

Standing Committee on Social Issues

# **Legacy report 55<sup>th</sup> Parliament**

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## Terms of reference

These terms of reference were referred to the committee by the House on 13 August 2014.

1. That the standing committees on Law and Justice, Social Issues and State Development produce legacy reports that:
  - (a) inform their successor committees of the activities undertaken during the 55th Parliament and any matters that would benefit from further inquiry in the 56th Parliament, and
  - (b) make recommendations to the Chairs' Committee, if necessary, regarding any matters relating to committees and the inquiry process that require particular action.
2. That the committees report by 13 November 2014.

## Committee membership

<b>The Hon Niall Blair MLC</b>	The Nationals	<i>Chair</i>
<b>The Hon Helen Westwood MLC</b>	Australian Labor Party	<i>Deputy Chair</i>
<b>Ms Jan Barham MLC</b>	The Greens	
<b>The Hon Greg Donnelly MLC</b>	Australian Labor Party	
<b>The Hon Charlie Lynn MLC</b>	Liberal Party	
<b>The Hon Natasha Maclaren-Jones MLC</b>	Liberal Party	

\*\* Dr Phelps replaced Ms Cusack on 12 December 2013.

\*\* Mr Lynn replaced Dr Phelps on 22 October 2014.

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## Chair's foreword

I am pleased to present the first Legacy report of the Standing Committee on Social Issues.

The committee has investigated and made recommendations on issues of social development in our state, including transition support for students with special or complex needs, domestic violence, alcohol abuse among young people and same-sex marriage.

The committee is very appreciative of the time and effort that many individuals, families and organisations have made to contribute to our inquiries. I have been deeply moved by many of the personal stories and contributions that people from all over the state have made to each of our inquiries. Without their thoughtful contributions we would have been unable to successfully complete our work.

The committee has a long tradition of cross-party bipartisanship where members work cooperatively to examine issues of social importance. I am pleased to report that this cooperative approach has continued during the life of this committee, ensuring that each of our reports have been well articulated, thoughtful and provide meaningful recommendations to help improve the lives of people across New South Wales.

I trust that this report will assist our successor committee to continue the excellent work of the Social Issues Committee in the 56<sup>th</sup> Parliament.



The Hon Niall Blair MLC  
**Committee Chair**





# Chapter 1 The committee

This chapter provides a brief overview of the committee, discusses the work of the committee in the current parliament and outlines the purpose of this legacy report.

## Committee overview

- 1.1 The NSW Legislative Council's Standing Committee on Social Issues was first established on 9 June 1988 following the commencement of the 49<sup>th</sup> Parliament. The committee was reappointed in each of the subsequent parliaments, most recently on 9 May 2011 during the 55<sup>th</sup> Parliament.<sup>1</sup> Indeed, the committee celebrated its 25<sup>th</sup> anniversary at the C25 events held in September 2013.<sup>2</sup>
- 1.2 The committee conducts inquiries into matters concerned with the social development of the people of NSW, including health, education, housing, ageing, disability, children's and community services provided by the government and non-government sector, citizenship, social relations, cultural diversity, recreation, gaming, racing and sporting matters.<sup>3</sup>
- 1.3 The committee consists of six Legislative Council members, comprising three government members, two opposition members, and one crossbench member.<sup>4</sup> The membership of the committee throughout the 55<sup>th</sup> Parliament can be found on p v.
- 1.4 Since the 49<sup>th</sup> Parliament, the committee has tabled 48 reports and four issues papers on a wide range of issues, including:
  - substitute decision-making for people lacking capacity (2010)
  - overcoming Indigenous disadvantage in New South Wales (2008)
  - public disturbances at Macquarie Fields (2006)
  - issues relating to Redfern and Waterloo (2004)
  - past adoption practices (2000)
  - enhancing Aboriginal political representation (1998)
  - suicide in rural New South Wales (1994)
  - juvenile justice in New South Wales (1992).

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<sup>1</sup> *Minutes*, Legislative Council, 9 June 1988, pp 182-186; *Minutes*, Legislative Council, 9 May 2011, pp 401-403.

<sup>2</sup> See: <http://www.parliament.nsw.gov.au/prod/web/common.nsf/key/C25>

<sup>3</sup> *Minutes*, Legislative Council, 9 May 2011, p 402.

<sup>4</sup> *Minutes*, Legislative Council, 9 May 2011, p 402.

## **Inquiries in the 55<sup>th</sup> Parliament**

- 1.5 During the 55<sup>th</sup> Parliament, the committee conducted four inquiries:
- Transition support for students with additional or complex needs and their families
  - Domestic violence trends and issues in New South Wales
  - Same-sex marriage law in New South Wales
  - Strategies to reduce alcohol abuse among young people in New South Wales.
- 1.6 The next chapter of this legacy report explores in greater detail the key findings and recommendations made by the committee in each of the four reports tabled during the 55<sup>th</sup> Parliament, together with the government's response to those recommendations.
- 1.7 Copies of the committee's reports and the government responses to those reports are available on the committee's website: [www.parliament.nsw.gov.au/socialissues](http://www.parliament.nsw.gov.au/socialissues).

## **The purpose of a legacy report**

- 1.8 The preparation of legacy reports by each of the three standing committees of the NSW Legislative Council was first recommended by the Chairs' Committee.<sup>5</sup> In August 2014 the House agreed to a motion of the Deputy President, the Hon Jenny Gardiner MLC, that such reports be produced.<sup>6</sup>
- 1.9 The terms of reference for the preparation of the legacy reports is reproduced on p iv.
- 1.10 Accordingly, this is the first legacy report prepared by the NSW Legislative Council's Standing Committee on Social Issues.
- 1.11 The purpose of this legacy report is to provide a summary of the committee's work during the 55<sup>th</sup> Parliament in order to inform the successor committee in the 56<sup>th</sup> Parliament of the committee's accomplishments and suggestions for future activity.
- 1.12 Legacy reports have also been prepared by the two other standing committees of the 55<sup>th</sup> Parliament: the Standing Committee on Law and Justice and the Standing Committee on State Development.

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<sup>5</sup> The Chairs' Committee is comprised of all the chairs of the standing and select committees of the NSW Legislative Council. It is chaired by the President.

<sup>6</sup> *Minutes*, Legislative Council, 13 August 2014, p 2654.

## Chapter 2 Inquiries conducted

This chapter comprises a short summary of each of the four inquiries undertaken during the 55<sup>th</sup> Parliament, including how the inquiry was referred, a summary of key issues, and the key recommendations made by the committee. The chapter also briefly discusses the government response to those recommendations.

### Transition support for students with additional or complex needs and their families

- 2.1** In June 2011, the Minister for Education, the Hon Adrian Piccoli MP, referred to the committee an inquiry into programs and services for children with additional and/or complex needs and their families during transitions between stages of education. The committee was asked to examine:
1. the adequacy and accessibility of appropriate support for children and their families
  2. best practice approaches to ensure seamless and streamlined assistance during transitions, and
  3. any other related matters.<sup>7</sup>
- 2.2** The committee received 67 submissions and held three public hearings at Parliament House. In addition, the committee travelled to Dubbo, where it conducted a site visit of Orana Heights Public School, followed by a series of roundtable discussions held at Mission Australia with stakeholders representing different interest groups.
- 2.3** The final report was tabled on 6 March 2012, and contained 24 recommendations aimed at overcoming the barriers impeding successful transitions between stages of education for children with additional needs.

#### Report summary

##### *Access to and transfer of information*

- 2.4** Easy access to clear and accurate information about transition support, services and funding was identified as essential for families to make timely and informed decisions about the care and education of students needing transition support. However, nearly all inquiry participants expressed the view that information about transition support is both difficult to find and hard to understand.
- 2.5** The committee recommended that an online central access point for information be created as a 'one-stop shop' for families to access up-to-date information and links to relevant services. To improve the transfer of information, the committee further recommended that there be a coordinated, electronic method of storing a student's information that can be accessed by relevant providers.

<sup>7</sup> Standing Committee on Social Issues, NSW Legislative Council, *Transition support for students with additional or complex needs and their families* (2012).

***Placement and enrolment***

- 2.6 Decisions about placements in specialist or support classes in regular schools or Schools for Specific Purposes are made by regional placement panels. Placement panels also determine access to specialist support. Concerns were raised about the timeliness of placement panel decisions, and that family preferences regarding schools were not respected or valued by panels.
- 2.7 The committee encouraged schools to consider and respect families' preferences for a school setting for their child, and recommended that standard placement panel decisions be made by the beginning of Term 3 of the year prior to school entry, if not earlier.

***Continuity of care and centralised support***

- 2.8 There is no one agency with overall responsibility for a child's transitions. Instead, responsibility is fragmented over a range of specialised services, such as education, disability, mental health and child protection.
- 2.9 The committee therefore proposed that there be a centralised system to provide coordinated transition support for students with additional or complex needs, and recommended that the NSW Government ensure there is a dedicated branch or section within the NSW Department of Education and Communities (DEC) to provide this service.

***Case managers and transition planning***

- 2.10 The committee identified that providing case managers to students with additional or complex needs and their families would assist with many of the issues raised throughout the inquiry, including by guiding families through the complex service system and providing advocacy, mediation, and general support where needed.
- 2.11 The committee recommended that case management services be provided to all students with additional or complex needs and their families during key educational transitions.
- 2.12 In order to provide continuity of care and to ensure that transition plans are followed, the committee recommended that case managers develop plans in collaboration with the student, their family, the schools/teachers and any other relevant service provider or stakeholder. The committee further recommended that transition planning should be mandated, and that planning for transitions between schools should begin at least 12 months prior to transition, and that support should continue for at least six months after.

**NSW government response**

- 2.13 The NSW government response was received on 6 September 2012.<sup>8</sup> The government:
- supported four recommendations
  - supported in principle ten recommendations

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<sup>8</sup>

See:

[http://www.parliament.nsw.gov.au/prod/parlment/committee.nsf/0/84E7C8334C95D7A5CA2579B90015E32D?open&refnavid=CO3\\_1](http://www.parliament.nsw.gov.au/prod/parlment/committee.nsf/0/84E7C8334C95D7A5CA2579B90015E32D?open&refnavid=CO3_1)

- partially supported one recommendation
- did not support nine recommendations.

### *Committee reflections*

**2.14** Committee members have heard anecdotally that families are still struggling to navigate their way around the state's fragmented and complex transition support service system, and are still having to re-tell their stories every time they go through a transition or apply for a new service. We therefore urge the NSW Government to implement the recommendations that were supported (or supported in principle) in the government response, in order to address the significant issues that were raised in the committee's report.

## **Domestic violence trends and issues in NSW**

**2.15** The inquiry into domestic violence trends and issues in NSW was referred to the committee by the Hon Pru Goward MP, Minister for Family and Community Services and Minister for Women, on 18 June 2011.<sup>9</sup> The terms of reference required the committee to inquire into and report on domestic violence trends and issues in NSW, and in particular:

1. strategies to reduce breaches and improve compliance with Apprehended Domestic Violence Orders, including:
  - a. the use of GPS bracelets
  - b. whether existing penalties for domestic violence are adequate
2. early intervention strategies to prevent domestic violence
3. the increase in women being proceeded against by police for domestic violence related assault, and
4. any other relevant matter.

**2.16** The committee received 80 submissions and held six public and one *in camera* hearing. The committee conducted a site visit to Forbes, viewed proceedings at Sutherland local court and Goulburn local court, and visited Victoria to meet with representatives of its highly regarded system for responding to domestic violence. The committee's evidence gathering culminated in an innovative roundtable discussion with 19 key inquiry stakeholders, in order to gather considered feedback on possible recommendations for the inquiry.

**2.17** The final report was tabled on 27 August 2012 and contained 89 recommendations for sweeping change.

### **Report summary**

**2.18** The committee stated that the NSW Government's commitment to develop the Domestic and Family Violence Framework provided an opportunity for comprehensive reform of current strategies to address domestic violence.

<sup>9</sup> Standing Committee on Social Issues, NSW Legislative Council, *Domestic violence trends and issues in NSW* (2012).

### *Leadership and governance*

- 2.19** The committee recommended that governance of the Domestic and Family Violence Framework be led by a Premier's Ministerial Council comprised of each of the ministers responsible for the following portfolios: Women, Family and Community Services, Attorney General, Justice, Police, Health, Housing and Education. The Premier's Ministerial Council would be an oversight committee that ensures that all of the agencies with a role in the Framework act in a coordinated way to fulfil their respective responsibilities.
- 2.20** In addition, the committee recommended that the Premier report to Parliament annually on the progress being made to address domestic violence in NSW, and that there must be a lead agency to drive and coordinate primary prevention strategies across the State.
- 2.21** The committee also found that investing in primary prevention is the only way to make a long lasting impact on the incidence of domestic violence.

### *The Police Force and the court system*

- 2.22** While the Police Force has achieved significant improvements in practices in recent years, further improvements are required in relation to the consistency of responses, responses to breaches, and responses in rural and remote areas.
- 2.23** The committee found that the apprehended domestic violence order system as a whole requires improvement. In reviewing strategies to reduce the incidence of breaches of these orders, the committee was not convinced that global positioning system technology for people subject to an apprehended domestic violence order demonstrated tangible benefit to victims of domestic violence.
- 2.24** Court support services should be enhanced in order that every court in NSW has the same minimum standard of support available to victims of domestic violence. In addition, the committee recommended that the Department of Attorney General and Justice work with local courts to establish safe rooms in all local courts.
- 2.25** The committee also identified a need for new technological and legal capacity to permit information sharing between NSW courts and the Family Court, so that magistrates and judges in NSW courts are better able to ensure that family law orders and apprehended domestic violence orders are consistent.
- 2.26** The committee recommended a review of alternative sentencing options for domestic violence offences, including referral to mediation, support services, treatment programs, counselling, and educational or rehabilitative programs.

### **NSW government response**

- 2.27** The NSW government response was received on 27 February 2013.<sup>10</sup> The government:

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<sup>10</sup> See:

[http://www.parliament.nsw.gov.au/prod/parlment/committee.nsf/0/2340ACAD17F1E8C4CA257A6700149EFD?open&refnavid=CO3\\_1](http://www.parliament.nsw.gov.au/prod/parlment/committee.nsf/0/2340ACAD17F1E8C4CA257A6700149EFD?open&refnavid=CO3_1).

- supported 24 recommendations
- supported in principle 33 recommendations
- did not support five recommendations
- advised that 27 recommendations were addressed by the Domestic and Family Violence Framework or legislative review.

**2.28** As part of its legislative reforms, and in response to recommendations of the committee, the government also introduced legislative change, including the enactment of the *Crimes (Domestic and Personal Violence) Amendment (Information Sharing) Act 2014*. This Act provides a framework for government agencies and non-government support services to work in partnership and exchange information in order to prevent domestic violence-related deaths, illness or injury.

### ***Committee reflections***

**2.29** The committee wishes to draw particular attention to the success of the roundtable discussion with key inquiry stakeholders, which sought to gather feedback on possible recommendations for the final report prior to the publication of the report.

**2.30** This process proved highly valuable. While the responsibility for any recommendations ultimately rests with the committee, in this case consultation prior to the finalisation of the recommendations assisted to ensure that they were targeted appropriately and achievable.

**2.31** We consider that such an approach may be beneficial in other inquiries, and for other committees, particularly in relation to issues of wide-spread social importance and that make sweeping recommendations for policy change.

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### **Finding 1**

That the use of roundtable discussions with key stakeholders to gather feedback on draft recommendations was very useful during the domestic violence inquiry, and could be used by other committees during the 56<sup>th</sup> Parliament.

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**2.32** The committee notes that the final report of this inquiry recommended that, given the wide scope of the recommendations made, the NSW government should refer to the committee a further inquiry to review progress made in respect of implementing the report's recommendations in two years' time.

### **Same-sex marriage law in NSW**

**2.33** On 29 November 2012 the Premier, the Hon Barry O'Farrell MP, referred to the committee an inquiry into a possible same-sex marriage law in NSW.<sup>11</sup> The terms of reference required that the committee inquire into and report on:

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<sup>11</sup> Standing Committee on Social Issues, NSW Legislative Council, *Same-sex marriage law in NSW* (2013).

1. Any legal issues surrounding the passing of marriage laws at a State level, including but not limited to:
  - a. the impact of interaction of such law with the Commonwealth *Marriage Act 1961*
  - b. the rights of any party married under such a law in other States' and Federal jurisdiction
  - c. the rights of the parties married under such a law upon dissolution of the marriage;
2. The response of other jurisdictions both in Australia and overseas to demands for marriage equality;
3. Any alternative models of legislation including civil unions; and
4. Changes in social attitudes (if any) to marriage in Australia.

**2.34** The committee received 7,586 responses to this inquiry, including pro forma and unique submissions, as well as signatures on petitions. This constitutes the largest number of responses ever received by a NSW Legislative Council committee inquiry to date.

**2.35** It was beyond the capacity of the committee secretariat to publish this number of submissions within the timeframe for the inquiry. The committee published 1,257 submissions, including all submissions received from representative organisations. The remaining submissions form part of the official record of the committee's inquiry and were tabled in Parliament together with the final report.

**2.36** Two public hearings were held at Parliament House in March 2013.

**2.37** The committee tabled its final report on 26 July 2013.

### **Report summary**

**2.38** In reaching its findings, the committee considered a range of issues. Much of the evidence received focused on the merits of the case for same-sex marriage rather than the operation of the law itself. Stakeholder views were often polarised and expressed strongly held personal and religious beliefs about marriage.

### ***Civil unions***

**2.39** The committee found that there was little community support for civil unions. In general, those opposed to same-sex marriage were concerned that civil unions would be a step towards same-sex marriage, whereas advocates for same-sex marriage contended that civil unions added little to existing legal arrangements and lacked the symbolic significance of marriage.

### ***The meaning of 'marriage'***

**2.40** The committee found that for some people the word 'marriage' holds particular religious significance and that allowing same-sex couples to marry would run contrary to what marriage means to them. Indeed, there was a concern among those of this view that to permit same-sex marriage would undermine the institution of marriage. Others argued that same-sex marriage would have little impact on people it does not directly affect, and would have positive mental



health consequences for gay and lesbian people by promoting acceptance and decreasing discrimination.

- 2.41 The committee recognised the distinction between marriage as a religious sacrament and marriage as a civil institution and expressed the view that the law should be non-discriminatory in its operation. If a same-sex marriage law was passed, the committee saw merit in an approach that would exempt celebrants and ministers of religion from solemnising same-sex marriages if to do so would contradict their personal or religious beliefs.

### *Possible constitutional challenge*

- 2.42 The committee found that while there is no doubt that the NSW Parliament can legislate on the subject of marriage, including same-sex marriage, the validity of any such law could be subject to challenge in the High Court of Australia. The High Court can confirm the validity of a law only after it has been passed by the Parliament. This would occur when that legislation is challenged by someone with standing to do so or when a declaration of validity is sought.
- 2.43 Ultimately, the committee concluded that the question of constitutional inconsistency is complex, finding that there are arguments both ways about whether a state-based same-sex marriage law would survive constitutional challenge. The committee considered that equal marriage rights for all Australians may best be achieved under Commonwealth legislation.
- 2.44 The committee made no recommendations, but found that:
- NSW has the constitutional power to legislate on the subject of marriage
  - should NSW choose to exercise this power and enact a law for same-sex marriage, the validity of that law could be subject to challenge in the High Court of Australia
  - if such a challenge occurs it is uncertain what the outcome of the case would be, and
  - equal marriage rights for all Australians may best be achieved under Commonwealth legislation.

### **NSW government response**

- 2.45 No government response to this inquiry was requested. This is because the final report made no recommendations, instead finding that while the NSW Parliament can legislate on the subject of marriage, including same-sex marriage, the validity of any such law could be subject to challenge in the High Court of Australia.

### *Committee reflections*

- 2.46 This inquiry generated a public response greater than any other previously received by a committee of the Legislative Council. That response was characterised by moral and belief-based opinions about sexual orientation and the fundamental meaning of marriage.
- 2.47 The committee did not pass judgment on the merits of same-sex marriage. Instead we aimed to inform public debate by providing a platform for the contrasting voices in our community,

coupled with an authoritative account of the legal issues to which a possible New South Wales same-sex marriage law gives rise.

- 2.48** Media reports described the final report as ‘a watershed in the debate over same-sex marriage laws in Australia’,<sup>12</sup> that clarified that a state can enact law to recognise same-sex marriage, subject to the possibility of a High Court challenge. The committee’s report also received international media coverage.<sup>13</sup> The committee is pleased that our report, through the valued contributions of all inquiry participants, has contributed to an important social debate.

## **Strategies to reduce alcohol abuse among young people in NSW**

- 2.49** In November 2012, the committee commenced an inquiry into strategies to reduce alcohol abuse among young people in NSW.<sup>14</sup> These terms of reference were referred by the Hon Kevin Humphries MP, Minister for Mental Health, Healthy Lifestyles and Western NSW, and required the committee to inquire into and report on:

1. the effect of alcohol advertisements and promotions on young people, including consideration of the need to further restrict alcohol advertising and promotion
2. the effectiveness of alcohol harm minimisation strategies targeted at young people
3. measures to minimise the impact of alcohol in the workplace
4. the effectiveness of measures to reduce drink driving
5. measures to reduce alcohol- related violence, including in and around licensed venues
6. measures to address the impact of alcohol abuse on the health system
7. any other related matter.

- 2.50** The committee received a total of 54 submissions and one supplementary submission from a range of stakeholders. Three public hearings were held at Parliament House, and one hearing at Byron Bay. In addition, the committee held a roundtable discussion with members of the Youth Council from the Northern Rivers Social Development Council.

- 2.51** The final report for the inquiry was tabled on 13 December 2013 and made 10 recommendations.

### **Report summary**

- 2.52** *Three concerning behaviours*

- 2.53** Among the many issues raised throughout the inquiry regarding the nature of alcohol abuse among young people, three behaviours were prominent: binge drinking; the preference for

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<sup>12</sup> George Williams, ‘States may leave PM at the altar on gay marriage’, in *The Sydney Morning Herald*, 13 August 2013.

<sup>13</sup> For example, see ‘New South Wales: First Australian state to legalise gay marriage?’ in *The Huffington Post*, 27 September 2013 ([http://www.huffingtonpost.com/2013/07/29/new-south-wales-gay-marriage\\_n\\_3672296.html](http://www.huffingtonpost.com/2013/07/29/new-south-wales-gay-marriage_n_3672296.html)).

<sup>14</sup> Standing Committee on Social Issues, NSW Legislative Council, *Strategies to reduce alcohol abuse among young people in NSW* (2013).

‘shots’ and ready to-drink beverages; and pre-loading. It was apparent that there is a culture of drinking to get drunk, and that some young people see this as a ‘badge of honour’ or ‘rite of passage’ to adulthood.

**2.54** The committee was alarmed at the rising incidence of pre-loading, which is the consumption of alcohol, often at home, before going out to licensed premises or other venues. It was clear that pre-loading and associated binge drinking can contribute to alcohol-related violence, including sexual assault. Hence the committee recommended that the NSW Government establish an inter-agency committee to coordinate research and develop effective policy responses to reduce the impact of pre-loading.

**2.55** *Advertising and promotion*

**2.56** Another significant issue was that of alcohol advertising and promotion, on which the committee received conflicting evidence as to its contribution to alcohol abuse. The committee was mindful of the increasing role that social media plays in the promotion of alcohol, and that social media is particularly attractive to young people. Advertising is regulated nationally, with a limited role for state governments.

**2.57** *Liquor accords*

**2.58** Of all the alcohol-related harms, violence clearly causes the most anxiety and distress, particularly where young people are involved. Local communities that suffer alcohol-related violence need to develop solutions appropriate to their circumstances. Hence the committee recommended that liquor accords be strengthened, and that each accord, in consultation with their community, produce an action plan on how the accord proposes to reduce alcohol-related harms within their area.

**NSW government response**

**2.59** The NSW government response was received on 17 June 2014.<sup>15</sup> The government:

- supported five recommendations
- supported in principle two recommendations
- noted three recommendations.

**2.60** The response noted that work was underway on a number of initiatives to address alcohol-related issues, including a statutory review of the *Liquor Act 2007* and the *Gaming and Liquor Administration Act 2007*, improved access to regulatory information for stakeholders and an evaluation of the Environment and Venue Assessment Tool which is being trialled in two local government areas to help inform liquor licensing decisions.

<sup>15</sup> See: [http://www.parliament.nsw.gov.au/prod/PARLMENT/Committee.nsf/0/E25C7A9752823FFFC\\_A257AB700169596?open&refnavid=CO3\\_1](http://www.parliament.nsw.gov.au/prod/PARLMENT/Committee.nsf/0/E25C7A9752823FFFC_A257AB700169596?open&refnavid=CO3_1)

*Committee reflections*

- 2.61** The committee notes that since the completion of our inquiry, the NSW Government has implemented a wide range of measures to address the impact of alcohol abuse within the wider community.
- 2.62** On 30 January 2014, the NSW Parliament passed the Crimes and Other Legislation Amendment (Assault and Intoxication) Bill 2014. The bill introduced eight year mandatory minimum sentences (and a maximum of 25 years) for individuals over 18 convicted of assault causing death committed while intoxicated by drugs and/or alcohol, with a blood alcohol reading of 0.15 taken as conclusive proof of intoxication (known as the ‘one-punch laws’).<sup>16</sup>
- 2.63** On the same day the NSW Parliament also passed the Liquor Amendment Bill 2014 to introduce changes to the liquor laws, including:
- no take-away liquor sales after 10pm, across NSW
  - a new Sydney CBD Entertainment Precinct
  - ‘lockouts’ and ‘last drinks’ for venues in the Sydney CBD Entertainment Precinct and the Kings Cross Precinct
  - a freeze on new liquor licences in the Sydney CBD Entertainment Precinct
  - the creation of a Plan of Management for the Sydney CBD
  - introduction of an annual risk-based licensing scheme.<sup>17</sup>

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<sup>16</sup> *Minutes*, Legislative Council, 30 January 2014, p 2307.

<sup>17</sup> NSW Government, Office of Liquor, Gaming and Racing, *New alcohol initiatives announced by the NSW Premier* (28 May 2014).

## Appendix 1 At a glance

This appendix provides key statistics on the work of the committee during the 55<sup>th</sup> Parliament.

**Table 1 Transition support for students with additional or complex needs and their families**

No. of submissions	67
No. of hearings	3
No. of site visits	1
Tabling date	6 March 2012

**Table 2 Domestic violence trends and issues in NSW**

No. of submissions	80
No. of hearings	6
No. of site visits	4
Tabling date	27 August 2012

**Table 3 Same sex marriage**

No. of submissions	7,586
No. of hearings	2
No. of site visits	0
Tabling date	26 July 2013

**Table 4 Strategies to reduce alcohol abuse amongst young people**

No. of submissions	54
No. of hearings	4
No. of site visits	1
Tabling date	13 December 2013

## Appendix 2 Minutes

### Draft Minutes no. 43

Wednesday 5 November 2014

Standing Committee on Social Issues

Members' Lounge, Parliament House, Sydney, 1.50 pm

#### 1. Members present

Mr Blair, *Chair*

Ms Westwood, *Deputy Chair*

Mr Donnelly

Mr Lynn (from 2.02 pm)

Mrs Maclaren-Jones

#### 2. Previous minutes

Resolved, on the motion of Mrs Maclaren-Jones: That draft minutes no. 42 be confirmed.

#### 3. Correspondence

The committee noted the following correspondence:

##### *Sent:*

- 13 December 2013 - Chair to the Hon Kevin Humphries MP, Minister for Mental Health, Minister for Healthy Lifestyles noting the publication of the Committee's report into strategies to reduce alcohol abuse among young people in NSW.

#### 4. Legacy report

##### 4.1 Consideration of Chair's draft report

The Chair submitted his draft report entitled *Legacy report*, which, having been previously circulated, was taken as being read.

Resolved, on the motion of Mr Donnelly: That paragraph 2.38 be amended by deleting 'In reaching these findings' and replace with 'In reaching its findings'.

Resolved, on the motion of Mr Donnelly: That paragraph 2.40 be amended by deleting 'The committee acknowledged' and replace with 'The committee found'.

Mr Donnelly moved: That paragraph 2.43 be amended by deleting in the second line 'finding that there are sound arguments both ways about whether a state-based same-sex marriage law would survive constitutional challenge.' and replace with 'finding that there are arguments both ways about whether a state-based same-sex marriage law would survive constitutional challenge.'

The committee divided:

Ayes: Mr Blair, Mr Donnelly, Mrs Maclaren-Jones

Noes: Ms Westwood

Question resolved in the affirmative.

Resolved, on the motion of Mr Donnelly: That paragraph 2.48 be amended by deleting 'that clarified that a state can enact law to recognise same-sex marriage.' and replace with 'that clarified that a state can enact law to recognise same-sex marriage, subject to the possibility of a High Court challenge.'

Resolved, on the motion of Mr Donnelly: That the draft report as amended be the report of the Committee and that the Committee present the report to the House.

Resolved, on the motion of Mrs Maclaren-Jones:

- That the committee secretariat correct any typographical, grammatical and formatting errors prior to tabling;
- That dissenting statements be provided to the secretariat within 24 hours after receipt of the draft minutes of the meeting;
- That the report be tabled by 13 November 2014.

Mr Lynn joined the meeting.

**5. Adjournment**

The Committee adjourned at 2.03 pm *sine die*.

Stewart Smith  
**Clerk to the Committee**