

Safe Night Cairns CBD Precinct Inc

**Submission into Tackling Alcohol-fuelled
Violence Legislative Amendment Bill 2015
proposals**

December 2015

Organisation: Safe Night Cairns CBD Precinct Inc.
Name: Dr Charmaine S Hayes-Jonkers [BPsych, BSocSci (Hon1), PhD].
Position: Criminologist, Community-based Researcher, Secretary
Contact: M: 0438 332 157

[REDACTED]
[REDACTED]

Management Committee Board Members:

- Mr John Lynch - President.
- Mr Ross MacFarlane – Vice President
- Mr Robert Coda – Treasurer
- Associate Sasha Vleeshouwer
- Ms Carol Christopher
- Mr Calvin Koch
- Mr Mick Hasel

Written and compiled by Dr Charmaine Hayes-Jonkers with assistance and input from the Safe Night Cairns CBD Precinct Inc. Management Committee and precinct stakeholders. Edited by Mr John Lynch and Associate Sasha Vleeshouwer.

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1 Executive Summary

Alcohol-related violence is a complex social issue that is compounded by many contributing factors. Cairns stakeholders consider themselves one of the States leaders in proactive prevention of alcohol-related violence in late night entertainment precincts. Cairns have one of the State's most up-to-date and progressive CCTV open space systems which is monitored twenty-four hours a day and are one of the only areas in Queensland to have street-based security in the inner city around the clock. A strategic committee oversees the safety and amenity of the inner city late night precinct and the local Liquor Accord is the operational arm of this committee. Cairns stakeholders in the late night entertainment precinct consider that we have 'got it right'.

A risk averse approach to this issue does not serve every community in Queensland well, especially those communities that rely on tourism as their main industry. The Global Economic Crisis (GEC) has hit tourism areas hard, especially in Cairns and communities are negotiating solidly for tourist dollars. The Cairns Hospitality Industry has a high percentage of international 'working visa' employees, along with working backpackers. Many of the restaurants, hotels and nightclubs employ international workers on visas as well as local staff. Tourism is a million dollar industry in Cairns and a vibrant nightlife is one of its major attractions.

We strongly disagree with the proposed earlier closing hours as it will have adverse effects on our tourism economy and will have unintended consequences for the visitors to the inner city. Incidents of alcohol-related violence in the inner city of Cairns is at its lowest in years and it is counterproductive to close licensed premises early when the precinct is a safe, vibrant, well frequented area of our city. We offer instead recommendations on 'what works' in Cairns and urge considerations of our successes.

Recommendations

1. Stakeholder collaboration and partnerships

Experiences in the Far North Region have shown that close cooperation and partnerships in a precinct shows more effective outcomes and lower alcohol-related assault rates than precincts who have no or little cooperative collaboration between all organisations involved in the late night precinct.

2. Police bannings of problem patrons from late night precincts

We recommend the *Police Powers and Responsibilities Act 2000 Qld*, Section 602F(3)(a) be amended to enable them to ban a person for up to twelve months in an extended banning. Currently, the police are required to ban up to and

including three months, but we perceive some recidivist offenders require longer bans from the precinct as the Liquor Accord has already handed out twelve month bans.

We also recommend that the *Police Powers and Responsibility Act 2000 Qld*, Section 602C(2) be amended so that police officers with a rank of Senior Constable or above are enabled to apply a banning order. Currently, only officers with a rank of Sergeant or above can enforce such an order. This is a difficult situation in Cairns, given that both our LEAPS officers hold the rank of Senior Constable and work in remote areas where there is no Sergeant available to authorise such a ban. The Act does not allow for officers working in remote locations.

3. Alcohol advertising, marketing and liquor discounts

The steep discounting of liquor by some venues produces an unfair playing field, when all other venues voluntarily agree not to discount. We therefore recommend a blanket ban on heavily discounted drinks within licensed venues, such as \$1 drinks and 2-for-1 offers.

4. CCTV within late night trading venues

We recommend late night traders mandatorily install CCTV cameras around all major service areas of the club as well as the entry points as a matter of good practice. This will also enhance the recommended changes to section 178(1)(c) which assists investigators looking into reported incidents.

5. Mandatory linked ID Scanners

Cairns stakeholders and licensees see the benefits and value of linked ID scanners in licensed premises. We recommend all late night traders should mandatorily install linked ID Scanners.

6. Drug intoxication in late night precincts

We recommend an evidence-base public health approach to address the arising issue of drug use and intoxication within late night licensed premises and concur with Miller et al (2015) that early parenting programs are necessary to encourage future party-goers of the dangers of drug taking and alcohol misuse.

7. Public urination in late night precincts

Public urination in Cairns is alarming high and lack of funding is the key issue in most precincts. We recommend that State government explore the possibility of extending funding to dedicated areas for such facilities in late night entertainment precincts.

8. Risk based licensing

Risk-based licensing is a model of liquor licensing that is based on the level of risk a licensed premise poses with a cost-recovery mechanism factored into the licensing. Risk-based licensing can therefore be seen to reward licensees who 'do the right thing' and making accountable those that don't by way of fiscal costs. Cairns would benefit from such a licensing model and recommend at least trialling the model to determine its consequential effects.

9. Responsible Service of Alcohol (RSA) and Club Angels

The current requirements for mandatory RSA are inadequate and are almost a token gesture when one considers the cost to the venue and the staff member if RSA is compromised. A cost-effective method of monitoring intoxication levels of patrons in venues is a group in the United Kingdom know as Club Angels. Club Angels are similar to Street Chaplains, except they work inside venues, not on the street. Club Angels could be trained in monitoring patrons in relation to intoxication levels and confer with management or security if the need arose. They are a volunteer organisation and come at no cost to the community.

10. Lockouts

Research into lockouts' has been small. However, there is currently no evidence that lockouts reduce alcohol-related violence within late night entertainment precincts. We recommend abolishing lockouts as they serve no real control mechanism for reducing alcohol-related violence, particularly in Cairns, but instead appears to perpetuate the problem.

2 Introduction

Alcohol-related violence is a complex social issue that is compounded by many contributing factors. The Tackling Alcohol-Fuelled Violence Legislative Amendment Bill 2015 is proposing to limit late night trading hours of licensed premises across Queensland to 2am. The only exceptions are Safe Night Precincts (SNP) that may be granted permission to remain open to trade until 3am, with a 1am lockout or casinos and airports that sell liquor until 5am. Venues that host adult entertainment and gaming are permitted to remain open until 4am (outside a SNP) or 5am (within a SNP) but are not permitted to sell liquor after 2am (outside a SNP) or 3am (within a SNP). The Amendment Bill also proposes to ban high content liquor and rapid consumption of alcohol after midnight, with defined exemptions, as well as a number of other amendments.

Rigor research studies have concluded that earlier closing hours for all licensed premises is the easiest solution to reducing alcohol-related violence (Kyri et al 2014, Miller et al., 2012, Miller et al., 2015). However what must be considered is none of the research studies analysed the percentage of people frequenting areas to the percentage of assaults, as defined by a Cairns study (Clough, Hayes-Jonkers and Pointing, 2013). What also must be considered is the social activities of the general population and operational activities of compliance and enforcement agencies in late-night precincts (Menendez et al., 2015, Miller et al., 2015). That is, it is difficult to attribute a fall in alcohol-related violence to one single factor in a late night precinct. Studies have concluded that there is a 15-20 percent reduction in alcohol-related violence for each hour licensed premises are closed (Miller et al., 2015 as an example). However in areas such as Cairns where assault rates are low, this figure is minimal. Critically, the rates of drug intoxicated assaults in night-time precincts are rising, yet there has been no mention of this in the Amendment Bill.

Current and past research around alcohol-related violence in and around licensed premises is enormous. Notwithstanding the copious studies conducted around alcohol-related harms and injuries. However the Amendment Bill appears to be based solely on research studies conducted in Newcastle (New South Wales) and Kings Cross in Sydney (New South Wales) without suitable reference to any other research findings or limitations to the studies. Miller et al stated that '[m]uch of the evidence remains of poor quality and is often of limited relevance to *multiple settings*' (2015: 6, our emphasis). Whilst earlier closing hours have been cited as one preventative measure (Kypri et al., 2014), there are a raft of other measures that are also effective in reducing alcohol-related violence, including locating food outlets on the fringes of the precincts, targeted police interventions (including drug dogs), Responsible Service of Alcohol (RSA) practices, competently trained security staff, 'police enforcement of liquor laws' and 'encouraging a mixed night-time economy'

(Miller et al., 2015: 45, 69, 70). These measures do not have the unintended consequences on a late night precinct that is evidenced by earlier closing times.

Mandatory interventions are also stated to be more effective than voluntary interventions because some licensees are not part of a Liquor Accord and do not participate in interventions (Miller et al., 2015). Mandatory interventions deliver an equal playing field, clear outlines, defined consequences and enforcement must be immediate and consistent (Miller et al., 2015). Alcohol density and the location of alcohol outlets (including take-away premises) has also been cited as a method of reducing alcohol-related harms in the community (Badland et al., 2015). Preloading is an issue that has been identified in most localities, including Cairns and there is evidence that 80 per cent of all alcohol consumed is take-away and is being consumed in private residences (Howard, Gordon and Jones, 2014). Research has supported the belief that there are more alcohol-related incidents in private residences than in and around licensed premises (Clough, Hayes-Jonkers, Pointing, 2013, Miller et al., 2012). Research also concluded that preloading and refusal of entry were more indicative of violence on the streets (These findings suggest that 'a clear demand exists for more interventions that focus at community, social, family, or individual level' (Miller et al., 2015: 72). The Amendment Bill has not taken this research into consideration.

We argue that the 'blame game' exists in relation to alcohol-related violence. The 'blame game' generally results in licensed premises being blamed for alcohol-related violence, especially by the news media. This in turn influences public opinion and ultimately political decision-making. What the Amendment Bill has not addressed is the behaviour of people frequenting late night precincts. Alcohol does not cause violence, people do and there has been no recognition of this in the Amendment Bill. A Cairns research study identified repeat presentations by the same people to the Emergency Department for alcohol-related assault (Clough, Hayes-Jonkers, Pointing, 2013). This same matter was raised by Miller et al (2015: 19) yet there has been little recognition of this important information other than to recommend omitting the mandatory condition for Drug and Alcohol Assessment Referrals. As local stakeholders consistently argue, it is a small number of people committing offences and often repeatedly.

3 Cairns, Far North Queensland

A risk averse approach to this issue does not serve every community in Queensland well, especially those communities that rely on tourism as their main industry. The Global Economic Crisis (GEC) has hit tourism areas hard, especially in Cairns and communities are negotiating solidly for tourist dollars. The Cairns Hospitality Industry has a high percentage of international 'working visa' employees, along with working backpackers. Many of the restaurants, hotels and nightclubs employ international workers on visas as well as local staff. Tourism is a million dollar industry in Cairns and a vibrant nightlife is one of its major attractions. Local data has shown that it is local residents involved in the majority of alcohol-related incidents in the inner city precinct, not international visitors. Cairns stakeholders in the late night entertainment precinct consider that we have 'got it right'. Cairns has a safe and energetic nightlife and is well supported by CCTV monitored open-space cameras, police, liquor enforcement police, liquor compliance officers, street-security and venue security.

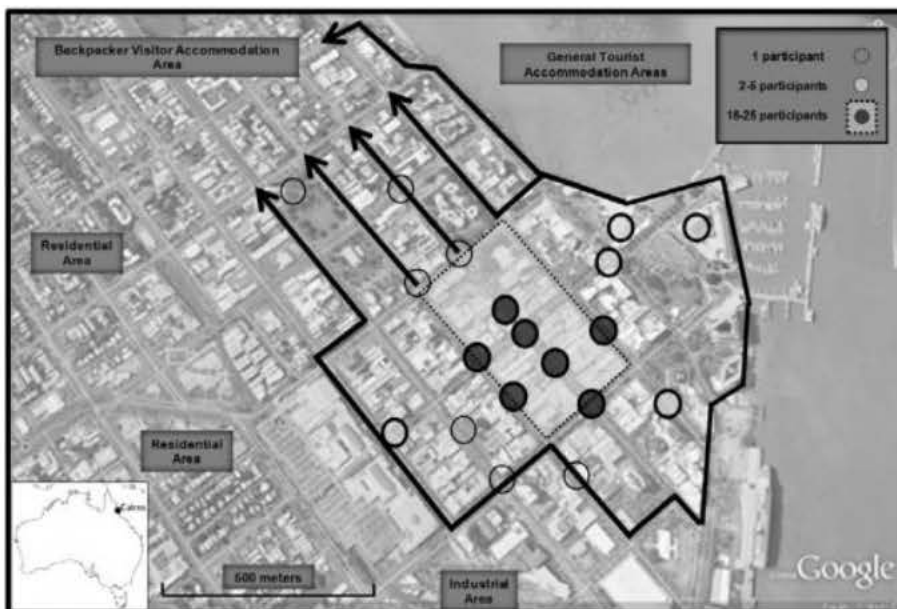
In July 2013 the Cairns stakeholders hosted an Alcohol-Related Violence Conference. This was led and organised by Senior Sergeant Peter Banaghan (QPS) and supported by both the local and regional Liquor Accords and the Cairns CBD Safety Summit (strategic committee). Key guest speakers were Lisa Armstrong-Rowe, Community Safety Officer from Geelong in Victoria and Sergeant Wayne Buck, Licensing Unit, Newcastle City, New South Wales. The key speakers delivered presentations to all the invited members about 'what works' in their area. Sergeant Buck spoke about Consequence Policing, use of ID Scanners, dedicated RSA supervisors, alcohol-management plans, shared radio networks and close stakeholder collaboration. Mrs Armstrong-Rowe also stressed the critical importance of close partnerships and collaborative working as well as CCTV monitoring with police support, linked radio networks, partnering with a university to record successes and learning from past mistakes. Cairns stakeholders took their many recommendations on board as a way of improving on the already good work that was being done. The Cairns stakeholders also hosted two ID Scanner providers in 2013 with a view to installing linked ID Scanners throughout late night venues in the inner city. This was prior to the Safe Night Out Strategy initiative by the former government.

Cairns stakeholders consider themselves one of the States leaders in proactive prevention of alcohol-related violence in late night entertainment precincts. Cairns have one of the State's most up-to-date and progressive CCTV open space systems that is live monitored twenty-four hours a day and are one of the only areas in Queensland to have street-based security in the inner city around the clock. A strategic committee oversees the safety and amenity of the inner city late night precinct and the local Liquor Accord is the operational arm of this committee. The Liquor Accord was formed in 1996 and the strategic committee was formed in 2008.

The inner city late night precinct is heavily monitored and local research has shown that most incidents occur on the street at crossover pedestrian routes and on the fringes of the inner city where surveillance and police and street-based security observations cease (Clough, Hayes-Jonkers, Pointing, 2013).

Figure 1 shows the hotspot areas of alcohol-related assault in the inner city as identified by research participants and the egress routes that people take when walking home late at night or early in the morning. The shaded, dotted area of the map is the area where there is a saturation of CCTV cameras, police and security during the late night hours. As the map indicates, most of the assaults occurred on pedestrian routes or intersections where people cross paths. The study identified the routes people were taking to walk home which coincided with an area saturated with backpacker accommodation. This area is not monitored by CCTV, nor is some of the fringes of the dotted area and overhead street lighting on the egress routes are poor.

Figure 1. Identified hotspots in the inner city of Cairns



Source Clough, Hayes-Jonkers and Pointing, 2013, p. 35

The research study concluded that only a small amount of alcohol-related assaults occurred in licensed premises in the CBD, with the majority occurring in private residences or in the suburbs (Clough, Hayes-Jonkers and Pointing, 2013: 17). Retrospective data in Cairns showed that two thirds of the patients presenting to the Emergency Department of the Cairns Base Hospital were repeat presentations for alcohol-related assault, indicating a high percentage of persons repeatedly being involved in alcohol-related violence (p. 16). Moreover, persons with the most severe injuries occurred outside of the late night and early morning trading hours of licensed premises (p. 14). The real-time data collection showed presentations to the

Emergency Department peaked between 9am and 1pm and again between 7pm and 10pm, with another peak between 2pm and 4pm.

Overall, the results showed a clear spike in incidents just after lockout, which runs contrary to other evaluations of lockouts and most incidents occurred when people were ‘... walking around the streets and crossing paths’, while few incidents were recorded inside licensed premises (Clough, Hayes-Jonkers and Pointing, 2013: 44). This finding is supported by other research, which indications pedestriantising areas around licensed premises (reducing foot traffic) results in fewer alcohol-related incidents (Miller et al., 2015). Critically, the Cairns study concluded that ‘unless a suitable denominator is used to compare [assault] rates, it will not be known for certain that the intervention strategy caused the change [in rates] or whether the change happened for wider social and cultural reasons’ (p. 46). Reductions in assault rates may be attributed to an intervention, but only if a population denominator can be successfully measured in comparison to the declining rate of assaults. These measures were not implemented in the Newcastle or Kings Cross studies.

Recent police statistics from the Cairns SNP show clear decreases in overall assaults, but an upward trend in drug offences, as was anecdotally proposed by the local LEAPS officers and local stakeholders. Table 1 shows the percentage increase or decrease of incidents from each financial year from October 2010 to October 2015. The police data has been compiled from 6am – 6pm within the Cairns CBD precinct.

Of Note: The Cairns police data should be viewed with caution as all alcohol-related assaults are included in the statistics, including offences by itinerants/rough sleepers. Cairns CBD has a considerable itinerant/rough sleeper/alcohol problem and these statistics are included in the police offences. Therefore not all the incidents relate to licensed premises.

Table 1 Incidents recorded in the Safe Night Cairns CBD Precinct Oct 2010–Oct 2015: annual percentage change (financial year)

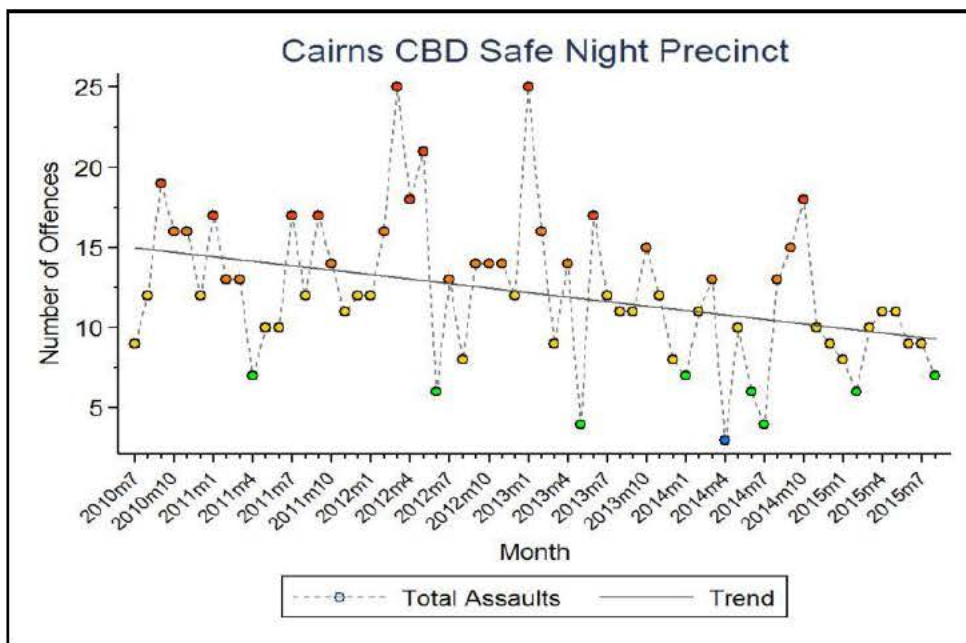
Total Assaults	17.5%	-11.6%	-25.6%	4.2%
Grievous Assaults	66.7%	-100.0%	N/A	50.0%
Sexual Offences	-13.5%	31.3%	-47.6%	77.3%
Drugs Offences	-29.7%	101.6%	-27.9%	46.2%

Note: N/A indicates no offences recorded in the previous year.

Source: All data, tables and graphs supplied with permission of Our Nightlife Queensland, Brisbane.

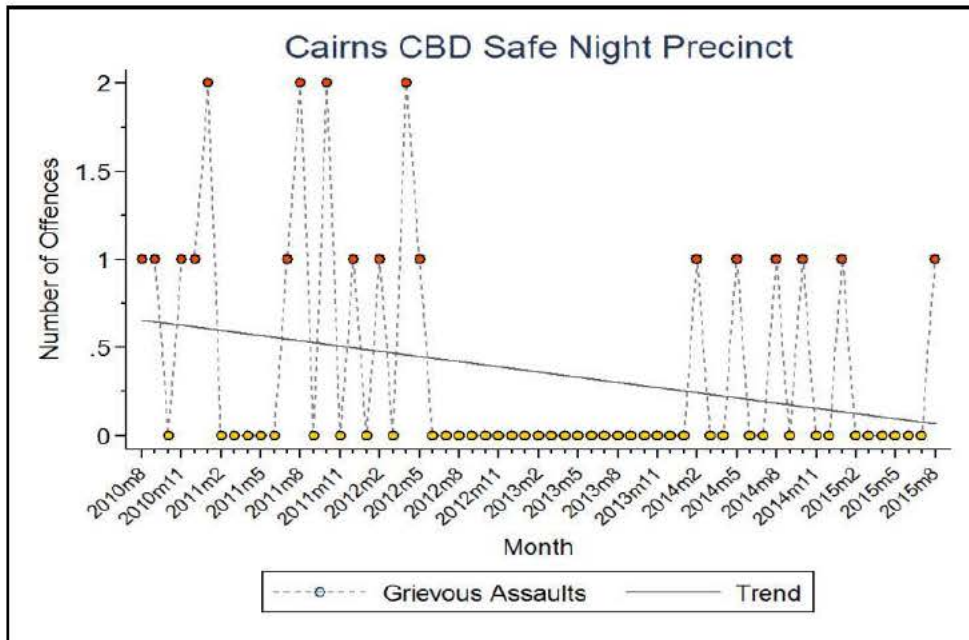
What also must be considered in the Cairns CBD data is the small number of incidents, especially in relation to Grievous Assault offences. Cairns recorded 21 Grievous Assaults offences in the Cairns CBD for the past four years, compared to Surfers Paradise that registered 72 offences. Fortitude Valley registered 340≥ total assaults in 2014 whilst Cairns totalled 125 for the year. Although Fortitude Valley has shown a steep decline in assaults over the past five years, Cairns has also shown a consistent downward trend as indicated by Figure 1.

Figure 1 Total assaults for the Safe Night Cairns CBD Precinct by month Oct 2010– Oct 2015



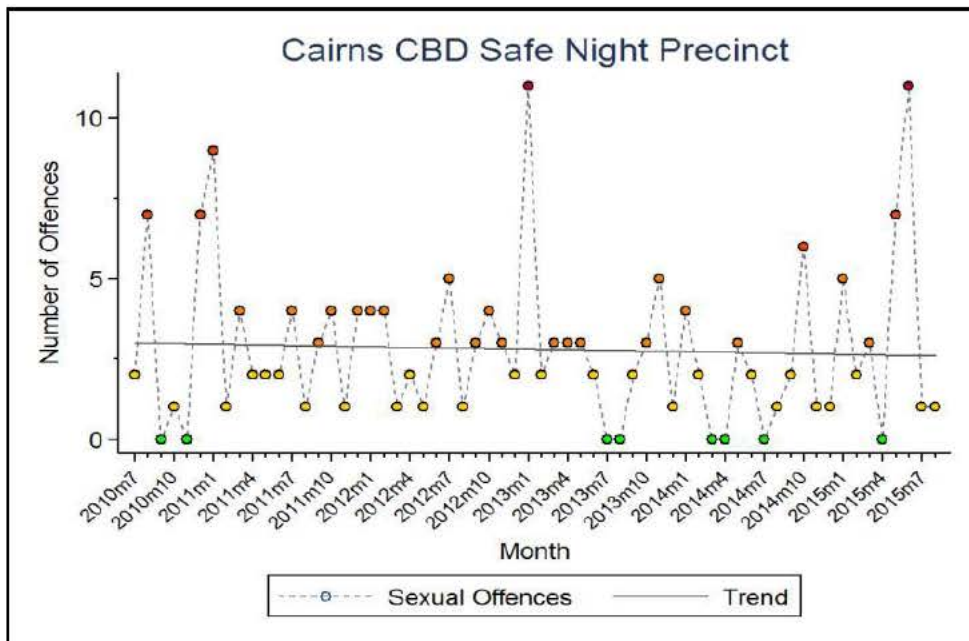
The Cairns ‘total assaults’ data over four years is indicative of our high tourist season in the later part of each year, our ‘wet’ season from February to May each year and the influx of itinerants during our warmer, ‘dry’ season. Most months show an increase in assaults from July (m7) to October (m10) each year. This is consistent with the rise in domestic and international tourists to the city and the arrival of seasonal itinerants. Assaults are at their lowest during our ‘wet’ season, which is reflected in Figure 1.

Figure 2 Grievous assault incidents for the Safe Night Cairns CBD Precinct by month Oct 2010–Oct 2015



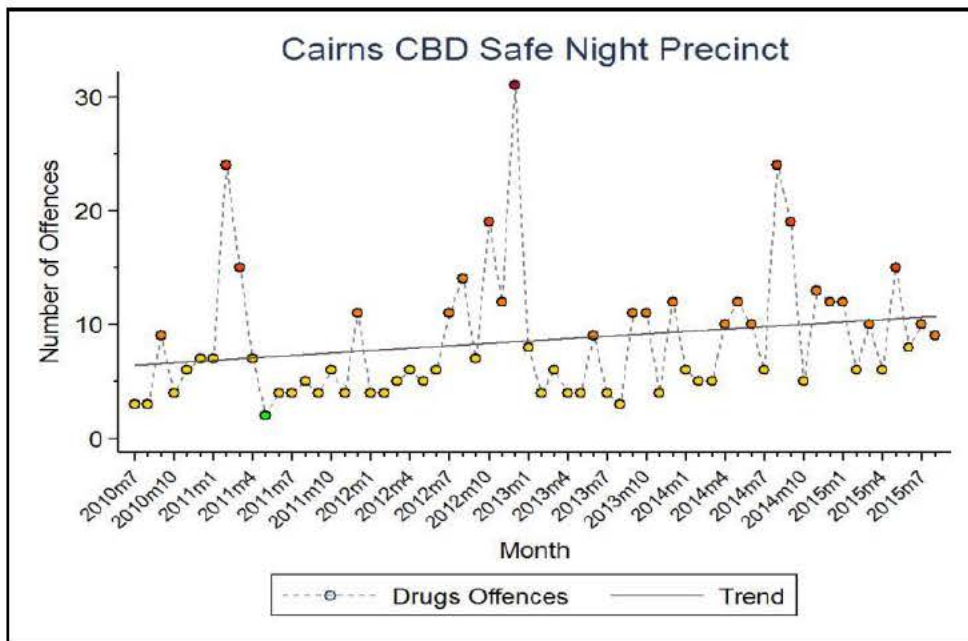
Grievous assaults in the Cairns CBD are a rare occurrence and a number of these were itinerant related. The highest number of serious assaults was recorded in 2011 (n=10) and only 3 offences in 2014.

Figure 3 Sexual offences for the Safe Night Cairns CBD Precinct by month Oct 2010–Oct 2015



Unlike assault trends, sexual offences are showing a consistent trend over time in the Cairns CBD, as indicated by Figure 3. Again, some of these offences are itinerant related and are not indicative of licensed premises. However, the most concerning trend is the steep increase of drug offences in the Cairns CBD precinct.

Figure 4 Drug offences for the Safe Night Cairns CBD Precinct by month Oct 2010–Oct 2015



Anecdotal evidence from key stakeholders in the late night precinct have expressed concern about the rising number of drugs in the inner city precinct and this concern is reflected in the data as shown in Figure 4. Interestingly, all other SNP's show a steady increase in drug offences with Fortitude Valley recording 800 offences in 2014, which was double the number of offences in 2010. This is indicative of the State wide trend of increased drug use amongst party-goers across Queensland. The only exceptions were Rockhampton that had a flat-line trend and Townsville recorded a decrease in offences. This reduction may possibly be attributed to the increase in police on the streets after the introduction of the *Safe Night Out Strategy* (Queensland Government, 2014).

Proactive management by the Cairns police saw the introduction of two permanent drug dogs to Cairns this year, due to the growing trend. However, it must be conceded that Cairns registered 125 drug offences in 2014 in the precinct, which is considerably lower than the offences recorded by Fortitude Valley and Brisbane (n=250) during the same period. Overall, the number of offences in the Cairns CBD precinct is considerably lower than those in the South of Queensland.

4 The Newcastle and Kings Cross Studies

The Amendment Bill 2015 is based on the Newcastle and Kings Cross research study findings (TAFVLA Bill Explanatory Notes, 2015: 1, 16). The explanatory notes stated that in Newcastle and Kings Cross, measures to reduce alcohol-related harm ‘... include a reduction in liquor trading hours, an earlier lock out, and limits on certain types of alcoholic drinks after midnight’ (p. 1). However, what the authors have failed to include was the introduction of ID Scanners, real-time radio communication between all venues and stronger collaboration between licensees, police and liquor compliance officers and an increased police presence and monitoring (Green, 2013). That is, the earlier lockout and closing times were not conducted in isolation, therefore the decline in assault rates cannot be attributed to the earlier closes *in isolation*. This is not a criticism of the research studies, as the studies measured and reported on what it set out to measure.

However, one must be mindful that in areas such as late night precincts, a change in strategies by one agency, such as police operations, will have an effect on the assault rate. The Kings Cross study also did not allow for the 84 percent reduction in people attending the area (Green, 2014). A research study conducted by Miller et al (2012) compared assault rates between Newcastle and Geelong in Victoria. Miller et al stated that during the time of the study, assaults rates in Newcastle had declined but media coverage of incidents was more sensationalised (p. 168). The researchers further proposed that the reduction in assault rates was due to a reduction in people frequenting Newcastle and that preloading and illicit drugs were associated with a stronger propensity for violence on the street (p. 169). This association has also been informally confirmed in Cairns. It was also noted that Newcastle assault rates were still unacceptably high and the authors recommended further intervention measures, regardless of the earlier closing times.

The rates of alcohol-related assault in New South Wales has reduced by 30 percent in the five years since the earlier closes in Newcastle, Kings Cross and the inner city of Sydney (Green, 2013). However, Newcastle still lagged behind other areas, regardless of the earlier closing hours of licensed premises, which resulted in a call for an ‘evidence-based approach using public health strategies to change the culture’ of the wider community (Miller et al., 2015: 170). A recent study conducted in Kings Cross and the Sydney late night precinct after reforms in 2014 concluded that alcohol-related incidents had reduced in the study areas with no displacement effect, except to the Starr Casino (Menendez et al., 2015). As Giancaspro proposed, casinos act as ‘moths to a flame’ after lockouts (2015: 120) or when all other venues are closed. However, Menendez et al stated that ‘the restrictions on trading hours were not the only component of the ... reform capable of producing a reduction in violence’ (p. 8). The authors proposed it could have been a combination of reduced

numbers attending the area and adverse publicity around the deaths of Thomas Kelly (2012) and Daniel Christie (2014).

Roth and Angus also proposed that the reduction in offences could not comprehensively be attributed to earlier closing times, and cited banning orders and less people frequenting the area as possible contributors (2014: 14). Moreover, although earlier closing hours for licensed premises may appear to be a 'quick fix' to alcohol-related violence, history has shown us that alcohol-related violence is a complex social issue that requires a broad, multifaceted approach over time (Winlow, 2010) and is not easily curbed due to the unpredictable nature of social behaviours of the general population. As the police consistently argue, they can't arrest their way out of alcohol-related violence as it takes a whole-of-community approach to address the social issue and interventions must be consistent and long lasting. Or as State member Jenny Leong so aptly stated '[d]ickheads don't disappear after 3am' (Butler, 2015).

5 Recommendations

Rigor research studies have concluded that earlier closing hours for all licensed premises is the easiest solution to reducing alcohol-related violence (Kyri et al 2014, Miller et al., 2012, Miller et al., 2015). However what must be considered is none of the research studies analysed the percentage of people frequenting areas to the percentage of assaults, as defined by a Cairns study (Clough, Hayes-Jonkers and Pointing, 2013). Predictive studies have concluded that there is a 15-20 percent reduction in alcohol-related violence for each hour licensed premises are closed (Miller et al., 2015 as an example). Experience has shown through the Kings Cross study that people cease going to these areas and the vibrancy of the areas die along with the economic viability of the area, businesses close and trouble moves to the suburbs and away from the controlled area of the late night entertainment precincts.

Although one cannot argue economic imperatives over the safety of a single person, consideration must be given to those areas that do have a safe late night entertainment precinct. Blanket legislation across the whole of Queensland may be absorbed by large cities, but small regional cities like Cairns cannot sustain elements of tourism with a city that shuts down at two in the morning. With one casino in the inner city, it is simple logic to predict where late night revellers will go after the nightclubs close. Cairns also does not have the public transport available to larger cities and transporting people out of the inner city has been managed under the current framework. However, closing venues earlier will create a situation that Cairns stakeholders struggled to control five years ago. We now have it right, but earlier closes will see banks of people waiting at the taxi rank again and will create unintended consequences for the inner city and its visitors and workers.

The following recommendations are based on 'what works' in Cairns. As the last major regional city to the very top of Queensland, Cairns is geographically isolated from other major cities in the State. As a result, Cairns stakeholders have learned to be self-sufficient, proactive and inventive and to operate with the limited resources available in the Far North. We are not privy to the vast amounts of resources made available in areas like Brisbane. The geographical isolation of Cairns has required that stakeholders work together for the betterment of the community. Stakeholders are committed, dedicated and proactive in their involvement to reduce alcohol-related violence and disorder in the late night entertainment precinct. Unlike Brisbane, it is difficult to 'pass the buck' of blame onto someone else in Cairns, so stakeholders and licensees have partnered to operate proactively and collaboratively. A number of years ago, this did not occur, but dogmatic 'pushing' by a number of key people has changed this situation and the result has been a consistent decline in alcohol-related assaults in the inner city over the past five years, as indicated by the data.

5.1 Stakeholder Collaboration in Night-Time Entertainment Precincts: Strategic and Operational Management

At the local level, the Cairns study concluded that close collaboration between all agencies and organisations in late night precincts was critical to reducing the incidents of assault in the precinct (Clough, Hayes-Jonkers and Pointing, 2013: 61). All agencies and organisations involved in the night-time precinct in Cairns, including Council, police, venue security, liquor compliance personnel, taxi and bus companies, the taxi Marshal, licensees or managers (general and duty) and the Cairns Street Chaplains, all meet monthly to discuss arising issues and problem-solve issues and develop strategies for prevention. All research proposes that proactive prevention is more effective than reactive intervention; therefore collaborative cooperation across all agencies is an important strategy. Experiences in the Far North Region have shown that close cooperation and partnerships in a precinct shows more effective outcomes and lower alcohol-related assault rates than precincts who have no or little cooperative collaboration. The exception, as research has identified, are those licensed premises that do not cooperate and continue to push the boundaries of acceptable liquor service (Miller et al., 2015). On the other hand, the mandatory membership of licensed premises to Safe Night Precincts (SNPs) will assist local stakeholders in producing an equal playing field for all venues. However, this does not assist those areas who are not a SNP.

Arising problems on the streets are identified at the coalface by police, liquor compliance officers, CCTV Control Room Operators, street-security, venue security, Cairns Street Chaplains, taxi drivers or venue owners and/or managers. These issues are raised at monthly operational meetings and relayed to the strategic

committee. If the issue or situation cannot be resolved at the operational meeting, it is dealt with by the strategic committee. At each stakeholder meeting, relevant agencies present data for the past month relating to alcohol-related incidents in the late night precinct. Rising trends are identified from this data and strategies are developed immediately to address any identified issues. This includes any issues that may relate to other agencies, such as youth crime, rough sleepers, chroming or as was evidenced back in 2010, the 'swarming' of 60-100 young people due to pre-organised fights between two youths in public places late at night. Data and/or information are shared between inner city police, LEAPS, the OLGR, Cairns Regional Council (CCTV data) and the Cairns Street Chaplains. To date, we have been unable to be granted access to any alcohol-related statistics by the Cairns Base Hospital to inform intervention or prevention strategies. All attempts to be granted data have been unsuccessful.

5.2 Police Bannings of Problem Patrons from Late Night Precincts

We commend the policy of increasing police banning powers of problem patrons from late night precincts. Removing disorderly and aggressive people from the streets was a constant source of difficulty for Cairns stakeholders. However the increased banning powers granted to police (consequence policing) has been welcomed. At the introduction of the new banning powers, a high number of people were banned with a number contravening the bans. However, visitors to the late night precinct are now aware of the new bans and bannings have reduced to almost none. The flow-on effect has been fewer people misbehaving in the late night precinct and less people creating a disturbance if they are refused entry to a club, which in the past was a volatile situation which often resulted in violence. The new banning powers have reduced the incidents of disturbances on the door of late night clubs, as well as in the precinct.

However, local police argue that monetary fines are not effective as a deterrent to those involved in alcohol-related violence. Bannings from the precinct are argued to be the greatest motivator for patron behaviour, as people do not want to be barred from going clubbing. Local bans by the Liquor Accord have proven very successful in controlling patron behaviour, with two recidivist offenders leaving town when they were barred from all venues in the inner city precinct for twelve months.

We therefore recommend the *Police Powers and Responsibilities Act 2000 Qld*, Section 602F(3)(a) be amended to enable them to ban a person for up to twelve months in an extended banning. Currently, the police are required to ban up to and including three months, but we perceive some recidivist offenders require longer bans from the precinct as the Liquor Accord has already handed out twelve month bans.

We also recommend that the *Police Powers and Responsibility Act 2000 Qld*, Section 602C(2) be amended so that police officers with a rank of Senior Constable or above are enabled to apply a banning order. Currently, only officers with a rank of Sergeant or above can enforce such an order. This is a difficult situation in Cairns, given that both our LEAPS officers hold the rank of Senior Constable and work in remote areas where there is no Sergeant available to authorise such a ban. The Act does not allow for officers working in remote locations.

5.3 Alcohol Advertising, Marketing and Liquor Discounts

Public marketing strategies have been criticised by politicians and some lobbyist groups (Miller et al., 2015). Miller et al stated there was a '[s]trong association found between advertising and subsequent high levels of consumption and increased harm' (p. 8). Alcohol advertising is one of the primary drivers of young people's choice of liquor and although the alcopop tax was argued to reduce the level of consumption; at the local level, take-away outlets reported young people switched to buying straight liquor and mixing their own drinks, which is entirely counterproductive to what the initiative intended. Miller et al recommended governmental monitoring of alcohol advertising, arguing that the 'current voluntary advertising regulation system' is failing (2015: 15). We also concur with their recommendation that alcohol advertising should not be paired with depictions of fun and partying as this sends the wrong message to the viewing public.

A continued source of angst amongst licensees and managers in Cairns is other venues advertising heavily discounted liquor (\$1 drinks) or the consistent and persistent heavy discounting of liquor (2 for 1 drinks) at some venues. Liquor compliance regulation prohibits the public advertising of discounted liquor, but it is not prohibited within the venue. There have been continued calls to abolish *heavily* discounted liquor and the consistent heavy discounting of liquor, but those calls have gone unheard. The steep discounting of liquor by some venues produces an unfair playing field, when all other venues voluntarily agree not to discount. As previously discussed, mandatory compliance is more effective than voluntary, as some venues purposefully exclude themselves in favour of making money.

We therefore recommend a blanket ban on heavily discounted drinks within licensed venues, such as \$1 drinks and 2-for-1 offers.

5.4 CCTV Within Late Night Trading Licensed Premises

Current regulations require late night licensed premises to operate CCTV cameras at external entry points only. However local licensees have taken the initiative of installing several more cameras inside their clubs. The purpose of this is two-fold.

Firstly, CCTV footage is available to be accessed by liquor compliance officers investigating reported incidents. Secondly, it acts as a protective mechanism for staff and security if an incident is recorded inside their venue. For example, if a person assaults another person inside the club, investigators are able to track when they arrived and how many drinks the person consumed at the venue. If the person stayed for two hours, consumed only two glasses of water and then assaulted a person, the club is exonerated of any wrongdoing. Conversely, if a club is not doing the right thing and RSA is being exploited by staff, the CCTV footage will incriminate them.

Therefore, we recommend late night traders mandatorily install CCTV cameras around all major service areas of the club as well as the entry points. This will also enhance the recommended changes to section 178(1)(c) which assists investigators looking into reported incidents.

5.5 Mandatory Linked ID Scanners for Late Night Traders

Cairns stakeholders and licensees see the benefits and value of linked ID scanners in licensed premises. Currently, two of the late night venues in Cairns voluntarily installed ID Scanners and have spoken of their value. Firstly, linked ID Scanners will identify anyone on a police or venue banning list. Secondly, it acts as a deterrent to those who may consider misbehaving in the venue as they are identifiable on the system. Thirdly, it assists police in tracking down offenders who may be identified by sight on the open-space CCTV cameras as is often the case in Cairns. The process of doorstaff holding a list of banned patrons is a protracted and difficult situation, as doorstaff cannot remember lists of people that constantly change. Licensed premises are liable if a banned patron is found inside their premises, but this is difficult to manage on a paper-based system. Linked ID Scanners alleviate this situation and ensure banned patrons never enter licensed premises.

Cairns is still moving forward with its intention to install linked ID Scanners in all late night trading premises and we recommend all late night traders should mandatorily install linked ID Scanners as a matter of good practise.

5.6 Drug Taking and Intoxication in Late Night Precincts

A current focus in Cairns is the growing propensity for young people to be drug intoxicated within venues or on the street. Presently, drugs are cheaper than alcohol and young people are drinking less alcohol, but consuming drugs as a means of altering cognitive perceptions. Performance and Image Enhancing Drugs (PIED), ICE and ecstasy are the current drugs of choice and local police have introduced two permanent drug dogs to assist in detecting and prosecuting people within the Cairns

late night precinct. Local police have also relayed the difficulty in arresting a person affected by drugs, particularly PIED and ICE as these drugs increase bodily strength considerably and it often takes six police to restrain one male offender. Local evidence has shown that drug intoxication is now more problematic in the late night precinct than alcohol intoxication.

We recommend an evidence-base public health approach to address this arising issue and concur with Miller et al (2015) that early parenting programs are necessary to encourage future party-goers of the dangers of drug taking and alcohol misuse.

5.7 Public Urination in Late Night Precincts

Public urination is one of the persistent and consistently high offences committed in the Cairns late night precinct. The major issue is the lack of public toilet facilities in the city centre, which has been an ongoing issue for years. Although this is a Council responsibility, it does take a large amount of funding and it is a need that Cairns' stakeholders have been complaining about for years. Public urination is not only an offence under the *Summary Offences Act 2005 Qld*, it is also a public health issue.

Lack of funding is the key issue and we recommend that State government explore the possibility of extending funding to dedicated areas for such facilities in late night precincts.

5.8 Risk-Based Licensing

Risk-based licensing is a model of liquor licensing that is based on the level of risk a licensed premise poses with a cost-recovery mechanism factored into the licensing (Miller et al., 2015). That is, the higher the level of risk, based on breaches of specific compliance orders, the higher the fee the licensed premise pays. Therefore the more the licensees premise costs liquor compliance officers, the more they pay. The model is differentially structured to allow for restaurants, hotels, late-night venues and take-away bottle shops and also factors in hours of trade. Risk-based licensing can therefore be seen to reward licensees who 'do the right thing' and making accountable those that don't by way of fiscal costs. Although there is very little research around this model, Miller et al (2015) proposed this model held promise as it encouraged behavioural change within licensees to conform to liquor compliance requirements. Cairns would benefit from such a licensing model and bring those 'outsider' venues back into a fair playing field and reward those licensees working hard to ensure they host a safe venue.

5.9 Responsible Service of Alcohol (RSA) and Club Angels

The Responsible Service of Alcohol (RSA) is mandatory in Queensland. However the RSA course may be done on-line and there are no guarantees the holder of the certificate understands the enormity of what RSA means in a working environment. Currently, it is left to licensed premises owners or managers to ensure their staff fully understand RSA and the repercussions to themselves and the venue if RSA practices are violated. The current requirements for mandatory RSA are inadequate and are almost a token gesture when one considers the cost to the venue and the staff member if RSA is compromised. Research has concluded that RSA practices are also not well monitored as the responsibility normally falls to security to monitor the intoxication levels of those patrons within a venue (Miller et al., 2015). Difficulties arise because staff are normally very busy, as are security and RSA practices may 'slip' due to no one being available to consistently monitor patrons.

A cost-effective method of monitoring intoxication levels of patrons in venues is a group in the United Kingdom known as Club Angels¹. These are chaplains and general citizens, who volunteer their time to assist staff in licensed premises and are there to assist patrons if they require someone to talk to, they have a problem or need assistance of any kind. Club Angels are similar to Street Chaplains, except they work inside venues, not on the street. Club Angels could be trained in monitoring patrons in relation to intoxication levels and confer with management or security if the need arose. They are a volunteer organisation and come at no cost to the community. Cairns stakeholders are currently exploring the option of implementing a form of Club Angels in late night licensed premises in the Cairns CBD.

5.10 Lockouts

Local research in Cairns showed a spike in incidents immediately in the hour after lockouts (Clough, Hayes-Jonkers and Pointing, 2013). This coincided with stakeholder's complaints that the lockouts created more difficulties than they prevented. Stakeholders have consistently cited problems occurring when couples were inadvertently separated; mates were locked out from their peer group, fathers being separated from their daughters and people being locked out without their belongings. Lockouts also leave people stranded on the streets who still want to party and creates unintended issues on the streets. The only real benefit of lockouts is it creates a staggered time for people leaving the precinct. However in Cairns, some hotels close at midnight, some close at 1am, some at 2am; other clubs close at 3am and the late night venues close at 5am. These staggered closes already generate a steady, manageable stream of patrons out of the precinct. Cairns stakeholders see no real benefit to lockouts and agree that it creates more problems

¹ For a review, visit <http://www.clubangels.org.uk/>

than it solves. Research into lockouts has been small. However, there is currently no evidence that lockouts reduce alcohol-related violence within late night precincts (see Giancaspro, 2015 for example).

We recommend abolishing lockouts as they serve no real control mechanism for reducing alcohol-related violence, particularly in Cairns, but instead appears to perpetuate the problem.

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