

**SUBMISSION TO THE LIQUOR LAW
REVIEW**

**INDEPENDENT REVIEW OF THE
IMPACT OF THE LIQUOR LAW
REFORMS**

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Purpose

The purpose of this submission is to contribute to the Independent Review of Clause 47 of Schedule 1 of the Liquor Act 2007. The review is considering the impact of the 1.30am lock out and 3am cessation of liquor sales laws on alcohol-related violence and other harms, on businesses and their patrons, and on community amenity

The Australian Drug Foundation

The Australian Drug Foundation (ADF) is pleased to contribute to the review of the measures passed by the NSW Parliament in 2014 that aimed to reduce alcohol related violence in the Central Business District of Sydney and the Kings Cross entertainment district.

The ADF is a not-for-profit organisation that for over 55 years has worked with communities to prevent alcohol and other drug problems and harms through a focus on prevention and early intervention. Our strategies include community action, health promotion, education, information, policy, advocacy and research. Our vision is an Australia that is composed of 'Healthy People, Strong Communities'.

Soundly based primary prevention programs and early interventions return economic, social and health benefits to the individual, the community and to Australia as a whole. Minimising alcohol and drug harms through the promotion of healthy lifestyles and personal, social and cultural norms is our major aim.

The current review is seeking to evaluate the package of measures introduced in 2014 following community concern over the level of inter-personal violence in inner Sydney that was identifiably related to excessive drinking. The measures included a 1.30am lockout in the Sydney CBD and Kings Cross; last drinks at 3am; a freeze on new liquor licenses in the Sydney CBD and Kings Cross; a ban on takeaway alcohol sales after 10pm; the extension of temporary bans of 'troublemakers' from licenced premises; the introduction of a risk-based licence where the annual fee depends on license type, compliance record and opening hours; and the suspension of online RSA training.

Summary

The ADF supports the key measure of enforcing earlier closing hours of licensed premises due to the association between high consumption of alcohol and violence and the role of extended trading hours of licensed venues as a mediating factor; that association is bolstered by the evidence collected subsequently that indicates the intervention has succeeded in reducing alcohol related violence in the entertainment areas. Those two points are elaborated below. In addition further research over the longer term is warranted to elicit the comparative effect and value of each of the measures that were adopted as a means of licensing reform in 2014.

(i) The relationship between trading hours of licensed venues and alcohol related violence

There is much evidence to substantiate the association between high levels of intoxication due to alcohol and the general prevalence of violence, and the specific prevalence of violence in and around licensed venues. Generally, the World Health Organisation Expert Committee on Problems Related to Alcohol Consumption concluded that "reducing the hours or days of sale of alcohol beverages results in fewer alcohol-related problems, including homicides and assaults" (WHO, 2007).

Extensive research findings suggest consumption of alcohol and the incidence of alcohol-related harms both increase as days of sale and trading hours are extended; conversely, when trading hours and days of sale are decreased, so do the level of consumption and the level of harms (Babor, et al., 2010).

Australian studies have confirmed the relationship between violence and extended trading hours of venues. Over half of all street-related alcohol offences are associated with licensed venues and over half of all drivers charged with a drink-driving offence had previously consumed alcohol in a licensed venue prior to the charge (Miller, Sonderlund, & Palmer, n.d).

In 2001, alcohol-related assaults were most common between the hours of 9pm and 3am on Friday and Saturday nights and hotels with extended hours or 24-hour trading recorded more assaults than venues with standard trading hours (Briscoe & Donnelly, 2001). Western Australian researchers Chikritzhs and Stockwell found significant increases in assaults and in impaired driver road crashes associated with the extension of hotel closing hours from midnight to 1am (Babor, et al., 2010).

Violence in entertainment precincts is most common and frequent between midnight and 3am during the 'high alcohol times' of Friday, Saturday and Sunday nights (Miller, 2013). While contextual and situational factors influence the incidence of aggression and violence when people are drinking, including management practices and design of venues, trading hours of alcohol outlets have been shown consistently to influence the level of alcohol-related violence, including assault and drink driving (Miller, Sonderlund, & Palmer, n.d).

As a strong relationship between extended and late night trading of alcohol is widely recognised it was appropriate for the NSW parliament to reduce late night trading hours in 2014

(ii) The ADF is impressed by the evidence collected post intervention that indicates the level of late night violence has fallen considerably in the critical areas of inner Sydney since 2014.

While much public attention has focussed on the 'lockout' component of the package of measures, the evidence from the Sydney intervention and similar interventions in Newcastle and Surfers Paradise suggest it may be the reduction in trading hours (i.e. closure at 3.00am) that has been particularly valuable, rather than the lockout that takes effect at 1.30am.

In a study of the Sydney intervention published in 2015 the authors found immediate and substantial reductions in assault in Kings Cross, and less immediate but substantial reductions in assaults in the Sydney CBD. While assaults did increase around the Star Casino, where the interventions did not apply, the increases were far smaller than the decreases in assault in Kings Cross and the CBD (Menendez, Weatherburn, Kypros, & Fitzgerald, 2015)

A lockout occurs when patrons are not allowed to enter a licensed premises after a designated time in order to prevent disorder and conflict between patrons as they migrate between venues late at night (De

Andrade, Homel, & Townsley, 2016). Lockouts have been implemented as a single, standalone intervention and as one part of a multi-pronged package of measures. A number of evaluations have found that standalone lockouts are not effective, while multi-pronged strategies to reduce excessive drinking and intoxication in late-night entertainment areas that include a lockout are thought to be effective (De Andrade, Homel, & Townsley, 2016).

An example is the multi-pronged policy established for 14 hotels in Newcastle in 2008. The measures included a 3.30am close and a lockout from 1.30am. Alongside those measures, licensees were required to implement a management plan, be subject to audits, have an RSA officer on duty from 11pm until close, not serve 'shots' of spirits after 10pm, cease serving alcohol 30 minutes before closing, not allow drink stockpiling, and ensure all staff were aware of the requirements.

In comparison to the neighbouring area of Hamilton, which had no such restrictions, assaults in the Newcastle CBD declined by 37%, a result that has been sustained for five years. No displacement of violence to neighbouring areas is known to have occurred (Kypri, McElduff, & Miller, 2014).

In Hamilton in 2010 a 1am lockout was introduced for pubs, although their trading hours remained unchanged and patrons inside the venues could continue drinking until 5am. Some additional management requirements accompanied the Hamilton lockout. However, there has been little or no change in assaults in Hamilton following the intervention, which has led to the conclusion that it was probably the earlier closing time for venues in Newcastle that was the crucial element in reducing violence in Newcastle (Kypri, McElduff, & Miller, 2014).

The different findings for the lockouts in Newcastle and Hamilton reflect the findings for lockouts in other locations. A recent evaluation of a standalone lockout of 3.00am, with a closing time of 5.00am, in Surfers Paradise in 2004 reported that the lockout did not significantly reduce rates of weekend crime, violence, ambulance attendees, head and neck injuries, ambulance-recorded assaults or alcohol overdoses (De Andrade, Homel, & Townsley, 2016). That study supports evaluations of Newcastle and Ballarat lockouts that suggest lockouts alone have no effect on violence or injuries (De Andrade, Homel, & Townsley, 2016).

Recommendations

- (i) The Australian Drug Foundation supports the closing time of 3.00am for licensed venues in the Sydney and Kings Cross entertainment areas and recommends that the measure be maintained.
- (ii) Further research may be required to elicit the comparative effect and value of each of the measures that were adopted as a means of licensing reform in 2014.

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