

4th April 2016

liquorlawreview@justice.nsw.gov.au

Dear Mr Callinan

I would like to make a submission to the independent review of the impact of liquor law reforms. I do so in my own name, but I should point out that I spent some years as a Director of the Foundation for Alcohol Research and Education.

Last year I heard a most moving presentation, by Mr Toby Hall of St Vincent's Health Australia and Dr Tony Grabs of St Vincent's Hospital in Sydney, at the Annual Conference of Mary Aikenhead Ministries. (I was invited to this conference because I am a member of the Mission, Ethics and Advocacy Committee of St Vincent's Health Australia.) Mr Hall and Dr Grabs described the effect that the liquor law reforms had had on the Emergency Department at St Vincent's, not only on the well being of the staff there but also on their ability to care for people who needed emergency treatment for one reason for another.

The references summarized in the attached appendix tell the story in a statistical, and thus informative, way: I am confident others will have supplied these to you. But the reason I make this submission is because of the effect hearing the story of St Vincent's role in the provision of emergency treatment in the circumstances of these reforms had on me. The reforms enabled the Emergency Department largely to resume its commitment to being a site for excellent emergency medicine, to care for those many people who experience life-threatening events at home or on the roads, whose existing illness suddenly worsens, or who otherwise need immediate treatment and care. Of course the staff of Emergency look after, and will continue to look after, people whose lives or health are threatened by abuse of alcohol. But reform of the laws has meant that there are less people who need help for this reason, and of those who do, their condition is less life- or health-threatening than it was before the reforms were introduced.

I was reinforced in my view that these changes to the law were genuinely reforms, and most valuable ones at that. I do urge you to recommend to the government that they be maintained and strengthened.

One last thing. I am aware that the reforms have been inconvenient for some people who do not abuse alcohol, and that it has been hard for some businesses to adjust. I urge you not to recommend watering down the reforms for this reason. The situation was so bad before the laws were reformed that it is not surprising that the changes have had such (unintended) effects. However I also understand that there has been a welcome diversification of businesses in the Cross, welcome because business there had become almost entirely given over to enterprises whose profits depended upon the abuse of alcohol. I understand that there are now new businesses opening up there, businesses which focus more on provision of food and weekday activities rather than relying on weekend sale of alcohol. I also understand that there is evidence that existing businesses are adopting new and better ways of conducting their affairs.¹

Yours faithfully

A handwritten signature in cursive script that reads "Bernadette Tobin". The signature is written in black ink and is positioned below the typed name.

Bernadette Tobin

¹ Indeed, I am deeply skeptical of newspaper reports of the death of commerce in the Cross.

Appendix

Menendez, P., Weatherburn, D., Kypri, K., & Fitzgerald, J. (2015). Lockouts and last drinks: The impact of the January 2014 liquor licence reforms on assaults in NSW, Australia. *BOCSAR NSW Crime and Justice Bulletins*, 12. Retrieved from: <http://www.bocsar.nsw.gov.au/Documents/CJB/CJB183.pdf> In the 12 months following legislative reform of alcohol regulations (in January 2014):

- 32 per cent reduction in assaults in Kings Cross
- 26 per cent reduction in assaults in the Sydney CBD.
- No significant change in areas adjacent to the entertainment precinct.
- No significant change in alternative entertainment precincts in Sydney.
- No significant change in and around Star City Casino
- 9 per cent reduction in assaults across NSW

Fulde, G. W., Smith, M., & Forster, S. L. (2015). Presentations with alcohol-related serious injury to a major Sydney trauma hospital after 2014 changes to liquor laws. *Medical Journal of Australia (MJA)*, 203(9). Retrieved from: <https://www.mja.com.au/journal/2015/203/9/presentations-alcohol-related-serious-injury-major-sydney-trauma-hospital-after%20%20> At St Vincent Hospital Emergency Department, relative to the preceding 12 months, in the year following introduction of the new measures:

- Proportion of critically or seriously injured emergency presentations that were related to alcohol reduced from 4.9 per cent to 3.7 per cent.
- Proportion of alcohol-related serious injury presentations during high alcohol times (6pm Friday to 6am Sunday) decreased from 10.4 per cent to 7.8 per cent.
- A reduction of seriously injured patients during high alcohol times from 140 to 106 or 24.8 percent.

Robertson, J. (2016, 31 March). Sydney Lockout Laws: Severe facial injuries 'reduced by 60 per cent'. *The Sydney Morning Herald*. Retrieved from: <http://www.smh.com.au/nsw/severe-facial-injuries-reduced-60-per-cent-since-lockouts-took-effect-20160331-gnv5pl.html>

- Dr John Crozier has reported that unpublished research demonstrates a 60 per cent reduction in severe facial injuries requiring surgery, from 145 in the 2 years prior to lockout legislation to 58 in the 2 years following.