

# Lock out laws and other alcohol restrictions: impacts on public health and other outcomes

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# Acknowledgements

Kyp Kypri, Don Weatherburn, Patricia Menendez, Peter Miller, Jason Ferris, Renee Zahnow, Kerri Coomber, Craig Jones, Caitlin Hughes, Claire Wilkinson, Robyn Dwyer, Ian Callinan and team, Centre for Program Evaluation, NSW Treasury, Gideon Fulde, etc etc etc

# A brief history

Trading hours restrictions have a long history in Australia



# A brief history

6 o'clock closing was relatively popular – a Victorian referendum to extend pub hours to 10pm was defeated in 1956



# A brief history

All states extended pub trading to at least 10pm by the 1960s

Gradual expansion of the night-time economy through the 1970s and 80s

- Initially clubs and venues were attached to hotels
- Cabaret and nightclub licences slowly introduced in most states
- First provision for 24 hour trading in the mid-1970s in some jurisdictions, but uncommon until the 1990s/2000s

# Lockouts

Increases in harms around late night premises in some jurisdictions led to various attempts to introduce restrictions

- Precinct-focussed interventions around RSA, security practices, safe taxi-ranks etc
- Lockouts pioneered in small Victorian cities throughout the 1990s
- Implemented briefly in Queensland in the early 2000s
- Trialled in Melbourne in 2008

# Lock-outs ≠ trading hours



**No entry or re-entry after 1:30 am**



**No entry if you are seen drinking or with open alcohol on approach**

If in/near an Alcohol Free Zone or Alcohol Prohibited Area



**No entry to any person wearing gang colours**

This includes any person wearing any form of clothing, jewellery or other accessory associated with a gang.



**MAKING YOUR NIGHT OUT SAFER**  
**SYDNEY - A SAFE AND FRIENDLY CITY TO VISIT**

# Lock-outs - evaluations

## Very few high quality evaluations of lock-outs on their own

- Mazzerole et al. (2012) evaluation of lockouts in two Queensland entertainment precincts – reductions in violence inside venues, but not outside (small overall effect)
- Follow-up analysis by De Andrade et al. (2016) – no overall effect in police or ambulance data
- Miller et al. (2012) evaluation of Bendigo lockout in regional Victoria – no impact on violence
- Limited use of control sites, evidence quality is generally low

# Three recent interventions

Combining lock-outs with mandated 'last drinks'

Newcastle (2008)

Sydney (2014)

Queensland (2016)

# Newcastle

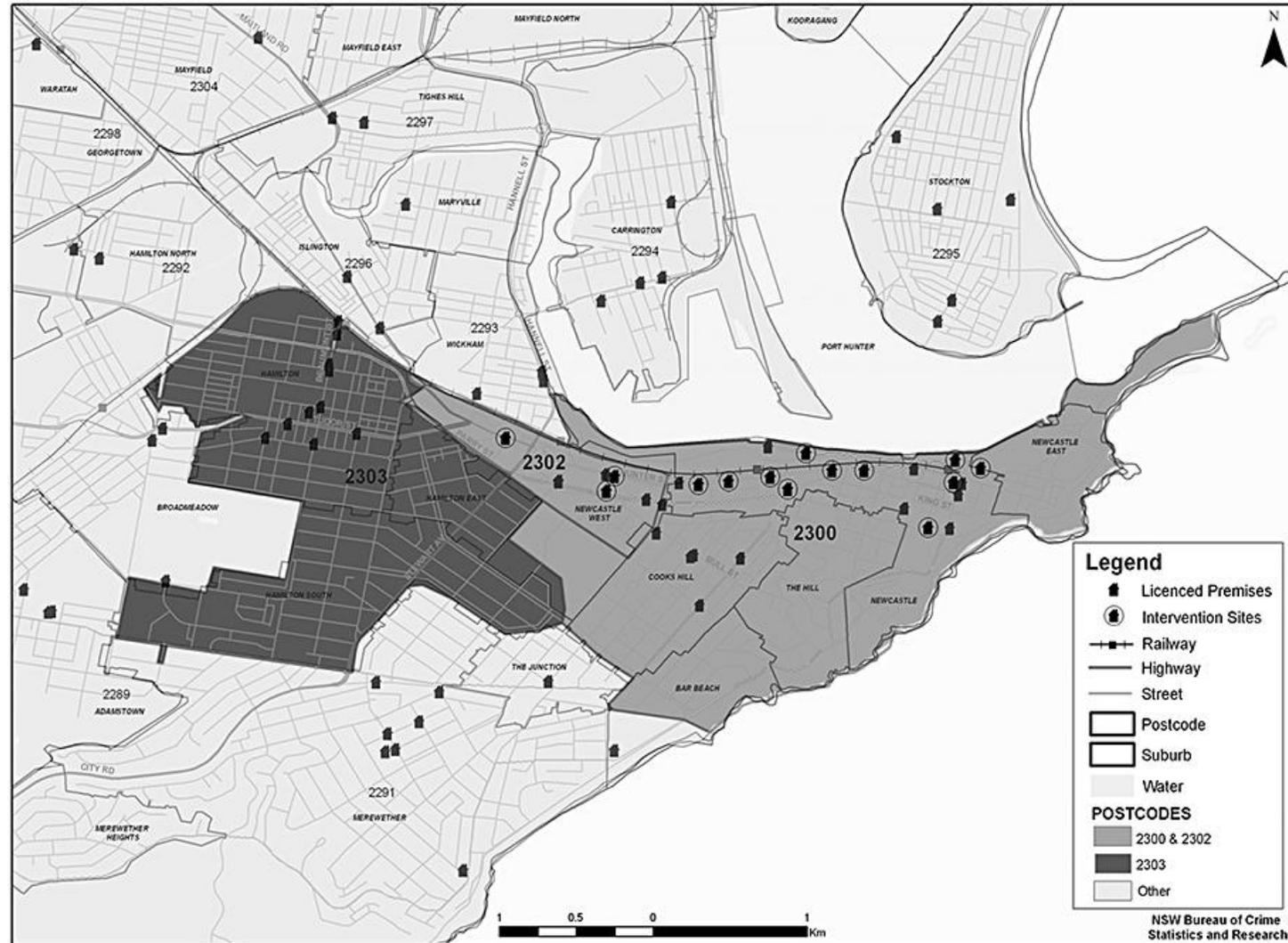


# Newcastle

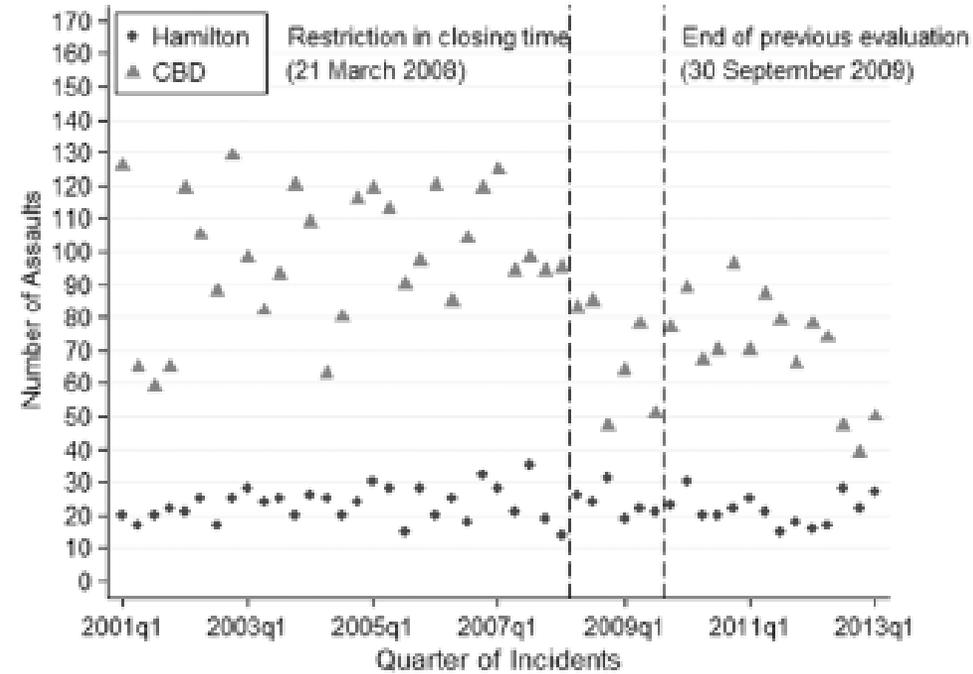
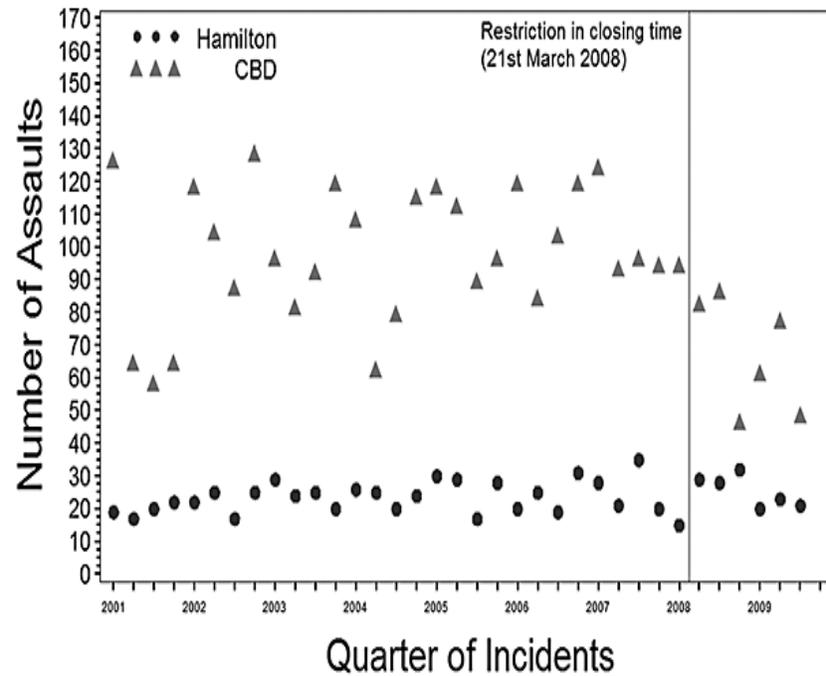
In 2008, the Liquor Administration Board in NSW imposed mandatory conditions on all late-trading venues in the city of Newcastle

- No alcohol served after 3am, lockouts from 1am
- Prompted by a coordinated campaign from community members and police about violence
- Very unusual decision for LAB (potentially related to their organisational status)
- Immediately and forcefully challenged by the industry
  - Challenge was settled with a shift to 1:30/3:30

# Newcastle



# Newcastle - evaluations



Kypri K, Jones C, McElduff P, Barker D. Effects of restricting pub closing times on night-time assaults in an Australian city. *Addiction*. 2011;106:303-10.

Kypri K, McElduff P, Miller P. Restrictions in pub closing times and lockouts in Newcastle, Australia five years on. *Drug and Alcohol Review*. 2014;33(3):323-6.

# Newcastle - evaluations

## Immediate and sustained reduction in night-time assault

- 32% reduction in first evaluation, sustained (33% over five years)
- No change in assaults in the neighbouring precinct of Hamilton
  - No increases from displacement effects between 2008 and 2010
  - No decreases after 1am lock-out (but no last drinks) implemented in Hamilton in 2010
- Less well designed analyses of emergency department data showed ~8% reduction in weekend, night-time injury presentations

Miller, P. et al. (2014), Changes in injury-related hospital emergency department presentations associated with the imposition of regulatory versus voluntary licensing conditions on licensed venues in two cities. *Drug Alcohol Rev*, 33: 314–322)

# Next stop: Sydney

## Two high profile deaths in Kings Cross

- Thomas Kelly in July 2012
- Daniel Christy on New Years Eve 2013
- Unprovoked, one-punch attacks on teenagers

## Massive media coverage

- Both daily Sydney papers ran major campaigns, Safer Sydney (Sydney Morning Herald) and Enough (Daily Telegraph)

# Next stop: Sydney

**Late-night violence** Government considers tougher restrictions

## Crackdown looms

Sean Nicholls  
State Political Editor

The George Street central business district is set to be the first to see a crackdown on late-night violence as a result of a government decision to introduce a national liquor licence system.

The George Street area may be the first to see a crackdown on late-night violence, which could mean restrictions on late-night trading in the area.

Under a plan of enforcement to be introduced in Kings Cross, the area will see a crackdown on late-night violence.

The George Street precinct, which runs from Darling Street to Hay Street in Kings Cross, will also see a crackdown on late-night violence.

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**The Daily Telegraph**

## GOLDEN TIMES FOR OUR AUSSIE STARS

Actors in line for awards P18

**Exclusive: Paramedics risk lives in grog warzone**

# COWARD ATTACK EVERY 2 DAYS

**ENOUGH**

**COMMAN FLEECES A-LISTERS OF \$40M** P12-13

**GET YOUR FREE ASHES POSTER**

INSIDE TODAY

**CHAMPIONS**

Giant tribute to our heroes

**The Daily Telegraph**

**EXCLUSIVE: PM speaks out as the father of three daughters**

# I'M SICK OF THE COWARDS

**ENOUGH**

**NRL THUG VICTIM'S LIVING TERROR** P5

# Abbott drawn into war on booze

**EXCLUSIVE**  
Sean Nicholls  
STATE POLITICAL EDITOR

Campaigners are calling on Tony Abbott to "accept responsibility" for the federal government's role in combating alcohol-fueled violence in areas such as Kings Cross, and that they "like to have a good time".

Mr Abbott on Friday said his three daughters enjoyed going out in Kings Cross and "occasionally in Kings Cross" and that they "like to have a good time".

"The tragedy is that places that should be entertainment precincts have become hot spots on occasions almost near zones because there is just so much

**SAFER SYDNEY**

**The Sydney Morning Herald**

"We believe it is time to implement the Newcastle model on a greater scale."

Editorial, News Review  
Page 13

**The Daily Telegraph**

WE'RE FOR SYDNEY

Just 18, Daniel Christie is fighting for his life, his future shattered on New Year's Eve by a moment of mindless rage all too common on our violent streets. The people of Sydney have had ...



# ENOUGH

Full report on this shocking attack: Pages 4-5, 22-23

**Street violence** Cabinet to debate strategy

## Bigger fees for risky venues

Sean Nicholls, Rachel Orling, Georgina Mitchell

The state's largest and most violent venues face paying tens of thousands of dollars a year to keep their liquor licences, under a proposal being taken to cabinet on Monday.

As police mopped up after another weekend of drunken violence in Sydney, including at the state's most violent venue, Ivy, the O'Farrell government was preparing to consider a system of risk-based licences for clubs and pubs.

Under the scheme, a version of which Hospitality Minister George Stouras will take to cabinet, venues would pay a periodic fee based on factors such as trading hours, capacity and licence type. The higher the risk, the higher the fee.

According to calculations by the NSW ACT Alcohol Policy Alliance, Ivy would pay more than \$25,000 a year if NSW adopted a scheme similar to that in place in the ACT.

On Saturday night, police were called to a line near Ivy after a group of patrons who had left the venue started a brawl that reportedly split onto George Street. Two people were restrained by the riot squad when they refused to move on. Police told them they might receive an infringement notice for offensive behaviour.

But the venue's management, Merivale, tried to distance itself from the melee, one of four brawls in the city at the weekend. "The individuals left Ivy without incident," a spokesman said. "The issues that developed occurred later and off the premises."

In November Ivy topped the list of the most violent venues in NSW with 28 assaults in the previous year. It is the only licensed venue in NSW on level 1 licensing restrictions, meaning it must have a zero tolerance and bans on shots and pre-mixed drinks over 8 per cent alcohol after midnight.

Risk-based licensing is in place in the ACT, Queensland and Victoria but in NSW venue owners pay a one-off fee for a liquor licence granted in perpetuity.

In December the chairman of a review of the Liquor Act, Michael Foggo, recommended NSW adopt a risk-based scheme with an annual fee which, if unpaid, would mean the suspension and ultimate cancellation of the licence.

Mr Foggo said that in NSW the fee for almost half the liquor licence applications in NSW was \$50, which had not changed since 2008. The one-off fee for a late trading

**SAFER SYDNEY**

**Continued Page 6**

**Alcohol-fuelled violence**

## O'Farrell blasted for 'stupid' comments

**EXCLUSIVE**  
Rachel Orling

The author of Australia's largest study into alcohol-related night-life crime has blasted Premier Barry O'Farrell for "stupid" comments that aim lockouts and zero tolerance would do little to prevent 500 assaults such as the one from which Daniel Christie died.

Peter Miller's five-year study found lockouts and early closing times in Newcastle encouraged drinkers to go to venues earlier, instead of pre-loading at home and arriving in the city drunk.

The brigade comes as the family of a Brazilian man killed by a single punch in November implored Mr O'Farrell for justice in their case, and for all victims of alcohol-related crime.

The family of Lucio Stein Rodrigues said his death from a "blow fall" blow from a stranger was a tragedy of inexcusable propor-

police, John Green, said on January 2: "The death of Thomas Kelly happened just after 10pm almost at the same location in Kings Cross; how would further restrictions on venues in the early hours of the morning make any difference?"

Associate Professor Miller, from Deakin University, said it was "very scary" for a premier to be parroting the hotel industry rather than looking at evidence-based research. "It's just a terrible argument. What sort of premier says it wouldn't have changed these two single incidents?" he said.

**SAFER SYDNEY**

**Inside**  
Dead Brazilian man's family path for justice

**TIME TO ACT, BARRY: ANOTHER CBD COWARD PUNCH** P2

# Next stop: Sydney

**The Daily Telegraph** WE'RE FOR SYDNEY  
 16.00 TUESDAY, JANUARY 22, 2014 THE TELEGRAPH.COM.AU

**SUPERNOVA'S AUSSIE VOW** P11

**FLAVOUR OF OUR NATION** Taste! Taster! Taster!

**VICTORY FOR TELEGRAPH READERS**

**BARRY MANS UP ON THUGS**

One-punch minimum sentences

**Mitch's reward for getting our mo-jo back**

**NSW ATTORNEY-GENERAL AT CENTRE OF 'JOBS FOR THE BOYS' AFFAIR' P5**

**Cole Classic** Entries for Australia's largest ocean swim close on Friday

**How you can own a holiday home** Money

**TV WARS Cricket hits tennis for six** SportsDay

**The Sydney Morning Herald**  
 INDEPENDENT. ALWAYS. Wednesday, January 22, 2014 \$2.30 (inc GST)

First published 1831 No. 55,002

**'I've heard the community's call for action'**

**PREMIER'S PLEDGE**

**O'Farrell delivers 16-point plan** **3am alcohol curfew** **Legal community up in arms**

Full coverage Pages 4-7, Editorial Page 18, Comment Page 20

**SAFER SYDNEY**

**Seán Nicholls, Michaela Whitbourn**

**Competition watchdog targets brewers** BusinessDay

**Obeid could be stripped of ill-gotten gains** News, Page 3

**Iran excluded from Syrian peace talks** World, Page 14

**The Daily Telegraph** WE'RE FOR SYDNEY  
 16.00 WEDNESDAY, JANUARY 22, 2014 THE TELEGRAPH.COM.AU

**1.30am pub lockouts and 3am last call**

**10pm bottle shop closures**

**Two years jail for drunken assaults**

**ENOUGH**

**Premier's tough stance to stamp out booze-fuelled violence**

**LOCK, STOCK & BARRY**

**OPEN UPSET** STAN AND DELIVER Full report »SPORT

# Sydney

## ‘Newcastle solution’ implemented in Central Sydney and Kings Cross

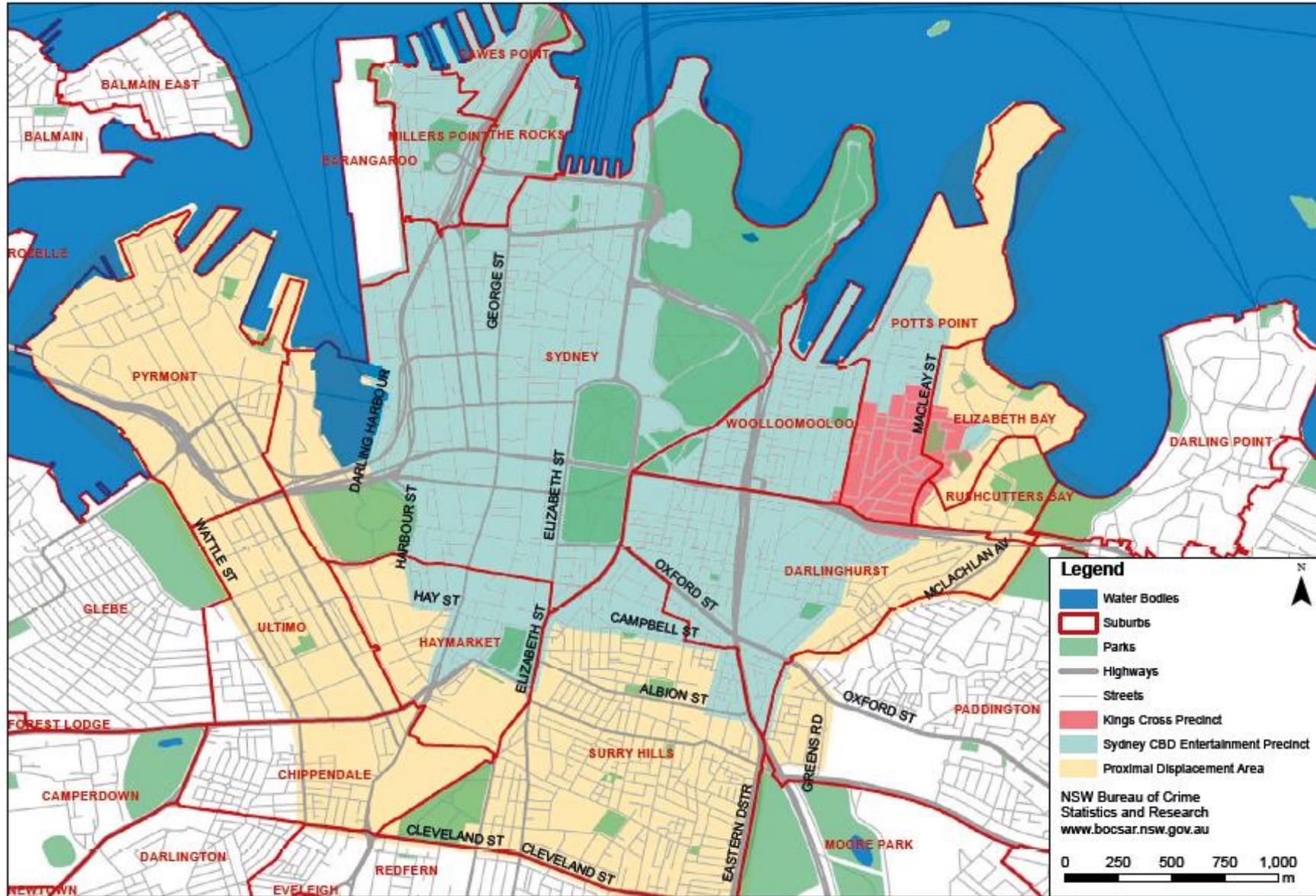
- 1:30am lock-outs, 3:00am last drinks
- Bans on shots after midnight, changes to transport and security

## Plus

- 10pm closing for bottleshops state-wide
- Mandatory sentences for ‘coward punch’ deaths

Hugely positive reaction from most media organisations

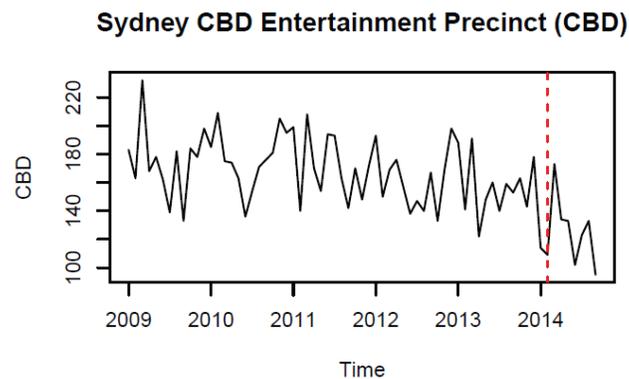
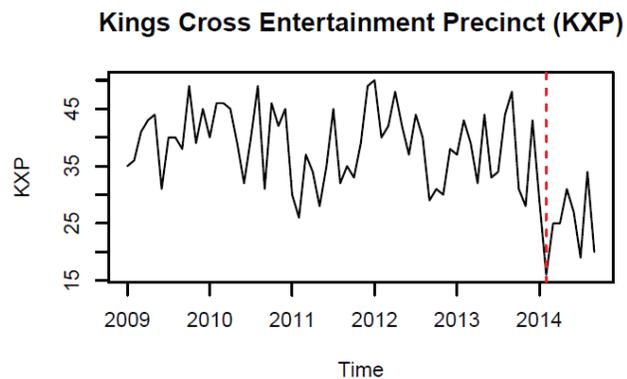
# The intervention site



# Evaluations (1)

## 8 months after implementation

- 32% decline in monthly assaults in KX, 26% decline in CBD
- No significant displacement to either neighbouring or distal entertainment precincts in Sydney (although suggestive evidence of small increase in Pyrmont)
- Adjusted for existing declining trend in assaults

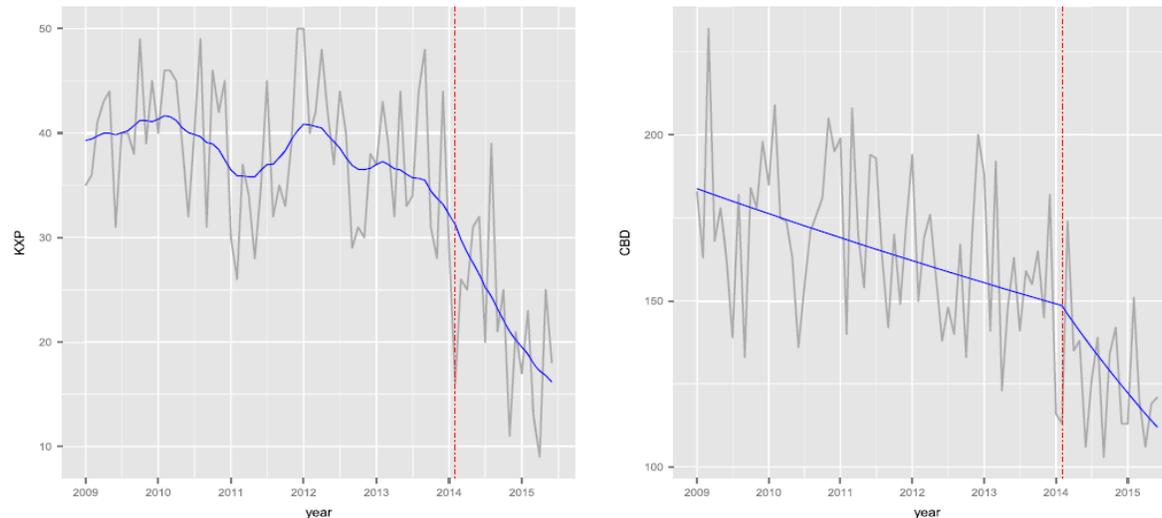


Menéndez P, Weatherburn D, Kypri K, Fitzgerald J. Lockouts and last drinks.  
Sydney: Bureau of Crime Statistics and Research, 2015.

# Evaluations (2)

## 17 months after implementation

- 45% decline in monthly assaults in KX, 22% decline in CBD
- No significant displacement to either neighbouring or distal entertainment precincts



- Declines in Kings Cross occurred across the whole night, in the CBD just after 3am

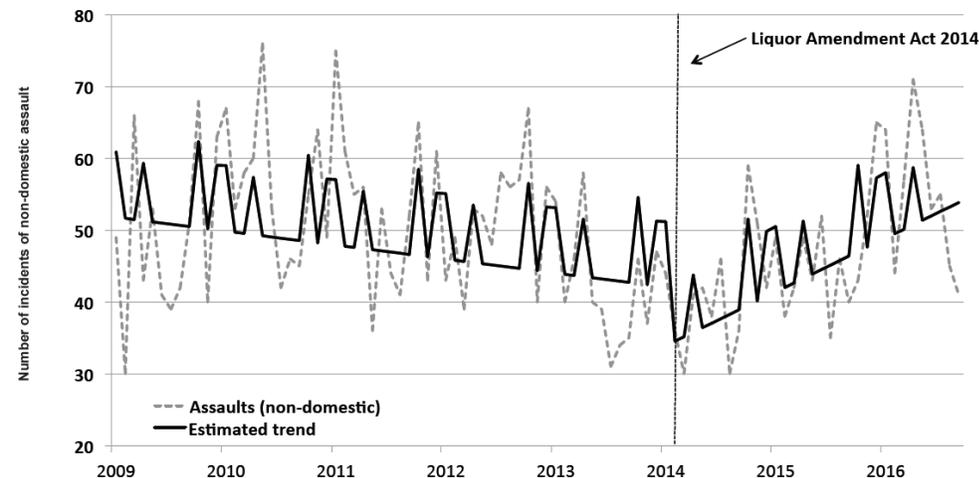
Menéndez P, Kypri K, Weatherburn D. (2016) The effect of liquor licensing restrictions on assault: a quasi-experimental study in Sydney, Australia. *Addiction*. 112(2): 261-268.

# Evaluations (3)

## 29 months after implementation

- 49% decline in assaults in KX, 13% decline in CBD, partly offset by increases in displacement areas (~15%)
- Overall, 930 assaults prevented in intervention areas, 299 more in non-intervention areas (total effect -631, ~22 per month)

Figure 5. Estimated trend for the number of non-domestic assaults in the Proximal Displacement Area including Star casino (PDA): Jan 2009 - Sep 2016



Donnelly N, Poynton S, Weatherburn D. (2017) The effect of lockout and last drinks laws on non-domestic assaults in Sydney: An update to September 2016. Sydney: BOCSAR

# Evaluations (3)

## Displacement effects supported by qualitative research

*“There are less drunk people on the street that’s for certain. And the less drunk people on the street means that everybody is slightly better behaved and those that are drunk look odd and they’re less likely to behave badly”.*  
(FG2:P5 – male Kings Cross resident/patron)

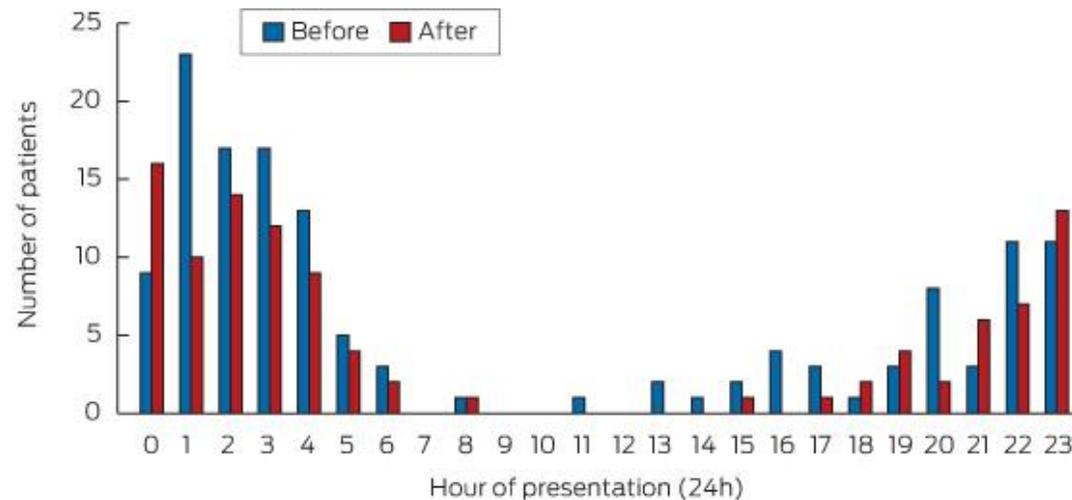
*“It’s just a different vibe. Newtown has previously been very diverse, welcoming, felt safe walking down the street and it’s that bit of aggression and destructive behaviour that wasn’t part of it ... there wasn’t this vibe of walking around looking to smash bottles.”* (FG4:P8 – male Newtown resident)

Hughes CE, Weedon-Newstead AS. Investigating displacement effects as a result of the Sydney, NSW alcohol lockout legislation. *Drugs: Education, Prevention and Policy*. 2017:1-11.

# Evaluations (4)

## Emergency presentations

- Simple pre vs post design, focussing on very serious injuries (triage categories 1 and 2)
- Presentations fell from 318 to 246, with declines particularly marked after 1am on the weekends
- Some increases between 11pm and 1am



Fulde GW, Smith M, Forster SL. Presentations with alcohol-related serious injury to a major Sydney trauma hospital after 2014 changes to liquor laws. *Medical Journal of Australia (MJA)*. 2015;203(9).

# Public health implications

The interventions have clearly reduced violence and injuries in Kings Cross and the CBD

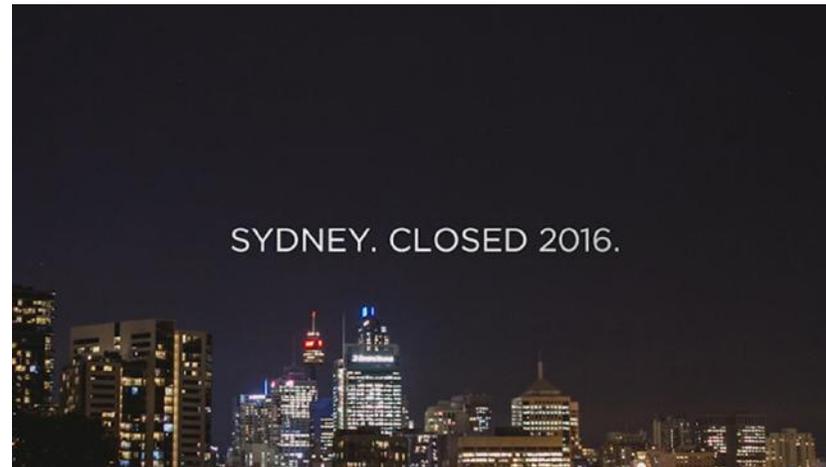
- Major declines in late-night assaults, particularly in Kings Cross
- Some evidence of temporal and spatial displacement
- ~22 assaults and ~6 serious injuries prevented each month
- Unpublished analyses of ambulance data in the CBD find ~50% declines in weekend, late-night severe and critical injuries and ~30% decline in less serious injuries

# Other impacts

Major public debate about the impacts of the restrictions on Sydney's nightlife and culture

- High profile venue closures
- Viral article published on LinkedIn ('Would the last person in Sydney please turn the lights out?')
- Well organised campaign harnessing community and industry opposition – 'Keep Sydney Open'
- Particular emphasis
  - Impact on live music and DJs
  - Exemption for casino

# Other impacts



# Other impacts

## Hard to find robust analyses of these broader impacts

- Overall decline of ~20% in night-time foot-traffic in Kings Cross (~80% decline at 4am), smaller declines in CBD
- Survey of CBD licenced premises found late traders had seen declines in turnover and employment of ~20%
- Australian Performing Rights Association (APRA) data showed declines in live music venues and admissions (offset by increases in unaffected areas)
- Clear contribution to the ongoing gentrification of Kings Cross

# Other impacts

## Venue closures

- Restrictions clearly resulted in some major venues closing down
- Counts of late night licences in Kings Cross and CBD show that new venues have entered the market, but potentially different styles/markets
- A number of closures attributed to the restrictions were clearly caused primarily by other factors

## Venue closures

# Iconic Kings Cross venue Hugo's to close its doors

Grant Jones, Food Editor, The Daily Telegraph  
July 30, 2015 9:54am

The failures in Bayswater Rd in particular have taken place over the past few years, not just the past 17 months after the lockup laws were introduced.

The famous Bayswater Brasserie closed in 2013, replaced by the short-lived Janus which lasted just a few months. The Piano Room, with its ties with Kings Cross kingpin John Ibrahim, closed after a few year. It became Santa Barbera, operated by Drink N Dine duo Jamie Wirth and James Miller, who tragically died of an accidental overdose soon after it's opening in 2013.

Then there was the sprawling Mansions pub which is now an apartment complex.

Hugos neighbour Concrete Blonde, with its \$2.5 million fitout, went bust in 2013 after soft sales.

NSW

# Lockout laws: Hugo's Lounge set to reopen in King's Cross to bring party life back into the

AMY HARRIS, The Sunday Telegraph  
November 13, 2016 12:00am

"I think the lockout laws has actually done good job of clearing out some of the trash in the area and I think it actually has a much nicer atmosphere compared to what it used to be like," Jury said.

"Hopefully this could be the beginning of a new era for this venue and that street in particular. I'm hoping that we can bring the people back and make the area as popular as it once was."

# Other impacts

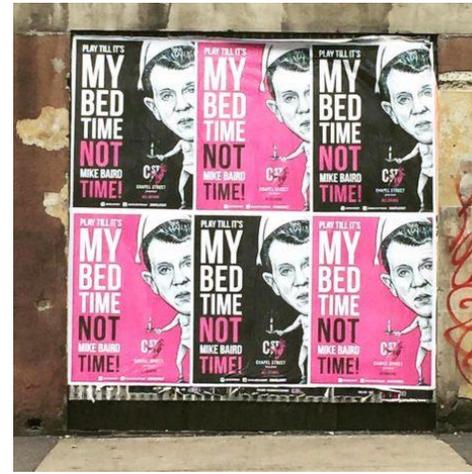
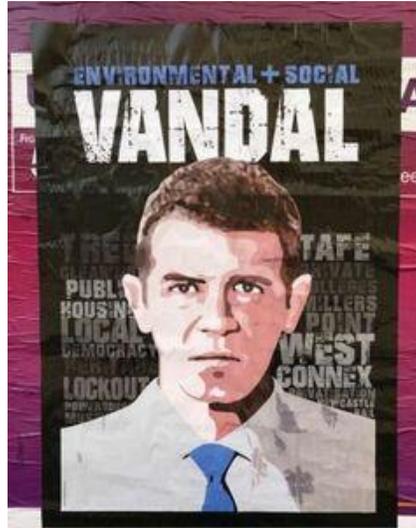
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## Public support

- Polling consistently shows broad public support for the restrictions
- Opposition felt strongly and campaigned on strongly

# Other impacts



# Review

## Major independent review commissioned by the NSW Government (Callinan Review)

- Broadly supported the restrictions, noting that the impacts on businesses and culture were overstated or hard to quantify
- Recommended slight relaxation – lockout pushed back to 2am, last drinks to 3:30am where live entertainment is being provided
- Has taken some of the sting out of the debate (alongside Baird's resignation)

# Finally: Queensland



# Finally: Queensland

## Last drinks implemented in Queensland from July 2016

- Policy platform of ALP at 2015 election, driven by high profile candidate (and facial surgeon) Anthony Lynham
- Unexpectedly won government and, despite media and industry pressure, stuck to their commitment
- Last drinks at 2am state-wide, 3am in 15 entertainment precincts
- Initially planning to implement 1:00am lock-outs in early 2017, but scrapped this component after fractious public debate (and spillover from Sydney debates)

# Queensland

## Implementation problematic in Queensland

- Informal evaluation after 6 months found no impact on assault rates
- Venues granted 12 one-off permits to trade later than 3am per year
- Suggestions in major precincts that venues were colluding – no weekends where all venues closed at 3am in first six months
- Permit numbers cut to 6 per year from 2017



RG's  
Sponsored · 🌐

Don't let the new laws stress you out too much. This Saturday we've extended our trading hours till 5am! I'm sure we're all gonna need a few drinks and a good party after Saturday's election



d3lp4xedbqa8a5.cloudfront.net



Rics Bar  
Sponsored · 🌐

Rics Bar has a little secret! Even though the new legislation has kicked in, we're extending our trading hours this Saturday night to 5am. The partying hasn't quite died in Queensland yet, especially at Ric's Bar!



The MET Brisbane  
Sponsored · ⚙️

This Saturday // COCO MADE ME DO IT feat. Jordan Burns

- x NO LOCK OUT
- x FREE CHEESEBURGERS AT 3AM (until run out)
- x FREE COCO MADE ME DO IT BEANIES (until run out)
- x DRINK SERVICE TIL 5AM
- x DOORS GUARANTEED TIL 7AM

Bringing life back to your Sunday mornings...

Revival - After Hours



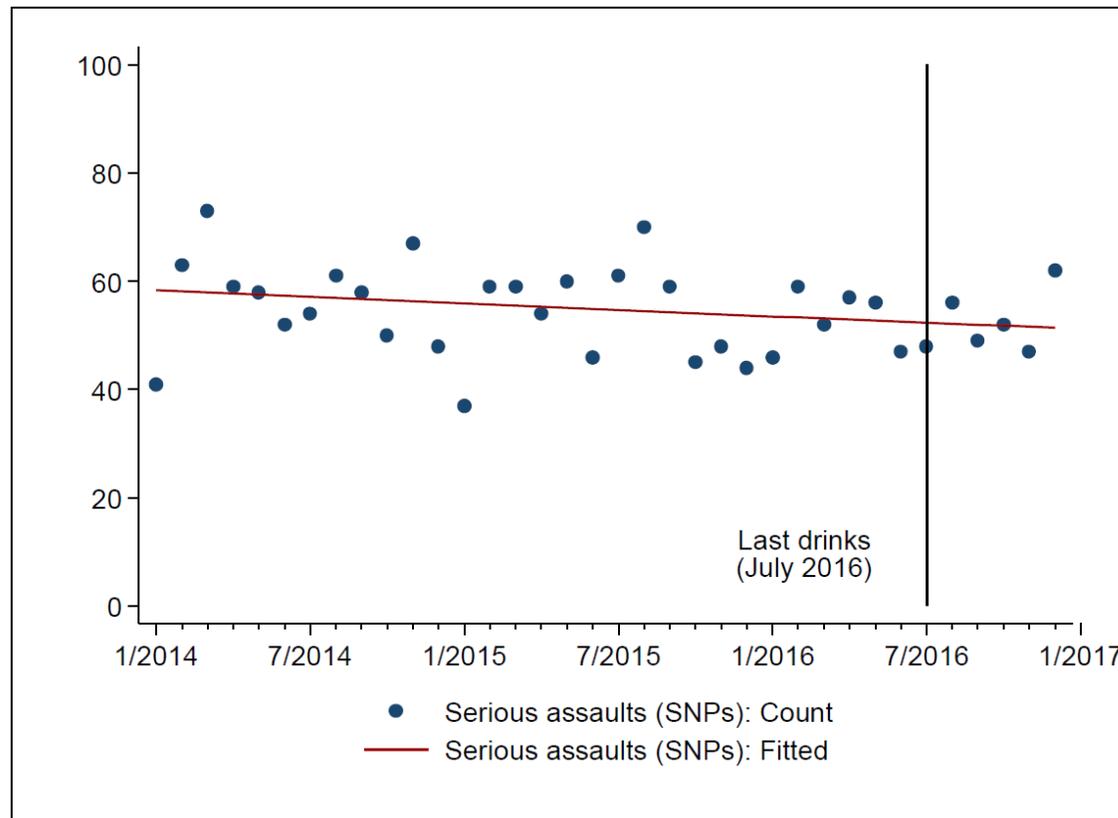
Write a comment... Post

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# Queensland

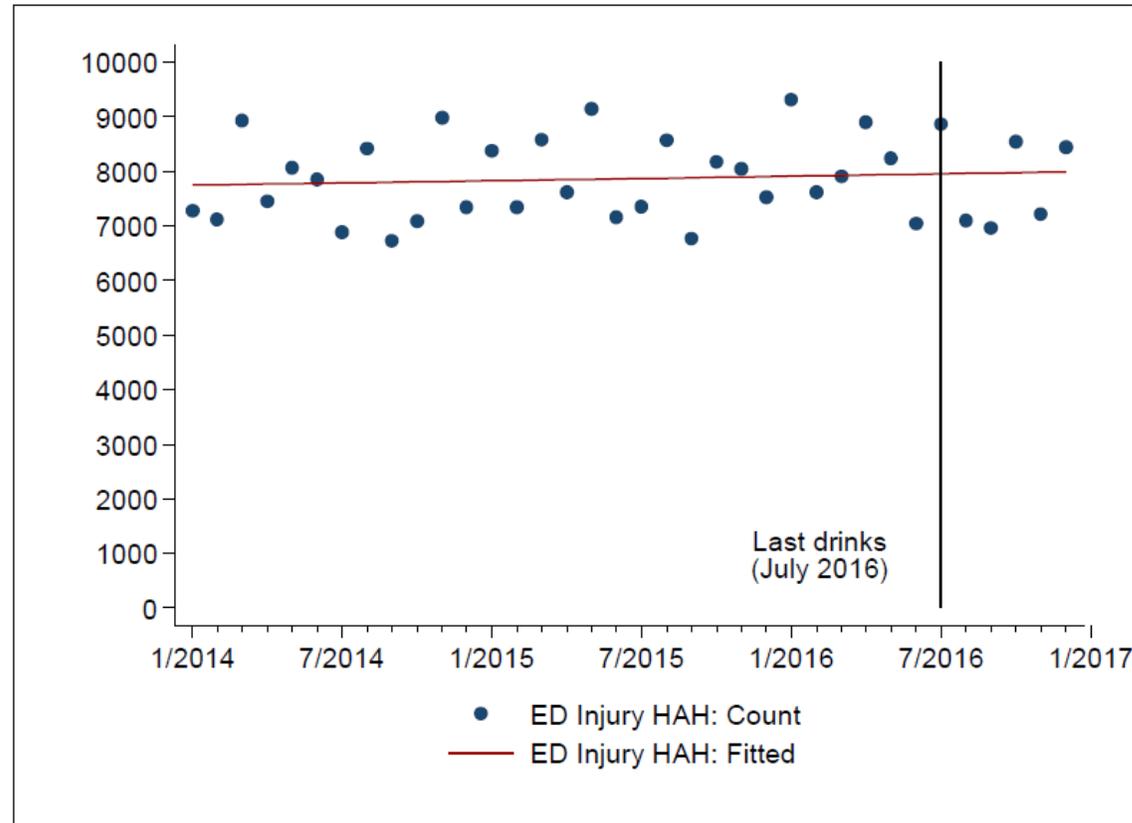
## Preliminary evaluation - 6 months post-intervention

- No obvious impact on assault rates



# Queensland

No obvious impact on injury rates



Ferris J., Zahnow R., Miller P., Coomber K. *Impact of the last drinks and lockouts*. Report prepared for the Queensland Government, Brisbane: Institute for Social Research Science.

# Queensland

## Major evaluation continues

- Long-term assessment of effects (esp with reduction in exemption permits) on a broad range of harms
- Data on changes to the night-time environments in key precincts being collected
- Intercept surveys with large numbers of patrons
- Key stakeholder interviews

# Summing up

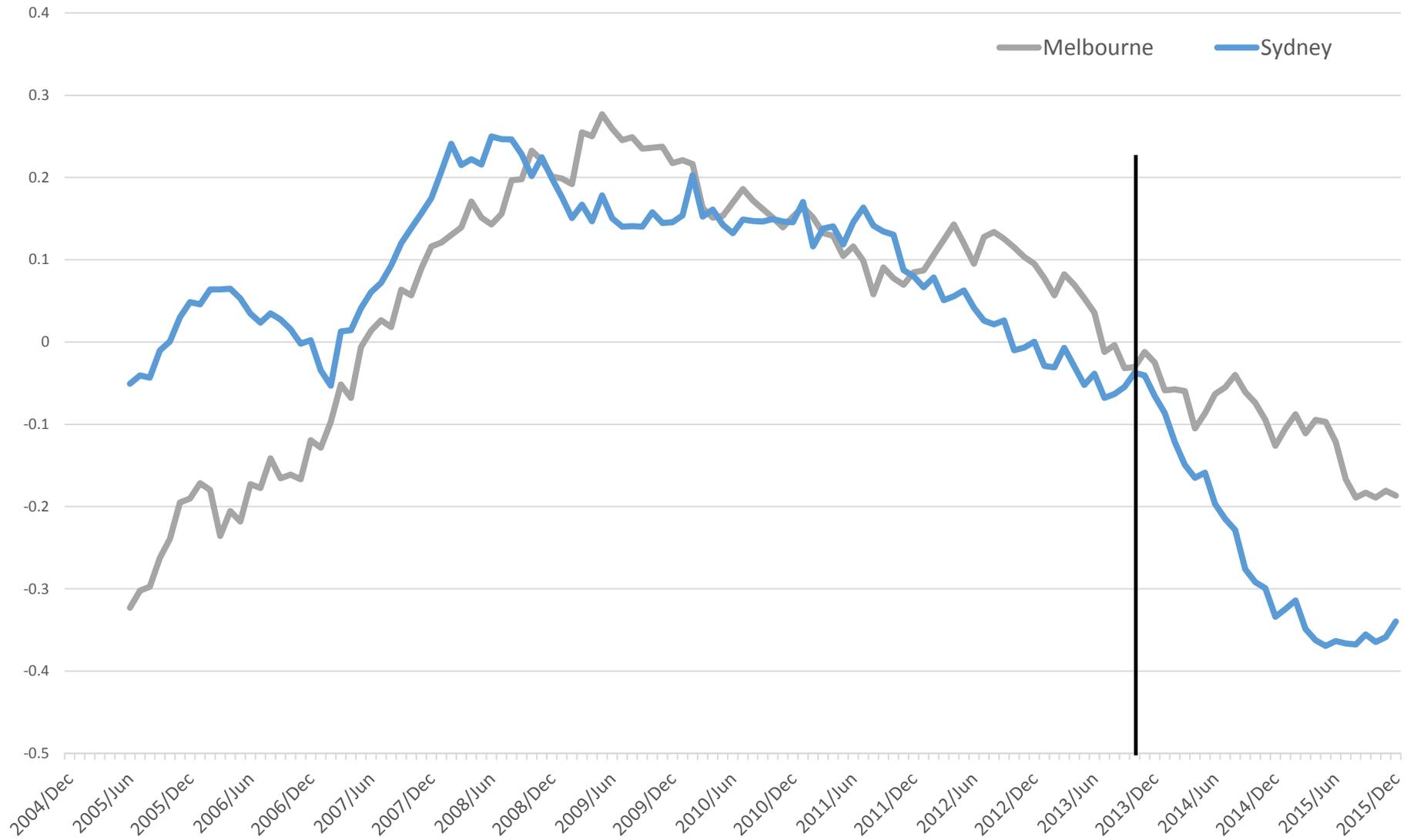
## The last decade has seen a reversal of decades of liberalisation in Australian late-night licensing

- Evaluations of lockouts and especially last drinks restrictions in Newcastle and Sydney show significant and sustained reductions in rates of assault and serious injury
- Some evidence of problems being displaced to other areas in Sydney (but not Newcastle)
- Results consistent with most international literature on changes in late night trading hours for licensed premises (although de-regulation of UK hours in 2003 an exception)
- No other policy options with a similar evidence base

# Summing up

## Gaps in the evidence/policy landscape

- Focus on late-night, public violence has narrowed debates about alcohol policy
  - e.g. only 15% of alcohol-related injuries in Queensland occurred in or around licensed premises (40% in private homes)
- Existing declines in problem rates in, e.g., Kings Cross, were largely ignored in debates (but decline clearly accelerated by intervention)



# Summing up

## Gaps in the evidence/policy landscape

- Focus on late-night, public violence has narrowed debates about alcohol policy
  - e.g. only 15% of alcohol-related injuries in Queensland occurred in or around licensed premises (40% in private homes)
- Existing declines in problem rates in, e.g., Kings Cross, were largely ignored in debates (but decline clearly accelerated by intervention)
- Complicated politics may require more consultative processes
  - Restrictions have clearly come at a cost to businesses and some communities. What are the trade-offs?
  - General public supportive, affected communities strongly opposed
  - Some communities feel unfairly targeted (e.g. live music, LGBTI scenes)
  - Public perceptions are that the laws are failing

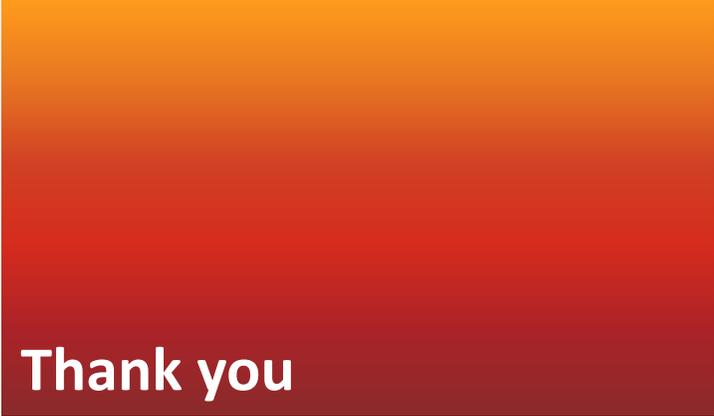
# Summing up

The implementation of restrictions have been driven by diverse factors

- Last gasp of an outgoing regulator (Newcastle)
- Concerted media campaign after high profile deaths (Sydney)
- Political champion in underdog party that won election (Queensland)

## What's next?

- No other Aus jurisdictions seem likely to go down this road in the short term, despite effectiveness of interventions
- Queensland evaluation findings will be the next key phase
- Trade-offs between public health gains and social cost can't be unpacked by 'evidence', but require politics



Thank you

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