

**Submission
No 747**

SYDNEY'S NIGHT TIME ECONOMY

Organisation: Chill Out Zone

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CHILL OUT ZONE

Submission to MSW Parliament
Joint Select Committee on
Sydney's Night time Economy



Balancing the needs of local amenity, safety and commercial interests in late night precincts is an ongoing challenge for governments and stakeholders. Increasing attention to safety and greater regulation in the past ten years has generated mixed results, often with unintended consequences.

The social and cultural value of late-night entertainment precincts is often lost in the debate around safety, and many regulatory strategies impact the whole of the patron base and commercial providers, regardless of their impact on safety and amenity. This can result in dispersal of issues into less monitored environments, and most certainly results in significant economic impacts, and dissatisfaction of the patron group and industry bodies in relation to government processes.

The Queensland government, like most State governments in Australia, has implemented a range of strategies designed to enhance amenity and safety over the last fifteen years. This includes the introduction of the first “lockout” laws in Australia (trialled in Surfers Paradise in 2004); mandatory identification scanning (2014); introduction of ban on sales of rapid intoxication drinks from midnight (2015); and 3am cease of alcohol service in late-night precincts (2016). A plan to introduce a 1am lockout on late trading venues was abandoned in 2016 in favour of ID scanning. The Surfers Paradise precinct has also been one site for two major government strategies aimed at reducing harm – the Drink Safe Precinct Strategy (2010 – 2012) and the Safe Night Precinct Strategy (2016 – present).

This submission draws on both data and observations from the Chill Out Zone, an immediate care and first aid service which has operated in the late-night precinct of Surfers Paradise for twenty years consistently. The service has averaged around 1500 clients per year for the last ten years. While client numbers declined during the Drink Safe Precinct (DSP) initiative, they are steadily increasing again. Assault numbers within the precinct dramatically declined during the DSP strategy, and have remained at reduced levels even as overall client numbers rise (see Figure 1,2).

While it is impossible to state whether these figures could be extrapolated to other precincts, they remain fairly consistent across the three precincts where the service has operated, and are able to demonstrate effects of both legislation and regulatory changes, and government strategies designed to minimise harm.

FIGURE 1: TOTAL CLIENT NUMBERS AND ASSAULT RELATED INJURIES – 2005 – 2018

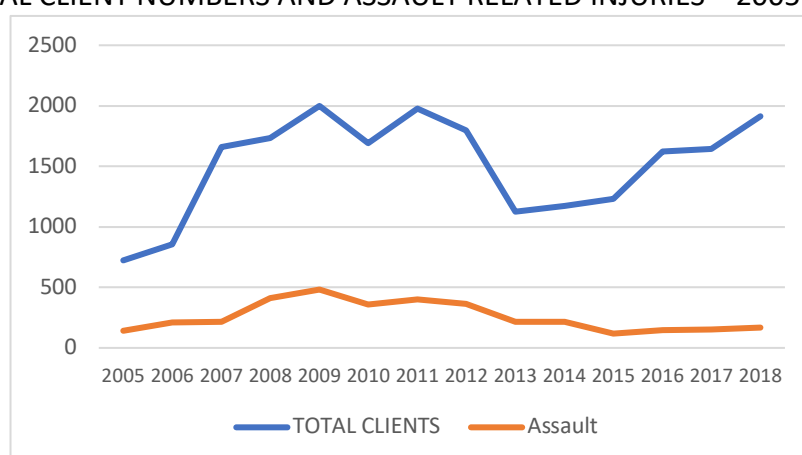
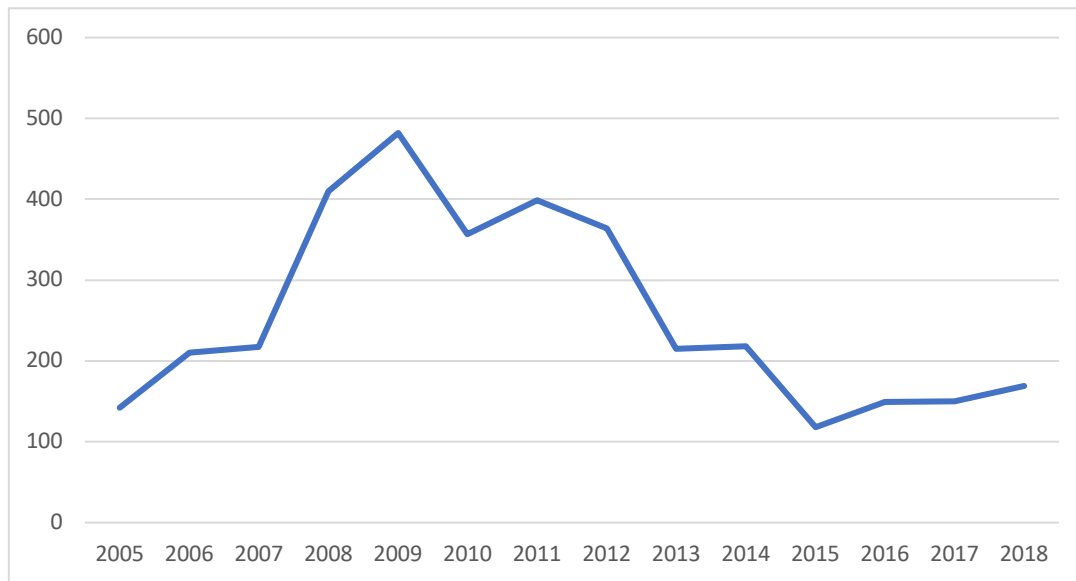


FIGURE 2: ASSAULT RELATED INJURIES BY YEAR



One factor often overlooked in the management of late-night precincts is that the patron group is cyclical – the majority of patrons are between 18 – 25 years of age, and as they age are replaced by the next cohort. This can have significant impacts on the changing of culture, as any gains experienced may be eroded as the patron group cycles through the frequenting of late-night precincts. The entertainment offerings of precincts affect both precinct culture and patron numbers. For the most part, entertainment offerings will be market-driven.

Another important aspect of the concentration of this age cohort is the recognition that this group will demonstrate increased risk-taking and other impulsive behaviours.

It also indicates that late high school, workforce entry and universities may be appropriate targets for education and strategies designed to effect culture. Patrons who continue to enjoy late night precincts beyond this age range may be an additional opportunity to positively influence culture.

The Chill Out Zone service was originally designed to provide Queensland Police with an option of diversion from custody for the offence of public intoxication. The service is structured to assist patrons with First Aid, health related issues and intoxication, as well as other assistance/information that may be required in the late night environment. The Chill Out Zone has been operating as a funded service in the late-night precinct of Surfers Paradise since 1998.

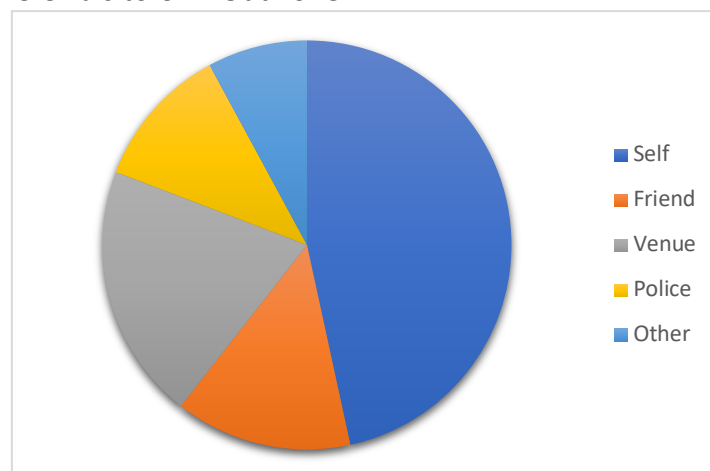
The Surfers Paradise late night precinct is a significantly busy night life precinct, with over 200 licensed venues, of which 22 are late-opening venues (licensed until 5am – cease of service at 3am under current restrictions). As the Chill Out Zone has offered consistent service for twenty years, while gathering extensive data, it has been an excellent tool for identifying changes in the environment over time, as well as changing trends in response to legislative or policy changes.

CHILL OUT ZONE BACKGROUND

The service has operated consistently on Friday and Saturday nights in the Surfers Paradise late night precinct since 1998. The service offers First Aid, information, intoxication care, phone charging and general welfare, as well as the provision of drinking water to patrons and others in the late-night environment. The service is staffed by professional workers trained in a variety of relevant fields. The service has also operated in Fortitude Valley (Brisbane), and currently operates an additional service in Broadbeach, Queensland.

The service is used by all stakeholders to assist with appropriate patron management and support. The clients themselves are the primary referrers into the service, both for themselves and for their friends, demonstrating its appeal to the patron group (see Figure 3)

FIGURE 3: 2018 – Referrals to Chill Out Zone



The service is operated from a custom-built caravan trailer, equipped with all supplies, seating, bench seats for patient care; connected to other services and venues via a radio system. The trailer is parked in the main street of Surfers Paradise, in very close proximity to large capacity venues. The location allows significant impact of the service as a “capable guardian” under CPTED principles, contributing to crime prevention objectives, as well as reporting antisocial behaviour.

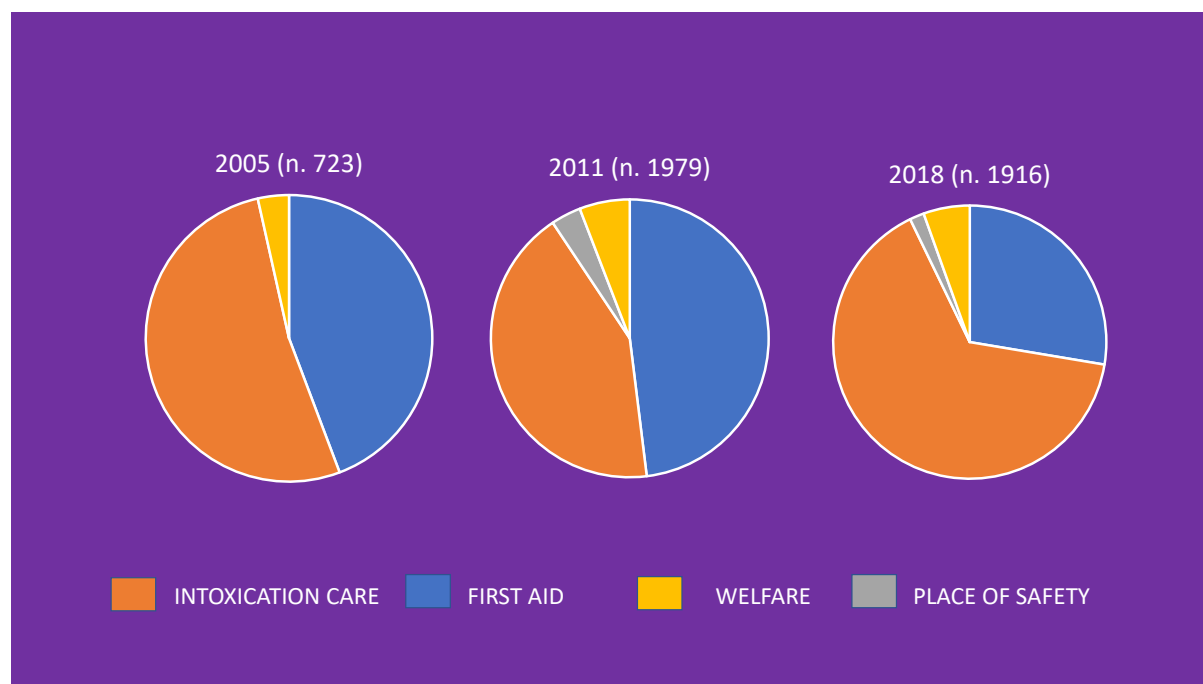
DATA COLLECTION – Assaults and Intoxication

The service collects extensive, non-identifiable data on all clients cared for, as well as general information regarding the service and precinct each night of service (See Appendix A). A significant amount of data is collected for each “Assisted Client” – defined as those who require staff intervention or assistance for health or safety reasons.

Intoxication care remains the primary purpose of the service, and this too is subject to fluctuations across the years (See Figure 6 for Types of Intoxication). First Aid is primarily for accidental or assault related injuries, and existing conditions such as epilepsy or asthma.

Most assault related presentations occurred in public spaces, not in licensed venues, which means regulatory regimes aimed at venues may not assist in managing this issue. Enforcement of regulatory issues may also inadvertently contribute to aggression and anti-social behaviour through when implemented by venue staff and regulators.

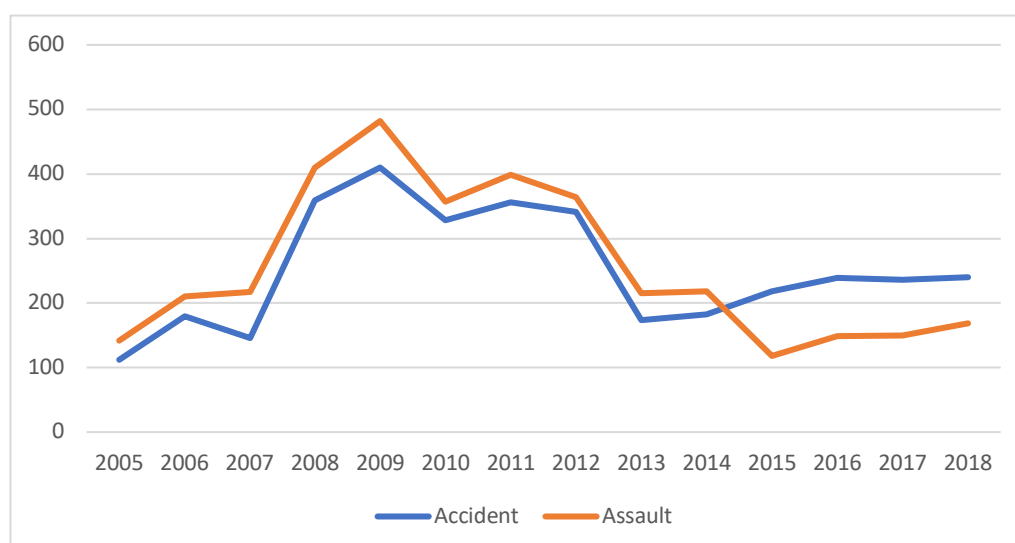
FIGURE 4: CLIENT REASON FOR PRESENTATION:



Assaults in the Surfers Paradise precinct dropped dramatically during the Drink Safe Precinct Strategy trial (2010 – early 2013), and in 2015, assaults dropped below accidents as the primary cause of injury of clients presenting to the service for the first time in the service’s history. (See Figure 5).

In the previous three years (2016 – 2018) assault figures have begun to rise again, indicating the early venue closures mandated by legislation may not be having the desired effect. The increase is small (about 20 incidents per year each year), but assault related incidents remain a cause for concern due to what can be catastrophic outcomes.

FIGURE 5: ACCIDENTAL AND ASSAULT RELATED INJURIES

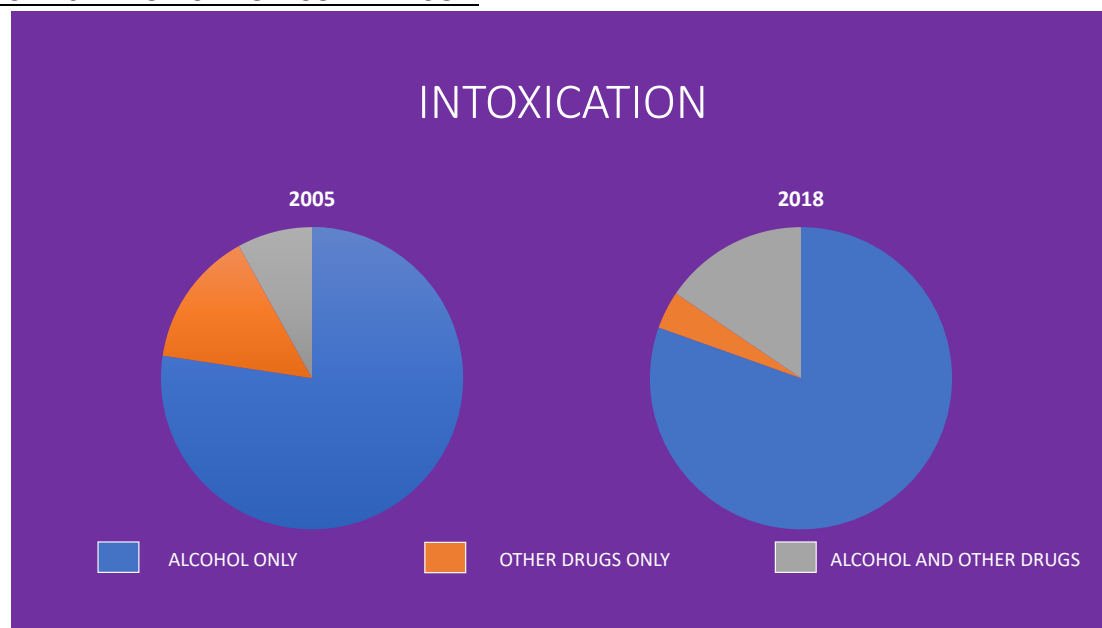


INTOXICATION

Intoxication can be a contributor to both health related harms, and harms from increased propensity to aggression for some patrons. The majority of Chill Out Zone clients are managed for health related concerns from consumption of alcohol or drugs.

There has also been a significant shift in growing numbers of clients using both alcohol and drugs in a single session (see Figure 6), resulting in an increasing number of intoxication related presentations (See Figure 3)

FIGURE 6: INTOXICATION COMPARISON



The compounded risks of mixing substances, particularly those that are illegal and therefore unregulated, pose significant risks to patron health in the nightlife environment. Patrons who have ingested both alcohol and drugs are the most likely clients to be transported from the precinct by Queensland Ambulance Service.

As would be the case with most NTEs, common substances include ecstasy, MDMA in powder form, other Amphetamine type substances, cocaine, GHB and ketamine and prescription medications used for non-medicinal purposes. Acknowledgment that night life precincts may be associated with an increased propensity to illicit substance use, and the health-related harms that can occur, would facilitate the provision of appropriate services and information to minimise these harms.

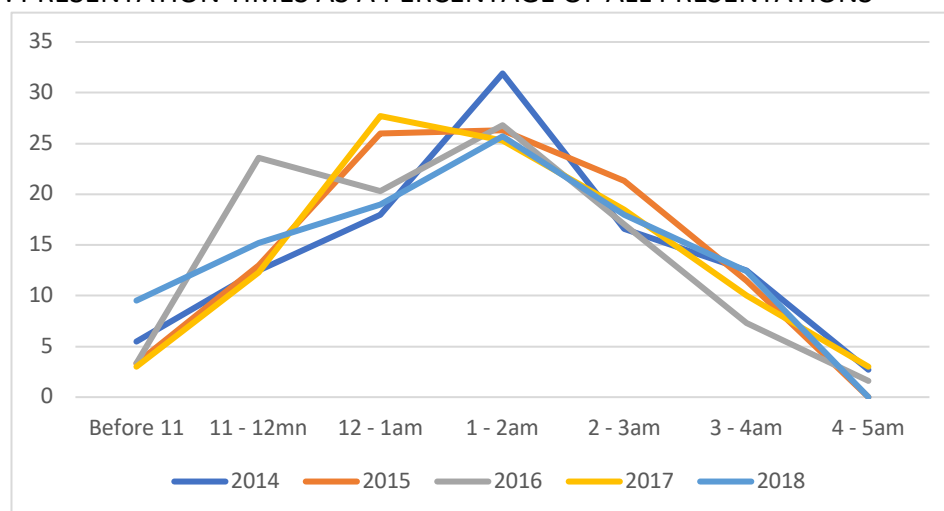
TIME OF PRESENTATION:

Despite significant changes to opening hours of licensed premises through legislation and government strategies, there has been little change in the times of clients presenting to the Chill Out Zone.

Peak presentation time for the service has always been between 12midnight and 2am. The ban on rapid intoxication drinks after midnight seemed to result in a spike in earlier presentations in the year it was introduced (2016), but this has since resolved.

Very few clients present to the service after 3.30am, regardless of whether the closing time for the studied period is 5am or 3am (The service itself operates until 4.30am, with extensions possible if necessary). Figure 7 shows the percentage of client presentations as a part of annual client presentations for the previous five years.

FIGURE 7: PRESENTATION TIMES AS A PERCENTAGE OF ALL PRESENTATIONS



NTES, ECONOMY AND CULTURE

As previously noted, night time environments do appeal primarily to a younger cohort, although this can very much depend on entertainment offerings. The move by City of Sydney to intentionally diversify night time offerings is a step in a positive direction to broaden the scope of appeal of late-night environments. With appropriate supports and adequate transport options, diversity of entertainment can broaden the patron group and positively affect culture.

The fact remains though that every major city is likely to have one particular precinct that serves as a late-night hub primarily for those who simply wish to socialise and consume alcohol, whether that be in a nightclub or hotel or other environment. Diversification of offerings may attract others to individual venues, but late-night precincts primarily made up of late opening nightclub venues will remain important, unless regulated out of existence, which is likely to disperse issues throughout a wider area.

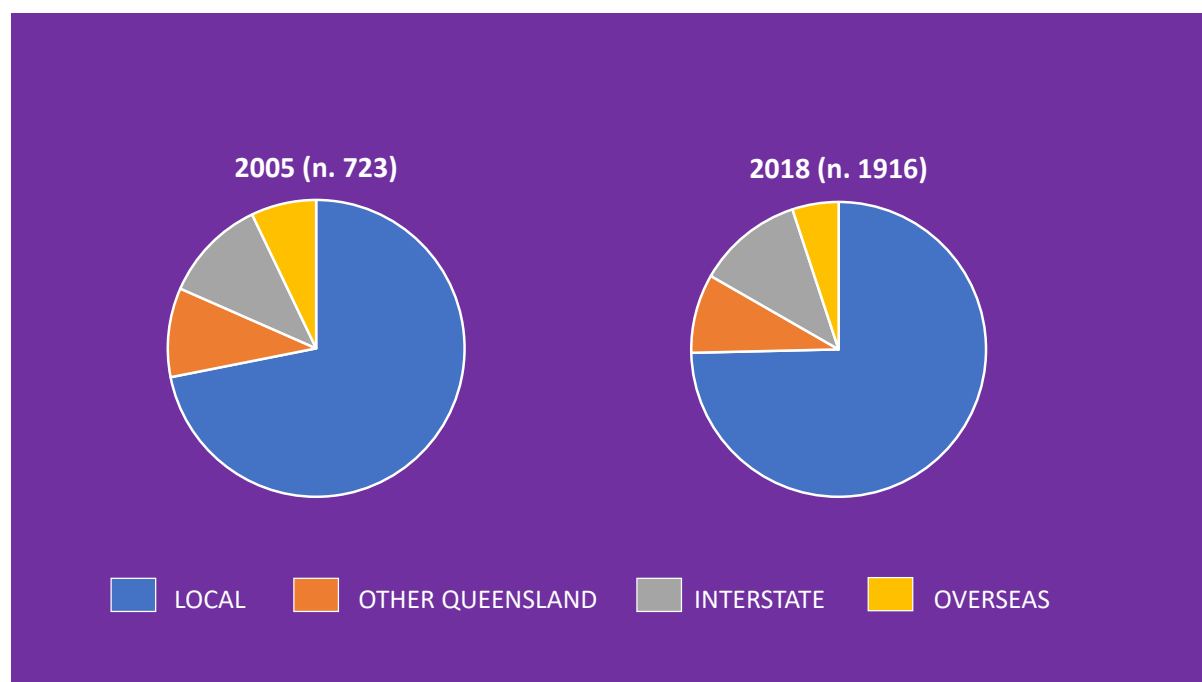
The issue of pre-loading prior to attending licensed venues is also a challenge from a management perspective for late night precincts. This practice is widespread, with varying attributions for this behaviour from the patron group – primarily economic and social. Again, concentrating on interventions that regulate venues does not address issues beyond venues, such as preloading, so regulatory interventions cannot hope to influence other behaviours.

Every major city will have adult entertainment venues, and these generally do sit in late night precincts. Although these precincts can represent challenges in regulation and enforcement, the concentration of venues within a precinct is a more sensible approach to policing and other support services, as it allows the majority of patrons to be gathered in one place where

it is easier to concentrate resources. Each weekend night, for many of these precincts, would be considered a major event in any other context, and can be managed as such.

Although Surfers Paradise is a significant domestic and international tourism destination, the vast majority of clients of the service are local residents of the Gold Coast (see Figure 8), demonstrating that late night precincts are an important part of a city's culture.

FIGURE 8: ORIGIN OF CHILL OUT ZONE CLIENTS



The Queensland Government recognised this by designating 15 areas across the State as “Safe Night Precincts”, with specific opening hours, regulations and supports. The strategy further offers a model of place management with funds available for local interventions.

The culture of those precincts, and the capacity to monitor them, is an important consideration when managing safety and the perception of safety.

While close to 2000 clients in some years looks like an impressive statistic for the Chill Out Zone in Surfers Paradise, considering a low estimate of over 2 000 000 people through the precinct each year, those requiring support are a tiny fraction of patrons. The accessibility of that support for patrons, and the capacity of those supports to monitor changes in the environment can be a powerful tool in assisting with managing safety and amenity, as well as providing immediate care to those who require it.

As stated, the majority of clients come to the Chill Out Zone by self-presenting when they require assistance, indicating not only the acceptance of the service, but significant help-seeking behaviours of clients who recognise when they need assistance. This expectation is important when encouraging late night patrons to assume responsibility for themselves and their actions.

As well as those who may have been the victim of violence, or over-consumed alcohol or drugs, the Chill Out Zone provides health support to patrons who have an existing health issue (generally epilepsy, asthma or diabetes; or mental health related concerns), as well as identification and assistance to special populations, including the homeless and unaccompanied minors.

Late night precincts do hold both social and cultural significance for those that frequent them. This should be an important consideration when making plans around their regulation. They do have a social purpose for patrons. In looking at popular late night precincts, the instances of anti-social behaviour vs number of patrons is obviously quite telling – not everyone is there to cause trouble or misbehave. Legislation and regulation should focus, where possible, on individuals who are doing the wrong thing. Political disenchantment often occurs when the majority feel they are being punished for the behaviour of a minority. One Queensland strategy that has been successful in addressing this has been Patron Banning Orders linked to identification scanning. Patron bans can be initiated by the venue (visible on systems but not enforceable) Police bans and Court bans. Patrons may be banned from one late night precinct, or several, or every premises in the state. This strategy successfully punishes those who have done the wrong thing, rather than blanket changes to hours or service that target all patrons. Additionally, this cohort has identified social exclusion as an effective form of behaviour awareness, if not necessarily change.

The economic value of the night-time economy is well documented. If anything, Australian NTEs could increase their share of the economy through careful, collaborative management. Both the City of Sydney and NSW have made significant investments into researching the value of night time economies.

STAKEHOLDER RELATIONS

Every successful strategy in Surfers Paradise has had stakeholder collaboration at its heart. Regulatory systems are often time consuming and expensive (particularly prosecution of licensing breaches) and may or may not have a successful outcome. Collaborative strategies that ask regulators to work with traders and licensees have a far greater chance of implementation and ongoing success.

Examples of these in the history of our precinct include:

- The voluntary move of the majority of licensees to polycarbonate serving containers in 2009, after meeting with regulators around a report into glassing incidents. Subsequent legislation mandated the use of polycarb glassware for high risk venues- by this stage most venues had already moved to this form of glassware, on the basis of the collaboration for the report and its discussion on tabling.
- Intervue Radio System: A project of licensees themselves, the system has been in existence since 2009, linking venues with the Chill Out Zone, each other and the Council CCTV Monitoring Room (and the Police via the CCTV Room). The City of Gold Coast had invested heavily in infrastructure for the CCTV Network, and the linked late night radio system allows for faster reporting of and response to anti-social or

aggressive behaviour in the late night environment. Currently, 28 venues are joined via the network, participation is voluntary and enthusiastic.

- The Chill Out Zone itself was developed through a collaborative effort of government and non-government agencies, and originally funded through the licensee association. As can be seen in Figure 3, all late-night stakeholders are comfortable referring patrons to the Chill Out Zone. The success of the model has been largely dependent on its original development via collaborative processes.
- Banning Orders: While these can be mandated by law through Queensland Police, venues are also able to instigate bans, which are shared with other venues on the linked system. The frequent use of venue banning by venues themselves is a good example of collaboration to address issues.

It is an often repeated myth that licensees do not care about safety. To successfully run and keep open licensed premises, any good licensee must have patron safety at the heart of their planning. Patrons generally stay away from venues where they have had bad experiences, or that they deem unsafe, meaning this is not a viable business strategy long term.

Strategies that do not involve licensees in developing responses to issues both within their venues and in their precincts have far less chance of success than those where industry have a sense of ownership, and an understanding of how these strategies, and their actions, contribute to community safety, and the safety of their patrons. In Surfers Paradise, many venues employ excellent safety strategies that they have developed and implemented themselves, which is likely the case with many venues across a range of precincts. The sharing of these strategies alone could make an enormous difference to the safety of patrons and amenity of precincts.

The introduction of regulations which stifle business development and co-operation can result in animosity between regulators and venues, which itself becomes a huge barrier to collaboration and co-operation. Venues themselves have undeniably stronger links to patrons, and their collaboration to change patron behaviour, where necessary, is vital.

Successful venues stay open because they satisfy commercial imperatives. Popular nightlife precincts encourage good operators, as there is less competition for patronage, which can lead to unsafe promotions, or those that encourage rapid intoxication.

Conclusion:

While data from a service in another state may or may not be relevant to NSW, the foundations of late night precincts are the same internationally, as are the challenges they face. In Surfers Paradise, through having a State Government and community that have invested consistently in a service like the Chill Out Zone, the collected data is able to give insights into often hidden or distorted information that is simply not available by other means. By having consistency of service operation across 20 years, the service is able to identify shifts in patron presentation and the environment itself that may correlate to changes in legislation and government policy.

Based on the data available and the timeframe, this service strongly believes that the most important changes to anti-social aspects of culture have not come from changing hours or

service of alcohol, or the targeting of individual premises, but from targeted projects that asked all stakeholders to identify issues and ways to address those issues, where regulation and punishment sits firmly with those who are doing the wrong thing in these environments, whether they are patrons or venues. It is unlikely that unsafe venues would be commercially popular in the long term, and well managed venues would support increased regulatory scrutiny of unsafe venues.

It is possible to effect cultural changes that create safer spaces, but it is important to keep in mind that the cyclical nature of patrons who utilise late night precincts mean that these efforts need to be consistent across time. Venues are in the best position to create late night culture and communicate it to patrons. Unlike many other services in late night environments (including police cells and services like the Chill Out Zone) patrons generally want to be in venues.

While strategies could be employed to change the culture within precincts where necessary, significant opportunities also exist at age appropriate points for young people to receive education in relation to alcohol and drugs.

Attempting to create safer precincts by increased regulation of venues misses the chance to develop strategies that actually change the culture where necessary, and thereby also effect change in public spaces.


Many Australian and international jurisdictions are at an important juncture in terms of managing and regulating late night precincts. Recognising the value that these precincts hold in the community, particularly for young people, creates an alternative to purely regulatory responses, which can only affect the licensed venues themselves, rather than the culture or the safety of public spaces.

To truly influence culture to minimise harm related outcomes will require collaboration between industry, governments, communities (including residents) and patrons themselves. All parties can agree on the importance of safety and reduction of harm in late night precincts, and can leverage that agreement into workable strategies that work for individual precincts. The alternative is to continue reviewing regulatory frameworks that have proven to be only a moderately effective tool to reduce harm, but are resource and financially intensive, and have resulted, in some areas, in economic damage.

As long as Australia continues to be considered a “wet” drinking culture, late night precincts will exist. These can be managed to enhance safety, economic impact and social and cultural significance, if collaborative frameworks are used.

Appendix A

Data Collection Tools

COZ ASSISTED CLIENTS - DATA SHEET			
Entry ID	17672		
Carer		Assisted By	
Date		Night	
		Client Arrival Time	
ID		Age	
		Origin	
Gender			
Source			
Action Taken			
Intoxication		Outcall	<input type="radio"/> Yes <input type="radio"/> No
Event		QPS Involved?	<input type="radio"/> Yes <input type="radio"/> No
		Drink Spike?	<input type="radio"/> Yes <input type="radio"/> No
Presentation		Intervention	
Ambulance		Given	
Venue Name		<input type="radio"/> Referred	<input type="radio"/> Last Attended
Time In COZ		Released To	
		Release Time	
Injury			