



**The Hon. Ian Callinan AC QC**

Liquor Law Review

GPO Box 7060

Sydney NSW 2001 (via email to: [liquorlawreview@justice.nsw.gov.au](mailto:liquorlawreview@justice.nsw.gov.au))

31 March 2016

Dear Mr Callinan,

### **Formal Submission to the Liquor Law Review 2016**

I write today, on behalf of QikID Pty Ltd, to make the following submission for your consideration under the Liquor Law Review 2016.

#### **Background**

On the introduction of the Liquor Amendment Bill 2014 the then Premier of NSW, The Honourable Mr Barry O'Farrell, commented that some key objectives of the lock out and cease alcohol sales measures within the Bill were to:

- reduce alcohol-related violence and anti-social behaviour in the precincts;
- improve the safety and general amenity in the precincts, particularly late at night; and
- reinforce to the community that alcohol-fuelled violence will not be tolerated.

It is our understanding that within the terms of reference of your review you will be considering whether the policy objectives of the 1.30 am lock out and 3 am cease alcohol sales remain valid and their terms appropriate for securing those objectives.

It is QikID's belief that whilst much has been published heralding the success of the above measures by referencing the reduction in incidents of assaults as reported by the NSW Bureau of Crime Statistics and Research (BOCSAR), little has been reported or published regarding the effect and potential contribution to those reductions made by ID scanning.

With the above in mind QikID would like to draw your attention to the following and whilst you would be correct to consider that as a supplier of ID Scanning solutions, QikID has a vested interest in promoting the benefits of ID Scanning, we hope that you will find the arguments provided in the following pages to be of sufficient strength and integrity to be considered in your review.

#### **Submission**

Much has been published that heralds the success of the lock out and cease alcohol sales measures citing the reductions in the number of incidents of non-domestic assaults from the NSW Bureau of Crime Statistics and Research (BOCSAR) as evidence.

However, a more detailed examination of the BOCSAR statistics reveals that another factor was at play, namely ID Scanning in one precinct (Kings Cross), which appears to have made a significant and positive contribution to the reductions.

Table 1 below illustrates the BOCSAR statistics year on year counts of the number of Incidents of Assault (non-domestic assaults) in the Kings Cross Precinct, Sydney CBD Precinct and NSW as a whole.

Table 1 - incidents of Assault (non-domestic Assault) NSW BOCSAR Data

	Kings Cross Precinct	Sydney CBD Precinct	New South Wales
Year to Jun-12	505	1987	36041
Year to Jun-13	437	1898	34877
Year to Jun-14	384	1713	32858
Year to Jun-15	238	1485	30937

Table 2 below illustrates the % changes in the number of incidents year on year.

Table 2 - Percentage change year to year in Incidents of Assault (non-domestic Assault) NSW BOCSAR Data

	Kings Cross Precinct	Sydney CBD Precinct	New South Wales
Year to Jun-12			
Year to Jun-13	-13.4%	-4.4%	-3.2%
Year to Jun-14	-12.1%	-9.7%	-5.8%
Year to Jun-15	-38.0%	-13.3%	-5.8%

As can be seen from Table 2, the reduction in reported assaults in Kings Cross is significantly higher than the reduction in Sydney CBD during year to June 13 and year to June 14, some of which can be attributed to the well reported reductions in traffic in the Kings Cross precinct. However, the reduction of 38% year on year in 2015 directly correlates with the only major policy difference over that period – the introduction of ID Scanners in the Kings Cross precinct in June 2014.

Further examination of the BOCSAR statistics for the Kings Cross precinct reveals additional insights into the differences both pre and post ID Scanning.

Table 3 below illustrates the number of Non-Domestic assault incidents reported by NSW Police Force occurring in Kings Cross Precinct

Table 3 Non-Domestic assault incidents occurring in Kings Cross Precinct

	On Premise	Month AV	% +/-	Off Premise	Month AV	% +/-	Total Assaults
July – Jun 12	180	15.0	-	325	25.41	-	505
July – Jun 13	142	11.8	-21.12	295	26.58	-9.24	437
July – Jun 14	103	8.5	-27.47	281	17.58	-4.75	384
July – Jun 15	82	6.8	-20.39	156	12.00	-44.49	238
<b>Total</b>	<b>507</b>			<b>1057</b>			<b>1564</b>

The period to June 2015 shows a significant decrease in assaults in Kings Cross of 20% in licensed premises and 44% in outdoor public place, year on year, with a combined % reduction for on and off premise assaults at 38%. Again this appears to indicate that the most significant reduction in assaults correlate directly with the introduction of ID Scanners.

The reduction in reported assaults in Newcastle is often cited as a successful case study for Lock outs were, in 2007, special licence conditions including lockouts were implemented in an effort to help curb alcohol related violence.

However, a similar pattern to the above appears when examining BOCSAR data from Newcastle in more depth.

Table 4 on the next page illustrates the number of Non-Domestic assault incidents reported by NSW Police Force occurring Newcastle, and a number of other areas for comparative purposes.

As can be seen in the table, Inner city Newcastle assaults on licensed premises reduced after the special licence conditions including lockouts were implemented there in 2007.

However, incidents then increased year on year until 2011.

Licensees in Newcastle voluntarily implemented ID Scanners in 2012 which then resulted and coincided with the much larger falls in assaults.

Table 4 Non-Domestic assault incidents occurring Newcastle and other areas for comparative purposes.

	Sep 07	Sep 08	Sep 09	Sep 10	Sep 11	Sep 12	Sep 13	Sep 14	Sep 15
<b>New South Wales</b>	<b>6418</b>	<b>6374</b>	<b>5777</b>	<b>5321</b>	<b>4978</b>	<b>4479</b>	<b>4326</b>	<b>4038</b>	<b>3507</b>
DAWES POINT	1	2	1	1	0	1	2	0	1
MILLERS POINT	1	1	2	1	2	0	2	2	1
THE ROCKS (SYDNEY)	33	54	24	39	30	36	51	35	42
<b>Total City North Area</b>	<b>35</b>	<b>57</b>	<b>27</b>	<b>41</b>	<b>32</b>	<b>37</b>	<b>55</b>	<b>37</b>	<b>44</b>
POTTS POINT / KX LAC	271	292	228	267	226	243	213	151	85
NEWCASTLE	141	109	58	76	99	68	41	41	26
NEWCASTLE EAST	0	0	1	0	1	0	0	1	0
NEWCASTLE WEST	28	31	25	43	57	35	37	33	16
<b>Total Newcastle CBD</b>	<b>169</b>	<b>140</b>	<b>84</b>	<b>119</b>	<b>157</b>	<b>103</b>	<b>78</b>	<b>75</b>	<b>42</b>
<b>Newcastle - change year on year</b>		<b>-17.2%</b>	<b>-40.0%</b>	<b>41.7%</b>	<b>31.9%</b>	<b>-34.4%</b>	<b>-24.3%</b>	<b>-3.8%</b>	<b>-44.0%</b>



Finally, one of the more important measures to re enforcing both the legislation and the message to offenders that alcohol-fuelled violence will not be tolerated is the legislated capability for Police to issue Temporary Banning Orders to offenders 'on the spot'.

Temporary short term banning orders can be issued to a person who has committed an offence under Section 77 of the NSW Liquor Act, for:

- fail to Quit licensed premises
- refusal of entry to licensed premises or remain in the vicinity; or
- refusal to comply with a police direction to move on under section 198 of the Law Enforcement Powers and Responsibilities Act (LEPRA);

Banning orders are reliant upon the ability of venues to recognise a banned individual and refuse them entry.

With more than 380 Temporary banning orders issued by NSW police to date – many with varying effective dates – it's impossible to understand how venues COULD recognise those individuals without some form of technology based ID recognition system.

In summary, whilst we recognise that your review is centred on lock out and cease service, QikID believes that the effects of ID scanning, as illustrated above, should help inform your considerations and in closing would provide some additional but admittedly anecdotal information.

Many of QikID's venues report that simply having an ID Scanner on the door delivers two significant deterrents to alcohol related crime;

- 1) Patrons are less likely to behave badly knowing that their ID is 'in the System' and that should they offend, an easily enforceable Section 77 Ban will ruin their night, or weekend or longer.
- 2) Peer pressure from the more sensible members of their tribe, who don't want their night or weekend ruined, helps to modify the behaviour of a potential offender.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Paul McGrath', written over a light green background.

**Paul McGrath**  
Chief Executive Officer