

DRINK SMART, HOME SAFE

Labor's plan to tackle alcohol related harm

Labor

Authorised by John Robertson MP, Parliament House, Macquarie Street, Sydney



A message from John Robertson

Everyone should be able to enjoy a social drink with friends in a safe environment. While the majority of people consume alcohol responsibly, excessive consumption by some is placing a growing health, social and economic burden on our community.

It is a sad reality that lives are being lost and families are being destroyed as a direct result of mindless violence linked to alcohol on Sydney's streets. As NSW Labor Leader, I am determined to tackle this policy challenge and drive the cultural change that is needed in our community.

I have considered the research. I have walked the streets of Kings Cross and Sydney's CBD late on Friday and Saturday nights with the NSW Police. I have consulted with a range of experts. My view is that strong action is needed to protect our communities and protect our families.

That is why Labor is proposing a wide-reaching policy - *Drink Smart, Home Safe* - to make real inroads in addressing this major problem with alcohol. In Government, Labor will:

1. Commit to an 18 month trial of 'Newcastle style' restrictions in Kings Cross and Sydney CBD to combat alcohol related violence, including:
 - 1.00am lock-outs;
 - 3.00am last drinks; and
 - Restrictions on high-alcohol content drinks after 10.00pm

Labor will also conduct an independent study to measure the success of the policy to reduce incidents of alcohol related harm.

2. Treat every Friday and Saturday night like a major event - more police, more transport. We will commit to introducing a late night train service from Kings Cross to Town Hall and Central Station to help move thousands of people out of the CBD quickly and safely.

Labor will also investigate introducing late night trains on other lines.

3. Establish a new independent liquor regulator which operates outside NSW Trade and Investment and is committed to minimising alcohol related harm as part of its strategic priorities.
4. Introduce Risk Based Licensing Fees to establish a licensing structure which will provide a clear financial incentive for both hotels and bottle shops to comply with the law and implement measures which reduce alcohol related violence. Any additional revenue generated from the new licensing system will be used to fund proactive policies to address alcohol related harm, including more police, CCTV and transport in our entertainment precincts, as well as education campaigns.
5. Introduce Controlled Purchase Operations (undercover operations with 16 & 17 year olds) to target licensees selling alcohol to minors.
6. Mandate the collection and reporting of alcohol sales data to allow the Government to map alcohol sales by suburb to understand the true extent of alcohol related harm in NSW.

I am determined to drive down alcohol related violence and address the impacts of alcohol related harm on our community. Labor will tackle this issue head on, and will be vigilant in our commitment to make Sydney's streets safe.

A handwritten signature in black ink, appearing to read 'John Robertson', with a stylized flourish at the end.

John Robertson MP
NSW Opposition Leader

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The Challenge

Most people enjoy alcohol responsibly, and as a principle, everyone deserves to have a drink, relax and enjoy a good time. However, the health, social and economic burden caused by alcohol in New South Wales is substantial. Excessive alcohol consumption causes harm not only to the drinker themselves, but to their families and other people they come in contact with.

The majority of Australians (75 per cent) believe that we have a problem with excess drinking or alcohol abuse and 74 per cent believe that more needs to be done to address alcohol harmsⁱ.

The consequences of alcohol related harm include:

- Alcohol related violence
- Chronic disease
- Domestic violence
- Motor accidents causing death and serious injury; and
- Child neglect

According to the Auditor-General, the annual cost of alcohol abuse to the NSW Government in 2010 was \$1.029 billion. The total societal costs were greater, with the Auditor-General estimating a \$3.87 billion cost cost to the community each year, or \$1565 for every household in NSWⁱⁱ.

Recently, the community has been shocked by tragic incidents involving excessive alcohol consumption. Thomas Kelly was only 18 when he was killed following an unprovoked attack in Kings Cross in July 2012. Earlier this month, a Brazilian man died after an attack near a licensed premise on Goulburn Street. Security guard, Fady Taiba took 19 days to wake from a coma after he was punched in the head at a bar in September. Matthew Blackmore was bashed unconscious on

George Street in July after a work function and Simon Cramp is lucky to be alive according to his neurosurgeon after he was punched and kicked repeatedly on George Street in June this year.

The NSW Police Commissioner Andrew Scipione has said that dealing with alcohol and its effects consumes about 70 per cent of a frontline police officer's time. Police officers are regularly assaulted and seriously injured by intoxicated offenders. Paramedics, nurses and doctors attended to 59,950 alcohol-related hospitalisations in 2012, including 14,518 alcohol-related assaults and 10,079 alcohol-related domestic assaultsⁱⁱⁱ.

The availability of 'packaged' alcohol, such as that sold at bottle shops, is also undermining efforts to reduce alcohol related harm. These businesses can contribute to alcohol related crime by the supply of alcohol to minors, as well as providing an affordable means to binge drink at home before a night out (pre-fuelling). In fact, 71% of 18-24 year olds reported pre-drinking an average of 6 drinks before a night out.^{iv}

There are more than 2300 bottle shops in NSW, and this number is growing^v. Last year, one of Australia's biggest retailers opened more new liquor stores than supermarkets, with 54 new bottle shops compared with 34 new supermarkets. Off-licence sales account for around 70% of all alcohol purchased in NSW^{vii}.

As alcohol becomes more affordable, more available, and heavily promoted, it is crucial that the NSW Government takes action to reduce the consequences of alcohol related harm.

The Path Forward

Labor takes this issue seriously and is determined to make our street safe again. That is why we have been consulting the experts, studying the research and walking the streets of Sydney CBD on Friday and Saturday nights with the NSW Police. We have spoken with doctors, paramedics, nurses and police about the impact alcohol related harm has on their jobs.

Labor's plan is targeted at changing behaviours. While licensees have a significant role to play in ensuring the sale of alcohol is tightly monitored, they are not solely responsible for fixing this problem. That is why Labor's plan for tackling alcohol related harm includes more police, better transport, independent regulation, a greater focus on risk and more reliable data collection.

Labor's plan will address the causes of alcohol related violence, moderate the drinking culture developing in our young people and help us better understand the health, social and economic impacts of alcohol in our local communities.

1. NSW Labor will adopt a policy and call on the Government to conduct an 18 month trial to impose the strictest restrictions on licensed venues in Kings Cross and the Sydney CBD including:

- Lock-outs at venues from 1.00 am;
- 3.00am 'last drinks' for all venues; and
- Restrictions on the sale of high-alcohol content drinks (such as shots) after 10.00pm

The most effective way to reduce alcohol-fuelled violence is by placing restrictions on the late night sale of alcohol.

In May 2008, as a result of community concern about alcohol related violence in the Newcastle central business district, the NSW Liquor Administration Board imposed a number of restrictions on 14 local licensed premises.

The NSW Bureau of Crime Statistics and Research (BOCSAR) found these measures reduced assaults after dark by 29 per cent^{viii}. A University of Newcastle study found the results were even more impressive – assaults after dark had fallen by 37 per cent in Newcastle since the measures had been introduced^{ix}.

NSW Labor will call on the Government to immediately conduct an 18 month trial and an independent study to:

- Measure the effect of the licence restrictions on reducing alcohol related assaults in Kings Cross and Sydney's CBD
- Measure the impact of the licence restrictions on businesses and the night time economy
- Make recommendations on whether the licence restrictions should continue, be altered, and/or be expanded to other parts of the state.

Under Labor's policy, venues will be allowed to trade (but not serve or sell alcohol) after 3.00am in order to ensure an orderly flow of patrons leaving venues and avoid an influx of people onto the streets all at once. Venues will be able to remain open to serve food, provide entertainment and allow patrons to continue their night out safely if they wish.

2. Treat every Friday and Saturday night like a major event

When there is a major event like New Year's Eve or the Vivid Festival, there are more transport options and a high police presence on our streets to maintain order and to make sure people enjoy themselves safely.

We need this kind of high-visibility policing every Friday and Saturday night in alcohol related violence hotspots.

Labor would introduce a late night train service from Kings Cross to Town Hall and Central Stations to help move thousands of people out of the CBD quickly and safely on Friday and Saturday nights. Stations and train services would be staffed by Transit Police.

Currently, the last train leaves Kings Cross at 1:44am on Saturday. The next train departing Kings Cross is not until 5:14am. This is not good enough.

Labor would also investigate introducing late night train shuttles on other lines on the Sydney Trains network to provide better and more affordable Friday and Saturday late night transport options to Greater Sydney.

3. Establish a new independent liquor regulator committed to minimising alcohol related harm

On 4 April 2011 the NSW Office of Liquor, Gaming and Racing became a branch of the Department of Trade and Investment, Regional Infrastructure and Services.

NSW Trade and Investment, rightly, focuses its strategic activities on promoting NSW businesses and industries, targeting and attracting investors and reducing regulatory burden on businesses. Its objectives do not include alcohol harm-minimisation.

Given the community's concerns about alcohol related harm, it is time NSW established a new regulator which is committed to minimising harm as part of its strategic priorities.

That is why Labor will establish a new regulator which will:

- Focus on community wide benefits to the people of NSW through the regulation of the NSW liquor industry.
- Work with NSW Police, NSW Health and other government agencies, industry stakeholders and non-government organisations impacted by alcohol related harm by sharing information and improving understanding of the issues faced.

- Operate outside and independent of NSW Trade and Investment to ensure that the regulator is focused on effective administration of liquor regulation which prioritises independent, transparent and accountable behaviour in decision making and interaction with the liquor industry.
- Adopt a comprehensive risk based approach that is informed by evidence.
- Strengthen enforcement activities in premises to crack down on underage drinking.
- Review the application process for new liquor licences to ensure greater engagement with the local community.

The first task of the new regulator will be to establish a risk based liquor licensing system for NSW.

4. Introduce Risk Based Licensing

Risk based licensing fees have been adopted in many jurisdictions in response to the harm linked to the increased availability of alcohol. They act as a motivational tool where by licensees are encouraged with lower licence fees to reduce trading hours, adopt more responsible business models and take proactive measures to reduce alcohol related violence in and around their venues.

Reducing the harms associated with excessive alcohol consumption is not currently the objective of liquor licensing fees in NSW. Licensees currently only pay a one-off application fee for a licence granted in perpetuity.

According to the Auditor-General, the annual cost of alcohol abuse to the government in 2010 was \$1.029 billion. The total societal costs were greater, with the Auditor-General estimating it at \$3.87 billion per year, or \$1565 for every household in NSW.

In contrast, the NSW Government collected just over \$1 million from liquor licensing fees in 2011-12^x, which pales in comparison when considering the \$1.029 billion costs incurred by the government.

Given we now know the financial impacts of alcohol abuse to the NSW Government, it is time our licensing structure reflected a more proactive and preventative approach. This harm minimisation approach will help reduce alcohol related health, social and economic harm.

Risk based licensing fee structures are currently adopted in the ACT, Queensland and Victoria. The fee structure provides a clear financial incentive for licenced premises to comply with the law and implement measures to reduce alcohol related violence.

Any additional revenue generated by risk based licensing fees will be put back into measures to tackle alcohol related harm, including more police, more public transport options, CCTV coverage in alcohol violence hotspots and education campaigns.

5. Undercover operations

Controlled purchase operations are covert sting operations involving supervised minors attempting to buy liquor from licensed premises to test compliance with alcohol supply laws.

Controlled purchase operations for responsible service of tobacco enforcement already occur in NSW, but not for enforcing responsible service of alcohol requirements.

Despite the sale of alcohol to persons under the age of 18 years being prohibited in NSW, in 2010 7.3% of 16-17 year olds purchased alcohol themselves according to the 2010 National Drug Strategy Household Survey.

Given that young people are at increased risk of alcohol-related harm, controlled purchase operations should be made legal for enforcing the legal drinking age for alcohol.

Controlled purchase operations are currently used in New Zealand, and are a valuable tool to crack down on underage drinking. The results of operations are publicised to send a message to all licenced premises to make sure they adhere to the law.

6. Tracking the cost of alcohol on the community

Data collection on alcohol consumption would provide useful information on what the people of NSW drink and the harms associated with alcohol. This information could enable researchers and policy makers to develop, implement and track the progress of evidence based alcohol policies.

Currently NSW is one of only three Australian states or territories that do not collect wholesale alcohol sales data^{xi}.

Alcohol sales data would allow the Government to assess the proportion of alcohol sold at off-trade locations compared to on-trade, and to map alcohol sales according to the suburb, and potentially by licensed premise. This would assist in building a greater understanding of the true extent of alcohol sales and consumption in NSW.

ⁱ *Foundation for Alcohol Research and Education. (2013). Annual Alcohol Poll: Attitudes and behaviours. Canberra: Foundation for Alcohol Research and Education.*

ⁱⁱ *Auditor-General's Report, Counting The Cost Of Alcohol Abuse, 6 August 2013*

ⁱⁱⁱ *Demand for action over alcohol and violence, The Sydney Morning Herald, 30 June 2013*

^{iv} *Patron Offending and Intoxication in Night Time Entertainment Districts, National Drug Law Enforcement Research Fund, March 2013*

^v *Watchdog Targets Growth and Sales of Bottle Shops, The Sydney Morning Herald, 20 September 2013*

^{vi} *Community Rejects Bottle Shop by School, The Sydney Morning Herald, 3 August 2013*

^{vii} *Bottle shop Sales in Sights of NSW Police, ABC News, 14 March 2013*

^{viii} *NSW Bureau of Crime Statistics and Research, The impact of restricted alcohol availability in Newcastle, 2 December 2009*

^{ix} *Effects of restricting pub closing times on night-time assaults in an Australian city, School of Medicine and Public Health, University of Newcastle, 2010*

^x *Michael Thorn, Picking up the tab for the state's boozeblues, The Newcastle Herald, August 7 2013*

^{xi} *NSW ACT Alcohol Policy Alliance, Statutory Review of the NSW Liquor Act 2007*