



Foundation for Alcohol Research & Education

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Mr Jonathon Horton QC
Review Chair – Newcastle CBD Liquor Licence Conditions
Independent Liquor and Gaming Authority
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Dear Mr Horton

SUBMISSION TO THE NEWCASTLE CBD LIQUOR LICENCE CONDITIONS REVIEW

The Foundation for Alcohol Research and Education (FARE) welcomes the opportunity to provide comment on the *Newcastle CBD Liquor Licence Conditions Review*.

FARE is an independent, not-for-profit organisation working to reduce the significant harm caused by alcohol in Australian communities. More than 5,500 lives are lost and more than 157,000 people are hospitalised every year, making alcohol one of our nation's greatest health challenges.ⁱ

FARE would like to offer its support to the submission prepared by the NSW ACT Alcohol Policy Alliance (NAAPA). NAAPA is a coalition of 48 organisations, of which FARE is a member, working to reduce alcohol-related harms by ensuring that evidence-based solutions inform alcohol policy discussions in NSW and the ACT.

FARE supports maintaining the Newcastle conditions.

The Newcastle conditions are internationally recognised and have paved the way for evidence-based policy in Australia and around the world. There is overwhelming evidence to support the reduction in trading hours of liquor outlets as a measure to reduce alcohol-related assaults.^{ii,iii,iv,v,vi,vii,ix}

The suite of policies embedded in the Newcastle conditions reduced night-time alcohol-related assaults by 37 per cent with no displacement of harm to other areas.^x Alcohol-related facial injury hospital admissions at John Hunter Hospital also decreased with a relative rate reduction of 31 per cent.^{xi} The same study found that prior to the introduction of the measures facial trauma admissions were increasing by 14 per cent each year and following their implementation they decreased by 20 per cent each year.^{xii}

The latest data from the Bureau of Crime Statistics and Research (BOCSAR) also supports these findings. Since the implementation of the Newcastle Conditions there has been a 79 per cent reduction in non-

domestic assaults in Newcastle and Newcastle West on Friday and Saturday night, decreasing from 209 in the year 2007-08 (Oct to Sep) to 44 in 2016-17 (Oct to Sept).^{xiii}

Liquor licences are a privilege granted by government on behalf of the community, not a right. This privilege imparts a duty upon licensees to be responsive to the risks generated as a by-product of their business imperative – to sell more liquor over longer periods of time in order to generate significant profit. In light of the significant rates of alcohol harm and their associated costs, the Independent Liquor and Gaming Authority (ILGA) must continue to remedy the imbalance created by alcohol industry business models. Industry operates with one clear objective, to increase profits, not to protect the health and safety of communities. This is at the detriment and expense of individuals, government and society.

The Newcastle Conditions constitute a proportional and justifiable compensatory measure to deliver reductions in alcohol harm and their associated costs. The substantial reduction in alcohol-related assaults and harmful consumption strikes a balance to accommodate continued business operation while protecting the community from unnecessary harm. To roll back these measures would undermine the corrective justice that they have delivered, and threatens to restore the significant levels of harm caused by alcohol which was inflicted on the people of Newcastle prior to their introduction.

Imposing the Sydney CBD and Kings Cross measures in Newcastle is likely to create loop holes and inadequacy in the law, thereby putting the integrity of the Newcastle Conditions at risk. A success of the Newcastle Conditions has been the decision to afford no later trading exemptions for venues. Exemptions undermine the effectiveness and compromise the impact of policy as has been seen in Queensland. A study conducted on the impact of last drinks measures in Queensland found that as a result of extended trading exemptions there was not a single weekend night between 1 July 2016 and 31 December 2016 in the Fortitude Valley precinct where all venues ceased the service of alcohol at 3am, and as such there was no obvious reduction in alcohol-related assaults.^{xiv} Exemptions to the conditions limited their capacity to have meaningful impact on reducing harm.

FARE is calling on ILGA to support local communities and their emergency workers by maintaining these evidence-based measures. Any alterations made to the Newcastle Conditions, particularly in the form of extended trading hours, will have significant negative impact on the Newcastle community.

Thank you once again for the opportunity to provide comment on the *Newcastle CBD Liquor Licence Conditions Review*. FARE supports maintaining the Newcastle Conditions in their current form.

For any further questions please do not hesitate to contact my office. I am available to discuss any of the information provided in this response.

Yours sincerely



MICHAEL THORN
CHIEF EXECUTIVE

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- ⁱⁱ Jones, C., Kypri, K., Moffatt, S., Borzycki, C., Price, B. & New South Wales Bureau of Crime Statistics and Research. (2009). The Impact of Restricted Alcohol Availability on Alcohol-related Violence in Newcastle, NSW. Sydney, N.S.W.: Bureau of Crime Statistics and Research New South Wales, 2009. Sydney, N.S.W.: Bureau of Crime Statistics and Research New South Wales, 2009. 23 p. Crime and justice bulletin: contemporary issues in crime and justice; ISSN: 1030-1046 ; no. 137. ISBN 9781921626463. Crime and justice bulletin: contemporary issues in crime and justice; ISSN: 1030-1046 ; no. 137.
- ⁱⁱⁱ Rossow, I. & Norström, T. (2011). The impact of small changes in bar closing hours on violence. The Norwegian experience from 18 cities. *Addiction* (107) 3.
- ^{iv} Chikritzhs T, Stockwell T. (2002). The impact of later trading hours for Australian public houses (hotels) on levels of violence. *Journal of Studies on Alcohol*, 63(5):591-9.
- ^v Menendez, P., Tusell, F. & Weatherburn, D. (2015). The effects of liquor licensing restrictions on alcohol-related violence in NSW, 2008-2013. *Addiction* 110 (10): 1574-1582.
- ^{vi} Schofield, T. & Denson, T. (2013). Alcohol outlet business hours and violent crime in New York State. *Alcohol and Alcoholism* 48 (3): 363-369.
- ^{vii} Wilkinson, C., Livingston, M. & Room, R. (2016). Impacts of changes to trading hours of liquor licences on alcohol-related harm: a systematic review 2005-2015. *Public Health Research and Practice* 26 (4): e2641644.
- ^{viii} Kypri, K., McElduff, P. & Miller, P. (2014). Restrictions in pub closing times and lockouts in Newcastle, Australia five years on. *Drug and Alcohol Review* 33(3): 323-6.
- ^{ix} Kypri, K., McElduff, P. & Miller, P. (2015). Night-time assaults in Newcastle 6-7 years after trading hour restrictions. *Drug and Alcohol Review* 35: E1-E2.
- ^x Kypri, K., Jones, C., McElduff, P., & Barker, D.J. (2010). Effects of restricting pub closing times on night-time assaults in an Australian city. *Addiction* 106 (2): 303-310.
- ^{xi} Hoffman, G.R., Palazzi, K., Oteng Boateng, B.K. & Oldmeadow C. (2017). Liquor legislation, last drinks, and lockouts: the Newcastle (Australia) solution. *International Journal of Oral & Maxillofacial Surgery* 46 (6): 740-745 <http://dx.doi.org/10.1016/j.ijom.2017.01.019>
- ^{xii} Hoffman, G.R., Palazzi, K., Oteng Boateng, B.K. & Oldmeadow C. (2017). Liquor legislation, last drinks, and lockouts: the Newcastle (Australia) solution. *International Journal of Oral & Maxillofacial Surgery* 46 (6): 740-745 <http://dx.doi.org/10.1016/j.ijom.2017.01.019>
- ^{xiii} NSW Bureau of Crime Statistics and Research. (2017). NSW Recorded Crime Statistics Oct 2000 to Sep 2017: Number of non-domestic violence related assaults recorded by the NSW Police Force in Newcastle and Newcastle West as occurring on Friday and Saturday nights, 10pm to 6am. Reference: kr17-15788
- ^{xiv} Institute for Social Science Research. (2017). Impact of the last drinks and lockouts. Commissioned by the Queensland Government. University of Queensland, Australia: Ferris, J., Zahnow, R., Miller, P. & Coomber, K. Retrieved from <https://www.thepremier.qld.gov.au/newsroom/assets/alcohol-fuelled-violence-six-mth-report.pdf>