

Submission to the Independent Review

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To: Liquor Law Review; 

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To Whom it may concern,

As an individual, I would like to express my strong objection to the various laws put in under the Liquor Amendment Act 2014, which I shall refer to collectively under the heading 'the lockout laws'.

I object to the lockout laws for a number of reasons, but, for the purposes of succinctness, I will put forward only the following three, and will focus not on the ethical issues (though I do think the lockout laws ethically unacceptable), and instead focus on the pragmatics. I will keep them as brief as possible:

1) The introduction of the lockout laws operate without finesse or distinction, using a 'bull in a china shop' approach. The lockout laws do not target those who will offend, but rather they limit everyone's freedom, in the hopes that this will in turn have an effect on those who will offend. Because of this indiscriminating approach, to say that violence has gone down becomes meaningless, because a) the number of people who are out has also been reduced, and b) the hours during which people are out have been reduced. This means that the actual percentage of violence remains unaffected. A better solution would be an increased police presence, and harsher penalties for those who offend.

2) The lockout laws do not address the real issue; those who are violent. The phrase 'those who drink' is not synonymous with 'those who are violent'. But this conflation seems to be the driving principle behind the lockout laws. The laws try to limit drinking, instead of focusing on the problem of violence. Whether or not violence is alcohol-related is quite irrelevant, since non-alcohol-related violence is just as bad for society. One should not ignore, of course, that some people are violent more when they drink, but any approach to limiting violence must focus on the violence itself, rather than what merely *helps* those who are violent.

Incidentally, even if the best method is to limit alcohol consumption, other, non-prohibitive measures are open to the government; for example, on more occasions than I can count I have seen people at the bus stop going to, say, the Hills area, and they miss their last bus at 2am; they know how expensive it is to catch a taxi, or to rent a room, so instead they say 'let's just stay out until the next bus starts at 4am. If buses were made more frequent and non-stop, this would immediately open another avenue. This is, of course, only put forward as an example of a non-prohibitive approach, and I acknowledge that it alone will not solve everything.

3) The logic behind the laws is weak at best. For example, the legislation that no alcohol can be sold past 10pm *across the state* has no foundation. Since the only statistics quoted on page 12 of the Background Paper for this review refer to the CBD Entertainment Precinct and the Kings Cross Precinct (and given what has been said about these laws in the past), one can only assume that the violence these laws are aimed at preventing is violence in the city. In that case, how does preventing someone purchasing alcohol at, say, 10:15pm in Kiama help to stop violence in the CBD? For a second example, I quote from the Background Paper:

2.6.5 The 1.30am lock out and 3am cease alcohol sales measures do not apply to other licensed venues, including restaurants and small bars.

Why are small bars exempt? If, as these laws claim, the problem is alcohol-related only, then it shouldn't matter that I drink at a small bar rather than a pub. The only way a distinction is valid is if the violence is not alcohol-related, but venue-related. N.B. I'm not suggesting that small bars should be included, since I object to the lockout laws in their entirety, but I am using this example to show that there are inconsistencies, and logical weaknesses, within the theory behind the lockout laws, and to show they do not address the real issue.

I hope these three reasons (out of many more) will serve to show the independent review that the lockout laws were rushed through with not real thought given to them, in an attempt to appear 'strong' in the face of violence, but in fact are inconsistent and ineffective, and should be repealed.

Thank you for your attention.

Yours sincerely,

Alexander Westenberg