

Submission - "Lockout Laws"

pagan morgan [REDACTED]

Tue 8/03/2016 12:05 PM

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

SUBMISSION - LIQUOR "LAW" REVIEW

liquorlawreview@justice.nsw.gov.au

1. "Lockout Laws" verses sober citizens – including 'teetotallers'.

"Lockout laws" include refusing entry to persons who do not drink alcohol – but want to meet up with friends who are inside the licensed venue (and/or use the toilets).

Example (Byron Bay): Despite being a non-drinker and security staff being aware of that fact (small town), I was prevented from re-entering a licensed premises at 12.02am (after I 'popped out' of a licensed venue for about 40 mins - to check out another band playing at a different licensed venue nearby - and returned 2 minutes after midnight - consequent of being intercepted by a chatty friend on the return journey). Due to the "lockout" policy deemed to be a "Law", this female was obliged to "immediately leave the vicinity" - in the pouring rain – just after midnight.

Does prohibiting a person, who does not drink alcohol, from entering a licensed venue – in order to rejoin his/her friends and/or get out of the rain – at 12.02am - save lives? No. In fact, it increases the chances of the person catching cold (*and pneumonia*) and being attacked – including sexually assaulted.

2. INJUSTICE - Punishing the Innocent Majority for the Crimes of the Few.

2.1 "Lockout laws" unlawfully punish the innocent majority (*including businesses that relied upon the 'passing' night revelers*) for the crimes of the few.

2.2 "Lockout laws" are as ridiculous as "the government" (and/or doctors etc) declaring that statistics reveal that more injuries/fatalities are caused by drink driving after midnight; and, based upon that statistic, implementing a "no drive law" dictating that nobody is permitted to drive after midnight – including persons who have not had any alcohol during the past 24 hours (*including ambulance drivers and Police*) and persons do not drink alcohol at all. That would certainly decrease the number of motor vehicle injuries. However, like the "lockout laws", that is not JUSTICE.

3. HISTORICAL FACTS

3.1 'Back in my day' (*late 20th Century*) – 'when the dinosaurs roamed' (*when there was a band playing in practically every pub in Sydney*), licensed music venues were open until 3am, 4am and some permitted patrons to remain on premises until 5.30am (*enabling patrons to wander home to nearby suburbs or to public transport hubs in the comparative safety of 'dawn' and catch public transport home*). 'Lockout laws' were unthinkable – especially for musicians and road crews who 'knocked off work' after 12 midnight and 'continued on' to venues such as Benny's, Kardoma Café and/or the Manzel Room.

Despite the fact that I often entered licensed venues after midnight, 1am, 2am and 3am, I never felt the

urge to assault another human being; and I was never threatened or assaulted by other persons 'out and about' in the city or Kings Cross either. Despite patrons being able to enter licensed venues until just prior to closing, the phenomena of **alleged** alcohol-fuelled violence against strangers (*which could be attributed to factors other than alcohol consumption*) did not exist.

The aforementioned facts make evident that the violent anti-social behaviour that is attributed to alcohol consumption - excuse cited to justify "lockout laws" - is not consequent of the TIME that persons are permitted to enter licensed premises; rather factors that are not related to TIME of admission.

4. CHANGED NATURE of LICENSED VENUES?

In the 20th Century, there were far more live music venues providing positive experience. In the 21st Century, it is difficult to find a licensed venue that does not bore patrons into the only form of 'entertainment' provided – **poker machines**; i.e. a form of 'entertainment' that is usually a negative experience that makes the patron leave the licensed venue feeling ripped off and angry. Previously, licensed venues that were also music venues had tables and chairs (*seating for the majority of patrons*). These days, to maximise 'door takings', the majority of licensed music venues are standing room only – with minimal, if any, **seating**. Patrons are obliged to stand for prolonged periods, thus are tired and irritable upon exiting the venue. Licensed music venues, such as Kardoma Café, served **food** until 2.30am; and venues that did not serve food permitted patrons to 'pop out for a feed' and re-enter at any time prior to the venue closing. Currently, even pubs (*that are also music venues*) cease serving food as early as 8pm – but keep serving alcohol for another four (*or more*) hours. **Non-alcoholic beverages** are limited to cheap machine versions of sugary 'soft drinks' such as coca-cola. The majority of licensed venues do not sell mineral water or better quality (*less sugar*) soft drinks; let alone tea, coffee and hot chocolate.

5. CHANGED NATURE of NIGHT PATRONS?

Whilst the changes in human behaviour over the past decades have multiple and complex causes, the following may indicate some of causes for 'alcohol fuelled violence' - that have nothing to do with TIME patrons are admitted to licensed venues, rather the nature of younger 'patrons of the night':

During the 1980s, taking Ecstasy and other 'designer' drugs became fashionable; as did making money became more important to many Australians than taking care of – including providing parental guidance to - their children.

A large percentage of "Generation Y" (*why did you have children – if you don't want to stay home and look after them*) and "Generation i" – reference to iPods and iPhones (*a.k.a Generation ME – where self obsession became 'normal'*) – are the offspring of the designer drug generation and are 'the crèche generations'. A large percentage of Gen Y and Gen i had parents who advocated that a few hours of "quality time" (*that obviously did not include teaching their offspring basic manners*) could produce a functional, sharing caring human being – rather than an ill-mannered, self-obsessed, dysfunctional creature with a deep seeded hatred of the society (*including "government"*) that not only permitted Mothers to dump their children in 'child care' at 6 weeks of age – putting earning a dollar before the welfare of their children - but encouraged the child abusing practice.

Younger Australians experience psychologically confronting realities that were not a source of stress for patrons of the late 20th Century - including competing with hundreds of thousands of backpackers for employment and accommodation.

During the 1970s, it never occurred to anyone that they would not be able to obtain some form of employment – be that employment washing dishes or emptying ashtrays and clearing glasses at a nightclub. I lived in a large Victorian terrace with my friends – in a bedroom that was as large as many

modern one bedroom flats; and the rent cost 20% of my income = housed and happy – no need to self medicate with alcohol. A house cost approximately three years salary.

In 21st Century, two adults (a couple) on an average wage cannot afford a mortgage – the dream of owning your home has become an impossible nightmare. The majority of young people live under the ‘dark shadow’ of knowing that they cannot even save a deposit for a home – let alone pay a mortgage. However, as they are not saving for a home or paying a mortgage, they can afford to self-medicate against the depressing realisation of slaving your life away to pay taxes to the corporation (*the government*) and make rich landlords even richer - with zero prospect of owning a home.

6. GROOMING TEENAGERS INTO ALCOHOL ABUSERS.

In the 20th Century, teenagers celebrated completing secondary school by getting a job. Nobody travelled hundreds of kilometers with intent of getting blind drunk in a coastal country town (e.g. Byron Bay). In the 21st Century, teenagers are encouraged – by the “the government” (*Department of Finance and Tourism*) to participate in a phenomena that effectively grooms teenagers into lifetime alcohol consumers. “Schoolies” sends a ‘loud message’ to impressionable teenagers (*morphed into pseudo adults by “the government”*) that it is ‘cool’ to be intoxicated in a public place – being a loud, obnoxious public nuisance (at the expense of the taxpayers funding the “Youth Allowance” or “Newstart” payments for the teenagers who are too busy getting drunk at “Schoolies” – to be bothered engaging in employment). The government that profiteers from the sale of alcohol encourages public intoxication via permitting the promotion of “Schoolies”.

7. LICENSED VENUE LOSSES verses REAL ESTATE GAINS

Since “lockout laws” were introduced, the price of real estate prices in Kings Cross have increased 25% - “the government” profiteers from the increase via stamp duties and land taxes; and “rates”.

Who else benefited from the “lock out laws” – everyone who purchased real estate in Kings Cross with knowledge (*before revealed to the general public*) that “lock out laws” were going to be implemented by “the government” - with foreseeable consequences for Kings Cross nightlife - thus real estate prices. A browse of State Land Titles Office records – prior to the “lock out laws” being introduced would, no doubt, prove very informative. Persons who purchased just prior to the “lock out laws” being introduced made a 25% profit in 12 months – certainly a much better return than anything else on offer (*especially mining stocks*).

8. OFFICE OF STATE REVENUE PROFITEERS

Example 1: Urinating in public – because there are no public toilets open and the person is not permitted to access toilets within a licensed venue = \$220.

Example 2: Sober person (nightshift worker) attempts to enter licensed premises just after lockout time – to have a beer after the end of a 12 hours shift. His work mates are inside the venue – but he was a few minutes late because he stopped to text his wife to let her know that he would be home about 30 minutes later than usual because he was ‘going to have a beer with the guys’ before coming home. If the person does not immediately accept being denied entry and immediately leave the vicinity - the person is up for a \$550 fine (*and that fine ‘blow out’ if the bouncers accuse the person of assault – including falsely*). The “lockout laws” are a guaranteed fight starter – and the Office of State Revenue (State Debt Recovery Office) profiteer from any “quarrel” incited by a sober person being denied entry to licensed premises.

9. “THE GOVERNMENT” PROFITEERS.

The “lockout laws” do not apply to casinos. Need some patrons for the new casino - no problem - we (“the government” – including persons who influence “the government”) can introduce “lockout laws” that will turn ‘the Cross’ and the city into dead zones after 1am. Night patrons will have nowhere else to go – other than the casinos; and “the government” makes more money from licensed premises that have gambling as the ‘entertainment’ than licensed premises where the patrons spend their money on food and non-gambling entertainment – such as live bands.

10. LEGAL SOLUTIONS *(to alleged alcohol fuelled violence)*.

10.1 Stop providing government funding for any “Schoolies” related activities – i.e. cease conning teenagers into the belief that it is cool to be intoxicated – behaving badly - in public places.

10.2 Legislate that it is an offence to be intoxicated in a “public place” - blood alcohol level over .10 (*twice the legal limit for driving a motor vehicle*); giving Police the power to breath test persons who appear to be overly intoxicated whilst in a “public place”, charge Offenders and order Offenders to ‘go home’ and sober up.

Obviously, homeless persons would be exempt from the ‘go home’ directive.

10.3 Introduce after midnight breath testing at the door of licensed premises - if the person requesting admittance to the licensed premises blows .10 or over, the person is refused admittance due to being intoxicated (*rather than the TIME*). If the person refuses to leave the vicinity immediately – licensed venue operator can the Police and the person should be charged with being intoxicated whilst in a “public place”.

10.4 Licensed premises should be obliged (*Council and licensing requirement*) to have **seating** capacity for at least 90% of patrons – with tables (*or benches*) for placement of drink containers (*and/or food plates*).

10.5 Licensed premises should be obliged (*licensing requirement*) to provide hot beverages (*tea, coffee, hot chocolate etc*) as an alternative to purchasing alcohol until 30 minutes before closing.

(f) Licensed premises – such as music venues and pubs – should be obliged to provide **food** until 60 minutes before closing.

Kardoma Café – previously a music venue in Kings Cross - provided food until 2.30am (and they permitted patrons to pop out for nearby cheaper food options – and return to venue). I would arrange for kitchen staff to drop a (pre-paid) cheese, biscuit and fruit platter on my table just before the kitchen closed – so my ‘Vampire’ friends and I could nibble on the cheese and fruit platter during the wee hours before the venue closed and we walked uphill – home to Paddington - at dawn.

During the 1970s, a nightclub in Perth closed at 4.30am and the business next door open at 4am – selling breakfast (including tea and coffee) to the patrons leaving the nightclub. Most of the patrons leaving the nightclub after 4am would hang out at the breakfast place next door until the buses started running (about 6.30am) – then catch a bus home – well fed, ready to fall into bed. No violence – happy ‘Vampires’.

Summation:

“Lockout laws” – that also “lockout” citizens who are sober (including non-drinkers) – are not the solution to *alleged* alcohol fuelled violence. The TIME a person is permitted to enter a licensed venue is irrelevant to *alleged* alcohol-fuelled violence.

The government should consider the reasons the younger generations - apparently – feel the need to self-

medicate with alcohol and drugs; and ‘blowing their cash’ on excessive alcohol consumption (*rather than saving for a home*); and expressing their anger in such a violent, inarticulate manner; and other relevant factors – such as lack of seating, food and alternative beverages in licensed venues.

The only persons who should be subject of a “lockout” from licensed premises are the persons who are inappropriately attired, inappropriately behaved and/or intoxicated to the point of posing a risk to “health and safety” – be it to self, staff or the general public. If a person is sober, the person should be permitted to enter licensed premises up to 15 minutes before closing (*or – as a courtesy gesture – until closing – if the purpose of entry is a need to use the toilet*).

Name: Morgan (*no surname*)

