

The Hon Ian Callinan AC QC

Dear Sir,

Re: Sydney Liquor Law Review

My name is Dylan Barber. I am a law student, and next year I will commence as a graduate at the Sydney office of a large commercial law firm. I have studied your Honour's judgments extensively over the past 5 years, and welcome the opportunity to make a submission to this Review knowing that you are at its helm.

As many university students must do to survive, I worked as a bartender for the first three years of my law degree. I worked at Hugos Lounge in Kings Cross – six times awarded Australian Nightclub of the Year. Hugos was a fantastic place to work – it was a well-managed venue with a near perfect record, and when I commenced working there in March 2012 it was a thriving business that often attracted local and international celebrities who mingled freely with happy and respectful patrons. By the time of Hugos' closure in March 2015, the venue was a shell of its former self. Many saw Hugos' closure as a perfect example of the drastic effect the 'lockout laws' were having on Kings Cross and the wider Sydney CBD precinct.

I watched many of my close friends lose their jobs when Hugos closed. Many of them struggled to find new work in a once-thriving industry. Many venues simply weren't hiring, as the lockout laws and other trading restrictions substantially affected their trade and revenue. The hospitality industry is wilting.

I will not burden this submission with facts and figures, nor will I make expansive suggestions. I leave those tasks to much more able parties. I would, in particular, endorse and refer you to the submissions made by Matt Barrie and the City of Sydney. Mr Barrie's submission thoroughly dissects the unsubstantiated rhetoric and misuse of statistics by pro-lockout law stakeholders. The City of Sydney submission, in turn, provides in my opinion the soundest response. It balances the need to strive for the safety of pedestrians and patrons in Sydney's streets and venues during peak late-night periods, with the inarguable need to return Sydney to the cultural capital it once was.

I have travelled to many global cities. I would guess that you have too. If you have, you will know that European capitals like London, Barcelona, Paris and Rome have thriving night-time economies where bars, clubs and music venues exist unrestricted.

Sydney is an incredible city – every time I leave, I come home and rediscover just how much I love the place I'm lucky to call home. Yet Sydney after dark is a shadow of its former self – and it hurts to live in a city that is unable to live up to its potential because of ill thought out restrictions.

The safety of Sydney's residents and the existence of a thriving night-time economy are **not** mutually exclusive.

I implore you to look to progressive, collaborative solutions such as those recommended by the City of Sydney.

I implore you to consider Australia's rich history of respect for basic human rights and freedoms, despite not having a Bill of Rights. Restricting the freedom of movement of Sydney residents by locking them out of venues 'for their own safety' is a dangerous step down a slippery slope.

I implore you to consider that many of the submissions made by those in favour of keeping, or even expanding, the lockout laws may not be those most affected by them. The current lockout laws are not the only way to protect residents and community members, yet they drastically affect Sydney's younger demographics that predominantly utilised the night-time economy. Thousands of young (and young-at-heart) Sydney residents recently marched peacefully in protest of the lockout laws. It is these people – people like me – who are most affected.

I implore you to apply judicial scrutiny to the myriad of statistics and figures that are used to justify the lockout laws. They must be looked at in context, and divorced from the often-misleading rhetoric of some politicians and stakeholders. The evidence points to lockout laws having a negligible impact on violence and alcohol-related hospital admissions, which were already trending downward in the years leading up to 2012.

Finally, I implore you to consider the weight of this Inquiry. In your hands is the opportunity to restore balance to a city in which a once-thriving cultural landscape is currently ailing. Sydney is at a crossroads, and to allow the lockout laws to continue unamended – or worse, to recommend further rollouts of liquor law restrictions in other parts of Sydney or NSW – would do irreparable damage to Sydney's cultural fabric and its domestic and international reputation.

Thank you for taking the time to read this submission.

With hope,

Dylan Barber