

29 OCT 2009

Law, Justice and Safety
Committee

**QUEENSLAND POLICE SERVICE
BRISBANE CENTRAL DISTRICT
SUBMISSION TO THE PARLIAMENTARY INQUIRY INTO ALCOHOL RELATED
VIOLENCE IN QUEENSLAND**

EXECUTIVE SUMMARY

INTENT

The intention of this submission is to identify and explore current issues, opportunities and risks surrounding alcohol fuelled violence in the Brisbane Central Police District (BCD).

Recommendations provided, seek to highlight strategies and considerations aimed at addressing behavioural, attitudinal and cultural beliefs of people who choose to visit entertainment outlets and venues in the BCD and become vulnerable or subjected to alcohol fuelled violence or unruly behaviour.

The overarching commitment for police in the BCD is to provide safer and secure precincts.

AIMS

In order to initiate a paradigm shift in contemporary social behaviour, this submission aims to:

- Promote greater positive behaviour, accountability and responsibility among patrons,
- Develop standards of acceptable behaviour adopted by patrons from all groups,
- Develop strategies aimed at discouraging persons with a propensity for '*at risk behaviour*', access to licensed premises and associated public space;
- Encourage high level social leadership aimed at enhancing safe and secure venues in entertainment precincts and public space through collaborative partnerships and responsible practices;
- Promote strategies aimed at limiting the opportunity, access and exposure to alcohol purchases;
- Encourage the refinement of key formal legislative and intervention strategies to discourage and prevent ongoing '*at risk behaviour*' of patrons and;
- Foster joint responsibilities with venues, licensees, regulatory authorities, support agencies and other key stakeholders regarding the responsible service of alcohol.

ASSUMPTIONS

Contemporary assumptions in relation to night life culture in the Brisbane Central Police District (BCD) include:

- Most people go out to see their friends and seek entertainment with their peer group;
- Majority of patrons consume alcohol, (more than three standard drinks), before going to recognised venues or licensed premises in entertainment precincts;
- Most patrons reside outside the BCD;
- Those most at risk of injury or propensity to display disorderly or unruly behaviour are Caucasian males between 18 and 35 years of age;
- Most patrons are likely to visit two to three venues in close proximity in one night;
- The most influential cohort associated with the BCD night life culture are high users of social networking sites, mobile technology and consumers of television media, and
- The service of mid strength and low percentage alcohol drinks contribute significantly to reducing the incidence of violence and confrontational behaviour associated with organised events.

RECOMMENDATIONS

1. ***Revise public space laws to allow persons to be excluded from public area and places such as the Queen Street Mall and the Brunswick Street Mall and other recognised public spaces, in a manner consistent to the legislative provision of the Southbank Corporation Act.***
 - Initiate and develop amendments to existing legislative provisions and by-laws to endorse the issue of *Banning and Exclusion Orders* to persons of interest;
 - Consider the development and implementation of formal administrative avenues/mechanisms for *review* of decision making processes surrounding '*exclusion and banning provisions*';
 - Consider the development of specific offence provisions to address non compliance with banning or exclusion orders.
2. ***Institute full time dedicated Responsible Service of Alcohol (RSA) Marshals at licensed venues during peak hours.***
 - Consider the development of regulation to appoint dedicated and qualified RSA Marshals at venues trading past 12 midnight;
 - In consultation with the Office of Liquor and Gaming Regulation develop a model to maintain the independence of RSA Marshals at licensed venues and;
 - Consider legislative provisions to allow RSA marshals to conduct breath testing of patrons suspected of being intoxicated.
3. ***Promote an extensive Education and Awareness campaign reinforcing key messages surrounding the impact of alcohol consumption.***
 - Build on the success of the '*One Punch Can Kill*' campaign to promote and support improved personal behaviour;
 - Advertise the consequences of poor behaviour and the purposes of intervention strategies such as banning and exclusion notices;
 - Draw alignment with the '*smoke free*' campaign, adopting a similar analogy of '*No one fights here any more*' – recognising the consequences of risky behaviour;
 - Identifying the most appropriate media to communicate with those regularly attending the entertainment precincts; and
 - Consider regulations to place the onus on licensed venues and outlets to ensure relevant educational and awareness material is displayed and distributed appropriately.

4. ***Maintain and ensure greater commitment to a multi-agency approach to public safety and security.***

- A greater commitment is devoted to enhancing the professionalism and ethical practice of the security industry to support personal safety in venues;
- Enhanced commitment to implementation and application of workplace health and safety legislation, applied by all relevant stakeholders and;
- Enhanced commitment to environmental factors, both internal and external to licensed premises and public spaces to ensure a safe environment is provided for patrons.

The Brisbane Central District (BCD) is a vibrant and challenging policing environment. Geographically the district, made up of Brisbane City and Fortitude Valley divisions, is the smallest in the state.

Census data relative to the following suburbs, Bowen Hills, City Centre, Fortitude Valley, Kelvin Grove, Milton, New Farm, Newstead, Paddington, Red Hill, and Spring Hill is reflective of the district population showing a district population of approximately 54 144. An increase of 15.79% was evident when comparing 2006 data against 2001. The largest increases were detected in the City Centre (84%), Bowen Hills (81%), Newstead (73%), Spring Hill (51%) and Fortitude Valley (12.3%). Strong population growth is expected to continue within the district, in particular the City Centre, Fortitude Valley, Bowen Hills and Newstead. Much of this growth is due to the increasing the population density with high rise apartment blocks.

There is a large transient population which travels to the BCD each week day for employment. It is the centre of government and the headquarters for many large corporations. It has a specifically designated entertainment precinct. Estimates based on the average occupancy of licensed venues and pedestrian movements in the BCD indicate the night life crowd is in excess of 75,000 people on any Friday or Saturday night. This will increase when there is a major sporting event, major festival or concert in the BCD. Anecdotally The Brisbane City Police Division is the focus of the night-time population on a Friday night and this shifts significantly to the Fortitude Valley Police Division on a Saturday night.

In the BCD there are approximately 540 liquor licenses. Of these licenses, approximately 330 can trade to 12 midnight, approximately a further 30 can trade up to 3am and approximately 60 can trade until 5am.

Experience suggests that patrons begin their night out by drinking at locations other than licensed venues. This increases the chances of higher levels of intoxication before they travel to the City or Fortitude Valley at approximately 11pm and enter licensed venues (Blazevic 2008). This practice potentially increases the risk of drink driving, drinking as passengers in vehicles, drinking in taxis, unruly behaviour on public transport and littering streets with alcohol bottles on arrival.

The opportunity to consume alcohol has increased with the duration of the typical "night out". A patron may feasibly commence drinking at 6.00pm at home outside the BCD and end their night out at 5.00am the next day allowing for 11 hours of night life activity. Any person who has little or no sleep in the proceeding 24 hour period will become physiologically vulnerable later in the night. This level of vulnerability is magnified when the person is affected by alcohol.

A reduction in trading hours has reduced incidents of alcohol related violence in other police jurisdictions. In Newcastle City (NSW) the NSW Liquor Administration Board conducted an investigation and in March 2008 handed down restrictions on the trading of 14 licensed venues in Newcastle City. Seven of the premises traded until 5am and four until 3am. Five were also among the worst in the state for

assaults (Duncan 2009, p 13). It was reported that between March and November 2008

- Attendance at the emergency department dropped 30 percent
- Assaults between 1.30am and 6.00am fell from 113 (previous period) to 77
- Robberies, break and enter, motor vehicle crime and malicious damage dropped between 24 and 34 percent (Duncan 2009, p 14).

The study further reported that the limitations of these restrictions on Newcastle City could be seen in the neighbouring area of Hamilton where the trouble shifted to unrestricted late night venues. (Duncan 2009, p14).

The serving of only mid-strength liquor at events has been standard practise in the BCD for some time. Suncorp Stadium hosts around 43 sporting events each year and is well patronised yet contributes marginally to the incidence of alcohol related violence. A recent rugby union test match saw a crowd of 47 000 persons attend and result in only one eviction and one arrest.

In September 2009 the BCD managed the Sounds of Spring Music Festival at the RNA and Parklife Music Festival at the City Botanic Gardens on the same week-end. These festivals brought a combined total of 44 000 extra persons into the BCD.

Using the high risk event guidelines developed by the Office of Liquor and Gaming Regulation conditions negotiated with these event organisers included mid-strength liquor sales, Responsible Service of Alcohol (RSA) Marshalls, on site medical support, free water and chill out areas. This resulted in a very low rate of reported disturbances and reported crime at the events.

Fast food outlets and taxi ranks are places where the night life group find friction and increased risk of confrontation. Queensland Transport currently supports the provision of security providers and rank marshals, greatly improving the safety at the secure ranks in the BCD. Nonetheless some alcohol related violence issues continue to arise once the patrons are in a taxi with passengers and drivers the victim or perpetrator of a crime.

There is anecdotal evidence in the BCD of disturbances and associated violence in proximity to fast food outlets and other premises which trade at night and in the vicinity of licensed venues.

The key area of focus for the Brisbane Central District is public safety. This is achieved in the BCD using partnerships with stakeholders and a commitment to high visibility policing. This approach may be further enhanced with the following key strategies.

Public Space and Expansion of Exclusion Provisions

In the Brisbane Central District (BCD) once outside licensed venues, patrons find friction at locations such as taxi ranks, food outlets and in the Queen Street and Brunswick Street Malls. An added dimension is that these places are also frequented by youth, not otherwise permitted in licensed venues.

The Southbank Corporation Act 1989 provides an existing framework for managing this important public space by excluding persons who exhibit risky behaviour. A designated security officer can exclude a person causing a public nuisance or exclusion offence. A police officer may apply to a court to extend these exclusion orders for a period of up to 12 months.

This legislation also creates offence provisions where a person contravenes an exclusion order. The legislation has a system of review once an exclusion order is in place.

This legislation could be considered for application in entertainment precincts. Places such as the Queen Street Mall, Brunswick Street Mall, Botanic Gardens, Roma Street Parklands and Suncorp Park have strategic and iconic importance in that they factor heavily in the perception of safety in and around licensed venues.

Recommendations:-

- 1. *Revise public space laws to allow persons to be excluded from public area and places such as the Queen Street Mall and the Brunswick Street Mall and other recognised public spaces, in a manner consistent to the legislative provision of the Southbank Corporation Act)***
 - Initiate and develop amendments to existing legislative provisions and by-laws to endorse the issue of *Banning and Exclusion Orders* to persons of interest;
 - Consider the development and implementation of formal administrative avenues/mechanisms for *review* of decision making processes surrounding *'exclusion and banning provisions'*;
 - Consider the development of specific offence provisions to address non compliance with banning or exclusion orders.

Responsible Service of Alcohol Marshals – Increasing Vigilance at the Bar

Prosecutions for suspected breaches of the requirements to responsibly serve alcohol in licensed premises are problematic, difficult to substantiate and infrequent. There is no authority to breath test a patron and difficulty in the interpretation of a subjective assessment of a patron's level of intoxication especially in the BCD where there are large numbers of patrons in the precincts and crowded bar areas inside licensed venues.

Presently security and employees at all licensed venues have obligations regarding the Responsible Service of Alcohol (RSA) provisions. However, no one person on the premises is tasked with monitoring that issue alone. The window of opportunity for a door person, or bar person is limited to a brief interaction which does not provide sufficient opportunity for the employee to make an accurate assessment of the patron. A patron may be able to pull themselves together long enough to look sober when gaining entry or being served.

Employees of busy licensed venues are required to perform many tasks, mostly of a commercial nature for the betterment of the business.

There is a risk that a short subjective assessment of a patron's level of intoxication, could mistakenly allow an intoxicated patron entry or service. The level of drinking admitted to by patrons during a 2008 survey in the BCD (Blazevic) indicated that more than 70% of patrons consumed 2-3 standard drinks before attending the licensed venues.

Recommendation:

2. *Institute full time dedicated Responsible Service of Alcohol (RSA) Marshals at licensed venues during peak hours.*

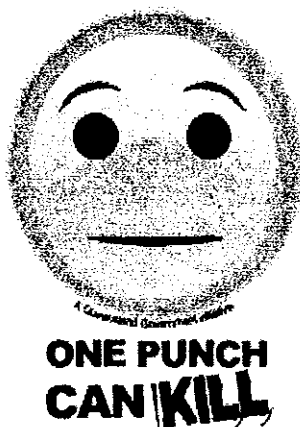
- Consider the development of regulation to appoint dedicated and qualified RSA Marshals at venues trading past 12 midnight;
- In consultation with the Office of Liquor and Gaming Regulation develop a model to maintain the independence of RSA Marshals at licensed venues and;
- Consider legislative provisions to allow RSA marshals to conduct breath testing of patrons suspected of being intoxicated.

Media and Public Awareness

The success of the '*One Punch Can Kill*' campaign provides a significant platform on which to effectively market the intent of the proposed strategies. An advertising campaign focused specifically at our younger generation has the potential to effectively instil positive behaviour amongst the majority of patrons visiting entertainment precincts. Future education and awareness campaigns may best be directed at personal behaviour when enjoying the company of friends and peers.

A suggested approach may be to encompass the philosophy adopted in the 'Quit Smoking' campaign which adopts the catch cry of '*Nobody smokes here any more*'. This promotion may portray vision of a young person who is presently subjected to a banning order, communicating with his mates using a mobile telephone while they are socialising without him at a licensed venue.

The 18 to 35 year age group is very receptive to communication using social networking pages such as Twitter and Facebook, the use of text messages and U-tube. The marketing and education strategy should build on these strengths and use the mediums enjoyed by the target group.



"NOBODY FIGHTS HERE ANYMORE"

Recommendations:

3. ***Promote an extensive Education and Awareness campaign reinforcing key messages surrounding the impact of alcohol consumption.***
 - Build on the success of the '*One Punch Can Kill*' and other similar campaigns to promote and support improved personal behaviour;
 - Advertise the consequences of poor behaviour and the purposes of intervention strategies such as banning and exclusion notices;
 - Draw alignment with the 'smoke free' campaign, adopting a similar analogy of 'No one fights here any more' – recognising the consequences of risky behaviour;

- Identifying the most appropriate media to communicate with those regularly attending the entertainment precincts; and
- Consider regulations to place the onus on licensed venues and outlets to ensure relevant educational and awareness material is displayed and distributed appropriately.

Multi-Disciplinary Approach to Managing Licensed Venues

The Brisbane Central District (BCD) currently has the only formally recognised liquor investigation unit (LIU) within the Queensland Police Service. The formation of this unit was a recommendation of the 17 Point Brisbane City Safety Plan.

The LIU regularly conducts multi-agency compliance operations targeting licensed venues. Where there is non-compliance to the specific provisions of the Liquor Act, the LIU takes appropriate enforcement action. In some instances, the LIU conducts an investigation and refers this to the Office of Liquor and Gaming Regulation to instigate show cause proceedings. Some licensed venues are also case managed by the LIU to improve their level of compliance and highlight best practice.

There have also been two security forums hosted by the BCD to assist the venue operators and security companies to provide a safer environment at licensed venues. These forums highlight best practice and address and resolve security related issues.

The multi faceted approach already adopted by the BCD can be supported with the development of multi-disciplinary teams to address design and environment issues in public space and the issues caused by the other commercial outlets within an entertainment precinct. Within the BCD there are issues of poor lighting, inadequate food serving practices causing increased rubbish and workplace safety issues relating to the safety of employees. Essentially, a greater emphasis on the CPTED principles using multi disciplinary teams to address local issues.

Recommendation:

4. Maintain and ensure greater commitment to a multi-agency approach to public safety and security.

- A greater commitment is devoted to enhancing the professionalism and ethical practice of the security industry to support personal safety in venues;
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List of References

Blazevic, G. 2008 Presented at "Problem Solving Workshop for Caxton Street Entertainment Precinct" September 2008, Department of Health Brisbane.

Breen, Danial. 2007, *The Geelong Advertiser*, "Geelong Niteclubs Crack Down on Identity Cards" *online* http://www.geelongadvertiser.com.au/article/2007/10/12/7765_news.html, [accessed 22 January 2009]

Curtis, K. 2007. 'Privacy Commissioner advises pubs and clubs on ID scanning obligations' *online* http://www.privacy.gov.au/publications/IS20_07.html, [accessed 5 June 2008]

Davidson, P. & Griffin, R. 1999, 'Managing strategy and strategic planning', in *Management: Australia in a Global Context*, ch. 8 (extract), John Wiley & Sons, Brisbane.

Duncan, B, 2009, *Battle of the CBD Violence and Vomit: Reclaiming the Streets in Of Substance*, vol 7, no.4, 2009

Fresh Advertising, 2006, Wrap it up One Punch Can Kill, *online* www.thinkfresh.net.au [accessed 9 February 2009]

Herald Sun, 'Security Scanning for Taxis', 18 June 2007, Melbourne.

Hubbard, G., Pocknee, G., and Taylor, G. 1996, 'Why change is resisted', in *Practical Australian Strategy*, Ch. 10, (extract), Prentice Hall Australia Pty Ltd, Sydney.

Mintzberg, H. 1987, 'Crafting Strategy' in *Readings in the Strategy process*, eds H. Mintzberg and J.B. Quinn, Prentice Hall inc, New Jersey.

Nicholas, R. 2006. *Identifying and responding to problematic licensed premises - A guide for police*. Australasian Centre for Policing Research, Canberra.

Privacy Act 1988 (Clth) (ACT), s. 14 'Information Privacy Principles'.

QPS 2008, *QPS Strategic Plan 2008-2012*, (online QPS Corporate Internet) [Accessed 29 Jan 2009].

QPS 2006a, *Brisbane Central District Environmental Scan*, Queensland Police Service, Brisbane.

QPS 2009, *Brisbane Central District Priorities Statement*, Queensland Police Service Brisbane.

Queensland Government 2008, *Queensland Government Information Privacy Principles (IPPs)*, (online) <http://www.privacy.qld.gov.au/principles.htm#3> [accessed 31 January 2009]

Queensland Government 2008, *Toward Q2 Tomorrows Queensland*, (online) <http://www.towardq2.qld.gov.au/tomorrow/tomorrowsqld.aspx> [accessed 29 January 2009]

Sathe, V. 2000, 'Creating change in mindset and behaviour', *Ivey Business Journal*, vol. 64, no. 5, May/June, pp. 83-89.

Stockwell, T., 2004. *Bouncers provoke violence – study*, *The Age*, 25 January 2004, online <http://www.theage.com.au/articles/2004/01/24/1074732656064.html> [accessed 30 Jan 2009].

Thomson, T. 2006, 'West Sussex Police Roll-Out 10 Clubscan Systems' (online) http://www.idscan.co.uk/uk_press.php?news_id=18&start=0&category_id=4&parent_id=4&arcyear=2006&arcmonth=10, [accessed 28 January 2009].

Viljoen, J. 1994, *Strategic Management*, 2nd edn, Pearson Education Australia, Melbourne.

Weston, P. 2008 'Multi-million dollar security crackdown on Gold Coast' *The Sunday Mail*, 17 August 2008, Brisbane.

Wilson, S. 2009 'Dramatic Shift in Drinking Attitudes' in *Of Substance* October 2009 Vol 7 No 4.

Wray, M. 2008 'ID Scans at Pubs "Illegal"' *The Courier Mail*, 5 June 2008 Brisbane.