounts of this stuff. If people can buy cheaper alcohol and buy larger volumes of it, they get a bigger bang for their buck. That is what people are doing, and that is alcohol abuse. We are trying to move our culture towards responsible drinking, and that will come through a volumetric tax. That is the mature way of dealing with this. We need to impose a tax on the volume of alcohol. It makes great sense. The method of taxation proposed by the Henry tax review was a volumetric tax. Such a tax would work by attaching tax rates to thresholds of alcohol content. For example, there could be different tax rates beginning at 3.5 per cent, five per cent, seven per cent, 10 per cent, 15 per cent and 22 per cent alcohol content.

I have a couple of questions. The first relates to sly grogging. Will police be able to restrict patrons from going into liquor stores repetitively with the intent of supplying alcohol to those who could not be served because they are too intoxicated, which tends to be an issue of street drinking and antisocial behaviour? One of the other things I would like to raise is the issue of alcohol in newly arrived communities. For example, when I go to a Sudanese function, the Sudanese do not drink. They drink water and eat Kentucky Fried Chicken. I never get the Kentucky Fried Chicken bit. They are facing a real issue in their communities at the moment with alcohol consumption, as are some of the Muslim communities. These people need a good education campaign about the new laws if we have these bans and police have the capacity to empty bottles et cetera. They have come to a country in which they think they have freedoms. If a copper suddenly comes along and takes their bottles of alcohol and empties them out, they will think their freedom is being impinged because that is what they have come here for. They will start getting into arguments, saying, “This is not how police should work. I didn’t think I came to a police state.” Suddenly, we are in two places where we should not be because we were trying to protect the community from antisocial behaviour. All I am saying is that with these new laws comes a social responsibility to educate communities that have not been exposed to the issues and ongoing changes to laws. This may include some of the other communities, such as Indigenous communities, communities that are unfortunately affected by alcohol more than the mainstream communities.

One of the big things that we have been able to achieve in the area of alcohol consumption through occupational health and safety is stopping the consumption of alcohol in the workplace. I think we need to look at how this occurred because it is a systemic issue of health and safety and we need to think strategically about how we ensure that continues in a broader context. I am talking about advertising and putting a price on alcohol that actually reflects the damage that large volumes of alcohol can cause.

In closing, I acknowledge the comments made by the member for Gosnells about the profession of hospitality. Having worked in the hospitality industry and having represented hospitality workers, we should try to enhance the responsible use of alcohol as part of our culture and try to improve those sorts of things. Sometimes just placing the burden on workers to police these things is difficult unless they are backed by their employers. We can get them to train so they can serve alcohol responsibly but when we have forced drinking or a culture that is built on trying to sell as much alcohol as possible, it is pretty difficult for workers to say, “I can’t serve you any longer” without the protection of their employer. With the bans and these other things, we need to ensure that the employer takes responsibility for the bans and these other measures and does not just place the responsibility on employees and subject them to situations which, frankly, they should not have to be subjected to.

MS A.S. CARLES (Fremantle) [10.17 pm]: This legislation has been rushed through without very much industry consultation. It will have fairly severe impacts on the industry, which I will go into shortly. Parts of the legislation look like it is based on populism as opposed to being based on evidence. Nobody in the chamber would deny that binge drinking environments are a problem in Western Australia. However, whether many of the proposed changes will address this is questionable.

I will turn to what measures we could be taking to reduce alcohol-fuelled violence later. First, I will take a quick look at some of the problems that I see with this legislation. As I said, it has been rolled out fairly rapidly without consultation. It certainly takes a heavy stick approach to the hospitality industry. It is worth looking at

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the economics of that industry and what it provides for our economy. I will quote some industry figures from the Business Improvement Group of Northbridge. Northbridge is critical to hospitality and tourism in Western Australia. It contributes \$691 million to gross state product; provides 1 035 direct and indirect full-time equivalent jobs; provides \$55 million in direct tourism expenditure, and growing; and will provide over \$4 billion in forecast expenditure over the next five to 10 years. So it is very important to remember that this is an industry that creates employment opportunities for hospitality and entertainment staff in this state, and for band staff and their teams of support crews. I will, therefore, be very interested to know what evidence the minister has about what the consequences will be for this industry in terms of staffing levels and contribution to gross state product when these measures come into play.

The issue of lockout by regulation is problematic. Lockouts are currently applied on a case-by-case basis. I note that the Brass Monkey is currently appealing its midnight lockout and is trying to get back its 2.00 am closing time. Lockouts may have unintended consequences. A lot of academic research is being done throughout Australia on this issue. Basically, all we can say is that the jury is definitely out on whether lockouts are effective in meeting their objectives. As I have said, the proposed lockout mechanism in this legislation is via regulation. That means that the minister may announce that a lockout will apply to the whole of the Northbridge district. This may discriminate against good business operators, because it will remove their right to due process and to be heard. Business operators should not be hit with a lockout when they have been following all the rules and have not been creating any problems.

I also want to touch quickly on the fee structure. I understand that the fee structure is to be increased in accordance with the Victorian model. In Victoria, the pubs and clubs have pokies that support their fee structure. I have heard that the Queensland fee model would be a lot fairer for Western Australia. The industry representatives whom I have consulted would support a Queensland-style fee structure, because they simply want certainty and fairness for their businesses.

I now want to touch on some of the unintended consequences of lockouts. It may lead to confrontations at the front door of clubs, because there will be confusion among patrons about what venues are open and what venues are closed. Shift workers may find it problematic if they want to have a drink after work. They probably would want to go to the Brass Monkey and have a drink, but now that the Brass Monkey has to close at midnight, if they get there at five past 12 they will be pushed into some of the nightclubs earlier. So there will be the issue of early migration into nightclubs because of the proposed midnight lockout in pubs. Of course at nightclubs there is less choice—there is standing room only, there is a lot more drinking, and there are no food options. As a result, lockouts may cause instability and uncertainty in the industry, and lead to fights. They may also lead to large groups of young people roaming the streets trying to find a nightclub that is open.

I also want to raise the issue of barring notices. I understand that the minister has proposed some amendments so that the publication on the web will be done through a restricted site as opposed to being open to the world. However, many staff members will be able to access that site. I am very concerned about what they may do with that information and about how it may be used against people and be published in various other forms et cetera. The legislation will also place a legal obligation on bar staff to know which people have been barred. That may make it even more difficult for licensees to attract hospitality staff.

I am obviously very concerned about the issue of alcohol-fuelled violence in our society. The member for Nollamara raised many of these issues in her speech. One important issue is pricing. There is a large number of liquor barns in my electorate of Fremantle. Near my home in South Fremantle, there is an absolute proliferation of cheap liquor outlets. In the past six months, I have been contacted by constituents about two more applications that have been made, one on the corner of Douro Road, and one on the corner of Hampton Road. Both those applicants have had to go to the State Administrative Tribunal to get their applications through, because the local council was responding to community opposition and did not want those outlets to get up. However, it looks as though they have succeeded through the SAT process, so we will be getting more cheap liquor outlets in Fremantle.

The real issue with binge drinking is the need to educate our kids. I would like the state government to spend a lot more money on educating our children about the health effects and the dangers of binge drinking. Let us take a close look at how drinks are packaged and marketed to our children. There is so much there that we could change. Let us look at messages, just as we did with smoking. As the member for Nollamara has said, her kids would not go near a cigarette; and neither would mine. I have taken my kids overseas, and they point at people who are smoking, because in Australia it is quite rare now to come across people who are smoking.

Liquor advertising is a big one. We should be clamping down on the advertising of alcohol. It just glamorises drinking for our youth. When I was watching the grand final recently, I could not believe the number of beer advertisements that were being shown on prime-time television.

Mr Chris Tallentire; Dr Janet Woollard; Acting Speaker; Mr David Templeman; Ms Janine Freeman; Ms Adele Carles

Mr P.B. Watson: Was that the one where Collingwood won?

Ms A.S. CARLES: That was the one. They led out with alcohol advertisements, and every time there was an ad, there was another alcohol advertisement. I do not even like beer, but I started thinking, gee; it would be nice to have a glass of beer. So we really need to look seriously at the advertising of alcohol.

The other issue that we do not talk about in this place is drugs. This is a huge, huge issue that is contributing to what is going on in our streets. I am not talking just about cannabis, which we talked about recently in this place, because the research shows that the use of that drug is declining anyway. I am talking about amphetamines, butane abuse, cocaine, ice and ecstasy—the serious, serious drugs that are on our streets, that are cheap and that our youth are getting hold of. These are the issues that we really need to get serious about in this Parliament, too. That is certainly contributing to the violence on our streets, and also to the chaos in our hospitals.

We need to look also at providing more public transport and taxis to get people out of the entertainment precincts; at putting more funding into police; and at booze buses and random breath tests and all those sorts of measures. What I am saying is that this legislation will certainly make things more onerous for the hospitality industry. It will add layers of uncertainty for the industry. I question whether that will solve the real issue of alcohol abuse in our community.

Debate adjourned until a later stage of the sitting, on motion by **Mr R.F. Johnson (Leader of the House)**.