

Hansard
11th November 2008

LIQUOR LICENSING (POWER TO BAR) AMENDMENT BILL

The Hon. R.L. BROKENSHIRE (15:48): Family First will be supporting this bill. However, I did want to go on the public record about a couple of fundamental points. In the past I have spoken quite a bit on the public record, as well as in my capacity as a former police minister, about trying to improve law and policing situations to combat outlaw motorcycle gangs. First, we must remember that these gangs want to work outside of the law. They work outside of the law for two main reasons: one involves getting huge amounts of cash as quickly as they can through undertaking, most of the time, illegal enterprises—if I can put it that way; and the other involves having far too much input into drug production and trafficking, which damages a lot of young people. This is done for the gangs' own gain but at a cost to our young generation who need to be protected and kept safe in public environments.

The government cites the history of the Tonic nightclub and the Gouger Street shootings as part of the impetus for this bill. While it is a reactive measure, I am happy to support the government in its endeavours to give the police more powers. The general public, in my opinion, need never feel afraid of tighter laws that are targeted towards outlaw motorcycle gangs. The police are very professional in the way they go about their work. If you are an average Jill or John out on the street enjoying yourself, you will not have to fear inappropriate policing activities as a result of this bill.

Since the bill was introduced, we have seen more recent shooting incidents, which have raised public concern. Whilst giving the police additional powers is one thing (and, as I have said, I support that initiative), I would like to see the police provided with more resources. I am concerned about the number of illegal firearms that are getting into the wrong hands in South Australia, which is something that seems to have accelerated quite a lot. I know that the firearms section has in recent years been very restricted when it comes to resourcing, and the government should be looking to provide further funding and support in that line of the budget within SAPOL's overall budget.

We saw a June shooting at the Buddha Bar and, on Sunday 5 October, a shooting at Gaucho's Argentinian Restaurant, which was described in *The Advertiser* the following day as 'the shooting in the early hours of Sunday morning was the second to occur outside the popular Gaucho's Argentinian Restaurant, next door to Escobar'.

Police can rely upon their criminal intelligence to bar someone without an offence or threat having to occur. I note that a promotion for *Today Tonight's* program tonight claims that all the bikie gangs are forming a coalition to fight the government on its anti-bikie legislation, and I expect that this will be another bill that they will also contest.

My concern about this bill is whether there will be enough police to do the job. The Rann government made a commitment on police numbers, many of which

we are yet to see delivered. I must ask whether, when that was agreed to, the anti-bikie regime and the massive expansion of Operation Avatar taskforce was foreseen. I would not expect a local traffic police officer or a general duties officer to be at the forefront of policing this legislation and implementing the power to bar.

Operation Avatar will require specialist police. I am concerned that Operation Avatar is undermanned, and I ask the minister to give due consideration to this issue. It is one thing to pass laws, but it is another to back it up with the right resourcing to ensure that, in practice, the laws work. I am concerned that Operation Avatar does not have the necessary number of police officers to be able to do this additional work for which they will no doubt be primarily responsible.

I also place on the public record my appreciation of all the good work done by SAPOL, particularly Operation Avatar, which is a very difficult area of policing. I commend those officers who are part of Operation Avatar.

We ask that the government report on the use and effectiveness of these provisions. I noted the comments made by my colleague in his speech preceding mine. Whilst we are happy to give these increased powers to police, I believe that, for transparency, the government must ensure that reports are put to the parliament that look at the use and effectiveness of these additional powers. These are increased powers for police and, in those circumstances, I think it is always worthwhile for parliament to receive a report from time to time on how its laws are working. After all, these are not the government's bills; they belong to the parliament, and the parliament is not only responsible but accountable for its bills. I think it is only fair that we are advised of progress once this legislation has been passed.

This afternoon, we received correspondence from the minister's office indicating that there will be new amendments to include barring powers for the casino. With respect, I say to the minister that, when we receive these notifications, it would be good if we were given a slight amount of time to do our homework before we have to come into this place to give our support, or otherwise, to these bills. A lot of legislation passes through this chamber, and it would be appreciated if the government would give honourable members a little more time on occasions so that we can be properly briefed.

With those comments, I indicate that I have pleasure in supporting this bill. I trust that the bill will help to address safety issues in relation to nightclubs and licensed premises in South Australia.