

QUESTIONS ON NOTICE

**Inquiry into Liquor Amendment (Music Festivals) Regulation 2019 and
Gaming and Liquor Administration Amendment (Music Festivals) Regulation
2019
Hearing – Tuesday 13 August 2019**

The Hon. JOHN GRAHAM: I will be specific, Victoria and Queensland, and you have referred to festivals that have closed already. In that decision before this ministerial media release, the Government submission identifies that, "NSW Health and NSW Police have provided advice to government that 14 music festivals should be referred to the authority." That is not what the ministerial media release says. It just says these are the festivals, but I accept the Government submission says something else, "These should be referred." I ask the Assistant Commissioner first, is that accurate? Was this list recommended from NSW Police?

Mr WILLING: I do not have any personal knowledge of that. I would have to take that question on notice.

The Hon. JOHN GRAHAM: Which would certainly be helpful. From a NSW Health point of view, did this list come to the Minister from NSW Health?

Dr CRETIKOS: To the best of my knowledge, I understand that there was information requested about events that were considered to be of higher risk of substantial drug-related harm.

The Hon. JOHN GRAHAM: And NSW Health provided that?

Dr CRETIKOS: I believe that some of that information came from NSW Health, but I do not know how much information may have come from another agency.

The Hon. JOHN GRAHAM: I am happy for you to take that on notice, that is helpful.

The Hon. CATE FAEHRMANN: If you are taking things on notice in relation to that, specifically what the Government asked for, what drug-related harm was. I am sure there were some parameters to that. Earlier you may have suggested deaths and people being admitted to intensive care. Was that in your opening statement?

Dr CRETIKOS: No, I did not make reference to that.

The Hon. CATE FAEHRMANN: Just some detail in terms of how NSW Health determined that in their advice to government.

The Hon John Graham asked the witness – Dr Michelle Cretikos

QUESTION

(1) From a NSW Health point of view, did this list come to the Minister from NSW Health?

ANSWER

NSW Health provided advice to Liquor and Gaming NSW and the Office of the Minister for Health and Medical Research that included the identification of a number of upcoming music festivals that, in the view of NSW Health, had the potential for higher risk of substantial drug-related harm.

The Hon Cate Faehrmann asked the witness – Dr Michelle Cretikos

QUESTION

(2) Specifically what the Government asked for, what drug related harm was? I am sure there were some parameters to that. Some detail in terms of how NSW Health determined that in their advice to Government?

ANSWER

NSW Health provided advice to Government that had regard to the *Guidelines for Music Festival Organisers: Music festival harm reduction* and the event's history of drug related harms, including a history of deaths, or intensive care unit admissions.

QUESTION

(3) I did want to ask about one specific issue on the Government submission on page 5, which is about the support that was provided to festivals over this season. It includes \$1.7 million, \$885,000 of which was for peer-based harm reduction services. What was this specifically doing?

ANSWER

Peer-based harm reduction services are a key component of NSW Health's music festival harm reduction response. This funding supported:

- The engagement of two peer-based harm reduction service providers: DanceWize NSW (a NSW Users and AIDS Association program) and Save a Mate (an Australian Red Cross program) to provide peer-based services at music festivals.
- At 28 music festivals over September 2018 to 31 May 2019, these peer-based services provided over 95,000 peer interactions, over 14,000 brief interventions and over 1500 care interventions.
- A peer interaction may include providing information or basic supplies such as water and sunscreen. A peer-based brief intervention may include a discussion with a patron in relation to strategies to reduce their risk of harm by modifying their behaviour and options for further support in relation to drug and alcohol use. A care intervention includes providing support and care for patrons in a supervised care space, and facilitating referral or transfer of unwell patrons to the onsite medical service.
- A small component of the funding (\$45,000) was used to undertake research with music festival patrons. This research informed the delivery requirements for the peer-based harm reduction services to ensure the most acceptable, accessible and effective approach; and informed the further development of the *Guidelines for Music Festival Event Organisers: Music Festival Harm Reduction* and future social marketing and education.

Dr Michelle Cretikos, Director, Clinical Safety and Quality, Centre for Population Health, NSW Ministry of Health

SUPPLEMENTARY QUESTIONS**QUESTION**

Prior to implementation of this regulation on the 1st of March, did any Minister in the NSW government meet with the industry in relation to this matter?

ANSWER

That is a question for NSW Government Ministers

QUESTION

Noting the agency evidence in support of a regulatory roundtable, who would you recommend is on such a regulatory Roundtable? What other aspects of its design would you recommend?

ANSWER

The establishment of a regulatory roundtable, or a similar mechanism, would be a decision for the Government; however NSW Health continues to regularly consult with all stakeholders including other government agencies and the music festival industry to support safer music festivals.

QUESTION

Given that one of the four criteria for events that have to apply for the music festival licence is for 'new' festivals, has any assessment been done of the impact this may have on new festivals commencing in NSW?

ANSWER

This should be referred to Liquor & Gaming NSW.

QUESTION

1. In relation to the information supplied by NSW Health and possibly NSW Police to the Government ahead of the Minister's press release on the 23rd February setting out the 14 festivals:
 - a. Who requested this information?
 - b. To whom was it supplied?
 - c. When was it requested?
 - d. When was it supplied?
 - e. Were any criteria specified in that request, or in parallel to that request, about criteria for festivals on the list?
 - f. Fourteen events were recommended. Was this list amended at any point?
 - g. Given the Minister's press release names fourteen festivals, in contravention of the process which is proposed to apply, was this press release reviewed by any agency prior to being issued? If so, by which agency?

ANSWER

- a. The request came through the Office of the Minister for Health and Medical Research and the Premier's Office.
- b. The information was supplied to the Office of the Minister for Health and Medical Research, and to Liquor & Gaming NSW.
- c. The information was requested over the period 21-22 February 2019.
- d. The information was supplied as requested over the period 21-22 February 2019.
- e. No criteria were specified in the request for information but given the role of NSW Health, it was understood that the request was in relation to health-related risks.
- f. This should be referred to Liquor & Gaming NSW.
- g. The release was issued by the Minister for Racing. This should be referred to Liquor & Gaming NSW.

QUESTION

Given the evidence that a RIS was not conducted because debate had already occurred in Parliament at the time of the passing of the Bill the previous year, how could the agencies be aware of the impact of this regulation given it was months away from development at that point?

ANSWER

This should be referred to Liquor & Gaming NSW.

Dr Michelle Cretikos

Director, Clinical Safety and Quality, Centre for Population Health, NSW Ministry of Health