



AUSTRALIAN HOTELS ASSOCIATION (VICTORIA)

ABN 79 948 978 376

Friday 18 October 2013

Executive Officer
Law Reform, Drugs & Crime Prevention Committee
Parliament House
EAST MELBOURNE VIC 3002
sandy.cook@parliament.vic.gov.au

Dear Ms Cook,

Inquiry into Supply and Use of Methamphetamines, particularly “ice”

The Australian Hotels Association (Victoria) welcomes the inquiry by the Law Reform, Drugs & Crime Prevention Committee of the Victorian Parliament into the supply and use of methamphetamines.

Australian Hotels Association (Victoria)

The overarching objective of the Australian Hotels Association (Victoria) is to effectively contribute to the establishment and maintenance of an economic and social environment that fosters the business success of members and Victorian pubs and hotels generally.

AHA (Vic) strives to be the pre-eminent Victorian hospitality industry association representing the rights and interests of its members to State, Federal and Local government, other relevant parties and the community. AHA (Vic) provides industry leadership, lobbies on members' behalf and promotes best practice in hotel management, with a commitment to effective communication with members. Tourism Accommodation Australia (Victoria), a division of AHA (Vic), actively contributes to the development and growth of tourism and tourism-related industries.

Within the diverse Victorian hospitality industry, AHA (Vic) and TAA (Vic), membership incorporates CBD, metropolitan, regional and rural hotels and pubs, accommodation hotels, resorts and similar businesses.

Advice ■ Support ■ Network ■ Influence

The ongoing strategic objectives of AHA (Vic) are to:

- Protect, promote and advance the interests and rights of members;
- Uphold and promote the quality, integrity and reputation of the hotel industry;
- Provide timely, effective, relevant and value adding services to members;
- Develop and maintain value-adding partnerships with key industry stakeholders to the benefit of members and such partners, and
- As an organisation achieve best practice in administration within the industry association sector.

Submission

Whilst AHA (Vic) has not formally surveyed its membership regarding the nature and prevalence of the use of methamphetamines in and around hotels and late night venues, anecdotal information is that the perceived level of use is increasing, particularly in the late night and regional settings.

AHA (Vic) would be pleased to provide the Committee with access to its member database, on a confidential basis, if the Committee wishes to directly canvas the views and experiences of Victoria's hoteliers in this regard. (Relevant survey tools are held by AHA (Vic)).

For some time AHA (Vic) has been concerned that problematic and anti-social behaviours of certain persons in and around licensed venues, particularly in respect of overtly aggressive behaviours, are only seen to be as a consequence of excessive consumption of alcohol i.e. "alcohol-fuelled violence", with minimal if any regard had to the prospect of the involvement of methamphetamines or other drug-use in the behaviours.

In August 2010 the Drugs and Crime Prevention Committee of the Victorian Parliament released the report of its Inquiry into Strategies to Reduce Assaults in Public Places in Victoria.

In detailing the incidence of assaults in public places the Committee reported that of the one thousand one hundred and eighty-nine (1,189) reported violent incidents in CBD Melbourne in 2008/09, 5% occurred on licensed premises and involved alcohol, with 17% occurring on the streets and involving alcohol.

The obvious question is: what were the drivers of the balance of 78% of reported violent incidents in CBD Melbourne?

Whilst there is no denying that excessive consumption of alcohol is a driver of violent incidents within and around licensed businesses or on the streets generally, we must be alert to the impact of those malcontents simply hell bent on wanton aggressive violence, gang behaviours, often racially-motivated, the often inexplicable behaviours of dis-engaged youth, the occasional idiot and those affected by drugs, including methamphetamines.

The current inquiry by the Committee is welcomed as it can assess the extent to which the often automatic assumption of “alcohol-fuelled violence” is masking unacceptable and violent behaviours driven by drug-use.

It is apparent that Victoria Police have recently been adopting a more direct enforcement approach to illicit drug trafficking and use in late night entertainment precincts – the King Street area in particular.

AHA (Vic) fully supports the initiatives of the Victoria Police in this regard.

The terms “party” and “recreational” drugs mask the dangers posed by these psychostimulant and amphetamine-type substances going under names including “ecstasy”, “ice”, “crystal meth”, “GHB” and including synthetic drugs e.g. “meow meow” etc.

Such stimulant drugs are often ingested to increase energy particularly when dancing, to heighten perceptions of music/activities, to “feel good” or for the high and peer engagement. The health impact and addictive nature of these substances appears to be disregarded by so-called “recreational” users.

Whilst drug-related literature and research details the short and long term dangers and impacts of such drug use e.g. acute and chronic mental health problems, cardiovascular events, collapse and coma, it is now apparent that the biggest danger may well lie in the lack of knowledge of what is actually in these “party” drug concoctions - what chemicals are being ingested and their impact on the user.

The increasing availability and use of illicit “party” drugs brings a range of new challenges to operators of late night entertainment venues.

Within the context of Victoria’s publicans and licensees generally providing a safe and properly managed environment for customers, AHA (Vic) is of the view that the minimisation and/or prevention of illicit drug-use in and around licenced premises by parties other than Victoria Police is highly problematic, particularly in that:

- illicit drugs may be surreptitiously and quickly consumed by licensed venue customers or intending customers either before entering a venue, whilst intermittently leaving the venue or in the venue beyond the view of staff etc.,
- behaviours equivalent to intoxication or drunkenness may not be evident when illicit drugs are consumed and illicit drug-takers may not present themselves to staff through ordering beverages etc.,

- licensees are typically unaware of the legal complexities and liabilities of a person having in their possession or consuming illicit drugs of a personal-use quantity only or offence provisions related to undefined synthetic drugs, and
- licensees may have no knowledge of covert activities or interventions being undertaken by Victoria Police and may compromise such activities.

The Liquor Control Reform Act 1998 (Sects. 114 (2-5)) provides that a person who is drunk, violent or quarrelsome must not refuse or fail to leave licensed premises if requested to do so by the licensee, a staff member or a police officer (50 penalty units) and must leave the vicinity of the premises and not re-enter for 24 hours.

Such provisions are already adequate to address observable unacceptable behaviours as a consequence of illicit drug-use on licensed premises.

Based on the above, AHA (Vic) opposes any amendment of the definition of the term "intoxication" within the Liquor Control Reform Act 1998 (Sect. 3 AB) to provide that it encompasses excessive consumption of alcohol "or other substances".

Of course the aiding and abetting by licensees of illicit drug use or trafficking on licensed premises warrants the full exercise of the law.

AHA (Vic) supports the State Government and Victoria Police in their efforts directed to minimising illicit "party" or "recreational" drug use, particularly given that there is increasing anecdotal information that certain drug-use in and around late night venues is contributing to violence and other unacceptable anti-social behaviour, either with or without the consumption of alcohol.

AHA (Vic) is of the view that the development and implementation of further initiatives to directly address the supply and use of illicit drugs, including methamphetamines, requires a whole of community approach, including liquor licensees where relevant.

It would be neither reasonable, equitable nor efficacious for the Victorian Government to assign further responsibilities and obligations to liquor licensees in respect to illicit drug-use within and in proximity to licensed premises beyond the requirements of existing liquor and criminal law.

Thank you for the opportunity for AHA (Vic) to provide our views on this important issue.

Yours ~~sincerely~~,

Brian Kearney
Chief Executive Officer