

EDUCATION AND HEALTH STANDING COMMITTEE

INQUIRY INTO THE ADEQUACY AND APPROPRIATENESS OF PREVENTION AND TREATMENT SERVICES FOR ALCOHOL AND ILICIT DRUG PROBLEMS IN WESTERN AUSTRALIA

**TRANSCRIPT OF EVIDENCE TAKEN
AT PERTH
WEDNESDAY, 12 MAY 2010**

SESSION THREE

Members

**Dr J.M. Woppard (Chairman)
Ms L.L. Baker (Deputy Chairman)
Mr P.B. Watson
Mr I.C. Blayney
Mr P. Abetz**

Hearing commenced at 1.00 pm

BROWN, MR TIMOTHY
Vice-President, WA Nightclub Association,
examined:

The DEPUTY CHAIRMAN: On behalf of the Education and Health Standing Committee I thank you for your interest in and appearance before us today. The purpose of this hearing is to assist the committee to gather evidence for its inquiry into the adequacy and appropriateness of prevention and treatment services for alcohol and illicit drug problems in Western Australia. You have been provided with a copy of the committee's specific terms of reference.

The Education and Health Standing Committee is a committee of the Legislative Assembly of the Parliament of Western Australia. This hearing is a formal procedure of the Parliament and therefore commands the same respect given to proceedings in the house itself. Even though the committee is not asking witnesses to provide evidence on oath or affirmation, it is important that you understand that any deliberate misleading of the committee may be regarded as a contempt of Parliament. This is a public hearing and Hansard will be making a transcript of the proceedings for the public record. If you refer to any documents during your evidence, it would assist Hansard if you could provide the full title for the record.

Have you completed the "Details of Witness" form?

Mr Brown: Yes, I have.

The DEPUTY CHAIRMAN: Do you understand the notes at the bottom of the form about giving evidence to a parliamentary committee?

Mr Brown: I do.

The DEPUTY CHAIRMAN: Did you receive and read the information for witnesses briefing sheet provided with the "Details of Witness" form today?

Mr Brown: I did.

The DEPUTY CHAIRMAN: Do you have any questions in relation to being a witness at today's hearing?

Mr Brown: I do not.

The DEPUTY CHAIRMAN: Thank you for your submission to this inquiry. Together with the information that you provide today, your submission will form part of the evidence to this inquiry and will be made public. Are there any amendments that you would like to make to your submission so far?

Mr Brown: No.

The DEPUTY CHAIRMAN: We have a series of questions to ask you today, but before we do that, do you wish to provide the committee with any additional information or would you like to make an opening statement to the hearing?

Mr Brown: Would you like me to outline the documents that have been presented to you?

The DEPUTY CHAIRMAN: Yes.

Mr Brown: I represent the nightclubs of Western Australia. We are a fairly small organisation. There are just under 60 nightclubs in the state, of which between half and two-thirds are in the metropolitan area and the largest number of those—about 11—are in Northbridge. We are licensed under the act to serve alcohol but a very important part of the licence is to serve it ancillary to

entertainment. The act states that we are providers of entertainment and we are allowed to serve alcohol ancillary to the provision of that entertainment. We have probably come here today, given recent events with licensing and some government policies or trial runs of changes in licensing hours. That is probably the background of who I am and where this comes from. I refer back to the Commissioner of Police's report that was commissioned last year in April titled "Is your house in order? Re-visiting liquor licensing practices and the establishment of an entertainment precinct in Northbridge". Our submission concerns the ramifications of that report and the decisions made by the Department of Racing, Gaming and Liquor that affect our segment of the industry.

The DEPUTY CHAIRMAN: We have your submission. Perhaps without repeating that, would you like to draw out some of the key points that you make about both the police commissioner's report of last year and the implementation of the changes made by the Department of Racing, Gaming and Liquor? Would you like to make a general comment on those?

Mr Brown: Certainly. As we all know, for some time there has been concern by both the public and the government about alcohol-related violence. Certainly there is a feeling that this was most prevalent in the entertainment district of Northbridge. Last year in April—I am not sure about the exact date—the Commissioner of Police commissioned a fairly comprehensive report that outlined the problems, which was supported by a considerable amount of statistical evidence. Our association responded to the police commissioner's report and engaged a company called Coates Consulting, which is a social researcher and planner, to look at what that meant to the nightclubs and those of us who operate in Northbridge. At that point, the thrust of the discussion was about Northbridge and Northbridge alone. We commissioned that report and responded to the police commissioner's report. We found a lot of very similar statistical evidence that there certainly were a large number of incidents happening. What was most important out of that evidence was that the peak of those incidents—75 per cent—happened between 11.00 pm and 3.00 am.

The nature of our premises is geared towards much later trading. Most of us start trading at about 10 o'clock at night. Historically, we have been the providers of entertainment late into the morning. Many of us traded until 6.00 am, which is within the bounds of licensing. The bulk of our trade is done beyond midnight. The statistics from the police commissioner, which were supported by the statistics we got independently, show that the key problems were happening between what were referred to as the "trouble times", which are between 11.00 pm and 3.00 am. At that point, we had already put into motion quite a few strategies to address some of the issues. We had already implemented those. As a first line of defence, we charge a door fee, which acts as an effective filter to reduce the number of people who come into the venues, and controls those who are intoxicated. We are also required by several acts to have high levels of security, including a large number of doormen and closed-circuit television. When this became more of an issue, many of us put in ID scanning equipment at our front doors to try to address some of these issues head-on.

What came out of the police commissioner's report at the time suggested that we were not the problem; the problems were happening as patrons left other venues and came to ours. Another interesting part of much of that statistical evidence is that the problems were happening on the streets. An analysis of the statistics showed that a large number of incidents happened on the streets as the people were either moving elsewhere or, more importantly, were trying to get into venues, but were refused admission. We were probably a little tardy in responding because we felt that we had put our case forward and were already implementing quite a few strategies to address some of the issues. Towards the end of last year, the director general of the Department of Racing, Gaming and Liquor proposed placing restrictions on our license during the summer period and we were asked to show cause as to why those restrictions should not be implemented. We then commissioned another round of studies, again from Coates, and prepared a fairly lengthy submission. I might step back a moment. The proposed conditions had several parts to them. The first was to close our premises an hour earlier at 5.00 am to reduce our trading hours. The second was to put in a lock-out condition so that anyone wishing to gain entry after a certain time could not

do so. That would affect not only new customers, but also those who may have left. It was mooted that this would begin at 3.30 am but when the conditions came into place it was moved back to 4.00 am. The third condition was a series of controls over the products sold, such as non-standard drinks, jugs of spirits, shooters and the like. They were the three conditions.

Those conditions were imposed on nightclubs in not only Northbridge, but also all of the metropolitan area. Understandably, that was done in the hope that it would start a flow-on effect. They did not want to move the problems that were happening in Northbridge out into the suburbs. Some of those conditions were imposed upon other categories of licenses, of which there are two keys ones—taverns and special facilities. The taverns were affected only by the measure restrictions because no time restrictions were placed on them. Most of the special facilities trade until 2.00 am but a couple of the special facilities in Northbridge trade until 3.00 am. They were required to comply with the hour lock-out, but did not have their trading hours reduced.

Mr P. ABETZ: What is a special facility?

Mr Brown: It is an unusual type of licence of which there are very few in the state. They were originally set up for a special facility such as a Yugoslav cultural centre, for example. The key ones in Northbridge were ethnically based to start with.

[1.10 pm]

As they became less valid they were bought by people when probably 15 years ago there was a neat loophole within the licensing act—yes; something like the Italian Club. There are several in Northbridge that are just bars now and those conditions have been dropped off. That loophole within the act has been tightened quite dramatically, so we probably will not see more of those. They are a bit of an anomaly within the landscape. We were asked to show cause, and nine premises from across the metro area made a group submission to the director, but that was knocked back and the conditions were imposed for the summer period from December through until Anzac Day. We then re-presented our arguments to the Liquor Commission and were knocked back again. That is essentially the time line. The arguments were that we had already put in preventive measures; that the problems themselves were largely over and done by the time the restrictions were put in place; that this would have no real effect on the statistics or, more importantly, the problems; and, understandably, it was commercially unfair that we had been targeted as a small group with a set of restrictions that really made little or no difference to the problems at hand. If the police commissioner and all the statistics and our independent analysis of the same figures were correct, it would be suggested that really the problem should be addressed between 11.00 pm and 3.00 am because 75 per cent of the problems were happening at that time. If you looked at the statistics, by 3.00 am 80 per cent had happened, but by 4.00 am what was left had halved, and by 5.00 am it had halved again. Five per cent of the problems were happening after five o'clock when these conditions were put into place. It felt very much as though this was an easy solution to keep everyone happy, but it did not really address the problems in any real way.

Mr P. ABETZ: What is the population in Northbridge at five in the morning? I have never been there at that time; I am usually in bed then. Is part of the drop-off due to the number of people there?

Mr Brown: Greatly. These things are all intertwined. There is a larger number of people at that peak time so the statistics obviously will go up. But when there are more people in a place, there is more likely to be trouble, and if those people are drinking, that will be increased. The evidence we have and independent evidence suggests that the alcohol intake is dropping off just as dramatically. Certainly anecdotally, if you speak to any of the nightclub operators, by that hour of the morning people are not drinking that much; they have all started winding back their drinking and are slowing down. They are dancing and socialising.

If this is about addressing alcohol-related violence and reducing alcohol consumption, the measures that were put in place missed the mark completely. By their very nature nightclubs do not really sell that much alcohol. A key part of our argument is that we are probably selling on average only about four drinks a person. What is also important to note is that we have two revenue streams. We make money out of charging people entry and selling alcohol, probably about a third to two-thirds of that being the door. It is a very key part of what we do—that is, to provide entertainment, which we all see as the largest part of our business model. It has been a little hard describing to everyone what our entertainment is because for the largest number it is DJs. Again, many of the people we are dealing with are not out at five o'clock in the morning. They do not understand that there is a whole generation of kids who see DJs as entertainment. You can take that on board as a major premise. The act changed about 20 years ago to reflect this. Before that we were called cabarets and we provided cabaret entertainment, which was much more a model that most people would understand as entertainment. We have a generation of kids who have been raised on DJs and dance music, and that is entertainment, and that is reflected in the act. We have addressed that within that. But it is very important for this committee to understand that the provision of that entertainment is a key part of what we provide and, as such, it has a roll-on effect to suggest that we are not contributing the lion's share to this problem. That is not saying we are without sin; we are serving alcohol and we are licensed to do that. We are well aware of that fact, but we are providing entertainment and alcohol. We are not selling that much alcohol; yet we have been asked to wear the largest part of responsibility for addressing this problem, and we do not feel the problem is being addressed in any real way.

The DEPUTY CHAIRMAN: The next question I have for you is about the trial. Given it is completed now, would you like to comment about the results, from your association's perspective?

Mr Brown: We are struggling at this point to get some solid evidence because the Liquor Commission has turned around and said it is on the police to provide the evidence of the effectiveness of this trial. The police have turned around and said they do not have the resources to analyse the data, so I would like to find out a little more about that for you, certainly, given the report in *The Sunday Times* on the weekend, which we might return to.

Mr Brown: Anecdotally, we have not seen any major changes within the landscape of Northbridge and the other key nightclub districts, other than we have lost business. More importantly, from the public's point of view, there has been more trouble at the door and larger numbers of people have been denied entry for no real reason as far as they were concerned.

The DEPUTY CHAIRMAN: Is that because of the trade hours being restricted?

Mr Brown: Particularly the lock-out period. I sat outside the nightclub I run, Connections Night Club in Northbridge, a couple of Saturdays ago at four o'clock in the morning to have a bit of a look. Probably 30 people were turned away who were not intoxicated and were not a problem but were denied entry because of these regulations. Interestingly, one key group was flight crew, which is a key part of our trade—people who work unusual shifts. They are being denied entry not because they are causing trouble but because of the regulations. It is our feeling that the people who were intoxicated, who should not be allowed entry, were not being allowed entry anyway. We have those checks and balances in place. The statistics for Northbridge certainly dropped in that summer period.

The DEPUTY CHAIRMAN: Do you mean the number of people drinking or the assaults?

Mr Brown: The assaults and incidents.

Mr P. ABETZ: And attendance?

Mr Brown: Attendance also. One could argue that fewer incidents are happening because fewer people are around. That has been an ongoing issue for some years in Northbridge. It could also be argued that incidents have dropped because everyone has been much more proactive in refusing

service and refusing entry and the police have been a lot tougher on the streets. But what becomes most interesting—this was the evidence that we asked for from the police—is what has happened in Leederville, Mt Lawley and Subiaco, probably the key areas in which you would get a flow-on effect.

[1.20 pm]

Given that the director saw fit to impose the conditions upon all districts in the metropolitan area, if there has been a drop in Northbridge, as we have seen, one would hope that there has been a drop in those areas as well, because these conditions were imposed on those areas too. In fact—again, we will need police evidence for this—a report from last weekend's *Sunday Times* suggests that the stats have gone up in those areas. It would be very hard to say then that these measures have been the reason for these changing statistics.

Mr P. ABETZ: Could it be that the people who did not go to Northbridge went to those other places and therefore were causing the increase in trouble there?

Mr Brown: It could be, but that is not as a result of these restrictions. The restrictions are not the reason for the change in behaviour. That has been ongoing for some time now. If the people in those areas were asked what has been going on in their areas over the past five or 10 years, they would say that it has been happening anyway. That is to do with changing populations in those areas. Whilst Northbridge continues to get battered in the press and does have those problems, those areas have grown busier and the stats have risen as a result.

The DEPUTY CHAIRMAN: I hope you are okay to answer a question about your profitability. If the government changes the legislation and changes the closing time of 3.00 am, what kind of impact will that have on the profitability of nightclubs in this state?

Mr Brown: I would suggest a fairly dramatic one. I would see several within the metropolitan area closing under those circumstances. One of the key things we need to step back and look at is that, over time, the Australian Hotels Association and the hotels, as a result of that special facility, have been very successful in lobbying to trade later. The act states that their closing time is midnight. There is facility within the act for the director to grant a permit called an extended trading permit. It can be given for two reasons: for a larger area or for a longer time. So, for example, if my nightclub was having a special event and I wanted to licence the room next to me, I would make an application for a one-off extended trading permit. I can also do that for time, but I can really only do that in nightclubs on the Sunday of a long weekend, when our closing time is officially midnight; I can trade until 1.00 am or 2.00 am. The hotels have very successfully lobbied for many years to gain those extended trading permits on an ongoing basis on Friday and Saturday nights to one o'clock in many areas, and in Northbridge until two o'clock. In all the large hotels, the special facilities are open until 2.00 am, and two of the special facilities are open until 3.00 am. They are doing so under these permits. We have argued from the start that that is the key point at which the largest amount of alcohol is being drunk. Also, the use of these extended trading permits to trade until those hours is not really within the spirit of the act, as these are granted on five-year terms, for the most part. Unfortunately, over the past 10 years, they first moved on to 1.00 am and then they moved on to 2.00 am. In Northbridge, all those operations trade until 2.00 am. Many of them are very large and their only revenue stream is alcohol, so we are seeing venues with 1 000 or 1 500 people who are there primarily to drink—the only focus can be on drinking, because that is the only revenue stream—trading until two o'clock every Friday and Saturday and putting a lot of people out onto the streets. That is where we have seen, in that time, our trade moving on. We understand the commercial issues of them trading later than us; that is not necessarily the foremost argument. But if we look at the commissioner's report, on which all this decision-making was based, and all our concerns—that is, the public, government and operators—this idea that we have venues with a capacity of several thousand in Northbridge operating until two o'clock in the morning and serving

alcohol alone, would seem a much more reasonable and obvious target for measures to address the problems.

Notwithstanding our commercial interest, I would suggest that questions should be asked about how trading under these extended trading permits rather than the outlines of the act can make sense. From the outset, one of the keys to our argument has been that if the government really wishes to address these problems, it has been plainly stated by the commissioner and supported by all that evidence that the problem lies there. This idea of reducing our hours to five o'clock in the morning for all of those reasons makes little or no sense in addressing that problem. It only causes us to lose business, and does not really serve the public in any real way.

Mr P. ABETZ: Does that mean that if those hotels with 1 500 people have to cease serving alcohol at two o'clock, very shortly after two o'clock some 3 000 people who have been drinking the night away will suddenly end up out on the street over, say, a 15-minute period? How does that actually work in practice?

Mr Brown: About like that, yes. That is of considerable concern. We also need to remember that in Western Australia we have staggered closing times, and it is our belief that that possibly helps to address some of those problems. Yes, it is awful that we are throwing these people out on the street and that there are large numbers of them, but it serves to make people stop and think about their behaviour for the rest of the night. By actually removing them from drinking premises, we oblige them to stop under the streetlight and ask themselves where they are at, then get past the doorman at a nightclub and show that they are in a fit state and then pay \$10, \$15 or \$20 to get in the door; it causes a series of breaks within the thinking patterns of the drinking public. We would suggest that that is a valuable exercise. The idea that we can solve everything by not closing everything so early and leaving everything open so that people will just dribble away is an argument that the hotels would take on board. There has certainly been a real push for deregulation from them. We would argue that there are at least some checks and balances in place within the system that we have of designated, separate types of venue with different products and staggered closing times, and that probably helps to address the problems rather than causing them. But we do have concerns about large numbers of people coming out at any given time.

Mr P. ABETZ: That would create a whole lot of issues for people getting home, with taxis and all that. If it were more staggered somehow —

Mr Brown: We actually do; we have one o'clock, two o'clock, three o'clock and six o'clock closing. Certainly, transport is a very key issue. At all levels of this discussion, that comes up, and for Northbridge it is very key. It is very hard to get out of the area late at night.

The DEPUTY CHAIRMAN: Which are the two pubs that are open with extended trading hours?

Mr Brown: In Northbridge there are several. There is the Aberdeen, the Shed —

The DEPUTY CHAIRMAN: The Mustang?

Mr Brown: No, that is a special facility. The Brass Monkey and the Court are the other big hotels. Then there is the Universal, the Mustang and the Elephant and Wheelbarrow—it is two o'clock for the Universal and three o'clock for Mustang and the Elephant and Wheelbarrow.

[1.30 pm]

The DEPUTY CHAIRMAN: Do you as an industry association have any aggregate figures of your revenue over the past few years? I accept that there may be commercial-in-confidence issues around this. We are interested in the growth or otherwise of revenue around clubs. We may be asking others for similar information.

Mr Brown: We have some of that data analysed, and it is not stuff that people want to share. We have made approaches to our members and the executive of the committee has compared data. We do not have anything formalised but that could be provided if required.

The DEPUTY CHAIRMAN: Would you look into that and let us know? If that is possible to provide, we will take that on notice. That would be really helpful.

Mr P. ABETZ: Is any information available on the number of people coming in per hour? When you open at 10 o'clock, you probably get an initial surge and perhaps then again at 12 o'clock when some of the pubs close, you may get another influx. What is the pattern of people entering nightclubs? Has that changed with the changing of the regulations?

Mr Brown: The major change has been the hotels opening later rather than these regulations as such. My nightclub is a reasonable example. There are very few people around in the first hour. It starts to build in the second hour. After midnight it builds through until about 2.00, which is the peak point of entry, when those hotels close. It used to be one o'clock and before that it was 12 o'clock. That has been the key change. The time at which people arrive has not really changed because of the restrictions. It drops away then. The peak period for us would be between 1.00 and 3.00. That is fairly normal. That changing pattern with the hotels opening later has meant that we are getting them later and later on the night. The most interesting information we would like to find out but we never will is at what time the pub's peak times have moved. Anecdotally, I would suggest that that has moved on according to this later and later trading. Before these extended trading permits were put in place, the hotels and special facilities were getting busy at eight o'clock and nine o'clock. Now they are getting busy at 10 or 11 o'clock. It has moved the hour at which people come out later and later across the board. Some of the police statistics support this evidence. We are seeing people drinking at home before going out. We have become a "later going out society" but the time people start drinking is staying the same. People are drinking longer. We are seeing a generation of kids for whom part of going out for the night means several hours of drinking at home first and then not going into entertainment districts until what most people would call late in the evening. By the time we are seeing them at three o'clock in the morning, there are real concerns about how much alcohol has been consumed.

The DEPUTY CHAIRMAN: Have you noticed any change in the sort of alcoholic products that have been purchased over the past five years? Is there a trend?

Mr Brown: Certainly there has been a change towards more "palatable" drinking options. The type of products available are easier to drink, I would suggest. At the same time there has been an interesting move in the past few years of a return to old-fashioned-type drinking with people drinking a mixed drink rather than something that is pre-mixed. That is the sort of question you were asking?

The DEPUTY CHAIRMAN: I was going to get to alcopops in a minute.

Mr Brown: It is a real part of the discussion of people and drinking. Over the past 10 years there has been a great push of those products. I am not convinced that it is the only thrust of the market. In recent years, particularly with the small bars, we have seen a return to people drinking what I would call grown-up drinks. It is not all doom and gloom around kids being marketed sweet drinks. There has been a real return to classic products, which tend to be bitter, not sweet, and the drinking of cocktails, which, although they tend to be more alcoholic, are drunk slowly.

The DEPUTY CHAIRMAN: What about the interplay between—this is a huge question—alcohol and illicit drugs that takes place? Do you want to give me your observations about that?

Mr Brown: Certainly. We are all too aware of the illicit drug issue. We would suggest that it is a problem across society. It has been very easy to say that anybody out at four or five o'clock in the morning must be on drugs. The truth is that that is not necessarily the case. Yes, it is certainly part of the night-time economy and it is of grave concern to us. It is of no benefit to our industry. Everything about it works against what we are trying to do. We do not make money. We make money providing entertainment and selling alcohol. That part of it is not in our interests. We would

suggest that the problem is far more pervasive than just night-time and we would all be kidding ourselves to believe that it is happening in nightclubs.

Mr P. ABETZ: I used to run a drug rehabilitation support group for a number of years. This is purely anecdotal. I am interested in your comment on it. Most of the people I was dealing with were younger people in the under-25 age category. Someone made the comment that to be able to stay up until the real early hours of the morning, taking drugs was part of the stimulant kind of stuff that kept them awake so they could keep drinking. What is your comment on that?

Mr Brown: Anecdotally, I have heard the same thing. Simon, the president of the association whom you met the other day, and I are both DJs. We come from that background. For us, it is about the entertainment. We have thrown this one around several times. In the same way that it has been stated that you need drugs to stay up, it has been stated that you need drugs to understand the music. Both Simon and I would argue that you are listening to the wrong music or there is something wrong with the music. As I said, we are in the business of providing entertainment and we serve alcohol ancillary to that. That is what we do. Yes, we do trade late into the night but people have gone out late into the night at all times. You have to remember that, like the flight crew the other night that I spoke of, in this day and age large numbers of people do not work nine to five; they work very different shifts. We get a lot of those people and a lot of those people are in nightclub districts. It is where they go out. Just as people who work nine to five will go down to the local pub or into the backyard and have a beer, people who are working until midnight, two o'clock, four o'clock or five o'clock have the right to be able to enjoy that.

[1.40 pm]

The DEPUTY CHAIRMAN: What do you think about the push for, that we hear, exchanging glasses for plastic glass?

Mr Brown: We understand the logic of it but we think it is flawed. My argument on all of this is that our real issue is not the use of alcohol; our issue is how people are behaving under the influence of alcohol, and that relates to how people are behaving full stop. If the baseline for sober behaviour was here and drunken behaviour, I think we would all say, is always a bit further out from that point, unfortunately, what we have seen is that the distance between them has not really changed but those baselines have moved out. I think much of our issues come back to that. Anecdotally, I do not really believe that people are drinking that much more than generations past; I think they are behaving very differently when they drink. The issues around glass relate directly back to that. If somebody wishes to pick up a glass and hurt somebody with it, they will pick up something else; we will not solve those problems by removing glassware. We can put a lot more measures in place to make people safer. I am sitting on a committee that is addressing that with the director and looking at other options. We have looked at tempered glass and safety glassware, and several of us actually already have that in place. In my nightclub we have glassware that breaks into small squares like windscreens. At this point in time it is that subcommittee's view that that is probably the best way forward, as an overview, a recommendation to industry to put that into place, and then potentially look at trouble venues.

The act is quite clear about addressing trouble venues and the director's ability to go straight in and address problem areas. In fact, section 64, was imposed upon nightclubs, was designed for that. It was not designed to put a blanket condition across a whole category of licences; it was about saying, "Look, this venue has a problem. We need to address this problem; therefore, I will put these conditions on. I have my advice from police, they are saying this, and I can do that." In the discussions with the director, industry thrashed that one out to make that a little stronger. Perhaps we could look at addressing that so that around these particular issues the director could really get in there and make some hard decisions about that, and maybe that is where plastic is needed to be put in. Certainly, we then have to consider the issue of the large number of products being served in bottles. Bottles are glass and they are in venues all the time, and the public has questions about

quality products when they are put in plastic. Would you go out and have a beautiful dinner and order a bottle of Grange and then be served it in plastic? Probably not, but at what point does one draw the line? Do we say, "Okay, we put these restrictions on only the beer glasses and spirit glasses and not on the wineglasses", which is probably about where we are looking at. We will probably use tempered glass for those products and leave bottles in for now. Wineglasses, champagne glasses and cocktail glasses will be regular glasses because they do not really exist in tempered glass at this point.

The DEPUTY CHAIRMAN: Thank you. I have heard it said also, when you were talking about trouble spots, that in fact it is pretty easy to predict or to know where the trouble spots are in, say, an area like Northbridge. The police and others involved in the industry could point to the five, six or however many places and could have just focused on those, rather than have the blanket. Is that something your association would agree with?

Mr Brown: Yes, we do. If we are looking at blanket restrictions, then let us look at whether we are really looking at rejigging the trading hours of licensed premises to address these problems. If that is one of our key functions, then let us look at the trading hours of all venues, rather than saying, "Okay, there's a little bunch there that we can get an easy win on this one and knock it through", which is how it felt.

The DEPUTY CHAIRMAN: Do you have any figures on employment within your industry across WA?

Mr Brown: Probably not off the top of my head; I could get them for you, though.

The DEPUTY CHAIRMAN: Is it easy? Because if it is easy, that might be helpful. I do not want you to go to a lot of trouble but it would be helpful to know.

Mr Brown: I think it is probably on record.

The DEPUTY CHAIRMAN: Do you know on average how many staff would be employed per venue in, say, an area like Northbridge?

Mr Brown: In mine, I have towards 50.

The DEPUTY CHAIRMAN: And you have already put on record, I think, how many clients on a Friday or Saturday night would come through your doors. I think you said that earlier.

Mr P. ABETZ: I cannot remember.

Mr Brown: I have not said it today.

The DEPUTY CHAIRMAN: Somebody else might have said it earlier! Tim, would you be able or willing to comment on that?

Mr Brown: I could probably get you those. I have to say that I am not great for figures off the top of my head. I am happy to provide what I can of those sorts of numbers.

The DEPUTY CHAIRMAN: For your industry if possible, rather than just your venue, that would be helpful. You have members outside the metropolitan area—you have Bunbury and Albany?

Mr Brown: Yes, right through to Geraldton, Broome and the North West.

Mr P. ABETZ: Are there any special issues in those areas that you want to draw to our attention?

Mr Brown: I do not know that I could really give you too much information. The treasurer of the executive is actually the guy who runs the nightclub in Albany, so I have a reasonable idea of his business, but probably not too much of the rest of the state because I am not in regular dialogue with them.

The DEPUTY CHAIRMAN: Tim, that is pretty much the questions, I think.

Mr P. ABETZ: If there is one thing that you could do—we ask everybody this one—if you had the power or the authority to make it happen, to reduce the adverse effect of alcohol in our society, what would it be? If you could wave your magic wand and make it happen, what would it be? What program would you put in place or what change would you bring?

Mr Brown: It would be education.

Mr P. ABETZ: Can you elaborate on that in a sentence or two?

Mr Brown: It would be having youth—the very people we are seeing at risk, the largest part of our issue—understand the implications of their actions. I would like them to actually understand that all round; I think we all would! But I think that is key. If we are going to serve alcohol—I do not think that is something we would like to remove from the landscape—it is a drug, it is a controlled substance and it has effects on people, so they need to get their heads around that. Certainly, our association has been very keen to work on any strategies to address the issues. From the outset, we have been very cooperative. I say again that it is not in our interests for this to be problematic. We want to provide for the community and we want to do it responsibly. We have a responsibility, but we are not in a position to educate youth on how to behave under the influence of alcohol. All we can do is refuse supply or ask them to leave when that becomes a problem. We need to get it at the front end.

Mr P. ABETZ: I have just one more question, if I may. You indicated earlier how the later trading hours of the hotels have kind of shifted you guys back to opening later. If we were to bring the whole thing back to where it was, so the hotels in Northbridge close at 12 and, say, the nightclubs finish at four, that would give more time for a clean-up of the area for a breakfast kind of industry to develop. Do you have any comments on that? Would that have an adverse effect on your business? Because if everything shifted back, as one who is not involved in the industry and is looking from the outside, logic would say to me that you are probably going to get roughly the same income. The pubs will get less because they are going to sell less grog, but that is too bad.

Mr Brown: I would suggest that probably they would start filling up at nine o'clock and over time we might move that stuff back. We have been supportive of that sort of view from the outset. About six months before the police commissioner produced that report, through the accord in Northbridge the police tabled a policy whereby all venues would lockout for the last hour of their trade, whatever that closing time may be. At that stage, there was not much research done into it. We did not have the stuff that came through from Newcastle and the like in the last year.

[1.50 pm]

The nightclubs in Northbridge—at this stage, it was only Northbridge—said, “We’ll do that.” Interestingly, the City of Perth came back with, “We want to get breakfast trade happening in Northbridge, and when everybody is falling out of the nightclubs at six o’clock, people aren’t going to go to breakfast. We want to get the street cleaned up.” We said that that was a logical argument on behalf of the City of Perth. And, in the spirit of cooperation and this idea that we were all responsible for, at that stage, making Northbridge better and, in the bigger picture, addressing some of these issues that we were all seeing, all the members within the Northbridge district of the Nightclub Association agreed to that trial period of lockout. Certainly, the evidence that has come through in our trial period and what has come from over east suggests that that probably is not the best solution. It really had not worked in Newcastle and it did not work for us. But at the time we said that we would do that, and at that point the hotels walked away from the table and said, “No, we’re not doing anything.” We feel that from the outset we have been cooperative and tried to do our bit to address some of these issues, listen to the authorities, take that stuff on board and act appropriately in a cooperative manner. But we feel at this point that our cooperation has really just got us the raw end of the stick. Raw end of the stick? Sorry; that was another mixed metaphor—a raw deal.

The DEPUTY CHAIRMAN: Thanks, Tim. Thank you very much for the evidence before the committee today. A transcript of our hearing will be forwarded to you for correction of minor errors. Any such corrections must be made and the transcript returned within 10 days of the date of the letter attached to the transcript. If the transcript is not returned within this period, it will be deemed to be correct. New material cannot be added via these corrections and the sense of your evidence cannot be altered. Should you wish to provide additional information or elaborate on particular points, please include a supplementary submission for the committee's consideration when you return your corrected transcript of evidence. When you send the transcript back, could you make a note of any information that you are sending us that is commercial-in-confidence? Then you can be quite sure that, although it is in *Hansard* and we have it on the record, it will be a double-check for us.

Mr Brown: And that set of questions will be forwarded with the transcript?

The DEPUTY CHAIRMAN: Yes. Thank you.

Hearing concluded at 1.52 pm