

LIQUOR CONTROL AMENDMENT BILL 2013

Second Reading

MR M.P. MURRAY (Collie–Preston) [4.00 pm]: I move —

That the bill be now read a second time.

The purpose of this bill is to amend the Liquor Control Act 1988 to allow for secondary supply laws to be introduced in this state. Every other Australian state or territory, with the exception of South Australia and the Australian Capital Territory, has recognised that parents or guardians have a moral responsibility for the safety and wellbeing of their children and those children in their care, when it comes to the consumption of alcohol, and have included secondary supply laws in their liquor acts.

The purpose of the Liquor Control Act 1988 is primarily to regulate the sale, supply and consumption of alcohol and to minimise harm or ill-health caused to people due to the use of alcohol. Some changes to the act are needed to make sure that the people mentioned in the premise of the Liquor Control Act 1988 include people under 18 years of age.

A couple of simple changes to Western Australia's Liquor Control Act 1988 will allow for the responsible supply of alcohol to juveniles only with the permission of parents and guardians; namely, inserting, first, section 119AA(2), which provides that a person must not supply liquor to a juvenile on unlicensed premises unless the person is a parent or guardian of the juvenile, and, second, section 119AA(3), which allows for a person to supply liquor to a juvenile on unlicensed premises but that person must obtain said juvenile's parent or guardian's permission to supply liquor.

Our current laws make it illegal for anyone under the age of 18 years to purchase alcohol at licensed premises—whether this is a bottle shop, pub, sporting club, nightclub or special purpose licensed event. The only way juveniles can obtain alcohol from these places is to get another person over the age of 18 years to buy it for them, which is already illegal. Now we all know kids will be kids; they are most ingenious in finding ways to get something that they are not supposed to have. There are many ways around laws and if there is some way possible to get alcoholic drinks, someone under the age of 18 will most certainly find it. I am pretty sure that in many Western Australian households with teenagers who are around 16 or 17 years old, there will be parents who are told that everyone else's mum and dad will buy them some beers to take to a party. These kids will tell their parents that they will be ashamed and a laughing stock among their friends because they are not allowed to have a drink until they are 18, but parents are in charge. It is their decision; they do not want to feel the “peer pressure” from their kids because they are the only ones not allowed to have an alcoholic drink. It is about being strong and making decisions to keep children as safe as possible, as well as having the law on their side. Kids have probably seen parents take alcohol to a friend's party. It puts parents in a position of seeming like hypocrites to say no to their own children, but remember the legal drinking age is 18. We are the adults in this situation; minors are not legally allowed to drink until they are 18 years of age. Of course, if a parent does supply alcohol to a minor—it happens and will continue to happen—it needs to be monitored and controlled. I know as a parent that I would rather supervise my children and their friends having a couple of drinks in my presence than have them sneak off and consume alcohol at risky levels. This bill is about making the person responsible for supplying alcohol to a minor without parental consent to be held accountable for their actions.

I refer to the Australian Professional Society on Alcohol and other Drugs, review 32, dated March 2013, titled “Alcohol and young people: What the legislation says about access and secondary supply”. This study has found that adolescent alcohol consumption is a source of increasing concern in a number of countries around the world. In Australia, alcohol plays a major role in the social lives of young people, and although they are legally unable to purchase alcohol under the age of 18 years, by around 17 most young people have started to drink alcohol. Initially, consumption of alcohol by minors usually occurs under parental supervision in a private home with the alcohol supplied by a parent, relative or friend aged 18 or over.

The concerns around adolescent alcohol consumption have increased over time. The social convention of having a drink with family prior to being 18 was seen as relatively normal, but the rise of risky drinking behaviour and media stories about out-of-control parties and high levels of intoxication have certainly shifted the focus of what is acceptable. The greater exposure of underage drinking ultimately leads to the question: how are these young people, under 18 years of age, able to obtain alcohol and who is being held accountable for supplying this alcohol?

The Liquor Control Amendment Bill 2013 will address these issues. This legislation is an important step towards assisting young people in learning to drink sensibly. It will limit exposure to risk on private premises and make sure that the parent or guardian has given authorisation for alcohol to be supplied to a minor.

Last month I read a story in a local publication, *STM: The Sunday Times Magazine*, 19–25 May 2013, which stated —

The Australian School Student Alcohol and Drug survey, released last year, found that 23.9 per cent of students aged 12 to 17 had never consumed alcohol, up from 10.3 per cent in 1993.

This is an encouraging increase in young people abstaining from alcohol consumption, but, unfortunately, of the 76.1 per cent who did try alcohol, 36.2 per cent drank at risky levels—that is, between five and 20 standard drinks on any one day. In 1993, the percentage of risky drinkers was 20.9 per cent of those who, when surveyed, said that they had consumed alcohol. What is most disturbing about these figures of risky consumption is that these young people are getting so drunk the consequences are vomiting, arguments, verbal abuse, physical abuse and often getting into trouble with the police. Medical studies have shown that the earlier young people start drinking, the greater the risk of adverse outcomes like binge drinking and the chance of becoming alcohol dependent in later years. There is a well-researched call for delaying the introduction of drinking as long as possible for these reasons.

Underage drinking is often considered a rite of passage into adulthood, but research supports delaying alcohol consumption until at least 18 years of age, even longer. There is a great deal of brain development and changes between the ages of 12 and 20 and even through to the age of 25. The parts of the brain that deal with emotion, memory, learning, motivation and judgement are the last parts of the brain to develop and of course, these are the parts of the brain that are affected by alcohol and drugs. These are called neural connections. Without getting too technical, repeated alcohol and drug abuse is embedded in and strengthens the neural connections associated with memory and experience. It also works in reverse. Neural connections for judgement, for example, that are not used or are damaged by alcohol use are not strengthened. One need only think about the lack of judgement shown by some young people who engage in silly, really life-threatening teenage pranks to reconcile how this part of the brain is still developing in young people.

Encouragingly, the message seems to be sinking in for those who are most susceptible. There is a perception that alcohol consumption, and particularly excessive alcohol consumption, leads to negative outcomes. The Liquor Control Amendment Bill will help reinforce this message. It places the onus on parents and guardians to be responsible for ensuring that their children and children in their care either drink responsibly or not at all. It is about setting an example. As parents, guardians and carers, we have a moral obligation to do this.

I would like to mention Samantha Menezes, a mother of four children ranging in age from eight to 21, who has taken on the secondary supply of alcohol message and has worked tirelessly to bring it into the spotlight. At last count, she had collected over 5 800 signatures on a petition to Parliament to make it against the law to supply alcohol to young people under the age of 18 years without the consent of the parents and guardians. Mrs Menezes' website reads as follows —

There is currently no law in WA preventing adults from supplying your child with alcohol when they are in their homes without your permission. Adults who choose to do this should be held accountable for their actions and the consequences of them. Adolescents and children as young as twelve are drinking alcohol supplied by adults without their parent's knowledge or consent at private functions in private premises. If your underage child attends a gathering in someone's home, becomes intoxicated, has a serious accident, or is sexually assaulted, there is no Secondary Supply Law applicable for the adult who supplied the alcohol.

Adolescent drinking is a source of growing concern throughout Australia and the world. Data suggests underage drinking contributes to Australia's unhealthy drinking culture. Something must be done to address this. As a community we must make a stand and demand Secondary Supply Laws to ensure adults can be held accountable for supplying alcohol to minors without parental permission.

The Liquor Control Amendment Bill 2013 aims to right this wrong. Adults who supply alcohol to minors must have the permission of parents and/or guardians of the minor to do so. These secondary supply laws will turn the onus on the purchaser and supplier of alcohol. It will encourage responsible drinking and, in turn, I hope create a better drinking culture among our youth. I also hope that it will help save lives in the long run. At the very least, I hope this bill will create a generation of parents and young Western Australians who realise that waiting until reaching 18 years of age before beginning to consume alcohol is the right thing to do.

Debate adjourned, on motion by **Mr J.M. Francis (Minister for Corrective Services)**.