



Speech By
Hon. Jann Stuckey

MEMBER FOR CURRUMBIN

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SAFE NIGHT OUT LEGISLATION AMENDMENT BILL

 **Hon. JA STUCKEY** (Currumbin—LNP) (Minister for Tourism, Major Events, Small Business and the Commonwealth Games) (3.45 pm): I rise to contribute to the debate on the Safe Night Out Legislation Amendment Bill, which was introduced to the House by the Premier, the honourable member for Ashgrove, on 6 June 2014. The bill was referred to the Legal Affairs and Community Safety Committee, which tabled its report on 18 August 2014. Alcohol and drug fuelled violence is not a new dilemma. However, it has crept into Queensland's vibrant night-life and become more serious, with potentially fatal consequences on the increase. Whilst I have always believed in personal accountability for one's actions, it was evident that government action was needed to address this growing threat in our communities. I am very proud to say that it has taken this LNP government to tackle problematic issues such as these after years and years of head-in-the-sand, do-nothing treatment from successive Labor governments. Following a string of tragedies and incidents, this government has taken decisive and measured action and drawn a line in the sand through provisions contained in this bill. The Leader of the Opposition and the others opposite can bleat all they like as we debate this bill, but what were they doing for all those years that they were in government? Where was the legislation? Granted, they did start some drink-safe precincts, but very little else happened, even as the problems escalated.

The Safe Night Out Strategy is a comprehensive package of initiatives to address violence, antisocial behaviour and safety issues around licensed venues. It is about patrons, venues, communities and the government coming together to create a safe, co-operative and exciting culture for Queensland's night-life. It has come about following extensive, lengthy and detailed community and stakeholder engagement with over 13,800 responses to surveys. Our Safe Night Out Strategy is three pronged: we are going to change the culture, through awareness campaigns and education; we are going to change the environment, through Safe Night Out precincts and supportive spaces; and we are going to change the law, which is the purpose of this bill before the House today. The bill makes amendments to 12 pieces of legislation. Primarily, the passage of the bill will see an increase in police powers, a strengthening of liquor licensing compliance measures and stronger local management of entertainment precincts. All of those objectives share the common purpose of reducing drug and alcohol fuelled violence in Queensland.

The bill will create a new offence of unlawful striking causing death and principally targets the devastating coward punches that have, sadly, taken too many innocent lives. The offence will be punishable with a maximum penalty of life imprisonment. If the offender is sentenced to a period less than life, they will serve a mandatory 80 per cent of that sentence before they can apply for parole. This particular offence has been introduced because the law currently requires the Crown to meet the specific requirements of murder, namely intention, beyond reasonable doubt. In those instances this can be difficult to establish and, therefore, the lesser offence of manslaughter is often charged in those cases. Queensland will be brought into line with other states where one-punch laws have been

enacted to circumvent the difficulties in adequately sentencing offenders. It comes back to the old adage that if you do the crime you should do the time.

Additionally, there will be an increased penalty for serious assault on public officers, such as ambulance officers, hospital staff and nurses. Where the offender spits, bites, applies bodily fluid, causes bodily harm or is, or pretends to be, armed, the new maximum penalty will be increased from seven to 14 years imprisonment. We recognise the danger public officers face, having already passed a raft of legislation to provide adequate protection for police. Passage of this bill will ensure other officers are also suitably protected. It would appear, though, the opposition does not want to protect our front-line officers.

In an extremely alarming and worrying trend, the use of steroids has become more prolific in recent times. Yesterday officers from the Gold Coast Major and Organised Crime Squad, together with Task Force Maxima officers, arrested two people after executing a search warrant at a Tugun residence, in my electorate, in relation to dangerous performance and image enhancing drugs. I commend them for their diligence and dedication in ridding our neighbourhoods of drugs and other illegal activities.

This bill addresses this issue with an increase in penalties for trafficking, supplying, production, publishing or possessing steroids, ensuring the penalties are more closely aligned to other drugs such as methamphetamine and ecstasy. Again, the opposition would have these people spared extra punishment. Fines will also increase for a range of antisocial behaviour to deter people from committing these offences, as well as adequately holding them to account for their actions.

Another noteworthy aspect of this bill is the amendments that make it absolutely clear that intoxication cannot be used to mitigate an offender's sentence. People choose to drink alcohol in excess and if they make dangerous and harmful choices whilst under the influence they should face the full force of the law.

Community awareness and education campaigns are already in circulation, spreading messages that this behaviour will not be tolerated. Courts will also be able to ban patrons from certain venues for any period of time, including life. Police will now have the ability to issue immediate sanctions for anyone behaving unacceptably in a public premise.

As part of our wider commitment to finding a long-term solution to substance abuse and violent behaviour whilst under the influence, the bill will require the court to impose drug and alcohol assessment and referral as a mandatory bail condition where there is a serious offence under the Criminal Code. Failure to participate in such a course will be a breach of bail. This will be coupled with mandatory community service.

Through the passage of this bill the responsibility of curbing this emerging culture also lies with licensees in Queensland. The licensee will be required to ensure the safety of patrons in and around the licensed premises with greater powers to impose conditions and take disciplinary action where this is not being adequately sustained. Some 15 safe-night precincts will be established throughout Queensland under this strategy.

This government has been unapologetic in our commitment to cleaning up our streets and making Queensland the safest place to live, work and raise a family. We have empowered our police men and women, giving them the funding, legislative backing and increase in numbers they cried out for under years of Labor. On behalf of Currumbin residents, I would like to acknowledge the stellar efforts of our local police officers. Recently released figures show downward trends right across the state. In Currumbin we are seeing particularly pleasing results. Total reported offences are down 12 per cent, assault is down 24 per cent, robbery is down five per cent, unlawful entry is down 40 per cent and the unlawful use of a motor vehicle is down six per cent.

Having been the local member for over a decade, I know safety is important to the good people of Currumbin. After years of incompetence by those opposite, we finally have a government unwavering in our resolve to rid our streets of crime and antisocial behaviour. As the Minister for Tourism, I am pleased to say that this bill is very good news for the millions of tourists and visitors who flock to our state to holiday in a safe environment.

People have a right to feel safe in their homes and communities and our actions since coming into government in 2012 have been focused on achieving this. This bill is one part of our comprehensive approach to addressing a serious issue. To make sure we get this right we have committed to reviewing the Safe Night Out Strategy after 12 months. This is not just a quick fix solution. We will monitor the initiatives and make any necessary adjustments. We have taken the first

steps, but government cannot do this alone. I hope that patrons, venues, the community and even members opposite will all work with us to create a safe, vibrant culture for Queensland's night-life.

Anyone who has worked in an emergency department—and I am one of those—has seen horrific and shocking injuries to children and adults and almost every single one of them is avoidable. This legislation takes significant steps to reduce the incidence of these injuries, but it also places considerable responsibility onto individuals themselves—something Labor governments never had the intestinal fortitude or plain old-fashioned courage to do despite being in power in Queensland for 18 of the 20 years before we came into government. I commend the bill to the House.