

Dave Anderson submission to the Lock Out Liquor Review

Scouty Dave [REDACTED]

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To: Liquor Law Review <liquorlawreview@justice.nsw.gov.au>;

To Whom it may concern.

My name is David Charles Arthur Anderson QSA, M.Com (USyd), B.Ent (JMC).

I am writing this submission in many capacities. Firstly as a victim of violence in the CBD, secondly as a patron of venues in the city, and thirdly as an employee of a liquor store.

For technical qualifications, I have eight years of industry experience in liquor retail, and eleven years industry experience in live music, along with a Masters of Commerce (Strategic Management, and Entertainment Industry) from the University of Sydney.

At Mardi Gras 2006 I was the victim of violence. You can confirm these details via my CNI number 733306699

I went to Mardi Gras with my mate Scotty and one of his mates to watch the parade. At the time I was a P plater, and driving, thus zero alcohol was in my system. Our vantage point was the south side of Oxford Street near Commonwealth Street.

Some guys from the St George area wanted to "*bash a poof*". They saw me wearing jeans, a nice white button down shirt, and a pair of cheap fairy wings I bought from a toy shop and assumed I was "*a poof*" (their words, not mine). They also were envious of the stool we brought so we could see over the crowd.

They ripped the stool out from under me and proceeded to fight us. Three of us (sober, mostly) vs seven of them (very drunk). The majority of details of the fight itself are inconsequential. However it is important to note that this attack was not provoked, and I had no idea it was coming. I will say that we managed to hold our own and I ended up with a black eye, and a lot of bruising on my torso and neck.

I was very thankful when the police came to break it up.

We were sober, and did not resist. The police handled the situation in a firm but fair, professional manner. When they realised that we were sober and the victims of the crime, they simply took our statements and let us go while those fellows who attacked us resisted arrest.

Who or what is to blame for this attack?

One could point the finger to the booze and say that they only attacked us because they were drunk. Being drunk lowers inhibitions, but it does not create evil. If you are privately a homophobe, while intoxicated you will become a more vocal homophobe. If you are a violent person to begin with, you will become a more violent person. The animal inside is let out of his cage and put to the controls.

Do I blame a bottle shop for selling them the booze? Do I blame the pub for selling them booze? No. Why should some bottle shop in the St George area be held accountable for an attack in the city? Why should some pub near Central be held accountable for an attack that one of their patrons committed a kilometre away well after they have left?

I only blame these guys for attacking me; not the booze, not the venues, only the individuals involved.

The responsibility to not be a violent bogan should fall on the individual themselves.

So why are venues being punished for actions taken by people who aren't even their patrons?

The outcome of this assault was nothing. The boys did not front court, they did not receive any punishment. They were driven

home by the police and left to their parents to deal with them. There should be a personal responsibility on individuals who commit offences, not the venues.

Because I was assaulted in the 'Sydney CBD Entertainment Precinct', I am now a statistic. This fact in some small part would have been used to justify the lock outs.

I feel it does not. I was a victim of homophobia. The fact they were drunk just lowered their inhibitions. Some people want to go out to "bash a poof". Others want to go out and just get into a fight so they can feel masculine.

Violence is bad for business. Venues want you to feel safe have a good time. If the streets go violent, then business dries up. Inside a venue there is usually a lot of security, and they will break up a fight as soon as it starts. This being the case when in November 2009 I was out with my brother for his birthday at Soho (club in Kings Cross). When a fight broke out near us at the bar security came in seconds and neutralised the situation. I continued to have a merry evening and continued to feel safe in the venue.

All these lockout laws have done is lead to more house parties, and illegal raves.

If you want to get rid of violence, let there be consequences to the violence and let people know. Education from an early age would be a good idea.

I support live music in Sydney. I support a vibrant pub culture in Sydney. While I am not a regular patron of the Kings Cross and the northern end of the city, I am aware of the fact that what affects the north end and cross will have flow on effects to the south end and inner west.

The one question I want asked of this review is ***Why are the Crown Casino at Barangaroo and The Star Casino at Pyrmont exempt from these laws?*** Violence has increased in Pyrmont, along with The Star Casino's profits.

As previously mentioned as a part of my disclosure, I am currently employed at a take away liquor store. There are currently regulations regarding responsible service, however there is no law to my knowledge regarding responsible consumption.

Last weekend a group of twenty or so young people from the UK came into my store heavily intoxicated. The majority of them did not have IDs (the ones that did had passports). We refused service. The police were notified by the public and arrived soon after. They were also refused by the neighbouring stores and venues in the area. The police first question was if we had served them, and then inspected our incident diary. If we had not we would be fined. **There would be no negative repercussions for the individuals who came in intoxicated. Why is this so?**

On the subject of take away liquor laws, the enforcement of the law requiring stores to be closed by 21:59:59 is very heavy handed. Prior to the new laws being introduced, on evenings when our licence said we closed at ten, if we had a customer in the store before ten and served them at two minutes past the hour, the police or OLGR wouldn't mind as we were within the spirit of the law. The evening the law was introduced we had police at our door every Thursday, Friday, and Saturday 10pm close with their watches out checking our closing time to the second. If we closed a second late, we would be fined. This had led to us closing at 21:55 to avoid being fined as we are not sure if 21:59:59 is by their clock or our clock. On a very busy evening we often have to tell customers inside the store in the queue that we cannot serve them as the clock just past 21:55.

In my professional opinion, I would make the following recommendations

- The return of late night trade in entertainment districts (ie: reversal of the Lock Out laws).
- The same laws applying at the Casinos as to other venues in the area.
- On the spot fines for offending patrons.
- Banning of patrons from Entertainment precincts who have continuous antisocial behaviour.
- Education in schools regarding acceptable behaviour and identification requirements.
- The goal of changing our culture of violence to a culture of gallantry.
- Encouragement of live music venues.
- A relaxation of the requirement to be closed at 21:59:59.

- Improved public transport to and from entertainment precincts.

I am more than happy to be of continued service to this Liquor Review if called upon.

Kindest regards

Dave Anderson

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