



BRISBANE (17 December 2013)

Statement from Queensland Ombudsman Phil Clarke on the release of *The Liquor Report*

This morning I provided the Speaker of the Parliament with a copy of *The Liquor Report: an investigation into the regulation of licensed premises by the Office of Liquor and Gaming Regulation*.

This report presents the findings of a major investigation into the regulation of licensed premises in Queensland by the Office of Liquor and Gaming Regulation (OLGR), which sits within the Department of Justice and Attorney-General.

As part of a broader review of Queensland regulators, I decided to examine the regulation of licensed premises by the OLGR because:

- it concerned a matter of considerable public interest
- this report provides guidance to government regulators and other agencies
- the regulation of licensed premises has been the subject of extensive media reports.

During the investigation, Ombudsman investigators interviewed officers and senior staff from the OLGR and Queensland Police Service (QPS) and sought submissions from industry representatives. Investigators also reviewed 179 OLGR investigation files.

I concluded that systemic failures within the OLGR have hindered the effective regulation of licensed premises in Queensland:

- insufficient coordination with the Queensland Police Service, including a lack of shared understanding about roles and responsibilities, inadequate sharing of information and inconsistent enforcement practices
- the OLGR's Liquor Enforcement Policy restricts the power of investigators to take on-the-spot enforcement action against licensees and enforce noise conditions in the absence of a complaint
- little high-end enforcement action (including infringement notices, orders and prosecution) is taken against licensees under the Liquor Act

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- unsound investigative practices, with more than half of allegations unsubstantiated by OLGR investigations
- a failure to monitor remedial actions taken by licensees
- the OLGR is unable to demonstrate how its strategies minimise harm to the community.

I have made 18 recommendations to the OLGR to rectify these issues.

The full implementation of the recommendations in this report will help ensure a more effective, coordinated approach to the regulation of licensed premises in Queensland in future.

This investigation underlines the key role the Ombudsman plays in highlighting systemic failures, identifying areas for improvement and helping agencies improve the way they carry out their responsibilities.

I would like to acknowledge the cooperation received from the OLGR and QPS during this investigation.

This is a matter of ongoing interest and I will continue to monitor the OLGR's implementation of my recommendations.

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