

**Submission
No 110**

MEASURES TO REDUCE ALCOHOL AND DRUG- RELATED VIOLENCE

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City of Sydney Submission

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1. Introduction

The City of Sydney (the City) submission to the Inquiry into measures to reduce alcohol and drug related violence contains a number of recommendations across a number of areas. Recommendations are provided for the following sections:

- The impact of recent measures to reduce violence on police, the courts, hospitals and the liquor industry
- Possible further measures to reduce alcohol and drug related violence
- The effectiveness of measures taken to reduce alcohol and drug related violence in other jurisdictions
- Any other related matters

The City commends the NSW Government for initiating this inquiry into measures to reduce alcohol and drug related impacts and providing the opportunity for stakeholders to participate in this inquiry.

The City is a member of the CBD Entertainment Precinct Taskforce which developed the Plan of Management, and includes representation from NSW Police, NSW Health, Transport for NSW, Department of Planning, Department of Justice and the Office of Liquor, Gaming and Racing.

The City is committed to improving Sydney's functioning at night to ensure night-time experiences are better balanced with daytime activities, and are more inclusive of the broader population. Achieving this will be important as our population continues to age and as tourism markets, work practices and leisure patterns change. The OPEN Sydney Strategy and Action Plan is the City's strategy for the development of Sydney's night-time economy and is the basis for all decision-making about Sydney at night between now and 2030. The strategy includes actions for making Sydney's night-time economy better connected, more diverse, and more inviting and responsive to change.

2. Trends in alcohol and drug related violence in licensed venues and general street areas

Since the new measures were introduced on 24 February 2014, police have reported a reduction in violent incidents on the streets, lower levels of intoxication and better behaviour by people out late at night. St Vincent's Hospital has reported a reduction in admission related to alcohol-related violence, together with a decrease in the severity of injuries presented. City of Sydney CCTV operations room staff have reported fewer incidents of violence and licensed premises staff have also reported the streets are quieter with fewer incidents.

Research conducted by the City over six Saturday nights in the Kings Cross entertainment precinct in March and April 2014 found an 84% reduction in footpath congestion on Darlinghurst Road and a 78% reduction on Bayswater Road when compared with levels recorded in the City's Late Night Management Area Research.

The Inquiry will be aware that the latest crime statistics available from the Bureau of Crime Statistics and Research go up to March 2014. As the measures were introduced on 24 February 2014, the latest statistics do not give an indication of the effectiveness of the new measures. The next quarterly report from BOCSAR will provide a much better insight.

However it should be noted that the previous report details reductions in non-domestic assaults as follows:

		2 year trend	5 year trend (average annual % change)
NSW	Total	Stable	Down 4.9%
	Licensed Premises	Down 5.6%	Down 6.8%
Sydney LGA	Total	Stable	Down 3.3%
	Licensed Premises	Down 15.1%	Down 5.2%
Kings Cross LAC	Total	Stable	Down 4.5%
	Licensed Premises	Down 30.5%	Down 10.7%

Of note are the significant reductions in non-domestic assaults in licensed premises, specifically in Kings Cross. This reduction could be attributed, in part, to the implementation of the Kings Cross Plan of Management in late 2012 which introduced a number of restrictions on licensed premises in Kings Cross.

3. The impact of recent measures to reduce violence on Police, the Courts, hospitals and the liquor industry

The City's OPEN strategy, our [draft Creative City Cultural Policy](#) and our [Live Music and Performance Action Plan](#) all advocate for a greater range of low impact and creative options beyond those that are solely alcohol focused. Having more options open at night creates a safer and more balanced late night economy which attracts a wider range of people into the city centre for a range of different activities.

Business operators in the Oxford Street and Kings Cross areas have raised their concerns with the City, claiming that over 200 people have lost jobs, some businesses have closed down and many others are struggling to survive since the new measures were introduced. Additionally, feedback from the live music sector is that the new measures have had a negative impact on the programming of live music and performance in the CBD precinct.

Musicians have cited loss of employment opportunities in CBD venues and the Sydney CBD Entertainment precinct, while venue operators have cited loss of patrons, event bookings moving to venues outside the Sydney CBD and to illegal warehouse venues and a significant change in promoter & booking agent perceptions of CBD venues.

In March 2014 there were approximately 93 live music venues in the Sydney CBD Entertainment and Kings Cross precincts. This represents a variety of venue types ranging from dedicated live music venues through to licensed venues programming live music occasionally. While the City acknowledges that there has been a reduction in alcohol related incidents in the CBD and Kings Cross, the measures used to achieve this outcome risk the viability of live music and performance in the Sydney CBD, reduce income to musicians (among Australia's lowest paid workers) and performance technical staff and impact the diversity of leisure options available to visitors and residents in Sydney at night .

Additionally, the current measures do not recognise that many of these venues do not exist solely to sell alcohol. For example, the freeze on new licenses means that no new licensed live music venues can be established while the measure are in place, irrespective of their contribution to the cultural life of Sydney or the level of risk they actually pose.

While the Government has committed to an independent evaluation of the new measures after two years, the City recommends the evaluation is undertaken after 12 months and that there is ongoing monitoring. Consideration of the effect of the new measures on lower impact license categories is of particular importance, together with the broader impacts on the community, the local economy and on cultural activity in the city.

In addition, the evaluation and ongoing monitoring process should ensure these reported impacts are comprehensively analysed and reported. In the event that evidence shows that there has been significant and ongoing negative impact on cultural businesses and diversification of evening activities in Sydney, policy responses should be developed which provide for more nuanced regulatory conditions.

It is recommended that:

- The NSW Government develops an evaluation framework which considers cultural, tourism and leisure impacts, and impact on the local economy.
- Commit to an earlier evaluation (at 12 months) and ongoing monitoring of the new drug and alcohol measures

4. Possible further measures to reduce alcohol and drug related violence

The City's Late Night Management Area Research shows that 55 per cent of those accessing the night-time economy after 11pm are under the age of 30. In line with the OPEN Sydney strategy we strongly advocate for the provision of a more diverse night-time economy with more non-alcohol activities available to this younger audience.

There are currently limited alternative options in late night activities for young people. Live music has been identified by young people as the first preference for live entertainment. The opportunities sit not only in the audiences' ability to access alternative entertainment but also in live performance opportunities for young performers.

Live music and performance activity has a significant role to play in changing the night time environment in central Sydney. Qualitative research undertaken previously suggests that such activity can have the effect of reducing alcohol consumption and/or providing a safer, more welcoming environment.

In 2011 Deloitte Access Economics published *The Economic, Social and Cultural Contribution of Venue-Based Live Music In Victoria*, which stated:

"It was overwhelmingly indicated that live music can have positive impacts for the community – 92% of patrons surveyed believe that live music in venues improves quality of life, and 84% believe it provides a welcoming and safe environment. These findings are supported by evidence obtained through consultations, where it was suggested that live music in venues can be a solution to many actual or potential social issues through the social connections it creates. A number of participants noted that live music often draws the focus of the crowd away from alcohol consumption and towards the music performance – the specific reason for attendance at the venue for 63% of patrons."

Venue operators state that the presence of live music and performance has the effect of reducing alcohol consumption. A recent City of Sydney survey tested attitudes toward live

music in the community. 82% of respondents believed that “venues that offer live music and performance have a more welcoming and safer environment”.

Despite this, there has been very little research undertaken into the relationship between live music and performance, alcohol consumption and anti-social behaviour in licensed premises. The existing research is a qualitative assessment of public perceptions of the relationships, and further research is required to test and quantify the role of live music in mitigating alcohol consumption and anti-social behaviour, as a future contribution to policy reform around liquor licensing of live music and performance venues.

Liquor outlet density is strongly associated with increased levels of alcohol-related violenceⁱ. The City has been a strong supporter of measures to address outlet density such as the current liquor freeze in two areas of the City. There are many international precedents of addressing outlet density. Some jurisdictions (such as British Columbia and local authorities in the United Kingdom) use “saturation zones” where no new licensed premises are permitted for a certain period of time. Other jurisdictions (such as New York and Paris) use “cluster controls” which don’t permit new premises within a set number of metres from existing premises and other uses (e.g. schools or hospitals).

The current trial in the City of Sydney and City of Newcastle uses the Environmental Venue Assessment Tool which applies a range of criteria in assessing licence applications, and aims to address issues such as cumulative impact. Following the completion of the current Environmental Venue Assessment Tool trial in 2014, the City recommends a “saturation zone” model which provides licensing authorities and local governments the capacity to create a more dispersed licensed environment. This tool should also enable a more diverse licensing environment to emerge by allowing local government to control the saturation of particular licence categories within an area.

It is recommended that the provisions for saturation zones be enacted within the *Liquor Act* 2007. As in England and Wales, the responsibility to create a saturation zone could be devolved to the local authorityⁱⁱ. Detail about the process for creating saturation zones could be created within the *Liquor Regulation* 2008.

The provisions could work in a similar manner to existing “Alcohol Free Zone” provisions under the *Local Government Act* 1993, where councils are required to demonstrate clear evidence against criteria established by the research and undertake extensive public consultation and council approval prior to the creation of an alcohol free zone. Such criteria for the establishment of a “saturation zone” would include matters such as the number of licensed premises, the distribution of particular licence categories, the number of late-trading licensed premises, crime data in the precinct, availability of late night transport and other data in relation to social and amenity impacts of the sale of alcohol in the particular precinct (such as pedestrian counts, waste collection requirements etc.). The types of premises included in the saturation zone could be determined by the local authority.

Approval of a saturation zone would require council resolution and sign off by the Director-General, to ensure that it undergoes a transparent process.

It is recommend that:

- The NSW Government partner with the City to undertake geographically specific research into alcohol consumption and behaviour patterns at live music and performance venues.
- New Saturation Zone Provisions are created in the Liquor Act that could be established for a period of three years. That consideration is given to cumulative

impact through both the planning and liquor licensing regimes, as has been the case in Victoria and that consideration is given to statutory anti-clustering measures that include mechanisms to manage concentrations of particular licence categories.

Additional measures that can contribute to a reduction in alcohol related violence, based on international research, for which the City has long been advocating are:

- **Improved late night transport - 24 hour trains, buses and light rail on Friday and Saturday nights**

Tens of thousands of people are present on the city streets late at night. Despite this, public transport is limited and/or ceases, e.g. trains. The free buses out of Kings Cross are welcome, but to move tens of thousands of people safely across metropolitan Sydney other modes of transport operating on Friday and Saturday nights are needed.

- **A new public City and State Government Committee (similar to the CSPC and CSTTC) to assess new liquor licences, extended trading hours and increased patron capacities**

There is confusion in the community about which agency is responsible for planning approvals for liquor licences and venues. Establishing a public State and City Committee to co-ordinate assessment and decision making for licences, trading hours and requests for increased patron capacities will ensure the process is transparent and the public can have their say. This will also ensure better co-ordination between the State and the City in determining new approvals.

- **Develop a targeted evidence based strategy to address the issue of pre-fuelling**

Pre-fuelling remains a real challenge. A targeted, evidence based strategy is needed to address the problem of people arriving on trains and buses on Friday and Saturday nights already intoxicated.

5. The effectiveness of measures taken to reduce alcohol and drug related violence in other jurisdictions

There has been extensive research investigating the relationship between the availability of alcohol and social harms. An international review of studies investigating the impact of variations to trading hours concluded that extended late-night trading hours leads to increased consumption and related harms (Stockwell & Chikritzhs 2009). A recent evaluation of the impact of significant restrictions on the trading hours (among other conditions) of a number of problematic premises in the Newcastle CBD found a significant reduction in the number of assaults, with no evidence of displacement to other neighbourhoods or premises—and a subsequent follow-up study found that this impact had been sustained over time (Jones et al. 2009; Miller et al. 2012).

The Australian Institute of Criminology (AIC) recently completed a review of the existing four evaluations undertaken on the effect of the Newcastle Solution on levels of violence in Newcastle from a *realist perspective*. The AIC found that they can be reasonably confident that the Newcastle Solution caused a reduction in alcohol related assaults in Newcastle; however questions remain about the exact mechanism of change and how they operate to bring about the reduction in alcohol-related violence.

It is recommended that:

- Consultation is undertaken with the Australian Institute of Criminology in the development and implementation of the evaluation plan to understand motives for change and how they operated to effect reduction in alcohol-related violence.

6. Any other related matters

In September 2013, the newDemocracy Foundation and the Thomas Kelly Foundation approached the City to contribute \$60,000 towards the cost of convening a Citizens' Policy Jury to consider how we can ensure a safe and vibrant Sydney nightlife.

The NSW Government also contributed funding. newDemocracy had recently completed a similar project for the South Australian Government.

The City agreed to consider and respond to the Jury's recommendations and the then Premier agreed to table them in Parliament.

Comprising 43 participants selected to mirror the demographic profile of metropolitan Sydney, the Jury, began its deliberations in February 2013. They met six times over three months, in five full-day sessions, and a final evening session. Several jurors also took part in a late night tour of key entertainment areas on Saturday, 15 February 2014.

The Jury received 39 submissions from the public. A range of experts gave presentations to the Jury, chosen by the Jury itself. The Jury's work was supported by an ongoing, online private discussion forum and an online library.

The Jury's final report contained 25 recommendations. The recommendations were grouped under:

- Diversity;
- Transport;
- Policing and safety;
- Education and media; and
- Lockouts and licensing

The City supports the recommendations made by the Citizens' Jury and includes the report for consideration by the Inquiry.

As cited in a recent study¹ by the Australian Institute of Criminology there is considerable evidence in support of a range of supply reduction and demand reduction strategies to reduce alcohol consumption and related harms, including violence and public disorder.

The following list represents those strategies evaluated as being *effective*:

- Minimum legal purchase age;
- Ban on sales (e.g. certain communities or events);
- Hours and days of sale;
- Restrictions on outlet density;
- Restrictions by strength;
- Enhanced enforcement of liquor legislation;
- Alcohol taxes;
- Differential price by strength;

¹ Morgan et al (2014) *Northern Territory Safe Streets Audit: Special Report*, Australian Institute of Criminology

- Special taxes on youth-oriented drinks;
- Brief interventions with at-risk drinkers and students;
- Medical/social detox;
- Interventions targeting drink drivers (RBT, BAC limits, license suspensions, treatment);
- Community-based programs supported by police enforcement;
- Dry community declarations; and
- Training bar staff and security in managing aggression.

Those that are deemed to have *mixed or uncertain results* include:

- Lock outs; and
- Minimum price.

Those considered *not effective* include:

- Classroom education;
- Warning labels and signs;
- Social marketing;
- RSA training (without enforcement);
- Liquor Accords and community-based programs (without enforcement);
- Local area alcohol bans; and
- Promoting alcohol-free events.

It is recommended that:

- Ongoing consultation is undertaken with the Australian Institute of Criminology in the development and implementation of measures to reduce alcohol and drug related harms.

6. Conclusion

The City of Sydney is committed to having a safe and inclusive city at night for its residents, workers and visitors. The City commends the State Government for the action taken to date to address the issues of alcohol related crime and violence on the City's streets late at night.

The City does not believe that taking tough action on drug and alcohol fuelled violence should undermine Sydney's status as a dynamic and global city. The measures need to be well researched, evidence based and flexible enough to support initiatives that contribute positively to Sydney's night time economy and cultural life.

Finally, it is important to acknowledge the improved collaboration between the City and various State Government departments through the creation of, and ongoing commitment to, the CBD Entertainment Precinct Taskforce. The result of this collaboration is improved outcomes for the Sydney community.

ⁱⁱ Roberts, M. Et al (2006) A continental ambience? Lessons in managing alcohol-related evening and night-time entertainment from four European capitals, *Urban Studies* 43(7): 1105-25