

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

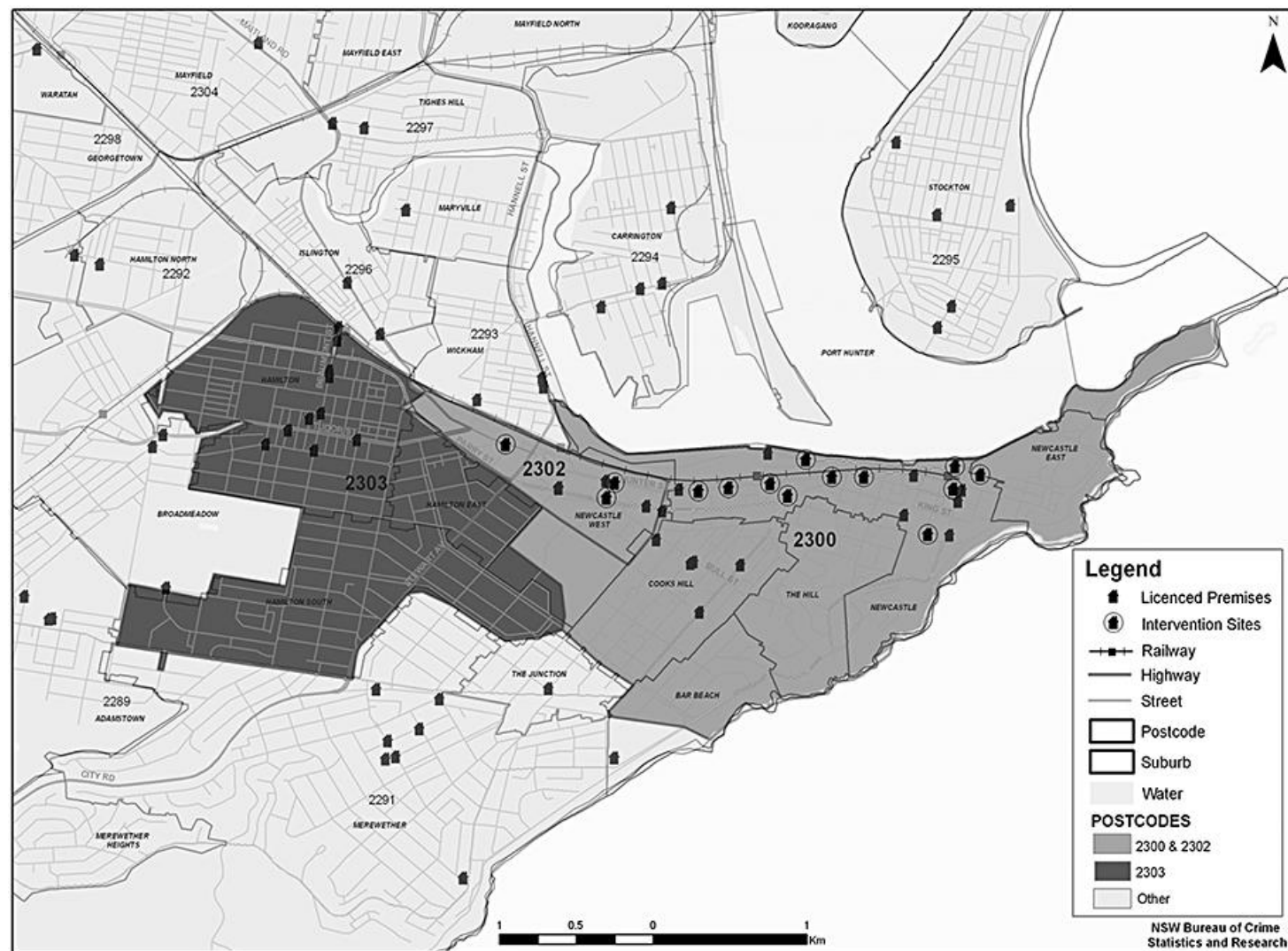


Newcastle

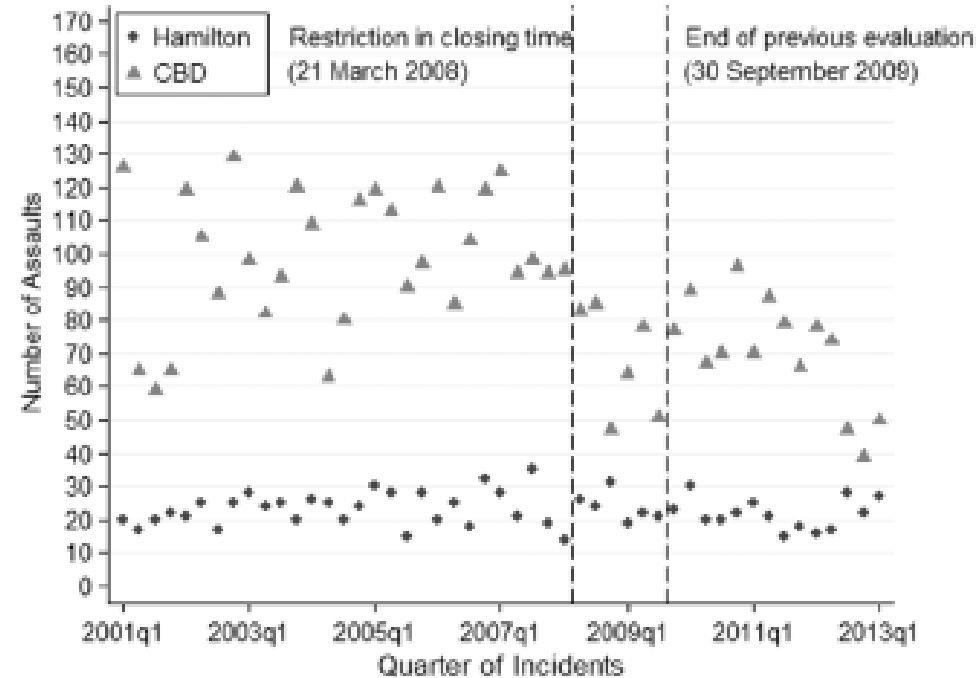
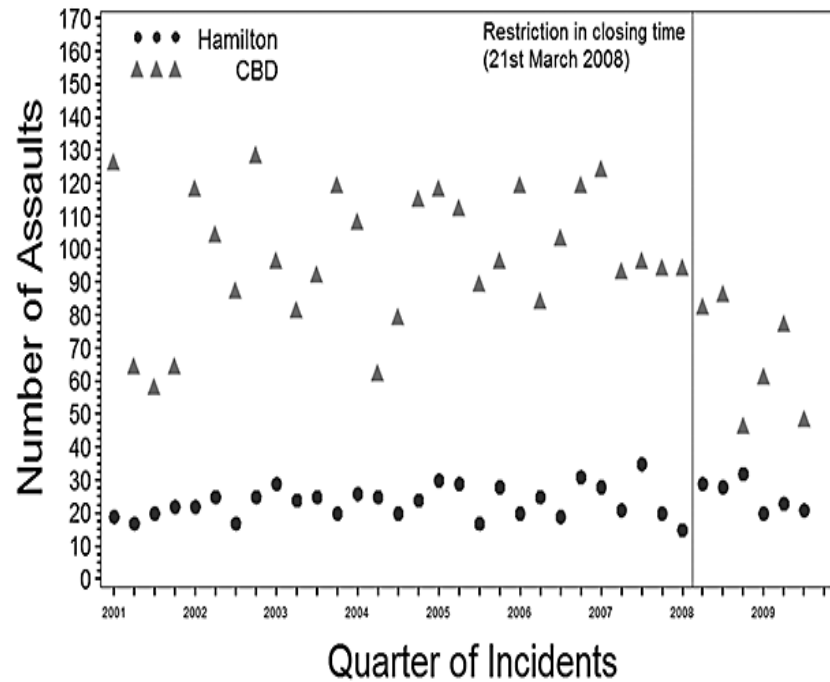
In 2008, the Liquor Administration Board in NSW imposed mandatory conditions on all late-trading venues in the city of Newcastle

- 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

SAFER SYDNEY

Inside: Lifting prices won't stop binge drinkers. Fare increase fails to tempt late-night clubs. News, Pages 4-5

Statistics have revealed that more than 100,000 alcohol-related assaults in the Sydney region last year, with a 10 per cent increase in 2014. The government says it is a 20 per cent drop since 2008.

Meanwhile, one of the nation's oldest health organisations has called for a broad national inquiry into alcohol-related harm.

Police Inspector Andrew Miller, who leads the city's night-time response, says the problem is not just the amount of alcohol consumed but also the time of day and the location of the drinking.

The George Street precinct, which runs from Darling Street to the city centre, is the heart of the late-night drinking scene. It is also the area where the most alcohol-related assaults occur.

Under a plan of management to be implemented in 2015, the city will see a number of changes to the way it manages the late-night drinking scene. These include a ban on public drinking in the city centre, a ban on drinking in the streets, and a ban on drinking in the parks.

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The Daily Telegraph WE'RE FOR SYDNEY

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

CONMAN FLEECES A-LISTERS OF \$40M » P12-13

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CHAMPIONS

The Daily Telegraph WE'RE FOR SYDNEY

EXCLUSIVE: PM speaks out as the father of three daughters

I'M SICK OF THE COWARDS

SAFER SYDNEY

NRL THUG VICTIM'S LIVING TERROR » P5

Street violence Cabinet to debate strategy

Bigger fees for risky venues

Sean Nicholls, Rachel Olding, 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 licensing for clubs and pubs.

Under the scheme, a version of

which Hospitality Minister George Souris 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 late-night brawl at a group of patrons who had left the venue started a brawl that reportedly spilled 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 spokeswoman 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 2am lockout and bans on shots and pre-mixed drinks over 6 per cent alcohol after midnight.

Risk-based licensing is in place in the ACT, Queensland and Vic-

toria 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 Poggie, recommended NSW adopt a risk-based scheme with an annual fee which, if unpaid, would result in the suspension and ultimate cancellation of the licence.

Mr Poggie 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

Continued Page 6

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-fuelled violence in areas such as pricing after the Prime Minister declared his concern as a parent.

Mr Abbott on Friday said his three daughters enjoyed going out in Sharnly and "occasionally as 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, occasions almost war zones because there is just so much



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

Alcohol-fuelled violence

O'Farrell blasted for 'stupid' comments

EXCLUSIVE Rachel Olding

The author of Australia's largest study into alcohol-related night-life crime has blasted Premier Barry O'Farrell for "unbelievably stupid" comments that 1am lockouts and 2am closing times would do little to prevent 3pm 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 broadside comes as the family of a Brazilian man killed by a single punch in November explored 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 to the head" was a "tragedy of inexcusable prevent-



policing, 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.

Inside Dead Brazilian man's family calls for lockout

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

NSW - TELEGRAPH

Next stop: Sydney

The Daily Telegraph WE'RE FOR SYDNEY
16.00 TUESDAY JANUARY 20, 2016 THE TELEGRAPH.COM.AU

SUPERNOVA'S AUSSIE VOW **FLAVOUR OF OUR NATION** **Taster's choice**

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
First published 1831 No. 55,002 INDEPENDENT. ALWAYS. Wednesday, January 22, 2014 \$2.30 (incl GST)

'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

SEAN NICHOLLS, Michaela Whitbourne

SAFER SYDNEY

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
12.00 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

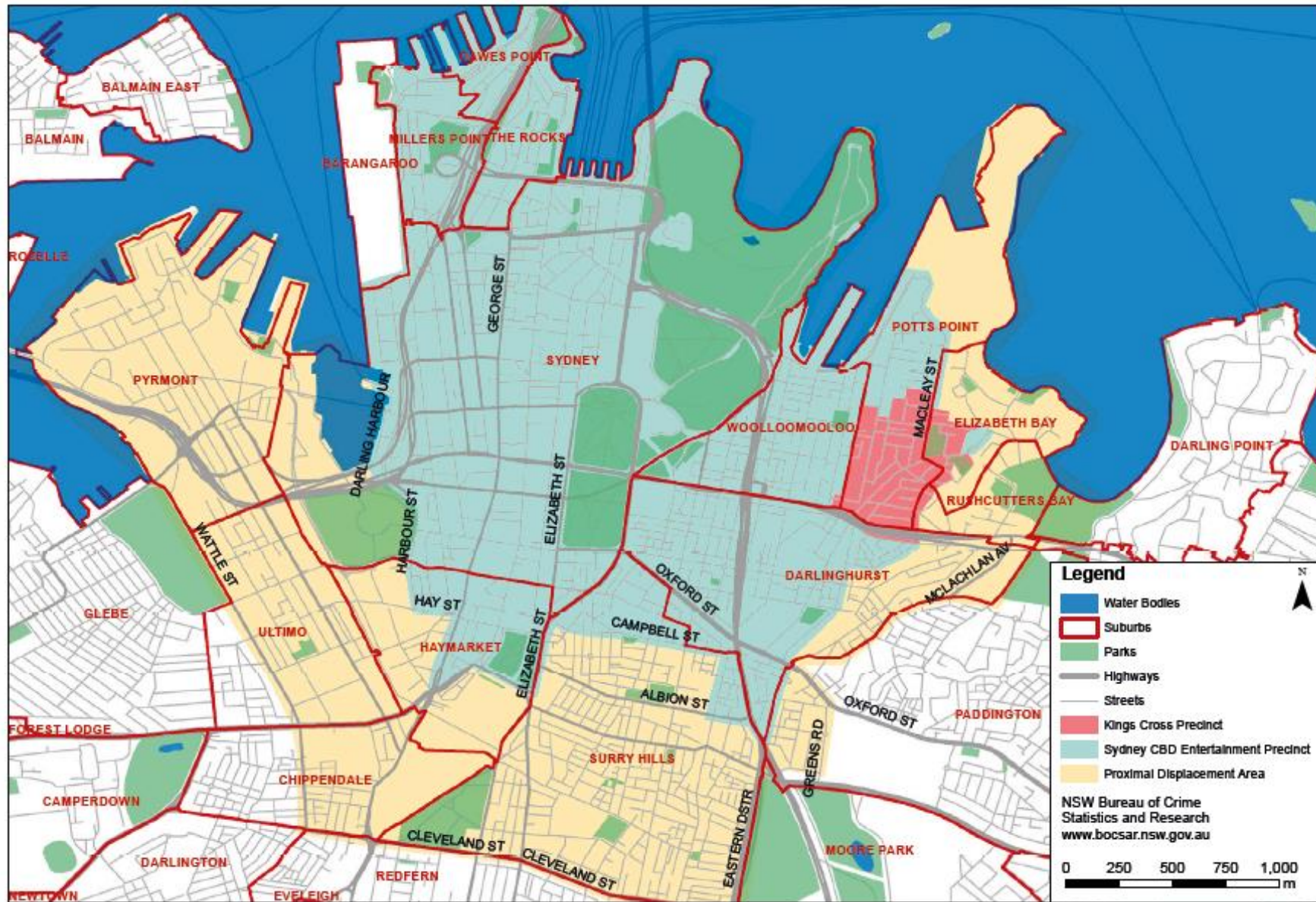
- 1:30am lock-outs, 3:00am last drinks
- Bans on shots after midnight, changes to transport and security

Plus

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

Hugely positive reaction from most media organisations

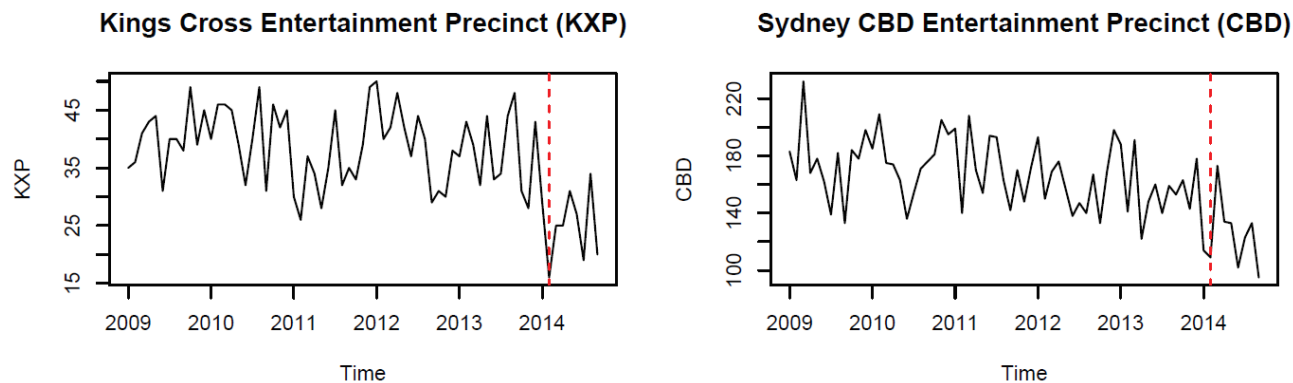
The intervention site



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

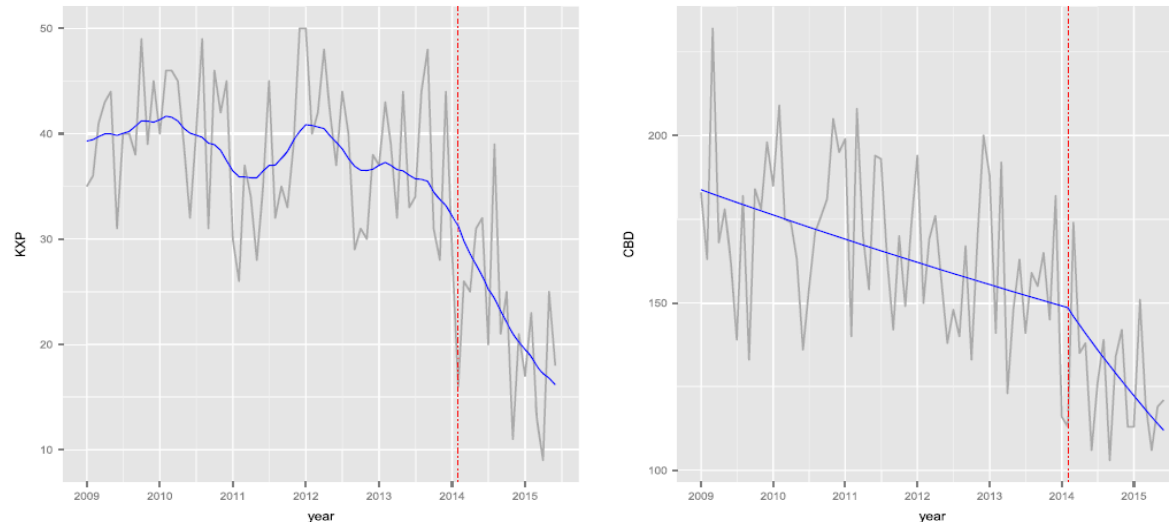


Menéndez P, Weatherburn D, Kypri K, Fitzgerald J. Lockouts and last drinks.
Sydney: Bureau of Crime Statistics and Research, 2015.

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

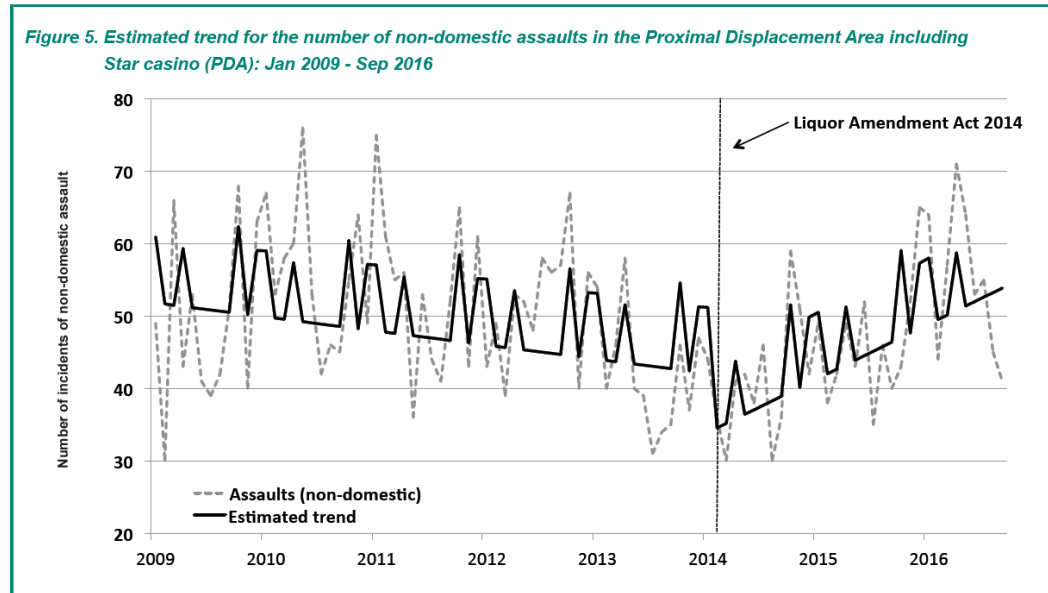
Menéndez P, Kypri K, Weatherburn D. (2016) The effect of liquor licensing restrictions on assault: a quasi-experimental study in Sydney, Australia. *Addiction*. 112(2): 261-268.

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)

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)*

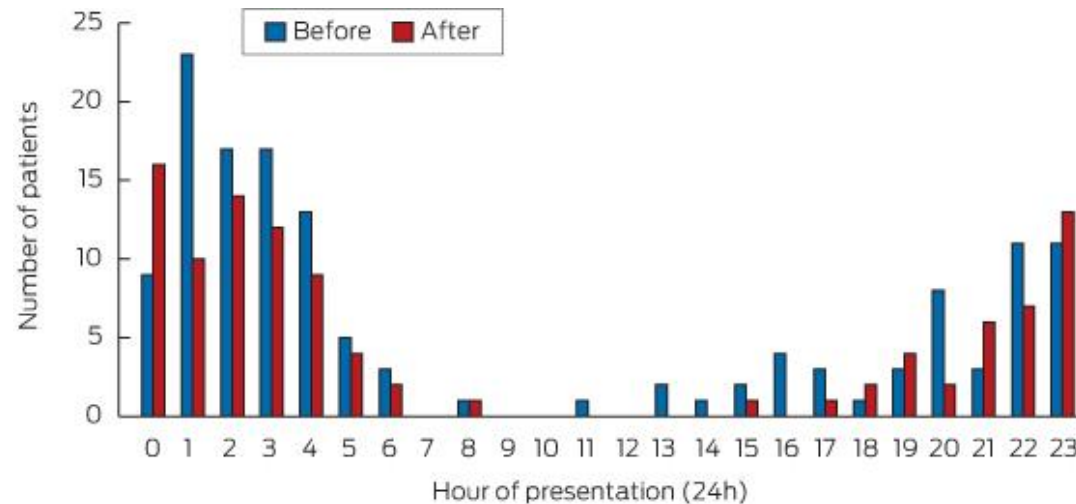
“It’s just a different vibe. Newtown has previously been very diverse, welcoming, felt safe walking down the street and it’s that bit of aggression and destructive behaviour that wasn’t part of it ... there wasn’t this vibe of walking around looking to smash bottles.” (FG4:P8 – male Newtown resident)

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

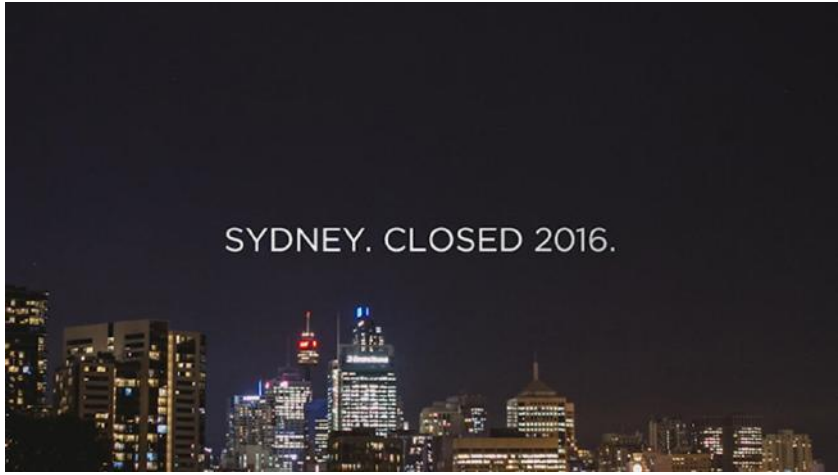
- Major declines in late-night assaults, particularly in Kings Cross
- Some evidence of temporal and spatial displacement
- ~22 assaults and ~6 serious injuries prevented each month
- Unpublished analyses of ambulance data in the CBD find ~50% declines in weekend, late-night severe and critical injuries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

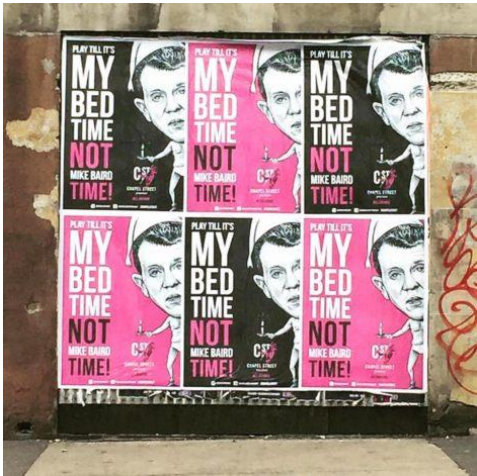
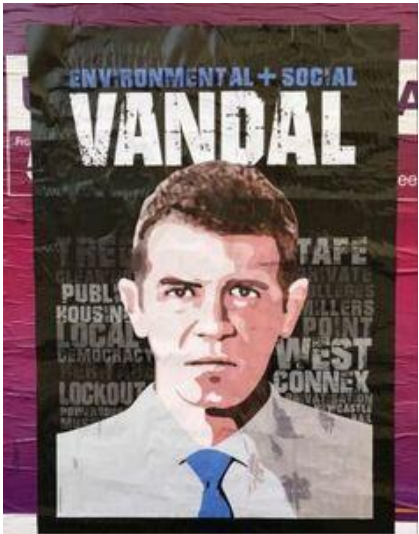
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Public support

- 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

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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

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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

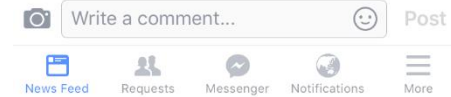
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This Saturday // COCO MADE ME DO IT feat. Jordan Burns

- 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...

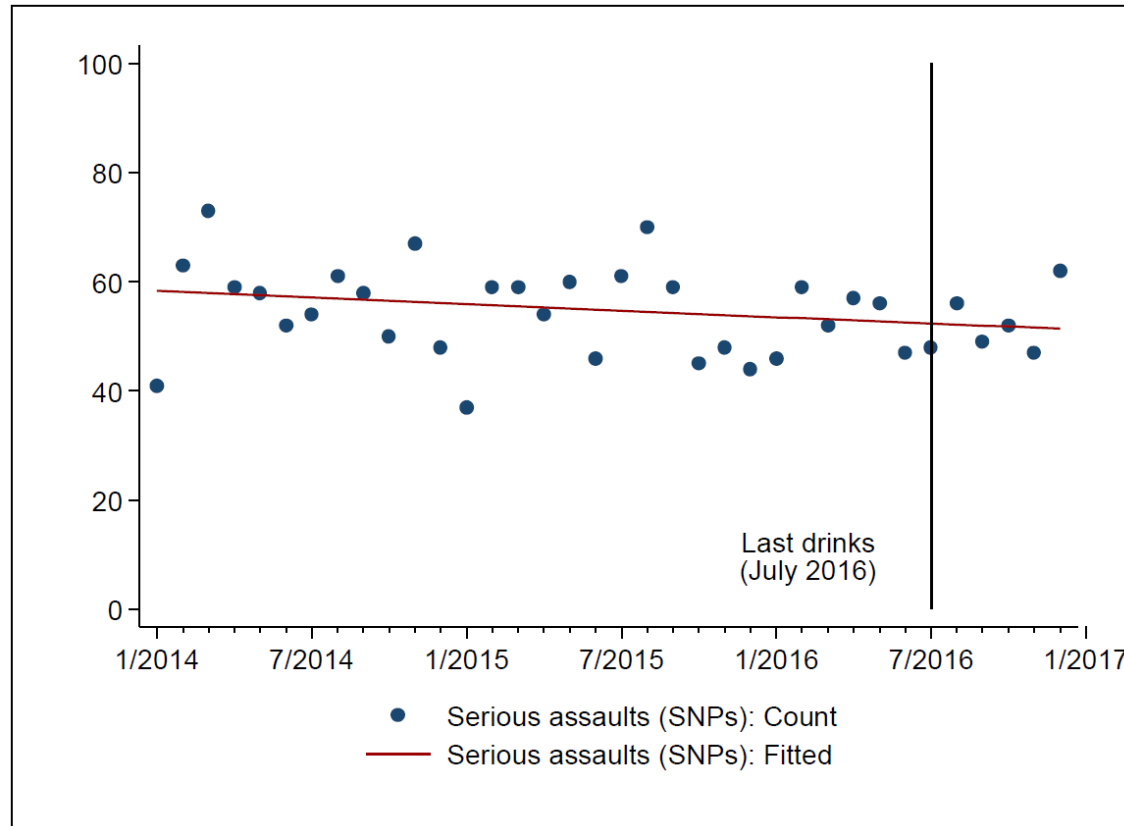
Revival - After Hours



Queensland

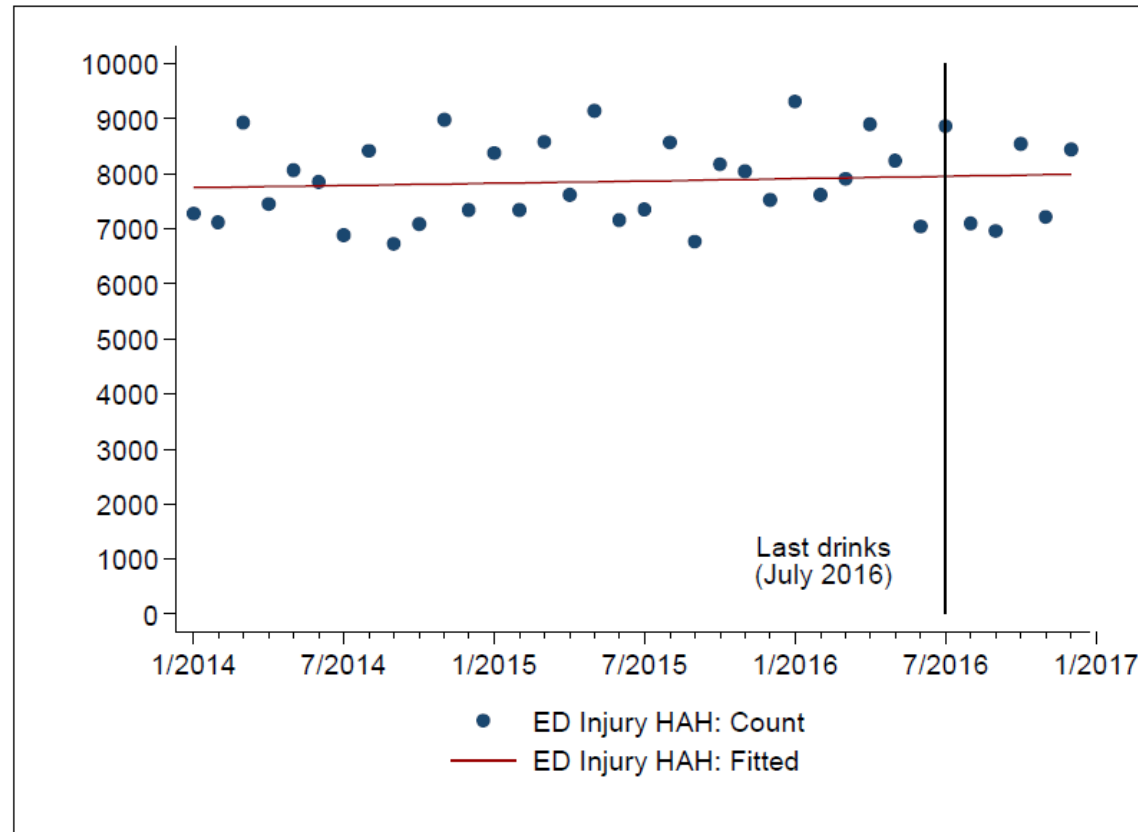
Preliminary evaluation - 6 months post-intervention

- 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

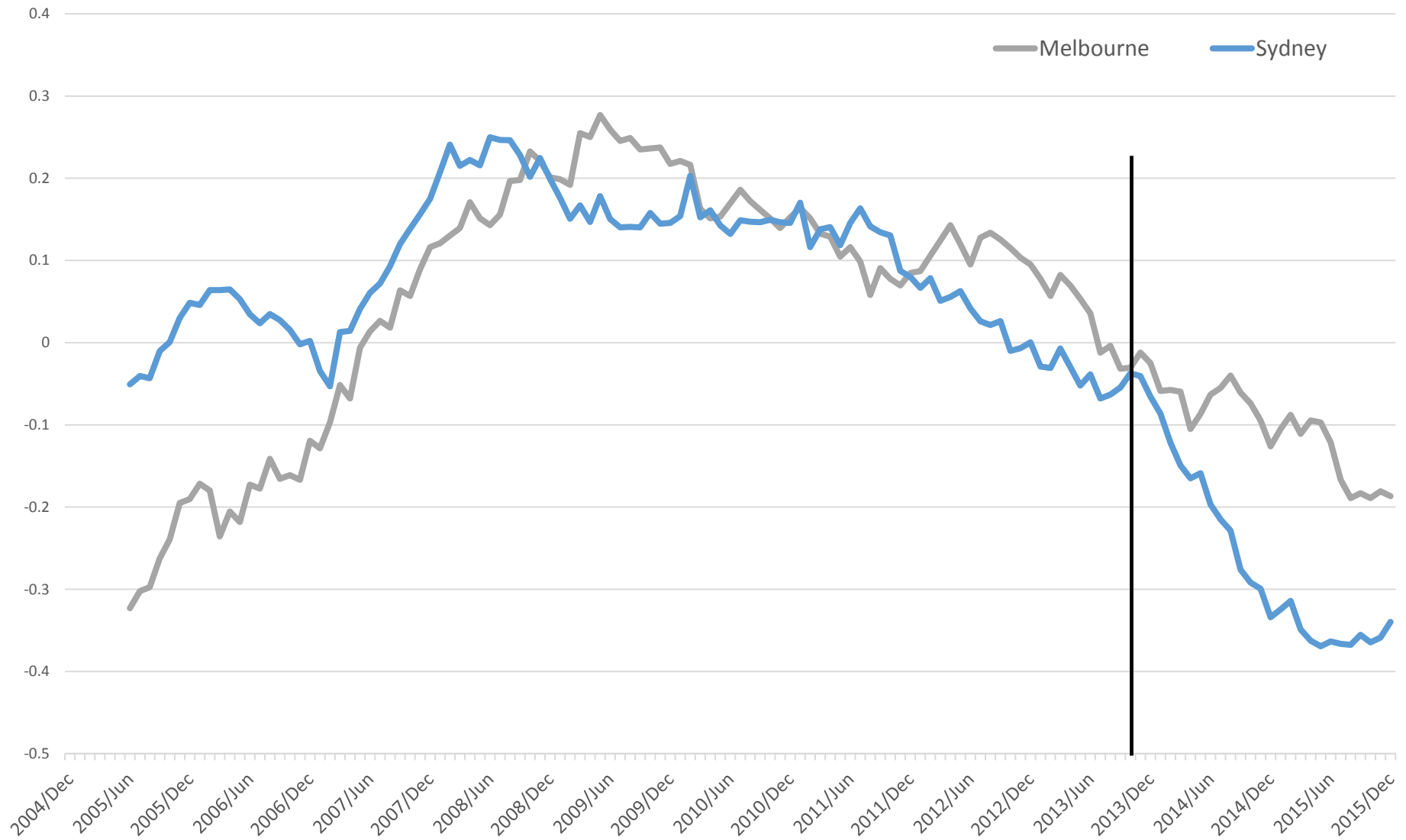
The last decade has seen a reversal of decades of liberalisation in Australian late-night licensing

- 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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