

Toowoomba Safe Night Precinct Incorporated

23rd December 2015

Research Director
Legal Affairs and Community Safety Committee
Parliament House
George Street
BRISBANE QLD 4000

Dear Sir or Madam

Thank you for the opportunity to submit for the Committee's consideration of the Tackling Alcohol-Fuelled Violence Amendment Bill 2015.

Toowoomba Safe Night Precinct Incorporated is pleased to provide input and our submission, which is attached.

Please do not hesitate to contact me if you require clarification or further dialogue on any issues.

[REDACTED]
[REDACTED]
[REDACTED]

Brad Fitzgibbons
President

Toowoomba Safe Night Precinct

Submission on the *Tackling Alcohol-Fuelled Violence Legislation Amendment Bill 2015*

December 2015

Introduction

The following submission on the *Tackling Alcohol-Fuelled Violence Legislation Amendment Bill 2015* is made on behalf of the Toowoomba Safe Night Precinct.

Toowoomba's Safe Night precinct incorporates 15 licenced premises and demonstrates the success of concentrating regional resources in order to mitigate specific risks identified in a regional environment with limited contingency. This is evidenced by Toowoomba Regional Council's City Safe Report of 4 September 2014 demonstrated a 65% reduction in incidents in the period between April 2012 and April 2015. It further stated that the arrest rate in Toowoomba had dropped from 100 arrests per weekend night to 10-15 arrests per weekend night and that 46.8% of incidents were being detected by Operators (pp1-3).

These results have been achieved through the successful application of a self-assessment and risk management model.

It is our interpretation that the current Bill discards this successful model in favour of a mandated approach which is almost certain to be unsuccessful in our regional community. We would further propose that the dramatically different geographic and psychographic profiles of Queensland licenced premises and their patrons immediately contradict the logic of a Bill that assumes a single solution to the issue of alcohol fuelled violence.

Based on this, Toowoomba's Safe Night Precinct seeks to present the position of a regional body, and the additional issues which we believe would arise from the implementation of this Bill.

The concern of the Toowoomba SNP is that the Queensland wide bill will fail to take into account both the overarching issues of the Queensland's licenced premises and the localised issues of regional Queensland. Based on these factors Toowoomba's SNP would request consideration of the specific issues outlined in this submission.

Preamble

The members of Toowoomba's SNP have worked closely together to mitigate community issues around alcohol fuelled violence with a range of risk based management strategies including security, proactively and pre-emptively identifying patrons who may present a risk, immediate escalation of issues and developing close working relationships with local law enforcement and community support groups. The success of these measures and relationships was reinforced by the Queensland Police in a recent newspaper article. Acting Inspector Regan Draheim referred to the statistics which showed a 16% reduction in incidents in the 12 months to April 2015, Acting Sergeant Rod Thurn further reinforced this by referencing the statistics indicating the dramatic drop in the Toowoomba arrest rate from 100 arrests per night to 20-30 per weekend over a three year period (Toowoomba Chronicle, 29 September 2015).

By necessity, control measures to mitigate the risks identified in our regional community take into account the restrictions which result from a lack of infrastructure for patrons. The most significant of these is the fact that Toowoomba and surrounds is not serviced by public transport at night.

It is our belief that the current Bill will not meet the stated objectives, and will in fact result in an environment that presents additional issues and challenges for the licenced premises, law enforcement agencies and support services in our community. It should be noted at this point that the Toowoomba Safe Night precinct, and we believe operators in general, do not take issue with the objectives stated in the bill. We do however believe that the measures detailed to achieve them will prove grossly ineffective. We further believe it is critical to recognise that the Queensland Government, licenced premises and law enforcement share a common goal to address the issue of alcohol fuelled violence, however the measures proposed by the Bill once again take the populist approach of targeting operators as opposed to providing a genuinely evidence based solution.

We would contend that evidence in our region supports the importance of specific risk management strategies as opposed to mandated requirements which do not factor in the infrastructure and support environment of our community. We would further contend that current Bill would decrease both the operational efficiency, economic viability and competitiveness of the licenced premises in our region whilst greatly increasing the current demands on local law enforcement.

Specific issues relating to the Bill:

Shift to an uncontrolled environment: Members of the Safe Night Precinct in Toowoomba have invested a significant amount of time and money in ensuring the provision of a controlled environment for local patrons. There is a very real fear that the earlier cessation of liquor sale and supply included in this Bill will result in younger patrons moving out of this controlled and supervised environment to consume alcohol and recreational drugs at house parties. In this scenario issues and situations are highly likely to escalate into alcohol fuelled violence and domestic violence when patrons drink in an uncontrolled environment without the mitigation of RSA and professional security. The shift to an uncontrolled environment also increases the likelihood of patrons consuming recreational drugs in addition to alcohol. This scenario will provide a significantly increased burden on law enforcement as they are called to incidents across the City.

Our regional community has significantly less structured entertainment than a metropolitan area, as a result licenced premises, both in the Safe Night Precinct and outside it, provide the bulk of evening entertainment. A reduction in licencing hours, with no alternative options for youth, will inevitably result in a correlating increase in house parties. Currently approximately 3000 patrons visit the Safe Night Precinct on Saturday, the peak night of the week, it will only require a small percentage of these to move from a controlled to uncontrolled environment to place an unreasonable burden on law enforcement.

Surges and migration of patrons: The proposed reduction in trading hours outside the SNP will result in a surge of patrons migrating to alternative venues, and subsequently leaving venues at the mandated closing time. Venue hopping has a more concentrated impact in a smaller regional community, resulting in the issue of large numbers of patrons migrating to a smaller area, often leading to conflict between patrons. There is also an insufficient number of taxis to deal with a large surge of patrons, sadly in many cases this has resulted in patrons driving whilst under the influence creating a serious risk for themselves and other motorists. There is a large amount of empirical evidence which indicates that lock outs contribute to venue hopping.

City specific lock out measures were introduced in the Newcastle CBD in March 2008 in conjunction with a range of additional measures including CCTV coverage, controlled taxi ranks, improved coordination of public transport and taxi services and enhanced police measures which were introduced across the state.

The New South Wales Bureau of Crime Statistics and Research (BOSCAR) (reference kg-11384) in relation to Newcastle figures from 2008 to 2012 show a 25.3% reduction in assault rate charges, in comparison to a 30% reduction across NSW. This demonstrates that the addition of a lock out period did not increase effectiveness above the practical cooperative measures which were introduced state wide.

As was earlier referenced the introduction of the Safe Night Precinct in Toowoomba formalised a range of similar strategies which had proven effective in other regional areas.

The comparison of statistics in relation to the effectiveness of strategies further reinforces both the importance of acknowledging that regions differ dramatically based on demographics and infrastructure and that if an evidence based approach is being sought it is critical to take into account the regional evidence to date.

Anti-competitiveness of venues: The Bill proposes a number of measures that will result in a higher regulatory burden and increased administration for licenced venues, in addition these measures will reduce venue's ability to set their own trading strategy and risk management measures.

The current model has the dual benefits of ensuring risk management by venues and enabling them to target markets based on the regions demographics and psychographics. The proposed model will significantly impact the competitiveness of a number of both regional and suburban venues.

In addition the power of the SNP vote proposed by the Bill enables venues to control the trading strategies of their competitors, a situation which is fraught with potential for abuse.

Economic impact: Accommodation and Food Services is the sixth largest industry in the Toowoomba Regional Council area, employing 5,367 residents in 2013/2014 (Toowoomba Employment by Industry, *Toowoomba Regional Council*, <http://economy.id.com.au/toowoomba/employment-by-industry?IndkeyNieir=23702>). In the past year the Toowoomba Region has experienced a significant economic downturn which has resulted in rising unemployment. Licenced venues contribute significantly to the employment numbers in this sector. Reduced trading hours and a loss of competitiveness will inevitably lead to job losses, most significantly in outlying venues who are leading youth employers. Initial discussions with operators indicate that these job losses could be as high as 20% of total employees in some cases.

Lack of consultation – One of the primary concerns of the Toowoomba SNP has been the failure of the Queensland Government to engage in a meaningful consultation process. It is our strong belief that operators, especially those who have been involved with Safe Night Precincts with demonstrated success in the reduction of alcohol fuelled violence, are well placed to contribute to the development of an evidence based multi-faceted approach.

This failure to undertake meaningful consultation with stakeholders has resulted in a Bill which is at best a token response to an issue which is already being addressed successfully in regional areas including Toowoomba. Not only does the Bill not take into account these documented successes it further has the potential to significantly increase incidents in the Region by shifting patrons into an uncontrolled environment.

Summary:

Toowoomba's Safe Night Precinct acknowledges the improvements in responsible practice and patron care, many of which have come about as a result of major liquor-related reviews in Queensland. However we close by reiterating our concerns that the Tackling Alcohol-Fuelled Violence Legislation Amendment Bill 2015 will both fail to further reduce the incidence of issues and result in an environment with the potential for increased incidents of violence.

Currently in Australia more than 70% of alcoholic beverages by volume are consumed in other than a licenced venue. This statistic alone reinforces our position that any amendment that results in a further shift to an uncontrolled environment will have no level of success in addressing the issue of alcohol fuelled violence.

We urge the Queensland Government to give genuine consideration to the submissions of the stakeholders with regards this Bill, and reconsider their approach based on the strategies which have truly demonstrated effectiveness in mitigating this issue across our State.