

Independent review of the impact of liquor law reforms

Thank you for the opportunity to review the impact of the liquor laws. I am a physician with specialist qualifications in Addiction Medicine and public health. I was Director of the Alcohol and Drug Service, St Vincent's Hospital, Darlinghurst from 1982 until I retired in 2012. I have had a particular interest in the prevention of alcohol problems and was a member of the National Expert Advisory Committee on Alcohol for many years in the 1990s. Apart from working in Darlinghurst for three decades, I have also lived in Darlinghurst since 2010. I therefore feel that I know neighbouring areas, including Kings Cross, very well.

In summary, I support the policies adopted in specified areas by the NSW government in 2014 to reduce alcohol related violence. Data provided separately by the Bureau of Crime Statistics and Research (BOCSAR), the NSW Police and St Vincent's Hospital are consistent and impressive. These policies have achieved a substantial reduction in alcohol-related violence. Unintended negative consequences resulting from these policies have been negligible. It is sad, but hardly surprising, that so much misinformation has been provided, largely by vested interests regarding unproven negative effects.

Specifically, I support:

1. Last drinks time
2. One way door policy
3. Bottle shop 10 pm closing
4. Risk based licensing

My recommendation is that not only should these policies be retained for the Kings Cross area and parts of the Sydney Central Business District, but that they should be made state wide.

It is encouraging that Queensland has recently adopted a similar approach.

This approach should become national.

Terms of Reference:

1. The review will assess the impacts of the 1.30am lock out and 3am cessation of liquor sales requirements on:
 - a. alcohol-related violence and anti-social behaviour in the Sydney CBD Entertainment Precinct, Kings Cross Precinct, potential displacement areas, and the broader community;
 - b. safety and general amenity in the Sydney CBD Entertainment Precinct, Kings Cross Precinct, and potential displacement areas;

- c. government, industry and community stakeholders, including business, financial and social impacts, and the impacts on patrons and residents (including whether venues continue to trade after 3am when alcohol service ceases).
2. The review will consider the positive and negative impacts of the 10pm takeaway liquor restriction across NSW, with particular regard to be had to the needs of rural and remote communities, and the social and economic impacts of the restriction on those communities.
3. The review will consider the impact of the periodic licensing system on business viability and vibrancy.

Background:

The consumption of alcohol consumption in Australia results on average in 15 deaths per day. 430 Australians are admitted to hospital in Australia every day as a result of alcohol. In 2010, it was estimated that there were 2.7 million deaths attributable to alcohol worldwide. Reducing the considerable health, social and economic harm from alcohol is one of the most important policy challenges Australia faces. Tobacco is still the most important preventable cause of death and hospitalization in Australia but the prevalence of smoking continues to decline. Alcohol is the second most important preventable cause of death and hospitalization. In Australia, 3.2% of the total burden of disease is related to alcohol use. [1]Alcohol kills 15 Australians every day, 5,554 each year (3,467 male deaths and 2,087 [2]female deaths). [3]In Australian men and women (15+) deaths attributable to alcohol in 2010 represented 4.7% for males and 3.0% for females of all deaths.

The claim that the risks of alcohol are restricted to a small minority of drinkers while the majority drink free of risk is false. Many drink responsibly most of the time but at high risk on occasions. Others drink at high risk most of the time. Much of the harm from alcohol comes from people whose aggregate consumption is moderate. The heaviest drinking 10% of the population account for 50% of the alcohol consumed while the heaviest drinking 20% of the population account for 70% of the alcohol consumed in a population. This extremely skewed distribution of alcohol in communities explains why the drinks industry is so financially dependent on high-risk drinkers.

The experience in Australia and other countries shows that the level of alcohol-related harm, including violence, can be reduced. [4]

WHO ranks alcohol as the third most important cause of global disease and disability accounting for an estimated 4.9 million deaths per year and 5.5 % of disability-adjusted life years. WHO estimated that 80 % of all heart disease, stroke and diabetes and 40 % of all cancers due to alcohol consumption could be prevented.

Alcohol is estimated to cost the Australian economy annually more than \$20.6 billion. The cost of alcohol to the community is estimated to be double the revenue generated from alcohol taxation.

Alcohol-related violence is many times more common than violence associated with all other drugs. Much of the violence associated with illegal drugs results from territorial or other disputes between traffickers. Alcohol-related violence is related to the pharmacological action of the drug and is well understood. Alcohol is a depressant and depresses both the stimulatory and sedating parts of the central nervous system. But it tends to depress the calming parts of the brain more than the stimulatory parts. Hence a tendency to aggression or violence occurs in some people after drinking alcohol.

Responding to alcohol-related harm including violence

In Australia since April 1985, all 9 governments have accepted a national drug policy of harm minimization which comprises supply reduction, demand reduction and harm reduction. Policies effective in reducing the health, social and economic costs of alcohol have been known for some decades. There is a strong consensus among researchers and clinicians around the world regarding which strategies work and which strategies do not work.

Alcohol pricing and taxation

Increasing the price of alcohol and alcohol tax reform are the prevention strategies supported by the strongest evidence.

A 10 % increase in price is likely to lead to a 5% decrease in consumption at a population level. There is a high correlation between the consumption of alcohol at the population level and alcohol related harm. The 2010 Henry review of Australia's tax system supported alcohol taxation reform, especially taxing according to alcohol content rather than beverage class.

Alcohol availability

Reducing the availability of alcohol to reduce alcohol-related harms is also strongly supported by evidence. This can involve reducing the density of alcohol outlets, shortening opening hours and other limitations on the conditions of venues providing alcohol.

The measures adopted in NSW in 2014 are in general well supported by the international evidence.

The New South Wales government introduced laws in February 2014 which: (i) reduced trading hours for licensed venues in the Sydney Central Business District and Kings Cross entertainment precinct and (ii) required all bottle shops throughout the state to close at 10pm. The change followed similar reforms introduced in Newcastle in 2008 which substantially reduced violence.

Restrictions was placed on 14 licensed premises in central Newcastle (most of whom had been selling alcohol until 5am), including a 1.30am lockout and a mandatory, precinct-wide 3.30am venue closure.

The 2008 Newcastle restrictions reduced the number of assaults recorded by police by one third. There is no evidence of violence being displaced to the earlier hours of the evening or to neighbouring areas.

The NSW Bureau of Crime Statistics and Research (BOCSAR) found the policies introduced in February 2014 resulted in an immediate and substantial reduction in assaults in Kings Cross of 32 % and a decline in assault in the Sydney CBD of 26 %.

The NSW Police reported that alcohol-related assaults in Kings Cross fell by 60.7 % between 3am and 6am.

Some increase in violence has been reported around the Star City Casino (Pyrmont, Ultimo). This is an area exempted from the lockout law restrictions. No displacement of assaults to other inner Sydney suburbs with a prominent nightlife (eg: Newtown, Bondi, Coogee) have (as yet) been documented.

Both the Newcastle and early Sydney results reaffirm the evidence that liquor licensing legislation measures that include restricting the trading hours of premises reduce the incidence of assault.

Controlling alcohol-related harm through price increases or availability restrictions has potential benefits and potential risks. Authorities have to try to find the Goldilocks point where gains to the community are maximized and costs to the community are minimized. A serious risk of restricting alcohol excessively is the stimulation of a vigorous black market. This could be seen in the USA during alcohol prohibition (1920-33). A serious risk of not restricting alcohol enough is the stimulation of alcohol-related harm. An example of this is the period known as 'Gin Lane' in England in the 18th Century. Hogarth depicted this period in some well-known etchings.

Liquor licensing laws should be used by governments to encourage and ensure the responsible sale of alcohol to reduce alcohol-related harms.

Decreasing the availability of alcohol including restricting outlet (packaged and licensed) density and trading hours are strategies strongly supported by evidence.

Liquor control legislation should be exempt from the requirements of National Competition Policy. ²

The approach to alcohol outlet density and opening hours should ideally be national. If that cannot be achieved, they should be state-wide. ²

All States and Territories should limit trading for all pubs and clubs to no later than 3am and introduce a 1am lockout. All existing 24 hours liquor licenses should be abolished. The latest time for packaged liquor sales (including from supermarket outlets) should be 10 pm as has been applied in New South Wales and has been shown to be effective in substantially reducing alcohol harm and violence. ²

Recommendations:

1. Last drinks time

I support the retention on the 2014 alcohol law reforms for Kings Cross and Central Sydney based on the reduction in violent assaults in these areas as confirmed by several data sets.

I recommend the reduction of last drinks by two hours across NSW.

The NSW government should declare a moratorium on all Development Applications and Liquor license applications related to extending the service of alcohol past midnight.

2. One way door policy

I support this sensible restriction. As a number of policies were introduced at the same time, determining definitely which policy has been responsible for which benefits or negative effects is not possible.

3. Bottle shop 10 pm closing

I support this very important measure.

4. Risk based licensing

I support this measure.

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