
REVIEW OF AMENDMENTS TO THE LIQUOR ACT 2007 (NSW)

**Reviews under clause 47 to Schedule 1 of the Liquor Act, clause 50 of
the Liquor Regulation 2008, and at the request of the Executive
Government**

**Volume 2
Appendices**

Dated 13 September 2016

I D F CALLINAN AC

Level 11
Inns of Court
107 North Quay
Brisbane QLD 4000

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BOCSAR, Professor Kypri and St Vincent's Health Network**

Appendix 1

Meetings

Organisation	Attendees	Position
10 March 2016		
NSW / ACT Alcohol Policy Alliance	Mr Michael Thorn	Chief Executive
Royal Australasian College of Surgeons	Dr John Crozier FRACS	Chair, Trauma Committee
Liquor Stores Association (NSW)	Mr Michael Waters	Executive Director
24 March 2016		
St Vincent's Hospital	Professor Gordian Fulde	Director, Emergency Medicine
Centre for Program Evaluation (CPE) – NSW Treasury ¹	Ms Claudia Solomon	Director, CPE
	Ms Eugenia Marembo	Policy analyst
	Ms Shann Hulme	Policy analyst
Australian Medical Association (NSW)	Ms Fiona Davies	CEO
	Mr Andrew Campbell	Legal adviser
	Mr Lachlan Jones	Media adviser
	Mr Andrea Cornish	Editor NSW
	Dr Tony Grab	St Vincent's Hospital
Restaurant & Catering NSW	Mr John Hart	CEO
	Ms Carlita Warren	Policy Director
2011 Residents Association	Ms Helen Crossing	Convenor
	Ms Carole Ferrier	Kings Cross resident
12 April 2016		
	Hon Timothy Anderson QC	Reviewer, Liquor Licensing Act, South Australia

¹ Mr Horton QC also met Ms Solomon, Ms Marembo and Ms Hulme (along with Ms McIntyre) on 18 April 2016.

Organisation	Attendees	Position
South Australian Government	Mr Dini Soulio	Commissioner for Consumer and Business Services, South Australia
18 April 2016		
NSW Department of Justice	Mr Giles Felgate Principal Policy Officer, Crime Policy	
Tourism Accommodation Australia	Ms Carol Giuseppi	National CEO, Director NSW
NSW Taxi Council	Mr Roy Wakelin-King AM	CEO
Keep Sydney Open	Mr Tyson Koh	Campaign Manager
Transport for NSW	Mr Anthony Wing	Executive Director, Transport Policy
	Ms Jessica Linsell	A/Program Manager, Transport Services Policy
19 April 2016		
NSW Department of Health	Dr Jo Mitchell	Executive Director, Centre for Population Health
National Drug and Alcohol Research Centre (NDARC)	Professor Michael Farrell (Director)	Director
	Professor Anthony Shakeshaft	Deputy Director
Kings Cross Licensing Accord Association	Mr Doug Grand	Chief Executive
Independent Liquor and Gaming Authority	Mr Micheil Brodie	CEO
4 May 2016		
Sydney Business Chamber	Hon Patricia Forsythe	Executive Director, Business Chamber
	Mr Luke Aitkin	Manager, Policy
Royal Prince Alfred Hospital	Dr James Edwards	Acting Director, Emergency Department
Council of the City of Sydney	Right Hon Clover Moore	Lord Mayor
	Ms Monica Barone	CEO City of Sydney
	Ms Kate Murray	Manager, Safe City Of Sydney
	Ms Ann Hoban	Director, City Life
	Mr Larry Galbraith	Policy Officer
	Mr Andrew Thomas	Strategic Planning and Urban Design
Office of the Advocate for Children and Young People	Mr Andrew Johnson	Advocate
	Mr Gregor Macfie	Director
	Ms Brunella Abdul-Rehim	Cahir, Youth Advisory Council

Organisation	Attendees	Position
Aboriginal Affairs	Mr Jason Ardler	Head
	Mr Antony Seiver	Principal Policy Officer
Music NSW	Professor Julian Knowles	Chair
	Mr Emily Collins	Executive Officer
16 May 2016		
Salvation Army	Mr Gerard Byrne	Operations Manager, Recovery Services
24 May 2016		
Star Casino ²	Mr Chris Downy	General Manager External Affairs
	Mr John O'Neill AO	Chairman
	Mr Greg Hawkins	Managing Director
	Mr Andrew Power	General Counsel
NSW Police Force	Mr Andrew Scipione APM	Commissioner of Police
	Mr Murray Reynolds	Superintendent
	Mr Geoff McKechnie	Deputy Commissioner, Field Operations
	Mr Brendan Searson	Chief of Staff, Acting Deputy Commissioner
	Ms Mary-Louise Battilana	Director, Office of the Commissioner
25 May 2016		
Liquor and Gaming NSW	Mr Peter Cox	Acting Director, Policy
	Mr Sean Goodchild	Director, Compliance
Keep Sydney Open	Mr Tyson Koh	Campaign Manager
9 May 2016 (Newcastle)		
Mr Tony Brown Mr Michael Christie		
10 May 2016		
Kings Cross Licensing Accord Association	Mr Doug Grand	Chief Executive
24 August 2016		
City of Sydney	Mr Andrew Thomas	Strategic Planning and Urban Design

² I met others on our inspection and during our discussion. I have set out the main participants only.

Organisation	Attendees	Position
	Ms Kirsten Morrin	Principal Lawyer
	Ms Louise Kerr	Executive Manager, Development
25 August 2016		
Kings Cross Licensing Accord Association	Mr Douglas Grand	Chief Executive
Iris Capital (Bourbon and Empire Hotels)	Mr Rod Lawson	Group General Manager (and also Chair of the Kings Cross Licensing Accord Association)
Keystone Group (Sugarmill Hotel)	Mr Simon Barbato	Operations Manager (and also Chair of the City North Accord)
The World Bar	Mr Greg Turton	General Manager, Operations
Solotel (Kings Cross Hotel)	Mr Ben Stephens	Operations Manager
Solotel	Mr Bruce Solomon	Managing Director
2 September 2016		
Kings Cross Liquor Accord	Mr Douglas Grand	Chief Executive

Appendix 2

Submitters

A

A [Anonymous]
Abercrombie, Charles
Abi-Saab, Maxine
Ackland, Felix
Adair, Kieran
Adams, Dominic and
Araceli
Adams, Odette
Addy, Mark
Ainge-Roy, Tom
Akerman, Bob
Akhurst, Brendan
Alexander, James
Alexander, Jonathan
Alexander, Nick
Alexander, Teaghan
Alexander, William
Allam, Paul
Allard, Ben
Allen, Robbie
Altavilla, Darcy
Amin, Kiros
Amopiu, Tony
Amos, Glenda
Anderson, Ann
Anderson, Bradley
Anderson, David
Anderson, Jayden
Anderson, Kevin (Member
for Tamworth)
Anderson, Lynnette
Anderson, Mal
Anderson, Nikki
Anderson, Rebecca
Andrea, Drew
Andrews, Matt
Anthes, Connie
Antonelli, Raye
APRA AMCOS
Archambault, Richard
Archibald, Grace
Ardas, Julian
Arena, Daniel
Arkell, Matt
Armstrong, Diane
Armstrong, Felicity

Armstrong, Kate
Armstrong, Kevin
Armstrong, Sally
Aryal, Nischal
Ashbolt, James
Ashley, Trevor
Ashton, Anne
Ashton, Michael
Association of Artist
Managers
Atmane, Laila
Atron, Gav
Auerbach, Uri
Australasian College for
Emergency Medicine
Australian Drug Foundation
Australian Hotels
Association (NSW)
Australian Medical
Association (NSW)
Australian Sex Party
Australian Taxpayers'
Alliance
Avenell, Patrick
Avery, David
Avgenicos, Catherine

B

Baczynski, Romuald
Badcock, Rebecca
Bailey, Helen
Bailey, Ric
Baker, Christian
Ballard, Ann-Maree
Bangma, David
Banks, Liz
Banko, Travis
Barber, Dylan
Barber, Peter
Barley, Ian
Barlow, Michael
Barrett, Tracey
Barrie, Matt
Barron, Sarah
Bartlett, Peter
Barton, William
Bateman, Philippa

Baxter, Sean
Bayne, Sebastian
Bays, Stephanie
Beattie, Garry
Beatty, Doug
Beilby, Vivien
Bell, Craig
Bell, Jo
Bell, Margaret
Bell, Matt
Belo, Silvestre
Ben
Bennet, Georgia
Bennett, Amanda
Bennett, John
Bennett, Laurie
Bennett, Michelle
Bennett, Mitchell
Benson, Linda
Bent, David
Berger, Adam
Berry, Evelaine
Berry, Jim
Berry, Tristan
Best, Adam
Best, Ja
Best, Mark
Betts, Greg
Bhat, Arjun
Bhatia, Tushar
Bhula, Shaan
Bicket, Matthew
Binns, Joshua
Birch, Alan
Birch, Ian
Bird, Elizabeth
Birley, Michael
Birrell, Amy
Bisco, Joe
Bishop, Sian
Bishops, Jeremy
Blake, Luke
Blaxland, Oscar
Blood, Ken
Blower, Ursula
Blows, Jo
Boardman, Ted

Bodeker, Jarrad
 Boisvert, Andre
 Bolton, Dr Tony
 Bones Michael
 Bonnet, Erin
 Boon, Andrew
 Booth, Ben
 Borg, Janelle
 Bosnic, Stephanie
 Boustred, Warrick
 Bowen, Caron
 Bower, Peter
 Bowman, Claudia
 Bowman, Jacinta
 Bowman, Laura
 Boyce, James
 Bozzetto, Adam
 Bradshaw, Jake
 Bramich, Kieran
 Brandon, Adam
 Brandon, Joel
 Brannan, Martin
 Breen, Simon
 Brell, Courtney
 Brennan, Karen
 Brillas, Jackie
 Broad, Adam
 Bromley, Jolyon
 Brooks, Russell
 Broome, David
 Brown, Alana
 Brown, David
 Brown, David (2)
 Brown, Jan
 Brown, M
 Brown, Tom
 Brown, Tony (numerous submissions)
 Brown, Tristan
 Bruce, Margaret
 Bruderlin, Alexandra
 Bryson, Finn
 Buchler-Kramer, Cirena
 Buck, Sean
 Buckingham, Maureen
 Buckley, Tim
 Buerge, Daniel
 Buko, Bernard
 Bulford Legal Pty Ltd
 Bulk, Ingmar

Burcher, Sandra
 Burden, David
 Burgaud, Pierre-Antoine
 Burgess, Alex
 Burke, Megan
 Burmeister, Max
 Burnet Institute
 Burrows, Amy
 Burson, David
 Burton, Don
 Burton, Robin
 Buzz Speaker Hire
 Byrnes, Stephanie

C

Cable, David
 Cacciotti, Joel
 Cahill, Karin
 Calderazzo, Joseph
 Caley, Feargal
 Callaghan, Karen
 Callender, Jean
 Calvert, Peita
 Camarillo, Joel
 Cameron, Basil
 Cameron, Luke
 Campbell, Douglas
 Campbell, Ian
 Campbell, John
 Campbell, Margaret
 Campbell, Rachel
 Campbell, Taylor
 Campbell, Taylor (2)
 Campbell-Smith, Louise
 Campolo-Arcidiaco, Giovanni
 Cancer Council (NSW)
 Capertree Royal
 Carey, Elizabeth
 Carmody, Patrick
 Caroline
 Carpenter, Clancy
 Carr, Alex
 Carr, Shane
 Carritt, Rodney
 Carrizales, Diego
 Carter, Ben
 Carter, Vicky
 Caruana, Bec
 Casacang, Camilio

Casey, Liam
 Caskey, Margaret
 Castle, Aaron
 Castley, Paul
 Cato, Brendan
 Cavallaro, Andrew
 Cavanagh, Sam
 Cecchele, Romeo
 Chalker, Dan
 Chan, Jessica
 Chandler, Christopher
 Chang, Jacqueline
 Chapman, Brian
 Chapman, Wendy
 Chappell, Graham
 Chapple, Allan
 Cheers Bar and Grill
 Chen, Josephine
 Cherny, Sarah
 Cherry, Steve
 Chifley, Russell
 Childs, Ian
 Chiu, Christina
 Chow, Dave
 Chresta, Lars
 Chris
 Christian, Paul
 Christie, Joan
 Christison, Maddy
 Churcher, Millicent
 Cipriani, Lane
 City North Liquor Accord
 City of Sydney
 Clapham, Nick
 Clark, David
 Clark, Jesse
 Clark, Lauren
 Clarke, Ben
 Clarke, Cheryl
 Clarke, Steve
 Clarke, Yasmin
 Cleary, John
 Clemmett, Sharna
 ClubsNSW
 Coad, William
 Coakley, Gareth
 Coalition of City Liquor Accords
 Coast Hotel
 Cochrane, Richard

Codyre, Dan
 Coffey, Carol
 Coffey, David
 Coleman, Oscar
 Coles, Geraint
 Coles, Rhys
 Collier, Marise
 Collins, Alan
 Collins, Ben
 Collins, Joan
 Collins, Meg
 Collins, Mikee
 Collins, Ryan
 Collins, Sean
 Collum, Neil
 Committee for Sydney
 Compound Sydney
 Conigrave, Kate
 Connor, Rachel
 Connor, Therese
 Conroy, Suzanne
 Consunji, Leah
 Conway, Dan
 Coogan, Ed
 Cook, Jaye
 Cook, Mary
 Coombe, Elma
 Cooper, Adele
 Cooper, July
 Cooper, Peter
 Coppola, Robert
 Coquet, Remy
 Cornish, Carol
 Cosgrove, Brendan
 Cosgrove, James
 Costain, Matt
 Coughlan, Peter
 Coulter, Carole
 Coulter, Gregory
 Coultish, Rebecca
 Coxall, Damien
 Coyle, Sinead
 Crammond, Chris
 Crawford, Tracey
 Cripps, Stephen
 Croad, Bryce
 Crocetti, Daniel
 Croft, Julian
 Cross, Enid and Philip
 Crossing, Helen

Crotty, Brendan
 Cunningham, Anthony
 Cunningham, Jacqui
 Cunningham, Katie
 Curtis, Tim
 Cutler, Luke

D

Daly, Mike
 Daniels, Emma
 Daniels, Timothy
 Darwen, Jonathan
 Darwish, Bekie
 Dash, Alacoque
 Davidge, Mary
 Davidson, Shane
 Davie, Hamish George
 Davies, Franca
 Davies, Marc
 Davies, Mitch
 Davis, Mandy
 Davis-Low, Marion
 Davison, Paul
 Dawson, Jane
 Dawson, John
 Day, Sean
 De Caires, Daniel
 de Groen, Sandra
 de Hass, Sebastian
 De Vitis, Mary
 De Vries, Oscar
 Dm, Francesca
 Dean, Karen
 Dean, Michael
 Delaney, Bronson
 Della ca, Michael
 Delpopolo, Marco
 Denison, Erik
 Dennis, Jeff
 Desborough, Aaron
 Desmond, Daniel
 Devenport, Susan
 Diageo Australia
 Dial a Drink
 Diamond, Carolyn
 Diaz, Joshua
 Dickson, Kate
 Dickson, Ken
 Dignam, Paul
 Dimou, Peter

Dimou, Sue
 Dion, George
 Dirckze, Luke
 Distilled Spirits Industry
 Council of Australia Inc
 Dixon, Tim
 djjacebookings
 Dobbie, Bruce
 Dobbin, John
 Dodds, Kevin
 Dogulin, Chris
 Doherty, Emily
 Doherty, John
 Doherty, Kate
 Don, Warwick
 Donkin, Delores
 Donnolley-Links, Jade
 Doran, Jackson
 Dorrington, Chris and
 Karen
 Doutney, Irene (Councillor)
 Down, Michelle
 Downey, Ciaran
 Doyle, Bob
 Doyle, Sean
 Drew, Helen
 Drew, Russ
 Drew, Russell
 Driscoll, Peter
 du Chateau, Myles
 du Plessis, Eugene
 Duffey, John
 Dufty, David
 Dumas, Daisy
 Duncan, Andrew
 Dunlop, Kate
 Dunn, Graham
 Dunn, Tony
 Durant, Louis
 Duroux, Joshua
 Dwyer, Maddy
 Dykes, Krystal

E

East Sydney
 Neighbourhood Association
 East, Benedict
 Eastaugh, Marien
 Eastaugh, Pete
 Ebzery, Taylah

Edmonds, Carl
 Edwards, Jake
 Edwards, Rhys
 Edwards, Sue
 Egan, Luke
 Egan, Mark
 Egan, Tim
 Eirth, Josh
 El-Asmar, Ahmed
 Elchaar, Anthony
 Eley, Martin
 El-Kahale, Elijah
 Ellem, Neil
 Elliot, James
 Elliott, Roger
 Ellis, Luke
 Ellis, Madeleine
 Ellos, Elliot
 Elrington, Richard
 Else, Duncan
 England, Ben
 English, John
 English, John (2)
 Ennever, Jacob
 Ericson, Pierce
 Erougian, Justin
 Errey, Leanne
 Esber, Diana
 Evans, Mark

F

Fairall, Neil
 Fairfax, Marcus
 Falkner, Michael
 Falstein, Michelle
 FBi Radio
 Fegent, Michael
 Feniger, Shai
 Fennell, James
 Fenton, Mark
 Ferguson, Tony
 Ferrier, Carole
 Ferris, John
 Fester, Jackson
 Field, Geoff
 Field, Noam
 Fieldes, Diane
 Findlay, Jessica
 Finkelde, Reem
 Finlayson, Scott

Finnane, Jed
 Fisher, Tammi
 Fishman, Rosalie
 Fisk, Reg
 Fitt, Sarah
 Flegman, Stefan
 Fletcher, Beverley
 Fletcher, David
 Flitcroft, Mitch
 Flood, James
 Fogarty, Edward
 Foley, Bernadette
 Foley, Dr Sean
 Foley, Lorraine
 Foley, Pete
 Forrester, Shaun
 Foster, David
 Foster, Levi
 Foundation for Alcohol
 Research and Education
 Fournier, Juliette
 Fox, Jenna
 Fox, John
 Fox-Smith, Ashlee
 Franco, Alexander
 Frankel, James
 Franks, Shanon
 Fraser, Naomi
 Fraser, Scott
 Frawley, Jack
 Freeman, Rachel
 Frewin, Sheryl
 Friedland, Gary
 Future Classic
 Fyfe, Barbara

G

Gale, Kris
 Galeazzi, Michael
 Gallon, Nathan
 Gambhir, Rajat
 Gameren, Gerard
 Gane, Bruce
 Garavano, Maria
 Garty, Matt
 Gates, Stephen
 Gatt, Jeffrey
 Gauci, Geoffrey
 Gaul, Helene
 Gaunt, Archie

Gavin, Dean
 Gavin, Michael
 Gazzo, Jane
 Gearside, Dennis
 Geerkens, Christine
 Gelato Messina
 George, Mike
 George, Nicholas
 Georgeson, Terry
 Georgiou, Amanda
 Gerard, Peter
 Ghiassi, Stevie
 Gianoutsos, Mark
 Gibb, Jono
 Gibbons, Leona
 Gibraltar Hotel Bowral
 Gibson, Jack
 Gibson, Joel
 Giddey, Peta
 Gilbert, Will
 Giles, Lewis
 Gill, Stephen
 Gillezeau, Marcus
 Gilligan, Michael
 Giodano, Danielle
 Giovenco, Andrew
 Girdler, Paul
 Giuffrida, Luke
 Glass, Stephanie
 Glenn, Charles
 Glick, Neil
 Global Spin
 Glover, Adam
 Goddard, Neil
 Goddard, Scott
 Godden, Lyn
 Godfrey, Alice and Terry
 Godwin, Bjorn
 Goetz, Norman
 Goldman, Katherine
 Goldrick, James
 Goman, Kris
 Goodall, Brian
 Goodall, Robin
 Goodman, Steven
 Goodridge, James
 Goodwin, Jillian
 Goodwin, Matt
 Goot, Robert
 Gorogh, Susanna

Goss, Alicia
 Gough, Mark
 Gover, Adrian
 Gowland, Brent
 Grabham, Bruce
 Grace, Steven
 Graham, Jeremy
 Graham, Umi
 Graham, Warren
 Grant, Thomas
 Grant, Tim
 Gravino, Albert
 Gray, Jennifer
 Gray, Stuart
 Green, Carolyn
 Green, Jennifer
 Green, Jenny
 Green, Councillor Jenny
 Green, Johnny
 Green, Philippa
 Green, Rhonda
 Greene, David
 Greenhalgh, Lani
 Greening, Peter
 Greenwich, Alex (Member
 for Sydney)
 Greer, Andrew
 Greive, Geoff
 Grevler, Jodi
 Griffiths, Reece
 Grivas, Alexis
 Gronow, Thomas
 Groombridge, Tim
 Groves, Alison
 Grynberg, Jessica
 Guitera, Jean-Marie
 Gulliver, Graeme
 Gunja, Naren
 Gunn, Nicholas
 Gunning, Justin
 Guvenkaya, Barry
 Guy
 Guy, Scott
 Gyory, Stephan

H

Hack, Christian
 Hackney, Beth
 Haege, Alexander
 Haines, Trevor

Hall, Bryan
 Hall, John
 Hall, Mel
 Hall, Robyn
 Halley, Tabitha
 Hammer, Dean
 Hands, Mark
 Hannam, James
 Hanse, William
 Hanson, Kevin
 Hardiman, Kayleen
 Harding, Lauren
 Harding, Ralf
 Hardwick, Andy
 Hardwick, Mark
 Hardy, Dr David
 Hargreaves, Andrew
 Harley, Tim
 Harrington, John
 Harris, Dan
 Harris, Dan (2)
 Harris, Renee
 Harris, Zackary
 Harvey, Jim
 Harvey, Raylene
 Harvie, Margaret
 Hawkes, Roger
 Hawkins, Carly
 Hawkins, Sean
 Hawksford, Andy
 Hawron, Victoria
 Hayes, John
 Heads, David
 Heath, Louis
 Heffernan, Alexandra
 Heffernan, Therese
 Helper, Stephen
 Henderson, Linda
 Herbert, Kyro
 Herps, Adam
 Herrmann, Chris
 Herrmann, Simon
 Heysmand, Maureen
 Hick, Ian
 Hickson, Noel
 Highfield Hotel
 Hing, Stephen
 Hinkley, Georgina
 Hobbs, Travis
 Hodgson, Barnabas

Hogan, Ayrton
 Hogan, Stefan
 Hokin, Sharyn
 Holden, Dr Joshua
 Holder, Jo
 Holder, Robyn
 Hollins, Phill
 Holt, Riley
 Hooper, Geoffrey
 Hooper, Jonathan
 Hoorweg, Carla
 Hopper, Elaine
 Horne, Kevin
 Horsley, Joanna
 Horton, Samantha
 Horvai, Marcia
 Hosking, Tom
 Hotel, Gunnedah
 Howard, John
 Howe, John
 Howe, Peter
 Howes, Alan
 Hudson, Jonathan
 Huggett, Tom
 Huggins, Jason
 Hughes, Andrew
 Hughes, Greg
 Hughes, Jenny
 Humphries, Owen
 Hundt, Daniel
 Hunt, Jaime
 Hunter, Kiah
 Hunter, Paul
 Huntsman, Rhonda
 Hurst, Sandra
 Husak, Charles
 Hutchins, Bronwyn
 Huxtable, John
 Hyland, Robyn
 Hyslop, Daryl
 Hywood, Greg (oral only)

I

Ing, Jen
 Ingleton, Sophie
 Inthavong, Anno
 Ireland, Jo
 Irving, Jon
 Iselin, Louise
 Israel, David

J

Jackson, Ronit
 Jacob, Clovis
 Jacobs, Sarah
 Jacobson, John
 Jacobson, Steven
 Jacobsz, Khosaan
 Jaffray, Penelope
 James, Demitri
 James, Jared
 James, Peter
 Janenko, Margeaux
 Jenkins, Will
 Jeremy
 Jimmy Brings
 Joey
 Johns, Christopher
 Johnson, Christine
 Johnson, Greg
 Johnson, Matt
 Johnson, Matty
 Johnson, Mike
 Johnson, Patricia
 Johnson, Ray
 Johnson, Susy
 Johnston, Aminath
 Joiner, James
 Jolina, Jolina
 Jones, Geoffrey
 Jones, Laura
 Jones, Luke
 Jones, Mark
 Jordan, Suzy
 Josh, Louise
 Joweihan, Hadi
 Joyce, Karly
 Judge, Paul
 Judges, Samantha
 Juka, Mirjana
 Jung, Jasmine
 Junkee Media

K

Kains, Luke
 Kalantzis, James
 Kallimanis, Elvera
 Kalocsay, Klara
 Kamal, Imran
 Kanakis, Dean
 Kane, Owen
 Kanik, Ian

Karmaniolos, Steven
 Kassabian, David
 Kearney, James and Susan
 Keating, Ari
 Keayes, Sam
 Keep Sydney Open
 Kell, Tristan
 Kelly, Boris
 Kelly, Georgia
 Kelly, John
 Kelso, Malcolm
 Kennedy, D
 Kennedy, Daniel
 Kennedy, David
 Kennedy, Di
 Keogh, Elizabeth
 Ker, Anne
 Kernot, Bunny
 Kerr, Jason
 Kershaw, Alice
 Kervella, Joel
 Kessenich, Klaus
 Kestel, Steve
 Keys, Erin
 Khoo, Rebecca
 Kiernan, Teresa
 Kilic, Filiz
 Kilic, Murat
 Kilka, Gaby
 Killen, Barney
 Killen, Chelsey
 Kilvington, Nigel
 King, Donna
 King, Geoff
 King, Marcus
 King, Wal
 Kings Cross Liquor Accord
 Kingsmill, John
 Kirby, Rebekah
 Kirkwood, Ellen
 Kirralee
 Kirrsmith, David
 Kiruna, Shane
 Klimova, Dr Aleksandra
 Klimova, Luba
 Kobrali, Mariam
 Koch, Christopher
 Kos, Rowan
 Kotey, Shannon
 Kougellis, Marie

Kouremenos, Andreas
 Kouzmin, Anton
 Kovacs, Csaba
 Krishnaswamy, Jessica
 Krumins, Eden
 Kuiper, Katie
 Kumar, Pranit
 Kumar, Ravin
 Kung, Carmen
 Kypri, Prof. Kypros
 Kyto, Anitta

L

Lac, Andrew
 Lambert, Shaun
 Lanagan, Tanya
 Laney, Joe
 Lang, David
 Larsson, Cindy
 Last Drinks Coalition
 Law, Bonnie
 Lawless, Lyndal
 Lawrence, Alan
 Lawson, Kyla
 Lawson, Stroma
 Lay, Rodney
 Layton, John
 Lear, Scott
 Lebon, Patrick
 Lee, Jaime
 Lee, Timothy
 Lees, Peter
 Leichhardt Council
 Leighton, Adrian
 Lelliott, Jayne
 Lemasson, Emilie
 Lemic, Caroline
 Leong, King
 Leplastrier, Aero
 Leppan, Oscar
 Leung, Tracy
 Levy, Tasha
 Lewarne, Michael
 Lewicki, Simon
 Lewis, Adam
 Lewis, Danielle
 Lewis, Jonathan
 Liebhardt, Aba
 Lightfoot, Belinda
 Liley, Alexa

Lines, Christian
 Lionatos, Gina
 Lipman, Edward
 Lipman, Stephani
 Liquor Marketing Group
 Liquor Stores Association
 (NSW)
 Liron
 Live Music Office
 Livingston, Eric
 Livingston, Peter
 Lloyd, Sam
 Lloyd-Phillips, Julian
 Lockwood, Hannah
 Lott, Tony
 Loughnan, James
 Loughnan, Mitch
 Lovell, Simon
 Lovett, Graham
 Low, Chris
 Low, Kimberley
 Lowe, Andrew
 Lowenstein, Ruby
 Lu, Yingna
 Lubicz, Henryl
 Lublow, Blair
 Lumley, Roger
 Luu, Albert
 Lyons AM, Catherine

M

Macdonald, Callum
 MacFarlane, Ewin
 Macgregor, Karlie
 Macguire, Nathan
 Mack, Emmy
 Mack, Peter
 Mackay, Lachlan
 Macleod, Ken
 MacLeod, Lachlan
 Macpherson, Sholto
 Madden, Patrick
 Magro, Jordan
 Maher, Dylan
 Maher, Eoin
 Mahoney, Marc
 Mai, Oliver
 Majernik, Samantha
 Makeham, Michael
 Makenen, Patrick

Mallawaratchi, Michael
 Manfredi, Isabella
 Mangan, Jess
 Mangelsdorf, Melinda
 Manidis, Stefan
 Manly Council
 Mann, Robert
 Mann, Simon
 Manners, Bob
 Manson, Ian
 March, Lyn
 Marcinkowski, Peter
 Marconi, Kristen
 Marcou, Annelise
 Margieson, Craig
 Margules, Jessica
 Marning, Kate
 Marr, Tony
 Marsden, Greg
 Marsh, James
 Marsh, Lois
 Martin, Hannah
 Martin, Samuel
 Martine, Paris
 Martinez, Alex
 Martyn, Kim
 Maruda, Dorian
 Matheson, Duncan
 Matheson, Erin
 Mathews, Dr Rebecca and
 Legrand, Dr Tim
 Matkovic, Andre
 Matthews, Carl
 Matthews, Owen
 Matthews, Philip
 Mavety, James
 Maxwell, Timothy
 May, Benjamin
 Mayahi-Biti, Jamileh
 Maycock, Kelly
 McAdam, Thomas
 McBeath, Ben
 Mccaig, Steve
 McCarthy, Chris
 McCarthy, Janet
 McCarthy, John
 McCarthy, Steven
 McCauley, Jay B
 McCloskey, Douglas
 McConnell, Keith

McCormack, Steve
 McCormick, Michael
 Mccrae, Beverley
 McCrae, Iain
 McCullum, Hugh
 McDiamid, Blake
 McDonald, Kenneth and
 Gillian
 McEvoy, Paul
 McGee, Mike
 McGill, John
 McGrath, Patrick
 McGrath, Richard
 McGregor, Fae
 McHugh, Paul
 McIlveen, Orla
 McKay, Carol
 McKay, Gary
 McKendry, Vashti
 McKeon, Belinda
 McKertich, Fraser
 McLaughlin, Allirah
 McLean, Andrew
 McLean, Shana
 McLean, Tiff
 McLeavy, Kyle
 McLennan, Alexander
 McLeod, Charlotte
 Mcleod, Kathy
 McLeod, Roy
 McLeod, Trina
 McMahan, Oscar
 McNee, Ewen
 McPhate, Alex
 McPherson, Peter
 McQueen, Andrew
 McQueen, Kylie
 McRod Hotel Group
 McSmith, John
 McTeigue, Christine
 McTiernan, Peter
 Mead, Matthew
 Meare, Jessica
 Meares, Matthew
 Meezs, Nelson
 Mehta, Rakesh
 Menzies, Darryl
 Mercorella, Felice
 Meredith, Meaghan
 Merivale Hotel Group

Michaels, Catia
 Mihailovski, George
 Mikkor, Lauren
 Milbank, Luisa
 Miller, Brad
 Miller, Dr Rohan
 Miller, Elise
 Miller, Peter
 Miller, Pierre
 Millgate, Ali
 Millington, Fiona
 Millington, Rod
 Milne, Jonathan
 Mitchelhill, Keith
 Mitchell, Alexandra
 Mitchell, Fleur
 Mitchell, Scott
 Mizzi, Ramon
 Moawad, Dominic
 Model, Roshie
 Modiano, Michellina
 Moffa, Dan
 Moffitt, Dominic
 Moffitt, Trish
 Mohandas, Priya
 Monteiro, Emmanuel
 Mooney, Edward
 Moore, Neil
 Moore, Rosemary
 Moore, Tristan
 Moralee, Jain
 Moran, Stephen
 Moran, Terrie
 Morgan
 Morgan, Danielle
 Morgan, Hannah
 Morgan, Stephen
 Morgan, Timothy
 Morley, Jan
 Morris, Cameron
 Morris, David
 Morris, Judith and Albert
 Morris, Mark
 Morris, Theo
 Morrison, Leslie
 Morrissey, Jo-anne
 Morrow, Al
 Moses, James
 Moss, Dr David
 Mostafa, Joshua

Moxom, Lorna
 Mughal, Shoaib
 Muir, Vicky
 Muirhead, Alexandra
 Mullington, Ramona
 Mullins, Brad
 Multari, Stephen
 Munn, Steven
 Munoz Valles, Daniel
 Munro, Robyn
 Munsie, Lisa
 Murphy, Benjamin
 Murphy, Brendan
 Murphy, Dan
 Murphy, Lily
 Murphy, Lily (2)
 Murphy, Peter
 Murphy, Robert
 Murphy, Terry
 Murr, Lucy
 Music Australia
 MusicNSW
 MyChoice Australia &
 Australia and New Zealand
 Students for Liberty

N
 Nadina, Ben
 Nakhla, Bronwyn
 Name withheld by request
 (14)
 Nancarrow, Carmel
 Napier, David
 Narouz, Megan
 Narrandera Bowling and
 Recreation Club
 Nastasi, Mathew
 National Alliance for
 Action on Alcohol
 National Drug and Alcohol
 Research Centre
 National Drug Research
 Institute
 Nettle, Richard
 NewDemocracy Foundation
 Newman, Emma
 Newman, George
 Newman, Timothy
 Newton, Emma
 Nheu, Kirsten

Nichitean, Trish
 Nicholls, Lindy
 Nichols, James
 Nicholson, Robert
 Nicotra, Dianne
 Niewand, Adam
 Nilsson, Robyn
 Nissen, Peter
 Nixon, Margaret
 Noad, Brian
 Noble, Cheryl
 Noble, Don
 Nolan, Michael
 Noonan, Lisa
 Norberg, Ola
 Norman, Pat
 Norris, David
 Norris, Dean
 Norris, Geraldine
 Norris, Paul
 Norton, Peter
 Nott, Stephen
 NSW ACT Alcohol Policy
 Alliance
 NSW Council for Civil
 Liberties
 NSW Greens
 NSW Nurses and
 Midwives' Association
 NSW Police Force
 NSW Young Liberal
 Movement
 Nughes, Carmen
 Nughes, Katrina

O
 O'Loughlin, Lucas
 Oades, Lynette
 Oakenfull, Mary
 Obrecht, Cliff
 O'Brien, Joshua
 O'Brien, Thomas
 Observer Hotel
 O'Carrigan, Andrew
 O'Connell, Kyle
 O'Connell, Phillip
 Odgers, Simone
 O'Donoghue, Joseph
 Office of the NSW Small
 Business Commissioner

Ogilvy, John
 O'Halloran, Brian
 Ohana, Georges
 O'Hanlon, Clint
 Ohlson, Jacob
 Ohtaras, Chris
 O'Keefe, Dr Kim
 O'Keefe, Laura
 O'Keeffe, Brian
 O'Leary, Daniel
 O'Leary, Tully
 Olaya, Juan
 Oliver, David
 Olsen, Andreas
 O'Meara, Patricia
 O'Neill, Peter
 Onji, Fadi
 Onji, Gabi
 Onji, Hanna
 Onslow, Tim
 Orell, Lauren
 Ormesher, James
 Ormsby, Lily
 Orr, Xavier
 O'Ryan, Zachary
 Osburg, Vanessa
 O'Shea, Diane
 O'Sullivan Forde, Louise
 O'Sullivan, Cassidy
 Owen, Jon
 Oxford Art Factory
 Oxford, Cheyne

P

Paauw, Arjan
 Paddison, Lindy
 Page, Emily
 Page, Hugh
 Paine, Janet
 Paino, Frank
 Palmer, Helen
 Palombi, Luigi
 Palombi, Vanessa
 Panigiris, Craig
 Panucci, Ben
 Pardey, Alexandra
 Parker, Adam
 Parker, Kieran
 Parker, Lyndall
 Parkes, Brian

Parkes-Talbot, Ella
 Parkinson, Kerry
 Parsons, Sophie
 Parsonson, Amelia
 Parsotam, Monica
 Pascoe, Jacqueline
 Pascoe, Kate
 Pascuzzo, John
 Pate, Janine
 Pate, Stephen
 Pattalis, Dean
 Patterson, Olivia
 Pattillo, Nick
 Paul, Mark
 Paull, Jason
 Pauly, Moss
 Pearce, Ben
 Pearce, Hugh
 Pearson, Allison
 Pearson, Finbar
 Pecherczyk, Dianna
 Peden, Gordon
 Pelekanos, Alex
 Peltz, Tim
 Pembrey, James
 Penny, James
 Perkins, David
 Perrett, Roger
 Perry, James
 Petersen, Mary
 Phara, Angelic
 Phelps, Helen
 Phillips, Daniel
 Phillips, Gary
 Phillips, James
 Phillipson, Tom
 Piekals, Rubi
 Pigott, Mark (1)
 Pinniger, George
 Pinniger, Yvonne
 Pinter, James
 Pippard, Jonathan
 Pirie, Adrian
 Pitcher, Edith
 Pitt, Peter and Vivien
 Plant, Matt
 Platt, Tom
 Player, Penny
 Plumridge, Wayne
 Podmore, Graham

Pointing, John
 Police Association of NSW
 Polivka, Stephanie
 Pollak, Irit
 Polson, David
 Popovic, Ariana
 Porter, George
 Porter, Margo
 Potts Point Partnership
 Potts, Jordan
 Pour, Seppy
 Powell, Jamie
 Powrie, Axel
 Poynton, Anthony
 Prasad, Ash
 Pratt, Alyn
 Prentice, Brett
 Prestage, Garrett
 Price, Graham
 Price, John
 Prichard, Carolyn
 Proctor, Bruce
 Proctor, Dallas
 Psaltis, Aidan
 Psaltis, Alex
 Psaltis, Gareth
 Public Health Association
 of Australia
 Pugh, Denise
 Purcell, Dean
 Purcell, Denise
 Pyne, Jon

Q

QikID Pty Ltd
 Quach, Michael
 Quay, Susan
 Queensland Coalition for
 Action on Alcohol
 Quick, Peter
 Quilter, Associate Professor
 Julia & McNamara,
 Professor Luke
 Quin, Emrys
 Quintal, Bruno
 Quisora, Violeta

R

Rae, Rosie
 Race, Kane

Raja, Danny
 Rakich, Clinton
 Ralph, Hetty
 Ramsay, Lee
 Raphael, Miriam
 Rapisarda, Alfio
 Rasmussen, Eric
 Raue, Marcus
 Rawnsley, Lesley
 Ray, Michael
 Reclaim the Streets
 Red Lion Tavern
 Redmond, Lucy
 Reed, Ann
 Reedman, Peter
 Rees, Janelle
 Regan-Vieira, Zoran
 Reichstädter, David
 Reid, Joan
 Reid, Katie
 Reid, Laura
 Reid, Paul
 Reid, Rupert
 Reilly, Eliza
 Reilly, Hannah
 Remedios, Colin
 Rendle, Valerie
 Renoux, Helen
 Renvoize, Nicole
 Restaurant and Catering
 (NSW)
 Reynaud, Etienne
 Reynolds, Grahame
 Reynolds, Mitchell
 Reynolds, Paul
 Rhind, Heath
 Ricardo, Gerard
 Richard Dobransky
 Richards, Robin
 Richardson, Dinesha
 Richardson, Melissa
 Ricupito, James
 Riki, Jean
 Riley, Suzanne
 Ritchie, Tim
 Rizoglou, Peter
 Roach, Marc
 Roberts, Adam
 Roberts, Carly
 Roberts, Christopher

Roberts, Francis
 Robertson, Daniel and
 Vuong, Sarah
 Robertson, Susan
 Robinson, Aaron
 Robinson, Katherine
 Robson, Laura
 Roe, Sarah
 Rogers, Carly
 Rogers, Daniel
 Rogers, Sebastian
 Rogleff, Jess
 Rollings, Chris
 Rook, Charlotte
 Rosa, Nicholas
 Rose, Aaron
 Rosenberg, Sue-Ellen
 Ross, Andrew
 Roth, Sonke
 Routledge, David
 Rowe, Lucy
 Rowland, Anne
 Roxy
 Royal Australasian College
 of Physicians
 Royal Australasian College
 of Surgeons
 Royal Mail Hotel
 Rudd, Linda
 Rudder, David
 Rukus, Michael
 Rule, Matt
 Rupil, Paul
 Rutledge, Jess
 Ryan, Angus
 Ryan, John
 Ryan, Keith
 Ryan, Kimberley
 Ryan, Louis
 Ryan, Wendy
 Rylance, Meg

S

S, Jesse
 Sakr, Julia
 Salier, Mary-Jane
 Salt, Jessica
 Salt, Maz
 Salvia, Michael
 Sammut, Dr John

Sanchez, Adrian
 Sanderson, Audrey
 Sandrasegara, Rory
 Sapey, Sam
 Satori, Matthew
 Sattout, David
 Savva, Anthony
 Savvides, Andrew
 Scarborough, Marc
 Scarlett, Kass
 Scenna, Luisa
 Schaasberg, Joey
 Schiavone, Camille
 Schionning, Ben
 Schrader, Jane
 Schrader, Kevin
 Schultz-Moller, Martin
 Schwartz, Melanie
 Schwarz, Charis
 Scollay, Tim
 Scott, Ben
 Scott, Mark
 Scott, Nairn
 Scott-Kemmis, Will
 Scougall, Jim
 Searle, Michael
 Selby, Justine
 Serban, Phillip
 Serova, Nina
 Seymour, Vickie
 Sgammotta, Myles
 Shackleton, Linda
 Shakespeare, James
 Shalala, Adam
 Shannon, Selena
 Sharp, Christopher
 Sharp, Roslyn
 Shaw, David
 Shaw, Michael
 Sheppard, Katie
 Sherman, Adam
 Sherrin, Maxine
 Shoblom, Rob
 Short, Robyn
 Shoulder, James
 Shteinman, Bart
 Shurey, Emily
 Shute, Otis
 Siemsen, Julie
 Simmonds, Mary

Simons, Katherine
 Sims, Jamie
 Sirbough, Daren
 Siviour, Joel
 Skenridge, Pat
 Skye, Eirwen
 Slakey, Elizabeth
 Sleath, Tim
 Slingo, Jane
 Sloan, Lee
 Smaller, Daniel
 Smart, Phil
 Smith, Alec
 Smith, Emily
 Smith, Gerard
 Smith, Matthew
 Smith, Nathan
 Smith, Peter
 Smith, Robyn
 Smith, Tim
 Solomon, Ray
 Solotel Hospitality
 Management
 Solvyys, John
 Somerville Glover, Ella
 Southam, Peter
 Southcott, Nick
 Spadina, Nikola
 Sparkes, Susen
 Speak, Oscar
 Specialist Alcohol
 Management Services
 Spelling, Peter
 Spiteri, Joanne
 St Vincents Health
 Australia
 Stagg, Marc
 Stanar, Wayne
 Stanley, Andrew
 Stanovsek, Jack
 Stansfield, Peter
 Starkey, Michael
 Starley, Drew
 Starling, Karen
 Starr, Andrew
 Steel, Joel
 Steele, Rhonda
 Steer, Barbabra
 Stein, Deidre
 Stephen, Jim

Stephens, Larry
 Stevens, Michael
 Stevens, Will
 Stevenson, Mark
 Stevenson, Patrick
 Stevenson, Sydney
 Stew, M
 Stewart, David
 Stewart, Natalie
 Stigter, Andrew
 Stiles, Christopher
 Stockdale, Jason
 Stone, Russell
 Stopa, Robert
 Story, Rohan
 Street, Kate
 Stretton, Dean
 Strzina, Hayden
 Stuart, Natasha
 Stucken, Katie
 Sudradjat, Yasmin
 Sullivan, David
 Sullivan, Fiona
 Sullivan, James
 Sullivan, Larissa
 Sun, Nathalie
 Surry Hills Liquor Accord
 Susie Henke
 Sutherland, John
 Sutton, Lisa
 Swanson, Brad
 Sweet, Keiran
 Swift, Robert
 Sydney Business Chamber
 Sykes, Amelia
 Symeonakis, Chrissy
 Symons, Gary
 Szabo, Albert

T

Tagg, Josh
 Tallis, Iain
 Tamworth Regional
 Council
 Tan, Rachel
 Tang, Wai Chee and Tan,
 Mavis
 Tapscott, Nick
 Tarpis, Sera

Tasker, Carol
 Tat, Jed
 Taylor, B Garth
 Taylor, Dave
 Taylor, Georgina
 Taylor, John
 Taylor, Michael
 Teale, Lance
 Tebbatt, Katharine
 Tedeschi, Virginia
 Tekin, Felicia
 Terrell, Barbara
 Terrell, Barbara
 The Lobo Plantation
 The Socialites
 The Star
 The Strand Hotel
 The World Bar
 Theodis, Rebeka
 Thomas, Christian
 Thomas, Joanne
 Thomas, Karl
 Thomas, Peter
 Thomas, Rohan
 Thomas, Troy
 Thompson, Jonathan
 Thompson, Nick
 Thornton, Liz
 Thornton, Malcolm
 Thorpe, Richard
 Thorpe, Thorpe
 Thorup, Nicholas
 Tierney, Karen
 Timebender Music
 Tindale, Dean
 Tobin, Bernadette
 Tokic, Nicholas
 Tong, Gene
 Tonks-Trinder, Christopher
 Torbett, Dimity
 Torrance, Rona
 Tougher, Jacqueline
 Towells, Anja
 Towle, Paul
 Townsend, Tony
 Tozer, Brent
 Train, Alex
 Trajkovska, Ane
 Tran, Annie
 Trethewy, Rhys

Trevenar, Karen
 Tringas, Stan
 Tritton, Lindsay
 Truswell, Graham
 Tse, Maggie
 Tsiantopoulos, Shannon
 Tsioulos, John
 Tuckfeld, Karl-Heinz
 Tuckwell, Harry
 Tulloch, Gavin
 Tulloch, George
 Turner, Aiden
 Turner, Laraine
 Turner, Vincent
 Tweddell, Paul
 Tylr, A
 Tyrril, Gary

U

Uber
 Unver, Bulent
 Usher, Ann and Rev.
 Geoffrey

V

Vaile, Jemma
 Valatiadis, Michelle
 Valencia, Jose
 Valentine, Anthony
 Vallance, Jim
 Van Dijken, Nicole
 Van Hagen, Robert
 Van Niekerk, Veisia
 Vanden Berg, Iris May
 Vankersteren, Cornelis
 Varcoe, Shane
 Varitmos, Mark
 Vawdrey, Josh
 Vazey, Margaret
 Vazques, Benji
 Veitch, Brad
 Vella, Lauren
 Velozo, Juan
 Verandah Bar and Bistro
 Verzar, Jordan
 Vignes, Robinson
 Villafranca, Antony
 Villain, Gregory
 Vogl, Bernadette
 Voormeulen, Adrianus

W

Waern, Jennifer
 Wagner, Paul
 Wake Up Foundation
 Waldron, James
 Walford, Katie
 Walke, John
 Walker, Chris
 Walker, Gayle
 Walker, Ian
 Walker-Catchpole, Brian
 Wallace, Margaret Anne
 Walsh, Edmund
 Walters, Daniel
 Walters, Lynne
 Walton, Andrew
 Waltz, Michele
 Wang, Belle
 Wanna, John
 Want, James
 Ward, Alan
 Ward, Alex
 Ward, Andrew
 Ward, Harry
 Ward, James
 Ward, Steven
 Ward-Collins, James
 Ware, Margaret
 Warner, Susan
 Warr, Jennifer
 Warren, Adam
 Warry, Vaughan
 Waterer, Cameron
 Waterman, Jackie
 Watkins, Anwyn
 Watkins, Charles
 Watkinson, Ian
 Watts, Glenda
 Wawn, Jeremy
 Webb, Elizabeth
 Webb, Steve
 Webster, Ian
 Webster, Tim
 Weissel, Carolyn
 Weldon, Johanna
 Wells, Dr Edward
 Wells, Jennifer
 Wells, Ross
 Wesley-Smith, Oskar

West, Amanda
 West, Bryan
 West, Clive
 West, Patricia
 Westall, Madison
 Westaway, Michael
 Westdorp, Grace
 Westen, Samuel
 Westenberg, Alexander
 Westmeyer, Rebecca
 Whalan, Gav
 Whare, Tatiana
 Wheeldon, Simon
 Wheeler, Jayne
 White, Anthony
 White, Greg
 White, Harry
 White, Sam
 Whitehead, James
 Whiting, Paul
 Wigmore, Jon
 Wilcox, Peta
 Wilkinson, Cassandra
 Wilkinson, Elisabeth
 Willenberg, Brendan
 Williams, Adam
 Williams, Matthew
 Williams, Paddy
 Williams, Rachel
 Williams, Robert
 Williams, Stefan
 Williamson, Amy
 Willis, Dale
 Willis, Rob
 Willox, Nick
 Wills, Murray
 Wilson, Toby
 Wimble, Judy
 Windley, Linda
 Winer, Conrad

Wirth, Mitchell	Zwar, Tom
3 Wise Monkeys	
Wittenoom, Andie	#
Wodak, Alex	2011 Residents Association
Wodak, Dr Alex	
Wojciechowska, Maggie	
Wolf, Jeremy	
Wood, Simon	
Woodhead, Harrison	
Woodland, Cooper	
Woodley, Oliver	
Woodley-Davis, Pat	
Woods, Alastair	
Woodward, Carl	
Worrall, Alan	
Worrill, Joshua	
Wortham, Andrew	
Wrathall, Josh	
Wright, Andrew	
Wright, Daniel	
Wright, John	
Wright, Prince	
Wright, Rebecca	
Wright, Shelley	
Wryabin, Robin	
Wubbels, Theo	
Wyatt, Shirley	
Wynen, John	
Wynn, Neville	

Y

Yael, Perry
 Yang, Paul
 Yasa, Suzanne
 Yashadhana, Ary
 York, Calum
 Youkhana, Nergal
 Young, Peter
 Youngman, Michael
 Yvette, Shontelle

Z

1 submitter (a resident,
 anonymity requested)
 Zaki, Miriam
 Zandona, Nathan
 Ziegler, David
 Ziegler, John
 Zorotheos, Deborah
 Zuk, Andrew

Appendix 3

Oxford Art Factory Correspondence

Jonathan Horton

From: Mark Gerber [REDACTED]
Sent: Tuesday, 6 September 2016 11:59 AM
To: liquorlawreview@justice.nsw.gov.au;
Independent.liquorlawreview@justice.nsw.gov.au; Jonathan Horton
Subject: The Hon. Ian Callinan AC QC - Urgent notice to the Independent Liquor Law Review
from the Oxford Art Factory
Attachments: L&G NSW Letter - 26 Aug 16.pdf; Mail Attachment.eml

To the Hon. Ian Callinan AC QC,

I write to you as the Licensee of the Oxford Art Factory (*'the OAF'*), located in the basement of 36-46 Oxford Street, Darlinghurst regarding your report into the *Liquor Act, 2007*. We previously wrote to you on the 4th of April. That submission detailed our experience with the lockout and liquor cessation periods (*'the lockout'*).

We understand that the release of your report has been delayed in order to review the recent Supreme Court decision *Stuart v O'Connor as Acting Deputy Secretary of the Department of Justice and State of New South Wales*[2016] NSWSC 1179 (*'the Smoking Panda decision'*). This further submission relates directly to the Smoking Panda decision, as the OAF is subject to the lockout by way of a declaration of the kind the subject of that case.

The day following the Smoking Panda decision, the OAF was issued the **attached** letter from Liquor and Gaming NSW (*L&G NSW*) dated 26th of August noting that the provisions under which it was declared a High Risk Venue were found to be invalid by the Supreme Court.

It is clear that at the present time the lockout provisions do not apply to the OAF. However, the Compliance Unit of L&G NSW and NSW Police Force have threatened to prosecute the OAF if it fails to observe the lockout. The Police and Compliance Unit attended the venue separately on Saturday the 27th of August seeking to extract assurances under the threat of prosecution that the OAF would continue to abide by the illegal declaration.

It must either be the case that the Police and Compliance Unit do not understand the ramifications of the Smoking Panda decision, or if they do, they are misrepresenting the decision. Neither is acceptable for a Statutory Authority. The purpose of this further submission is to put this behaviour on the record.

Prior to the Smoking Panda decision, the OAF lodged an application with L&G NSW seeking a conditional exemption to the lockout. Contrary to the position of the Compliance Unit and NSW Police, L&G NSW state the lockout does not apply, so there is no purpose to the exemption application. L&G NSW has put the exemption application on hold (see **attached** email). The significant expense of carefully preparing the exemption application has been wasted, with the threat of prosecution on one hand and a stalled application on the other.

The absence of an ability to enforce the lockout provides no comfort. The ease at which Police or the Compliance Unit may prosecute for an offence, such as failure to include a single incident in the Incident Register under cl. 53ZE, and the heavy penalties associated with non-compliance in the form of a strike, mean that it is simply not worth the risk.

The OAF has always been a well-run premises with minimal levels of adverse impacts and assaults, notwithstanding its popularity, young demographic and late trading hours. As a theatre, it was never intended to be subject to the lockout.

It was my opinion at the time of the declaration that L&G NSW and the Police were intent on extending the ambit of the lockout beyond that legislated by Parliament, by including premises that were intentionally excluded. The Smoking Panda decision confirms that suspicion was correct, which in the absence of legislative support they now seek to enforce through intimidation and threats.

Should you have any questions arising out of the above, please do not hesitate to contact me to discuss on [REDACTED]

Kind Regards,

Mark Gerber

'The Boss'

Oxford Art Factory/ Anita's Theatre Thirroul

GM/Licensee/Bookings

38-46 Oxford Street, Darlinghurst 2010

N.S.W Australia.

[REDACTED]

T: +61 2 9332 3711 F: +61 2 9332 3211

OXFORDARTFACTORY.COM

FACEBOOK.COM/OXFORDARTFACTORY

TWITTER.COM/THE_OAF

INSTAGRAM: @THE_OXFORDARTFACTORY



Justice
Liquor &
Gaming NSW

323 Castlereagh Street,
HAYMARKET NSW 2000
GPO Box 7060, SYDNEY NSW 2001
Tel (02) 9995 0300 | Fax (02) 9995 0644
www.liquorandgaming.justice.nsw.gov.au

DOC16/093090

Mr Mark Gerber
Licensee
Oxford Art Factory
38-46 Oxford Street
DARLINGHURST NSW 2010

Dear Mr Gerber

The Secretary of the Department of Trade & Investment issued a notice to you dated 17 March 2014 (copy enclosed) declaring either the whole or part of the premises Oxford Art Factory to be CBD subject premises for the purpose of the 1:30am lock out and the 3am cease service of alcohol.

On 25 August 2016 a decision was made in the Supreme Court NSW in the matter of Stuart v O'Connor as Acting Deputy Secretary of the Department of Justice and State of New South Wales [2016] NSWSC 1179. The effect of the Supreme Court decision is that the declaration made in relation to your venue on 17 March 2014 may be invalid. The Court did not make negative findings against the regulations' policy intent or the Secretary's delegate in making the declarations.

The Government has lodged a notice of intention to appeal the decision and is further considering other options. You are strongly encouraged to continue to comply with the lock out and cease service provisions, as applicable to your venue, until the appeal is considered or the Government response is implemented.

Liquor & Gaming NSW compliance officers will continue to attend venues across the CBD to assess risks of alcohol-related harm. There are a range of provisions under the liquor laws which allow for action to be taken, in the form of statutory conditions or directions, in circumstances where there is a risk of alcohol related harm. These powers are unaffected by the Court's decision and Liquor & Gaming NSW will use those powers as required.

Should you require further information on this matter, Mr Paul Drohan, Manager Compliance, Liquor & Gaming NSW can be contacted at paul.drohan@olgr.nsw.gov.au or on 9995 0865.

Yours sincerely

Sean Goodchild
Director Compliance Operations
26 August 2016

Jonathan Horton

From: Sarah Green <sarah.green@olgr.nsw.gov.au>
Sent: Thursday, 1 September 2016 10:12 AM
To: [REDACTED]
Cc: David Rippingill
Subject: FW: OAF application for exemption

Dear Mark

I was contacted by David Rippingill, Design Collaborative yesterday, requesting that your application for Oxford Art Factory's exemption from the lock out proceed. I have advised David that the application is currently on hold while L&GNSW considers its position following the Supreme Court decision. Once we have a clearer understanding of the situation, we will make a decision as to how to proceed with the application. We will keep you updated on the progress.

If you have any questions in the meantime, please feel free to contact either myself or John Coady, Manager Compliance on 02 9995 0883.

Regards

Sarah Green | Compliance Program Coordinator
Compliance Operations
Liquor & Gaming NSW | A Division of the NSW Department of Justice
Level 6 | 323 Castlereagh Street | Haymarket NSW 2000
GPO Box 7060 | Sydney NSW 2001
T: (02) 9995 0565 E: sarah.green@olgr.nsw.gov.au
W: www.liquorandgaming.justice.nsw.gov.au | www.justice.nsw.gov.au

Our website has changed. Please update your bookmarks with our new address: www.liquorandgaming.justice.nsw.gov.au

From: David Rippingill [mailto:[REDACTED]]
Sent: Wednesday, 31 August 2016 5:07 PM
To: Sarah Green
Subject: RE: OAF application for exemption

Thanks Sarah,

Could you please provide me the details for the person responsible for the decision? I would like to confer with them directly.

Regards,



David Rippingill - Associate
Design Collaborative
Level 3 225 Clarence St Sydney NSW 2000
Ph: (02) 9262 3200
Fax: (02) 9262 3601

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From: Sarah Green [mailto:sarah.green@olgr.nsw.gov.au]
Sent: 31 August 2016 16:56

To: David Ripplingill
Subject: OAF application for exemption

Dear David

Thank you for your call earlier. The OAF application for exemption is on hold while Liquor and Gaming NSW considers its position. Once we have a clearer understanding of the situation we will make a decision as to how to proceed with the application.

I will keep you updated.

Regards

Sarah Green | Compliance Program Coordinator
Compliance Operations
Liquor & Gaming NSW | A Division of the NSW Department of Justice
Level 6 | 323 Castlereagh Street | Haymarket NSW 2000
GPO Box 7060 | Sydney NSW 2001
T: (02) 9995 0565 E: sarah.green@olgr.nsw.gov.au
W: www.liquorandgaming.justice.nsw.gov.au | www.justice.nsw.gov.au

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Appendix 4

Comparative International Arrangements

	Population (million)	Drinking age	On-premises availability	Off-premises availability	Lockout
Sydney	4.8	18	3am ¹	10pm	1.30am ²
Melbourne ³	4.3	18	24/7	24/7	No
Auckland ⁴	1.4	18	4am	9pm	No
London ⁵	8.5	18	24/7 ⁶	24/7	No
Glasgow	0.6	18	Up to 3am ⁷	10pm	No ⁸
Paris ⁹	2.2	16 (Wine) 18 (Spirits)	2am (later for nightclubs)	24/7	No
Berlin	3.6	16 (Wine)+ 18 (Spirits)	24/7	24/7	No
Dublin ¹⁰	0.5	18	Fri – Sat 12:30pm; Sun - Thursday: 11:30pm ¹¹	Mon – Sat: 10.30am to 10pm; Sunday: 12:30pm to 10pm	No ¹²
Barcelona	1.6	18	24/7	24/7	No

NOTES

¹ In the CBD and Kings Cross Precincts.

² In the CBD and Kings Cross Precincts.

³ *Liquor Control Reform Act 1998* (Vic).

⁴ *Sale and Supply of Alcohol Act 2012*.

⁵ *Licensing Act*.

⁶ Licensing authorities have the power to restrict the sale of alcohol between 3am and 6am if the licensing authority considers it necessary for the promotion of the licensing objectives: *Licensing Act 2003* (UK) s 172A.

⁷ Varies by establishment. The City of Glasgow Licensing Board's Licensing Policy Statement restricts service of alcohol to 3am for entertainment based and later opening premises in Glasgow city centre only. Otherwise a 2am cease service applies to these venues.

⁸ In Glasgow, a 12.00am lock out known as 'curfew' was introduced in 1993. It was gradually increased to 2am in the late 1990s, before being discontinued in 2004 after safety had improved in the city centre.

⁹ *Code of Public Health*.

¹⁰ *Intoxicating Liquor Acts*.

¹¹ In Dublin, popular nightclubs and late night bars generally trade until 2.30am by seeking special exemption orders from the District Court. Otherwise, an earlier cease service applies.

¹² Varies by venue. In Dublin, there is a 'drinking up' time where venues must cease service 30 mins before closing. Entertainment (e.g. music) must not be provided during this time.

Madrid	3.2	18	24/7	24/7 ¹³	No
Rome	2.6	18	2am ¹⁴	12am ¹⁵	No
Hong Kong¹⁶	7.2	18	24/7	24/7	No
Singapore¹⁷	5.5	18	12am ¹⁸	12am	No
Seoul	10	19	24/7	24/7	No
Chicago	2.7	21	Mon – Sat: 4am; Sun: 5am ¹⁹	Mon – Sat: 2.00am; Sun: 3am	No
Los Angeles/ San Francisco	3.9/0.8	21	2am	2am	No
New York²⁰	8.5	21	4am ²¹	Liquor and Wine Sun: 12pm - 9pm; Mon – Sun: 8am - 12pm Beer Sunday: Not between 3am & 8am; Mon – Sun: 24/7	No
Washington D.C.	0.66	21	Mon – Fri: 2am; Sat – Sun: 3am	12am	No
Montreal	1.65	18	3am	10pm ²²	No
Vancouver	0.6	19	3am	11pm	
Toronto	2.6	19	2am ²³	Mon – Sat: 11pm Sun: 6pm	No

¹³ Alcohol is generally only available in supermarkets until 10pm, but takeaway alcohol can be sold later with a licence.

¹⁴ In defined precincts only.

¹⁵ In Rome, a 10pm take-away liquor restriction applies to service areas located along highways.

¹⁶ *Dutiable Commodities (Liquor) Regulations.*

¹⁷ *Liquor Control (Supply and Consumption) Act.*

¹⁸ Can apply for extension of trading hours.

¹⁹ Varies by venue. For 'late licence' venues in Chicago only; otherwise a 2am (Mon – Sat) and 3am (Sun) cease service applies.

²⁰ *Alcoholic Beverage Control Law.*

²¹ Or 24/7 with late night permit (see *Alcohol Beverage Control Law* s 99).

²² In Montreal beer can be sold until 11pm from convenience stores.

²³ See Liquor License Regulations. Liquor can be sold until 3:00am on New Year's Day.

Appendix 5

Correspondence: The Night Time Economy



Liquor Law Review

www.justice.nsw.gov.au/liquorlawreview

Hon. IDF Callinan AC

24 July 2016

Ms Kate Murray
Manager City Business and Safety
City of Sydney
Town Hall House
156 Kent Street
SYDNEY NSW 2000

By email: kmurray@cityofsydney.nsw.gov.au

Dear Ms Murray,

Liquor Law Review: The Night Time Economy

Many of the submissions made to me refer to the Night Time Economy in the context of suggestions that the laws requiring the cessation of service of alcohol at 3am and a lockout from 1.30am adversely affect that economy. It has been suggested that this economy has 'collapsed' with the imposition of the lockout and associated laws.

Some estimates are that the Australian Night Time Economy comprised sales revenue in 2014 of \$108 billion (up from \$90 billion in 2009) and was responsible for the employment of more than one million people. The Sydney Local Government Area has been estimated to have a 'core' Night Time Economy in its central district in the order of \$3.536 billion.

I have also seen suggestions that the Night Time Economy has not, perhaps until recently, been viewed as an economic sector.

Some submissions urge me to take into account the effect that the laws I am reviewing have on the Night Time Economy. In order that I might better understand what comprises the Night Time Economy and its vulnerability or otherwise to the amendments to the *Liquor Act* with which my review is concerned, I would welcome any answers you might have to the questions set out below.

1. What are the components of the total sales revenue of the Night Time Economy?
2. Is there any accepted definition of what constitutes that economy?
3. Is there any reliable means available for separating sales and other revenue that businesses derive in the 'night-time'? If those means exist, please state what they are. I ask this question because I am not aware of any reporting required of businesses that might permit an assessment to be made of the proportion of

revenue that is derived during the night time.

4. Are any of the Night Time Economy sales revenue amounts that would form part of the day time economy if, for one reason or another, the activity did not take place after hours?
5. Is it true that take away food outlet sales are regarded as part of the Night Time Economy? If so:
 - a. is it possible to excise from take away food sales generally, that portion of meals that are sold at night? Has this been done in any analyses on the topic to date of which you are aware?
 - b. to what extent can take away evening meals for households, whether after 6pm or some later time, properly be regarded as forming part of the Night Time Economy?
6. Has any assessment been made of the costs associated with Night Time Economy Sales revenue? Costs that have been attributed to the Night Time Economy include government services, hospital services, policing, public transport and security. It may be also that there is an additional cost of labour outside of ordinary working hours. I am interested to know what, if any, assessments of these costs have been made.
7. Are the figures estimating the size and nature of the Night Time Economy reliable in a statistical or numerical sense?
8. If the figures are reliable, what is the degree of reliability they possess?
9. What degree of confidence can be attached to the claim that the components of the Night Time Economy are, in truth, part only of it and not of the day time economy? I am aware, for example, that revenue from amusement parks and gambling are commonly included in the figures for the Night Time Economy. I am unclear if sales revenue derived by such businesses during the day has been (or can be) reliably excised from the assessments of the Night Time Economy.

To the extent that you can, would you please consider these questions in relation to Sydney as well as generally.

I would appreciate any assistance you might be able to offer in response to the questions above.

Yours sincerely,


I D F Callinan AC

cc: Ms Claudia Solomon
 Director, Centre for Program Evaluation
 NSW Treasury

13 July, 2016

Hon. Justice Ian Callinan AC
C/O Council Assisting, Jonathan Horton QC
Ground Floor, Wentworth Chambers
180 Phillip Street, Sydney NSW 2000
E: jhorton@qldbar.asn.au

Dear Justice Callinan,

Liquor Law Review: The Night Time Economy

I understand your Inquiry have not yet had an opportunity to review the information provided following our meeting on 4 May. This information will address many of the questions you have. I hope to clarify, where possible, your specific questions.

In the absence of localised data collection of economic activity by the Australia Bureau of Statistics (ABS), the City of Sydney (and since, other local Councils and international government bodies) have had to use their own models to measure and estimate the extent of the night time economy. Due to the constraints of the existing data, the reports are not as comprehensive as we would like and only enable us to monitor trends. This has been the bases for our continued recommendation to the NSW Treasury over many years to establish a benchmark and conduct regular surveys to estimate the economic impact of liquor legislation. This was also part of the City's formal submission to this review. We have previously offered, and continue to offer technical, floor space and employment data to support such an initiative.

1. What are the components of the total sales revenue of the Night Time Economy?

Please see attached the summary of Data Sources and Methodology included in The Australian Night Time Economy 2009-2014 Report (refer section 3, Appendices A and C).

Sales data are sourced through ABS data and are therefore subject to ABS definitions. Two constraints of the current data include the lag in the availability of data, with the latest data (released in 2016), relating to 2013-14; and, the data for the Office of Liquor Gaming and Racing (now Liquor and Gaming) only relates to licenced premises.

2. Is there any accepted definition of what constitutes that night time economy?

The City engaged TBR (UK based) to conduct a study in 2009. TBR are one of the world's leading research agencies in this area, having undertaken significant work in UK and Australia over the last decade.

TBR separate the night time economy (NTE) into two components, the core and non-core:

- Core NTE - establishments which directly provide the consumer services at the point of demand, such as food led, drink led and entertainment led activities
- Non-Core NTE – establishments that comprise firms and other organisations that deliver supply line services which support the Core NTE

Non-Core includes public and private transport; hotels and other forms of overnight accommodation; retail services; public services such as policing, health services, parking; lighting and refuse collection; private services such as advertising and wider business services.

Total economy is also summed by the inclusion of all the other activities taking place within the identical time frames. The Core and Non-Core components are compared with the total economic activity in the economic geography so that the proportionate NTE role may be understood.

3. *Is there any reliable means available for separating sales and other revenue that businesses derive in the 'night time'? If those means exist, please state what they are. I ask this question because I am not aware of any reporting required of businesses that might permit an assessment to be made of the portion of revenue that is derived during the night time?*

Unfortunately, there is none existing.

The City is aware of a number of ad hoc research studies that have considered this, for example research into the impact of live music sales. These have been undertaken in co-operation with hotel/entertainment traders, however, these are limited studies and generally have a purpose specific to the organisation who commissioned it.

Increasingly, relevant local governments are looking at obtaining data on hours of operation (either in conjunction with land-use surveys or as stand-alone surveys). It is unlikely that these will differentiate sales revenue by hour, rather they will rely on models to calculate likely sales depending on co-operation with traders.

4. *Are any of the night time economy sales revenue amounts that would form part of the day time economy if, for one reason or another, the activity did not take place after hours?*

With current data sources, yes, as the information available is not granular enough to estimate this precisely. Similarly, there may be sales revenue generated in the evening by companies who predominately trade in the day time that are not accounted for in the night time economy estimates. For this reason, estimated values provide baseline figures only, to monitor trends rather than provide absolute figures.

5. *Is it true that take away food outlets sales are regarded as part of the night time economy? If so:*

Yes.

- a) *Is it possible to excise from take away food sales generally, that portion of meals sold at night? Has this been done in any analyses on the topic to date of which you are aware?*

Generally no. The only possible exception would be a survey of Food Truck sales.

- b) *to what extent can take away evening meals for households, whether after 6pm or some later time, properly be regarded as forming part of the night time economy?*

Takeaway food-led companies are included in the Core-NTE definitely and are therefore included in the estimates. Whilst the food is consumed at home, the purchase and when it is consumed is at night time and therefore included in the estimates.

6. *Has any assessment been made of the costs associated with the night time economy sales revenue? Costs that have been attributed to the night time economy include government services, hospital services, policing, public transport and security. It may be also that there is an additional cost of labour outside ordinary work hours. I am interested to know what, if any, assessment of these costs have been made.*

Yes, in 2009 the City commissioned the 'Sydney Night Time Economy – Cost Benefit Analysis' report (see attached). UK based consultants TBR, MAKE Associates and Dr Phil Hadfield were engaged along with Sydney based economist Michael Lester to undertake the report.

The report provided the first overview of the relative scale of Sydney's night time economy (2007-2009). It was not a traditional cost benefit analysis as the economic costs are entangled with a related social context. This work was partly driven by the City's objective to understand and manage the secondary impacts of the night time economic activity.

The report concluded that overall the benefits of the night time economy to Sydney substantially exceed the negative externalities, (based on the available data and resources attributed to the study). Researchers noted that they did not believe that the report was an appropriate way of assessing or measuring findings, rather that this first impact measurement of the city's night time economy would allow Sydney to benchmark its current position and then to work to both reduce its negative externalities around crime, health, environmental degradation, while increasing the identified benefits of wealth creation, employment and city reputation

7. *Are the figures estimating the size and nature of the night time economy reliable in a statistical or numerical sense?*

The data on the size of the night time economy should be seen only as approximate order-of-magnitude estimates.

Their principal value (to the City) is to indicate trends in total and components over time and place. That is, they are treated as benchmark indicators against which changes in the night time economy can be measured, in relation to specified City strategies including Sustainable Sydney 2030 and OPEN Sydney.

8. *If the figures are reliable, what is the degree of reliability they possess?*

Reliability currently depends on the quality of information collected and provided by the ABS. The ABS has a high international reputation in data provision but can only be as reliable as the limitations of the original data source.

9. *What degree of confidence can be attached to the claim that the components of the night time economy are, in truth, part only of it and not of the day time economy? I am aware, for example, that revenue from amusement parks and gambling are commonly included in the figures for the night time economy. I am unclear if sales revenue derived by such businesses during the day has been (or can be) reliably excised from the assessment of the night time economy.*

As noted, due to the lack of localised data collection of economic activity by the ABS, the City (and other stakeholders) have used their own models to measure and estimate the extent of the night time economy. This has, for the City, provided baseline information to inform interventions and activities based on trends.

The goal of measuring the night time economy is to provide some estimate of the extent and trends/ changes in it, and ultimately, the success of actions to the hours of operation of the City's economy, for the benefit of:

- Residents/ workers – shops/restaurants, convenience;
- Businesses – places to complete discussions, trade and deals;
- Tourists/visitors – cultural and entertainment institutions/ shops & restaurants/ food;
- Economic capacity – capability to expand economic activity within existing built environment and floorspace;
- Transport system- spreading the maximum load and extending peak times;
- Resource utilisation – improve the constancy of flow of energy required to maximise efficiency and productivity

General Comments

The City has consistently advocated for the need for better data to measure the economic impact of liquor legislation. However, the NSW Government review emphasis has been focussed on the violence/crime impact, with the economic impact only as a subsidiary activity to be undertaken.

The current data is the best available but it is limited. It can be improved by specific information being obtained about:

- (a) Hours of operation of individual businesses;
- (b) Surveys of time-line of sales during weekdays and weekends; and,
- (c) Allocation of an evidence-based night time intensity ratio to each detailed industry group (this may necessarily need to be localised).

The City is preparing to undertake its next regular five yearly census of all businesses in our local government area in 2016-17.

The City remains willing to work collaboratively with the NSW Government to achieve an improved set of metrics on the night time economy.

Thank you for your consideration of this information and please contact me if I can provide additional information or further clarity on the information supplied on 9265 9480 or kmurray@cityofsydney.nsw.gov.au

Yours sincerely,



Kate Murray
Manager City Business & Safety
City of Sydney





Liquor Law Review

www.justice.nsw.gov.au/liquorlawreview

Hon. IDF Callinan AC

24 July 2016

Ms Claudia Solomon
Director, Centre for Program Evaluation
NSW Treasury
52 Martin Place
SYDNEY NSW 2000

By email: claudia.solomon@treasury.nsw.gov.au

Dear Ms Solomon,

Liquor Law Review: The Night Time Economy

Many of the submissions made to me refer to the Night Time Economy in the context of suggestions that the laws requiring the cessation of service of alcohol at 3am and a lockout from 1.30am adversely affect that economy. It has been suggested that this economy has 'collapsed' with the imposition of the lockout and associated laws.

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I have also seen suggestions that the Night Time Economy has not, perhaps until recently, been viewed as an economic sector.

Some submissions urge me to take into account the effect that the laws I am reviewing have on the Night Time Economy. In order that I might better understand what comprises the Night Time Economy and its vulnerability or otherwise to the amendments to the *Liquor Act* with which my review is concerned, I would welcome any answers you might have to the questions set out below.

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To the extent that you can, would you please consider these questions in relation to Sydney as well as generally.

I would appreciate any assistance you might be able to offer in response to the questions above.

Yours sincerely,



I D F Callinan AC

cc: Ms Kate Murray
Manager City Business and Safety
City of Sydney

Hon. Ian Callinan AC
180 Phillip Street
SYDNEY NSW 2000

12 July 2016

Dear Mr Callinan,

Liquor Law Review: The Night Time Economy

Thank you for your letter of 24 June 2016 seeking Treasury's advice on the use, definition, and measurement of the term Night Time Economy.

Please find below responses to the specific queries you raised. In sum, the term night-time economy is not often used by economists, and in general is not a criterion sought in data collection practices (for example, by the ABS) as it is total economic activity that is usually of interest. In addition, there are many challenges, and judgments made, in deciding which particular industry sectors should be considered night-time.

Q1. What are the components of the total sales revenue of the Night Time Economy?

It cannot be stated with certainty which industries/sectors constitute the Night Time Economy as it is subject to interpretation.

The \$108 billion figure for 2014 that you have mentioned in your letter comes from the report "The Australian Night Time Economy 2009 – 2014 Federal, State and Key LGAs" commissioned by the National Local Government Drug and Alcohol Committee (NLGDAAC). This was comprised of turnover data from the ABS for all businesses under a selection of ANZSIC codes (see Table 6 on page 20 of the report).

The table below lists all ANZSIC codes that were assumed to be part of the "core" night time economy in the report. It appears that for each ANZSIC industry/activity classification, the total turnover value has been used, rather than attempting to apportion that part which most likely relates to the night time. This is a significant limitation, as many of these industry sectors clearly have large daytime sales (for example, health, fitness and gym).

Core Night Time Economy Sub-Sector	Activity	ANZSIC	Turnover 2014 (A\$m)
Drink	Liquor Retailing	4123	5,966
	Pubs, Taverns and Bars	4520	10,628
Entertainment	Clubs (Hospitality)	4530	6,585
	Performing Arts Operation	9001	917
	Artists, Musicians, Writers and Performers	9002	3,271
	Performing Arts Venue Operation	9003	903

	Health, Fitness Centre & Gymnasia	9111	4,606
	Sports and Fitness Professionals	9112	895
	Grounds and Facilities Operations	9113	3,750
	Sports and Recreation Administration	9114	792
	Horse and Dog Racing	9121	569
	Other Horse and Dog Racing Activities	9129	1,237
	Amusement Parks and Centres	9131	1,926
	Amusement and other Recreational	9139	1,039
	Casino Operation	9201	634
	Lottery Operation	9202	289
	Other Gambling Activities	9209	1,460
	Brothel Keeping and Prostitution	9534	226
Food	Cafes and Restaurants	4511	37,875
	Takeaway Food Services	4512	24,669
Core Night Time Economy Total			\$108,239

Source: The Australian Night Time Economy 2009 – 2014 Federal, State and Key LGAs – NLGDAAC (2016)

(Note, the name of the underlying ABS dataset is the "Counts of Australian Businesses, including Entries and Exits" and this series gives the turnover amounts).

Q2. Is there any accepted definition of what constitutes that economy?

There appears to be no standard definition of what constitutes the night-time economy and few publicly available reports that attempt to measure it.

Night-time hours is not generally a characteristic captured in data collection for the purposes of measuring economic activity, employment, or prices at either the Commonwealth or State level. At the macro level, economic activity, as measured by Gross Domestic Product, reflects expenditure, income or production by different entities (consumers, business, government), and economic activity is considered on these bases, not by time of day or day of week.

At the micro level, individual businesses and government (local and State) would have an appreciation of the relative importance between day and night activity levels, but there is no requirement for data to be provided on this basis. Moreover, there does not appear to be any published databases that seek to present a day/night split.

The lack of an agreed definition, or a widely accepted definition, means that the night-time economy may mean different things to different stakeholders, and may be interpreted differently in the context of what is perceived as normal business or normal business hours, or be perceived differently by different industry sectors or different demographic cohorts of individuals or communities. This, and similar classification issues, are discussed in section 4.2 in the 2011 report "Sydney Night Time Economy: A Cost Benefit Analysis" prepared for the City of Sydney Council.

Q3. Is there any reliable means available for separating sales and other revenue that businesses derive in the “night-time”? If those means exist, please state what they are. I ask this question because I am not aware of any reporting required of businesses that might permit an assessment to be made of the proportion of revenue that is derived during the night time.

No – ABS data is based on information from ATO Business Activity Statements (BAS) – BAS forms only require businesses to report their total revenue (turnover) in aggregate.

Note that page 47 of the NLGDAAC report states that:

“There is almost no economic data on the subject of the hourly incidence of [night time economy] NTE receipts. Even though we base our figures for economic performance on an appropriate group of activities this still does not fully identify when the businesses in those activities are actually open and trading.

Recent research by the reporting consultants in the UK suggests that 45% of NTE revenue may be received between the hours of 6 p.m. and midnight whilst 20% is collected from midnight to 6 a.m. and a further 25% from midday to 6 p.m.

The remaining 10% indicates that some ‘NTE’ businesses transact from 6 a.m. to midday. This data was gathered by survey within a specific and unusually concentrated NTE geography and we cannot say that this pattern would be repeated in other locations. We can say that this is an aspect of information provision which needs to be improved.”

Q4. Are any of the Night Time Economy sales revenue amounts that would form part of the day time economy, if for one reason or another, the activity did not take place after hours?

This is possible, though there is no reliable data source to quantify such possible shifts.

We did receive qualitative feedback in our stakeholder consultations in 2015 and 2016, and in our online surveys of licensed premises in the CBD precinct, that a number of businesses have sought to modify their business practices to target different patron markets, and this includes targeting more daytime trade. However, it is also recognised that some business models are more suited to such adaptation than others

Q5. Is it true that take away food outlet sales are regarded as part of the Night Time Economy?

The NLGDAAC report has included Takeaway Food Services (ANZSIC code 4512) as part of the core night time economy.

If so:

- a. Is it possible to excise from take away food sales generally, that portion of meals that are sold at night? Has this been done in any analyses on the topic to date of which you are aware?

This is not possible based on the way that ABS collects turnover (i.e. in aggregate from Business Activity Statements)

b. To what extent can take away evening meals for households, whether after 6pm or some later time, properly be regarded as forming part of the Night Time Economy

As there is no standard definition for the Night Time Economy and what it constitutes, this requires further research and consideration.

Q6. Has any assessment been made of the costs associated with Night Time Economy Sales revenue? Costs that have been attributed to the Night Time Economy include government services, hospital services, policing, public transport and security. It may be also that there is an additional cost of labour outside of ordinary working hours. I am interested to know what, if any, assessments of these costs have been made.

We have not made any such assessment as this was outside the scope of our report. We have only looked at the costs directly related to the implementation of the Plan of Management (e.g. additional Liquor and Gaming compliance officers, provision of secure taxi ranks), not the marginal costs related to the additional infrastructure/services required to support a night time economy.

A 2011 report prepared for the City of Sydney Council (Sydney Night Time Economy: A Cost Benefit Analysis) estimated the principal costs of activities related to supporting, managing and reducing the negative social externalities of the night time economy in Sydney in 2009 at c\$125 million. This was broadly made up of:

- Policing costs – \$24.8 million
- Health costs - \$4 million
- Transport costs - \$64.8 million
- Other public service costs - \$31 million

The detailed methodology is presented in section 5.3 of that report.

Q7. Are the figures estimating the size and nature of the Night Time Economy reliable in a statistical or numerical sense?

There are two issues to consider regarding potential limitations of the night-time economy estimates calculated in the NLGDAAC report.

Firstly the calculations are based on assumptions about which industry sectors/activities are core and non-core elements of the night time economy. While the assumptions used are detailed in section 3 (Report Context and Methodology) of the report, these assumptions are matters of judgement.

Secondly, turnover is only provided in aggregate, but not all turnover can be reliably attributed to the night time economy.

Q8. If the figures are reliable, what is the degree of reliability they possess?

See response to question 7.

Q9. What degree of confidence can be attached to the claim that the components of the Night Time Economy are, in truth, part only of it and not the day time economy? I am aware, for example, that revenue from amusement parks and gambling are commonly included in the figures for the Night Time Economy. I am unclear if sales revenue derived by such businesses during the day has been (or can be) reliably excised from the assessments of the Night Time Economy.

See response to question 1.

I hope that the above responses are of assistance to you. Please don't hesitate to contact me (Claudia.Solomon@treasury.nsw.gov.au or 9228 4774) if you have any further questions.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Claudia Solomon', with a stylized flourish at the end.

Claudia Solomon
Director, Centre for Program Evaluation

Appendix 6

Correspondence with a Musician

Subject: Re: Liquor Law Review

Date: Friday, 29 July 2016 11:45:16 pm Australian Eastern Standard Time

From: [REDACTED]

To: Ian Callinan

CC: jhorton@wentworthchambers.com.au

Dear Mr Callinan,

Thank you again for the response, and apologies that it has taken me some time to reply. Below, I have answered your questions. Please feel free to email or call me if you'd like to discuss them further. I'd certainly welcome the opportunity. I will add that some of the information below, you will already be aware of, so I will mark the paragraphs that I believe may be particularly helpful in conveying new information, and information specific to my industry and experience, in bold.



From: Ian Callinan <idfcallinan@qldbar.asn.au>

Sent: Wednesday, 13 July 2016 3:37 PM

To: [REDACTED]

Cc: jhorton@wentworthchambers.com.au

Subject: Liquor Law Review

Dear [REDACTED]

My attention has been drawn by the Premier's office to a submission that you have made with respect to the 2014 amendments to the Liquor Act.

As you may be aware, I have been asked by the Hon Troy Grant, Deputy Premier, to make an independent review of those amendments pursuant to clause 47 of Schedule 1 of the Liquor Act and some related matters. Mr Horton QC has been engaged to assist me in that task.

It has been suggested that it might be of assistance if Mr Horton QC were to discuss with you some of the matters that you have raised.

Before doing that, however, would it be possible for you to provide me with some details of matters that you have raised with the Premier's office?

1. You state that tens of thousands of people have been affected in a negative way, especially financially by the laws. I have certainly had others make submissions to me of detrimental financial effects. Do you, however, have any statistical basis for what you say is the number of people adversely affected financially? No numbers that I have seen so far would support tens of thousands of people as the number.

I must clarify. Tens of thousands of people have most certainly been adversely affected by the Lockout Laws. That, I will base on a few core industries that have been affected, specifically my own industry, music, and one with which I am closely associated and have formerly worked in, hospitality. In addition to this, the 15000 protestors that marched in the Keep Sydney Open rally were a palpable display that workers of these industries, advocates and supporters of the industries, venue patrons and others who feel their civil rights have been violated, feel afflicted by the lockouts, and this is where I derive my figures from. As far as the financial losses, they are most immediately recognisable in the core industries of live music & entertainment, and hospitality. I am sure there are many more industries, groups and communities that we are both aware of, but I am merely speaking as a representative of those that I am intimately familiar with.

I am a singer and DJ by profession. There are approximately 2500 music professionals in the Greater Sydney area, as well as dancers and other entertainers, many of whom make a living off Sydney's nightlife. They/I have worked incredibly hard at our skill set, spent just as much money on education (whether it be private lessons, music and associated degrees, or other tertiary education pertaining to our industry) as any other professional in any industry, and all of this because there was a certain availability of, and

potential to work in our industry. The two major ways that the lockouts have hindered our earning potential are as follows:

1. Many venues that formerly invested in live music as part of their business model and identity, no longer have the revenue to afford this exercise. This means:

a) Cutting back to cheaper and smaller music lineups (which lessens the available work for players who may have been part of a 5 piece band, but are made redundant when the venue can only afford a duo). This has happened with several of my gigs.

b) Booking DJs instead, which further lessens available work for musicians.

c) The income loss for licensed venues with the 1.30am lockout, 3am last drinks and several other laws on shots and doubles have basically meant many venues can't afford entertainment anymore. The Lockout Laws undermine many venues' initial business models, causing them to lose money, close down or completely change their business model to a venue who's sole focus is on selling drinks and staying afloat. What does this mean? When a venue can't make the money it used to based on less available hours to earn the money, they stay afloat however they can. Needless to say this means the proper enforcement of RSA becomes secondary to staying afloat. These are the realities that I have become privy to after conversations with numerous venue owners and managers, entertainment bookers and agents. They aren't making this up. We didn't have these issues 3 years ago. We didn't have these issues 10 years ago. The lockouts have been implemented, and this is the price that my industry is paying. Personally, I have lost an average of two gigs per week, which equates to on average, \$[REDACTED] per week. I am left with around two gigs a week on average (which just covers all my basic rent, car and necessities), and I have to work incredibly hard to keep these gigs, and necessarily and relentlessly chase new work, even when venues aren't making enough money to make live music sustainable, and many have stopped it altogether. I began [REDACTED] when I realised that my singing gigs were not financially sustainable by themselves, and this was after [REDACTED] years in the workforce, where they had been easily enough.

2. Perhaps the most poignant point, and that with a directly visible link to the lockouts is as follows. Formerly, many licensed venues employed several shifts of live music and DJs. [REDACTED] I was playing [REDACTED] at Trademark with a band, then [REDACTED] at Goldfish [REDACTED]. These shifts would start at 8pm and finish around 3am. DJ gigs would finish even later. These are two venues in Kings Cross which have closed down. I can't name a single venue besides The Star, that has more than 1x3 hour slot (the standard length of a covers gig) for live music now, because the venues aren't open for that second slot to happen.

Many musicians have turned to other forms of income as a priority, many leaving the music scene all together. I can't imagine any government would advocate the deterioration of a city's culture, a decrease of our cultural/artistic/musical exports, and for people who had spent many years and a great deal of money training for their career, to have to give that up to make sure they can pay rent. I am not ignorant to the fact that all industries have their ups and downs and that this is not a unique plight to the music industry. However, most industries' downturns do not rest on a government law such as this.

In conclusion on this particular point, I cannot speak absolutely for all industries that have been affected by the lockouts, but I can say that the entire live music scene has encountered many financial struggles, which have had negative impacts on our lifestyle, ability to work and find work. They have also greatly impeded the sustainability and growth of our music industry, dampened support and cultivation of our musical exports, left very little incentive for the next generation of musicians, and handicapped our international footprint on the music scene. It is noteworthy that our biggest current musical exports, Sia, Flume, Flight Facilities, Alison Wonderland, The Presets (the list goes on), as well as heritage acts like Cold Chisel and John Farnham, built their careers by playing shows in bars and clubs. In fact, most of the aforementioned artists have written open letters to Mr Baird, stating just that. That is how these acts were developed, that is how they exposed their music, and that is how they earned their fans. How can we expect our music scene to birth or develop any new talent, to have any prominence internationally, let alone exist, when there are so many fewer opportunities to play live shows, earn money, expose our music, and connect with fans? Our industry relies on live performances, especially with the significant financial hit it has taken in the age of digital downloads, as our industry currently makes less than 50% of what it did Pre-2000, on music sales.

There are several industries which rely on nightlife for their existence. Industries employing thousands of people. The night hospitality industry not only creates thousands of jobs, but it facilitates and encourages live music, theatre, dancing, and a sense of culture and identity. Vivid was the most brilliant celebration of Sydney's identity, beauty, physical landscape and nightlife. It attracted 2.3 million people, which markedly represents the economic value of both the arts and Sydney's nightlife. Why celebrations like this aren't more frequent, and why the premier would debilitate an industry with the facility to support and create such brilliant events, is beyond me. We should be building and supporting the creative industries and taking pride in how they represent our city and country.

However, the night hospitality industry also encourages drinking and gambling, and alas, drinking and gambling are the elements that the government should be trying to curb the culture of. Instead, gambling has been given a huge boost due to the casinos' lockout immunity, and sixteen Sydney pubs have been exempt from the 1.30am entry law, because they have poker machines. Additionally, no entertainment is allowed to be supplied at these venues other than the pokies as per the conditions of this exemption. The condition is 'No entertainment is to be provided during the lockout period (other than gaming or background entertainment).' How have we become a city that glorifies and encourages gambling? Additionally, it is absurd that gambling is considered a more appropriate option than many safer and more culturally enriching and wholesome forms of entertainment?

As far as the drinking culture, it has very seldom been addressed either. I will go into one way that I believe this can be done a little later in my email, but I will without doubt, say that a blanket and indirect solution like lockouts can't be the answer.

2. I would also like to see any suggestions that you may have as to the way in which the law could or should be adjusted to enhance the arts and entertainment. There is evidence that sales of alcohol subsidise live entertainment. Do you have a view about that and the appropriateness or otherwise of it?

I certainly do. Thank you for the opportunity to share these. I would very much like for the law to be adjusted to benefit the live entertainment industry, and equally, to increase venue/licensed premises/bottle shop responsibility for the sale of alcohol and management of their patrons, and simultaneously assist with the battle against alcohol fuelled violence. Here are several ways that I believe this can be achieved.

1. A percentage of gambling revenue, or a percentage of the fee for having gaming/pokies should be mandatorily used to fund live entertainment, either at the venue, or in the community.

2. 1.30am lockout should be completely removed. As I have mentioned above, this can only cause hundreds of alcohol-affected individuals, to crowd on the street together, where there is no security or authority with an agenda so as to ensure their safety, and the safety of their environment.

3. 3am last drinks should be completely removed. This should be handed down on a case by case basis to venues which police can prove (with evidence and sound reasoning) would benefit from closing early. There are certain industries which do not have a choice but to operate during the night. This includes live music, which can only take place and make money when people are free to watch it, which is not during business hours. For university students that study during the day, they need to work at night. Some people need a day and a night job to earn enough money for their families. I need not go on, but am essentially asserting that as long as there is an ample security presence and RSA is employed properly, we can very easily be a city that flourishes and thrives day and night, that fuels the economy day and night, that stands on the global map as a tourist attraction for our sites, our arts, our music, our spectacular geography, and our bars, clubs and nightlife.

4. All licensed premises should incur stricter penalties for breach of RSA. Venues have been dealt a real blow, especially financially, with the lockout laws. If the laws are removed, there needs to be responsibility taken that venues will not abuse the rights they have, and will enforce RSA correctly. This means stricter fines especially for:

- a) **Serving an intoxicated patron in a licensed venue.**
- b) **Not safely removing an intoxicated or antisocial patron from a venue. This must include a plan for how to do this and how to ensure the patron's safety as well.**
- c) **Liquor stores that serve alcohol to intoxicated customers.**
- d) **Letting an intoxicated person into their venue in the first place.**

I have witnessed all of these breaches happen whilst working at venues as both an ex-doorman and entertainer. I believe that correct enforcement of RSA is the BEST and most DIRECT combatant to alcohol fuelled violence. I have witnessed enough incidents in similar circumstances, due to breaches, to be confident of this. I believe that whilst this seems like an obvious solution, it has not been discussed nearly enough and it's ramifications have not been felt by venues or by patrons. Venues must be aware of fines, perhaps a 3 strike policy and other legal ramifications of breaching RSA. This needs to trickle down to their staff as well, as staff are the main perpetrators of these indiscretions, but only as a result of instructions by management and venue owners. Patrons must be aware of the consequences for their actions prior to entering a venue, during their time at the venue, and after leaving the venue. Whether it be stricter fines, arrest or other consequences, this needs to be seriously promoted with the same force and exposure that the lockouts were.

The other suggestions I have to contest alcohol fuelled and late night violence are as follows.

- a) Increased security presence at bars, clubs and other licensed venues with a history of violence and antisocial behaviour.
- b) Increased police presence on the street to deter violence and potential offenders, and more effectively diffuse undesirable and violent situations that are already happening.
- c) Trains that run 24 hours, at least from the CBD, Kings Cross and Newtown, outward. Potentially, they could be free or at a reduced night rate, at least on a trial basis. This would need to be partnered with security to ensure the safety of this method of transport. Perhaps only a certain allocation of carriages would be made available to correlate with the smaller number of potential passengers during the late night hours and to reduce the cost of security. This will deter drunk drivers as well as undesirable situations caused by a masses of immobile and intoxicated individuals in popular nightlife locations. The current 1.30am lockout drives masses of intoxicated people onto the street at the same time, which can only cause more antisocial behaviour and violence. Again, in a bar/club, it is in the venue's interest to prevent and diffuse this behaviour so you have people working FOR the solution, which is paralleled with their job and intentions to keep the venue safe.

I am sure your research and investigation of the lockouts have led you to acknowledge the benefits of these potential solutions and more, but I do hope my illumination of these ideas further solidifies their validity as potential solutions to late night violence, alcohol fuelled violence and as an alternative to the lockout laws.

3. I would also be assisted by any detailed information that you may be able to provide regarding negative consequences to the hospitality industry. You will appreciate that I am bound to act not only independently but also on the basis of the best evidence that can be provided to me.

I have not been directly affected by the negative consequences on hospitality workers, but as an entertainer in hospitality venues, it has certainly affected me indirectly. From the many friends I have in these industries however, I can relay the following information.

a) Bars/Clubs are not making as much money due to limited operational hours. This has resulted in many friends and colleagues getting less shifts as bartenders, barbacks/glassies and managers. Several of my colleagues have owned or managed bars which have closed. and they have cited 'not being able to earn enough to stay in business/make business profitable', as the reason. These venues were Backroom (Kings X), Soho and YU (Kings X). There are numerous other venues that have closed, also citing lockouts as the main reason, though I had no personal affiliations with these venues.

b) Entertainment bookers and managers have been made redundant as one of the first steps in redundancies due to declining revenue. This has led to entertainment being cancelled exclusively in some scenarios, and downsized in others. With inexperienced entertainment bookers (managers and licensees that have adopted the role), entertainment quality is suffering as well.

Basically it just comes down to less revenue yielding less jobs, people being left in the financial lurch and businesses that have been built over many years having to close down due to inability to make enough money to stay afloat. Sure, it is a possibility that venues need to adopt a new business model to be profitable under these laws, but I have not been privy to any model that has maintained the same income as they did prior to the lockouts yet, and frankly, when venues are hit with a law like this without a substantial preparation period, it is very hard to transform your business model without scrambling to stay afloat, if it is possible at all.

On a final note, even after helplessly accepting the Lockout Laws, and the negative impact they have had on my own finances and quality of life, I am still troubled by one very sad reality. **I am left wondering what Mr Baird has actually has done to curb alcohol fuelled violence, coward punches and associated behaviour/incidents in our city. It seems like an insult to the two men who's tragic deaths were apparently the catalyst for the laws, that there have been few visible government initiatives to directly combat these issues.** There were some TV commercials at the time of implementation by boxer Danny Green (which may I add, I thought was a very effective campaign, and one that more celebrities, particularly boxers/MMA fighters etc should get behind), but aside from the actual laws changing, there wasn't much public exposure, nor government driven campaigns to actually combat the issue. In recent times, I can't recall any efforts that have continued in an effort to re-educate or curb the drinking and violence cultures in Australia. The problem of late night and alcohol fuelled violence was definitely not solved just because the lockouts were put into place. There have been several coward punch attacks since, including one at McDonalds, but the positive efforts for change seem to have stopped. At least I am unaware of any, in which case, their promotion and implementation has been minimal and/or ineffective.

In summary.

1. The Responsible Service of Alcohol (RSA) is frequently undermined in licensed venues. RSA is the only way to directly combat alcohol fuelled violence, as it represents the rules that govern the process by which people are sold alcohol in the first place.

2. The live music scene has lost many opportunities to flourish and exist, hindering the earning potential of those within it.

3. Gambling is being promoted as a result of the lockouts. This is certainly not a good thing, especially as an alternative to live music/entertainment.

4. The lockouts contribute to the decline of our city's identity, entertainment scene and entertainment options, and discourage current and future generations from embracing and progressing in the cultural and artistic industries that make up the cultural fabric of our society.

Thank you for giving me the chance to voice my opinions, suggestions and concerns, pertaining to the Lockout Laws. Please feel free to contact me via email or phone, to discuss further.

If you wish to discuss this matter you could telephone Counsel Assisting, Mr Jonathan Horton QC on (02) 9230 3254.

Yours sincerely

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Appendix 7

Mr Koh's Evaluation of Key Evidence and Responses from BOCSAR, Professor Kypri and St Vincent's Health Network

An evaluation of key evidence submitted to the independent liquor law review

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Public commentary and submissions from the supporters of the 2014 liquor reforms rely heavily on St Vincent Hospital and NSW crime statistics to allege causation between the regulatory reforms and a measured reduction in injuries and crime. Falls in assaults and injuries are quoted in isolation, without proper statistical treatment of the broader historical and statewide trends, and the even larger falls in foot traffic that underlie these declines. Once these factors are taken into account, **the data evidence the failure of the reforms by describing i) an intensification of violence across Sydney, particularly alcohol-fuelled violence, and ii) displacement of violence, most notably towards Pyrmont (Star Casino).**

It is worth noting from the outset that the evidence can only be used to estimate the joint impact of the measures.¹ Any attempt to draw conclusions or act on particular measures in isolation is not grounded in the data.

1. Assaults

Assault numbers peaked across NSW in the year to March 2008, and were on a downward trend in all of Sydney's entertainment districts in the 6 years prior to the reforms, and would likely have continued to fall in the absence of any regulatory changes (Chart 1).

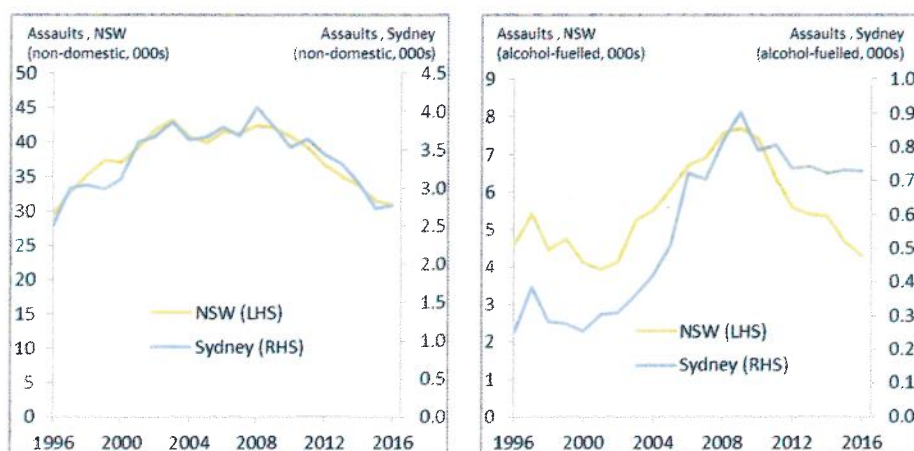
In April 2015, Menendez et al. (2015) estimated a 32% reduction in non-domestic assaults in Kings Cross and 26% fall in CBD under lockouts. Results were inconclusive on the matter of displacement – whether patronage and violence were being pushed to other precincts exempt from the lockouts. A subsequent update (BOCSAR, 2016) drew on additional data to June 2015 to find that, since Jan 2014, assaults had

¹ As contained in the Liquor Amendment Act, 2014 and imposed by the State Government taking effect on the 24th of February 2014, including: 1.30am lockouts at hotels, clubs, nightclubs and karaoke bars in the Sydney CBD Entertainment Precinct and Kings Cross Precinct; 3.00am last drinks in these Precincts; efforts to prevent designated 'trouble-makers' from entering most licensed premises in these Precincts; a freeze on new liquor licences and approvals for existing licences across the Sydney CBD Entertainment Precinct and continuation of the existing freeze in the Kings Cross Precinct; and a ban on takeaway alcohol sales after 10.00pm across NSW.

fallen by 45% in Kings Cross and 20% in the CBD. **These results however do not account the pre-existing downward trend in assaults.**

The BOCSAR (2016) report also finds assaults were ‘stable’ in suburbs surrounding the CBD (such as Surry Hills and Ultimo) and nightspots further afield (Bondi, Newtown, Double Bay and Coogee). It would be misleading to cite this as evidence against displacement of assaults towards these areas. Rather, given average annual declines of over 6% in both these precincts since 2008, ‘stable’ assault numbers actually implies a **worsening of violence in these precincts relative to trend and hence provides evidence of displacement.**

Chart 1 – Assaults have been declining since their peak in the year to March 2008



Foot traffic: Supporters of the liquor reforms trumpet ‘falls in crime’ with no consideration of the broader historical and state-wide context, nor the massive falls in foot traffic that underlie them. This despite the BOCSAR’s own concession that reductions in assaults in Kings Cross and the CBD may simply reflect lower visitor numbers, as supported by public transport, taxi and foot traffic data (Menendez et al., 2015).

Foot traffic in Kings Cross **has almost halved since the lockouts (Appendix 1)**. 1 in 2 people now stay home, attend house parties (where drinking rates are faster than at public venues), unregulated ‘underground’ events or visit other night-time entertainment precincts (see analysis below). Alongside observed falls of 46% in Kings Cross foot traffic, a 32-45% fall in assaults suggests:

- **An intensification of violence in Kings Cross, with a 2-24% higher likelihood of assault – i.e., assaults are more concentrated across a smaller population;**
- That the mechanism through which the reforms have affected assaults is **lower visitation rather than changing alcohol consumption.**

Latest crime statistics describe an intensification and displacement of violence

Where Menendez et al. (2015) used only 9 months of data post lockout and the BOCSAR (2016) update 16, the latest NSW crime statistics provide a full 24 months of data which we use to compare assaults under the old and new regulatory regimes using the following framework:

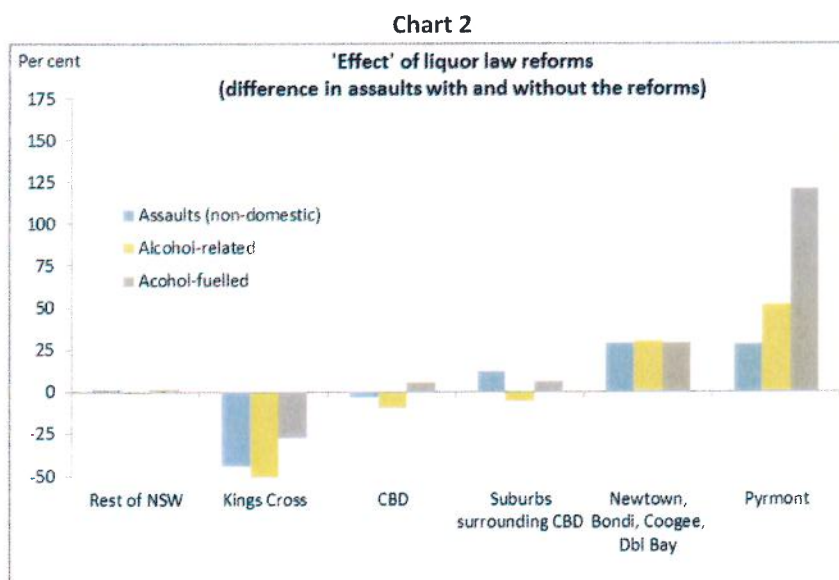
1. How many assaults would there have been had reforms *not* been implemented in the summer of 2014 and, instead, assaults continued trending down as per their historical trend?
2. How does this counterfactual compare with assault numbers with reforms (i.e., latest data)?

For example, non-domestic assaults fell an average of 7% per year in Kings Cross in the 6 years to March 2014. If liquor laws remained unchanged in Feb 2014 and assaults continued to fall in line with historical trend in 2015 and 2016 (at 7% per year), there would have been ~370 assaults in March 2016 compared with 205 in the data. This suggests that assaults are 43% lower under the reforms compared with the 'no reforms' (business as usual) counterfactual.

This exercise is repeated for each of the 6 entertainment precincts as defined by Menendez et al., (2016). Precincts are replicated as faithfully as possible by the publically-available data. Input data and precinct mapping can be found at Appendix 2. Historical trends are estimated using a linear regression over the period 2008:03 to 2014:03 – i.e., over pre-reform data only (Chart 3). Results are presented in Table 2 and summarised below:

1. Late night violence, particularly alcohol-fuelled violence, has intensified in Kings Cross: Those who do venture out to Kings Cross are **2% more likely to be victims of assault and 33% more likely to be victims of alcohol-fuelled violence**. That is, falls of 45% in non-domestic assault and 28% in alcohol-fuelled assaults were smaller than the 46% fall in patronage.
2. Displacement: There is **strong evidence of displacement** of total, alcohol-related and alcohol-fuelled assaults from Kings Cross and the CBD to the three alternative entertainment precincts. With reforms in place, **non-domestic assaults are higher across all of Sydney's entertainment precincts outside the lockout zones, up 12% in the suburbs surrounding the CBD, 30% in Newtown, Bondi, Coogee and Double Bay, and 30% in Pyrmont, where the CBD's only exemption to the lockouts has been granted to Star Casino** (Chart 2).

In Pyrmont, alcohol-fuelled violence has more than is more than twice as high under the new regulatory regime (120% higher). Violence in Pyrmont is now on par with Kings Cross (Chart 4) making it Sydney's new alcohol-related violence hot spot. This is consistent with data from City of Sydney (2015) which found Pyrmont now has highest rate of antisocial behaviour in the city on Fridays.



3. Alcohol-fuelled violence: The lockouts, last drinks and associated measures were ostensibly brought in to address alcohol-fuelled violence. It is fairly uncontroversial then to consider 'an improvement in alcohol-fuelled violence across Sydney' as a primary consideration in their evaluation. On this metric, the reforms appear to have failed miserably, with alcohol-fuelled

assaults higher under the new regime in all precincts except for Kings Cross (Charts 1, 2 and Table 2).

Alcohol-fuelled assaults are over twice as high in Pyrmont, 30% higher across Newtown, Bondi, Double Bay and Coogee, 6% higher in the CBD and surrounding suburbs, and 9% higher across Sydney overall.

Well-designed measures targeting alcohol-fuelled violence would be expected to reduce alcohol-fuelled assaults more than total assaults. Yet the proportion of total assaults that are alcohol-fuelled has in fact increased under the reforms. **Assaults in Pyrmont, Kings Cross and the CBD are now more likely to be fuelled by alcohol** (Table 1).

4. State wide comparison: Relative to pre-lockout trends, **the rest of NSW has outperformed all of Sydney's entertainment precincts outside the lockout zones**. This observation holds across non-domestic, alcohol-related and alcohol-fuelled assault types.

Table 1 - Proportion of total assaults that are alcohol-fuelled

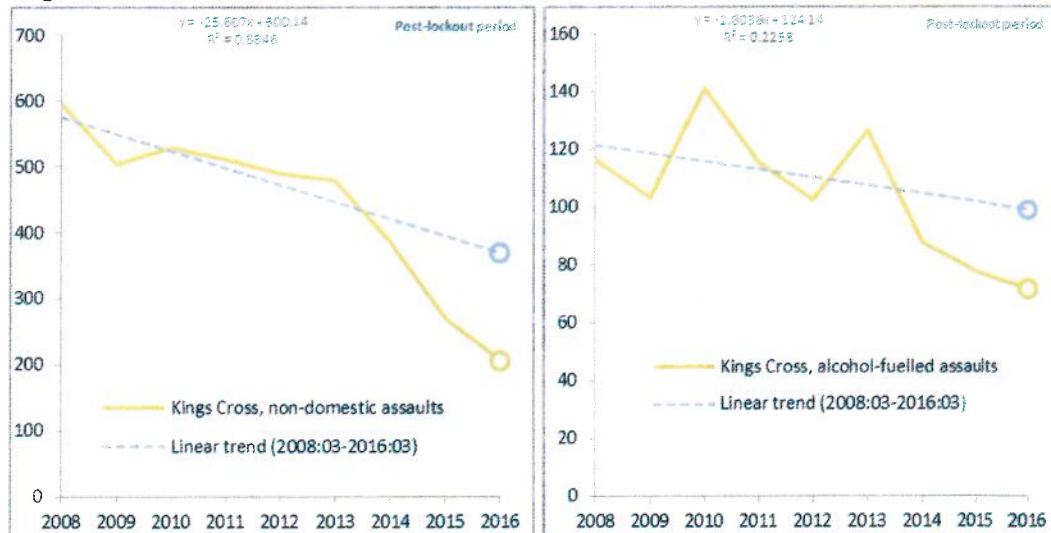
	Without reforms	With reforms	Change (%)
Rest of NSW	13	13	0
Kings Cross	27	35	8
CBD	22	24	2
Suburbs surrounding CBD	25	23	-1
Newtown, Bondi, Coogee, Dbl Bay	29	29	0
Pyrmont	23	39	16

Table 2 – Results

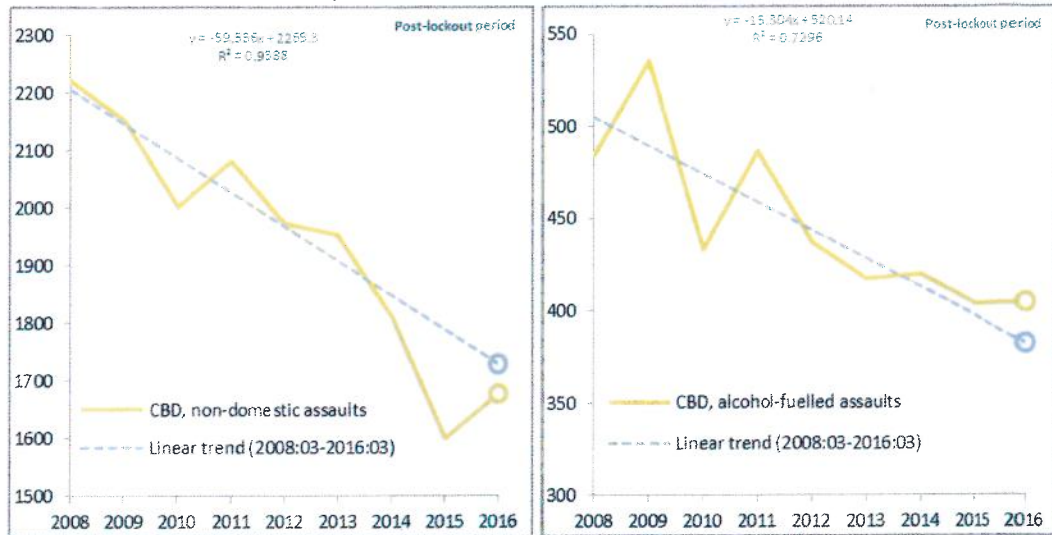
Assaults (non-domestic)	Assaults (#s) in the year to March		'Effect' (Difference with reforms)	
	Without reforms	With reforms	Assaults	%
Sydney	2,832	2,773	-59	-2
Kings Cross	370	205	-165	-45
CBD	1,729	1,677	-52	-3
Pymont	120	154	34	28
Newtown, Bondi, Coogee, Dbl Bay	299	385	86	29
Suburbs surrounding CBD	314	352	38	12
Rest of NSW	27,739	28,080	341	1
Accohol-fuelled				
Sydney	671	729	57	9
Kings Cross	99	72	-27	-28
CBD	382	405	22	6
Pymont	27	60	33	121
Newtown, Bondi, Coogee, Dbl Bay	85	110	25	29
Suburbs surrounding CBD	78	83	5	6
Rest of NSW	3,480	3,541	60	2
Alcohol-related				
Sydney	1,645	1,483	-162	-10
Kings Cross	271	122	-149	-55
CBD	958	861	-97	-10
Pymont	76	115	39	52
Newtown, Bondi, Coogee, Dbl Bay	182	236	54	30
Suburbs surrounding CBD	158	149	-9	-6
Rest of NSW	8,937	8,847	-90	-1

Chart 3 – Comparing assaults under the 2014 liquor laws with pre-reform trends

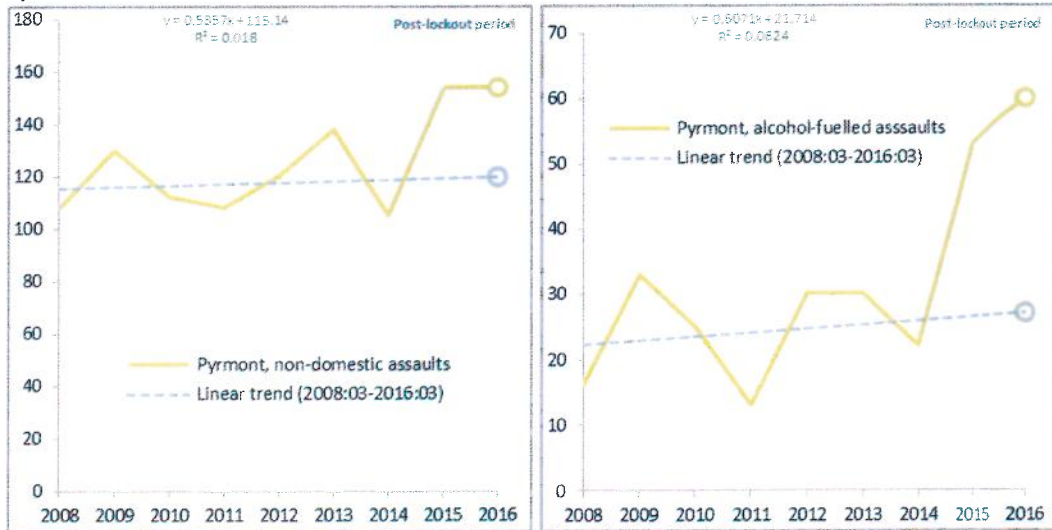
- a. **Kings Cross: non-domestic assaults 45% lower and alcohol-fuelled assaults 28% lower**



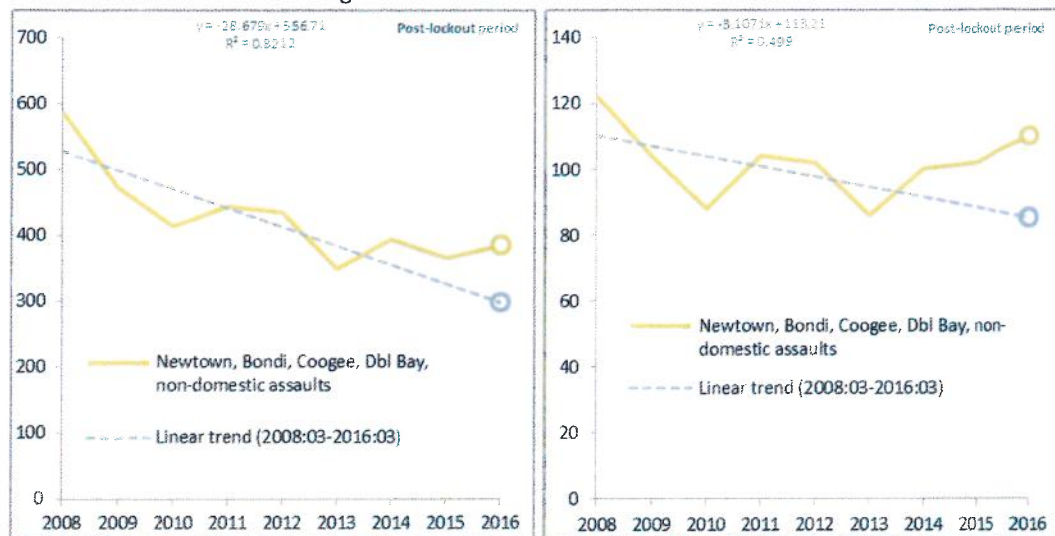
b. **CBD:** non-domestic assaults 3 per cent lower but alcohol-fuelled assaults 6% higher



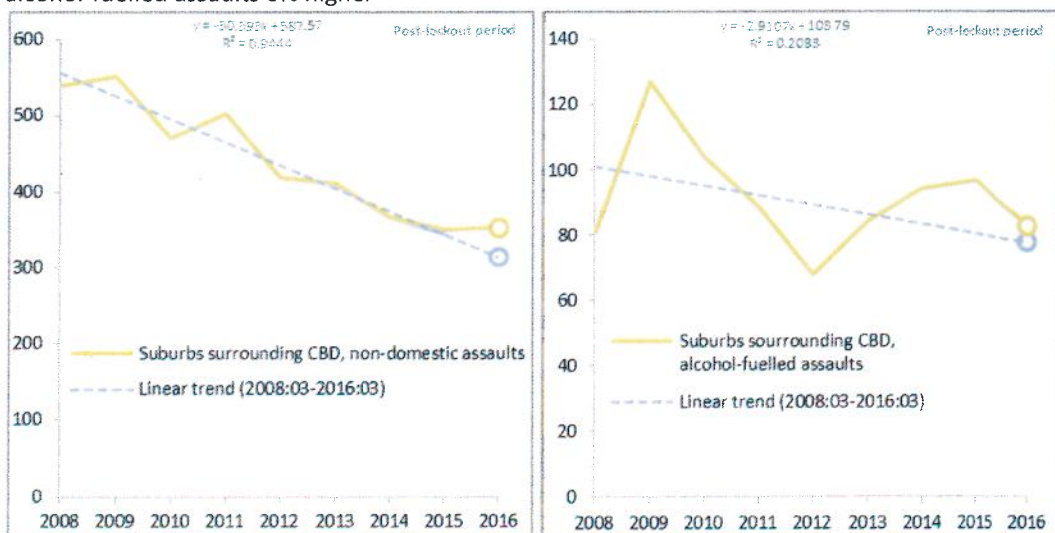
c. **Pymont:** non-domestic assaults 28% higher and alcohol-fuelled assaults 121% higher



- d. **Distal displacement area (Newtown, Bondi, Coogee, Double Bay):** non-domestic assaults 29% higher and alcohol-fuelled assaults 29% higher



- e. **Proximal displacement area (suburbs surrounding the CBD):** non-domestic assaults 12% higher and alcohol-fuelled assaults 6% higher



- f. **Rest of NSW:** non-domestic assaults 1% higher and alcohol-fuelled assaults 2% higher

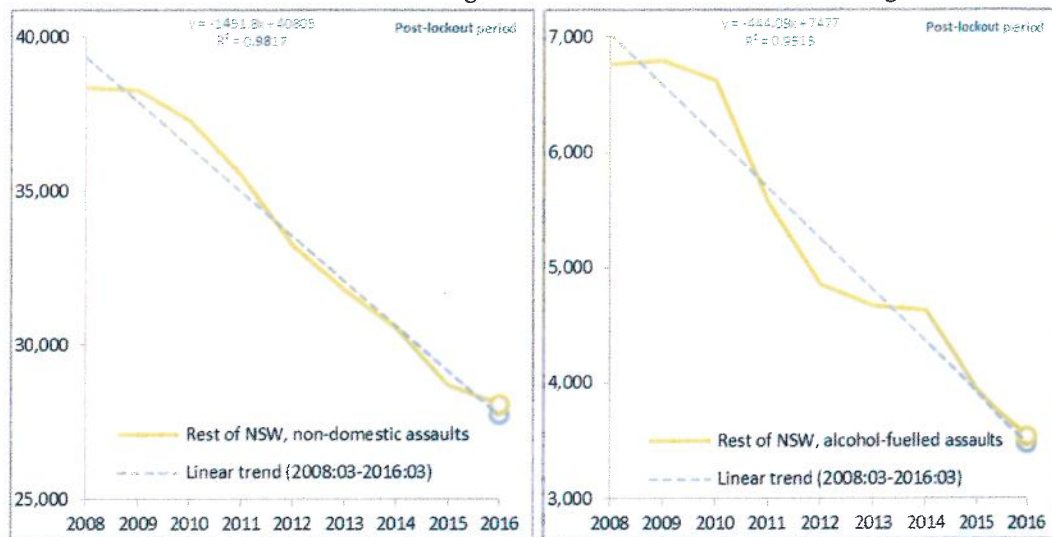
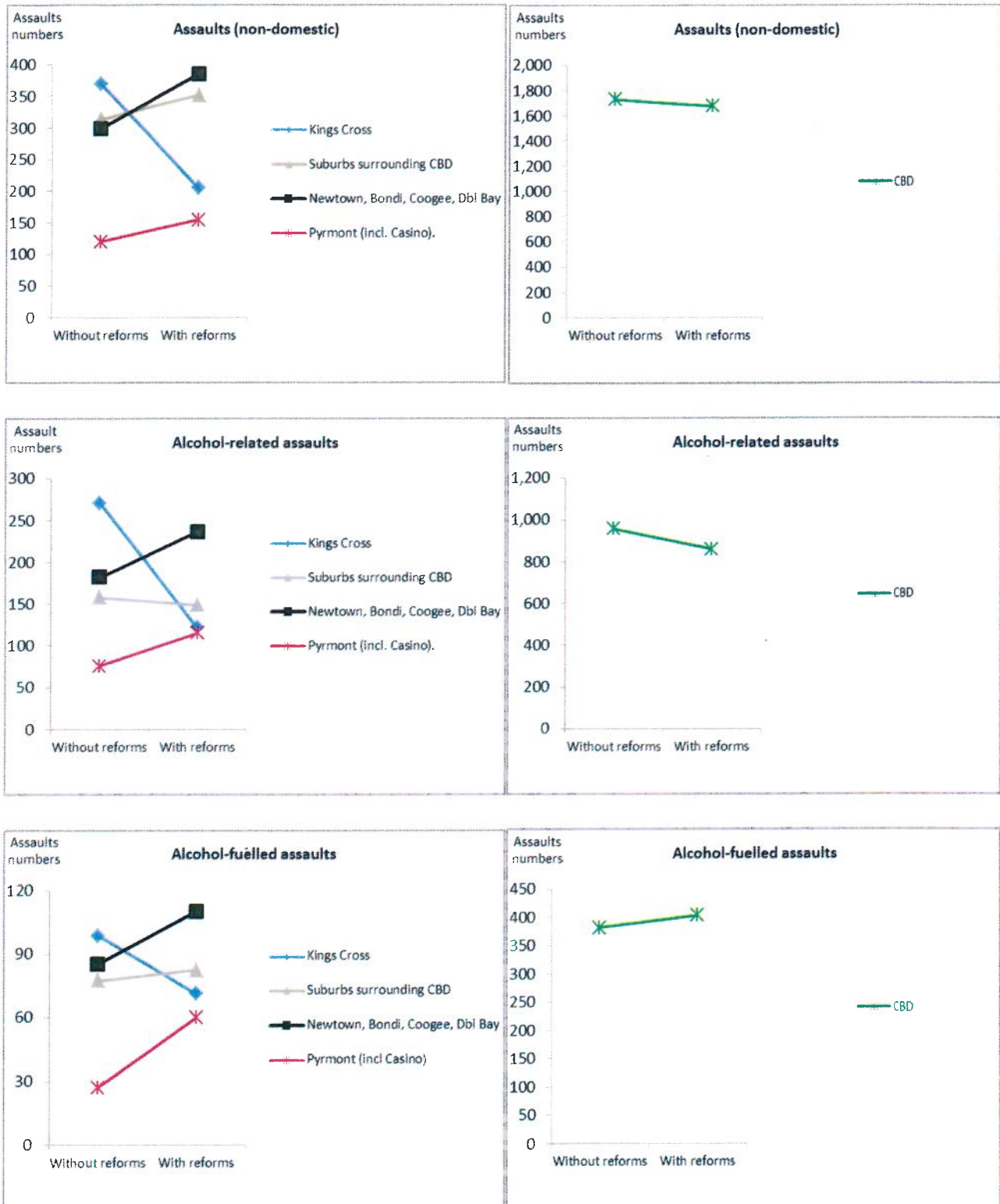
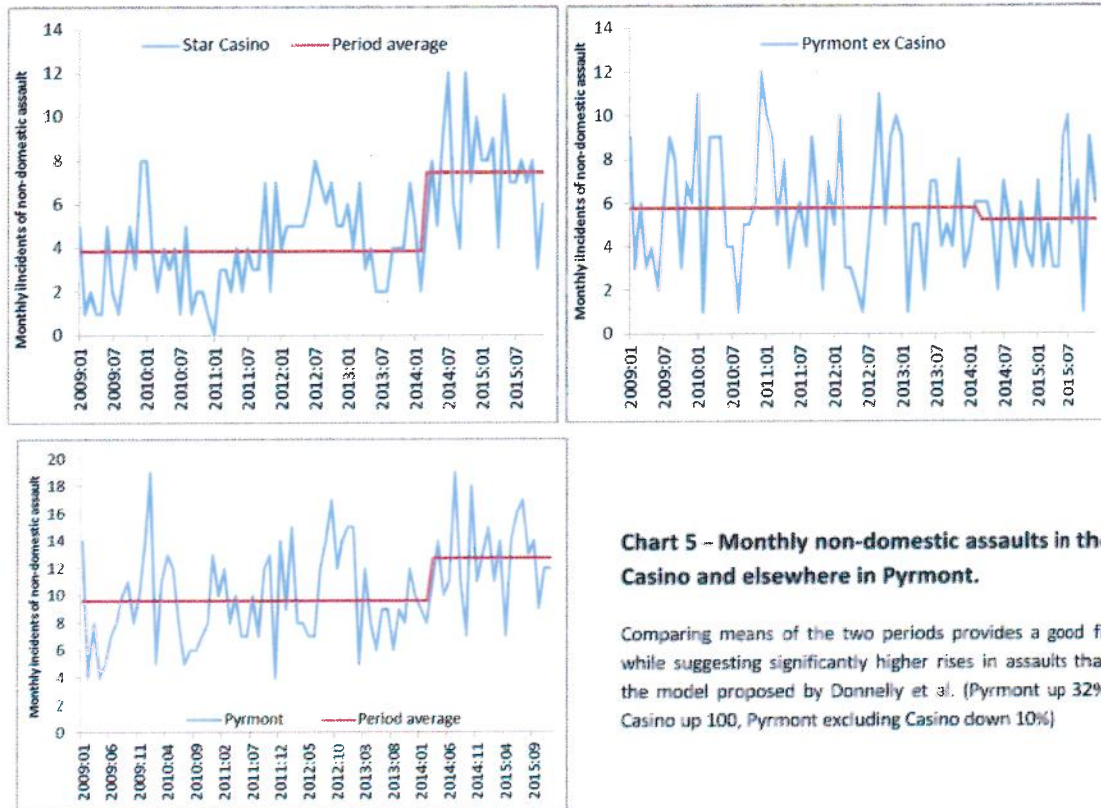


Chart 4 – Comparing assault numbers with and without reforms



2. Star Casino's exemption

A prominent feature of the NSW crime data considered above is the sharp increase in violence, especially in alcohol-fuelled violence, in Pyrmont – the precinct which contains the CBD's only exemption to lockouts and closing times. The level shift in assaults in Pyrmont is driven by the Casino – all other venues in Pyrmont collectively experience *fewer* assaults (Donnelly 2016 and Chart 5). According to the NSW crime statistics considered above, violence in the precinct is now on par with violence in Kings Cross (Chart 4), earning Pyrmont the title of 'Australia's new alcohol-fuelled violence hot spot'.



As illustrated by the strong and broad expression of public discontent at February's Keep Sydney Open rally and subsequent public deliberation, the special treatment of the Casino attracts ire from vast swathes of the community, businesses and health experts alike. For its part, Star Casino claims that it is 'one of the safest venues in the world' while noting, in the same breath, 'a significant uptake in gambling results' (Dumas, 2016b). **The special treatment of the Casino is not justified by official crime statistics.** More worryingly, **its exemption from lockouts and early closing time restrictions is driving an increase in overall alcohol-fuelled violence across Sydney; Pyrmont alone accounts for over half the rise in alcohol-fuelled violence across Sydney (Table 2).**

Donnelly et al., 2016 use a simple time series approach on monthly assaults data provided by NSW Police to estimate a modest increase in assaults in Pyrmont. The 22 additional non-domestic assaults per year attributed to the lockouts and early closing times amount to an increase of around 20% of the year to March 2014 assaults. This is slightly less than the 30% increase estimated in section 2 above. The divergence can be accounted by the following:

a. **Data**

There is a discrepancy in authors' data for the year to March 2016 when compared with the latest BOCSAR figures (Table 3). The analysis should be comparing assaults per person who enter the precinct, not raw counts. Also, to use raw numbers is like comparing the number of assaults in China to New Zealand. The paper would have benefited from consideration of patronage and foot traffic.

Table 3 – data discrepancy

	2009	2010	2011	2012	2013	2014	2015	2016
Donnelly et al.		112	108	116	138	105	154	114
BOCSAR crime tool	130	112	108	120	138	105	154	154

b. **Basic model diagnostics, validation and comparisons missing.**

As per any modelling exercise, authors would have specified a number of different models before selecting their preferred options to report on. The justification of the chosen model specification through residual plots, model statistics and comparisons to viable alternatives is fundamental to the validity of any modelling exercise, especially when working with such volatile monthly data and small samples. Yet, Donnelly et al. do not to provide:

- Even the most basic of statistics to describe the fit and significance of the model;
 - What do the residual plots look like? Are OLS model assumptions respected? How sensitive is the model to the sample start date? How did the introduction/removal of the linear trend affect model performance?
- A comparison/justification for their preferred specification ahead of other viable options.
 - Why this specification instead of others? E.g., a simple period average of pre- and post-lockout periods fits the data well (Chart 5) and finds that **non-domestic assaults are up 32% in Pyrmont, almost 100% at the Casino and down 10% in the rest of Pyrmont.** Results and their implications are vastly different to the authors'.
 - **Is the approach illustrated in chart 5 statistically different to the authors' approach?** If not, then the above results are just as valid.

c. **Positive linear trend**

Donnelly et al. choose to include a linear trend dummy variable across the entire series. The direction and slope of the trend influences the coefficient of the lockouts dummy. **Fitting a positive trend through the data (upward sloping line) will dilute the estimated effect of the 'structural break' dummy (the level shift up due to lockouts).**

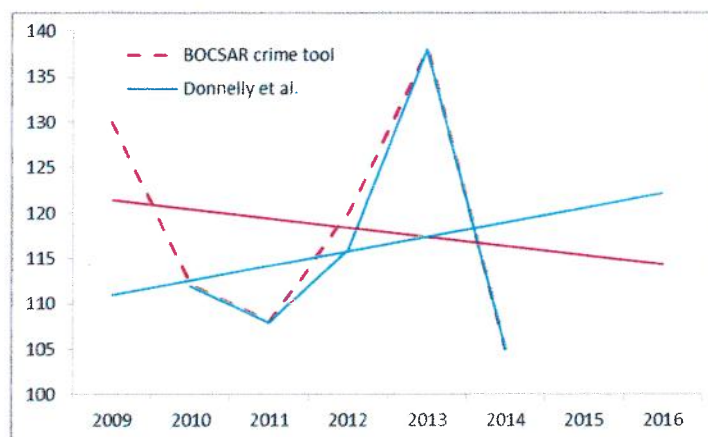
With this in mind and with reference to concerns raised above, it is unsatisfactory that authors have not provided any theoretical or other justification for the inclusion of a positive linear trend. This despite a *declining* trend of 4% per year across NSW and 4½% per year in Sydney over the same period.

d. **Sample start date**

When working with highly volatile monthly data, the choice of sample start and end dates can change results and interpretation.

Why have the authors chosen January 2009 as the start date? BOCSAR data is available back to the mid-90s and describes an important structural break in 2008 when assaults peaked across NSW and began trending down (Chart 1). Pyrmont saw one of its worst years of the past decade in the year to March 2009 yet this data is left out. Unsurprisingly, including this period (March 2008-2009) makes a clear difference to the pre-lockout trend – **the positive trend is inverted to a negative one** (Chart 6).

Chart 6 – Assaults in Pyrmont – pre-lockout trend inverts once March 2008-09 data is included



3. Hospital data

Fulde et al (2015) observe a reduction in alcohol-related serious trauma cases of around 25% at St Vincent's Hospital ER and, in so doing, provide key material to supporters of the liquor law reforms (e.g., AMA 2016, RACS 2016). Yet rudimentary scrutiny of this paper reveals analytical flaws, questionable methodology and a lack of transparency that compromise the credibility and relevance of the statistics, and the conclusions drawn from them.

a. **Even if taken at face value, the statistic is hardly impressive...**

The 25% headline figure reflects a reduction of only 34 cases over 12 months (from 140 in the year before the reforms to 106 in the year after). That is 2.8 per month – hardly a 'significant reduction' within the context of the 13,000 presentations to St Vincent's ER over the 2-years studied. Prof. Fulde's descriptions in the media of the "war zone" and the "carnage" at St Vincent's ER are clear exaggerations considering the numbers.²

b. **...and, in fact, evidence the failure of the lockouts, early ceasing of service and associated measures.**

As previously noted, quoting a reduction in injuries is meaningless if foot traffic (patronage) is not taken into consideration.³ Alongside observed falls of 46% in Kings Cross foot traffic, a 25% reduction in alcohol-related injuries implies, **at the very least, a 36% higher likelihood of ending up St Vincent's ER since the liquor law reforms for those who do venture out.**

c. **When subjected to further scrutiny, the alleged reduction of 34 alcohol-related cases is found to be itself exaggerated by the inclusion of data for i) hours that are unrelated to the liquor laws; ii) accidents and other incidents unrelated to assaults; and iii) from locations unrelated to the entertainment precincts in question.**

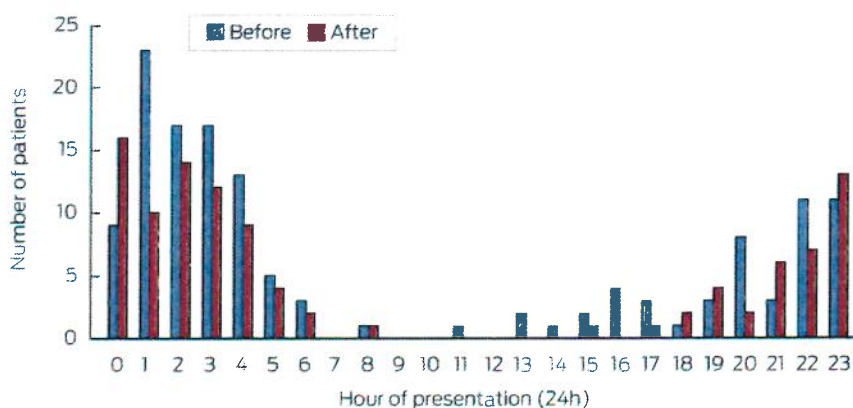
² Even Prof. Fulde's Senior Australian of the Year profile cites his experience working in an 'urban warzone' and warns of 'the dangers of a binge drinking culture, which is overwhelmingly the main cause of injury in Australia's emergency departments'. Neither of these statements are supported by the data in Fulde et al., 2015. <http://www.australianoftheyear.org.au/honour-roll/?view=fullView&recipientID=1400>

³ The equivalent statistic for motor-accidents could be achieved with a similar curfew on our roads. Fewer cars on the street mean fewer accidents. Fewer night-time revellers mean fewer trauma cases. Despite motor accidents placing a far greater burden on our hospitals than night-time violence, it would be unlikely to see the same level of advocacy for an equivalent curfew on our roads, perhaps because driving is more sheltered from the moralising logic as so eloquently expressed by the AMA: "After all, nobody has died from *not* having a drink". Nor has anyone they died from *not* stepping behind the wheel.

- Despite hourly data being available, the authors report on the entire weekend as a whole (6pm Friday to 6am Sunday). No explanation is provided for *why* cases occurring during daytime hours are included; *how* lockouts and trading-hour restrictions may affect incidents occurring outside those hours, particularly during the day; and iii) *why* the opportunity to directly investigate late night hours is spurned.
- Conflating data on late night with all other times not only prevents conclusions to be drawn on lockouts and early closing times but also obscures one of the most important findings of the paper – that, despite an overall downward trend in alcohol-related assaults since 2008 in Kings Cross, Sydney and NSW, **St Vincent’s ER has observed an *increase in alcohol-related injuries between 9pm-1am since the liquor law reforms due to “increased alcohol intake earlier in the evening (“preloading”)*”** (p.3, Fulde et al., 2015).
 - The issue of preloading and behavioural effects of the lockouts on alcohol consumption is a fundamental consideration for the Review. The outright dismissal of this important result – not a single sentence of discussion is offered – is disappointing and speaks volumes of the credibility of the research.
- The relevance of daytime cases to the lockouts and associated measures is not explained but are nevertheless included by the authors, bolstering the headline figure. **When hours relevant to the lockout are considered (1am-4am) the reduction in cases falls to 25 – around 2 per month (Chart 7).**

Chart 7 –Data from Fulde et al., 2015

5 Alcohol-related serious injury presentations to the emergency department of St Vincent’s Hospital, Sydney, on weekends, by hour of day



- d. The relevance of the remaining 25 cases to the liquor reforms is compromised by the inclusion of irrelevant injuries from irrelevant locations, and from private premises.
- **Cause:** data includes ‘those suffering serious injuries and traumas associated with alcohol (such as motor and pedestrian injuries)’.
 - **Location:** St Vincent’s ER catchment area extends far beyond Kings Cross and the CBD entertainment precinct to a large proportion of the Eastern Suburbs. Authors fail to identify how many cases are relevant to lockout precincts while willingly counting patients from Moore Park (sporting events at the SCG and Allianz stadium are well-documented hotspots for assault), Double Bay, Bondi Junction, Bondi, Paddington and beyond.
 - Were this an attempt at evaluating displacement, then the study would have benefited from including i) a sentence or two on the matter and ii) data from Royal Prince Alfred and Prince of Wales hospitals.

- **Premises:** authors do not differentiate between injuries occurring at private residences, licensed venues or on the street.

Fulde et al. include cases such as a pedestrian hit by an intoxicated driver in Rose Bay or a drunk man falling from his balcony in Bondi and use these 'data' to influence the public inquiry. **What relevance do such incidents have to the liquor laws and, in particular, effectiveness of lockouts?**

Data construction reliant on a sole assessor a further concern about these data is the manner in which they were constructed. Prof. Fulde was the “sole assessor” who determined whether a case was alcohol-related or not (366.e2, Fulde et al., 2015). This raises a number of concerns about the integrity of the data and its accuracy, given the absence of systematic blood alcohol testing and subsequent reliance on case notes to determine the influence of alcohol. Recall that only 34 cases underlie the headline 25% fall in alcohol-related injuries. For Prof. Fulde to correctly identify 34 out of 13,000 cases and correctly dismiss all others as unrelated – using only someone else’s case notes – is unlikely.

Transparency: To alleviate concerns about the credibility of the evidence, anonymised data ought to be disclosed for validation. Requests for access have been made from various sources but have been refused. A basic minimum of transparency and accountability ought to be respected before these data are allowed to influence a public review of such importance, especially in light of the numerous concerns enumerated above.

4. Supplementary statistics and anecdotal evidence from St Vincent’s Hospital

- Displacement: Prof. Fulde is also the sole source of the assertion that “the lockout laws do not appear to be pushing the problem to other suburbs” and that “there were more drinkers in Newtown but in the first year we are anecdotally told there was no increase to Royal Prince Alfred” (ABC, 2015). **In the absence of any supporting evidence, this remains an unsubstantiated and unverifiable assertion itself based on anecdotal evidence. Indeed, evidence of displacement in crime statistics outlined above poses a significant challenge to this claim.**

Displacement is a fundamental question for the Review to consider. Ideally, evidence would have shed light on whether the reforms have encouraged i) alcohol consumption at private residences and other unlicensed venues; ii) alcohol consumption at locations exempt from lockouts and closing hours; and pre-fuelling. This would have required data from Royal Prince Alfred and Prince of Wales hospitals alongside those of St Vincent’s. It is disappointing for the Review that such information was not publically considered.

- Facial fractures: Quotes from Dr Elias Moisidis (lead researcher), Dr John Crozier (trauma surgeon and representative of the RACS) and an unnamed St Vincent’s spokesperson in newspaper reports (e.g., Robertson, 2016; AAP, 2016) cite as-yet-unpublished (unverifiable) data from the St Vincent’s faciomaxillary unit:

“Facial fractures are down from 145 in two years prior to lockout laws to 58 in the two years since. In the two years before lockouts, 82 per cent of facial injuries were alcohol related. The figure for the two years after lockouts, he said, was 64 per cent.”

These numbers imply an impressive 70% reduction in facial fractures over the four years in question but the significance of this value is diluted by the following:

- i. Without any information on the cause, location and time of the injuries, it remains highly speculative to attribute these results to the liquor law reforms.
- ii. Data presented in two-year groups obscures meaningful analysis and cannot be validated. Chart 8 illustrates one possibility – that facial fractures were on the decline till the liquor law reforms were introduced.
- iii. After taking into account a 46% drop in foot traffic, the difference falls to 27 – or around one less facial fracture a month (Table 4). The 2012-14 value is scaled by 46% to account for the lower foot traffic.

Chart 8 – A feasible scenario described by the data

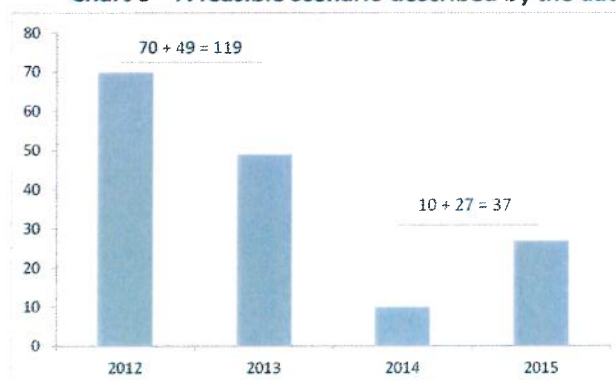


Table 4

Alcohol-related facial fractures - St Vincent's 2012-14 compared with 2014-16

Alcohol-related facial fractures				Alcohol-related facial fractures (adjusted for foot traffic)			
2012-14	2014-16	change	% change	2012-14	2014-16	change	% change
119	37	-82	-69%	64	37	-27	-42%

5. How strong is the evidence from Newcastle?

The reduction in alcohol-related violence following the implementation of late-trading restrictions in Newcastle in 2008 is regularly cited by public health advocates as evidence of their success and that furthermore they should be adopted in other jurisdictions.

This argument should be treated with caution because the quality of the evidence supporting this claim is not strong as some publications advocate. This note presents a critique of the monograph by Jones, Kypri, Moffat et al (2009) which details the supposed success of the Newcastle experience. The note is divided into two sections, the first provides a brief overview of what constitutes strong evidence in the context of determining causation in a policy context. It then applies this lens to a critique of Jones, Kypri, Moffat et al (2009).

What is good evidence?

The exponential increase in the volume of academic literature that has been published since the turn of the century has created a daunting task for policymakers - as evidence is not created equal - how does one separate the wheat from the chaff?

Economist and MP Andrew Leigh, developed a hierarchy of evidence for use in an Australian policy context. Leigh's (2009) hierarchy - displayed below - ranks methodologies based upon their level of accuracy and rigour.

1. Systematic reviews (meta-analyses) of multiple randomised trials
2. High quality randomised trials
3. Systematic reviews (meta-analyses) of natural experiments and before-after studies
4. Natural experiments (quasi-experiments) using techniques such as differences-in-differences, regression discontinuity, matching, or multiple regression
5. Before-after (pre-post) studies
6. Expert opinion and theoretical conjecture

The Cochrane Collaboration (in medicine) and Campbell Collaboration (in social policy) have pioneered the development and publication of systematic reviews and meta analyses of interventions to search all information published on the topic to that point in order to definitively determine 'what works and what does not'. A Campbell or Cochrane review sits at the top of the evidence hierarchy and represents the current state of our knowledge on a particular topic.

Unfortunately, in Australia, most of our evidence is sourced from the fifth level of Leigh's hierarchy. The loose manner in which the term 'evidence-based policy' is used belies that fact that very few decisions in policy matters in Australia are assessed on academically strong evidence.

How strong is the evidence supporting the Newcastle study?

The article by Jones, Kypri and Moffat (2009) claims that the implementation of the licensing reforms in Newcastle represented a natural experiment - a methodology which can generate high quality results. This is not accurate.

For it to be an experiment there must be a treatment group and a control group to whom the treatment group could be compared. An example of a natural experiment was the evaluation of the NSW drug court, which was able to compare outcomes between those offenders in the drug court (treatment group) with normal court (control) and measure its impact. Since no control group was employed in the Newcastle context it is not possible to claim that it is a natural experiment.

Without a control group, the authors are simply undertaking a time series analysis of observational data which they analysed in a pre-post manner. This technique cannot definitively show proof of causation, rather it simply shows correlation. To credit the authors, they have acknowledged this fact in their discussion section, noting: "One threat to causal inference is that we had no way of accounting for external factors that could also have influenced recorded crime in the CBD area."

There are a range of other factors which could have contributed to the decline in the number of alcohol-related assaults during the observed period, they include changes in patterns of:

- Enforcement of liquor licensing provisions;
- Bail enforcement;
- Police operations targeting known offenders;
- Visible police presence; and
- Changes in the availability of transport options.

What does this mean for Sydney?

Claims by public health advocates that both the NSW and Newcastle experience suggests that the current lock out laws are solely responsible for the decline in alcohol-related violence and should be maintained or strengthened are based on flimsy evidence.

The same technique was used by the Bureau of Crime Statistics and Research in reviewing trends in assaults in precincts affected by lockouts. We cannot claim that the current laws are solely responsible for this decline because we have no counterfactual comparator. What would have happened if these laws were not implemented? We know what assaults were already trending downward, possibly due to changes in the way in which Sydney-siders engaged with late-night transport (introduction of Uber) and the emergence of a diversification of licenced premises with the introduction of small bars legislation.

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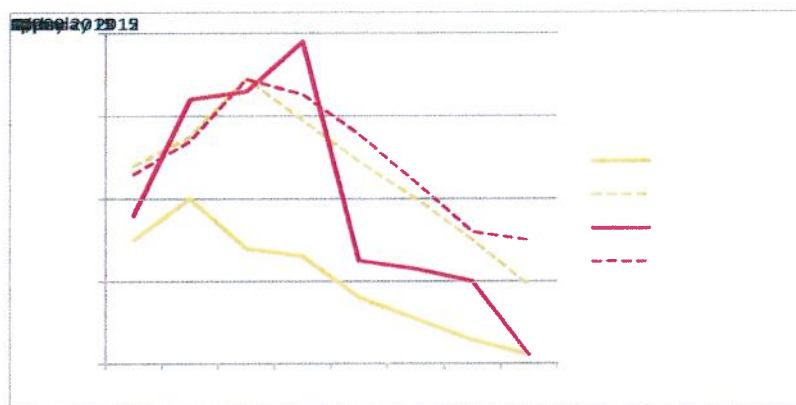
Appendix 1 – Estimating changes in late night foot traffic

Foot traffic in Kings Cross fell 46% between 2012 and 2015 according to chart 5.14 and accompanying data from the 2015 City of Sydney Late Night Management Areas Research Report.

Values of 55%, and 'up to 89%' have sometimes been used to quantify the fall in Kings Cross foot traffic but these values refer to peak differences at 1am on Saturday and 4am on Friday. Using these values to scale assaults and injuries data would risk exaggerating the ineffectiveness of the reforms.

It would be more appropriate to compare the cumulative sum of late night Friday and Saturday foot traffic for 2015 with that of 2012 – i.e., the difference between the areas under the 2015 and 2012 curves. Scraping the data from City of Sydney's Chart 5.14 suggests that across both days, late night foot traffic is around 46% lower in 2015 (Chart 9).

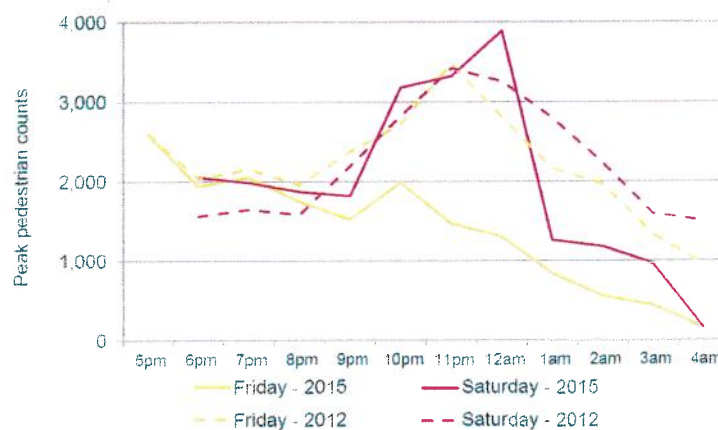
Chart 9 – Estimating falls in foot traffic using City of Sydney data



Note: Comparing the cumulative sum of weekend foot traffic (peaks) suggests a 46% fall in foot traffic between 2015 and 2012. This is less than the commonly quoted peak differences of 55% and 89%.

Source data from Chart 5.14 from the City of Sydney Late Night Management Report 2015

Kings Cross pedestrian peaks 2015 vs 2012



Appendix 2 – Input data and precinct mapping

NSW Crime Statistics: Incidents of Assault (Non-domestic assault)

	2008	2009	2010	2011	2012	2013	2014	2015	2016
New South Wales	42423	42093	40830	39169	36625	35103	33594	31454	30853
BONDI BEACH	193	136	142	152	118	111	118	92	109
COOGEE	171	144	90	102	98	79	71	56	67
DOUBLE BAY	33	25	31	33	31	21	37	29	37
ELIZABETH BAY	30	32	30	31	19	22	16	16	12
NEWTOWN	190	167	150	157	188	138	168	188	172
POTTS POINT	564	471	497	478	470	455	369	252	193
PYRMONT	108	130	112	108	120	138	105	154	154
RUSHCUTTERS BAY	19	23	17	16	15	17	4	5	10

New South Wales	42423	42093	40830	39169	36625	35103	33594	31454	30853
CHIPPENDALE	58	60	51	46	36	44	42	37	38
DARLINGHURST	432	423	333	301	273	276	265	200	163
DAWES POINT	10	5	7	13	3	9	1	3	0
HAYMARKET	318	340	360	412	351	373	303	255	352
MILLERS POINT	21	12	16	25	13	18	15	6	9
SURRY HILLS	388	413	337	355	310	285	277	260	249
SYDNEY	1155	1184	1094	1133	1149	1032	991	929	942
THE ROCKS (SYDNEY)	182	90	90	75	85	149	121	114	118
ULTIMO	75	55	66	86	58	65	44	47	55
WOOLLOOMOOLOO	104	98	102	121	98	96	113	92	93

	2008	2009	2010	2011	2012	2013	2014	2015	2016
Rest of NSW	38372	38285	37305	35525	33190	31775	30534	28719	28080
Kings Cross	594	503	527	509	489	477	385	268	205
CBD	2222	2152	2002	2080	1972	1953	1809	1599	1677
Proximal	540	551	471	503	419	411	367	349	352
Distal	587	472	413	444	435	349	394	365	385
Pyrmont	108	130	112	108	120	138	105	154	154

NSW Crime Statistics: Incidents of Alcohol Related Assault (Non-domestic assault)

	2008	2009	2010	2011	2012	2013	2014	2015	2016
New South Wales	19249	19074	18061	16349	14810	13923	12996	11272	10330
BONDI BEACH	128	84	80	86	76	66	79	49	64
COOGEE	135	107	60	74	75	43	44	41	45
DOUBLE BAY	19	13	18	24	20	13	27	22	25
ELIZABETH BAY	13	18	14	17	11	11	6	6	5
NEWTOWN	109	102	100	93	119	95	99	127	102
POTTS POINT	433	363	397	352	377	339	274	169	117
PYRMONT	60	83	74	69	84	86	59	111	115
RUSHCUTTERS BAY	9	14	11	7	7	7	1	0	8

New South Wales	19249	19074	18061	16349	14810	13923	12996	11272	10330
CHIPPENDALE	30	34	31	23	21	22	25	18	18
DARLINGHURST	303	317	230	188	191	166	173	115	81
DAWES POINT	6	3	3	7	3	6	0	1	0
HAYMARKET	170	200	194	227	179	201	168	143	197
MILLERS POINT	14	4	7	16	9	7	7	3	2
SURRY HILLS	189	229	193	198	152	153	138	112	102
SYDNEY	718	708	661	723	714	625	531	507	463
THE ROCKS (SYDNEY)	133	73	76	65	60	106	86	77	78
ULTIMO	30	31	21	36	25	33	18	23	21
WOOLLOOMOOLOO	56	48	55	64	51	38	59	45	40

	2008	2009	2010	2011	2012	2013	2014	2015	2016
Rest of NSW	16694	16643	15836	14080	12636	11906	11202	9703	8847
Kings Cross	446	381	411	369	388	350	280	175	122
CBD	1400	1353	1226	1290	1207	1149	1024	891	861
Proximal	258	308	256	264	205	215	182	153	149
Distal	391	306	258	277	290	217	249	239	236
Pyrmont	60	83	74	69	84	86	59	111	115

NSW Crime Statistics: Offenders of Alcohol Related Assault (Non-domestic assault)

	2008	2009	2010	2011	2012	2013	2014	2015	2016
New South Wales	7588	7693	7411	6381	5589	5416	5349	4675	4269
BONDI BEACH	36	30	27	36	26	19	36	17	29
COOGEE	37	31	20	20	23	16	20	20	22
DOUBLE BAY	5	2.5	7	7	7	9	12	7	8
ELIZABETH BAY	6	5	8	8	0	5	2.5	2.5	2.5
NEWTOWN	44	40	34	41	46	42	32	58	51
POTTS POINT	110	98	133	107	102	121	85	75	69
PYRMONT	16	33	25	13	30	30	22	53	60
RUSHCUTTERS BAY	2.5	7	2.5	2.5	2.5	5	0	0	9
New South Wales	7588	7693	7411	6381	5589	5416	5349	4675	4269
CHIPPENDALE	10	15	8	5	6	0	8	2.5	2.5
DARLINGHURST	86	111	89	72	83	70	97	78	53
DAWES POINT	2.5	0	2.5	2.5	2.5	2.5	0	0	0
HAYMARKET	74	79	78	78	69	78	60	58	105
MILLERS POINT	5	2.5	2.5	7	5	2.5	2.5	2.5	2.5
SURRY HILLS	63	96	83	74	53	71	80	87	64
SYDNEY	245	296	222	279	250	199	203	212	179
THE ROCKS (SYDNEY)	58	33	29	27	17	53	40	34	48
ULTIMO	5	9	10	7	6	8	6	7	7

WOOLLOOMOOLOO	14	14	10	21	10	12	17	19	17
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	2008	2009	2010	2011	2012	2013	2014	2015	2016
			6620.					3942.5	
Rest of NSW	6769	6791	5	5574	4851	4673	4626		3540.5
Kings Cross	116	103	141	115	102	126	87.5	77.5	71.5
CBD	484.5	535.5	433	486.5	436.5	417	419.5	403.5	404.5
Proximal	80.5	127	103.5	88.5	67.5	84	94	96.5	82.5
Distal	122	103.5	88	104	102	86	100	102	110
Pymont	16	33	25	13	30	30	22	53	60

Response to “An evaluation of key evidence submitted to the independent liquor law review.”

The author of this document makes a number of criticisms of the evaluation of the so-called “lockout laws” carried out by the NSW Bureau of Crime Statistics and Research (BOCSAR). He also comments on claims about the lockout made by St Vincent’s Hospital and research related to the lockout laws conducted in Newcastle. In what follows I concentrate solely on the comments made about the BOCSAR evaluation. The criticisms of the BOCSAR evaluation may be summarized as follows:

1. The evaluation took no account of the pre-existing downward trend in assaults (p. 2)
2. The evaluation took no account of the fall in pedestrian traffic (p. 2)
3. More recent data on assaults shows clear evidence of displacement (p. 3)
4. The proportion of alcohol related assaults has increased (p.4)
5. The methods of statistical analysis used by BOCSAR were inappropriate

In what follows I deal with each of these criticisms in turn.

The evaluation took no account of the pre-existing downward trend in assault

This is simply false. Both the analysis carried out Menendez et al. (2015) and that carried out by Donnelly et al. (2016) controlled for pre-existing trends and seasonal effects. The reductions in assault attributed to the lockout laws in both studies took into account pre-existing trends.

The evaluation took no account of the fall in pedestrian traffic

This is true but misleading. Lack of data meant we were unable to take into account changes in pedestrian traffic. Far from ignoring the issue, however, we speculated that the fall in assault might be due to a reduction in visitors to the Kings Cross and CBD entertainment precincts (see for example, paragraph 2, page 9 of Menendez et al. (2015).

More recent data on assaults shows clear evidence of displacement

The claim that more recent data show clear evidence of displacement is based on the observation that the number of assaults in Newtown, Bondi, Coogee and Double Bay is

higher than one would expect from a linear extrapolation of pre-existing trends, especially where attention is restricted to alcohol-related assaults.

The problem with this argument is that it begs a central question at issue; namely whether the fall in assaults in the areas in question is linear. No basis is given for this assumption and a more common-sense reading of the data is that the number of assaults in these locations is lower than it was before the lockout laws took effect.

The proportion of alcohol related assaults has increased

The claim that the proportion of alcohol-related assaults has increased is proffered as evidence that the lockout laws have failed on the assumption that, if they were effective, the proportion of alcohol-related assaults would have reduced.

There are two problems with this claim. The first is that police recording of alcohol-related assaults is reliable. In fact the determination of whether an assault is alcohol related is made by the attending officer solely on the basis of his or her impression of the offender. No formal testing is done. That is why BOCSAR conducted its analysis on all assaults rather than just those flagged by police as alcohol-related. The second problem is that the author of the report made no attempt to test whether the apparent increase in the proportion of assaults was statistically significant (i.e. not a chance effect).

The methods of statistical analysis used by BOCSAR were inappropriate

In the main BOCSAR evaluation report all relevant model diagnostics were reported (see Table 3, Menendez et al. 2015). The report was subjected to independent blind review by the Professor of Statistics at Monash University. A positive linear trend was included in the Donnelly et al. (2016) because assaults were rising in Pymont prior to the lockout laws and the analysis had to take this into account. Contrary to the suggested criticism, the analysis did not involve OLS (ordinary least squares) regression. OLS regression is generally inappropriate in the analysis of time series data because successive values of the time series are not statistically independent.

17 August 2016

Professor Kypros Kypri

Centre for Clinical Epidemiology and Biostatistics
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Dear Mr Callinan

RE: INDEPENDENT REVIEW OF THE IMPACT OF LIQUOR LAW REFORMS

Further to my submission of 17 March 2016, the attached material was sent to me on 16 August 2016. I am informed that these sections of text were part of the Keep Sydney Open submission to your enquiry. I have not had time to examine the whole submission.

I usually refrain from seeking to correct misrepresentations of research within my field of expertise unless asked to do so. The attached excerpts appear to have been written by someone with expertise in the use of evidence from the health or social sciences, but perhaps not enough to reach valid conclusions in this case. Either that or they were written with the intention to deceive. On this occasion I have decided to act given the critique's sophistication and potential to mislead an important enquiry, and offer the following observations.

(1) Selective use of evidence

The submission focuses on the BOCSAR report (<http://www.bocsar.nsw.gov.au/Documents/CJB/cjb137.pdf>) which I co-authored. No mention is made of the freely available paper published the following year in *Addiction* (<http://onlinelibrary.wiley.com/doi/10.1111/j.1360-0443.2010.03125.x/epdf>), about which there have been numerous media stories. *Addiction* is the leading journal in the substance use research field and the paper was subject to extensive peer review. It was also accompanied by a commentary from a globally recognised expert, Professor Tim Stockwell, who described it as a "fine contribution to this challenging area." (<http://onlinelibrary.wiley.com/doi/10.1111/j.1360-0443.2010.03222.x/epdf>).

The paper explains shortcomings of the BOCSAR report and how they were addressed in the newer study. It has been cited 94 times in scholarly articles and in no case have the conclusions been seriously challenged. What I find telling is that none of the parties who dispute the conclusions have ever contacted me or been willing to appear in a radio or television debate about the research. (https://scholar.google.com.au/citations?view_op=view_citation&hl=en&user=KpVzHn8AAAAJ&citation_for_view=KpVzHn8AAAAJ:aqlVkm33-oC)

In addition to failing to address the key evidence of effects up to 18 months after the March 2008 restrictions, these excerpts do not acknowledge the existence of further studies demonstrating that the effects were maintained 5 (<http://onlinelibrary.wiley.com/doi/10.1111/dar.12123/epdf>) and 7 years (<http://onlinelibrary.wiley.com/doi/10.1111/dar.12342/epdf>) later.

(2) Misrepresentation of the Newcastle evidence

The submission introduces a “hierarchy of evidence for use in an Australian policy context” produced by an economist. This is similar to the hierarchies that remain controversial within the health and social sciences, mainly because of the difficult trade-off between the high level of internal validity achievable in the controlled conditions of randomised trials, and the often poor generalisability of findings to real world conditions. There is a strong push within the health and social sciences for more evidence to be generated in the ‘real world’ conditions in which interventions occur.

The submission classifies the evidence on the Newcastle restrictions as a pre-post design (low in the evidence hierarchy), claiming that there was no control series. This is false even on the basis of the 2009 BOCSAR report which allows comparison with assault rates in Hamilton, a late night entertainment precinct a few kilometres from the Newcastle CBD that was not subject to the March 2008 restrictions. That report and the subsequent paper go to lengths to critique the validity of Hamilton as a control site, concluding that it would serve as a strong counterfactual against which to assess the effects of the changes in the Newcastle CBD.

The “range of other factors” listed in the submission are explicitly addressed in the design, analysis, and reporting of the Newcastle experiment (see <http://onlinelibrary.wiley.com/doi/10.1111/j.1360-0443.2010.03125.x/pdf>).

(3) Failure to consider other relevant evidence

Having applied a hierarchy of evidence, which considers systematic reviews superior to natural experiments, the submission fails to consider what those reviews show. In their 2009 review, Stockwell and Chikritzhs conclude that:

“the balance of reliable evidence from the available international literature [14 studies] suggests that extended late-night trading hours lead to increased consumption and related harms.”

(<http://link.springer.com/article/10.1057/cpcs.2009.11>)

There have been four studies published on different natural experiments in the seven years since that review was published, which each have findings consistent with the conclusion of Stockwell and Chikritzhs (2009).

Newcastle, Australia: restrictions associated with reduced harm

Norway (18 cities): extensions associated with increased harm; restrictions with reduced harm (2011, *Addiction*)

Central Amsterdam: extensions associated with increased harm (2014, *Addiction*)

Sydney, Australia: restrictions associated with reduced harm (paper *in press*, *Addiction*)

Please feel free to contact me if you would like to discuss this (mobile 0448 898 814).

Sincerely,



Kypros Kypri, PhD

National Health and Medical Research Council Senior Research Fellow

Attachment: Excerpts from Keep Sydney Open submission, sent to Kypros Kypri 16 August 2016 (two pages)

5. How strong is the evidence from Newcastle?

The reduction in alcohol-related violence following the implementation of late-trading restrictions in Newcastle in 2008 is regularly cited by public health advocates as evidence of their success and that furthermore they should be adopted in other jurisdictions.

This argument should be treated with caution because the quality of the evidence supporting this claim is not strong as some publications advocate. This note presents a critique of the monograph by Jones, Kypri, Moffat et al (2009) which details the supposed success of the Newcastle experience. The note is divided into two sections, the first provides a brief overview of what constitutes strong evidence in the context of determining causation in a policy context. It then applies this lens to a critique of Jones, Kypri, Moffat et al (2009).

What is good evidence?

The exponential increase in the volume of academic literature that has been published since the turn of the century has created a daunting task for policymakers - as evidence is not created equal - how does one separate the wheat from the chaff?

Economist and MP Andrew Leigh, developed a hierarchy of evidence for use in an Australian policy context. Leigh's (2009) hierarchy - displayed below - ranks methodologies based upon their level of accuracy and rigour.

1. Systematic reviews (meta-analyses) of multiple randomised trials
2. High quality randomised trials
3. Systematic reviews (meta-analyses) of natural experiments and before-after studies
4. Natural experiments (quasi-experiments) using techniques such as differences-in-differences, regression discontinuity, matching, or multiple regression
5. Before-after (pre-post) studies
6. Expert opinion and theoretical conjecture

The Cochrane Collaboration (in medicine) and Campbell Collaboration (in social policy) have pioneered the development and publication of systematic reviews and meta analyses of interventions to search all information published on the topic to that point in order to definitively determine 'what works and what does not'. A Campbell or Cochrane review sits at the top of the evidence hierarchy and represents the current state of our knowledge on a particular topic.

Unfortunately, in Australia, most of our evidence is sourced from the fifth level of Leigh's hierarchy. The loose manner in which the term 'evidence-based policy' is used belies that fact that very few decisions in policy matters in Australia are assessed on academically strong evidence.

How strong is the evidence supporting the Newcastle study?

The article by Jones, Kypri and Moffat (2009) claims that the implementation of the licensing reforms in Newcastle represented a natural experiment - a methodology which can generate high quality results. This is not accurate.

For it to be an experiment there must be a treatment group and a control group to whom the treatment group could be compared. An example of a natural experiment was the evaluation of the NSW drug court, which was able to compare outcomes between those offenders in the drug court (treatment group) with normal court (control) and measure its impact. Since no control group was employed in the Newcastle context it is not possible to claim that it is a natural experiment.

Without a control group, the authors are simply undertaking a time series analysis of observational data which they analysed in a pre-post manner. This technique cannot definitively show proof of causation, rather it simply shows correlation. To credit the authors, they have acknowledged this fact in their discussion section, noting: "One threat to causal inference is that we had no way of accounting for external factors that could also have influenced recorded crime in the CBD area."

There are a range of other factors which could have contributed to the decline in the number of alcohol-related assaults during the observed period, they include changes in patterns of:

- Enforcement of liquor licensing provisions;
- Bail enforcement;
- Police operations targeting known offenders;
- Visible police presence; and
- Changes in the availability of transport options.

What does this mean for Sydney?

Claims by public health advocates that both the NSW and Newcastle experience suggests that the current lock out laws are solely responsible for the decline in alcohol-related violence and should be maintained or strengthened are based on flimsy evidence.



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Jonathan Horton QC
Counsel Assisting Hon. I D F Callinan AC
Via email: jhorton@qldbar.asn.au

Dear Mr Horton,

Professor Gordian Fulde has kindly forwarded me your email seeking comments in relation to the submission to Mr Callinan by Keep Sydney Open. I would like to take this opportunity to thank you in responding to this important public health issue on behalf of Vincent's.

I would like to provide the facts of what has been seen at the St Vincent's Hospital in the period subsequent to the introduction of the alcohol laws in 2014. St Vincent's stands by the reductions of alcohol related harms we have reported in both the media and in peer reviewed journals.

Since the introduction of the lock out laws, clinicians at St Vincent's has seen a decrease in the number of patients presenting to the Emergency Department (ED) for alcohol related injuries. The ED, Intensive Care Unit (ICU), Trauma Department, Plastics, Neurosurgery and Rehabilitation Medicine Department have seen a reduction in alcohol related presentations, that is, this reduction is not negated by the corresponding drop in foot-traffic nor displacement of injuries to other neighbouring hospitals.

The St Vincent's Clinical Directors of the abovementioned department have networked with their peers at neighbouring hospitals with no peers reporting any discernible increase in alcohol-harm related presentations. If any displacement is occurring, it is not occurring at any type of rate that significantly detracts from the dramatic reductions that has been seen at St Vincent's.

Since the introduction of the new laws, there has not been a death in the ICU at St Vincent's Hospital related to an alcohol-related assault. In the two years since the new laws were introduced, there has been a decrease of 44% in trauma admissions to ICU which were specifically alcohol-related assaults (DATA: 18 patient admissions pre-new laws, 10 post-new laws).

St Vincent's Hospital supports the Plastic and Reconstructive Surgery Department's serious facial fracture study of the two years pre and two years, post introduction of the new alcohol laws which was referenced in our submission to Mr Callinan. The study showed 145 cases were operated on in the two years prior to the laws with only 58 in

the two years after. Of these 58 patients, 37 (64%) were cases related to alcohol compared to 119 (82%) of the cases prior to the introduction of the laws. This major reduction is neither negated by the relative reduction in foot-traffic nor any type of relative displacement of such fractures to any of our neighbouring hospitals.

I believe that Professor Fulde has provided you with information in relation to the reductions that has been witnessed in the ED. If you require any further information in relation to the ED, I would be pleased to provide.

Should you have any further questions or require any additional background, please do not hesitate to contact me on 8382 2083.

Yours sincerely,



Associate Professor Anthony M. Schembri
Chief Executive Officer

Date: 30 August 2016