



**Department of Justice**

Evaluation of the Temporary  
Late Night Entry Declaration  
Final Report

Government  
November 2008

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## List of Acronyms

ADCA	The Alcohol and Other Drug Council of Australia
DoJ	Department of Justice
DoT	Department of Transport
DHS	Department of Human Services
LGA	Local Government Area
RSA	Responsible Service of Alcohol
The temporary Lockout	Temporary Late Hour Declaration
The Act	<i>Liquor Control Reform Act 1998</i>
VEMD	Victorian Emergency Minimum Dataset
VCAT	Victorian Civil and Administrative Tribunal

## Disclaimers

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*This report has been prepared as outlined in the Scope Section. The services provided in connection with this engagement comprise an advisory engagement, which is not subject to assurance or other standards issued by the Australian Auditing and Assurance Standards Board and, consequently no opinions or conclusions intended to convey assurance have been expressed.*

*No warranty of completeness, accuracy or reliability is given in relation to the statements and representations made by, and the information and documentation provided by, Department of Justice, and other stakeholder consulted as part of the process.*

*KPMG have indicated within this report the sources of the information provided. We have not sought to independently verify those sources unless otherwise noted within the report.*

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## Executive Summary

A number of particularly violent incidents in and around late-night entertainment precincts, along with growing community concern, prompted the Government to request that the Director of Liquor Licensing give consideration to introducing a Lockout. Of particular concern was the increasing severity and intensity<sup>1</sup> (and not just the number of incidents) of the violence arising from the extensive use of alcohol in the Melbourne precinct. Such misuse was seen to result in street brawls and persons being beaten that resulted in either the victim dying or suffering permanent physical or neurological damage.

The issue of alcohol-related violence has become a growing area of concern in the wider community over the last few years. The Alcohol and Other Drug Council of Australia (ADCA) reported to the recent Parliamentary Inquiry into Strategies to Reduce Harmful Alcohol Consumption<sup>2</sup> that individuals who generally drink to a moderate level but occasionally drink to excess have been found to ‘create the greatest risk of alcohol-related violence, injury and accidents’.

The World Health Organisation (WHO) global status report found alcohol to be strongly associated with violent crime. In relation to violence, they note ‘studies on violence have repeatedly shown that alcohol consumption precede violent events, and that the amount of drinking is related to severity of subsequent violence’.<sup>3</sup> In 2008, the WHO reiterated these findings, reporting on the ‘growing evidence on alcohol’s contribution to acute injuries associated with violence’.<sup>4</sup>

The increase in alcohol-related violence has started to raise fundamental questions for government in how alcohol consumption is licensed and monitored. Issues related to the growth in licensed facilities with liberal operating conditions have also come under increasing scrutiny. A recent Australian review on density of alcohol venues and assaults concluded that as density of outlets increases, so to do assaults.<sup>5</sup>

### The Government is responding

With a commitment of \$37.2 million over five years, *Victoria’s Alcohol Action Plan 2008-2013* (the Action Plan) sets out the Victorian Government’s approach to preventing and reducing harm associated with alcohol misuse.<sup>6</sup> The Action Plan aims to reduce:

- risky drinking and its impact on families and young people;

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<sup>1</sup> Please note, the nature of the available data does not allow an assessment of the severity or impact of any violence related incidents.

<sup>2</sup> Parliament of Victoria Drugs and Crime Prevention Committee (2006) Inquiry into Strategies to Reduce Harmful Alcohol Consumption.

<sup>3</sup> World Health Organisation (2004) Global Status Report on Alcohol, World Health Organisation, available at [http://whqlibdoc.who.int/publications/2004/9241562722\\_425KB.pdf](http://whqlibdoc.who.int/publications/2004/9241562722_425KB.pdf)

<sup>4</sup> World Health Organisation (2008) Strategies to reduce the harmful effects of alcohol: Report by the Secretariat, 20 March 2008, available at [http://www.who.int/gb/ebwha/pdf\\_files/A61/A61\\_13-en.pdf](http://www.who.int/gb/ebwha/pdf_files/A61/A61_13-en.pdf)

<sup>5</sup> National Drug Law Enforcement Research Fund (2008) Predicting alcohol-related harms from licensed outlet density: a feasibility study. Monograph Series No. 28, available at [http://www.ndlerf.gov.au/pub/Monograph\\_28.pdf](http://www.ndlerf.gov.au/pub/Monograph_28.pdf)

<sup>6</sup> Victorian Government (May 2008) *Restoring the balance – Victoria’s alcohol action plan 2008-2013*, State of Victoria 2008, Melbourne.

- the consequences of risky drinking on health, productivity and public safety; and
- the impact of alcohol-fuelled violence and anti-social behaviour on public safety.<sup>7</sup>

*The Action Plan* establishes the context for responding to alcohol-related issues within Victoria. Supporting this strategy, a range of complementary initiatives have been implemented:

- establishment of designated areas;
- Safe Streets Taskforce;
- Operation Razon;
- freeze on late-night licences; and
- establishment of the Liquor Licensing Compliance Directorate.

Under Section 3.7 of the Action Plan it states “*that given that late-hour entry restrictions have proven to be an effective measure in reducing violence and anti-social behaviour in public places in regional Victoria and other jurisdictions, the Minister for Consumer Affairs will request the Director of Liquor Licensing to consider utilising existing powers under the Act to introduce a three-month trial of late-hour entry restrictions. An evaluation of the initiative will inform a decision about permanent late-hour entry restrictions*”.<sup>8</sup>

### **Lockouts – the initiative in action**

Common to all jurisdictions, Lockouts are used as part of a suite of measures that together are targeted to reduce alcohol-related violence and disorder in and around late-night licensed venues.

All Australian jurisdictions have liquor licensing laws to regulate the sale of liquor including late-night entertainment venues which sell alcohol. New South Wales, Queensland and Victoria are the only jurisdictions which expressly provide for the declaration of a Lockout.

In other Australian jurisdictions, late night Lockouts are either voluntarily agreed by licensees or included as a condition of the late-night trading licence.

In order to change patron behaviour in the consumption of alcohol, as in Victoria, many jurisdictions have adopted a ‘whole of venue management’ approach. This approach is characterised by liquor licensing, police and licensees (and in some cases venue owners) working together to change drinking environments in order to positively change patron drinking behaviour.

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<sup>7</sup> Ibid, p15.

<sup>8</sup> Ibid pg.34

The Lockouts in operation across the country impact on bars, hotels and nightclubs of varying patron capacity, and the geographic areas in which Lockouts operate vary in the number of venues they capture. For example, Lockouts in South Australia apply to three to five venues, while the Hobart Lockout applies to over 30 venues. Lockouts also vary in terms of when they come into effect - ranging from 11.30pm (Beaudesert in Queensland), 1.30am in Newcastle to 3am (Hobart, Darwin, Queensland state-wide Lockout, Ballarat and Traralgon).

The difference in venue size, numbers, location and start times all impact on the need for additional measures to support the Lockout, especially those to manage patron displacement. As a result, the availability of public transport becomes a critical issue for large geographical areas with density of venues and patrons.

The majority of *permanent* Lockouts operating in other jurisdictions were established in consultation with a broad range of stakeholders including police, licensees, local council, public transport authorities and the community at large. Representatives from liquor licensing and police from other jurisdictions noted that as a result of the level of consultation undertaken, few complaints and objections were received about the Lockouts.

In all instances in the Australian jurisdictions examined, authorities did advise that changes in patron behaviour and violence could not solely be attributed to the late night Lockout, as in all instances this strategy was part of a suite of initiatives in operation at the same time. Such other initiatives included increased police operations, modified licence conditions and increased access to public transport.

### **The decision to declare a temporary Lockout**

As a consequence of the community concern and the nature and increasing severity of alcohol-related violence, particularly in the Melbourne CBD, there was an imperative for the Government to act quickly and decisively.

In May 2008, the Director of Liquor Licensing announced the intention to impose a temporary Lockout affecting the Cities of Melbourne (including Docklands), Port Phillip, Yarra and Stonnington. Under Section 58CA of the Liquor Control Reform Act 1998 the Director of Liquor Licensing has the power to make a temporary<sup>9</sup> Lockout if the Director believes on reasonable grounds that:

- alcohol-related violence or disorder has occurred in the area or locality to which the order is to apply; and
- a late hour declaration in relation to the area or locality is reasonably likely to be an effective means of reducing or preventing the occurrence of alcohol-related violence or disorder in the area or locality.

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<sup>9</sup> Please note the Director of Liquor Licensing does have the power to declare a permanent Lockout.  
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Concerns about alcohol-related violence were evidenced by:<sup>10</sup>

- a 6 per cent increase in assaults from March 07 – February 08, compared to the same period the year before;
- a 44 per cent increase in the number of drunk people taken into custody from March 07 – February 08, compared to the same period the year before;
- approximately forty-one per cent of assaults occurring between 8.00pm and 6.00am on Friday night (Saturday morning) and Saturday night (Sunday morning); and
- the peak periods for assault are between 2am and 3am on Sunday morning.

The temporary Lockout commenced at 2am Tuesday 3 June 2008 and ran for a three-month period, concluding on 2 September 2008 preventing licensees from allowing patrons to enter or re-enter the premises after a designated time (in this case 2am). This decision impacted on approximately 487 late-night venues across the four Local Government Areas (LGAs).

DoJ developed a two-stage communications strategy to inform the community about the introduction of the temporary Lockout and its implications for licensees, patrons and the wider community. The initial stage of the strategy commenced with the announcement of the Lockout, which generated significant media coverage across radio, television and print media. DoJ utilised this media coverage to continue to inform the community about the introduction and effect of the Lockout. The Director also met directly with councils and licensees, through Liquor Accord meetings, to inform them about the temporary Lockout.

The second stage of the communications strategy involved developing an advertising campaign to remind potential pub and nightclub patrons of the initiative throughout the remainder of the temporary Lockout period. However, after the initial advertising had been booked and commenced, VCAT granted a large number of stays to affected licensees. In early June 2008, an injunction was sought in the Supreme Court to stop the advertising campaign on the basis that the advertisements did not reflect the affect of the stays granted to some venues by VCAT. The injunction application was refused with costs but the affect of the VCAT stays rendered the advertising campaign unusable, and may have contributed to community confusion about how the temporary Lockout would operate.

The decision to establish a temporary Lockout in its own right was unique. The fact that a temporary Lockout was applied to as broad an area such as Melbourne CBD (and surrounding LGAs) was also a first and differentiated this initiative from other Lockouts used within Australia which all utilised permanent Lockout powers.

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<sup>10</sup> Director of Liquor Licensing, Late Hour Entry Declaration, page 5. 2008 unpublished  
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## **A significant proportion of venues were not involved in the temporary Lockout**

Under Section 87A(1) of the Act:

*‘A licensee of licensed premises to which a late hour entry declaration applies may apply to the Tribunal for review of the decision of the Director to make or vary the declaration as it applies to the licensed premises of the licensee’.*

Of the total number of venues affected by the temporary Lockout, approximately 25 per cent (120) were granted stays from VCAT pending a review of the Director’s decision. Venues that were granted a stay were able to trade as normal past 2am, however, had to meet the following conditions:<sup>11</sup>

- additional crowd controllers;
- no ‘pass outs’ to patrons for the purpose of smoking in public post 2am;
- no supply of liquor to designated footpath/kerbside post 2am; and
- no advertising/promotion of the fact the venue was granted a stay.

It is worth highlighting that the majority of venues (78 per cent) that were granted a stay by VCAT have high-risk conditions on their liquor licence.<sup>12</sup> Further, 54 per cent of nightclubs were granted a stay (46 out of 85), of which, 74 per cent have high-risk conditions included on their liquor licence. Also, certain locations, such as Chapel Street, had a high proportion of venues not involved in the temporary Lockout (37 per cent) due to the granting of stays by VCAT, and therefore even on a location basis the temporary Lockout was significantly compromised.

The stays granted by VCAT has meant that patrons were able to enter and re-enter approximately 25 per cent of venues across the affected LGAs. Accordingly, from the outset the temporary Lockout was fundamentally compromised and this has significantly impacted the ability to meaningfully evaluate effectiveness of the temporary Lockout in reducing alcohol related violence and disorder.

### **Did the temporary Lockout work?**

The aim of this evaluation was to assess the effectiveness of the temporary Lockout in relation to reducing or preventing the occurrence of alcohol-related violence and disorder, and more generally the efficacy of Lockouts as a tool to address alcohol-related issues, including violence, anti-social and amenity impacts.

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<sup>11</sup> Information provided by DoJ.

<sup>12</sup> High-risk conditions include: licensed venues that trade past 1am and provide live bands/DJ’s using amplified music; venues providing sexually explicit entertainment and major dance/entertainment events (i.e. dance parties).  
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As noted in this report, there were a number of limitations that impacted on the effectiveness of the temporary Lockout, the principal being the granting of stays by VCAT.

Further, there were a number of data limitations that are important to note in interpreting the findings of this evaluation. These limitations include:

- specificity;
- accuracy; and
- coherence.

These limitations are outlined in Appendix A. **The analysis in this evaluation should be read in this context.**

However, in looking at the aggregate level data there were a number of positive trends during the three-month period, including:

- a reduction in total reported assaults across the *City of Melbourne* (approximately 23.9 per cent) and *Port Phillip* (approximately 57.4 per cent) during the temporary Lockout period between 8pm and midnight, compared to the corresponding time period in 2007;
- compared to the three-month lead-in period (March, April and May 2008) there was a decrease of reported assaults across all affected LGAs including:<sup>13</sup>
  - an 18 per cent decrease in the City of Melbourne;
  - a 36 per cent decrease in the City of Port of Phillip;
  - the City of Stonnington reporting a 15 per cent decrease; and
  - the City of Yarra reporting a 5 per cent decrease.
- a reduction in assault related ambulance transports when compared to the corresponding period in 2007 and three-month lead-in period to the temporary Lockout;
- a reduction in assault related presentations to hospital emergency departments of 12.6 per cent compared to the same time period in 2007 and a 19.3 per cent decrease compared to the lead-in period to the temporary Lockout;
- a decrease in people being drunk related call outs for police, including 38 per cent in *Stonnington* and 19 per cent in *Port Phillip* compared to the lead-in period; and

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<sup>13</sup> Based on Victoria Police reported crime statistics for assault.  
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- some small decreases in complaints related to some public amenity categories in *Port Phillip* and *Melbourne*.

Yet even with these positive trends, and looking at the data in aggregate form, there has been an increase in reported violence during certain periods of the temporary Lockout. For example:

- there has been an increase in reported assaults between the hours of midnight and 2am when compared to the corresponding period in 2007, and a small increase compared to the lead-in period. This is also similar for the period between 2am and 3.59am;<sup>14</sup>
- an increase in assault related ambulance transports between 8pm and midnight when compared to the three-months prior to the temporary Lockout.

Alcohol-related presentations as a proportion of total hospital emergency presentations on Friday and Saturday nights across the whole of metropolitan Melbourne have also increased as a proportion of total presentations during the comparison periods and this continued during the temporary Lockout period.

As a time limited initiative (three-months)<sup>15</sup> the temporary Lockout was not without its issues, including:

- lack of licensee 'buy in' resulting from the lack of communication/consultation with the industry prior to the implementation of the temporary Lockout;
- the granting of stays by VCAT which resulted in an uneven playing field for the implementation of the temporary Lockout;
- methodological issues associated with the independent evaluation including limitations on the available baseline data against which to assess the impact of the temporary Lockout; and
- a range of external variables that were in play, including the implementation of other strategies aimed at reducing alcohol-related violence along with seasonal impact that make it extremely difficult to reach conclusive findings about the effectiveness of the temporary Lockout.

## **Other findings**

Other findings include:

- positively, the results of the patron and community survey did not indicate any significant displacement of people to non-Lockout areas as even those patrons who responded to the

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<sup>14</sup> Based on Victoria Police statistics, note the limitations of the data in Section 1 and Appendix A.

<sup>15</sup> This was the first time temporary powers have been used in Victoria.

survey and were locked out, simply went and found another venue (upwards of 60 per cent of respondents who were locked out).

- there was a perception of change in patron patterns of attendance including some patrons leaving smaller venues earlier than usual to ensure they gained entry to late-night venues prior to 2am.
- stakeholders consistently reported that there was insufficient and inadequate public transport (including taxis) available in all designated areas during the temporary Lockout period.
- from the perspective of licensees and patrons who responded to the survey (and in focus groups) it is clear that the implementation of a temporary Lockout had a negative impact on their perceptions of Melbourne as a 24-hour city.
- licensees (both in group discussions and via the survey), patrons and the community perceived the temporary Lockout (considered in isolation of other strategies, and in recognition of the number of stays that were granted) to be an ineffective mechanism to address alcohol-related violence.
- stakeholders (including licensees, security industry, police and patrons) also indicated that illicit drug use was a factor in violent incidents.
- a common and consistent theme during stakeholder discussions throughout the evaluation was that a temporary Lockout would not “solve” the problem of alcohol-related violence in isolation; rather, a comprehensive and multi-faceted approach was required. Areas raised by participants for future consideration included:
  - greater police presence;
  - greater enforcement of compliance with licensing conditions and responsible service of alcohol;
  - concern over the availability of pre-packaged alcohol from late-night bottle shops;
  - public/community education; and
  - illicit drug use as a contributing factor to violence.
- there was a perceived financial impact on licensed venues because of the temporary Lockout, in particular the smaller venues, but no data was available to substantiate these perceptions. However, of the late-night traders who participated in the evaluation, none reported any financial impact on their businesses as a result of the temporary Lockout.

- some licensed venues did change their management practices to facilitate the temporary Lockout, however, the majority of these changes were in response to the conditions attached to the granting of the stays.

Overall, it is extremely difficult to reach conclusive findings in this evaluation about the effectiveness of the temporary Lockout, due to the range of variables in play, in particular, the granting of stays by VCAT to approximately 120 late-night venues. Regardless of these limitations, experience in other jurisdictions where permanent Lockouts have been implemented does suggest that, particularly, when undertaken as part of a broader suite of initiatives to address alcohol-related issues over a sustained period of time (in excess of one to two years), a Lockout can be a useful tool to address the complex issues of alcohol-related violence, anti-social behaviour and amenity issues.



## **PART I - BACKGROUND**

# 1 Introduction

*“Alcohol fuelled violence recognised as a problem to address”*

- leading message, Media Monitors research, DoJ (October 2008)

The Department of Justice (DoJ) engaged KPMG to undertake the *Temporary Late Night Entry Declaration (Lockout) Evaluation 2008*.

The evaluation was undertaken to examine and report on the outcomes of a temporary late night entry declaration (the temporary Lockout) made by the Director of Liquor Licensing, to address increasing alcohol-related violence and anti-social behaviour in Melbourne’s inner city.

Several particularly violent incidents, in and around late-night entertainment precincts, along with growing community concern, prompted the Government to request that the Director of Liquor Licensing give consideration to introducing a temporary Lockout. The nature and severity of the violent incidents that were seen required a rapid response, to ensure this concerning trend did not escalate any further.

In May 2008, the Director announced her intention to impose a temporary Lockout affecting the following licences in the Cities of Melbourne (including Docklands), Port Phillip, Yarra and Stonnington.

The temporary Lockout declaration commenced at 2am on Tuesday 3 June 2008 and ran for a three-month period, concluding on 2 September 2008. The temporary Lockout prevented licensees from allowing patrons to enter or re-enter the premises after a designated time (in this case 2am). Patrons who are inside the venue after the designated time could continue to remain on the premises and continue to consume alcohol until the closing time approved for that licence.

## 1.1 Purpose and scope of the evaluation

The purpose of this evaluation was to assess the effectiveness of the temporary Lockout in relation to reducing or preventing the occurrence of alcohol-related violence and disorder, and more generally the efficacy of Lockouts as a tool to address alcohol-related issues, including violence, anti-social and amenity impacts.

The evaluation was to examine and report on:<sup>16</sup>

- if the temporary Lockout has reduced the occurrence of alcohol-related violence or disorder in the area or locality to which it has been applied;

<sup>16</sup> Project terms of reference, *Temporary Late Night Declaration (Lockout) Evaluation 2008* request for tender, Department of Justice. June 2008.



- if there has been a displacement of patrons from the declared Lockout areas to other locations;
- if there has been a change in patron behaviour resulting in patrons being inside venues by 2am and a decrease in the number of people on the street at 2am;
- the adequacy of public transport for the period of the temporary Lockout (2am – 7am) for those patrons wanting to leave, or who have been locked out of venues;
- the impact on perceptions of Melbourne as a 24-hour city;
- the impact of the temporary Lockout on the community perceptions as a means to address alcohol-related violence and anti-social behaviour;
- whether licensed venue management have implemented appropriate management practices to facilitate the effective implementation of the temporary Lockout;
- the financial impact of the temporary Lockout on affected venues; and
- the impact of the temporary Lockout on other late-night industries.

## 1.2 Evaluation method

### 1.2.1 Evaluation framework

Table 1.1 below maps the evaluation areas to the data sources and stakeholder consultations used to inform the findings. KPMG reviewed the evaluation questions set out in Section 1.1 to assess the capacity of the evaluation methodology, available data systems and stakeholder feedback to answer the key research questions. The table below provides an overview of the outcomes of this assessment.

*Table 1.1: Evaluation areas, data sources and stakeholder consultations*

Evaluation area	Why?	Data sources	Limitations
Change in alcohol-related violence or disorder	This element of the evaluation will assess whether, during the three-month temporary Lockout, there was any change in alcohol-related violence and anti-social behaviour.	<ul style="list-style-type: none"> <li>• Victoria Police reported crime statistics for assault and anti-social behaviour.</li> <li>• Banning Notices issued.</li> <li>• Melbourne Ambulance Service data for violence and anti-social behaviour related attendances.</li> </ul>	An initial review of police data indicates limited likelihood that police data will illustrate statistically reliable changes in violence and disorder. The available data also does not record or demonstrate any causal link between temporary Lockout

Evaluation area	Why?	Data sources	Limitations
		<ul style="list-style-type: none"> <li>• DHS Victorian Emergency Minimum Dataset – alcohol and assault related presentations.</li> <li>• Local council public amenity data.</li> <li>• Focus groups across all stakeholders.</li> <li>• Licensee and Patron/Community Surveys.</li> </ul>	and patron behaviour.
Displacement of patrons from the designated Lockout area to other locations	Need to understand whether there was any displacement of patrons into areas where the temporary Lockout was not operating.	<ul style="list-style-type: none"> <li>• Victoria Police data listed above for surrounding non-Lockout areas.</li> <li>• Patron and Community Survey.</li> <li>• Focus groups with Victoria Police, Emergency Services, Security Industry, Licensees in Accords and Patron focus groups.</li> </ul>	Limited – any data developed regarding patron distribution will only indicate post-Lockout distribution. No available data describes the pre-Lockout distribution and hence impact cannot be assessed.
Change in patron patterns of behaviour in patrons being inside venues by 2am and a decrease in the number of people on the street at 2am	With the implementation of the temporary Lockout, consideration to any changes in patron behaviour (such as leaving venues early, or not going to venues) needs to be given.	Victoria Police. Emergency Services: <ul style="list-style-type: none"> <li>• Focus groups with Licensees in the Accords, Security Industry and Victoria Police;</li> <li>• Licensee Survey;</li> <li>• Patron/Community Surveys;</li> <li>• Patron focus groups.</li> </ul>	Limited – any data developed regarding patron movement will only indicate post Lockout patterns. No available data describes the pre-Lockout patterns and hence impact cannot be assessed.  Review is further hindered by impact of the stays granted by VCAT which may not influence venue switching; just which venues are involved in changed behaviour.
The availability and adequacy of public transport for the	Moving patron groups into and out of areas at night is important to ensure orderly conduct.	<ul style="list-style-type: none"> <li>• NightRider and Taxi availability.</li> <li>• NightRider and Taxi patronage.</li> </ul>	Limitations include that access to taxi data was not provided, thus assessment is

Evaluation area	Why?	Data sources	Limitations
period of temporary Lockout (2am – 7am).		<ul style="list-style-type: none"> <li>• Taxi complaints and queuing data.</li> <li>• Focus groups with Licensees in Accords, Patrons, Victoria Police, Security Industry, Local Council.</li> <li>• Licensee and Patron/community survey.</li> </ul>	based on one mode of transport and the observations from stakeholders.
Perceptions of Melbourne as a 24-hour city.	Melbourne has cultivated an image based on a vibrant late-night entertainment scene, including bars and restaurants. It is important to ascertain whether the temporary Lockout impacted on that perception.	<ul style="list-style-type: none"> <li>• Focus groups with Licensee, Licensees in Accords, Patrons, Tourism industry representatives, Local Council and patrons.</li> <li>• Licensee and Patron/community survey.</li> </ul>	Assessable – through market research (Conducted by DOJ).
Community perceptions of the temporary Lockout as a means to address alcohol-related violence and disorder.	It is important to ascertain whether the community and other stakeholders thought the temporary Lockout would/did address alcohol-related violence and anti-social behaviour.	<ul style="list-style-type: none"> <li>• Market research conducted by DoJ</li> <li>• Focus groups with Victoria Police, Local Council, Licensees in Accords Patrons, Security Industry.</li> <li>• Licensee and Patron/community survey.</li> </ul>	Assessable – through market research (Conducted by DOJ).  Supplemented by targeted focus groups.
Changes in venue management practices to facilitate the temporary Lockout.	In attempting to meet the conditions of the temporary Lockout (and the conditions attached to stays) did venues change management practices and if so, what did they do?  Licensee survey.	<ul style="list-style-type: none"> <li>• Focus groups with Licensees in Accords, Patrons, Victoria Police and Security Industry.</li> <li>• Licensee survey.</li> </ul>	Assessable – through consultations with venues and Victoria Police and other stakeholders.
Financial impact on licensed venues in designated Lockout area.	In attempting to meet the conditions of the temporary Lockout (and the conditions attached to stays) were venues financially impacted by the restrictions.	<ul style="list-style-type: none"> <li>• Focus groups with Licensees in the Accord.</li> <li>• Licensee survey.</li> <li>• Provision of financial information from venues.</li> </ul>	Assessable – through consultations with venues and financial performance data provided by venues, which was not provided for the evaluation (only anecdotes).

Evaluation area	Why?	Data sources	Limitations
Impact of the temporary Lockout on other late-night industry.	Did the temporary Lockout impact other industries/traders such as late-night food vendors and other?	<ul style="list-style-type: none"> <li>• Focus groups with late-night business operators.</li> </ul>	Assessable – through consultations with industry.

The limitations of the evaluation methodology were agreed with DoJ (September 2008). It is within these parameters that the evaluation was undertaken.

## 1.2.2 Evaluation method

The evaluation involved the following activities:

- stakeholder consultations;
- online survey to ascertain opinions;
- data analysis; and
- jurisdictional comparison.

### 1.2.2.1 Stakeholder consultations

The following stakeholder groups were consulted during the evaluation. A full list of participants is provided in Appendix E:

- licensees<sup>17</sup> – via Licensee Accord groups and individual interviews;<sup>18</sup>
- patrons – via focus group in-venue;
- Victoria Police – via focus group and individual interviews;
- Local Government representatives – via focus groups and individual interviews;
- security industry – via focus group;

<sup>17</sup> Also referred to as ‘venues’ throughout the report.

<sup>18</sup> Few venue operators required to comply with the temporary Lockout attended the forums. Those that were in attendance were either exempt or already closed prior to 2am. Other venue owners complied with the temporary Lockout in an effort to work with government to test the concept and improve safety but mostly because their venues weren’t really affected: they close at 3am, their venues are a ‘destination venue’ and many are open to members only.

- late-night traders – via focus group and individual interview;
- Metropolitan Ambulance – via interview; and
- Metropolitan Fire Brigade – via interview.

### 1.2.2.2 *On line survey*<sup>19</sup>

KPMG developed an online survey for patron's and community's experiences during the temporary Lockout period. An online survey was also distributed to licensees as an additional tool to gather feedback and perspectives on the temporary Lockout. The licensee survey was distributed through the Licensee Accords, the Consumer Affairs website and other LGA websites. The patron/community survey was advertised in the local press, Melbourne University, through licensees, and on CAV and LGA websites.

The survey period was open for two weeks' **2,477 responses** received for the patron/community survey and **79 responses** received for the licensee survey.

### 1.2.2.3 *Data analysis*<sup>20</sup>

Please note that the data analysed was raw data that does not account for population increases, increases in police numbers and the impact of other initiatives being undertaken at the time of, or in the lead up to, the temporary Lockout. Also, the nature of the data does not allow an assessment of the severity or impact of any violence related incidents – the analysis should be read in this context. Please refer to *Appendix A* for the outline of the data limitations.

The following data sources informed the evaluation:

- Victoria Police reported crime data for assault and public order offences;
- Metropolitan Ambulance reported transports, attends and cases for assault related injuries;
- Victorian Emergency Management Dataset (VEMD)<sup>21</sup>;
- NightRider bus data;

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<sup>19</sup> It was recognised that there are a range of methodological limitations with the survey administration (sample size, respondent selection etc) that have the potential to bias the survey results. Accordingly for both surveys the data gathered was used to provide an indicative view of key stakeholder groups rather than statistically reliable and valid results.

<sup>20</sup> Appendix A details the limitations of the data analysis.

<sup>21</sup> Please note there is no differentiation in the data of the type of alcohol related presentations to hospital emergency departments. That is, the data is coded as alcohol related and provides no specificity as to the whether it was related to violence, or other alcohol-related issues, such as accident or illness. Further, the evaluation utilised hospital emergency data across metropolitan Melbourne, including hospitals outside of the four LGAs included in the temporary Lockout. The data therefore represents all alcohol related presentations to hospital emergency departments across metropolitan Melbourne (whether as a result of alcohol related violence, or other causes), not just those that may relate to four LGAs included in the temporary Lockout.

- City of Port Phillip Customer Request Management statistics; and
- City of Melbourne pedestrian data for July.

The following data was unavailable:

- taxi data – Department of Transport and City of Melbourne; and
- LGA statistics regarding amenity issues from the City of Stonnington and City of Yarra.

#### **1.2.2.4 Jurisdictional comparison**

A jurisdictional scan for similar initiatives in both Australia and overseas was conducted (noting that all Lockouts are ongoing except the temporary Lockout in Melbourne).<sup>22</sup> An agreed set of criteria was used to inform the comparison. The following Australian jurisdictions were included:

- Victoria, including:
  - Bendigo;
  - Ballarat;
  - Warrnambool;
  - Traralgon;
  - Frankston;
  - Shepparton;
- Queensland;
- South Australia;
- New South Wales;
- Northern Territory; and
- Western Australia.

A scan of overseas jurisdictions was also undertaken. This scan focussed on the United States and the United Kingdom.

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<sup>22</sup> Note that Shepparton is a pilot and Darwin is a trial.  
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### **1.3 Purpose and structure of the report**

This report details the findings of the evaluation. The report is divided into three parts:

- Part I – Background:
  - Section 2 presents the contextual environment to the temporary Lockout;
  - Section 3 details the decision made to implement a temporary Lockout;
  - Section 4 outlines the jurisdictional comparison; and
  - Section 5 details the profiles of venues, and those granted stays from the temporary Lockout.
- Part II – Evaluation Findings:
  - Section 6 outlines the findings of any change in alcohol-related violence and disorder;
  - Section 7 details if there was any displacement of patrons as a result of the temporary Lockout;
  - Section 8 discusses if there was any change in patron patterns of behaviour in patrons being inside venues by 2am and a decrease in the number of people on the street at 2am;
  - Section 9 highlights the availability and adequacy of public transport for the period of temporary Lockout (2am – 7am);
  - Section 10 provides information on whether there was any change to the perceptions of Melbourne as a 24hr city;
  - Section 11 presents the community perceptions of the temporary Lockout as a means to address alcohol-related violence and disorder;
  - Section 12 details any changes in venue management practices to facilitate the temporary Lockout;
  - Section 13 discusses the financial impact on licensed venues in designated Lockout area; and
  - Section 14 presents any impacts of the temporary Lockout on other late-night industry.
- Part III – Appendices:
  - Appendix A outlines the data limitations of the evaluation;

- Appendix B details similar initiatives across jurisdictions (including Victoria);
- Appendix C presents the results from the patron/community survey;
- Appendix D outlines the results from the licensee survey;
- Appendix E provides the list of stakeholders consulted as part of the evaluation; and
- Appendix F details the venue profile across the four affected areas.



## 2 Licensed venues, alcohol and alcohol-related violence

*“Our assets are our sophistication, diversity and reputation for cosmopolitan and cultural experiences. We have developed and demonstrated unique and authentic lifestyle experiences. Melbourne is ranked as the lead Australian city associated with theatre, shopping, world class restaurants, cafes, bars and nightlife. Melbourne has become synonymous with style, romance, culture and sophistication.”<sup>23</sup>*

This section outlines the broad background, policy context and environment context related to alcohol.

### 2.1 Legislative context

Licensed facilities are regulated under the *Liquor Control Reform Act 1998 (Vic)* (here on ‘the Act’). The objectives of the Act are:<sup>24</sup>

- a) contribute to minimising harm arising from the misuse and abuse of alcohol by –
  - i. providing adequate controls over the supply and consumption of liquor; and
  - ii. ensuring as far as practicable that the supply of liquor contributes to, and does not detract from, the amenity of community life; and
- b) facilitate the development of a diversity of licensed facilities reflecting community expectations; and
- c) contribute to the responsible development of the liquor and licensed hospitality industries.

#### 2.1.1 Administering the Act – the role of the Director of Liquor Licensing

The Director of Liquor Licensing (here on ‘the Director’), located within Consumer Affairs Victoria, is responsible for the administration of Victorian liquor laws. Working collaboratively, the Director and Consumer Affairs Victoria:

- administer Victoria’s liquor laws and regulations to control the circumstances under which alcohol is made available;
- improve responsible serving practices by licensees through harm minimisation education and training, and
- promote sensible consumption practices by the community.<sup>25</sup>

<sup>23</sup> Victorian Government (2006), Ten year tourism and events industry strategy, p.12, available at <http://www.diid.vic.gov.au/corplivewr/assets/main/lib60026/tourism-strat.pdf>

<sup>24</sup> Section 4(b), *Liquor Licensing Reform Act 1998*

Recent amendments to the Act have expanded the Director's powers to include the power to:

- issue breach notices to licensees engaging in conduct contravening license conditions, resulting in either variation or suspension of licences;
- ban licensees from advertising or promoting the supply of liquor on licensed premises if it is likely to encourage irresponsible alcohol consumption, resulting in a fine of up to \$13,000;
- accept written undertakings from licensees where a breach of the Act has been identified; and
- penalise the unlicensed sale of liquor over the internet.

These amendments also doubled the penalties for the supply of liquor to intoxicated patrons and supplying alcohol without a licence and provided for the offence of permitting drunk and disorderly persons to remain on premises to be dealt with by an infringement notice, thereby increasing the utility of the offence.

## **2.2 Impacts of alcohol consumption**

Alcohol consumption is increasingly linked with aggression, violent crime and acute injuries.

### **2.2.1 Alcohol and aggression**

The World Health Organisation (WHO) conducted a global status report on alcohol in 2004. In the WHO report the link between alcohol and aggression was highlighted, which included a discussion on the ways alcohol may increase likelihood of aggression. The following key factors were identified:

- individuals may be less concerned about the 'social, physical or legal' consequences of their actions;
- individuals may have a reduced ability to manage inter personal conflict and may react with 'overly emotional responses';
- individuals may experience 'alcohol myopia' – a 'narrow and tenacious focus on the present'; and
- individuals, especially men, may have an increased desire for 'demonstrating personal power'.<sup>26</sup>

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<sup>25</sup> [www.consumer.vic.gov.au](http://www.consumer.vic.gov.au), date accessed 12 September 2008.

<sup>26</sup> World Health Organisation (2004) Global Status Report on Alcohol, World Health Organisation, available at [http://whqlibdoc.who.int/publications/2004/9241562722\\_425KB.pdf](http://whqlibdoc.who.int/publications/2004/9241562722_425KB.pdf)

An increase in aggression is one likely reason for the association between alcohol and violence.

### 2.2.2 Acute impact of alcohol on violence

Acute harms associated with alcohol include injury, violence and accidents. The Australian Alcohol and Other Drug Council of Australia (ADCA) reported to the recent parliamentary inquiry into the strategies to reduce harmful alcohol consumption<sup>27</sup> that individuals who generally drink to a moderate level but occasionally drink to excess have been found to ‘create the greatest risk of alcohol-related violence, injury and accidents’. A study in 1998 found more people died from acute harms than harms caused by longer-term or chronic alcohol use.<sup>28</sup>

These harms include violence and assault. The WHO global status report found alcohol to be strongly associated with violent crime. In relation to violence, they note ‘*studies on violence have repeatedly shown that alcohol consumption precede violent events, and that the amount of drinking is related to severity of subsequent violence.*’<sup>29</sup> In 2008, the WHO reiterated these findings, reporting on the ‘*growing evidence on alcohol’s contribution to acute injuries associated with violence.*’<sup>30</sup>

Further evidence of alcohol-related social harms are provided by the Australia New Zealand Policing Advisory Agency (ANZPAA) in their release titled “Alcohol-related Social Harms: A Policing Perspective” in which they highlight that:

- 76,115 hospitalisations in Australia between 1993-94 and 2000-01 were attributable to alcohol assaults; and
- the estimated cost of alcohol attributable crime is (AUD) \$1.7 billion in 2004-05 (including \$747 million on policing).<sup>31</sup>

### 2.2.3 Association between density of alcohol outlets and violence

A recent Australian review on density of alcohol venues and assaults concluded that as density of outlets increases, so too do assaults.<sup>32</sup> Two key findings from the report relevant to this evaluation are that:

<sup>27</sup> Parliament of Victoria Drugs and Crime Prevention Committee (2006) Inquiry into Strategies to Reduce Harmful Alcohol Consumption.

<sup>28</sup> Chikritzhs, T, Catalano, P, Stockwell, T, Donath, S, Ngo, H, Young, D & Matthews, S 2003, Australian alcohol indicators 1990–2001: Patterns of alcohol use and related harms of Australian States and Territories, National Drug Research Institute, Perth.

<sup>29</sup> World Health Organisation (2004) Global Status Report on Alcohol, World Health Organisation, available at [http://whqlibdoc.who.int/publications/2004/9241562722\\_425KB.pdf](http://whqlibdoc.who.int/publications/2004/9241562722_425KB.pdf)

<sup>30</sup> World Health Organisation (2008) Strategies to reduce the harmful effects of alcohol: Report by the Secretariat, 20 March 2008, available at [http://www.who.int/gb/ebwha/pdf\\_files/A61/A61\\_13-en.pdf](http://www.who.int/gb/ebwha/pdf_files/A61/A61_13-en.pdf)

<sup>31</sup> ANZPAA 2008, ‘Alcohol-related Social Harms: A Policing Perspective’, provided to KPMG by DoJ.

<sup>32</sup> National Drug Law Enforcement Research Fund (2008) Predicting alcohol-related harms from licensed outlet density: a feasibility study. Monograph Series No. 28, available at [http://www.ndlerf.gov.au/pub/Monograph\\_28.pdf](http://www.ndlerf.gov.au/pub/Monograph_28.pdf)  
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- ‘Outcomes from outlet density studies in relation to violence are reassuringly predictable, despite problems with data quality and access, choice of geographical unit and outlet density measure, country or location of interest, methodological limitations, underlying assumptions and with reducing frequency and analytical error (i.e. failure to address spatial autocorrelation).’
- ‘Only a small number of Australian research studies have investigated the relationship between licensed outlet density and alcohol consumption and/or related harm. Results from Australian studies typically demonstrate positive associations between levels of licensed outlet density, violence and other alcohol-related problems and thus concur with international findings’.<sup>33</sup>

Locally, Livingston conducted a density study in Victoria and found a relationship between the number of alcohol outlets in a community and amount of violence experienced over the decade between 1996 and 2005. The results suggest that an increase of one outlet in each community was associated with an increase of approximately 0.9 per cent investigated assaults annually.<sup>34</sup>

The research found that nightclubs, restaurants and bars are associated with violence in inner-city and inner-suburban areas (compared with packaged liquor outlets in suburban areas). The research concluded that increase in licences between 1996-2005 (increase in on-premise licences by 1,942; general licences by 77 and packaged licences by 359) would have led to an additional 690 alcohol-related assaults annually.<sup>35</sup> Further research by Livingstone<sup>36</sup> also indicated a positive relationship between outlet density and assault rates, in particular, around those venues that hold a general licence (i.e. hotels).

## 2.3 Managing alcohol, alcohol consumption and alcohol-related violence

With a commitment of \$37.2 million over five years, *Restoring the balance – Victoria’s Alcohol Action Plan 2008-2013* (the Action Plan) sets out the Victorian Government’s approach to preventing and reducing harm associated with alcohol misuse.<sup>37</sup> The Action Plan aims to reduce:

- risky drinking and its impact on families and young people;
- the consequences of risky drinking on health, productivity and public safety; and
- the impact of alcohol-fuelled violence and anti-social behaviour on public safety.<sup>38</sup>

<sup>33</sup> National Drug Law Enforcement Research Fund (2008), *Predicting alcohol-related harms from licensed outlet density: a feasibility study*. Monograph Series No. 28, available at [http://www.ndlerf.gov.au/pub/Monograph\\_28.pdf](http://www.ndlerf.gov.au/pub/Monograph_28.pdf)

<sup>34</sup> Livingston M (2008) A longitudinal analysis of alcohol outlet density and assault. *Alcoholism Clinical and Experimental Research*, June; 32 (6):1074-9.

<sup>35</sup> Ibid.

<sup>36</sup> Livingstone M (2007) Alcohol outlet density and assault: spatial analysis Addiction Research Report.

<sup>37</sup> Victorian Government (May 2008) *Restoring the balance – Victoria’s alcohol action plan 2008-2013*, State of Victoria 2008, Melbourne.

<sup>38</sup> Ibid, p15.

The Action Plan will achieve the above aims by developing initiatives and actions which restore the balance:

- 1 for **families** by increasing mainstream health service support to reduce drinking and providing the best quality care for serious alcohol use problems;
- 2 within Victorian **culture** through sustained community awareness activities and positive change in attitudes to encourage safe alcohol use;
- 3 for Victorian **communities** by enforcing controls on the sale and marketing of alcohol, and preventing and reducing the consequences of excessive alcohol use such as alcohol-fuelled violence<sup>39</sup>; and
- 4 in **partnership** with other governments to address alcohol-related issues by coordinated action through the Council of Australian Governments (COAG).<sup>40</sup>

Under Section 3.7 of the Action Plan it states *“that given that late-hour entry restrictions have proven to be an effective measure in reducing violence and anti-social behaviour in public places in regional Victoria and other jurisdictions, the Minister for Consumer Affairs will request the Director of Liquor Licensing to consider utilising existing powers under the Act to introduce a three-month trial of late-hour entry restrictions. an evaluation of the initiative will inform a decision about permanent late-hour entry restrictions.”*<sup>41</sup>

*Restoring the balance* establishes the context for responding to alcohol-related issues within Victoria. Supporting this strategy a range of complementary initiatives have been developed:

- establishment of designated areas;
- Safe Streets Taskforce;
- Operation Razon;
- freeze on late-night licenses; and
- establishment of the Liquor Licensing Compliance Directorate.

An overview of each of these strategies is outlined below.

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<sup>39</sup> Established the imprimatur for the Lockout.

<sup>40</sup> Ibid, p7.

<sup>41</sup> Ibid pg.34

### 2.3.1.1 Designated areas

Effective from 19 December 2007, under section 147(1) of the *Liquor Reform Act 1998* (Vic) the Director of Liquor Licensing may declare an area to be a designated area if the Director believes that, within the area:

- alcohol-related violence or disorder has occurred in a public place that is in the vicinity of the licensed premises; and
- the exercise of powers under Division 2 or 3 of this Part in relation to the area is reasonably likely to be an effective means of reducing or preventing the occurrence of alcohol-related violence or disorder in the area.

Alcohol-related violence or disorder includes: drunkenness; failure to leave licensed premises; offensive or obscene behaviour; destroying or damaging property; weapons offences; physical assault; sexual offences; and threats to kill.<sup>42</sup>

In declaring a designated area, the Victorian Police can issue section 148B Banning Notices under the same Act.<sup>43</sup> These notices ban individuals who have committed or who are committing any of the above offences within the designated area from the area for 24-hours. The purpose of the banning notice is to address public order issues in high alcohol precincts.

A person may also be subject to an exclusion order, which bans them from a designated area or from all or specified licenses premises within a designated area for up to twelve months.<sup>44</sup> An exclusion order may be made on the application of a member of the police force or the Director of Public Prosecutions, or on the court's own initiative. To make an exclusion order, a court must first find the person guilty of a specified offence that was committed wholly or partly in a designated area.

Designated areas have been progressively rolled out across Victoria and currently include the following entertainment precincts:<sup>45</sup>

- Ballarat CBD;
- City of Bendigo;
- City of Greater Geelong;
- City of Knox;

<sup>42</sup> <http://www.consumer.vic.gov.au/CA256EB5000644CE/page/Liquor-Designated+Areas?OpenDocument&1=75-Liquor~&2=140-Designated+Areas~&3=~>, date accessed 18 September 2008.

<sup>43</sup> Liquor Reform Act 1998.

<sup>44</sup> Section 148I, Liquor Reform Act 1998.

<sup>45</sup> <http://www.consumer.vic.gov.au/CA256EB5000644CE/page/Liquor-Designated+Areas?OpenDocument&1=75-Liquor~&2=140-Designated+Areas~&3=~>, date accessed 18 September 2008.

- Melbourne and surrounding suburbs (designated area prior to the Lockout);
- City of Port Phillip (came into effect during the temporary Lockout);
- City of Yarra (came into effect during the temporary Lockout);
- South Yarra and Prahran (designated areas prior to the Lockout – part of the City of Stonnington);
- Traralgon; and
- Warrnambool.

### **2.3.1.2 Safe Streets Taskforce**

The Safe Streets Taskforce within the Victorian Police has been developed to target drug and public order offences in the Melbourne Central Business District (CBD) on Friday and Saturday nights. Working with Victorian Transit Police, the Taskforce patrols major public transport hubs to identify potential troublemakers from the early evening, and detect drug offences.

### **2.3.1.3 Operation Razon**

The Deputy Commissioner of Victoria Police established a squad of members of Victoria Police in April 2008 to carry out operations in targeted licensed venues. Dubbed ‘Operation Razon’, its primary purpose is to target the supply of liquor to intoxicated patrons. Razon was a state-wide operation that targeted activity to areas where there was evidence of alcohol-related violence and anti-social behaviour.

Operation Razon has found the factors which contribute to the supply of liquor to intoxicated patrons include:

- staff not qualified in the Responsible Service of Alcohol (RSA);
- limited understanding by management and staff of the conditions of the liquor licence; and
- anecdotal lack of support by management for staff refusing to sell liquor to intoxicated patrons.<sup>46</sup>

Other factors highlighted by Operation Razon impacting on alcohol-related violence included: insufficient, inappropriate and unqualified crowd control at licensed venues; uncontrolled crowds outside venues including queues and smokers; off-premises consumption of liquor; overcrowding of premises and supplying liquor outside premises.

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<sup>46</sup> [www.consumer.vic.gov.au](http://www.consumer.vic.gov.au), date accessed 12 September 2008.

#### **2.3.1.4 Freeze on late-night licences**

On 2 May 2008, the Minister for Consumer Affairs announced a suspension on the issuing of licenses authorised to trade past 1am, lasting for twelve months. Over the years the growth in late-night venues had been made possible by the designation of the Melbourne Central Business District as a 24-hour mixed-use zone in 1999.<sup>47</sup>

This establishment of this freeze applied to five areas, including those locations subject to the temporary Lockout (i.e. City of Melbourne, Yarra, Port Phillip and Stonnington). The freeze will last for 12 months unless exceptional circumstances can be demonstrated.

The freeze applies to new applications, applications for the variation of a licence, relocation of a licence and transfers involving any variation of licence conditions. These include applications for:

- a variation in trading hours (for example, extension of trading hours on the eve of a public holiday or New Years Eve);
- an extension of the size or perimeter of the licensed area; or
- changing the licence owner or nominee(s).

The freeze aims to minimise the harm arising from the supply of alcohol in the early hours of the morning and to allow further consideration of the adequacy of controls over the supply and consumption of liquor.

#### **2.3.1.5 Liquor Licensing Compliance Directorate**

To further support the initiatives targeted at curbing alcohol-related violence, a Liquor Licensing Compliance Directorate is being established within DoJ to strengthen the enforcement of Victorian liquor licensing laws.

The Directorate will be responsible for the inspection and enforcement of liquor licence laws and will be staffed by inspectors and lawyers. This Directorate will complement the enforcement activities undertaken by Victoria Police.

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<sup>47</sup> City of Melbourne (2008) *City of Melbourne's Policy for the 24-hour City: A framework for action*. Draft for public comment, p.2.



### 3 The temporary Lockout

Late hour entry declarations (Lockouts) have been implemented and trialled in Victoria,<sup>48</sup> other Australian states and internationally to curb alcohol-related violence and anti-social behaviour. Consistently the use of Lockouts is part of a suite of initiatives targeted at curbing alcohol-related violence.

#### 3.1 Legislative mandate

In 2007, the Act was amended by the *Liquor Control Reform Amendment Act 2007* to include section 58CA which provides the Director of Liquor Licensing with the power to make a **temporary** late hour entry declaration (temporary Lockout) if the Director believes on reasonable grounds that:

- alcohol-related violence or disorder has occurred in the area or locality to which the order is to apply; and
- a late hour declaration in relation to the area or locality is reasonably likely to be an effective means of reducing or preventing the occurrence of alcohol-related violence or disorder in the area or locality.

Lockouts require that after a designated hour patrons who are inside a premise may stay and leave at any time but no one can enter the premise after the prescribed lock out time. Lockouts may be either:

- locality or specific premise based;
- temporary or permanent; and/or
- voluntary, or declared by a statutory authority.

The times and conditions of Lockouts vary. A key aim of Lockout strategies is to eliminate 'venue hopping' so as to reduce the incidence of alcohol-related violence during the 'high-risk periods' of Friday and Saturday nights.<sup>49</sup>

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<sup>48</sup> The Victorian Parliament's Drug and Crime Prevention Committee conducted an inquiry into strategies to reduce harmful alcohol consumption. The inquiry report, released in 2006, made 165 recommendations which aimed to have an incremental positive impact on the community generally by reducing the level of alcohol-related harms. The inquiry explored Lockouts and recommended that the Office of Alcohol and Policy Coordination investigate the feasibility of trialling a Lockout in licensed venues across the state commencing no later than 3am (recommendation 56).

<sup>49</sup> [http://www.consumer.vic.gov.au/CA256EB5000644CE/page/Liquor-Temporary+Late+Hour+Entry+Declaration+\(Lockout\)?OpenDocument&1=75-Liquor~&2=90-Temporary+Late+Hour+Entry+Declaration+\(Lockout\)~&3=-](http://www.consumer.vic.gov.au/CA256EB5000644CE/page/Liquor-Temporary+Late+Hour+Entry+Declaration+(Lockout)?OpenDocument&1=75-Liquor~&2=90-Temporary+Late+Hour+Entry+Declaration+(Lockout)~&3=-), date accessed 11 September 2008.

It is worth noting that the Director also has the power to declare a permanent late night declaration under Section 58C of *Liquor Control Reform Amendment Act 2007*.

Also, contained within the Act are specific provisions that allow for a licensee of a licensed venue to apply to VCAT for a review of the decision to implement a late hour declaration – it should be highlighted that this provision is not available in other jurisdictions, and that the other jurisdictions have declared permanent Lockouts.

### **3.2 Factors leading to the decision**

In April, the Director received a request from the Minister of Consumer Affairs to consider whether a late night entry declaration would assist in addressing violence and anti-social behaviour in Melbourne CBD.

In considering this request the Director had regard to:<sup>50</sup>

- a 6 per cent increase in assaults from March 07 – February 08, compared to the same period the year before;
- a 44 per cent increase in the number of drunks taken into custody from March 07 –February 08, compared to the same period the year before;
- 41.5 per cent of assaults occur between 8pm and 6am on Friday night (Saturday morning) and Saturday night (Sunday morning); and
- the peak periods for assault are between 2am and 3am on Sunday morning.

Further analysis was undertaken across the four municipalities to highlight the nature of the alcohol-related violence and disorder and this analysis showed that:<sup>51</sup>

- public order offences peaked in the Melbourne Central Business District (CBD) on Friday/Saturday between 11pm and 4am;
- Docklands peak times were between 1am and 2am on Saturday morning and between 1am and 3am on Sunday morning;
- hot spots for public order offences in Fitzroy include Brunswick St (between Gertrude and Alexandra Parade), with peak times being Friday (12am – 4am), Saturday (12am – 4am) and Sunday (1am – 3am);

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<sup>50</sup> Director of Liquor Licensing, Late Hour Entry Declaration, page 5. 2008 unpublished

<sup>51</sup> Ibid, p. 6.

- in St. Kilda public order offences peak Fridays (between 1am – 4am) and Saturdays (11pm – 4am), with hot spots including Fitzroy Street, and the intersection of Chapel St and Carlisle St; and
- the corner of Chapel St and Commercial Rd, and High St and Chapel St are the hot spots for the City of Stonnington.

In addition to these factors there has also been strong community concern about alcohol-related violence as a consequence of a number of major alcohol-related violence incidences in Melbourne. During 2007 community and Government concern arose in response to increasing alcohol-related violence in Melbourne's entertainment precincts. Victoria Police crime statistics show that between 2000-01 to 2006-07 the rate of assaults (per 100,000 population) increased by 32 per cent state-wide. Over the year to 2006-07 alone, assaults within the Melbourne LGA increased by 17.5 per cent (per 100,000 population).

Of concern was the severity of the violence including street brawls (or riots), persons being hit resulting in the victim dying or suffering an acquired brain injury and sexual assault. Examples of such incidences include:

- 20-year-old man assaulted and suffering massive head injuries (Occurred: 13 October 2006).<sup>52</sup>
- an unconscious woman being raped by a man while his friends stood by and watched. (Occurred: 9 December 2006).<sup>53</sup>
- a 22-year-old man dying after being assaulted outside the Queensbridge Hotel (Occurred: 27 May 2007).<sup>54</sup>
- a street brawl involving between 30 and 100 patrons that required the resources of 60 members of Victoria Police (Occurred: 26 January 2008).<sup>55</sup>
- two young men being arrested after a wild brawl at Melbourne's Flinders Street railway station just before midnight. (Occurred: 23 February 2008). A 17-year-old was knocked unconscious during the brawl and was taken to hospital and a 19-year-old also suffered a fit and was taken to hospital.<sup>56</sup>

As a consequence of significant community concern and the increasing severity of the violence, the Government identified that there was an imperative to act quickly to provide a temporary

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<sup>52</sup> The Herald Sun, Mates call for sense on Melbourne streets, 16 September 2008, <http://www.news.com.au/heraldsun/story/0,21985,24351762-2862,00.html>

<sup>53</sup> The Age, Man jailed for eight years over rape, 27 October 2008, <http://news.theage.com.au/national/man-jailed-for-eight-years-over-rape-20081027-59e9.html>

<sup>54</sup> The Herald Sun, Police warn alcohol fuelled violence in Melbourne will worsen, 8 September 2008, <http://www.news.com.au/heraldsun/story/0,21985,24312019-661,00.html>

<sup>55</sup> The Age, Mean streets of Melbourne 23 February 2008, <http://www.theage.com.au/news/in-depth/insight/2008/02/22/1203467381241.html>

<sup>56</sup> The Herald Sun, Two arrested after Flinder (sic) Street station brawl, 24 February 2008 <http://www.news.com.au/heraldsun/story/0,21985,23267116-2862,00.html>

circuit breaker in order to effectively address the impact of alcohol-related violence in Melbourne.

### 3.3 The decision

In May 2008, the Director, after consultation with the Chief Commissioner of Police,<sup>57</sup> announced the intention to impose a *temporary* Lockout (*under Section 58CA of the Liquor Control Reform Act*) affecting the following licences in the Cities of Melbourne (including Docklands), Port Phillip, Yarra and Stonnington. This declaration impacted on:

- general licences trading after 2am (this does not affect residents or guests of residents of the general licensed premises);
- on-premises licences trading after 2am (this does not affect on-premises licences which contain a condition pursuant to section 9 of the Act - restaurant conditions); and
- limited licences (including a renewable limited licence) where trading has been authorised after 2am.<sup>58</sup>

The decision was taken in the context of community concern regarding alcohol-related violence, the growing level and severity of the violence that was occurring in Melbourne and strong sense of urgency for action. This was the first time the Director had exercised the powers under the Act regarding a temporary Lockout. In all other instances in Victoria, the Director has utilised the power to declare permanent Lockouts.

The temporary Lockout declaration commenced at 2am on 3 June 2008 and ran for a three-month period, concluding on 2 September 2008.

The temporary Lockout declaration prevented licensees from allowing patrons to enter or re-enter the premises after a designated time (in this case 2am). Patrons who are inside the venue after the designated time can continue to remain on the premises and continue to consume alcohol until the closing time approved for that licence, or leave at any time.

The decision to establish a temporary Lockout in its own right was unique. The fact that a temporary Lockout was applied to as broad an area as Melbourne CBD (and surrounding LGAs) was also a first and differentiated this initiative from other Lockouts used within Australia which all utilised permanent Lockout powers.

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<sup>57</sup> In making a decision to declare a *temporary* Lockout, the Director is required to consult with the Chief Commissioner of Police.

<sup>58</sup> [http://www.consumer.vic.gov.au/CA256EB5000644CE/page/Liquor-Temporary+Late+Hour+Entry+Declaration+\(Lockout\)?OpenDocument&1=75-Liquor~&2=90-Temporary+Late+Hour+Entry+Declaration+\(Lockout\)~&3=-](http://www.consumer.vic.gov.au/CA256EB5000644CE/page/Liquor-Temporary+Late+Hour+Entry+Declaration+(Lockout)?OpenDocument&1=75-Liquor~&2=90-Temporary+Late+Hour+Entry+Declaration+(Lockout)~&3=-), date accessed 11 September 2008.

### **3.3.1 Information provision on the decision to declare a temporary Lockout**

In deciding to declare a temporary Lockout, a letter from the Director of Liquor Licensing was sent to all licensees in the area affected by the Declaration advising licensee of the decision including details and effect of the Declaration.

DoJ developed a two-stage communications strategy to inform the community about the introduction of the temporary Lockout and its implications for licensees, patrons and the wider community. The initial stage of the strategy commenced with the announcement of the Lockout, which generated significant media coverage across radio, television and print media. DoJ utilised this media coverage to continue to inform the community about the introduction and effect of the Lockout. The Director also met directly with councils and licensees, through Liquor Accord meetings, to inform them about the temporary Lockout.

The second stage of the communications strategy involved developing an advertising campaign to remind potential pub and nightclub patrons of the initiative throughout the remainder of the temporary Lockout period. However, after the initial advertising had been booked and commenced, VCAT granted a large number of stays to affected licensees. In early June 2008, an injunction was sought in the Supreme Court to stop the advertising campaign on the basis that the advertisements did not reflect the effect of the stays granted to some venues by VCAT. The injunction application was refused with costs but the effect of the VCAT stays rendered the advertising campaign unusable, and may have contributed to community confusion about how the temporary Lockout would operate.

## 4 Lockouts in action - jurisdictional comparison<sup>59</sup>

This section compares Lockouts in other Australian and international jurisdictions. It considers the legislative frameworks and policy contexts in which they were applied. The key characteristics of the Lockouts, and (where data is available) the major impacts and future directions.

As no other jurisdiction has undertaken a Lockout that was either *temporary* in nature nor of the scale of the Lockout undertaken in the Melbourne CBD (and surrounding LGAs), the analysis has had to rely on findings from Lockouts that were permanent in nature and generally covered a smaller geography. Further, in all situations where Lockouts have been used they are but one tool in a suite of initiatives targeted at addressing alcohol-related issues.

Detailed descriptions of each Lockout location against the above dimensions are contained in Appendix B.

### 4.1 Australian jurisdictions

Summarised below are the key characteristics of other Victorian and Australian jurisdiction Lockouts which are currently in operation. The key characteristics are the:

- location of the Lockout – the city, town or venue which the Lockout impacts;
- hours of operation – the time at which the Lockout commences;
- characteristics of the Lockout – the effect of the Lockout including patron entry and re-entry conditions, as well as exclusions for hospitality staff and gaming rooms;
- number of venues impacted by the Lockout;
- objectives of the Lockout – in particular, whether it is seeking to address patron behaviour, assaults and public amenity issues;
- application mechanism of the Lockout – including whether the Lockout is in place by legislation, declaration, a condition of licence or by voluntary agreement;
- other strategies in place to complement the Lockout - for example, increased public transport, increased policing, crowd control and changed venue management practices;

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<sup>59</sup> This section has been prepared using an agreed set of criteria for each jurisdiction. Consultations were undertaken with all jurisdictions and included representatives from the regulators and police. Whilst every endeavour was made to gather and report on all information required based on the criteria, in some instances, either the information was not available, or, the information was not accessible to KPMG.

- current status of the Lockout – whether it is a pilot, trial or is ongoing; and
- impact of the Lockout – including any change in assaults, perceptions of safety and patron behaviour.

In comparing Lockouts it is also important to consider the geography of those locations where they have been implemented. In particular, the Lockouts discussed in this section are, in the main, related to small geographic locations, such as entertainment precincts, certain streets in a location, and in some cases, certain venues. In contrast the temporary Lockout implemented in Melbourne (and surrounding LGAs) is not readily comparable due to the size and geographic spread of Melbourne's late-night venues as well as the temporary nature of the Lockout.

Significantly the difference between this temporary Lockout and approaches in other jurisdictions centres on the processes by which Lockouts were negotiated and implemented. The temporary nature of the Lockout in Melbourne (and surrounding LGAs) was used as a circuit breaker to address the significant concerns about escalating violence and disorder experienced in inner Melbourne, and was not a permanent Lockout, as is the case in other regional centres in Victoria, and other jurisdictions.

Processes to engage stakeholders in the initial planning phase of these permanent Lockouts occurred across all other jurisdictions reviewed. Similarly for those permanent Lockouts in regional Victoria, the Director did undertake stakeholder consultations.

*Table 4.1: Summary comparison of Victorian Lockouts*

	Ballarat	Bendigo	Frankston (proposed)	O-zone (proposed)	Shepparton	Traralgon	Warrnambool	Queen Street
<b>Hours</b>	3am	2am	2am (not yet in operation)	2am (not yet in operation)	3am	3am	1.30am	2am (rolled into the temporary Lockout)
<b>Conditions</b>	Patrons other than residents of licensed venue are not permitted to enter or re enter premises other than gaming rooms.							
<b>Venues impacted</b>	10 in the City of Ballarat	16 in the CBD	9 in CBD	5 venues	5 venues	5 venues	6 venues	4 venues
<b>Objectives</b>	Reduce assaults, property damage and public amenity issues in city streets.							
<b>Implementation</b>	Voluntary condition of licence	Declared	Declared	Declared	Voluntary	Declared	Declared	Voluntary
<b>Other strategies</b>	Safe City Taxi Rank, police foot patrols, increased lighting, RSA	Increased police patrols, CCTV, NightRider bus, safe taxi rank, compulsory membership of the local Liquor Accord	Designated areas	Designated areas	Unknown	CCTV	Safe City Taxi Rank , CCTV, increased lighting	Unknown



	Ballarat	Bendigo	Frankston (proposed)	O-zone (proposed)	Shepparton	Traralgon	Warrnambool	Queen Street
<b>Status</b>	Ongoing	Ongoing	12 month variation still under consideration		Pilot	Ongoing	Ongoing	Completed
<b>Review and achievements</b>	Reviewed through the Ballarat Liquor Accord. 39.85% reduction in assaults in Ballarat CBD in first 12 months	Reviewed through the Bendigo Liquor Accord. 5.9% increase in assaults in Bendigo in 2007-08. To be reviewed in 2009.	No formal review. No data available to date.	No formal review. No data available to date.	No formal review. No data available to date.	No formal review. No data available to date.	Evaluated but no data available	No formal review. Rolled into Temporary Lockout

*Table 4.2: Summary comparison of other Australian jurisdiction Lockouts*

	Queensland	Darwin (NT)	Newcastle (NSW)	Hobart (TAS)	Launceston and Burnie (TAS)	Glenelg (SA)	Hahndorf (SA)	Naracoorte (SA)
<b>Hours</b>	State-wide Lockout of 3am	3am	1.30am	3am	2.30am	2am	1.30am	1.45am
<b>Venues impacted</b>	All late-night trading licensed venues throughout Queensland	All late-night licensed venues in the Darwin CBD and Mitchell Street	14 late-night venues in Newcastle and Newcastle West	33 late-night licensed venues in the Salamanca Market	3 venues in both Launceston and Burnie	4 venues	3 venues	4 venues

	Queensland	Darwin (NT)	Newcastle (NSW)	Hobart (TAS)	Launceston and Burnie (TAS)	Glenelg (SA)	Hahndorf (SA)	Naracoorte (SA)
	(post 3am)	precinct		Precinct and CBD.				
<b>Objectives</b>	Reduce assaults, property damage and public amenity issues in city streets.							
<b>Implementation</b>	Legislated	Voluntary	Condition of licence	Condition of licence	Condition of licence	Voluntary	Voluntary	Voluntary
<b>Other strategies</b>	Planning for major events, increased police foot patrols, Guardian trains, minimum number of crowd controllers, CCTV	Increased police patrols, increased taxis and mini bus	RSA Management, Plan of Management, drinks restrictions, staged venue closure, three-monthly venue audits	RSA, marshalled taxi rank, CCTV, crowd controllers, discontinued happy hour practices	Increased taxis between 2.30am and close	None	None	None
<b>Review</b>	Brisbane, Gold Coast and Fortitude Valley Lockouts have been evaluated	None	Police collect crime data and feedback through Liquor Accord	None	None	None	None	None
<b>Status</b>	Permanent	Trial	Ongoing	Ongoing	Ongoing	Ongoing	Ongoing	Ongoing

	Queensland	Darwin (NT)	Newcastle (NSW)	Hobart (TAS)	Launceston and Burnie (TAS)	Glenelg (SA)	Hahndorf (SA)	Naracoorte (SA)
<b>Achievements</b>	No data available	No data available	Significant reduction in assaults, moving on of patrons, reduction in venue issues, downward trend in accident and emergency presentations	No data available	No data available	No data available	No data available	No data available

#### **4.1.1 Legislative and policy contexts**

All Australian jurisdictions have liquor licensing laws to regulate the sale of liquor including late-night entertainment venues which sell alcohol. These laws empower the relevant body (i.e. liquor licensing director / commissioner) to grant licences as well as place conditions on liquor licences. Few laws provide for the establishment of late night Lockouts. For example, New South Wales, Queensland and Victoria are the only jurisdictions which expressly provide for the declaration of a Lockout.

Legislation in other jurisdictions – Northern Territory, South Australia and Tasmania – does not prescribe the establishment of a late night Lockout. In these jurisdictions, late night Lockouts are either voluntarily agreed by licensees or included as a condition of the late-night trading licence.

Across all jurisdictions the primary policy objective of alcohol control is to balance alcohol consumption and harm minimisation while ensuring the liquor industry is economically viable. Lockouts have been implemented to address a range of alcohol-related violence and disorder in and around late-night trading venues.

In order to change patron behaviour in the consumption of alcohol, as in Victoria, many jurisdictions have adopted a ‘whole of venue management’ approach. This approach is characterised by liquor licensing, police and licensees (and in some case venue owners) working together to change drinking environments in order to positively change patron drinking behaviour.

For example, the New South Wales Office of Liquor, Gaming and Racing encourages venue owners and licensees to adopt a range of responsible service of alcohol practices to create a positive drinking environment within their establishments such as providing free meals and free water.

Across all jurisdictions, including Victoria, Liquor Accords – mechanisms by which licensees, police, local council and liquor licensing can discuss and negotiate local liquor issues - are the primary vehicle for agreeing changes to local liquor licensing arrangements such as the introduction of a Lockout.

#### **4.1.2 Characteristics of the Lockouts**

Of the Lockouts examined as part of this jurisdictional comparison, the times at which they come into effect ranges from 11.30pm (Beaudesert in Queensland), 1.30am in Newcastle to 3am (Hobart, Darwin, Queensland state-wide Lockout, Ballarat and Traralgon).

The factors taken into account when determining the time at which the Lockout comes into effect includes the number of venues in the precinct / area in which the Lockout applies, the trading hours of these venues and patron behaviour.

A condition of all Lockouts is that they refuse the entry and re-entry of patrons to a licensed venue in a particular area from the time the Lockout comes into effect. Most Lockouts do not apply to, or exclude, gaming areas, hospitality staff and residents.

The Lockouts in operation across the country impact on bars, hotels and nightclubs of varying patron capacity. That is, late night Lockouts equally apply to small, medium and large capacity venues. The Queensland and Victorian legislation expressly exclude airports and casinos from any Lockout condition.

All Lockouts operating in other jurisdictions (except Darwin) were established in consultation with a broad range of stakeholders including police, licensees, local council, public transport authorities and the community at large. Examples include:

- Queensland – police and liquor licensing worked directly with Community Safety Partnerships (comprised of local council, licensees, residents and emergency services) over a three-month period to negotiate the terms of the Lockout in various localities (prior to the state-wide Lockout). Community awareness raising campaigns were also adopted via radio, print and television to inform community members of the changes. Additionally, the Queensland Police funded the development of information cards about the Lockout for visitors to be distributed at hotels, hostels, restaurants and venues.
- Hobart – venues in the Salamanca Market Precinct and Hobart CBD were approached by liquor licensing and police to develop the Late Night Traders Agreement to combat a number of alcohol-related violence and disorder issues.
- South Australia – all three Lockouts were driven by licensees with the active participation of local police, local councils and liquor licensing authority. With the Glenelg and proposed Adelaide Lockout, extensive consultations were held with licensees in the lead up to the introduction of the Lockout.

Representatives from liquor licensing and police from other jurisdictions noted that as a result of the level of consultation undertaken, few complaints and objections were received about the Lockouts.

Where voluntary arrangements have been resisted by licensees, police and regulators have made a submission to the relevant liquor licensing authority seeking a Lockout. For example, in Newcastle, police attempted to negotiate a range of voluntary measures with licensees in Newcastle and Newcastle West, however, these measures were either ineffective or not agreed to.

The areas in which Lockouts operate vary in the number of venues they capture. For example, Lockouts in South Australia apply to three to five venues, while the Hobart Lockout applies to over 30 venues. The difference in venue size, numbers and location all impact on the need for additional measures to support the Lockout, especially those to manage patron displacement. As a result, the availability of public transport becomes a critical issue for large geographical areas with density of venues and patrons.

Examples of how different locations have attempted to minimise patron displacement include:

- Brisbane City Council area – through the 17-point City Safety Action Plan, CityTrain agreed to make additional trains available during late night and early morning hours to help move patrons on. These trains are referred to as Guardian Trains as they are attended by private security officers on board for the duration of the service. Guardian Trains cover approximately 40 per cent of night time services across the entire CityTrain network. Security contractors on Guardian Train services and on patrol at CityTrain stations are recognisable through their yellow shirts, grey ties and black pants, and the trains are marked by the letter ‘G’ in the timetables.<sup>60</sup>
- Ballarat, Victoria – the local member of Victoria Police invited the taxi association to participate in the Liquor Accord to increase the number of taxis available during late hours as well as ensure taxi drivers use the Safe City Taxi Rank.
- Burnie, Tasmania – the liquor licensing authority approached the local taxi company to make a minimum number of taxis available between midnight and 6am to help move patrons on.
- Newcastle – through the Crime Prevention Partnership, police, the Department of Premier and Cabinet and the Ministry of Transport negotiated a change to bus and train timetables to align with the commencement of the Lockout and venue closure times. This has resulted in patrons moving on from the CBD quickly and the streets being patron free by 4.30am on Saturday and Sunday mornings.

A common theme across all jurisdictions is that the late night Lockout is only one measure in a suite of measures which together are designed to reduce alcohol-related violence and disorder in and around late-night licensed venues. Examples of other initiatives include the:

- provision of licensed and trained crowd controllers at licensed venues;
- mandatory responsible service of alcohol training for all venue licensees, staff and management;
- increased enforcement of responsible service of alcohol in licensed venues;
- increased police foot patrols on the streets and through venues as well as specific police operations which target rowdy patrons such as by banning notices; and
- availability of public transport including buses, trains and taxis to manage patron displacement.

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<sup>60</sup> [http://www.citytrain.com.au/about\\_your\\_trip/security\\_safety/security\\_staff/security\\_staff.asp](http://www.citytrain.com.au/about_your_trip/security_safety/security_staff/security_staff.asp), date accessed 20 October 2008.

A unique condition imposed by the Liquor Licensing Board in New South Wales on Newcastle venues was the staged closure of venues. Late-night venues in Newcastle (which traditionally had 6am or 24-hour licences) are now required to close at either 3am or 3.30am.

### **4.1.3 Impacts, success factors and future directions**

Few Lockouts have been evaluated and even fewer have data available to assess the impact of the Lockout.

Ballarat's Operation "LINK – Be Safe Late" which includes the late night Lockout as well as increased policing, crowd control and taxis is one of the few Lockouts that has been evaluated. This evaluation found that during the first 12 months of the program's operation period:

- there was a 39.85 per cent decrease in assault offences in Ballarat CBD, with a 47.54 per cent decrease in assaults in licensed premises and a 33.33 per cent decrease in public places;
- there was a 17.32 per cent decrease in property damage offences in Ballarat CBD; and
- that community members, patrons, licensees and businesses all perceived the operation to be effective in increasing the safety of Ballarat CBD.<sup>61</sup>

The evaluation also noted that the decrease in assaults and property damage began six months prior to the commencement of Operation "LINK Be Safe Late", therefore suggesting that other variables contributed to the reduction of crime.

Other jurisdictions have reported anecdotally that there have been positive changes to patron behaviour, public amenity issues and violence during the Lockout period. For example:

- Liquor Licensing in Tasmania has reported receiving a reduced number of complaints regarding public amenity issues (i.e. noise, litter and property damage) in the Salamanca Market precinct and Hobart CBD;
- police in Newcastle reported a significant reduction in assaults (up to 50 per cent) between 10pm-6am since the implementation of the Lockout and associated conditions. Police also noted a reduction in venue issues, patron traffic between venues and the number of people intoxicated on the streets after 1am;
- Queensland Police reported a noticeable reduction in patron traffic on the streets during late hours; and
- Queensland Liquor Licensing reported a noticeable reduction in public amenity issues in the Brisbane City Council and Gold Coast areas during late hours.

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<sup>61</sup> Centre for Health Research and Practice (November 2004), *Program Evaluation – Operation Link Be Safe Late Program*, University of Ballarat, pp.25-75.

Authorities advised that changes in patron behaviour and violence could not be attributed solely to the late night Lockout as other police operations, licence conditions and local council initiatives were operating at the same time.

Commonly reported factors for a successful alcohol management strategy including late night Lockout out are:

- engagement and negotiation with the relevant stakeholders well in advance of any change being implemented. Stakeholders include licensees, local council, emergency services, the peak industry bodies, police and liquor licensing;
- an effective communication strategy for the community regarding the Lockout and its impacts on them. This includes using amnesty periods (i.e. no prosecution for breach of conditions within the first few weeks of the Lockout) in the first weeks of the Lockout to condition patrons and venues to the new arrangements;
- implementing increased policing, crowd control, responsible venue management practices and public transport as part of any Lockout arrangement; and
- regular review of the Lockout and associated measures (especially in its first months) by all relevant stakeholders to manage any unforeseen issues.

Queensland, as distinct from other jurisdictions, noted one of its success factors as being the removal of licensing compliance powers from police and placing those powers with civilian Liquor Licensing. The reported benefit of this is the ability for police to focus on crime rather than compliance issues. Under this arrangement, Liquor Licensing has the ability to focus on building relationships with licensees to prevent issues from arising in the first instance.

## **4.2 International jurisdictions**

Summarised below are a selection of initiatives aimed at reducing alcohol-related violence in England and Scotland. It should be noted that while England and Scotland have various Lockouts in operation very little data on the actual Lockouts was available.

Additionally, the Lockouts play a minor role in the overall approach to reducing alcohol-related violence and such initiatives focus on a suite of policing, licensing and public health strategies to change behaviour and reduce violence. Therefore, both England and Scotland's broader alcohol management strategy is described below.

### **4.2.1 England**

England has recently developed its *National Alcohol Strategy*. This strategy built on a pre-existing strategy to reduce harm related to alcohol. In 2005-06:



- seventeen per cent of all violent incidents were committed in or around pubs or clubs; and
- most people think that people being drunk or rowdy in a public place is a significant problem.<sup>62</sup>

As part of England's approach to alcohol-related harm, the *Liquor Licensing Act 2005* was reformed to increase:

- police powers to close down disorderly and noisy licensed premises;
- police and resident powers to seek reviews of licences;
- fines and penalties for breach of licence;
- the implementation of alcohol disorder zones (i.e. charge venues for extra enforcement costs); and
- directions to leave and drinking banning orders.<sup>63</sup>

Other initiatives under the strategy include "meet and greet" initiatives at key entry points to the city; taxi-marshalling to move patrons out of entertainment precincts quickly; additional hand held metal detectors at venues; and use of polycarbonate glasses as conditions of licences.

All initiatives are underpinned by a local partnership approach where police, councils, industry and community develop appropriate place-based strategies to tackle alcohol-related violence.

Early results of these approaches include:

- thirty per cent reduction in serious violent crime;
- seven per cent reduction in ambulance call outs in Sheffield between April and October 2006 during late night trading periods;
- reduction in the number of emergency department presentations; and
- twenty eight per cent reduction in assaults, robbery and anti-social behaviour in Liverpool during late night trading periods.<sup>64</sup>

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<sup>62</sup> Department of Health, Home Office (2007), *Safe. Sensible. Social. The Next Steps in the National Alcohol Strategy*. Home Office, United Kingdom.

<sup>63</sup> Department of Health, Home Office (2007), *Safe. Sensible. Social. The Next Steps in the National Alcohol Strategy*. Home Office, United Kingdom.

<sup>64</sup> Ibid.

## 4.2.2 Scotland

In response to increased street crime and violent assaults in and around licensed venues during late hours, a number of Lockouts, or curfews, were established in Glasgow in 1993.

Recent research into the effectiveness of liquor licence controls such as the curfews showed that within a year of operation, there had been an overall reduction in some types of violence and disorder in Glasgow. As a result of these findings the curfew was extended and is still in operation today.<sup>65</sup>

This same review audited a range of local initiatives designed to reduce alcohol-related harm throughout Scotland. This audit found that curfews were introduced as conditions of liquor licences and were often developed in partnership with licensees and the local Liquor Licensing Board.

## 4.3 Conclusion

The experiences in Ballarat, Queensland, Newcastle and Scotland show that a Lockout can be effective when operating as part of a broader suite of measures to reduce alcohol-related violence and disorder.

A suite of measures include:

- a late night Lockout;
- staged closing hours;
- police operations including uniform foot patrols and undercover operations in and around venues;
- licence compliance checks;
- use of banning notices / orders to expel rowdy patrons from a particular area or venue;
- availability of a mix of public transport including taxis, buses and trains during key times (for example commencement of the Lockout and one hour after venues close); and
- appropriate venue management practices including responsible service of alcohol, drink restrictions, and training of crowd controllers.

The jurisdictional comparison also highlighted that where the Lockout and other measures have been effective they have also received wide support, or have been implemented in partnership with relevant stakeholders. This highlights the need for certain awareness raising and

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<sup>65</sup> Scottish Executive Social Research (2003), *Liquor Licensing and Public Disorder: Review of Literature on the Impact of Licensing and other Controls / Audit of Local Initiatives*, Reid Howie Associates Limited, p.15.  
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consultative processes to be in place to enable a Lockout to be effective. Such processes include:

- stakeholder (i.e. licensees, local councils, police, liquor licensing, industry groups, and public transport authorities) consultation to discuss the implementation of a Lockout;
- wider community awareness raising in the lead up to the implementation of the Lockout using radio, print and news media (noting that the Lockout in inner Melbourne did in fact have a community awareness component attached);
- training venue staff including crowd controllers regarding the Lockout requirements and the key messages to be delivered to patrons;
- an amnesty period at the beginning of the Lockout to allow patrons and venues to become accustomed to the Lockout conditions; and
- regular review and monitoring of the Lockout by relevant stakeholders through Liquor Accords.

From a policy perspective, the jurisdictional comparison indicates that a Lockout tends to operate as part of a broader strategy to change attitudes towards alcohol consumption. This level of change is recognised as being a long-term goal which requires, in part, a series of prevention and early intervention strategies which promote healthy drinking within the wider community as well as targeted populations (i.e. school students, children, Indigenous people, young men, and young women).

Comparing the Lockouts in operation throughout Australia to the temporary Lockout in Victoria a number of similarities emerge. Similarities include:

- use of police foot patrols and operations during late hours;
- use of banning notices;
- licence compliance checks; and
- availability of some public transport including marshalled taxi ranks and NightRider Buses.

### **4.3.1 Implications**

The above findings raise a number of implications for Victoria, including:

- the role of police in liquor licensing compliance and in particular the feasibility of complementing liquor licensing compliance police functions with a liquor licensing entity;

- the merits of adopting a ‘whole of venue management’ approach to create drinking environments conducive to responsible alcohol consumption; and
- the multiple levers for changing patron behaviour which should occur alongside a Lockout to maximise the overall effectiveness of reducing alcohol-related violence and disorder. This includes increased police foot patrols, increasing the availability of public transport, training crowd controllers and ensuring in-venue responsible service of alcohol practices.

Note, however, that the points outlined above are in fact currently being carried out by DoJ as a proactive approach to managing the issues with alcohol and the related violence.

## 5 Profile of venues in designated Lockout areas<sup>66</sup>

This section provides a description of venues affected by the temporary Lockout. It presents the overall profile of venues affected by the Lockout as well as those venues granted a stay. The profiles include information on:

- location of venues;
- type of venue; and
- capacity of venue.

A breakdown of venue profile across the designated Lockout areas is provided in Appendix F.

### 5.1 Overall profile

In total 487 venues that hold a liquor licence to trade past 2am were affected by the temporary Lockout. These venues were situated in one of the designated LGAs – those being City of Melbourne, City of Port Phillip, City of Stonnington and City of Yarra.

The greatest proportion of affected venues (59 per cent) were situated in the City of Melbourne (including Southbank and Docklands), while almost equivalent proportions of the remaining affected venues were situated in the City of Port Phillip (14 per cent), City of Stonnington (14 per cent) and City of Yarra (13 per cent), as shown in Table 5.1 below.

*Table 5.1: Number and proportion of affected venues by LGA*

<b>LGA</b>	<b>Number of affected venues</b>	<b>% Total affected venues</b>
Melbourne	286	59%
Port Phillip	69	14%
Stonnington	68	14%
Yarra	64	13%
<b>Total</b>	<b>487</b>	<b>100%</b>

Source: Data provided by DoJ.

Table 5.2 below shows the number and proportion of affected venues by venue type, in addition to the total and proportional patron capacity recorded for each venue type.<sup>67</sup>

<sup>66</sup> Note, in compiling this information, KPMG has utilised information provided by DoJ – in some instances the venue capacity was not stated, and where this is the case it has been noted. Further, the venue profiles contained in this section reflect those venues that trade past 2am. Those venues that do not trade post 2am have been excluded.

<sup>67</sup> It should be noted that 126 (26 per cent) of the total number of affected venues did not have their patron capacity recorded in the information provided by DoJ.

*Table 5.2: Number and proportion of affected venues by type<sup>68</sup>*

Venue type	Number of affected venues	% Total affected venues	Total recorded patron capacity	% Total recorded patron capacity
Bar	197	40%	40,192	27%
Hotel	92	19%	33,039	22%
Nightclub	85	17%	40,311	27%
Accommodation	21	4%	15,911	11%
Restaurant	12	2%	1,316	1%
Hotel/Gaming	6	1%	3,004	2%
Bowling	3	1%	760	1%
Bar/Gaming	2	0%	810	1%
Hotel/Bar	2	0%	588	0%
Theatre	2	0%	4,310	3%
Convention	2	0%		0%
Accommodation/Gaming	1	0%	847	1%
Aquarium	1	0%		0%
Bar/Function	1	0%	940	1%
Café/Prebook	1	0%		0%
Cinema/Bar	1	0%		0%
Function	1	0%		0%
Gaming	1	0%		0%
Jazz Bar	1	0%		0%
Sauna/Bar	1	0%		0%
Snooker/Bar	1	0%		0%
Racing	1	0%		0%
Stadium	1	0%		0%
Not Trading	1	0%	170	0%
Other	50	10%	5,134	3%
<b>Total</b>	<b>487</b>	<b>100%</b>	<b>147,332</b>	<b>100%</b>

Source: Data provided by DoJ

Of note, is the number of bars that trade as late-night venues in the affected areas, (197 or 40 per cent of venues) compared to nightclubs (17 per cent) and hotels (19 per cent). Given that bars are usually smaller (in size and patron capacity) than nightclubs and hotels the impact on bars is likely to have been greater than on nightclubs and hotels as indicated in the following sections.

## 5.2 Venues granted a stay by VCAT

Under *Section 87A(1) of the Act*:

*‘A licensee of licensed premises to which a late hour entry declaration applies may apply to the Tribunal for review of the decision of the Director to make or vary the declaration as it applies to the licensed premises of the licensee.’*

Of the total number of venues affected by the temporary Lockout, approximately 25 per cent (120) were granted stays from VCAT. Following mediation between the Director of Liquor Licensing and licensees a number of conditions that would minimise the consequences of the stays on the effectiveness of the temporary Lockout were agreed. Venues that were granted a

<sup>68</sup> At the time of compiling this information, the ‘other’ category (comprising 50 venues) were venues trading as late night venues.

stay were able to trade as normal past 2am; however, in doing so the following conditions had to be met:<sup>69</sup>

- additional crowd controllers, of which a proportion were to be positioned outside the premises (based on venue patron capacity);
- the licensee was not to allow ‘pass outs’ to patrons for the purpose of smoking in any public place between the hours of 2am and closure of the premises;
- no liquor was to be supplied to any authorised area situated on any footpath/kerbside between the hours of 2am and closure of the premises; and
- that the licensed venue was not in any way to advertise or promote the fact that the venue has been excluded from the operation of the temporary Lockout, including drink promotions during those hours, save for the hours of operation.

In some cases, other conditions were imposed:<sup>70</sup>

- all staff engaged in the serving of liquor will complete a “Responsible Serving of Alcohol” training course, approved by the Director of Liquor Licensing; and
- crowd controllers, licensed under the Private Security Act, are to be employed at a ratio of 2 crowd controllers for the first 100 patrons and 1 crowd controller for each additional 100 patrons, to monitor patrons arriving and departing the premises. Crowd controllers were to be present from 30 minutes before the start of the entertainment being provided, until 30 minutes after closure.

Whilst the Director of Liquor Licensing sought to have the decision tested by requesting that the applications for review hearings be expedited, the President of VCAT ruled that all applications are stayed until further order of the Tribunal, or until the expiration of the declaration, which ever is the sooner, subject to the conditions agreed.<sup>71</sup>

It should be noted that the list of venues granted a stay was not static as venues granted a stay may have opted out if they were unable meet the additional conditions, and other venues had the ability to opt in and request a stay to be granted during the temporary Lockout period.

### **5.2.1 Proportion and location of venues granted a stay**

The proportion of venues granted a stay varied by LGA. Notably, 37 per cent of the affected venues in the City of Stonnington were granted a stay (shown in Figure 5.1). This was nearly double the proportion granted a stay in the City of Melbourne (22 per cent) and the City of Yarra (22 per cent), and almost ten per cent greater than the City of Port Phillip (28 per cent).

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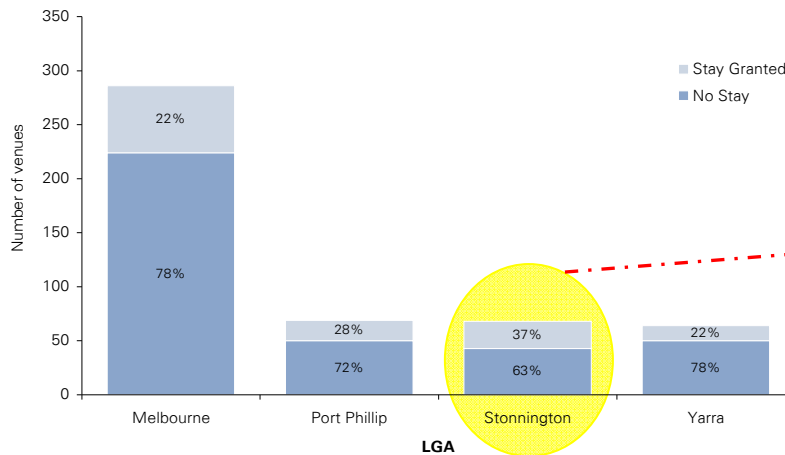
<sup>69</sup> Information provided by DoJ.

<sup>70</sup> Ibid

<sup>71</sup> Ibid

The City of Stonnington, as a result of the granting of stays by VCAT, had a higher proportion of total patron capacity (by venue) not included in the temporary Lockout. That is, of the total recorded patron capacity in the City of Stonnington, 46 per cent was not included in the temporary Lockout (see Figure 5.2).

*Figure 5.1: Proportion of total venues granted with a stay by LGA*



**Focus on Chapel Street - City of Stonnington**

*The City of Stonnington incorporates Chapel Street (a well known destination for shopping and entertainment). Chapel St has 33 late night venues that trade past 2am with total recorded venue capacity of 7,010 patrons. Of those 33 venues on Chapel St, 12 were granted a stay – approximately 36 per cent of venues (or approximately 49 per cent of total venue capacity) in one location on one street.*

Figure above derived from data provided by DoJ.

*Figure 5.2: Proportion of recorded venue capacity by LGA*

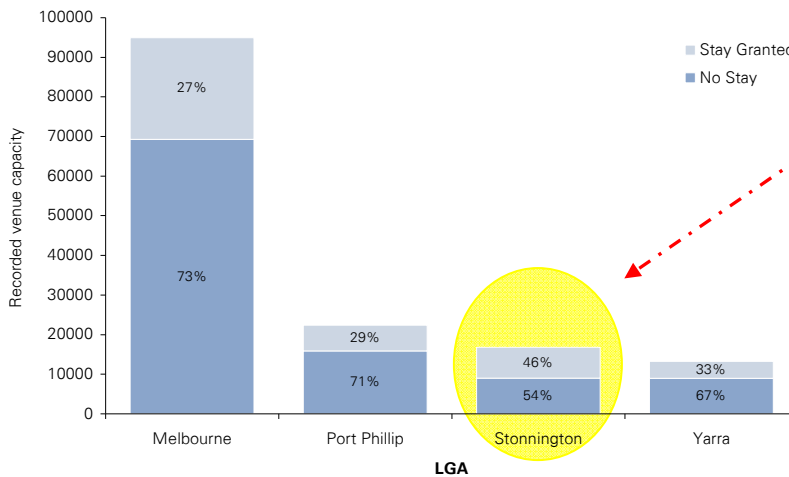


Figure Data provided by DoJ.

As shown in Figure 5.1 and Figure 5.2 the City of Stonnington had a greater proportion of venues granted a stay, equating to approximately 46 per cent of total venue capacity.



It is also worth noting that the affected LGAs were also declared designated areas and Victoria Police had the ability to issue banning notices, however, the cities of Port Phillip and Yarra only became designated areas during the temporary Lockout.

## 5.2.2 Venues granted a stay by risk category

Some venues have high-risk conditions included on the liquor licence. High-risk conditions include: licensed venues that trade past 1am and provide live bands/DJ's using amplified music; venues providing sexually explicit entertainment and major dance/entertainment events (i.e. dance parties). Table 5.3 below presents the risk and stay status by affected venue type.

Table 5.3: Risk and status of stays by venue type

Venue type	No Stay		Total without Stay	Stay Granted		Total Stay Granted	Total
	High Risk Conditions	No High Risk Conditions		High Risk Conditions	No High Risk Conditions		
Bar	84	73	157	33	7	40	197
Hotel	41	28	69	20	3	23	92
Nightclub	24	15	39	34	12	46	85
Accommodation	1	20	21				21
Restaurant	3	9	12				12
Bowling	2	1	3				3
Hotel/Gaming		3	3	1	2	3	6
Bar/Gaming	1	1	2				2
Convention		2	2				2
Hotel/Bar	1	1	2				2
Theatre		2	2				2
Aquarium		1	1				1
Bar/Function		1	1				1
Café/Prebook		1	1				1
Cinema/Bar		1	1				1
Function		1	1				1
Gaming		1	1				1
Jazz Bar		1	1				1
Not Trading	1		1				1
Racing		1	1				1
Snooker/Bar		1	1				1
Stadium		1	1				1
Accommodation/Gaming				1		1	1
Sauna/Bar					1	1	1
Other	10	34	44	5	1	6	50
<b>Total</b>	<b>168</b>	<b>199</b>	<b>367</b>	<b>94</b>	<b>26</b>	<b>120</b>	<b>487</b>

Source: Data provided by DoJ

The proportion of venues *who did not* apply for stays was higher than those venues with high-risk conditions on their liquor licence as shown above (199 venues compared to 168 venues with high-risk conditions on the liquor licence). However, the majority of stays granted by VCAT had high-risk conditions attached to the liquor licence (94 venues out of 120 or 78 per cent). Further, 54 per cent of nightclubs were granted a stay (46 out of 85), of which, 74 per cent have high-risk conditions included on their liquor licence.

## 5.3 Summary

As a result of the granting of stays by VCAT, the potential for the temporary Lockout to be fully effective was significantly compromised, due to its uneven coverage between venues and between locations within Melbourne.

Given that one of the fundamental objectives of a Lockout was to prevent patrons from moving between venues thus minimising opportunities for violence and anti-social behaviour to occur, the decision of VCAT to exempt venues has had a critical and negative impact on the capacity of the temporary Lockout to achieve the intended outcomes.

The granting of stays by VCAT has meant that patrons were able to enter and re-enter approximately 25 per cent of venues across the affected LGAs and restricted the capacity of the temporary Lockout to limit bar/venue hopping (after 2am). From the outset the temporary Lockout was fundamentally compromised and this significantly impacted on the ability of evaluation to meaningfully assess the effectiveness of the temporary Lockout in reducing alcohol related violence and disorder.

# **PART II – FINDINGS ON THE EVALUATION DIMENSIONS**

## 6 Change in alcohol-related violence or disorder

This section outlines the changes in alcohol-related violence and disorder during the period of the temporary Lockout. Alcohol-related violence may be measured in terms of the number of reported assaults, banning notices issued under the Act, and ambulance and hospital records of attendances and admissions that are alcohol or assault related. In contrast, anti-social behaviour is considered in terms of changes in the number of public offences (robbery, property damage and behaviour in a public place), and public amenity issues. As such, this section draws on the following data.<sup>72</sup>

- Victoria Police – reported crime data and call out data (all subject to confidentially provisions);
- DHS – VEM Data;
- Metropolitan Ambulance Services – transport call out data; and
- Council public amenity data.

Please note that the data analysed was raw data that does not account for population increases, the increase in police numbers which may have impacted on the number of reported assaults and the impact of other initiatives being undertaken at the time of, or in the lead up to, the temporary Lockout. Also, the nature of the data does not allow an assessment of the severity or impact of any violence related incidents.

**The analysis should be read in this context.** Please refer to *Appendix A* for the outline of the data limitations.

Data from 2005 to 2008 has been considered to enable comparison with the time periods corresponding to the temporary Lockout in prior years (June to August), and the three-months prior to the temporary Lockout (March to May 2008).

This section also presents the themes from the stakeholder consultations, including:

- members of Victoria Police;
- licensees – group discussions and survey responses;
- patrons – group discussions and survey responses;
- council representatives; and

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<sup>72</sup> Please note, regarding the data analysis in this section, that most data sources are focused on aspects unrelated to the Lockout or dimensions of the Lockout – for example:

Police data focuses on incidents, not the cause of incidents, and hence can not provide good causal data between alcohol and violence.

Further, some datasets provided to KPMG were done so on the condition of confidentiality in that they may not be released publicly in any form, or in any report. KPMG has noted where confidentiality is required for the inclusion of the data.

- security industry representatives.

## **6.1 Summary of findings**

### *Data analysis*

During the period of the temporary Lockout, and even in light of the data limitations outlined earlier in this report, there are a number of positive trends in the reduction of the apparent incidence of assaults and anti-social behaviour. For example:

- there was a downward trend in total reported assaults across the City of Melbourne (approximately 23.9 per cent) and Port Phillip (approximately 57.4 per cent) during the temporary Lockout period between 8pm and midnight compared to the corresponding time period in 2007;
- there has been a decrease in assault related ambulance transports when compared to the corresponding period in 2007 and three-month lead-in period to the temporary Lockout;
- assault related presentations to hospital emergency departments have decreased by 12.6 per cent compared to the same time period in 2007 and a 19.3 per cent decrease compared to the lead-in period to the temporary Lockout;
- significant reductions in some anti-social behaviour categories of being drunk in a public place (9.1 per cent decrease in Port Phillip and 43.2 per cent decrease in Stonnington) compared to 2007. Further significant decreases for drunk call outs for Victoria Police, including 38 per cent in Stonnington and 19 per cent in Port Phillip compared to the lead-in period; and
- concerns about patron displacement appear not to have been realised with neighbouring areas of Boroondara and the suburb of Moonee Ponds not reporting any increases in reported assaults. In fact there were some significant decreases;
- some small decreases in some public amenity categories in Port Phillip and Melbourne.

Yet even with these positive trends there has been an increase in alcohol-related violence during certain periods of the temporary Lockout. For example:

- there has been an increase in reported assaults between the hours of midnight and 2am when compared to the corresponding period in 2007, and a small increase compared to the lead-in period. This is also similar for the period between 2am and 3.59am; and
- an increase in assault related ambulance transports between 8pm and midnight when compared to the three-months prior to the temporary Lockout.

Further, alcohol-related presentations as a proportion of total hospital emergency presentations on Friday and Saturday nights have increased as a proportion of total presentations during the comparison periods and this continued during the temporary Lockout period.

*Stakeholder perceptions:*

From the patron community survey, 76.9 per cent of respondents perceived that the temporary Lockout was not successful in reducing alcohol-related violence - the age breakdown analysis does differ across age cohorts, with those aged 45 plus indicating they were more unsure as to the success than those in the younger cohort. And this sentiment was shared when asked about the temporary Lockout reducing anti-social behaviour – 82 per cent said no.

During focus group discussions, the majority of stakeholders (including Licensees, patrons security industry, and local council) did not perceive there was any change in alcohol-related violence or anti-social behaviour during the temporary Lockout period, however some members of Victoria Police noted the temporary Lockout “took the edge” off the violence.

Clearly in some areas there has been a downward shift in reported assaults and ambulance transports. Some categories of anti-social behaviour have reduced significantly from the previous years. However, these shifts, while positive, cannot be solely attributed to the temporary Lockout as they occurred when a range of concurrent alcohol-related strategies were being implemented along with the temporary Lockout. In particular, the granting of stays by VCAT, and this impacted on the ability of evaluation to assess the effectiveness of the temporary Lockout in reducing alcohol related violence and disorder.

## **6.2 Assaults, alcohol and anti-social behaviour**

This section presents the findings of the data analysis, with respect to:

- reported assaults;
- ambulance transports – assaults;
- hospital emergency department presentations;
- anti-social behaviour (Victoria Police data on robbery, behaviour in a public place; property damage, drunk and disorderly); and
- public amenity.

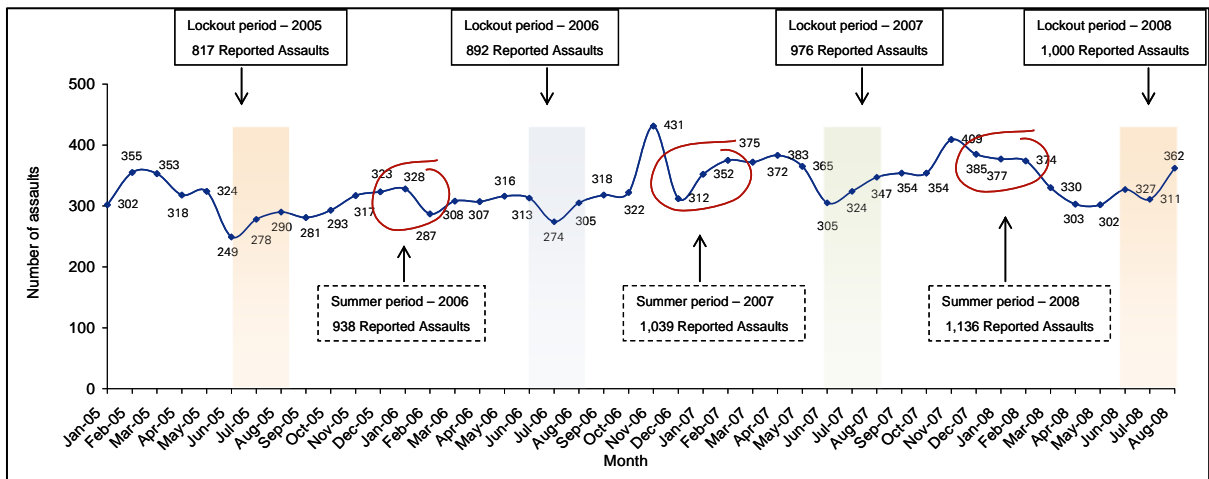
This section should be read in the context of the data limitations as outlined in the beginning of this section and Appendix A.

**6.2.1 Overall reported assaults<sup>73</sup>**

Across the four affected areas the total number of reported assaults (across all days of the week and time periods) increased by 2.4 per cent in the three-month period of the temporary Lockout when compared to the same three-month period in 2007, as shown in Figure 6.1 below.

There was a small increase in reported assaults (6.9 per cent) across the areas when compared to the lead up three-month period March, April and May 2008. However, when examining these figures it is within the context of a range of initiatives including more police on the street due to the Safe Streets Taskforce. So, with more police comes an increased capacity to respond so it is likely in parallel that the capacity to respond to reported incidents would also be greater.

Figure 6.1: Reported assaults across the four affected LGAs January 2005 to August 2008



Source: Data provided by Victoria Police

Of note in the above figure is the seasonality factor involved, with more reported assaults during the summer months (December, January and February) when compared to the winter months (June, July and August) – this was noted by members of Victoria Police as an important factor as weather conditions impacts on the number of people on the streets.

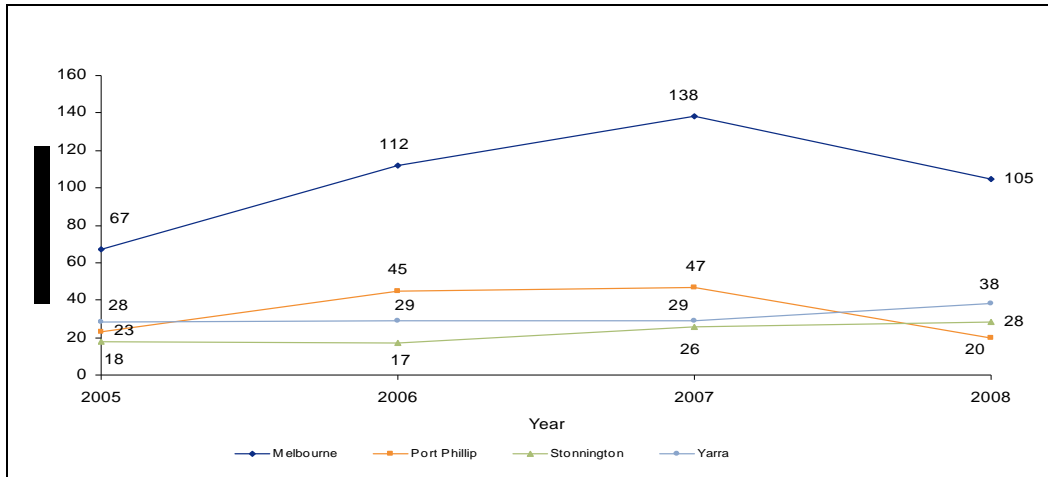
**6.2.2 Assaults at peak times**

Peak times for assaults differs in specific locations, though, this is generally in the late night and early morning periods.

Figure 6.2 below highlights the total number of reported assaults across each of the four affected LGAs between 8pm and midnight for the months of June, July and August each year from 2005 to 2008.

<sup>73</sup> The data provided does not allow attribution (or causality) to alcohol and therefore, it is unknown as to how many of the reported assaults across the four affected areas are as a result of alcohol.  
 Evaluation the Temporary Late Night Entry Declaration

Figure 6.2: Reported Assaults 8pm to 11.59pm affected LGAs – June, July and August



Source: Data provided by Victoria Police

Notably, there has been a sharp decrease in the City of Melbourne (including Southbank and Docklands) compared to the corresponding period in 2007 (approximately 23.9 per cent) and in the City of Port Phillip (approximately 57.4 per cent) between the hours of 8pm and 11.59pm.

Further, in the three-month lead-in period (March, April and May 2008) there was a decrease of reported assaults across all affected LGAs including:<sup>74</sup>

- an 18 per cent decrease in the City of Melbourne;
- a 36 per cent decrease in the City of Port of Phillip;
- the City of Stonnington reporting a 15 per cent decrease; and
- the City of Yarra reporting a 5 per cent decrease.

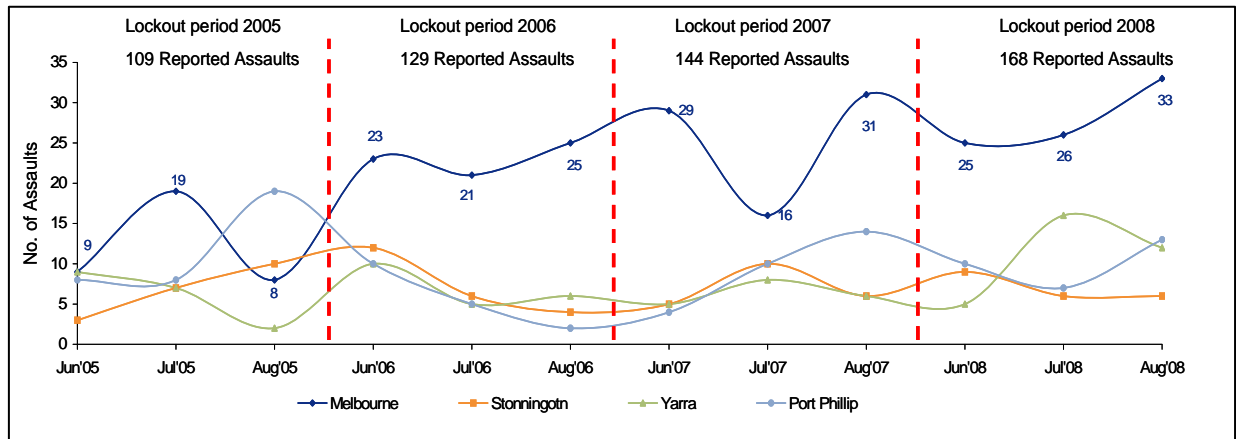
Again, as noted previously seasonal factors may have impacted on the numbers of people on the streets during the winter months.

Another peak period is between 12am (midnight) and 2am and Figure 6.3 highlights reported assaults between this time period.

<sup>74</sup> Based on Victoria Police reported crime statistics for assault.  
Evaluation the Temporary Late Night Entry Declaration



Figure 6.3: Reported assaults midnight to 1.59am temporary Lockout areas



Source: Data provided by Victoria Police

The total number of reported assaults has increased across the four LGAs affected by the temporary Lockout, when compared to corresponding periods in 2005, 2006 and 2007 between 12am (midnight) and 1.59am. The increases ranged from 10.5 per cent in the City of Melbourne compared to 2007, to 73.7 per cent in the City of Yarra when compared to the same time last year.

There were small increases in reported assaults across all areas compared to the lead-in period March to May, ranging from 3 per cent in Port Phillip to 10.5 per cent in Stonnington.

The reported number of assaults does not markedly change when the time period is shifted from 2am to 3.59am. Compared to the same time period in 2007:

- the City of Melbourne had a slight 2.3 per cent increase;
- the City of Port Phillip reported a 28.6 per cent increase; and
- the City of Yarra reported assaults increased by 23 per cent (13 assaults to 16 assaults).

When compared to the lead-in period (March to May), all areas, except the City of Stonnington, recorded increases in reported assaults during the temporary Lockout period between 2am and 3.59am.

While the assault data reflects those LGAs affected by the temporary Lockout, in two neighbouring areas (Boroondara and the suburb of Moonee Ponds) the number of reported assaults decreased. In particular:

- there has been 36.4 per cent decrease in reported assaults in the City of Boroondara during the three-month period (June to August) since 2005, with a 22 per cent decrease on the same time in 2007; and

- there has been a 23.3 per cent decrease in reported assaults in the suburb of Moonee Ponds in the corresponding period (June, July and August) since 2005, and an 11.5 per cent decrease on same time last year.

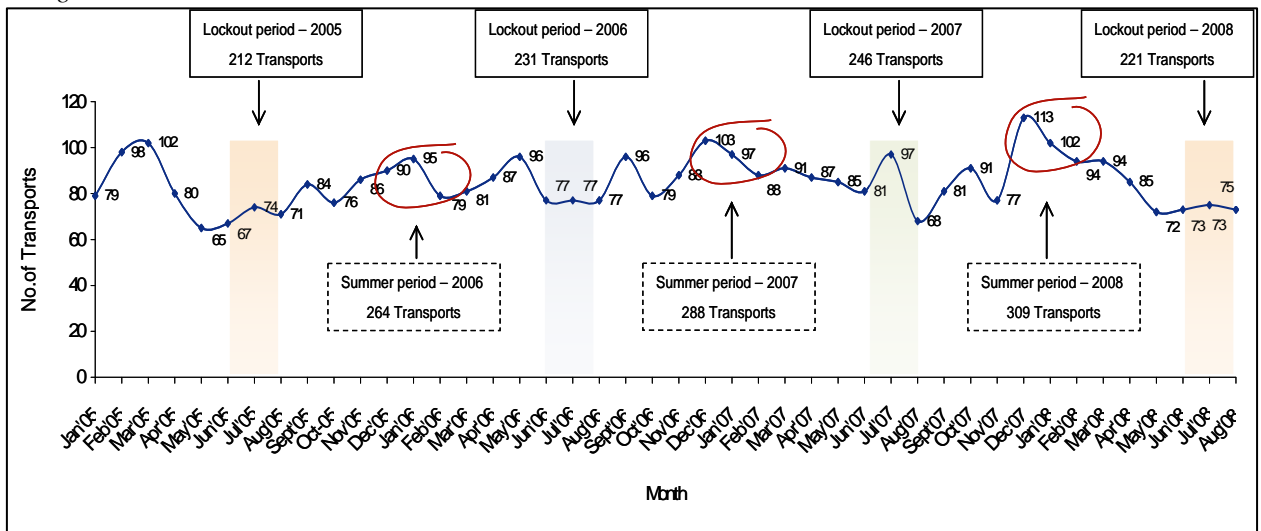
Also, when compared to the lead-in period (March, April and May 2008):

- Boroondara had a 35 per cent decrease in reported assaults between midnight and 2am compared to the temporary Lockout period; and
- the suburb of Moonee Ponds had the same level of reported assaults between midnight and 2am.

### 6.2.3 Ambulance transports - assaults

Ambulance data for reported assaults that required transport to hospital was also analysed. Assaults requiring ambulance transport can be used as a proxy indicator that reflects the severity of the assault. Please note that the data on assault related ambulance transports does not allow attribution (or causality) to alcohol and therefore, it is unknown as to how many of the reported transports across the four affected areas are as a result of alcohol. Figure 6.4 below presents the assault related transports (number of people transported) to hospital across all temporary Lockout areas.

*Figure 6.4: All areas ambulance transports to hospital categorised as assault related - January 2005 to August 2008*



Source: Data provided by Metropolitan Ambulance

As shown above, assault related transports have decreased by 10.2 per cent compared to the same period in 2007 (246 assault related transports, compared to 221 transports in 2008). As with the Victoria Police data, there appears to be a seasonality factor between the summer

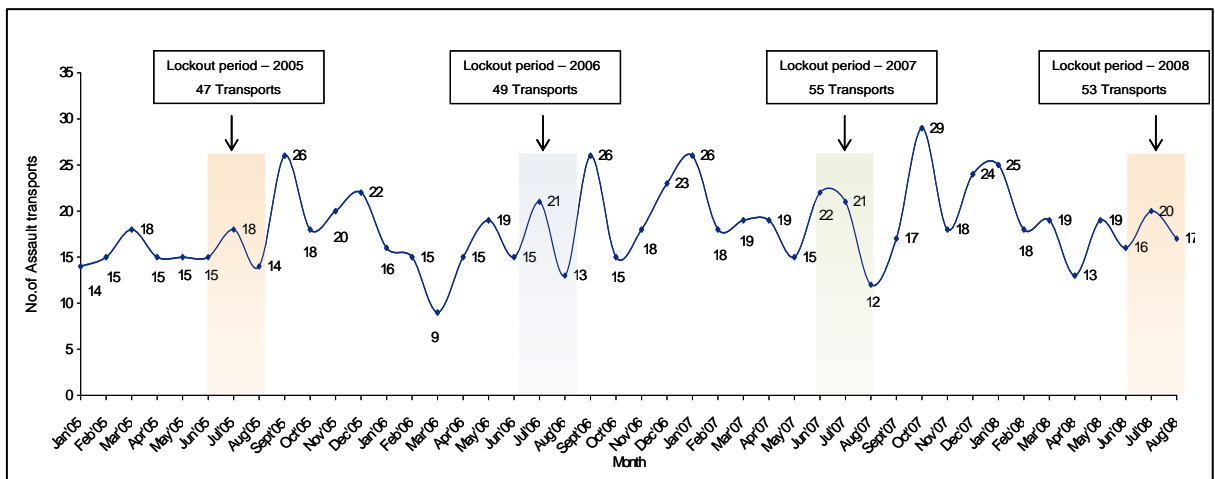
months (December to February) compared to the winter months (June to August), with more assault related transports during the summer period compared to the winter period.

On a *specific location basis*, the following can be observed from the data:

- in the City of Melbourne there has been a 14.6 per cent reduction in assault related transports when compared to the corresponding period (June to August) in 2007 and a 19 per cent decrease when compared to the lead-in period (March to May) in 2008.
- in the City of Port Phillip there has been a 15 per cent increase in assault related transports when compared to the corresponding period (June to August) in 2007, and a 4.5 per cent increase in assault related transports when compared to the lead-in period (March to May) in 2008.
- in the City of Stonnington there has been an 11.8 per cent decrease in assault related transports when compared to the corresponding period (June to August) in 2007, and no change in assault related transports when compared to the lead-in period (March to May) in 2008.
- in the City of Yarra there has been a 19 per cent decrease in assault related transports when compared to the corresponding period in 2007, and a 15 per cent decrease in assault related transports when compared to the lead-in period (March to May) in 2008.

In terms of time of day assault related transports Figure 6.5 below outlines the assault related ambulance transports across all affected areas between 8pm and 12am (midnight) for all days.

*Figure 6.5: Assault related transports all affected LGAs, January 2005 to August 2008, 8pm to midnight*

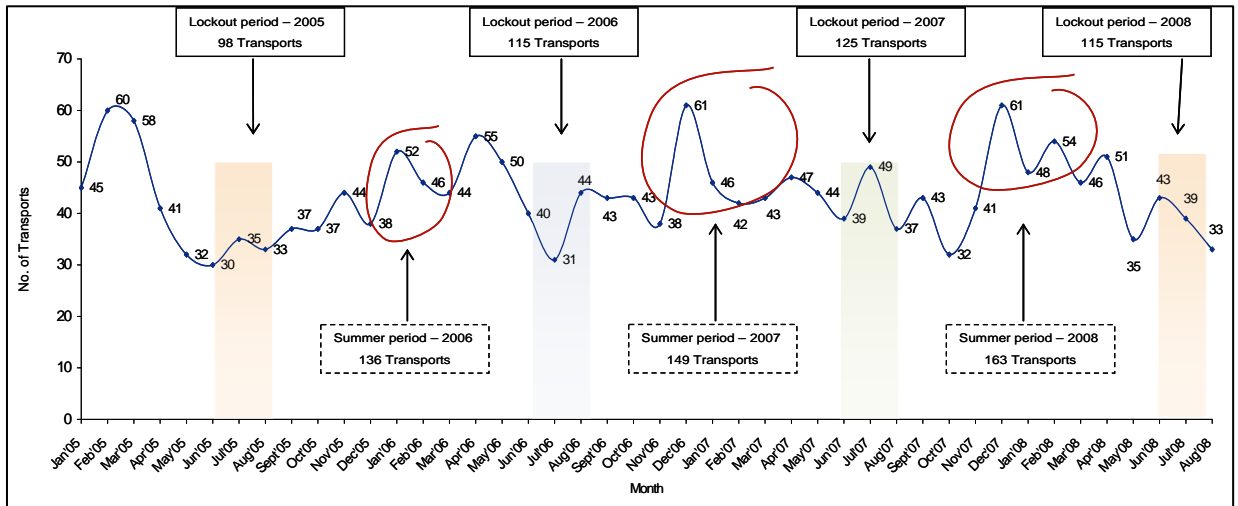


Source: Data provided by Metropolitan ambulance

There has been a minimal increase in assault related ambulance transports across all affected areas between 8pm and 12am (midnight). Further, when compared to the lead-in period (March to May 2008) there has been a slight increase from 51 transports to 53 transports.

When assault related ambulance transports are analysed between 12am (midnight) and 6am across all affected areas it indicates an eight per cent decrease compared to 2007, and 12.8 per cent decrease compared to the three-month lead-in period (see Figure 6.6 below).

*Figure 6.6: Assault related ambulance transports across all affected areas January 2005 to August 2008 between midnight and 6am*



Source: Data provided by Metropolitan Ambulance

### 6.2.4 Presentations to hospital emergency departments<sup>75</sup>

Overall presentations to metropolitan hospital emergency departments have been increasing since 2005; in particular alcohol-related presentations as a proportion of total presentations (see Table 6.1). The proportion of alcohol presentations decreased during the temporary Lockout period from June 2008 (1.02 per cent) to August 2008 (0.89 per cent) and was lower than compared to the lead-in period March to May 2008 – a broad trend that occurs in each previous year (please refer to qualification in footnote below).

<sup>75</sup> Please note there is no differentiation in the data of the type of alcohol related presentations to hospital emergency departments. That is, the data is coded as alcohol related and provides no specificity as to the whether it was related to violence, or other alcohol-related issues, such as accident or illness. Further, the evaluation utilised hospital emergency data across metropolitan Melbourne, including hospitals outside of the four LGAs included in the temporary Lockout. The data therefore represents all alcohol related presentations to hospital emergency departments across metropolitan Melbourne (whether as a result of alcohol related violence, or other causes), not just those that may relate to four LGAs included in the temporary Lockout.

*Table 6.1: Alcohol-related presentations as a proportion of total presentations January 2005 to August 2008*

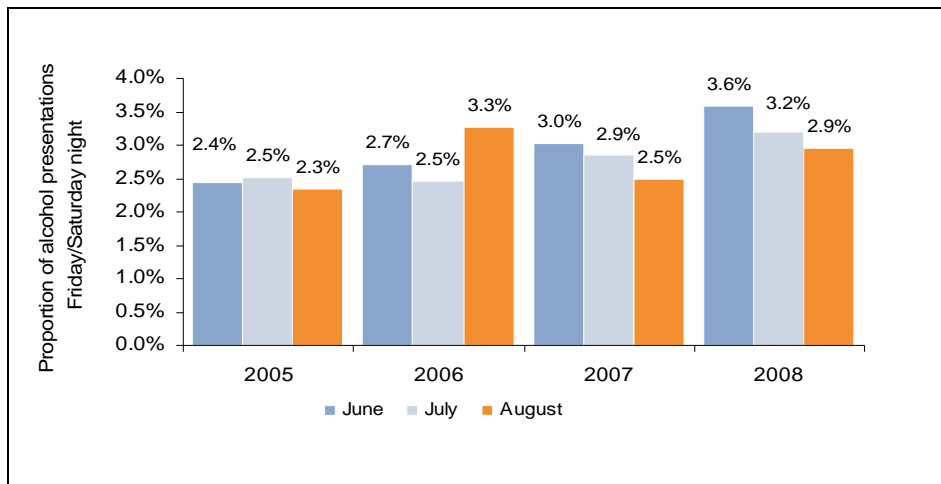
Month	2005	2006	2007	2008
March	0.94%	0.89%	1.02%	0.97%
April	0.87%	0.88%	0.97%	0.97%
May	0.83%	0.81%	0.86%	0.94%
June	0.70%	0.84%	0.91%	1.02%
July	0.76%	0.81%	0.81%	0.90%
August	0.67%	0.78%	0.75%	0.89%

} Lockout period compared across years 2005 to 2008.

Source: Department of Human Services, Victorian Emergency Minimum Dataset

The proportion of alcohol-related presentations to total presentations increased on Friday and Saturday nights, during the temporary Lockout period (see Figure 6.7 below).

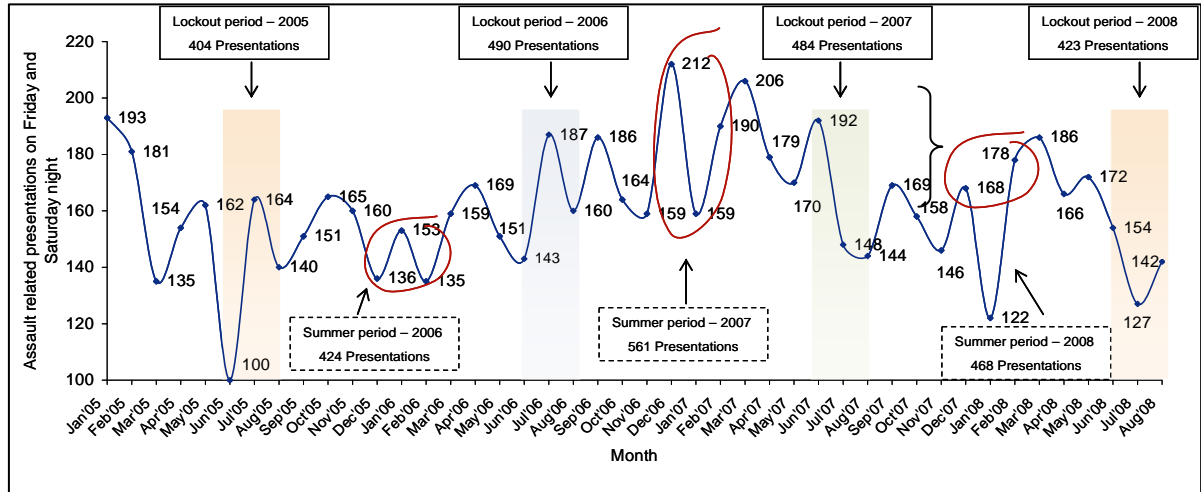
*Figure 6.7: Proportion of alcohol-related presentations Friday and Saturday nights (10pm to 8am) June to August*



Source: Department of Human Services, Victorian Emergency Minimum Dataset

There is an 12.6 per cent decrease in assault presentations between 10pm and 8am on Friday and Saturday nights for the same time last year and a 19.3 per cent decrease in assault presentations when compared to the lead-in period March to May 2008 (524 presentations compared to 423 presentations during the temporary Lockout period) (see Figure 6.8 below).

Figure 6.8: Assault related presentations Friday and Saturday nights (8pm to 8am) January 2005 to August 2008



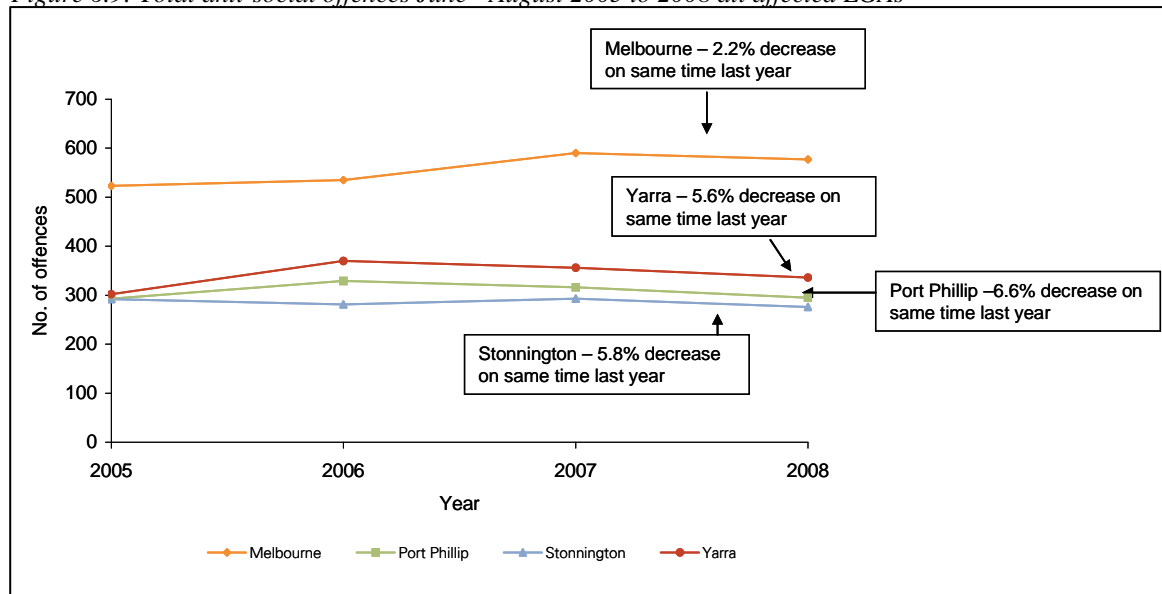
Source: Department of Human Services, Victorian Emergency Minimum Dataset

### 6.2.5 Anti-social behaviour

For the purpose of this analysis, anti-social behaviour includes the following reported offence types: robbery; behaviour in a public place; and property damage.

According to Victoria Police data the number of anti-social behaviour offences (those outlined above) there were decreases across all affected areas when compared to the same period in 2007 (see Figure 6.9).

Figure 6.9: Total anti-social offences June - August 2005 to 2008 all affected LGAs



Source: Data provided by Victoria Police

Further, when these offences are compared to the lead-in period (March to May 2008), for each LGA, other than the City of Melbourne and Port Phillip, there has been a decrease, including:

- a 17.1 per cent decrease in anti-social offences in the City of Stonnington during the temporary Lockout period compared to the lead-in period; and
- a 4.2 per cent decrease in anti-social offences in the City of Yarra during the temporary Lockout period compared to the lead-in period.

Call out statistics provided by Victoria Police for being drunk highlight that, compared to the same period last year, there were decreases across all areas, including:

- a 3.8 per cent decrease in the City of Melbourne;
- a 9.1 per cent decrease in the City of Port Phillip;
- a 43.2 per cent decrease in the City of Stonnington; and
- a 3.2 per cent decrease in the City of Yarra.

Even in an adjacent area - Boroondara - there was a 45 per cent decrease on last year.

Again, when compared to the three-month lead-in period, there were some significant decreases for drunk call outs for police, including 38 per cent in Stonnington and 19 per cent in Port Phillip.

Victoria Police statistics for noise complaints indicate some significant decreases compared to the same period in 2007, including:

- a 15.4 per cent decrease in the City of Melbourne; and
- a 23.1 per cent decrease in the City of Yarra.

The suburb of Moonee Ponds also recorded a slight decrease from the same time last year of 6.4 per cent. While even bigger decreases compared to the lead-in period, such as a 40 per cent decrease in Yarra, and 31 per cent decrease in Port Phillip.

Again, as noted by Victoria Police, there is a seasonality factor that needs to be considered when analysing these numbers in that during warmer weather there tends to be more people on the streets.

## **6.2.6 Public amenity**

Information was provided by the City of Port Phillip, based on their Customer Request Management System, outlining the number of complaints received from residents regarding

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licensed premises. It showed<sup>76</sup> during the period 6 June 2008 to 1 October 2008, there were 19 cases received regarding 12 licensed premises. This compares to 32 cases against 23 licensed premises for the same time last year.

The City of Melbourne provided data on three amenity types: Local Laws – Street Noise; Noise – Entertainment venues (Music) and Noise – Patrons. In the June to August period in 2007 the City of Melbourne received 46 complaints across those three categories, compared to 45 in the June to August period 2008.<sup>77</sup>

## **6.3 Stakeholder perceptions**

This section discusses stakeholder perceptions of alcohol-related violence and anti-social behaviour during the temporary Lockout.

### **6.3.1 Perceptions of alcohol-related violence**

Both licensees and patrons/community were asked “*Was the Temporary Lockout effective in reducing alcohol-related violence?*” in their respective surveys. Figure 6.10 below presents the results of the patron survey.

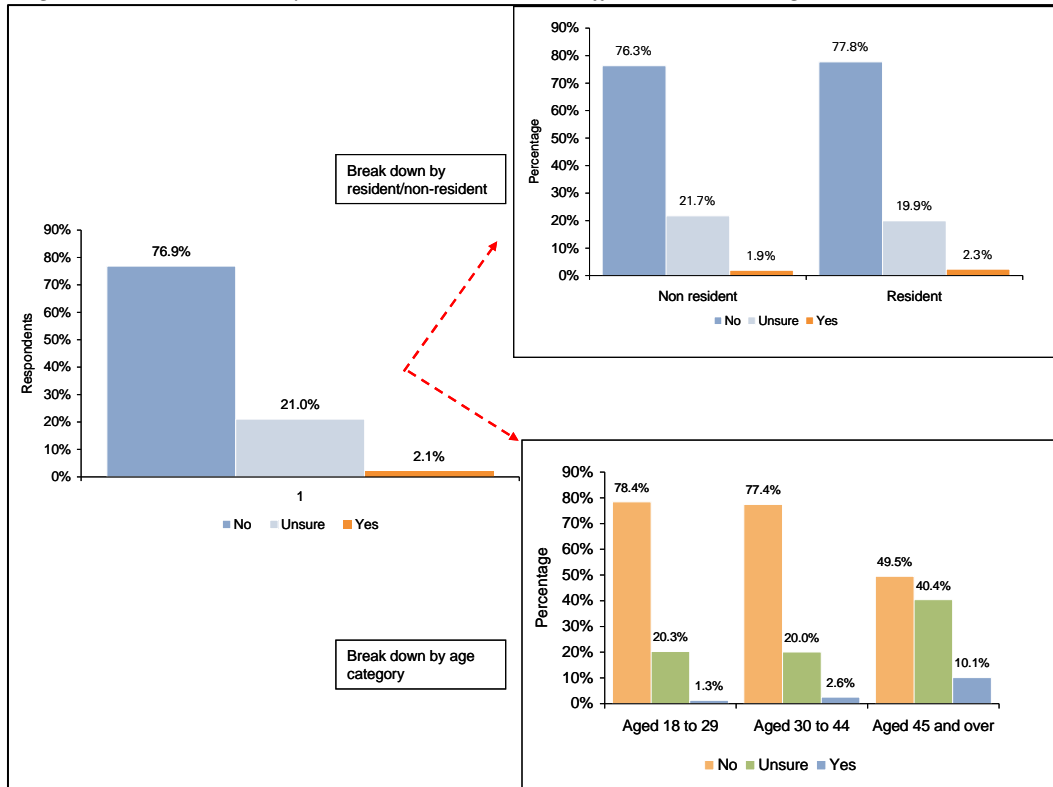
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<sup>76</sup> Information provided by the City of Port Phillip to KPMG via e-mail on 23 October 2008.

<sup>77</sup> Information provided by the City of Melbourne to KPMG via e-mail 28 October 2008.



Figure 6.10: Patron survey results: Was the Lockout effective at reducing alcohol-related violence?



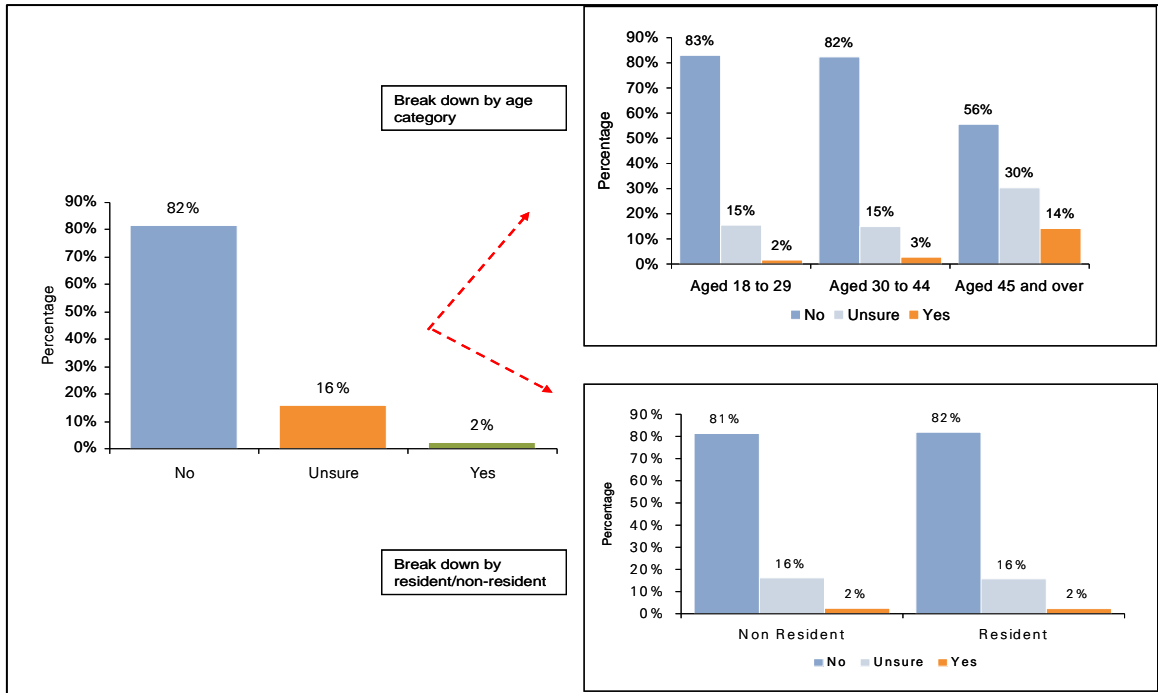
Source: KPMG survey

As indicated, 76.9 per cent of respondents perceived that the temporary Lockout was not successful in reducing alcohol-related violence. This does not change when analysed by resident and non-resident, however, the age breakdown analysis does differ across age cohorts, with those aged 45 plus indicating they were more unsure as to the success than those in the younger cohort.

### 6.3.2 Perceptions of anti-social behaviour

Again, in the patron survey, when asked if the temporary Lockout was effective at reducing anti-social behaviour, the majority indicated that it did not. (see Figure 6.11 below).

Figure 6.11: Patron survey results: Was the Lockout effective at reducing anti-social behaviour?



Source: KPMG survey

And when the analysis is broken down by resident/non-resident it correlates with the overall results. While the age breakdown analysis again indicates some variation between the 45 plus age group and the younger cohort, with those aged 45 plus feeling more unsure about the effectiveness of the temporary Lockout in reducing anti-social behaviour.

### 6.3.3 Stakeholder discussions

During consultations with stakeholders (in particular, Licensees in the Accords and security industry) it was noted that they did not perceive any change in alcohol-related violence during the three-month temporary Lockout period. If anything Licensees perceived that the confusion and entry refusals to venues created (due to the number of stays that had been granted) more angst and frustration on the streets than usual.

Yet in discussions with members of Victoria Police, particularly the frontline police, there was perception that the temporary Lockout “took the edge” off the violent behaviour, particularly in the first couple of weeks of the temporary Lockout period as patrons became used to the new conditions on entry and re-entry.

Patron groups perceived that there was no decrease in alcohol-related violence. However, those patrons who participated in the evaluation also perceive they are able to identify where the

‘trouble spots’ are, that it is reasonably well known which bars attract a ‘rogue element’ and that they specifically avoid those locations. In being able to identify such ‘hot spots’ patrons are then able to stay away from such risky areas.

Industry representatives (Licensees) and patrons did note that the greater visibility of police and their involvement in checking venues throughout the temporary Lockout period sent a message to patrons – Lockout or no Lockout – that violent behaviours would be acted upon.

Yet regardless of these factors, during consultations with stakeholders, the prevailing perception across all groups was that there was no reduction in anti-social behaviour during the temporary Lockout period.

## **7 Displacement of patrons from the designated Lockout areas<sup>78</sup>**

This section discusses the displacement of patrons from designated Lockout areas during the period of the temporary Lockout. The displacement of patrons into other areas as a result of the temporary Lockout is a difficult element to measure, as no baseline data was available regarding the patterns of attendance of patrons at late-night venues in affected areas. As a result, this section relies on stakeholder perceptions of patron displacement during the temporary Lockout period.

This section draws on the following sources of information:

- reported assault statistics from Victoria Police;
- focus groups with patrons, licensees, the security industry and local government;
- interviews with members of Victoria Police, Metropolitan Ambulance Service and Metropolitan Fire Brigade; and
- licensee and patron/community survey.

It includes:

- a summary of findings;
- a discussion of the findings of the patron and community survey in relation to changes in patron attendance at venues; and
- an overview of stakeholder perceptions of patron displacement.

### **7.1 Summary of findings**

Initial confusion surrounding the implementation of the temporary Lockout, including who was granted a stay and who was not, was thought to have caused some initial displacement of patrons. Yet Victoria Police assault statistics do not detail any increases in the neighbouring areas of the temporary Lockout, principally Boroondara and the suburb of Moonee Ponds suggesting that, at the very least, the violent behaviours experience in the Lockout areas were not displaced.

Additionally, findings from the patron and community survey do not indicate any significant displacement of people to non-Lockout areas as even those patrons who responded to the survey

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<sup>78</sup> The findings reported in this section are based on the perceptions of individual licensees, patrons and other stakeholders, and must be interpreted with caution due to the lack of available baseline data with which to make comparisons for the periods prior the temporary Lockout.

and were locked out, simply went and found another venue (upwards of 60 per cent of respondents who were locked out).

Further, the majority of stakeholders consulted were of the opinion that the temporary Lockout did not result in patron displacement to other non-Lockout areas on the basis of the granting of stays by VCAT to venues.

## 7.2 Patron displacement

A concern raised during the implementation of the temporary Lockout was that patrons would be displaced from affected Lockout areas to surrounding suburbs after 2am. As noted in Section 6, in two neighbouring areas (Boroondara and the suburb of Moonee Ponds) the number of reported assaults decreased when compared to the three-month lead-in period.

This measure, which does not take into account numbers of people, does highlight that during the temporary Lockout period in two neighbouring areas there was no increase in anti-social behaviour.

## 7.3 Where did patrons go?

The patron and community survey asked respondents to nominate those locations in which they typically attend late-night licensed venues between the hours of 2am and 6am. Table 7.1 highlights that 88 per cent of respondents (n = 1914) who frequent late-night licenses venues attend clubs, pubs and bars in the City of Melbourne, compared to 15 per cent of respondents who attend venues in the City of Port Phillip.

*Table 7.1. Patron and community survey – attendance at venues in affected LGAs between 2am and 6am.*

Response	Total	Percent
City of Melbourne	1914	87.5%
City of Port Phillip	337	15.4%
City of Stonnington	503	23.0%
City of Yarra	433	19.8%
Other	164	7.5%

*Source: KPMG Survey*

Note – respondents were able to select all LGAs that they attend between the hours of 2am and 6am, therefore totals add to greater than 100 per cent of survey respondents.

Also, 7.5 per cent of respondents who attend late-night venues indicated that they attend late-night venues outside of the designated Lockout areas. Those respondents indicating that they attend venues outside the four affected Lockout areas were asked whether this was due to the implementation of the temporary Lockout. Over two-thirds (68 per cent, n = 111) of those respondents indicated that, because of the temporary Lockout, they attended late-night venues in other areas.

Licencees consulted through the Accords perceive the same amount of displacement occurred (that is, venue hopping) – although earlier in the evening – and similarly it was business as usual for venues in surrounding suburbs such as Boroondara. However, 44 Licensee survey respondents (or 56 per cent) indicated they perceived that the temporary Lockout reduced the total numbers of patrons attending venues during the temporary Lockout period, compared to the corresponding three-month period in 2007 (Table 7.2).

*Table 7.2. Compared to the same three-month period last year (i.e. 3 June 2007 to 2 September 2007), did your venue experience a change in overall patron volume during the Temporary Lockout?*

Response	Count
No, there was no change in overall patron volume	13
Unable to assess	19
Yes, there was a decrease in overall patron volume	44
Yes, there was an increase in overall patron volume	3
<b>Total</b>	<b>79</b>

Source: KPMG Survey

### 7.3.1 Were patrons ‘locked out’?

In considering the displacement of patrons, it is also important to consider the actions of those patrons who were locked out of a venue during the temporary Lockout period. Table 7.3 indicates the percentage of patron survey respondents that were locked out of a venue.

*Table 7.3. During the Temporary Lockout were you “locked out” of a late-night licensed venue in the [Attended LGA]?*

Response	City of Melbourne	City of Port Phillip	City of Stonnington	City of Yarra
<b>No</b>	34.0%	45.2%	50.0%	43.0%
<b>Unsure</b>	2.3%	3.3%	2.2%	2.1%
<b>Yes</b>	63.7%	51.5%	47.8%	54.8%
<b>Total</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>

Source: KPMG Survey

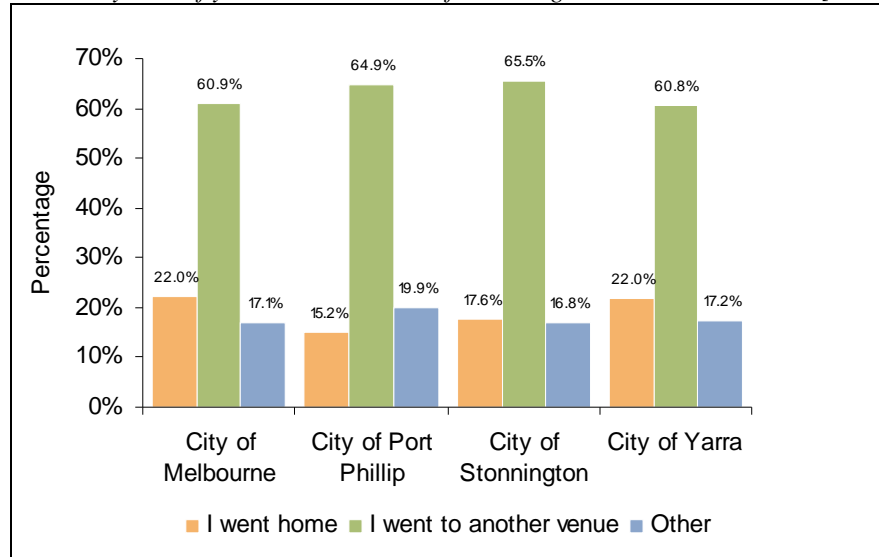
A higher percentage of respondents indicated that they were “locked out” of a venue in the City of Melbourne (64 per cent, n = 1213) than the three other LGAs.

As a result of being locked out, the majority of survey respondents (upwards of 60 per cent) moved on to another venue and this was consistent across the affected areas (see Figure 7.1).<sup>79</sup>

<sup>79</sup> Note: the survey did not ask where the location of late night venue was, simply, what did they do if they were ‘locked out’ of a venue post 2am

This highlights the impact the granting of the stays had on the effectiveness of the temporary Lockout.

Figure 7.1. What did you do if you were locked out of a late-night licensed venue in the [Attended LGA]?



Source: KPMG Survey

## 7.4 Did stakeholders perceive patron displacement?

According to stakeholders (in particular members of Victoria Police, security industry and patrons) there was confusion at the beginning of the temporary Lockout period, particularly regarding which venues were subject to the temporary Lockout, and which venues had received a stay from VCAT.

Victoria Police, Licensees in the Accords and patrons reported that this confusion quickly dissipated once patrons knew that their preferred venues had been granted a stay, or became aware of other venues that were granted a stay.

However, general consensus among all stakeholders consulted was that the temporary Lockout did not result in patron displacement to non-Lockout areas. Members of Victoria Police, local government, and the security industry indicated that given the high number of venues who were granted stays, once the initial confusion amongst patrons was resolved, patron behaviours reverted to what had been the norm only a matter of weeks prior. The perception of Victoria Police Liquor Licensing Inspectors in Frankston, Moonee Valley and Boroondara was that there was no noticeable displacement of patrons from designated Lockout areas to their respective areas during the temporary Lockout period.

## **8 Change in patron behaviour<sup>80</sup>**

This section discusses perceived changes in patron behaviour during the period of the temporary Lockout. For example, did patrons decide not to go out during the temporary Lockout period, or did they limit their ‘bar/venue hopping’ activities. In addition, did stakeholders notice any changes with the number of people on the street between the hours of 2am and 6am?

The following sources of information have been used to inform the findings in relation to the impact of the temporary Lockout on patron behaviour:

- focus groups with patrons, licensees, the security industry and local government;
- interviews with members of Victoria Police, Metropolitan Ambulance Service and Metropolitan Fire Brigade; and
- licensee and patron/community survey; and
- City of Melbourne pedestrian census data.

This section therefore provides:

- a summary of findings;
- perceived changes in numbers of patrons attending licensed venues and patterns of patron attendance at licensed venues in designated areas during the temporary Lockout period;
- the impact of the temporary Lockout on the practice of ‘bar-hopping’; and
- the impact of the temporary Lockout on the numbers of people on the street between the hours of 2am and 6am.

### **8.1 Summary of findings**

Stakeholders consulted throughout the evaluation were unable to reach consensus as to the impact of the temporary Lockout on patron behaviour. Members of Victoria Police, the security industry, and patrons reported that there was no change in the number of people attending licensed premises during the temporary Lockout period. However, Licensee survey respondents reported a decrease in overall patron volume, compared to the same period in 2007 and the three-month period prior to the temporary Lockout. Further, they indicated that there was a noticeable change in patron patterns of attendance including some patrons leaving smaller venues earlier than usual to ensure they gained entry to other late-night licensed premises prior to 2am. Patrons additionally reported that during the temporary Lockout there were longer queues outside late-night licensed venues before 2am.

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<sup>80</sup> The findings reported in this section are based on the perceptions of individual licensees, patrons and other stakeholders, and must be interpreted with caution due to the lack of available baseline data with which to make comparisons.  
Evaluation the Temporary Late Night Entry Declaration



While one of the objectives of the temporary Lockout was to limit the movement of people between locations at a particular time of night, the patron and licensee surveys were inconclusive as to whether this occurred. However, patrons in the focus groups and some licensees (both in the Accord and via the survey) indicated that changing venues happened earlier in the night (i.e. before 2am) to ensure people made it to a venue before the temporary Lockout time started.

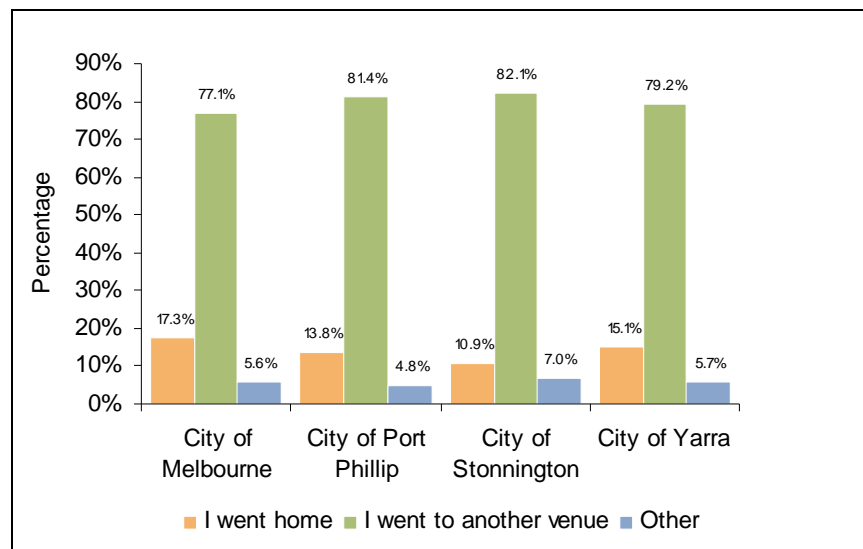
## 8.2 Patron attendance at late-night venues

There is mixed opinion as to whether the temporary Lockout affected patron behaviour. Most stakeholders consulted reported that given the high number of venues who were granted stays, once the initial confusion amongst patrons was resolved, patron behaviours reverted to what had been the norm only a matter of weeks prior.

*“We really didn’t notice much at all. It didn’t really affect me. Didn’t notice a thing.”- Patron survey respondent.*

The patron and community survey asked where people attended late-night licensed venues, and whether they left a licensed venue in a Lockout area prior to 2am. For those patrons that indicated they left late-night licensed venues before 2am, most (77 per cent to 82 per cent depending on location) went on to attend another licensed venue Figure 8.1).

*Figure 8.1: Where did you go when you left a late-night licensed venue in the [Attended LGA] before 2am?*



*Source: KPMG Survey*

Survey respondents to the patron survey reported that during the temporary Lockout there were longer queues to enter late-night licensed premises across all designated areas.

For those venues affected, the most common behaviour that developed was patrons leaving their venue earlier to get to an exempt venue before the 2am deadline. Where they normally would have stayed for another drink, they chose to cut their visit short and join the queues to ensure they weren't stranded at one bar for the rest of the night. Some licensees in Accords suggested this resulted in a decrease in sales of up to 25 per cent, which given their narrow margins would have a significant effect – indeed, make the business unsustainable - were the Lockout to be permanent.

Table 8.1 and 8.2 demonstrate that the majority of respondents to the licensee survey (44 respondents, or 56 per cent) noted that there was a decrease in overall patron volume during the temporary Lockout, both compared to the same three-month period in 2007 (56 per cent, n = 44), and the three-months prior to the temporary Lockout in 2008 (50 respondents or 63 per cent).

*Table 8.1: Compared to the same three-month period last year (i.e. 3 June 2007 to 2 September 2007), did your venue experience a change in overall patron volume during the Temporary Lockout?*

Response	Count
No, there was no change in overall patron volume	13
Unable to assess	19
Yes, there was a decrease in overall patron volume	44
Yes, there was an increase in overall patron volume	3
<b>Total</b>	<b>79</b>

*Source: KPMG Survey*

*Table 8.2: Compared to the previous three-months (i.e. 2 March 2008 to 2 June 2008), did your venue experience a change in overall patron volume during the Temporary Lockout*

Response	Count
No, there was no change in overall patron volume	16
Unable to assess	9
Yes, there was a decrease in overall patron volume	50
Yes, there was an increase in overall patron volume	4
<b>Total</b>	<b>79</b>

*Source: KPMG Survey*

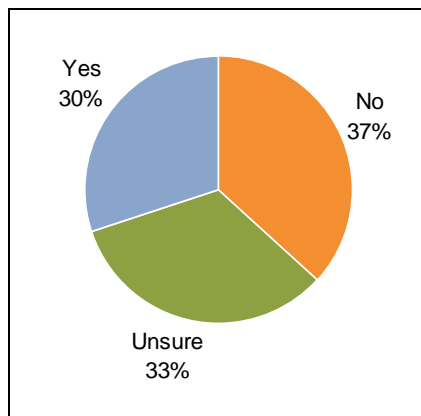
Interestingly, of those licensees reporting changes in patterns of patron attendance, most reported an overall decrease in attendance from 10pm to 2am (33 licensee respondents) and also between 2am and 6am (34 licensee respondents).

### 8.3 Impact of the temporary Lockout on ‘bar hopping’

One of the objectives of the temporary Lockout was to reduce the movement between locations after a specific time. Stakeholders were generally unsure about whether the temporary Lockout had any affect on patron behaviour in relation to ‘bar/venue hopping’ or moving from location to location.

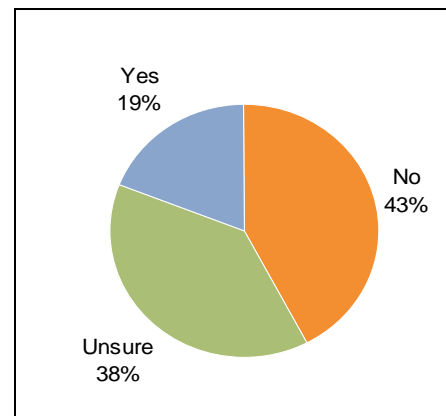
The findings of the patron and community survey and licensee survey reflect the lack of consensus among stakeholders. Figure 8.2 shows that 33 per cent (n = 820) of patron and community survey respondents were unsure of the affect of the temporary Lockout on bar-hopping, while Figure 8.3 demonstrates that 30 licensee survey participants (38 per cent) were unsure of the impact of the temporary Lockout on the movement of patrons between the hours of 2am and 6am.

*Figure 8.2: Patron and community survey: was the temporary Lockout effective at reducing bar-hopping between 2am and 6am*



Source: KPMG Survey

*Figure 8.3: Licensee survey: was the temporary Lockout effective at reducing bar-hopping between 2am and 6am*



Source: KPMG Survey

Data supplied by the City of Melbourne indicates that overall for the month of July (all days included), pedestrian activity increased in 2008 when compared to 2007 and 2006. However, as demonstrated in Table 8.3, from the hours of midnight to 6am there were declines in activity ranging from 6 per cent to 39 per cent. While no correlation can be attributed to the temporary Lockout, it does indicate a decrease in pedestrian activity during what are termed high-risk periods.

*Table 8.3: Average hourly pedestrian activity between 12am and 6am, City of Melbourne*

Time	Jul-06	Jul-07	Jul-08	% change Jul06-Jul08	% change Jul07-Jul08
12am	2082	2329	1956	- 6%	-16%

Time	Jul-06	Jul-07	Jul-08	% change Jul06-Jul08	% change Jul07-Jul08
1am	1461	1705	1259	-14%	-26%
2am	1167	1363	948	-19%	-30%
3am	1051	1248	790	-25%	-37%
4am	1019	1015	626	-39%	-38%
5am	1138	935	705	-38%	-25%
6am	1507	1253	1309	-13%	4%

*Source: Data provided by the City of Melbourne*

## 8.4 Stakeholder perceptions on changes to patron behaviour

Members of Victoria Police, local government and the security industry reported that the temporary Lockout did not appear to affect the number of people attending late-night venues. The security industry reported that the temporary Lockout effectively became a ‘lock-in’ whereby patrons tended to stay at late-night licensed premises far longer; clubs that would normally begin to ‘wind down’ at 4am remained busy until their 5am closing time.

During discussions with patrons, it was indicated that people ‘just knew’ which venues were included in the temporary Lockout (‘Facebook’ and word of mouth were mostly responsible) otherwise they simply turned up to see if they would gain entry. The advertising was rarely mentioned as a source of information other than to suggest that it was inaccurate and listed venues that were exempt.

Most patrons spoken to as part of the focus groups indicated they start their night at 11pm and visit an average of two venues. By about 2am they are heading to their second or last venue where they will often stay until closing.

Some licensees in the Accords perceived that patrons did leave smaller venues earlier in the night in order to make it into the larger venue earlier in the evening (and avoid missing out) – this was validated in patron discussion groups. This was expressed in terms of “making a decision earlier” regarding the venue they would attend to see out the evening. Licensee survey responses supported this finding:

*“The 2am to 6am Lockout does not change alcohol consumption pattern. On Saturday and Sunday morning, City residents see the same amount of broken bottles, vomiting, human excretions, and other filth on the streets” Patron and community survey response*

*“We found that patrons either omitted attending our bar and went straight to a late-night venue or those that were in our venue would start to vacate between 12.30am and 1am in time to get to other clubs that may not have been granted stays.” Licensee survey response.*

*“Although we are only licensed to 1am, the Lockout had a negative impact on our business as it encouraged patrons to depart our venue earlier than usual to ensure they gained entry at other late-night venues prior to the Lockout.” Licensee survey response*

Further, patrons participating in the focus groups perceived the same amount of movement between venues (bar hopping) did not change during the temporary Lockout. As one patron commented in the survey - *“I didn't feel the effects of the Lockout as if I wanted to go to a new venue after 2am, the places I would normally go to at that time were exempt from the Lockout”*.

The views of stakeholders regarding the numbers of patrons on the streets between 2am and 6am were conflicting. Members of Victoria Police force reported that there was no change in the numbers of people on the street at 2am, and emphasised that the temporary Lockout was not analogous to all venues closing at 2am. In contrast, local councils reported that there were more people on the streets – particularly in City of Yarra where there is currently no ban on drinking alcohol in the streets.

Further, patrons reported that at the beginning of the temporary Lockout there were more people on the streets around 2am claiming they had nowhere to go, despite the granting of stays by VCAT to some venues and that there was no public transport or taxis to take them somewhere else.

*“locking people out seemed to increase the number of people on the street between 2-3am, trying to find a place to go” Patron survey response.*

*“I live in the city and I noticed more drunken people wandering the streets than ever looking for trouble or something to do as they weren't allowed in clubs” Patron survey response.*

Patrons and licensees reported that no alcohol consumption behaviours were altered or any different due to the temporary Lockout. This is consistent with the views of the security industry and local council.

## 9 Availability and adequacy of public transport

*“Trams, trains, normal buses. If you want people to be able to get home, you have to provide a wider range of public transport”*

Patron and community survey response

This section provides an overview of the availability of public transport during the temporary Lockout period. Transporting groups of people into and out of locations is an important element to any city, particularly late at night.

The following sources of information have been used to inform the findings in relation to the adequacy and availability of public transport during the temporary Lockout:

- information provided by the Department of Transport (DoT) regarding the patronage of the NightRider bus service;
- focus groups with patrons, licensees, members of Victoria Police, the security industry and local government to look at the perception of adequacy of transport post 2am; and
- licensee and patron/community survey for the indications of availability and adequacy of transport post 2am.

Requests were made to DoT and the City of Melbourne regarding taxi services and data, however, information was not provided at the time of writing this report.

### 9.1 Summary of findings

Transport options available between 2am and 6am during the temporary Lockout period comprised taxis, NightRider buses and private transport. According to information provided from DoT, patronage on NightRider did increase during the temporary Lockout period, however, this appears to be the continuation of an upward trend since 2005/06. Further improvements are also being made to the Safe City Taxi Ranks across inner Melbourne and some regional centres.

However, overwhelmingly stakeholders consistently reported that there was insufficient and inadequate public transport (including taxis) available in all designated areas during the temporary Lockout period. The majority of survey participants (76 per cent) indicated that not only was there insufficient public transport, there also needed to be a mix of public transport available (that is more taxis and some extra forms of trains and/or trams) in the early morning to assist in moving people into and out of locations.

Should a temporary Lockout be implemented in the future, careful consideration will need to be given to providing increased availability of transport options in the Lockout areas to ensure groups are moved out of locations as expeditiously as possible.

## 9.2 Availability of transport during the temporary Lockout

Train services departing Flinders Street station cease between 1am and 2am on Saturday and Sunday mornings, and the last tram services depart the Melbourne Central Business District between the same time period. Therefore, during the temporary Lockout, the transport options available to the public between 2am and 6am comprised:

- taxis;
- NightRider buses; or
- personal transport such as own car.

At February 2008, there were 3,153 taxis operating in metropolitan and outer Melbourne, and an additional 500 peak service taxis.<sup>81</sup> Peak service taxis are allowed to operate between the hours of 3pm and 7am, and during specified major events.

The City of Melbourne has established Safe City taxi ranks in three locations: King Street, Bourke Street, and Flinders Street Station. The Safe City Taxi Ranks are staffed by a security officer and monitored by security cameras. The ranks operate from midnight to 6am. More than 54,000 persons utilised a safe city taxi rank in 2006.<sup>82</sup>

The City of Stonnington has established evening taxi zones in Chapel Street, Toorak Road, High Street and Commercial Road to improve safety for patrons of late-night licensed venues. The taxi zones are staffed by security personnel and operate from midnight until 5am on Saturday and Sunday mornings. The zones were initially trialled from March 2008 to August 2008, with the trial extended until the end of 2008.

In December 2007, DoT commenced a twelve-month trial program with the installation of three Safe City Taxi Ranks at Fitzroy St (St Kilda), Swan St (Richmond) and Brunswick St (Fitzroy), with two additional ranks being trialled in regional centres (Ballarat and Bendigo). The trial will evaluate the effectiveness of Safe City Taxi Ranks in assisting patrons to safely wait for and access taxis during hours of operation. The trial is funded by DoT (security staff and operational costs {not including City of Melbourne or City of Stonnington}), with councils undertaking upgrades to lighting and footpath infrastructure at each location.

NightRider buses operate on nine major routes from the CBD to outer metropolitan suburbs. Buses depart from Swanston Street every hour between 12.30am and 4.30am on Saturday and Sunday mornings. Additional services operate to support major events.

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<sup>81</sup> Essential Services Commission (2008), *Final Report: Taxi Fare Review 2007 – 08*, pp.42 – 43, available at <http://www.esc.vic.gov.au/NR/rdonlyres/06733700-9E2F-4DDC-B912-C44EA7F410AA/0/FinalReportTaxiFareReview200708.pdf>

<sup>82</sup> Safety Action (2007), *Final Report for the City of Melbourne on the Review of the Safe City Taxi Rank Program*, p.5, available at [http://www.melbourne.vic.gov.au/opm/bc/CTEE/meetings/CSC\\_51\\_200804150730.pdf](http://www.melbourne.vic.gov.au/opm/bc/CTEE/meetings/CSC_51_200804150730.pdf)

### **9.3 Utilisation of transport during the temporary Lockout**

Based on data provided by the DoT there has been a 56 per cent increase in NightRider ticket validation from 2005-06 to 2007-08. Analysis of NightRider ticket validations for the period of the temporary Lockout demonstrates:

- a 20.7 per cent increase in Saturday morning average validation patronage in the three-month temporary Lockout period compared to the same period in 2007;
- 4.8 per cent increase in Sunday morning average validation patronage in the three-month temporary Lockout period compared to the same period in 2007;
- 3.6 per cent decrease in Saturday morning average validation patronage in the three-month temporary period compared to May 2008; and
- 3.1 per cent increase in Sunday morning average validation patronage in the three-month temporary Lockout period compared to May 2008.

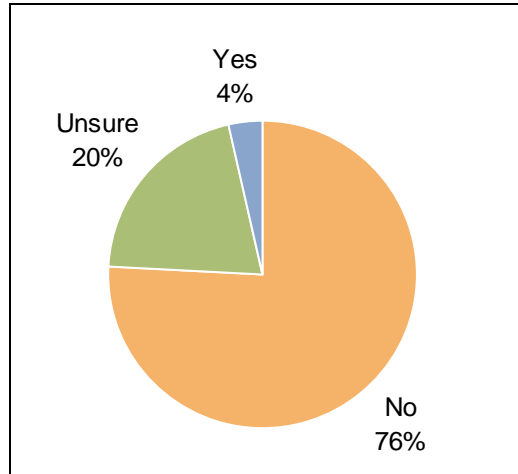
According to the DoT the increase is largely attributed to the introduction of Metcard fares for NightRider services in March 2007, which effectively made the NightRider service cheaper for patrons. However, patronage did increase during the period of temporary Lockout.

### **9.4 Stakeholder perceptions of the temporary Lockout transport arrangements**

Figure 9.1 and 9.2 (below) highlight that licensees and patrons held similar perceptions when asked “*Was there sufficient public transport during the Lockout between 2am and 6am*”.

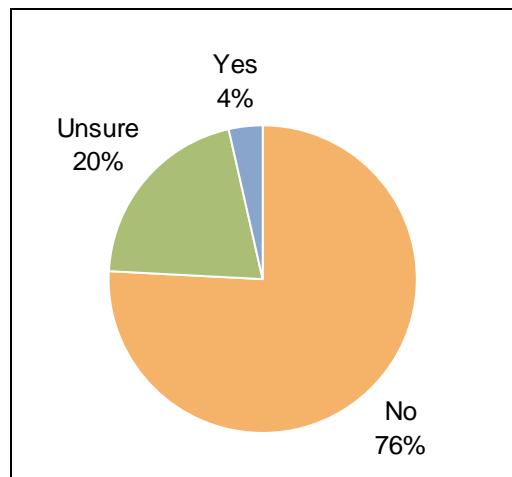


Figure 9.1: Licensee survey: was there sufficient public transport during the temporary Lockout between 2am and 6am?



Source: KPMG Survey

Figure 9.2: Patron and community survey: was there sufficient public transport during the temporary Lockout between 2am and 6pm?



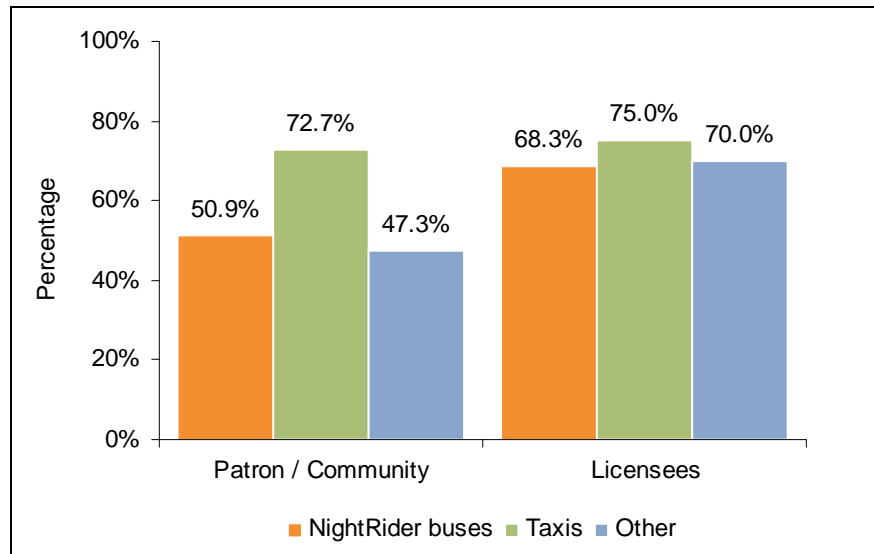
Source: KPMG Survey

Clearly, the majority of those surveyed (both licensees and patrons) indicated there was not sufficient transport during the temporary Lockout period.

Interestingly though, when the patron and community responses by age are broken down, respondents aged 18 to 29 were more likely to indicate that there was insufficient transport (79 per cent, n = 1389), compared to respondents aged over 45 years (51 per cent, n = 50). Further, of those survey participants who indicated that there was not sufficient transport when asked

what types of public transport there needed to be more of during the temporary Lockout between 2am and 6am, the majority indicated increased taxi services (see Figure 9.3).<sup>83</sup>

*Figure 9.3: Patron and community survey – What types of public transport did there need to be more of during the Lockout between 2am and 6pm.*



*Source: KPMG Survey*

## 9.5 Adequacy of transport during the temporary Lockout

During the consultations, there was consensus across all stakeholders that there was insufficient and inadequate transport across all areas affected by the temporary Lockout.

In consultations with members of Victoria Police, it was reported there was a lack of transport and other options (including taxis) for patrons of late-night venues to leave the temporary Lockout areas after 2am. This was validated by licensees (both in the Accords and via the survey), patrons, and representatives from the security and tourism industries. Adequacy of public transport options were reported to be a particular problem in the City of Stonnington, where patrons need to catch a NightRider bus into the Central Business District to link into other routes heading to the outer suburbs.

The lack of late-night public transport in Melbourne and surrounding areas is seen as a significant issue which was only exacerbated during the temporary Lockout period. Patrons and licensees in the Accords explained there were no additional services including trains, buses (NightRider) or taxis to help relocate people once the 2am temporary Lockout hit. Despite there

<sup>83</sup> Free text responses to “other” included: 24-hour public transport; trains; trams and buses.

being minimal impact in terms of the overall temporary Lockout, the fact that no additional services were provided during the temporary Lockout period was perceived as another indicator that the temporary Lockout was not a real attempt at reducing the number of people on the streets and addressing alcohol-related violence.

### **The future of NightRider**

*In response to the increasing NightRider patronage, an independent review was conducted on behalf of DoT from May to September 2007. The main recommendations of the review included:<sup>84</sup>*

- *improving the service level from 60 minute to 30 minute frequency; and*
- *three new bus routes (City to Doncaster, Dandenong to Cranbourne loop and Lilydale to Healesville loop).*

*From 12am Saturday 1 November 2008, a new NightRider network will commence. The enhanced features include a 30-minute service frequency between 1.30am and 4.30am on Saturday mornings and between 1.30am and 5.30am on Sunday mornings. A shuttle bus service will operate between the Docklands to the Central Business District pick up points.*

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<sup>84</sup> Information provided to KPMG by DoT via e-mail.

## 10 Perceptions of Melbourne as a 24-hour city

*“...If the Lockout becomes permanent Melbourne will loose (sic) its image as an international 24-hour city. Melbourne's bar culture and late night venues make it unique, especially when compared to Sydney...” Patron survey respondent*

The perception of Melbourne as a vibrant, diverse, 24-hour city, has been carefully cultivated by Tourism Victoria, the City of Melbourne and the State Government over a number of years using strategies to market Melbourne as an entertainment destination.

This section provides an overview of the impact on that perception by the temporary Lockout and includes:

- feedback from key stakeholder tourism groups;
- perceptions from patron focus groups; and
- indications of survey respondents.

### 10.1 Summary of findings

Stakeholders from the tourism industry indicated that the perception of Melbourne as a 24-hour city has probably not been impacted on by the temporary Lockout. Rather, growing concerns about alcohol-related violence are seen to have the potential to have a greater impact.

Licenses and patrons are protective of the late-night entertainment culture in Melbourne and it was clear that the implementation of a temporary Lockout had a negative impact on their perceptions of Melbourne as a 24-hour city. This was evidenced further by the respondents to the patron survey that highlighted that the temporary Lockout had affected 83 per cent of respondent's perceptions of Melbourne as 24-hour city.

The perception of Melbourne as a 24-hour city has been diminished in some quarters by the implementation of the temporary Lockout, though this view is not held consistently by all key stakeholder groups.

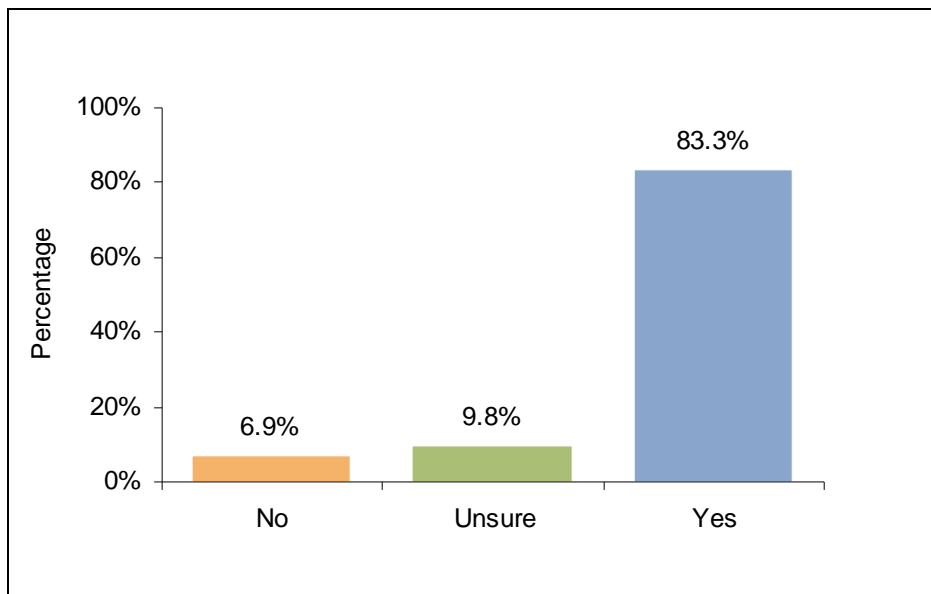
### 10.2 Impact of the temporary Lockout

Stakeholders from the tourism industry emphasised that the implementation of a temporary Lockout may not affect the 'brand' and/or perception of Melbourne as a destination city per se, but that the continuation and/or potential escalation of alcohol-related violence was of greater concern to Melbourne's image as a vibrant and cosmopolitan city.

Market research conducted by DoJ for the proposed education and awareness campaign suggests that older Melbournians express some hesitancy in introducing legislation or

regulations that diluted Melbourne’s image as a 24-hour city.<sup>85</sup> These findings are consistent with the overall results of the patron and community survey. Figure 10.1 which indicates that when the question was asked “*Did the Temporary Lockout affect your perception of Melbourne as a 24-hour city?*”, 83 per cent of respondents indicated that it had impacted their perception of Melbourne as a 24-hour city, while only 7 per cent indicated it had not impacted on that perception.

*Figure 10.1: Patron survey: did the temporary Lockout affect your perception of Melbourne as a 24-hour city?*



*Source: KPMG Survey*

However, when the analysis of the survey responses is undertaken across age groups it is interesting to note the variation between responses. Again those aged 45 plus were more inclined to answer that their perception of Melbourne as a 24-hour city was not impacted (28 per cent responded ‘no’ compared to 5 per cent for those aged 18-29 years).

### 10.3 Stakeholder perceptions

Throughout the consultations it was clear that industry (i.e. Licensees) and patrons are very protective of the Melbourne late-night culture and its reputation for being a 24-hour city. Given the belief that a 2am temporary Lockout will encourage many patrons to skip the pre-night club drinks at a small bar or boutique club and rather drink more at home then go straight to a bigger club that is open until late, there were serious concerns about the future of Melbourne’s well known entertainment and nightlife industry. Patrons are concerned that the ‘small bar’ culture of Melbourne is under threat, and that many of their favourite bars would not be financially viable should a 2am temporary Lockout become permanent.

<sup>85</sup> Sweeny Research (2008), *Qualitative Research on the 2am Lockout: Report*, p.7.  
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Licensees and patrons were consistently of the opinion that the temporary Lockout had a negative impact on their perception of Melbourne as a 24-hour city. Licensees noted that the 2am temporary Lockout was perceived to be inconsistent with the way Melbourne has been marketed in recent years:

*“A Lockout will have a severe impact on the unique bar culture that Melbourne is proud of and famous for, and that the government until recently fostered” Licensee survey response.*

*“[The Lockout] undermined, in a very short time, the positive image of Melbourne promoted by the city of Melbourne over the last ten years” Licensee survey response.*

Further, some stakeholders were additionally concerned that the policy would have practical consequences in terms of the attractiveness of Melbourne as a premier urban tourist destination:

*“Melbourne has a thriving entertainment scene - the best in Australia. It is something the local council has supported for years, and is also a tourism resource” Licensee survey responses.*

*“The bar-hopping crowd are not a drunken or violent segment of the community, and contribute to the State Government's image of Melbourne being a cosmopolitan city of an international standard. A Lockout is difficult to explain to international visitors” Licensee survey response.*

A patron group comprising mostly backpackers who had been in Australia for at least 12 months, whilst not familiar with the 24-hour city title, viewed Melbourne's nightlife as one of the best they had experienced, better than Sydney, London and Dublin and perceived the 2am temporary Lockout would significantly affect Melbourne's reputation as a place to visit or work. They did however suggest that they would still encourage other backpackers or travellers to visit Melbourne for the nightlife.

## 11 Community perceptions of the temporary Lockout to address alcohol-related violence and disorder

*“I think the government needs to look at a four tiered approach to the problem:*

- 1) I believe that a lock (sic) would work but it would need to commence later perhaps 3am.*
- 2) Increase police presence between the hours of 12 midnight and 4am.*
- 3) Dramatically step up (sic) the fines for anti social behaviour.*
- 4) Commence an education program at early stages aimed at primary school level regarding the impact of alcohol, similar to the smoking campaign that has now been in place for the last 10 - 15 years.”*

*Patron and community survey response*

This section addresses community perceptions of the temporary Lockout as one initiative to address alcohol-related violence and disorder. This section draws on the following sources of information:

- focus groups with patrons, licensees, security industry, late-night business operators and city councils;
- interviews with members of Victoria Police, Metropolitan Ambulance Service and Metropolitan Fire Brigade;
- licensee and patron/community survey; and
- market research reports provided by DoJ for the proposed education and awareness campaign.

It provides:

- a summary of findings;
- stakeholders perceptions on the complexity of the issue (i.e. alcohol-related violence);
- awareness of other initiatives to reduce alcohol-related violence;
- licensees and patrons views on the effectiveness of the temporary Lockout;
- the perceptions of stakeholders regarding temporary Lockouts; and
- the cultural shift on alcohol-related violence.

## 11.1 Summary of findings

Some stakeholders recognize that a Lockout has the potential to be an effective strategy to address alcohol-related violence when implemented in conjunction with a suite of additional strategies and initiatives. In isolation however, the vast majority of survey respondents did not perceive that a temporary Lockout could be effective.

Licenseses (both in focus groups and via the survey), patrons and the community perceived the temporary Lockout (in isolation of other strategies and in recognition of the number of stays that were granted) to be an ineffective mechanism to address alcohol-related violence.

Seventy-seven per cent of patron survey respondents indicated that the temporary Lockout was ineffective at reducing alcohol-related violence, with similar results for the licensee survey. Although a news poll on the ninemsn website on 1 September 2008 indicated that a majority of those respondents thought the Lockout was a good idea (approximately 72 per cent, of the 66,401 responses).<sup>86</sup>

Licenseses, patrons and the community perceive alcohol-related violence to be a complex issue, and report that a temporary Lockout does not necessarily address the underlying issues at hand.<sup>87</sup>

The consensus among all stakeholders consulted throughout the evaluation was that a Lockout would not “solve” the problem of alcohol-related violence in isolation; rather, a comprehensive and multi-faceted approach is required. Areas raised for future consideration in reducing alcohol-related violence included:

- greater police presence;
- greater enforcement of compliance with licensing conditions and responsible service of alcohol;
- availability of pre-packaged alcohol from late-night bottle shops;
- public education; and
- illicit drug use as a contributing factor to violence.

Other ideas included some taxi ranks functioning as ‘super-ranks’ that also carry security, first aid, toilets, good lighting, and drop off points for a greater number of buses as a concrete step forward. Education campaigns and a truly collaborative approach with all stakeholders represented (venues, Victoria Police, Government, taxi directorate, public transport, party buses, infrastructure and fast food retailers) in an open, positive dialogue to address the issue.

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<sup>86</sup> Web page provided to KPMG by DoJ – [www.ninemsn.com.au](http://www.ninemsn.com.au)

<sup>87</sup> Licensee and patron/community survey respondents indicated a limited awareness of other Victorian Government initiatives targeting alcohol-related violence.



## 11.2 The complexity of the issue

*“The Lockout seems like a blunt response to a complex issue”*

*Patron and community survey response*

Stakeholders consistently reported that alcohol-related violence and anti-social behaviour was a complex issue that could not be ‘solved’ just by the implementation of a temporary Lockout. Local councils, the security industry and emergency services cited a range of factors contributing to alcohol-related anti-social behaviour, that are not addressed by a 2am temporary Lockout, including:

- availability of pre-packaged alcohol from late-night bottle shops;
- a lack of compliance with licensing conditions and responsible service of alcohol; and
- illicit drug use.

The security industry is of the united view that violent episodes that occur on the streets are as a result of the following aspects:

- a “smarting ego”, having been ejected from a venue;
- greater numbers of people on the streets generally;
- the ‘rogue’ element of certain groups of people who are intent on creating violent incidents, many of which are unrelated to alcoholic intake;
- lack of transport and other options to get out of the city (including taxis);
- lack of other infrastructure (e.g. toilets, lighting);
- lack of police presence to deter criminal behaviours; and
- insufficient consequences (fines, divvy vans, charges etc) to penalise criminal behaviour.

## 11.3 Awareness of related initiatives

During the period of the temporary Lockout, a number of other initiatives were in place to address the issue of alcohol-related, anti-social behaviour. These included: a freeze on the issuing of late-night licenses; increased penalties for breaching licence conditions; powers to suspend a licence for 24-hours; new powers to ban or exclude a person from a designated area; and increased policing (via the Safe Streets Taskforce).

The patron and community and licensee surveys explored public awareness of other related initiatives targeted at reducing alcohol-related anti-social behaviours.

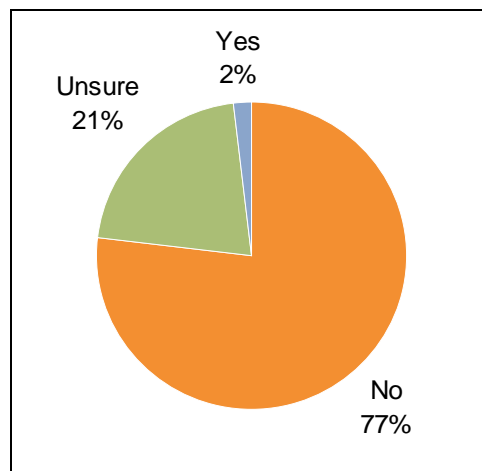
Only 51 licensee survey respondents (or 66 per cent) and 55 per cent of patron/community survey (n = 1359) participants were aware of at least one other initiative (other than the temporary Lockout), demonstrating that a considerable proportion of licensees and patrons were unaware of other government initiatives that aim to reduce alcohol-related violence.

This issue of awareness of other initiatives is also highlighted in market research on behalf of DoJ<sup>88</sup> (as part of the proposed education and awareness campaign) that indicates that favourable ratings for press coverage was for “soft solutions” that would not require a lot of change, and unfavourable coverage was targeted at the “hard solutions”.

## 11.4 Did licensees and patrons think the Lockout was effective?

Figure 11.1 indicates that when patrons were asked “*Was the temporary Lockout effective at reducing alcohol-related violence?*” 77 per cent of respondents (n = 1845) answered ‘no’. In contrast, 2 per cent of patron and community survey participants responded ‘yes’.

*Figure 11.1: Patron and Community survey: Was the temporary Lockout effective at reducing alcohol-related violence?*



*Source: KPMG Survey*

Similar results came from the licensee survey with 59 licensees survey respondents (or 79 per cent) indicating that the temporary Lockout was not effective with only two licensee survey respondents (or 3 per cent) indicating it was effective.

These findings are consistent with market research conducted on behalf of DoJ (as part of qualitative research into safety on the streets), which reported that “the overwhelming sentiment

<sup>88</sup> Media Monitors ‘Alcohol Fuelled Violence Analysis’, October 2008, pg.5.  
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among those who were aware of the temporary Lockout was that it had been unsuccessful in reducing alcohol-related problems”.<sup>89</sup>

A licensee respondent commented:

*“I saw MORE people in the streets, MORE drunks arguing and causing altercations, MORE people stuck in the street unable to get home! They couldn’t even go back inside and wait till the trains commence, instead they got cold and angry.” Licensee survey response*

However, one licensee did note that the implementation of the temporary Lockout was a positive development in addressing the issue of alcohol-related violence:

*“The only good thing was that for the first time the patrons had a consequence. ...For the first time the public were [sic] feeling pressure because of misbehavior. You must elevate the responsibility of individuals”. Licensee survey response*

Patrons expressed similar sentiments to licensees.

*“All instances that I have seen regarding violence have been incidents on the street. Don’t lock people out. It is safer to have them inside venues.” Patron and community survey response.*

Survey responses were consistent between residents and non-residents of areas in which the temporary Lockout was implemented. However, survey respondents aged 45 and over were more likely to be unsure about the effectiveness of the temporary Lockout at addressing alcohol-related violence (40 per cent of those aged 45 plus compared to just 20 per cent of those aged 18 to 29).

## 11.5 Perceptions of the Lockout to address alcohol-related violence

Stakeholders generally were of the view that the declaration of the temporary Lockout was one of a range of enforcement tools available to address alcohol-related violence. Yet its potential to be effective was hampered by the number of stays granted to late-night licensed venues, many of which were to venues that already had high-risk conditions on their liquor licence.

According to members of Victoria Police and local council stakeholders, the additional conditions imposed on those venues granted a stay was seen to improve patron behaviour somewhat, and in the initial weeks of the temporary Lockout there appeared to be less people on the streets between 2am and 6am.

Members of Victoria Police viewed the temporary Lockout as one of a range of tools to address alcohol-related violence, and noted that any perceived reduction in violence may also have been the result of a number of concurrent initiatives such as the Safe Streets Taskforce and Operation

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<sup>89</sup> Open Mind Research Group (2008), *Safety on the streets: A qualitative report*. Prepared by Open Mind Research Group on behalf of the Department of Justice (Victoria), p.11.

Razon. However, members of Victoria Police did note that the temporary Lockout appeared to “take the edge off” alcohol-related violence.

The views of the members of Victoria Police contrasted somewhat with other stakeholders (including licensees, local government and security industry) who perceived that the temporary Lockout had done little to curb alcohol-related violence. Although, most stakeholders considered that a Lockout had the potential to be one of a suite of initiatives that form part of an effective strategy to respond to alcohol-related violence and anti-social behaviour. Lockouts operating in other regional centres, or states were cited as examples of success, noting that Melbourne has some important differences to those locations as outlined in Section 4.

Market research in the 30-65 years age group, conducted on behalf of DoJ by Sweeney Research (as part of the education and awareness campaign), found that while there was not the same level of frustration as exhibited by the ‘youth’, this older group were “**consistently negative and at best sceptical**” of the policy to implement the temporary Lockout.<sup>90</sup> In the same research, it was perceived by participants that the temporary Lockout targets the majority who act responsibly, rather than the minority that do not act responsibly. However, a news poll on the ninemsn website ([www.ninemsn.com.au](http://www.ninemsn.com.au)) on 1 September 2008 did ask whether 2am pub temporary Lockouts were a good idea. The majority of responses indicated ‘yes’ (approximately 72 per cent, of the 66,401 responses).<sup>91</sup>

Licensees in the Accords and patrons were generally of the opinion that a temporary Lockout was an ineffective, and an inappropriate method for addressing the problem of alcohol-related violence and anti-social behaviour. Some licensees reported greater aggravation on behalf of some patrons. For example, substantial increases in patrons jumping back fences in a bid to enter a venue, and increased frustration at leaving a venue for a purpose such as accompanying a partner to a taxi rank only and not being able to re-enter the venue.

Patrons perceive they are able to identify where the ‘trouble spots’ are, that it is reasonably well known which bars attract a ‘rogue element’ and that they specifically avoid those locations. They perceive those that do frequent those locations are ‘looking for trouble’ and that the best deterrence would be greater police presence. Again, the temporary Lockout was viewed to be punishing the majority of well-behaved patrons, and considered an ineffective ‘solution’ to the problem of alcohol-related violence and antisocial behaviour.

*“The temporary Lockout was ineffective because it did not address the problem which is policing of responsible serving of alcohol laws.” Patron and community survey response.*

From the licensee perspective, the overwhelming negative response to the temporary Lockout design and in fact the entire temporary Lockout program was to the granting of stays by VCAT just prior to the temporary Lockout commencement. The stays significantly contributed to the sense that the temporary Lockout was not a serious attempt to reduce alcohol-related violence, merely a knee-jerk reaction. It meant that 120 venues, most of which were seen as the ones most

<sup>90</sup> Sweeney Research, *Qualitative Research on the 2am Lockout*. Prepared by Sweeney Research on behalf of the Department of Justice, Victoria, p.10.

<sup>91</sup> Web page provided to KPMG by DoJ – [www.ninemsn.com.au](http://www.ninemsn.com.au)  
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likely to actually effect the temporary Lockout and possibly make a difference, were removed from the equation making it ineffective.

*“Well essentially it didn’t happen, did it? Everyone was exempt so what difference did it make?” Venue owner*

## 11.6 A cultural shift

Members of Victoria Police, City Councils and the security industry expressed concern with the shift in community attitudes toward drinking. Anecdotally, members of the public are increasingly consuming pre-packaged alcohol from bottle shops on the streets or in private vehicles prior to entering licensed venues – a practice termed ‘pre-loading’. This practice makes it difficult for security staff to adequately detect intoxicated patrons at the door, as they enter the venue prior to the full effects of the alcohol becoming apparent.

Patrons and licensees were particularly vocal in their views on the complexity of the issue at hand.

*“Lockouts fail to address the underlying problems of substance abuse particularly among men aged 18 to 30. Public education in alcohol abuse has been non existent.” Licensee survey response.*

Again, these points are consistent with market research undertaken on behalf of DoJ (as part of research into safety on the streets), suggesting that the temporary Lockout did not address what the community perceive to be the causes of alcohol-related violence “namely the oversupply and availability of alcohol and the lack of compliance with responsible drinking laws”.<sup>92</sup>

Alcohol-related violence was viewed as a complex issue, requiring a multi-faceted strategy to address. Three key issues were identified:

- a Lockout does not stop liquor being served – excessive binge drinking will remain as patrons can continue drinking beyond 2am;
- a Lockout does not keep people off the street – it is likely to have the opposite effect on the numbers of people roaming the streets, compounded by a lack of taxis and public transport services available at 2am; and
- a Lockout targets the majority not the minority – the majority who behave responsibly are being constrained by the actions of a rogue minority.<sup>93</sup>

In recognition of the complexity of the factors that are perceived to contribute to alcohol-related violence, stakeholders suggested a range of additional issues for future consideration. These included:

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<sup>92</sup> Open Mind Research (2008), p.11.

<sup>93</sup> Open Mind Research Group (2008), *Safety on the streets: A qualitative report*. Prepared by Open Mind Research Group on behalf of the Department of Justice (Victoria), p.13.

- **Greater police presence:** members of Victoria Police, City Council, Licensees, emergency services and other late-night business operators considered that a greater police presence on the street in the form of foot patrols may assist in reducing alcohol-related violence.
- **Greater enforcement of compliance with licensing conditions and responsible service of alcohol:** In this regard, patrons and the community reported that a targeted approach was required to address what was perceived to be a small number of ‘rogue operators’.

*“I don't think this is the answer to reducing Melbourne's late night crime. I think a greater police presence would at least make people think twice before being stupid, and greater scrutiny around the rules as to who is and isn't served alcohol once they're in a bar if they've already had enough” Patron survey response.*

Members of Victoria Police and the security industry noted that, while this was an area requiring significant action, there was currently a lack of available resources to properly enforce legislative compliance.

- **Availability of pre-packaged alcohol from late-night bottle shops:** the ability for members of the community to readily access pre-packaged alcohol and consume it on the streets, prior to entering licensed premises, was raised by a number of stakeholders, including members of Victoria Police and City Councils.
- **Illicit drug use as a contributing factor:** licensees and the security industry were of the view that illicit drug use was of greater concern than excessive consumption of alcohol. Comments drawn from the licensee survey included:

*“Whilst everyone seems to be focusing on the alcohol issue, we feel drugs, which are cheaper to purchase than alcohol, are more the issue. We do not have issues that often and if we do it tends to be from those who are not drinking but have been taking pills prior to coming to the hotel.” Licensee survey response.*

- **Education:** licensees and patrons / community members placed a particular emphasis on the need for a public education campaign addressing responsible drinking behaviour. Excessive alcohol consumption was viewed as a community wide problem that requires community wide solutions:

*“I believe more focus needs to be placed on education. It's all well and good locking people out, but nothing is more effective than education which can start in the early years of high school!” Patron and community survey response.*

*“Education, marketing and advertising the effects and consequences of alcohol-related violence on individuals is the most effective way to combat this problem, as have been evidenced by the drink driving and work safe campaigns.” Licensee survey response.*

Licensees also cited opportunities such as a greater number of taxi ranks functioning as ‘super-ranks’ that also carry security, first aid, toilets, good lighting, and drop off points for a greater

number of buses as a concrete step forward. Education campaigns on zero tolerance to alcohol on city streets would be welcomed, as would a truly collaborative approach with all stakeholders represented (venues, Victoria Police, government, taxi directorate, public transport, party buses, infrastructure and fast food retailers) in an open, positive dialogue to address the issue.

The general consensus among all stakeholders consulted throughout the evaluation was that a temporary Lockout would not “solve” the problem of alcohol-related violence; rather, a comprehensive multi-faceted approach is required.

## **12 Changes in venue management practices to facilitate Lockout**

This section discusses changes to venue management practices, either as a direct result of the temporary Lockout, or practices that changed throughout the implementation of the temporary Lockout. Venue management practices include security policies and procedures, promotions, staff training and education, and responsible service of alcohol (RSA). Venue management practices were made compulsory for some venues as extra conditions on the licence due to be being granted a stay by VCAT (discussed in Section 5) – these have been noted in this section.

As part of the evaluation the following sources of information have been used:

- focus groups with licensees via the Accords;
- focus groups with members of Victoria Police and the security industry; and
- licensee survey responses.

This section provides:

- a summary of findings;
- a discussion of licensee reports of changes in venue management practices; and
- an overview of stakeholder perceptions on changes to venue management practices.

### **12.1 Summary of findings**

Based on the available discussions and limited survey responses, other than for meeting stay conditions, venue management practices do not appear to have changed significantly as a result of the temporary Lockout. However, there were some highlighted practices that did change, in particular, some self regulation on not serving particular drinks.

Thirty-one licensee survey respondents (or 41 per cent) had implemented additional management strategies or promotions during the temporary Lockout; of these, the majority indicated that changes were implemented as a direct result of the temporary Lockout usually in response to the granting of stay conditions.

Management practices implemented as a direct result of the temporary Lockout included staff refresher training in RSA, increased security and/or tightening of security policies, altered drink serving practices, and cessation of promotions. Changed management practices implemented independently of the conditions imposed by the temporary Lockout included closer monitoring of responsible service of alcohol and implementation of stricter door policies.

Licensees via the Accord discussions noted that there was an increase in police presence in venues. However, the Licensees perceived the focus of the police was misplaced somewhat.



Security industry groups indicated that Licensees only changed practices to meet the extra conditions by being granted a stay. And members of Victoria Police could not conclude whether practices had changed due to the logistical difficulty of policing the temporary Lockout across the geography of Melbourne.

## 12.2 Licensee reports of changes in venue management practices

Licensees were asked via the survey whether they implemented any management strategies or promotions during the temporary Lockout. Thirty one licensee survey respondents (or 41 per cent) indicated that they had altered their management practices during this time. Those that *had* implemented additional strategies or promotions were asked whether they had directly undertaken to facilitate the implementation of the temporary Lockout. Twenty-two licensee survey respondents (or 71 per cent) indicated that the strategies or promotions were to facilitate the implementation of the temporary Lockout.

Licensee survey respondents that reported they had implemented strategies or promotions during the temporary Lockout period, were asked to describe these and included:<sup>94</sup>

- training (and re-training) of staff on RSA;
- increased security and/or tightening of security policies and new procedures for checking the licenses of security personnel;
- some revision of operating procedures and emergency procedures (in particular to deal with the increased police presence);
- altered drink serving practices (such as no serving of ‘bomb’ style drinks, such as, jaegerbombs, and no drinks containing Red Bull energy drinks); and
- cessation of promotions.

*“All bar staff and security were briefed on the correct procedure for the Lockout and how management wanted it to be implemented and the penalties for not obeying. We did not run any promotions in terms of cheaper drinks before 2am or after 2am”*  
- Licensee survey response

Where venues had chosen to introduce strategies or promotions independently of the requirements of the temporary Lockout, these included:

- implementation of stricter door policies; and
- closer monitoring of responsible service of alcohol.

One licensee survey respondent reported that their venue had also introduced a practice whereby *“in order to further encourage responsible drinking of alcohol, we closed the bar at 2am and gave away free bottles of water for 5 minutes every Saturday night.”*

<sup>94</sup> These were all conditions on the granting of stays  
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In contrast, another licensee survey respondent noted that in order to compete with venues that had been granted a stay, “*patrons were encouraged to arrive earlier and the only way to do that effectively was to offer cheaper drink specials earlier (which seems contradictory to the governments intention)*”.

Few venue operators required to comply with the temporary Lockout attended the forums. Those that were in attendance were either exempt or already closed prior to 2am. Other venue owners complied with the temporary Lockout in an effort to work with government to test the concept and improve safety but mostly because their venues weren't really affected: they close at 3am, their venues are a 'destination venue' and many are open to members only.

### **12.3 Stakeholder perceptions of changes in venue management practices**

The impact on licensees varied. There were additional expenses for venues with a stay to appoint extra security guards and meet the strict conditions imposed for the granting of stays by VCAT. Venues also noted that there was an increase in police or liquor licensing in venues and while the increased presence was welcomed, their focus appeared to be misplaced, looking for opportunities to fine them rather than patrolling the streets. They also expressed frustration at having RSAs checked several times throughout the night.

Members of Victoria Police and the security industry provided mixed opinions as to whether licensees had altered their venue management practices in response to the implementation of the temporary Lockout. The security industry reported that venues typically only instituted those measures required by the conditions imposed with the granting of a stay.

In contrast, members of Victoria Police were unable to ascertain whether management practices were altered, largely due to the fact that the venues adhering to the temporary Lockout and venues operating under a stay changed during the period of the temporary Lockout.

## **13 Financial impact on licensed venues and late-night traders in temporary Lockout areas**

This section reports on the financial impacts of the temporary Lockout on licensed late-night venues in the designated Lockout areas. In trying to investigate the financial impacts on venues, there is a focus on the costs to venues by losing revenue from reduced numbers of patrons and any additional burdens placed on licensed venues.

Due to the limited timeframes and the private structures of licensee businesses, no financial data was available to inform this aspect of the evaluation, and therefore this section draws on the following sources of information:

- focus groups with licensees; and
- licensee survey responses.

This section provides:

- a summary of findings; and
- a discussion of the financial impact of the temporary late night entry declaration.

### **13.1 Summary of findings**

It is difficult to quantify the financial impacts on licenses venues due to the lack of available financial data and the time period being evaluated (and seasonality). However, for those venues granted a stay by VCAT there were some upfront costs regarding the hiring of extra security staff and retraining/training staff on RSA. In particular, the impact of the temporary Lockout on small to medium venues (many trade to 3am and did not apply for a stay) would have been greater as indicated by the change in patron behaviour in leaving venues earlier to get to the next venue (sometimes larger) before 2am.

A majority of licensee survey respondents reported a decrease in revenue during the temporary Lockout compared to the previous three-months. Stakeholders reported that additional factors such as a cold winter and the beginning of an economic downturn may additionally have also impacted upon venue revenue.

The three late-night traders who made themselves available for the evaluation did not report any financial impact on their business as a result of the temporary Lockout.

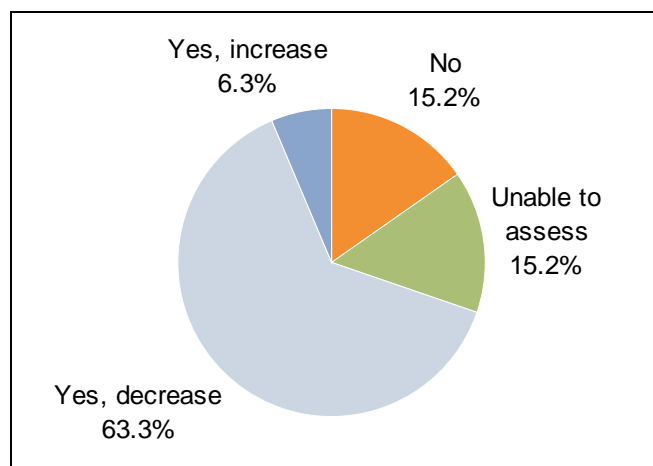
### **13.2 Financial impact of the temporary Lockout**

The impact of the temporary Lockout on licensees varied across the area from a slight inconvenience to a significant financial loss. Obviously those venues granted a stay had additional upfront costs to ensure there was enough security to cover the venue, while those who

had not sought a stay and had previously operated past 2am identified some financial losses (some up to 25 per cent reduction in income) as well as staff cuts in response to the reduced trade (this information was provided anecdotally and is reported as such).

Figure 13.1 indicates that 50 licensee survey respondents (or 63 per cent) noted that there was a decrease in overall revenue during the temporary Lockout.<sup>95</sup>

*Figure 13.1: Compared to the previous three-months (i.e. 2 March 2008 to 2 June 2008), did your venue experience a change in overall revenue during the Temporary Lockout*



*Source: KPMG survey*

While this cannot be substantiated in the context of this evaluation, it is worth highlighting that the most common behaviour that licensees saw develop was patrons leaving their venue earlier to get to a venue granted a stay, before the 2am deadline. Where they normally would have stayed for another drink, they chose to cut their visit short and join the queues to ensure they weren't stranded at one bar for the rest of the night, or locked out from their favourite venue after 2am.

One licensee survey respondent noted that:

*“Small venues suffer and those with licenses to 3am suffer compared to those that are larger (and can afford more security) or have later licenses (so patrons go there between 1 - 2am so they can party later).” Licensee survey response.*

Obviously without financial data it is difficult to note the reductions (if any) in venue revenue during the temporary Lockout period. However, it could be argued that the financial impost was experienced more commonly by small to medium bars, particularly as highlighted earlier that those granted stays were generally nightclubs (typically bigger venues) and with high-risk conditions attached to the liquor license, indicating a competitive advantage over smaller venues

<sup>95</sup> Please note, KPMG did not ask Licensees to quantify the change in revenue in the Licensee survey due to the potential bias of respondents to indicate a more negative response than what the real situation might have been.  
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who did not apply for a stay (for a variety of reasons), or did not have the resources to apply for a stay (such as legal costs).

Other stakeholders consulted throughout the evaluation reported that seasonality contributes greatly to the number of people attending late-night venues, and as such, Melbourne's "record cold winter"<sup>96</sup> may have had an impact on overall revenue during the temporary Lockout.

### **13.3 Late-night traders**

Consultations with three late-night trading vendors indicated that:

- the 2am temporary Lockout has not had any financial impact on their business;
- the 2am temporary Lockout did not appear to have any impact on curbing alcohol-related anti-social behaviour witnessed by the above businesses; and
- fast food outlets are increasingly hiring security guards (two) for Friday and Saturday evenings, at a significant cost.

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<sup>96</sup> Herald Sun, Melbourne has coldest winter in a decade, 31 August 2008, <http://prelive.news.com.au/heraldsun/story/0,21985,24267392-2862,00.html>; see also Herald Sun, Coldest winter in 10 years, now spring is cold too, 1 September 2008, <http://www.news.com.au/heraldsun/story/0,21985,24272215-2862,00.html>

## **PART III – APPENDICES**

## **A Limitations of data analysis**

Due to the temporary Lockout period timeframes (three-months) and reliance on external data sources there are limitations on the data analysis including:

- specificity;
- accuracy;
- completeness;
- coherence; and
- other issues around existing data recordings not aligning to the analysis required to fully evaluate the temporary Lockout.

These are explained below.

Please note that the data analysed was raw data that does not account for population increases, the increase in police numbers which may have impacted on the number of reported assaults and the impact of other initiatives being undertaken at the time of, or in the lead up to, the temporary Lockout. Also, the nature of the data does not allow an assessment of the severity or impact of any violence related incidents.

### **The analysis should be read in this context.**

#### *Specificity*

In interpreting the findings of this evaluation it is important to note that key data sources focus on aspects unrelated to the temporary Lockout or dimensions of the temporary Lockout – for example:

- police data focuses on incidents, not the cause of incidents, and hence can not provide good causal data; and
- there is no differentiation in the data of the type of alcohol related presentations to hospital emergency departments. That is, the data is coded as alcohol related and provides no specificity as to the whether it was related to violence, or other alcohol-related issues, such as accident or illness. Further, the evaluation utilised hospital emergency data across metropolitan Melbourne, including hospitals outside of the four LGAs included in the temporary Lockout. The data therefore represents all alcohol related presentations to hospital emergency departments across metropolitan Melbourne (whether as a result of alcohol related violence, or other causes), not just those that may relate to four LGAs included in the temporary Lockout.

### *Accuracy*

The evaluation was prepared using either publicly available information or information provided to KPMG by DoJ and the stakeholders contacted through the evaluation. KPMG relied on that information being accurate and ***did not*** undertake any audit or other forms of testing to verify the accuracy, completeness, or reasonableness of the information provided. Accordingly, KPMG can accept no responsibility for any errors or omissions in the information shown in the evaluation report where it is based upon that information provided.

KPMG also used anecdotal/qualitative data to validate what the quantitative data is highlighting.

### *Completeness*

As outlined above, the evaluation was prepared using either publicly available information or information provided to KPMG by DoJ and the stakeholders contacted through the evaluation. KPMG has assumed that the information provided was complete for the time periods requested and analysed. Any changes to the data holdings by the primary data source post analysis period and submission of the evaluation report will not be the responsibility of KPMG and as the analysis was based on what is provided to KPMG at that time.

### *Coherence*

The coherence of statistical information reflects the degree to which it can be successfully brought together with other statistical information. This is an issue for this analysis as it involves bringing together a large array of data sets. For example, the definitions for particular items in the Victorian Emergency Minimum Data (VEMD) or Victoria Police data may change over time. As such any perceived change may simply reflect a change in definition and not an actual change.

### *Data availability and data ownership*

The capacity of KPMG to answer the evaluation questions is severely limited in a number of areas due to:

- data not being available in certain areas – particularly baseline data of patron habits to form a view on pre-Lockout behaviours and hence assess the changes in behaviours;
- data sources being focused on aspects unrelated to the temporary Lockout or dimensions of the temporary Lockout – for example:
  - venue data sources are not subject to quality control and any provided data may be inaccurate, incomplete or subject to a response bias; and



- data dates not aligning to the temporary Lockout period – where possible KPMG requested daily data to align with the temporary Lockout period, however, this was not possible due to the data collection periods of the agencies assisting. Therefore, the data analysis is based on the three-month period June 1 to August 31 – note that this includes the first full weekend of the temporary Lockout (4<sup>th</sup>/5<sup>th</sup> /6<sup>th</sup> June) and the last weekend of the temporary Lockout (29<sup>th</sup>/30<sup>th</sup>/31<sup>st</sup> August).

Further, some datasets provided to KPMG were done so on the condition of confidentiality in that they may not be released publicly in any form, or in any report. KPMG has noted where confidentiality is required for the inclusion of the data.

## **B Jurisdictional information**

This section has been prepared using an agreed set of criteria for each jurisdiction. Consultations were undertaken with all jurisdictions and included representatives from the regulators and police. Whilst every endeavour was made to gather and report on all information required based on the criteria, in some instances, either the information was not available, or, the information was not accessible to KPMG.

This appendix details the Lockouts examined within Australia.

Described below are the key dimensions for each Lockout examined throughout Australia:

- context – this explores the rationale for establishing the Lockout as well as the current legislative and policy drivers;
- the Lockout – this describes the key characteristics of the Lockout including hours of operation, conditions, community consultation and implementation; and
- impacts and future directions – this discusses any evidence that the Lockout has changed patron behaviour, the Lockout’s success factors and future areas for improvement.

### **B.1 Ballarat, Victoria**

Ballarat has a 3am Lockout in place, with a “trial” Lockout beginning on 1 August 2003.

#### **B.1.1 The context**

The Ballarat Lockout was established as a result of increased assaults, property damage and public amenity issues occurring during late hours in and around licensed venues.

Local businesses, licensees, local council and police used a Liquor Accord as the vehicle for establishing the Lockout. The Lockout was part of a suite of strategies to address alcohol-related violence under Operation “LINK – Be Safe Late”.

#### **B.1.2 The Lockout**

The Ballarat Lockout currently comes into effect at 3am (it originally started at 2am). The condition of Lockout is that patrons (other than patrons already inside licensed venues) are not permitted to enter or re-enter the premises apart from gaming rooms after 3am on any day. This condition is subject to participation in the Operation “LINK – Be Safe Late” as confirmed by the Licensing Inspector, Victoria Police. Ten venues in Ballarat are impacted by the Lockout.

The Lockout started as a voluntary agreement between police, local council, licensees, taxi companies and security companies through the Ballarat Liquor Accord. It is now a condition of the liquor licence.

The Lockout was developed in partnership with the relevant stakeholders (as listed above) and included a three-month community education campaign before its commencement, using radio, local news and newspaper announcements.

The Lockout commenced in 2002 and is reviewed annually. The first two weeks of the Lockout's operation worked as an amnesty period where patrons and venues were given leeway to become accustomed to the new arrangements.

As mentioned above, the Lockout operates as part of Operation "LINK – Be Safe Late". This operation involves:

- increased police foot patrols on the streets and in venues between the hours of 8pm-4am;
- Safe City Taxi Rank attended by a security guard;
- increased taxis between midnight and 7 am;
- better venue management including responsible service of alcohol and use of security guards to manage patrons appropriately; and
- banning of rowdy patrons by licensees through the Accord.

### **B.1.3 Impacts and future directions**

Operation "LINK – Be Safe Late", including the Lockout, has been evaluated and the results show a significant decrease in assaults, property damage and public amenity issues in the three-months after the operation commenced. Specific findings obtained during the first 12 months of the program operation period include:

- 39.85 per cent decrease in assault offences in Ballarat CBD, with a 47.54 per cent decrease in assaults in licensed premises and a 33.33 per cent decrease in public places;
- 17.32 per cent decrease in property damage offences in Ballarat CBD;
- community members, patrons, licensees and businesses all perceived the operation to be effective in increasing the safety of Ballarat CBD; and
- extensive support for the operation from stakeholders and the local media.<sup>97</sup>

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<sup>97</sup> Centre for Health Research and Practice (November 2004), *Program Evaluation – Operation Link Be Safe Late Program*, University of Ballarat, pp.25-75.

The evaluation also noted that the decrease in assaults and property damage began six months prior to the commencement of Operation “LINK Be Safe Late”, therefore suggesting that other variables also contributed to the reduction of crime.

Reported success factors include buy-in and ownership of the operation by all relevant stakeholders, investment in educating the community at large prior to the Lockout’s commencement, and providing a forum for Accord members to come together to refine certain aspects of the operation.

## B.2 Bendigo, Victoria

Bendigo currently has in place a 2am Lockout.

### B.2.1 The context

The Bendigo Lockout was introduced in September 2007 to curb increasing anti-social late night behaviour on city streets including public drunkenness, criminal damage and assault.<sup>98</sup>

### B.2.2 The Lockout

The Bendigo Lockout starts at 2am and applies to 16 licensed, late-night trading venues in the CBD. The Lockout is declared under the *Liquor Reform Act 1998* (Vic) (the Act). Under the Lockout, patrons (other than residents of licensed venues) are not permitted to enter or re-enter the premises apart from gaming rooms after 2am on any day. This condition is subject to participation in the Bendigo Liquor Accord as confirmed by the Licensing Inspector – Victoria Police.

In conjunction with the Lockout, Victorian Police has also increased foot patrols on the streets and through venues in Bendigo on Saturday and Sunday mornings.<sup>99</sup> Additional strategies implemented to support the Lockout include the provision of a NightRider bus service and development of a safe city taxi rank.

### B.2.3 Impacts and future directions

Victorian Police data shows a 5.9 per cent increase in assaults in Bendigo in 2007-08.<sup>100</sup> Data provided by the Director of Liquor Licensing additionally indicates that over the course of the Lockout, Bendigo has experienced:

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<sup>98</sup> <http://www.consumer.vic.gov.au/CA256F2B00224F55/page/The+Grapevine+news+bulletin-2007+-+September-Bendigo+Lockout?OpenDocument&I=905-The+Grapevine+news+bulletin~&2=8980-2007+-+September~&3=10-Bendigo+Lockout->, date accessed 19 October 2008.

<sup>99</sup> [http://www.police.vic.gov.au/content.asp?Document\\_ID=16756](http://www.police.vic.gov.au/content.asp?Document_ID=16756), date accessed 19 October 2008.

<sup>100</sup> [http://www.police.vic.gov.au/content.asp?Document\\_ID=16756](http://www.police.vic.gov.au/content.asp?Document_ID=16756), date accessed 19 October 2008.

- a 12.1 per cent decrease in the number of intoxicated persons detained in cells;
- a 6.3 per cent decrease in reported property damage; and
- a 40 per cent decrease in street offences.

The Lockout is to be reviewed in March 2009.

## **B.3 Warrnambool, Victoria**

Warrnambool currently has a 1.30am Lockout applicable to all licensed venues.

### **B.3.1 The context**

The Warrnambool Police trialled a 1am Lockout for two venues which were the focus of assaults and poor patron behaviour. After the twelve-month trial the police decided to expand the Lockout to all late-night licensed venues in Warrnambool.

### **B.3.2 The Lockout**

The Warrnambool Lockout comes into effect at 1.30am. The Lockout impacts on six licensed late-night trading venues in Warrnambool.

As a condition of the Lockout patrons (other than patrons already inside licensed premises and members of the Warrnambool hospitality industry authorised in the Accord within the requirements of the Licensing Inspector) are not permitted to enter or re-enter the premises apart from gaming rooms after 1.30am on any day.

The Lockout is in place as part of a variation of licence condition under section 58 of the Act. The imposition of the Lockout was the subject of panel hearings under the *Liquor Control Reform Act*.

### **B.3.3 Impacts and future directions**

According to a report prepared by Robert Barby, on behalf of the Director of Liquor Licensing, there was an initial reduction in assaults by 37 per cent<sup>101</sup> and improved amenity issues. According to the same report, there has been no known financial impact on other venues or on public safety in Warrnambool.<sup>102</sup>

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<sup>101</sup> Barby, R (2007), Report prepared for the Director of Liquor Licensing, p.11. Unpublished. Note: no time period was included the report as to what period this reduction in assaults occurred.

<sup>102</sup> Ibid, p.12

Future areas for improvement include managing patron lingering after venue closure as a result of late-night food outlets being open.

## **B.4 Traralgon, Victoria**

A 3am Lockout is currently in place for late-night licensed venues in Traralgon.

### **B.4.1 The context**

The Traralgon Lockout was introduced at the request of licensees and Victoria Police, to curb increasing anti-social late night behaviour on city streets.

### **B.4.2 The Lockout**

The Traralgon Lockout comes into effect at 3am. The conditions of the Lockout include patrons (other than members of the Traralgon hospitality industry authorised in Accordance with the requirements of the Licensing Inspector) are not permitted to enter or re-enter the premises apart from gaming rooms after 3am on any day.

The Lockout currently affects five licensed venues. The Lockout operates by declaration subject to section 58 of the Act.

### **B.4.3 Impacts and future directions**

The Traralgon Lockout is yet to be reviewed.

## **B.5 Frankston, Victoria**

Venues within Frankston have applied for a 2am Lockout. This application is currently being considered by the Director of Liquor Licensing.

### **B.5.1 The context**

Recently Frankston has experienced a high incidence of alcohol-related anti-social behaviour which has the impact of affecting community members' perceptions of safety in the area. As a result, licensees, the police, and local council agreed that action needed to be taken to address the issues of queuing and congregation on the streets, and venue hopping.

### **B.5.2 The Lockout**

The Frankston Lockout is intended to come into effect at 2am. Nine venues in Frankston CBD are affected by the Lockout. Eight of these venues have applied for a voluntary Lockout for twelve-months. This application is still under consideration by the Director of Liquor Licensing.

Introducing a Lockout was raised during an Accord meeting in April 2008. At the following Accord meeting, all licensees (with exception of one) provided in-principle support to a Lockout trial.

Alongside the declared 2am Lockout all venues are seeking an extension to licence hours to 5am. One adult entertainment venue is not willing to participate in the Lockout.

Other initiatives which run alongside the Lockout are:

- Safe City Taxi Rank which was established prior to the Lockout as an Accord initiative where licensees contribute to costs associated with security guards;
- NightRider project (currently in development) to provide a bus service *out* of Frankston to other south east suburbs;
- CCTV program - council, police, the major shopping centre, and Connex (train operator) are currently implementing a CCTV system throughout the CBD; and
- Designated driver program (currently in development) where licensees will acknowledge designated drivers with a coloured wristband or the like on entry, and provide free soft drink to the driver all night.

Should patrons be displaced to non-participating venues in the greater Frankston area, those venues (which include two to three pubs with 3am licences), the Lockout will be extended to incorporate those venues.

### **B.5.3 Impacts and future directions**

The Lockout has not yet been implemented as the Director of Liquor Licensing must provide her final approval for the declaration. However, once approved, Accord members will be ready to launch the media and community awareness campaign which provides patrons with three to four weeks notice of the Lockout.

## **B.6 Shepparton, Victoria**

A 2am Lockout is currently in place on late-night licensed venues in Shepparton.

### **B.6.1 The context**

The Shepparton Lockout was introduced at the request Victoria Police, to curb increasing anti-social late night behaviour on city streets. The Lockout is voluntary.

### **B.6.2 The Lockout**

The Shepparton Lockout comes into effect at 2am. Five late-night licensed venues are impacted by this Lockout. The Lockout commenced on 1 August 2008 and is operating as a voluntary three-month trial.

### **B.6.3 Impacts and future directions**

## **B.7 O-zone, Victoria**

O-Zone is an entertainment precinct in Victoria in which a 2am Lockout is currently being put in place.

### **B.7.1 The context**

The O-zone Lockout was introduced at the request Victoria Police.

### **B.7.2 The Lockout**

The O-zone Lockout is proposed to come into effect at 2am and five licensed late-night venues are to be impacted by the Lockout. All five venues have applied for a voluntary Lockout for 12 months which is currently still under consideration by the Director of Liquor Licensing.

## **B.8 Tasmania**

Three Lockouts are currently operating in Hobart, Launceston and Burnie.

### **B.8.1 The context**

Tasmanian legislation does not provide for the establishment of a Lockout. Rather, Lockouts can be introduced as conditions of late-night trading licenses where determined appropriate by the Director of Liquor Licensing.

The Lockouts operate in the broader policy context of increasing public awareness of the responsible service and consumption of alcohol. Specific contextual issues surrounding the individual Lockouts operating in Tasmania are outlined below.



## **B.8.2 The Lockout**

The specific characteristics of each Lockout currently operating in Tasmania are described below.

### **Hobart**

The Hobart Late Night Trading Agreement (a voluntary agreements) prescribes a 3am Lockout applicable to all 33 venues (nightclubs, hotels and restaurants) in the Salamanca markets precinct and Hobart CBD. This agreement was first negotiated four years ago for the Salamanca historic precinct area as a result of community and resident complaints regarding late night disorderly conduct, noise and anti-social behaviour in the precinct. The Salamanca precinct is in the inner city of Hobart and comprises bars/nightclub with residential areas adjacent.

Under the Lockout, patrons are not able to enter or re-enter a venue after 3am. Other agreed conditions which form the Late Night Trading Agreement include:

- all venue staff and management must undertake responsible service of alcohol training;<sup>103</sup>
- the discontinuation of discounting liquor and happy hour practices;
- the operation of video surveillance (i.e. closed circuit television - CCTV) at all venues and in the area covered by the agreement;
- the use of licensed and accredited crowd controllers at all venues;<sup>104</sup>
- the monitoring and cleaning of areas around trading; and
- all venues must participate in industry requirements and meet safety requirements (such as occupational health and safety).

Before a licence is transferred to a new licensee (in the case of a venue sale) the new owners must recommit their venue to the agreement.

The agreement was initiated by the Commissioner for Licensing in consultation with the industry. Consultation occurred with the liquor licensing branch, police and the Australian Hotels Association (AHA). The police advised that the AHA played a significant role in obtaining members' support for the agreement.

To complement the Lockout, several plain-clothes police patrol the area every night from Thursday to Saturday. This is supported by uniformed police backup including a public order response team.

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<sup>103</sup> Since the development of this agreement the liquor licensing legislation has been amended to include this as a requirement for all licensed venues.

<sup>104</sup> Since the development of this agreement the liquor licensing legislation has been amended to include this as a requirement for all licensed venues.

The Hobart Lockout was implemented after advanced publicity to build community awareness involving the AHA, police and liquor.

### **Launceston and Burnie**

A 2.30am Lockout applies to the three late-night trading venues in Launceston and Burnie as a condition of the nightclubs' individual out-of-hours permit. An out-of-hours permit is a permit to trade beyond midnight and until 5am.

Launceston has a Liquor Accord currently under development to cover the city.

Burnie has a Liquor Accord which covers the city.

The difference in approaches to alcohol-related harm in Hobart, Launceston and Burnie has arisen out of the different level of activity / volume of patrons. Hobart needed a more coordinated approach due to the higher level of activity and volume of patrons in contrast to Launceston and Burnie with fewer venues and patrons.

### ***Public transport***

Public transport was raised as an issue in Burnie as it is geographically dispersed (as a regional town). Here the taxi company is an Accord member and has agreed to provide a set number of taxis to move people out of Burnie from the time of Lockout to the time of venue closure.

## **B.8.3 Impacts and future developments**

The Hobart agreement is only revisited when something goes wrong or if changes are required. For example, in the early days of the agreement's operation, the police suggested that a cab rank be moved from its poorly lit location where assaults occurred. Liquor Licensing and police also regularly monitor police data on public nuisance, assaults and drunken behaviour.

Liquor Licensing has noted a decline in complaints regarding amenity issues (such as noise and disturbance) since the agreement has been in place, although change has not been reported in relation to assaults due to a single problematic venue within the Hobart area. According to Liquor Licensing representatives, the Salamanca precinct is now a safer, better lit and a more vibrant area.

As Tasmania moves towards a policy of 'whole of venue management', a Liquor Accord is now being considered for the Hobart CBD. This Accord could eventually replace the agreement.

Police continue to report a high number of assaults in the nightclub precinct and the Commissioner for Licensing is currently considering measures to address these issues.

The enablers of the agreement include having a good cooperative partnership between venues and police. This means that Liquor Licensing and venues can be proactive. The Liquor and

Gaming Branch have regular meetings with the police to discuss issues and monitor the agreement. Police also share data with Liquor Licensing.

## **B.9 Northern Territory**

The Northern Territory has one Lockout in place in Darwin CBD.

### **B.9.1 The context**

The Lockout in Darwin was established in response to a number of violent incidents, including a riot, during late night hours.

The purpose of liquor licensing policy in the Northern Territory is to minimise the harm related to liquor and private security (i.e. crowd controllers). Liquor Licensing also aims to build industry best practices in community associations and licensed businesses.

There is no legislative provision for the establishment of a Lockout other than the normal powers of the licensing body and / or Minister to impose certain conditions on licences.

### **B.9.2 The Lockout**

The 3am Lockout applies to two venues in the Mitchell St precinct – Discovery and Lost Arc. The Lockout has been in operation since October 2007.

Other initiatives running alongside the Lockout include softening venue music in the lead up to closing, increased availability of soft drinks and water, increased lighting, late night mini bus and security cab rank, and increased police foot patrols (up to six police every Friday and Saturday night).

### **B.9.3 Impacts and future developments**

The Darwin Lockout has not been formally evaluated therefore no data is available on its impacts.

The Licensing Commission and hoteliers are moving to expand the 3am Lockout across the city.

## **B.10 New South Wales**

Over 400 voluntary Lockouts are in operation throughout New South Wales. The Newcastle Lockout is discussed in detail below.

### **B.10.1 The context**

During early to mid 2006, the incidence of crime including assaults, anti-social behaviour and property damage in Newcastle and Newcastle West significantly increased during late trading hours and when patrons moved between venues.

In 2007, police engaged the liquor industry through the local Liquor Accord to address these issues. This included trialling other initiatives (without success) and trialling a blanket 1am Lockout and 3am closure (without agreement).

In July 2007, police lodged a complaint with the Liquor Administration Board against 14 late-night venues (the excluded venue traded until midnight).

In March 2008, the Liquor Administration Board decided to institute a 1am Lockout along with other conditions as outlined below. This decision was appealed, and in July 2008 police and licensees negotiated a change to the Lockout and closure conditions to a 1.30am Lockout and 3am and 3.30am closure.

To inform the complaint, the Office of Liquor, Gaming and Racing and police conducted an environmental analysis to better understand patron behaviour, drinking patterns, transport issues and migration all correlated against assault data. This analysis revealed a strong connection between alcohol consumption in the precinct and crime.

Prior to the Lockout and other conditions, police trialled a series of rolling operations (both overt and covert) including increased foot patrols to reduce violence, however, this had no effect.

At a state-wide level, the Act has recently been reformed to increase the Director of Liquor Licensing's powers. Section 87 of the Act now empowers the Director to make a late hour entry declaration to prevent patrons entering and re-entering licensed venues.

This change provides police and the Office of Liquor, Gaming and Racing with the power to negotiate voluntary agreements with licensed venues. This approach is premised on the need for venues to adopt responsible venue management practices.

### **B.10.2 The Lockout**

The 1.30am Lockout commenced in July 2008 as a condition of late-night licences which apply to 14 venues in Newcastle and Newcastle West. The venues subject to the Lockout target the 18-25 age groups and range in capacity size from 50-1000 patrons.

The Lockout was implemented as a condition of licence as determined by the Liquor Licensing Board. The Lockout is one of a range of conditions handed down by the board. These additional conditions are:

- staged closure of all venues at either 3am or 3.30am;

- development of a Plan of Management by licensees;
- three-monthly compliance audit of the Plan of Management;
- employment of responsible service of alcohol managers from 11pm each night;
- drinking restrictions from 10pm including no shots; no mixed drinks with more than 30mls of alcohol; no RTD drinks which an alcohol by volume greater than 5 per cent; not more than four drinks may be served to any patron at the one time; and that free water stations be placed on every bar;
- the sale and supply of alcohol shall cease 30 minutes prior to closing;
- licensees will ensure patrons do not stockpile drinks;
- within 14 days advise all staff and management of the above conditions; and
- within three-months establish and use a radio network between security at venues.<sup>105</sup>

Other initiatives implemented alongside the above conditions included realigning bus / train timetables to coincide with the Lockout and closure times. The existing local Crime Prevention Partnership was used to leverage the Ministry of Transport's participation in this arrangement.

### **B.10.3 Impacts and future developments**

The implementation and impact of the conditions (including Lockout) are conveyed back to licensees through the Liquor Accord – impacts include:

- noticeable reduction in number of people intoxicated on the streets after 1am;
- streets clear of patrons by 4am to 4.30am;
- reduction in venue issues such as violence;
- significant reduction in assaults between 10pm-6am in Newcastle / Newcastle West from 20 March 2008 (as at 7 Oct 2008) – up to 50 per cent reduction during late night hours;
- trend in reduced accident and emergency admissions between 10pm-6am on Fridays-Sundays;
- other crime categories have reduced such as stolen motor vehicles (although this may not be attributable to the new conditions);

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<sup>105</sup> Liquor Administration Board Decision, S104 Conference Newcastle, 14 March 2008.  
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- venues report that patrons are easier to handle;
- most residents are happy with the changes, however some would like earlier closure times;
- stopped migration between venues where assault were occurring;
- police haven't increased policing in the precinct as there is no need to. This means that police can patrol other areas; and
- impacts as a result of the suite of conditions rather than the Lockout alone.

#### **Future / other initiatives**

Future initiatives include:

- installation of CCTV cameras in streets, malls and main strips in Newcastle CBD;
- changing glasses to polycarbonate; and
- extending conditions to Central Coast, Hamilton and Maitland – police and licensees currently negotiating agreements.

## **B.11 Queensland**

Queensland recently introduced a state-wide 3am Lockout. This section overviews the context in which the Lockout was established, the characteristics of the Lockout and its implementation, and details of any achievements and future developments.

### **B.11.1 Context**

A number of violent incidents and an increase in alcohol-related public amenity issues in the Brisbane CBD, Gold Coast and other regional towns throughout Queensland lead to the establishment of voluntary Lockout agreements between licensees, liquor licensing and the police.

Alongside these voluntary agreements, a body of case law has also developed regarding the conditions that can be placed on liquor licences. In particular, the Commercial and Consumer Tribunal (the Tribunal) considered the impact on public amenity, the safety issues and police support for conditions.

As a result of the evaluated success of the voluntary Lockouts, and the growing body of case law<sup>106</sup> in support of Lockout conditions, the Liquor Act was reformed to include a state-wide 3am Lockout for late-night licensed venues.

Section 3 of the *Liquor Act 1992* (Qld) sets out the objects of the Act which includes a focus on minimising the harm and violence as a result of alcohol misuse.

Division 5 outlines the requirements for the Lockout provisions. Subsection 142AA(1) states that the Lockout division applies to venues licensed to sell liquor between 3am and 6am. Subsection 142AA(2) excludes casinos, hotels, airports and motor racing events from this provision.

This legislative framework underpins the policy context for liquor reform and management. Queensland's State-wide Safety Action Plan underpins the various measures to manage alcohol within the state. The aim of the state-wide Lockout is to safeguard patrons, the community and hospitality workers from alcohol-related harm in and around licensed venues.

The State-wide Safety Action Plan is derived from the Brisbane City Safety Action Plan which provided for the amendment of the *Liquor Act 1992* (Qld) to include Lockout provisions for late-night licensed premises in the Brisbane CBD.

In addition to creating the Lockout, additional restrictions were placed on licensed venues trading from 1am onwards including: developing and displaying an approved House Policy<sup>107</sup>; employing sufficient crowd controllers between 1am and one hour after venue closure; prohibiting competitions that involve the excessive consumption of liquor; completion of responsible service of alcohol training for all management and staff; and installing CCTV in all public entrances and exits.

### **B.11.2 The Lockout**

The Lockout commenced at midnight on 1 July 2006 and operates during the hours of 3am to 5am everyday. However, pre-existing Lockouts, as outlined below still operate According to their original arrangements:

- Sunshine Coast – 1.30am Lockout which commenced in 1996 and applies to all licences in Mooloolaba.
- Townsville – 3am Lockout which commenced on 1 June 2004 and applies to ten late-night venues in the Flinders Street East precinct.

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<sup>106</sup> Refer to *Walker and Ors v Chief Executive, Liquor Licensing Division, Assistant Commissioner Gronow and Townsville City Council* [2004] QCCTL 8 (10 September 2004) at <http://www.austlii.edu.au/au/cases/qld/QCCTL/2004/8.html> and *Woolshed Chargrill & Saloon Bar* [2003] QLAT 30 (10 June 2003) at <http://www.austlii.edu.au/au/cases/qld/QLAT/2003/30.html>

<sup>107</sup> A House Policy refers to a statement about the licensed venue's liquor and patron management practices including responsible service of alcohol.

- Rockhampton – 3am Lockout which commenced on 1 April 2005 and applies to three licensed venues approved to trade until 5am.
- Mackay – 2am Lockout has been in operation since the late 1990s and applies to seven licensed premises in the CBD.
- Ipswich – 2am Lockout which commenced in May 2005 and applies to all late-night trading licensed premises.
- Gold Coast – 3am Lockout which commenced on 1 April 2004 and applies to all late-night licensed premises on the Gold Coast.
- Cairns – 3am Lockout which commenced on 1 December 2002 and applies to all venues in the Cairns CBD.
- Beaudesert – 11.30pm Lockout which commenced on 31 March 2005 and applies to all clubs and hotels.
- Brisbane – 3am Lockout which commenced on 29 April 2005 and applies to all licensed premises in the Brisbane City Council area.

The Lockout condition means that patrons are not permitted to enter or re-enter the premises after the designated time (i.e. 3am in most areas) and before close of trade.

Additional conditions also apply to venues trading from 1am onwards and include:

- compliance with a prescribed minimum ratio of crowd controllers to patrons (i.e. one crowd controller to every 100 patrons)
- installation, monitoring and maintenance of closed circuit television cameras on all public entrances and exists
- ensuring that all staff have completed responsible service of alcohol training, and
- developing and maintaining a responsible house policy.

The Lockout conditions applicable to all licensed venues regardless of trading hours are limitations on the frequency and direction of happy hours and the prohibition of drinking competitions at licensed premises.

The Lockout condition applies to all late-night licensed venues throughout Queensland and includes clubs, hotels, pubs and nightclubs, excluding casinos and airports.



Lengthy consultations (over approximately a 12-month period) with the community, industry, local council and government agencies occurred well in advance of the implementation of the state-wide Lockout.

The Lockout is included as a condition of all late-night trading licences. Premises must reapply for this condition of their licence (rather than the licence itself) annually.

A penalty of up to \$7,500 (for individuals) or \$37,500 (for corporations) exists for licensees and permittees who fail to comply with the Lockout.

The Lockout aims to safeguard patrons, the community and hospitality workers from alcohol-related harm in and around licensed venues.

It should be noted that the Lockout operates alongside other initiatives to manage and control alcohol-related violence and disorder. Other initiatives include increased police foot patrols, increased public transport during high patron traffic times, and increased crowd control.

### **B.11.3 Impacts and future developments**

Local Lockouts are monitored by the Queensland Police Service, Liquor Licensing and Community Safety Action Partnerships. However a formal monitoring process for the state-wide Lockout has not been established.

The Gold Coast, Brisbane and Fortitude Valley Lockouts have all been evaluated using a pre- and during-Lockout evaluation design. While these evaluation reports are not publicly available, it is reported that the achievements of the Lockouts are varied.

Anecdotal evidence suggests an increase in positive benefits such as change in venue management practices, change in patron behaviour, reduced noise and reduced patron traffic.

The Gold Coast evaluation (as reported by the Queensland Police Service) reported a substantial reduction in crime in 2004 after the Lockout condition was imposed. Calls to ambulances and assault offences between 3am and 6am were significantly reduced compared to the corresponding period in 2003.<sup>108</sup>

Factors reported to increase the success of the Queensland Lockouts are:

- community, industry and council consultation and engagement in the planning and implementation of the Lockout
- sharing of data between police and Liquor Licensing

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<sup>108</sup> Brisbane City Safety Action Plan, p.1.

- separation of liquor licensing responsibilities so that police focus on criminal matters and Liquor Licensing focuses on compliance issues, and
- coordination of emergency services, local councils, public transport providers, police and liquor licensing in the planning and implementation of Lockouts.

Future reforms include:

- reducing all licensed trading to 3am;
- changing community attitudes to more responsible consumption of alcohol; and
- ensuring adequate public transport.

## **B.12 South Australia**

South Australia currently has three voluntary Lockouts in operation. The South Australian Police have developed a proposal for a voluntary Lockout in the Adelaide CBD including the Hindley Street precinct, however, this agreement is still being negotiated.

### **B.12.1 Context**

All three Lockouts which are currently operating were developed voluntarily by licensees out of a need to combat anti-social behaviour, property damage and nuisance during late hour trading.

Liquor licensing in South Australia is administered through the *Liquor Licensing Act 1997* (SA). There is not provision within this Act for a late night Lockout other than the power of the licensing authority under section 43 to impose conditions on licences.

### **B.12.2 The Lockouts**

An overview of the key characteristics of each of the three Lockouts currently in operation are provided below.

#### **Hahndorf**

The Lockout in Hahndorf was initiated by industry and operates voluntarily as a condition of licence. The Lockout commences at 1.30am and three venues are affected. The rationale for the Hahndorf Lockout was to prevent patron migration which was causing damage to the entertainment precinct. Issues of patron migration after venue closure is not an issue as most patrons are local residents.

The police actively supported the establishment of the Lockout.

To date the Lockout has not been reviewed therefore there is no data available on the impact of the Lockout. Monitoring occurs on an *ad hoc* basis as issues arise. To date, the police have advised that no issues have arisen during the Lockout in terms of its implementation, patron behaviour or venue management.

### **Naracoorte**

The Lockout in Naracoorte was initiated by industry and actively supported by police. The Naracoorte Lockout commences at 1.45am with four venues being affected by the Lockout. The rationale for the Lockout was to prevent patron migration which was causing damage to the entertainment precinct. Issues of patron displacement after venue closure is not an issue as most patrons are local residents.

To date the Lockout has not been reviewed therefore there is no data available on the impact of the Lockout. Monitoring occurs on an *ad hoc* basis as issues arise. To date no issues have arisen during the Lockout in terms of its implementation, patron behaviour or venue management.

### **Glenelg**

The Glenelg Lockout has been in operation since 2008 and commences at 2am. Four to five venues are affected by the Lockout.

The development of the Lockout, although voluntary, was driven by the South Australian Police to prevent patron migration which was causing damage to the entertainment precinct as well as to reduce anti-social behaviour and disorder problems. Industry, police, liquor licensing and local council are active participants of the Lockout agreement.

To date the Lockout has not been reviewed therefore there is no data available on the impact of the Lockout. Monitoring occurs on an *ad hoc* basis as issues arise. To date no issues have arisen during the Lockout in terms of its implementation, patron behaviour or venue management. Anecdotal reports suggest that the Lockout has improved venue management in Glenelg.

### **Consultation strategy**

A thorough consultation strategy was developed to engage all relevant stakeholders in the development of the Glenelg and Adelaide Lockout agreements. This strategy included:

- sending letters to all licensees about the proposal;
- police meeting with licensees to discuss the proposed Lockout, licensee concerns and strategies to overcome these concerns. This resulted in changes to the proposal such as ensuring access to gaming machines after 3am, allowing casino participation and allowing entry of members of hospitality after the Lockout;
- meetings with the Liquor Licensing Commission to ensure their active involvement in the agreement making process;

- establishing a public education campaign about the Lockout;
- establishing an amnesty period (i.e. no prosecution for breach of conditions within the first few months of the Lockout); and
- involving the AHA in Lockout discussions prior to the proposal being finalised.

### ***Policing strategies***

The Lockouts operate as part of the police's broader alcohol management strategy which includes:

- street safe initiatives which target alcohol offences and responsible service of alcohol;
- alcohol and drug testing, and probity checking with crowd controllers (to stamp out violence and organised crime in venues);
- ensuring good venue management practices at licensed venues and major events;
- enforcing compliance; and
- high profile policing.

Police also use the Alcohol Incident Reporting System data which identifies the location of last drinks relating to Arrests, Reports and Police Incident Reports. Licensing Enforcement Branch use this data and other data, such as ambulance attendance and drink driving data, to identify problem venues. This helps police focus their policing efforts on problem venues and precincts for maximum impact and benefit.

### **B.12.3 Impacts and future directions**

None of the Lockouts that have been evaluated in Queensland have publicly available findings. Anecdotally it is reported that there has been a noticeable positive change in venue management practices, patron behaviour and public amenity issues during the Lockout periods. However, any impact must be viewed in the broader context of increased policing, change in venue approaches and increased compliance activities in conjunction with the Lockout.

What seems to have worked well in the South Australian experience in terms of getting all stakeholders on board is the:

- successful consultation and engagement with relevant stakeholders, such as, industry, community, local council and industry groups
- active and willing participation of licensees

- willingness of police to negotiate with industry when appropriate, balanced with the police's ability to react to breaches when required, and
- focus on 'whole of venue management'.

Areas for future development include:

- implementing the Adelaide CBD agreement with 100 per cent licensee agreement
- using banning of individuals from venues and precincts by South Australian Police, and
- focussing on grog running in the Anangu Pitjantjatjara Yankunytjatjara (APY) lands.

## **C Patron survey results**

This appendix contains a copy of the patron and community survey and the full results of the survey in table format. The licensee survey ran for a period 13 days (Tuesday 7<sup>th</sup> October to Monday 20<sup>th</sup> October). The survey was distributed via the Consumer Affairs Victoria website, University of Melbourne, the Licensee Accords (including provision of a flyer for in-venue advertisement and business-sized cards for customers to take-away with them. Advertisements were also placed in the following local community papers:

- The Melbourne City Weekly;
- The Emerald Hill Weekly;
- The Caulfield / Glen Eira Leader;
- The Melbourne Leader;
- The Stonington Leader; and
- The Port Phillip Leader.

### **C.1 Patron survey tool**

#### **C.1.1 Section 1:**

*Question 1: What is your gender?*

Female  
Male

*Question 2: What is your age?*

*Question 3: What is the postcode of your home address?*

#### **C.1.2 Section 2:**

*Question 1: How did you initially find out about the Temporary Lockout?*

Friend/Family/Colleague  
Internet  
Newspaper  
Radio  
Television  
Venue  
Other

*Please specify*

*Question 2: Was there enough information available on the Temporary Lockout?*

No  
Yes

*Question 2a. What additional information would you have liked to have received on the Temporary Lockout? (Please tick all that apply)*

Reasons for the Temporary Lockout  
Areas that were subject to the Temporary Lockout  
Venues that were subject to the Temporary Lockout  
Other information

*Question 3: Are you aware of other Victorian Government initiatives that aim to reduce alcohol-related violence and anti-social behaviour?*

No  
Yes

*Question 3a: Which of the following initiatives are you aware of? (Please tick all that apply)*

Freeze on issue of late night licenses  
Increased penalties for supplying alcohol to intoxicated persons  
Powers to allow police to suspend a licence for 24-hours  
New powers to ban or exclude a person from a designated area  
Increased policing  
Other

### **C.1.3 Section 3**

*Question 1: Do you attend late-night licensed venues between 2am and 6am?*

No  
Yes

*Question 1a: Where do you attend late-night licensed venues between 2am and 6am?*

City of Melbourne  
City of Port Phillip  
City of Stonnington  
City of Yarra  
Other areas

**The following questions were asked for each LGA, where the respondent indicated they attended late-night licensed venues in one of the four Lockout LGAs.**

*Q1ai. Because of the Temporary Lockout (3 June to 2 September 2008) did you leave late-night licensed venues in the City of Melbourne before 2am?*

No

Yes

*Q. Where did you go when you left a late-night licensed venue in the City of Melbourne before 2am?*

I went home  
I went to another venue  
Other

*Q1aii. During the Temporary Lockout were you "locked out" of a late-night licensed venue in the City of Melbourne?*

No  
Yes

*Q. What did you do if you were locked out of a late-night licensed venue in the City of Melbourne?*

I went home  
I went to another venue  
Other

*Q1aiii. Because of the Temporary Lockout (3 June to 2 September 2008) did you notice longer queues to enter late-night licensed venues in the City of Melbourne before 2am?*

No, the queues were shorter  
No, the queues were similar  
Unsure  
Yes, the queues were longer

*Q1aiv. Because of the Temporary Lockout (3 June to 2 September 2008) did you notice less people on the streets of the City of Melbourne after 2am?*

No, the number of people on the street was greater  
No, the number of people on the street was similar  
Unsure  
Yes, there was less people on the street

*Q1ai. Because of the Temporary Lockout did you attend late-night licensed venues outside the Lockout area?*

#### **C.1.4 Section 4**

*Question 1: Was the Temporary Lockout effective in reducing alcohol-related violence?*

No, it was ineffective  
Unsure as to whether it was effective  
Yes, it was effective

*Question 2: Was the Temporary Lockout effective in reducing anti-social behaviour?*

No, it was ineffective



Unsure as to whether it was effective

Yes, it was effective

*Question 3: Was the Temporary Lockout effective at making the streets safer between 2am and 6am?*

No, it was ineffective

Unsure as to whether it was effective

Yes, it was effective

*Question 4: Was the Temporary Lockout effective at reducing the number of people on the street between 2am and 6am?*

No, it was ineffective

Unsure as to whether it was effective

Yes, it was effective

*Question 5: Was the Temporary Lockout effective at reducing "bar hopping" between 2am and 6am?*

No, it was ineffective

Unsure as to whether it was effective

Yes, it was effective

*Question 6: Was there sufficient public transport during the Temporary Lockout between 2am and 6am?*

No

Unsure

Yes

*Question 6a. What types of public transport did there need to be more of during the Temporary Lockout between 2am and 6am? (Please tick all that apply)*

NightRider buses

Taxis

Other

Other Text

*Question 7: Did the Temporary Lockout affect views of Melbourne as a 24-hour city?*

No, it did not affect views of Melbourne as a 24-hour city

Unsure as to whether it affected views of Melbourne as a 24-hour city

Yes, it affected views of Melbourne as a 24-hour city

*Question 8: Do you have any further comments or suggestions in relation to the Temporary Lockout? If so please add them into the text box below. Please limit your responses to 250 words.*

## C.2 Patron Survey Results

A total of 2,477 responses were received for the patron survey. Respondents were not required to answer all questions in the survey; therefore the number of responses to each question is not always equal to the total number of survey responses.

### C.2.1 Section 1:

*Question 1: What is your gender?*

Response	Count	Percent
Female	1,123	45.3%
Male	1,354	54.7%
Total	2,477	100.0%

*Question 2: What is your age?*

Response	Count	Percent
Aged 17 under	10	0.4%
Aged 18 to 24	1,141	46.1%
Aged 25 to 29	656	26.5%
Aged 30 to 34	328	13.2%
Aged 35 to 39	159	6.4%
Aged 40 to 44	83	3.4%
Aged 45 to 49	39	1.6%
Aged 50 to 54	31	1.3%
Aged 55 to 59	16	0.6%
Aged 60 to 64	14	0.6%
Total	2,477	100.0%

*Question 3: What is the postcode of your home address?*

Note: Responses re-coded to LGAs in scope of Lockout and other.

Response	Count	Percent
City of Melbourne	276	11.1%
City of Port Phillip	190	7.7%
City of Stonnington	259	10.5%
City of Yarra	219	8.8%
Other	1,533	61.9%
Total	2,477	100.0%

### C.2.2 Section 2:

*Question 1: How did you initially find out about the Temporary Lockout?*

Response	Count	Percent
Friend	357	14.4%
Internet	438	17.7%
Newspaper	554	22.4%
Other	63	2.5%
Radio	221	8.9%
Television	710	28.7%
Venue	132	5.3%
Total	2,475	100.0%

*Question 2: Was there enough information available on the Temporary Lockout?*

Response	Count	Percent
No	1,377	55.7%
Yes	1,096	44.3%
Total	2,473	100.0%

*Question 2a. What additional information would you have liked to have received on the Temporary Lockout? (Please tick all that apply)*

Response	Count
Reasons for the Temporary Lockout	816
Areas that were subject to the Temporary Lockout	865
Venues that were subject to the Temporary Lockout	1,129
Other information	182
Total	2,992

*Question 3: Are you aware of other Victorian Government initiatives that aim to reduce alcohol-related violence and anti-social behaviour?*

Response	Count	Percent
No	1,114	45.0%
Yes	1,359	55.0%
Total	2,473	100.0%

*Question 3a: Which of the following initiatives are you aware of? (Please tick all that apply)*

Response	Count
Freeze on issue of late-night licenses	613
Increased penalties for supplying alcohol to intoxicated persons	777
Powers to allow police to suspend a licence for 24-hours	451
New powers to ban or exclude a person from a designated area	666
Increased policing	805
Other	99
Total	3411

### C.2.3 Section 3

*Question 1: Do you attend late-night licensed venues between 2am and 6am?*

Response	Count	Percent
No	288	11.6%
Yes	2,188	88.4%
Total	2,476	100.0%

*Question 1a: Where do you attend late-night licensed venues between 2am and 6am?*

Response	Count
City of Melbourne	1,914
City of Port Phillip	337
City of Stonnington	503
City of Yarra	433
Other areas	164
Total	3351

*Q1ai. Because of the Temporary Lockout (3 June to 2 September 2008) did you leave late-night licensed venues in the [Attended LGA] before 2am?*

Response	City of Melbourne	City of Port Phillip	City of Stonnington	City of Yarra
No	935	159	265	207
Unsure	94	19	29	16
Yes	874	146	201	192
Total	1903	324	495	415

*Q. Where did you go when you left a late-night licensed venue in the [Attended LGA] before 2am?*

Response	City of Melbourne	City of Port Phillip	City of Stonnington	City of Yarra
I went home	151	20	22	29
I went to another venue	672	118	165	152
Other	49	7	14	11
Total	872	145	201	192

*Q1aii. During the Temporary Lockout were you "locked out" of a late-night licensed venue in the [Attended LGA]?*

Response	City of Melbourne	City of Port Phillip	City of Stonnington	City of Yarra
No	648	150	249	182
Unsure	43	11	11	9
Yes	1,213	171	238	232
Total	1,904	332	498	423

*Q. What did you do if you were locked out of a late-night licensed venue in the [Attended LGA]?*

Response	City of Melbourne	City of Port Phillip	City of Stonnington	City of Yarra
I went home	267	26	42	51
I went to another venue	738	111	156	141
Other	207	34	40	40
Total	1,212	171	238	232

*Q1aiii. Because of the Temporary Lockout (3 June to 2 September 2008) did you notice longer queues to enter late-night licensed venues in [Attended LGA] before 2am?*

	City of Melbourne	City of Port Phillip	City of Stonnington	City of Yarra
No, the queues were shorter	24	6	9	4
No, the queues were similar	275	57	94	78
Unsure	252	44	51	53
Yes, the queues were longer	1,355	226	343	289
Total	1,906	333	497	424

*Q1aiv. Because of the Temporary Lockout (3 June to 2 September 2008) did you notice less people on the streets of the [Attended LGA] after 2am?*

Response	City of Melbourne	City of Port Phillip	City of Stonnington	City of Yarra
No, the number of people on the street was greater	1,211	217	336	269
No, the number of people on the street was similar	510	74	114	119
Unsure	133	22	33	28
Yes, there was less people on the street	54	13	15	13
Total	1,908	326	498	429

*Q1ai. Because of the Temporary Lockout did you attend late-night licensed venues outside the Lockout area?*

Response	Total
No	52
Yes	111
Total	163

#### **C.2.4 Section 4**

*Question 1: Was the Temporary Lockout effective in reducing alcohol-related violence?*

Response	Count	Percent
No, it was ineffective	1,845	76.9%
Unsure as to whether it was effective	505	21.0%
Yes, it was effective	50	2.1%
Total	2,400	100.0%

*Question 2: Was the Temporary Lockout effective in reducing anti-social behaviour?*

Response	Count	Percent
No, it was ineffective	1,955	81.6%
Unsure as to whether it was effective	384	16.0%
Yes, it was effective	58	2.4%
Total	2,397	100.0%

*Question 3: Was the Temporary Lockout effective at making the streets safer between 2am and 6am?*

Response	Count	Percent
No, it was ineffective	1,989	83.2%
Unsure as to whether it was effective	345	14.4%
Yes, it was effective	58	2.4%
Total	2,392	100.0%

*Question 4: Was the Temporary Lockout effective at reducing the number of people on the street between 2am and 6am?*

Response	Count	Percent
No, it was ineffective	1,960	79.6%
Unsure as to whether it was effective	398	16.2%
Yes, it was effective	104	4.2%
Total	2,462	100.0%

*Question 5: Was the Temporary Lockout effective at reducing "bar hopping" between 2am and 6am?*

Response	Count	Percent
No, it was ineffective	899	36.6%
Unsure as to whether it was effective	820	33.4%
Yes, it was effective	734	29.9%
Total	2,453	100.0%

*Question 6: Was there sufficient public transport during the Temporary Lockout between 2am and 6am?*

Response	Count	Percent
No	1,845	75.8%
Unsure	499	20.5%
Yes	91	3.7%
Total	2,435	100.0%



*Question 6a. What types of public transport did there need to be more of during the Temporary Lockout between 2am and 6am? (Please tick all that apply)*

Response	Count
NightRider buses	940
Taxis	1341
Other	873
Total	3,154

*Question 7: Did the Temporary Lockout affect views of Melbourne as a 24-hour city?*

Response	Count	Percent
No, it did not affect views of Melbourne as a 24-hour city	167	6.9%
Unsure as to whether it affected views of Melbourne as a 24-hour city	239	9.8%
Yes, it affected views of Melbourne as a 24-hour city	2,030	83.3%
Total	2,436	100.0%

*Question 8: Do you have any further comments or suggestions in relation to the Temporary Lockout? If so please add them into the text box below. Please limit your responses to 250 words.*

## D Licensee survey results

This appendix contains a copy of the licensee survey and the full results of the survey in table format. The licensee survey ran for a period 15 days (Tuesday 7 October to Wednesday 22 October). The survey was distributed via the Licensee Accords, the Consumer Affairs Victoria website and one LGA website.

### D.1 Licensee survey tool

#### D.1.1 Section 1:

*Question 1: What is the name of your venue?*

*Question 2: What is the postcode of the area in which your venue is located?*

*Question 3: Are you a member of a licensee Accord / forum?*

Yes  
No

*Question 3a: Of which Accord is your venue a member?*

City of Port Phillip Licensees Accord  
Melbourne Licensees Forum  
Southbank Licensees Accord  
Stonnington Liquor Accord  
Yarra Licensees Accord  
Other Accord

*Question 4: What type of venue are you?*

Adult Entertainment  
Bar  
Club  
Nightclub  
Pub / Tavern /Hotel  
Restaurant  
Other

*Question 5: What is the maximum capacity of your venue?*

0 to 100 persons  
100 to 199 persons  
200 to 299 persons  
300 to 399 persons  
400 to 499 persons  
More than 500 persons  
Not specified

*Question 6: Is your venue licensed to trade after 2am?*

Yes  
No

*Question 7: Was your venue affected by the original late hour entry declaration (i.e. the Lockout)?*

Yes  
No

*Question 7a: Was your venue subsequently granted a stay by VCAT (i.e. was it not included in the Temporary Lockout)?*

Yes  
No

#### **D.1.2 Section 2:**

*Question 1: Did the information available sufficiently explain the rationale for the Temporary Lockout?*

Yes  
No

*Question 2: Did the information available sufficiently explain how the Temporary Lockout would affect venues?*

Yes  
No

*Question 3: Did the information available sufficiently explain how the Temporary Lockout would operate?*

Yes  
No

#### **D.1.3 Section 3:**

*Question 1: Compared to the same three-month period last year (i.e. 3 June 2007 to 2 September 2007), did your venue experience a change in overall patron volume during the Temporary Lockout?*

No, there was no change in overall patron volume  
Unable to assess  
Yes, there was a decrease in overall patron volume  
Yes, there was an increase in overall patron volume

*Question 2: Compared to the previous three-months (i.e. 2 March 2008 to 2 June 2008), did your venue experience a change in overall patron volume during the Temporary Lockout?*

No, there was no change in overall patron volume

- Unable to assess
- Yes, there was a decrease in overall patron volume
- Yes, there was an increase in overall patron volume

*Question 3: Compared to the previous three-months (i.e. 2 March 2008 to 2 June 2008), did you notice a change in the pattern of patron attendance at your venue during the Temporary Lockout?*

- No, there was no noticeable change in the pattern of patron attendance at my venue
- Unable to assess
- Yes, there was a noticeable change in the pattern of patron attendance at my venue

*Question 3a: How did the pattern of patron attendance change between 10pm and 2am?*

- There was a decrease in patron attendance
- There was an increase in patron attendance
- There was no change in patron attendance

*Question 3b: How did the pattern of patron attendance change between 2am and 6am?*

- There was a decrease in patron attendance
- There was an increase in patron attendance
- There was no change in patron attendance

*Question 3c: What are the reasons for this changed pattern of patron attendance? Select all that apply.*

- Seasonality, i.e. cold weather
- Temporary Lockout
- Other

*Question 4: Compared to the previous three-months (i.e. 2 March 2008 to 2 June 2008), did your venue experience a change in overall revenue during the Temporary Lockout?*

- No, there was no change in overall revenue
- Unable to assess
- Yes, there was a decrease in overall revenue
- Yes, there was an increase in overall revenue

*Question 5: Compared to the previous three-months (i.e. 2 March 2008 to 2 June 2008), did your venue need to change the number of security staff due to the Temporary Lockout?*

- No, we did not change the number of security staff
- Unable to assess
- Yes, we decreased the number of security staff
- Yes, we increased the number of security staff

*Question 6: did you implement any management strategies or promotions during the Temporary Lockout (i.e. responsible service of alcohol measures)?*

- No
- Yes

*Question 6a: Were these management strategies or promotions undertaken to facilitate the implementation of the Temporary Lockout?*

No  
Yes

*Question 6b: Can you please describe these management strategies or promotions?*

#### **D.1.4 Section 4: Your opinions of the Temporary Lockout**

*Question 1: Was the Temporary Lockout effective at reducing alcohol-related violence?*

No, it was ineffective  
Unsure as to whether it was effective  
Yes, it was effective

*Question 2: Was the Temporary Lockout effective at reducing anti-social behaviour?*

No, it was ineffective  
Unsure as to whether it was effective  
Yes, it was effective

*Question 3: Was the Temporary Lockout effective at making the streets safer between 2am and 6am?*

No, it was ineffective  
Unsure as to whether it was effective  
Yes, it was effective

*Question 4: Was the Temporary Lockout effective at reducing the number of people on the streets between 2am and 6am?*

No, it was ineffective  
Unsure as to whether it was effective  
Yes, it was effective

*Question 5: Was the Temporary Lockout effective at reducing "bar hopping" between 2am and 6am?*

No, it was ineffective  
Unsure as to whether it was effective  
Yes, it was effective

*Question 6: Was there sufficient public transport during the Temporary Lockout between 2am and 6am?*

No  
Unsure  
Yes

*Question 6a: What types of public transport did there need to be more of during the Temporary Lockout between 2am and 6am?*

NightRider buses  
 Taxis  
 Other

*Question 7: Are you aware of other Victorian Government initiatives that aim to reduce alcohol-related violence and anti-social behaviour?*

No  
Yes

*Question 7a: Which of the following initiatives are you aware of?*

Freeze on issue of late-night licenses  
 Increased penalties for supplying alcohol to intoxicated persons  
 Powers to allow police to suspend a licence for 24-hours  
 New powers to ban or exclude a person from a designated area  
 Increased policing  
 Other

*Question 8: Do you have any further comments or suggestions in relation to the Temporary Lockout?*

## **D.2 Licensee survey results**

A total of 79 responses were received for the licensee survey. Respondents were not required to answer all questions of the survey; therefore the number of responses to each question is not always equal to the total number of survey responses.

### **D.2.1 Section 1: Information about your venue**

*Question 1: What is the name of your venue?*

Responses to this question have not been reported so as to protect the anonymity of respondents.

*Question 2: What is the postcode of the area in which your venue is located?*

Postcode	Count
3000	38
3004	1
3006	4
3031	1
3065	5
3067	4
3121	2
3122	2
3141	3
3181	6

Postcode	Count
3182	6
3183	2
3205	3
3672	1
<b>Total</b>	<b>78</b>

*Question 3: Are you a member of a licensee Accord / forum?*

Response	Count
No	11
Yes	53
<b>Total</b>	<b>64</b>

*Question 3a: Of which Accord is your venue a member?*

Accord / forum	Count
City of Port Phillip Licensees Accord	6
Melbourne Licensees Forum	22
Other Accord	4
Southbank Licensees Accord	5
Stonnington Liquor Accord	9
Yarra Licensees Accord	7
<b>Total</b>	<b>53</b>

*Question 4: What type of venue are you?*

Venue type	Count
Adult Entertainment	2
Bar	15
Club	1
Nightclub	19
Pub / Tavern /Hotel	20
Restaurant	1
<i>Other</i>	
Accommodation	1
Alternative club, Art Gallery, Performance space, Lounge, Bar	1
Cafe, bar and nightclub	1
Gaming Venue	1
Live music / entertainment venue	4
Theatre	1
<b>Total</b>	<b>76</b>

*Question 5: What is the maximum capacity of your venue?*

Venue capacity	Count
0 to 100 persons	6
100 to 199 persons	11
200 to 299 persons	14
300 to 399 persons	12
400 to 499 persons	4
More than 500 persons	15
Not specified	1
<b>Total</b>	<b>63</b>

*Question 6: Is your venue licensed to trade after 2am?*

Response	Count
No	13
Yes	51
<b>Total</b>	<b>64</b>

*Question 7: Was your venue affected by the original late hour entry declaration (i.e. the Lockout)?*

Response	Count
No	11
Yes	54
<b>Total</b>	<b>65</b>

*Question 7a: Was your venue subsequently granted a stay by VCAT (i.e. was it not included in the Temporary Lockout)?*

Response	Count
No	27
Yes	27
<b>Total</b>	<b>54</b>

## **D.2.2 Section 2: Implementation of the Temporary Lockout**

*Question 1: Did the information available sufficiently explain the rationale for the Temporary Lockout?*

Response	Count
No	57
Yes	22
<b>Total</b>	<b>79</b>



*Question 2: Did the information available sufficiently explain how the Temporary Lockout would affect venues?*

Response	Count
No	55
Yes	24
Total	79

*Question 3: Did the information available sufficiently explain how the Temporary Lockout would operate?*

Response	Count
No	43
Yes	36
Total	79

### D.2.3 Section 3: During the Temporary Lockout

*Question 1: Compared to the same three-month period last year (i.e. 3 June 2007 to 2 September 2007), did your venue experience a change in overall patron volume during the Temporary Lockout?*

Response	Count
No, there was no change in overall patron volume	13
Unable to assess	19
Yes, there was a decrease in overall patron volume	44
Yes, there was an increase in overall patron volume	3
Total	79

*Question 2: Compared to the previous three-months (i.e. 2 March 2008 to 2 June 2008), did your venue experience a change in overall patron volume during the Temporary Lockout?*

Response	Count
No, there was no change in overall patron volume	16
Unable to assess	9
Yes, there was a decrease in overall patron volume	50
Yes, there was an increase in overall patron volume	4
Grand Total	79

*Question 3: Compared to the previous three-months (i.e. 2 March 2008 to 2 June 2008), did you notice a change in the pattern of patron attendance at your venue during the Temporary Lockout?*

Response	Count
No, there was no noticeable change in the pattern of patron attendance at my venue	23
Unable to assess	11
Yes, there was a noticeable change in the pattern of patron attendance at my venue	45
Total	79

*Question 3a: How did the pattern of patron attendance change between 10pm and 2am?*

Response	Count
There was a decrease in patron attendance	33
There was an increase in patron attendance	5
There was no change in patron attendance	7
<b>Total</b>	<b>45</b>

*Question 3b: How did the pattern of patron attendance change between 2am and 6am?*

Response	Count
There was a decrease in patron attendance	34
There was an increase in patron attendance	4
There was no change in patron attendance	4
<b>Total</b>	<b>42</b>

*Question 3c: What are the reasons for this changed pattern of patron attendance? Select all that apply.*

Response	Count
Seasonality i.e. colder weather	4
Temporary Lockout	40
Other	11
<b>Total</b>	<b>56</b>

Free text responses to ‘other’ comprised:

- “patrons stayed rather than leave for another venue” (1)
- “public confusion and uncertainty / confusion about the Lockout” (4)
- “heading into the city earlier to beat the lock-out” (1)
- “our licence stipulates we have to close our outside area at 1am when we do this it gives all patrons a clear indication that the Lockout is only 1 hour away and they tend to leave then instead of staying inside until close at 3am” (1)
- “patrons left early to ensure able to get in to late-night venues before Lockout” (3)
- “pushed people away” (1)
- “a lot of press regarding violence” (1)
- “they had been misled by the government to believe that they would not be able to get into any venue” (1)

*Question 4: Compared to the previous three-months (i.e. 2 March 2008 to 2 June 2008), did your venue experience a change in overall revenue during the Temporary Lockout?*

Response	Count
No, there was no change in overall revenue	12
Unable to assess	12
Yes, there was a decrease in overall revenue	50
Yes, there was an increase in overall revenue	5
<b>Total</b>	<b>79</b>

*Question 5: Compared to the previous three-months (i.e. 2 March 2008 to 2 June 2008), did your venue need to change the number of security staff due to the Temporary Lockout?*

Response	Count
No, we did not change the number of security staff	37
Unable to assess	2
Yes, we decreased the number of security staff	2
Yes, we increased the number of security staff	38
<b>Total</b>	<b>79</b>

*Question 6: did you implement any management strategies or promotions during the Temporary Lockout (i.e. responsible service of alcohol measures)?*

Response	Count
No	45
Yes	31
<b>Total</b>	<b>76</b>

*Question 6a: Were these management strategies or promotions undertaken to facilitate the implementation of the Temporary Lockout?*

Response	Count
No	8
Yes	22
<b>Total</b>	<b>30</b>

*Question 6b: Can you please describe these management strategies or promotions?*

Strategies outlined by licensees responding 'yes' to question 6a comprised:

- “Extra security, at a significant cost to the venue.”
- “Additional staff & training, new procedures and trading conditions dictated this i.e. closing of footpath trading at 2am.”
- “All bar staff and security briefed on the correct procedure for the lock out and how management wanted it to be implemented and the penalties for not obeying. We did not run any promotions in terms of cheaper drinks before 2am or after 2am.”

- “All Staff re-attended RSA courses. Enlarged a copy of the venue plan, and created a space for it in the bar office (for immediate access for police).”
- “Extra security training, extra RSA training, extra monitoring of amenity.”
- “Had to stop people smoking in venue more often. Had to deal with disgruntled people that could not go out side to smoke.”
- “Increased security due to the VCAT decision. We stopped serving any 'bomb' style drinks in the venue.”
- “Management & security strategies to deal with excessive police presence, strict RSA policies. No serving of Jaeger bombs or Red Bull as a mixer.”
- “Management strategies for management staff & security staff to deal with excessive police inspections at this time staff & too be extremely strict in RSA & the making sure there was no intoxicated patrons on the premises, no Jaeger bombs & no energy drinks.”
- “No promotions. Operational and security procedures to cater for Lockout.”
- “No promotions. Operational changes to handle Lockout. Especially being a live music venue had to implement changes to getting musician's gear and crew in and out of venue smoothly.”
- “No, as they were confidential marketing strategies, however suffice to say that patrons were encouraged to arrive earlier and the only way to do that effectively was to offer cheaper drink specials earlier (which seems contradictory to the government's intention).”
- “Notices informing patrons of the Lockout and its impact; Refresher training for all staff on RSA; New procedures for checking the licenses of security personnel; Revision of operating procedures and emergency procedures.”
- “Signage, increased security to manage Lockout, distribution of cards explaining Lockout.”
- “Traded later; Security procedures altered and tightened; continuous product promotions - type of product promotion altered; style of music played etc.”
- “Strategies to deal with excessive police presence, tightening up of RSA & security matters. No Jaeger bombs, no Red Bull served as a mixer.”
- “We had numerous problems with people wanting to go out for a cigarette. On many quiet Monday nights with the city empty, and we have 10 patrons in our bar and we were prohibited from letting 2 adults have a cigarette outside seemed quite childish.”

- “We had to do a lot of educating staff and patrons due to the mass confusion and lack of understanding about the whole Lockout. And we structured our security differently.”

Strategies outlined by licensees responding ‘no’ to question 6a comprised:

- A stricter door policy had to be implemented due to the fact that so many people were wandering the streets looking for a venue to enter. This caused friction on the door as these people were not our desired clients. They were already drunk.
- In order to further encourage responsible drinking of alcohol, we closed the bar at 2am and gave away free bottles of water for 5 minutes every Saturday night.
- Introduced a responsible service of alcohol officer to roam through the crowd to help identify intoxicated patrons.
- More advertising of bands and DJs to try to retain patrons.
- RSA - closer monitoring of patronage who may be intoxicated.
- The venue decided to eliminate long drinks associated with Red Bull style energy drinks and Jaegermeister which tend to be drunk in one hit (Jaegerbombs). A second duty manager was primarily used to keep an eye on the bar.

#### **D.2.4 Section 4: Your opinions of the Temporary Lockout**

*Question 1: Was the Temporary Lockout effective at reducing alcohol-related violence?*

Response	Count
No, it was ineffective	59
Unsure as to whether it was effective	14
Yes, it was effective	2
<b>Total</b>	<b>75</b>

*Question 2: Was the Temporary Lockout effective at reducing anti-social behaviour?*

Response	Count
No, it was ineffective	62
Unsure as to whether it was effective	11
Yes, it was effective	2
<b>Total</b>	<b>75</b>

*Question 3: Was the Temporary Lockout effective at making the streets safer between 2am and 6am?*

Response	Count
No, it was ineffective	60
Unsure as to whether it was effective	12
Yes, it was effective	2
<b>Total</b>	<b>74</b>

*Question 4: Was the Temporary Lockout effective at reducing the number of people on the streets between 2am and 6am?*

Response	Count
No, it was ineffective	59
Unsure as to whether it was effective	15
Yes, it was effective	5
<b>Total</b>	<b>79</b>

*Question 5: Was the Temporary Lockout effective at reducing “bar hopping” between 2am and 6am?*

Response	Count
No, it was ineffective	33
Unsure as to whether it was effective	30
Yes, it was effective	15
<b>Total</b>	<b>78</b>

*Question 6: Was there sufficient public transport during the Temporary Lockout between 2am and 6am?*

Response	Count
No	60
Unsure	16
Yes	3
<b>Total</b>	<b>79</b>

*Question 6a: What types of public transport did there need to be more of during the Temporary Lockout between 2am and 6am?*

Response	Count
NightRider buses	41
Taxis	45
<i>Other</i>	
24-hour transport	6
Late night train/tram services	4
Trains	7
Trams	3
Trams and Trains	16
Lightrail	2
Public transport	4
<b>Total</b>	<b>128</b>

*Question 7: Are you aware of other Victorian Government initiatives that aim to reduce alcohol-related violence and anti-social behaviour?*

Response	Count
No	26
Yes	51
<b>Total</b>	<b>77</b>

*Question 7a: Which of the following initiatives are you aware of?*

Response	Count
Freeze on issue of late-night licenses	48
Increased penalties for supplying alcohol to intoxicated persons	48
Powers to allow police to suspend a license for 24-hours	43
New powers to ban or exclude a person from a designated area	44
Increased policing	32
Other	12
<b>Total</b>	<b>227</b>

Free text responses to 'other' comprised:

- Victorian Alcohol Action Plan (4);
- Community education;
- New police squad that concentrates on licensed venues / increased compliance investigations of licensees;
- Hummers;
- Social attitude "Think" campaigns;

- Taxes;
- Police presence at train stations with sniffer dogs;
- Increase in licensing fees (3); and
- Video surveillance / increased camera surveillance technical requirements.

*Question 8: Do you have any further comments or suggestions in relation to the Temporary Lockout?*

A significant number of comments and suggestions were received. Feedback related to the following key themes:

- Police presence;
- Availability of packaged alcohol / drinking on the streets;
- Greater enforcement of liquor license conditions;
- Impact of stays;
- A lack of appropriate transport;
- A need for greater public education / cultural change;
- Impact on small venues;
- A need for more formal consultation;
- Melbourne as a 24-hour city;
- Drugs; and
- Miscellaneous.

#### *Police presence*

- There is little policing of the streets in terms of enforcing acceptable behavior, drinking in public, police presence and a lack of respect for authority. We can't keep having a blitz, moving people from one trouble spot just to create another (Lygon St to Chapel St, back to the CBD).



- Lockout targeted licensees, when really the problem is on the streets not in properly run venues where the patron behaviour is looked after with RSA and crowd controllers. The streets need to be policed by the police, not by the crowd controllers who are not trained or authorised to police. A greater police presence actually walking the streets is required, also communicating with venue management and crowd controllers on the doors of venues to get a feel for problems (if any) in the area. This way the police would get to know the local problem patrons, venues and areas and could defuse any potential problems before they may happen.

*Availability of packaged alcohol / drinking on the streets*

- We would prefer to see more police patrols on the street to stop street drinking. We often have patrons who wish to attend our venue who BRING alcohol purchased at a bottle shop & stand outside & drink it before requesting entry!!!! So for us patrons purchasing & drinking on the street is more of a problem than when they are actually in the venue & being monitored!
- The street crime problem was not solved by the ill-considered Lockout, as it did not target the contributors to these issues. Most of the problems I see on the street after 03:00 are caused by people who have no intention of attending a venue, and have either filled up with cheap alcohol from Safeway, or are affected by drugs. They have little respect for the law, because the limited supply of operational police either do not have the courage or administrative support to arrest for minor violent crime, so the people who want to create a violent city in Melbourne feel that they have no impediments to their anti-social desires.
- Packaged liquor outlets, some trading 24/7, were permitted to trade during the Lockout period, resulting in "wholesale" priced goods available for purchase in "wholesale" quantities, which would have a negative impact on behaviour and the amenity, and making any useful analysis tainted. Permitting packaged sales during the Lockout was either shortsighted or mischievous.

*Greater enforcement of liquor license conditions*

- I think there are other solutions to the issues at hand. Like more training requirements for venue managers, compulsory memberships of the liquor Accord.
- Liquor licensing to have younger members on the board that are in touch with current generation...The nightclub industry has changed a lot and I think it would be wise to have someone on the board that understands the feelings of this generation.
- tougher penalties and zero tolerance for repeat licensee's who flaunt laws or trade inappropriately

- Better control of permits and mix of venues will do more to ease violence than a blanket Lockout. I would suggest most people with a vested interest in the hospitality industry in the city could tell you the problem venues and patrons. Control these and move these and separate these patrons and the rest of the city looks after itself. I also think better communication in the planning stages of these venues opening will lead to increased awareness of an operator's responsibility and will also push people towards better rounded offerings at these venues, such as, food available at all times.
- Having granted late-night licenses to large numbers of CBD venues over the past 10 years LLV has facilitated the conditions for late night violence. Freeze all future licenses beyond 3am, introduce licensee accreditation program and formalise venue safety audits.
- Government had, until very recently, a long term policy not to limit the number of new liquor licenses, even though licensees at Accords have been suggesting this, even as far back as 2002-03 with the previous Director of Liquor Licensing (this is recorded in minutes from City of Port Phillip Accord meetings).

#### *Impact of stays*

- For our bar the fallout from the Lockout affected us negatively even though we were granted an exclusion. We found that patrons either omitted attending our bar and went straight to a late-night venue or those that were in our venue would start to vacate between 12.30am and 1am in time to get to other clubs that may not have been granted stays.
- I have previously managed late-night venues in Brisbane and was part of their 3am Lockout; I'm an advocate of Lockouts if they are policed correctly. Brisbane had the right idea of a 3am Lockout but due to the amount of late-night venues in Melbourne I strongly believe that a 4am Lockout for every venue without any exemptions would be better. It was also very unusual to give exemptions to the venues that were creating the majority of violence issues to start with.
- The strong stance taken by the government became a pointless exercise after the VCAT exemptions, no point having extra security in venues at their entrances as this does not prevent violence happening down the street or around the corner from a venue.
- There was no lock out! A lock out does not solve the problem in fact it creates problems - venues are safe & highly controlled areas, pushing people to the streets or locking the them out will fuel violence as people will be angry they cant get into venues, people can drink as much as they want on the streets & over time this will become a huge problem with people drinking huge amounts in non-venue areas.

*A lack of appropriate transport*

- Lack of public transport leaves "locked-out" people in limbo and on the street with increased chances of harm.
- I saw MORE people in the streets, MORE drunks arguing and causing altercations, MORE people stuck in the street unable to get home! They couldn't even go back inside and wait till the trains commence, instead they got cold and angry.
- At 2am there were a huge number of people on the street that could not get home. Because of the demand for taxis the drivers could pick and choose their patrons. This left people on the street more agitated and more likely to vandalize or cause violence.
- There was a general perception that the violence was increased as people were agitated and annoyed at being locked out but the main complaint was the lack of transport to get home. One customer - a visitor from Canada was appalled at the violence in the city and after queuing for 45 minutes was equally disgusted by a taxi driver who wanted \$80 up front to be taxied to South Yarra from Flinders Street Station. Melbourne needs to fix its transport system and increase its visible police presence so people feel safe.

*A need for greater public education / cultural change*

- Alcohol fuelled problems is a community wide problem that need community wide solutions. If the government is serious start with restricting alcohol advertisements during children's television, and ban alcohol products from sponsoring sporting events and sports teams.
- Education, marketing and advertising the effects and consequences of alcohol-related violence on individuals is the most effective way to combat this problem, as have been evidenced by the drink driving and work safe campaigns.
- Prohibition has never and will never work. Education has always and will always work. Today's kids have appalling role models and Australians have historically always drunk too much. Statistically we are now drinking less, but we need to educate our youth so that drunks are considered in a bad way, not as happens now as "good Aussies".
- Yes it is much more difficult and expensive to address the real issue of general anti-social behaviour in Melbourne and commence TAC style campaigns that it is no longer acceptable to misbehave after a few drinks together with introducing much harsher penalties for those that do.

*Impact on small venues*

- The Lockout was a simple response to a complex situation. We, and many venues like us, are a quiet small venue that has been dealt with in the same manner as a large club. Policing,

transport, targeting problem venues and problem patrons - these are the issues that must be dealt with. The blanket Lockout really works against the strong and safe bar culture that is renowned in Melbourne. It is unfair to basket all licensed venues together under the same umbrella.

- I have two strong views on the Temporary Lockout. Firstly, there is no doubt that it worked. I saw this for own eyes. Less 'trouble groups' of males after 2am and consequently less violence/aggressive behavior. I believe that the venues that are against the Lockout are against it because they lost revenue during this time and knew they would before hand. This brings me to my next point. I am still amazed that the Government & some in Liquor Licensing continue to apportion blame at licensed venues for this mess. The vast majority of venues do the right thing and are trying to make a living in a competitive environment (like any other small business). So if the theory is that there are licensed venues that are contributing to late night violence then what use have the Licensing Police been over all these years? Surely they have weeded out the rouge venues well before the Lockout?

#### *A need for more formal consultation*

- We need a formal and proper consultation process of all stakeholders including in particular licensees before any more measures are taken to deal with social disorder and violence.
- Communication and consultation between all relevant parties is the key. Look at the big picture; involve everyone in improving social behavior, safety and regulation. Liquor Licensing is responsible for the regulation of and communication with the industry that they govern. How can you dramatically increase the number of licenses without any change in infrastructure to support this growth?
- The government went completely the wrong way about it. They did not consult or seek advice from any peers within the industry. They did not even consider any other means of combating the problem...
- The industry should be properly consulted if & when this type of ruling is introduced again.
- There was no consultation with licensees, which set it up for failure. If the process had been consultative with licensees and other stakeholder's there would have been a better solution.

#### *Melbourne as a 24-hour city*

- A major tourist destination like Melbourne CBD that attracts so many interstate and international visitors is a God send for the economy. Such a vibrant nightlife MUST be protected by the government by doing what all other big cities around the world do, police presence. Whether it is Paris London Rome or New York, one thing is common to them all: a major investment in police to make possible for government to control the streets and make tourist feel safe.

### *Drugs*

- It is a combination of factors that result in the "problems". Rogue venue operators giving the industry a bad name. Patrons who present themselves for entry who are clearly under the influence of illicit substances and patrons who have started their nights with alcohol at home who can't be admitted to venues because they are already intoxicated.

### *Miscellaneous*

- Although we are only licensed to 1am the Lockout had a negative impact on our business as it encouraged patrons to depart our venue earlier than usual to ensure they gained entry at other late-night venues prior to the Lockout.
- Lockout caused aggravation on the door. Specifically with smokers. We had patrons attempting to climb over courtyard fence to get in during Lockout period - approx 3-4 people every week. This placed them at potential harm, beyond our control.
- I think the government needs to look at a four tiered approach to the problem. 1- I believe that a lock would work but it would need to commence later perhaps 3am. 2 - Increase police presence between the hours of 12midnight and 4am. 3- Dramatically step the fines for anti-social behaviour. 4- Commence an education program at early stages aimed at primary school level regarding the impact of alcohol, similar to the smoking campaign that has now been in place for the last 10 - 15 years.

## E Stakeholders

This section will outline all stakeholders spoken to as part of the evaluation, including the method for consultations.

### E.1 Consultations for the evaluation

Position	Name	Organisation
Deputy Commissioner	Kieran Walshe	Victoria Police
Assistant Commissioner	Stephen Fontana	Victoria Police
Assistant Commissioner	Gary Jamieson	Victoria Police
Superintendent	Stephen Leane	Victoria Police
Inspector	Stephen Mutton	Victoria Police
Inspector	Chris Duthie	Victoria Police
Senior Sergeant	Peter Seel	Victoria Police
Senior Sergeant	Barney Wursthorn	Victoria Police
Inspector	Nigel Howard	Victoria Police
Inspector	Graeme Arthur	Victoria Police
Acting Superintendent	Ron Cook	Victoria Police
Inspector	Dave Blencowe	Victoria Police
Inspector	Andy McDowell	Victoria Police
Inspector	Glen Jackson	Victoria Police
Senior Sergeant	Rob Zussa	Victoria Police
Three frontline Police members		
Senior Project Officer	Stewart Knott	Melbourne City Council
Manager, Local Laws	Ian McLaughlin	City of Stonnington
	Bernard Mulholland	City of Stonnington
Corporate and Community Planning	Kelly Martini	City of Stonnington
Corporate and Community Planning	Karen Watson	City of Stonnington
General Manager Social Development	Connie Gibbons	City of Stonnington
Coordinator Community Amenity	Ken Wolfe	City of Yarra
Coordinator Local Laws and Animal Management	Kirsten Hughes	City of Port Phillip
Social Planner	Maria Plakourakis	City of Melbourne
Team Leader City Issues	Anne Malloch	City of Melbourne
CEO	Hadley Sides	City of Stonnington
CEO	David Spokes	City of Port Phillip
CEO	Dr. Kathy Alexander	City of Melbourne
Executive Director Community Development and Planning	Geoff Oulton	City of Port Phillip
Acting Manager Community Safety and Wellbeing	Russell Hopkins	City of Melbourne
Commander Operations - Central	Terry Kimpton	Metropolitan Fire and Emergency

<b>Position</b>	<b>Name</b>	<b>Organisation</b>
Zone		Services Board
Paramedic	Lindsay Bent	Metropolitan Ambulance Services
1 <sup>st</sup> Assistant Manager	Luke Connell	McDonalds Swanston Street
Manager	Cassie Manson	The Party Bus
Owner	James Garrett	The Party Bus
Regional Manager	Marc Tengalia	KFC Chapel Street
Independent Security Consultant	Zoran Sakic	
	Mic Dunne	prosec
	Brendan Prendergast	Crowd Controllers Employee Association
	Daniel Holden	
	Brett McCall	McCall Security
	Keith Jessup	Victorian Security Industry Advisory Council
	Ged Byrnes	Australian Security Industry Association Limited
	John Lombardo	SMI Security Group
	Alan Armstrong	CISS
CEO	Gregory Hywood	Tourism Victoria
Senior Policy Adviser	Jason Bannikoff	Tourism Victoria
CEO	Wayne Kayler-Thompson	Victorian Employers' Chamber of Commerce and Industry
Senior Manager Public Affairs	Chris James	Victorian Employers' Chamber of Commerce and Industry
Crown Ambassador (Community Affairs)	Bill Horman	Crown Casino
CEO Vic	Brian Kearney	Australian Hoteliers Association
CEO Vic	Todd Blake	Restaurant and Caterers Association
	Carlo Colisimo	Association of Liquor Licensees (Melbourne)
	Peter Iwaniuk	Licensee
67 Licensees		
35 Patrons		

## **E.2 Consultations with other jurisdictions**

<b>Name</b>	<b>Position</b>	<b>Organisation</b>
Ray Pringle	Inspector, Drug and Alcohol Coordination Unit	Queensland Police
Katherine Mann	Senior Policy Officer	Queensland Police
Bettina Herdrich	Liquor Enforcement	Queensland Police
Alan Stone	Deputy Director	Liquor Licensing, Department of Under Treasury Queensland
Peter Reinhold	Manager	Liquor Licensing, Department of

<b>Name</b>	<b>Position</b>	<b>Organisation</b>
		Under Treasury Queensland
Brenda Mognahan	Deputy Director	Liquor Licensing Northern Territory
Ian Gullidge	Manager Compliance, Liquor and Gaming Branch	Department of Treasury and Finance Tasmania
Debra Salter	Manager, Drug Policy Services	Tasmania Police
Trevor Cornwill	Senior Sergeant	Victoria Police
Timothy Curtis	Senior Sergeant, Licensing Enforcement Branch	South Australia Police
Alison Bonjer	Licensee	The Gallery Bar and Bistro Warrnambool
Albert Garnder	Director	Office of Liquor, Gaming and Racing New South Wales
Steve Orr	Coordinator, Newcastle Region	Office of Liquor, Gaming and Racing New South Wales
Paul Tapley	Senior Seargent	New South Wales Police



## **F Venue profile**

This appendix presents a series of tables that outline the profile of venues affected by the Lockout by LGA.

### **F.1 Profile of venues by LGA**

The first profiles highlight the following:

- Location of the venue (LGA);
- Type of venue and the number of those venues;
- The proportion of affected venue types by locations;
- The total recorded patron capacity (noting that some venues don't have patron capacity attached to their liquor licence); and
- The proportion of the total recorded patron capacity for that location.

The second table in each section then outlines the profiles of the venues by the risk category. Please note that as not all venues have recorded patron capacity, those that did not, have been excluded from the second series of tables in each section.

### F.1.1 City of Melbourne

*Table F.1: City of Melbourne venues impacted by the Lockout*

Venue type	Number of affected venues	% Total affected venues	Total recorded patron capacity	% Total recorded patron capacity
Bar	120	42%	29,569	31%
Hotel	35	12%	13,136	14%
Nightclub	54	19%	25,603	27%
Accommodation	18	6%	14,911	16%
Restaurant	11	4%	1,116	1%
Bowling	2	1%	760	1%
Hotel/Gaming	3	1%	1,150	1%
Bar/Gaming	1	0%	200	0%
Convention	1	0%		0%
Hotel/Bar	1	0%		0%
Theatre	2	1%	4,310	5%
Aquarium	1	0%		0%
Café/Prebook	1	0%		0%
Cinema/Bar	1	0%		0%
Function	1	0%		0%
Gaming	1	0%		0%
Jazz Bar	1	0%		0%
Not Trading	1	0%	170	0%
Racing	1	0%		0%
Stadium	1	0%		0%
Accommodation/Gaming	1	0%	847	1%
Other	28	10%	3,124	3%
<b>Total</b>	<b>286</b>	<b>100%</b>	<b>94,896</b>	<b>100%</b>

Table F.2: City of Melbourne venues by risk category

Venue type	High Risk		Not High Risk		Total affected venues	Total recorded patron capacity
	Number of affected venues	Total recorded patron capacity	Number of affected venues	Total recorded patron capacity		
Bar	67	22,568	24	7,001	91	29,569
Hotel	20	10,561	8	2,575	28	13,136
Nightclub	30	17,818	19	7,785	49	25,603
Accommodation	1	970	8	13,941	9	14,911
Restaurant	3	492	4	624	7	1,116
Bowling	1	760			1	760
Hotel/Gaming			3	1,150	3	1,150
Bar/Gaming	1	200			1	200
Theatre			2	4,310	2	4,310
Not Trading	1	170			1	170
Accommodation/Gaming	1	847			1	847
Other	8	1,920	7	1,204	15	3,124
<b>Total</b>	<b>133</b>	<b>56,306</b>	<b>75</b>	<b>38,590</b>	<b>208</b>	<b>94,896</b>

## F.1.2 City of Port Phillip

Table F.3: City of Port Phillip venues impacted by Lockout

Venue type	Number of affected venues	% Total affected venues	Total recorded patron capacity	% Total recorded patron capacity
Bar	25	36%	4,024	18%
Hotel	17	25%	5,912	26%
Nightclub	11	16%	8,072	36%
Accommodation	3	4%	1,000	4%
Restaurant	1	1%	200	1%
Hotel/Gaming	1	1%	634	3%
Bar/Gaming	1	1%	610	3%
Convention	1	1%		0%
Hotel/Bar	1	1%	588	3%
Bar/Function	1	1%	940	4%
Snooker/Bar	1	1%		0%
Other	6	9%	390	2%
<b>Total</b>	<b>69</b>	<b>100%</b>	<b>22,370</b>	<b>100%</b>

*Table F.4: City of Port Phillip venues by risk category*

Venue type	High Risk		Not High Risk		Total affected venues	Total recorded patron capacity
	Number of affected venues	Total recorded patron capacity	Number of affected venues	Total recorded patron capacity		
Bar	15	3,147	6	877	21	4,024
Hotel	13	5,454	2	458	15	5,912
Nightclub	10	7,692	1	380	11	8,072
Accommodation			1	1,000	1	1,000
Restaurant			1	200	1	200
Hotel/Gaming	1	634			1	634
Bar/Gaming			1	610	1	610
Hotel/Bar	1	588			1	588
Bar/Function			1	940	1	940
Other	2	390			2	390
<b>Total</b>	<b>42</b>	<b>17,905</b>	<b>13</b>	<b>4,465</b>	<b>55</b>	<b>22,370</b>

### F.1.3 City of Stonnington

*Table F.5: City of Stonnington venue profile impacted by Lockout*

Venue type	Number of affected venues	% Total affected venues	Total recorded patron capacity	% Total recorded patron capacity
Bar	23	34%	3,575	21%
Hotel	15	22%	5,143	31%
Nightclub	16	24%	5,806	35%
Bowling	1	1%		0%
Hotel/Gaming	1	1%	620	4%
Other	12	18%	1,620	10%
<b>Total</b>	<b>68</b>	<b>100%</b>	<b>16,764</b>	<b>100%</b>

Table F.6: City of Stonnington venue profile by risk category

Venue type	High Risk		Not High Risk		Total affected venues	Total recorded patron capacity
	Number of affected venues	Total recorded patron capacity	Number of affected venues	Total recorded patron capacity		
Bar	11	2,669	4	906	15	3,575
Hotel	11	4,465	2	678	13	5,143
Nightclub	12	5,291	2	515	14	5,806
Hotel/Gaming			1	620	1	620
Other	3	835	5	785	8	1,620
<b>Total</b>	<b>37</b>	<b>13,260</b>	<b>14</b>	<b>3,504</b>	<b>51</b>	<b>16,764</b>

## F.1.4 City of Yarra

Table F.7: City of Yarra venue profile impacted by the Lockout

Venue type	Number of affected venues	% Total affected venues	Total recorded patron capacity	% Total recorded patron capacity
Bar	29	45%	3,024	23%
Hotel	25	39%	8,848	67%
Nightclub	4	6%	830	6%
Hotel/Gaming	1	2%	600	5%
Sauna/Bar	1	2%		0%
Other	4	6%		0%
<b>Total</b>	<b>64</b>	<b>100%</b>	<b>13,302</b>	<b>100%</b>

Table F.8: City of Yarra venue profile by risk category

Venue type	High Risk		Not High Risk		Total affected venues	Total recorded patron capacity
	Number of affected venues	Total recorded patron capacity	Number of affected venues	Total recorded patron capacity		
Bar	13	2,374	5	650	18	3,024
Hotel	14	5,909	10	2,939	24	8,848
Nightclub	4	830			4	830
Hotel/Gaming			1	600	1	600
<b>Total</b>	<b>31</b>	<b>9,113</b>	<b>16</b>	<b>4,189</b>	<b>47</b>	<b>13,302</b>

## F.2 Profiles of venues granted stays by location

### F.2.1 City of Melbourne

*Table F.9: City of Melbourne venue profile of stays*

Venue type	Number of affected venues	% Total affected venues	Total recorded patron capacity	% Total recorded patron capacity	Average patron capacity
Bar	23	37%	7,175	28%	359
Hotel	6	10%	2,874	11%	479
Nightclub	27	44%	13,288	52%	532
Hotel/Gaming	1	2%	350	1%	350
Accommodation/Gaming	1	2%	847	3%	847
Other	4	6%	1,088	4%	272
<b>Total</b>	<b>62</b>	<b>100%</b>	<b>25,622</b>	<b>100%</b>	

*Table F.10: City of Melbourne venue profile of stays by risk category*

Venue type	High Risk		Not High Risk		Total affected venues	Total recorded patron capacity
	Number of affected venues	Total recorded patron capacity	Number of affected venues	Total recorded patron capacity		
Bar	17	6,162	3	1,013	20	7,175
Hotel	5	2,674	1	200	6	2,874
Nightclub	17	8,583	8	4,705	25	13,288
Hotel/Gaming			1	350	1	350
Accommodation/Gaming	1	847			1	847
Other	4	1,088			4	1,088
<b>Total</b>	<b>44</b>	<b>19,354</b>	<b>13</b>	<b>6,268</b>	<b>57</b>	<b>25,622</b>

### F.2.2 City of Port Phillip

*Table F.11: City of Port Phillip venue profile of stays*

Venue type	Number of affected venues	% Total affected venues	Total recorded patron capacity	% Total recorded patron capacity	Average patron capacity
Bar	6	32%	898	14%	180
Hotel	5	26%	1,701	26%	340
Nightclub	7	37%	3,248	50%	464
Hotel/Gaming	1	5%	634	10%	634
<b>Total</b>	<b>19</b>	<b>100%</b>	<b>6,481</b>	<b>100%</b>	

Table F.12: City of Port Phillip venue profile of stays by risk category

Venue type	High Risk		Not High Risk		Total affected venues	Total recorded patron capacity
	Number of affected venues	Total recorded patron capacity	Number of affected venues	Total recorded patron capacity		
Bar	3	560	2	338	5	898
Hotel	5	1,701			5	1,701
Nightclub	6	2,868	1	380	7	3,248
Hotel/Gaming	1	634			1	634
<b>Total</b>	<b>15</b>	<b>5,763</b>	<b>3</b>	<b>718</b>	<b>18</b>	<b>6,481</b>

### F.2.3 City of Stonnington

Table F.13: City of Stonnington venue profile of stays

Venue type	Number of affected venues	% Total affected venues	Total recorded patron capacity	% Total recorded patron capacity	Average patron capacity
Bar	6	24%	1,295	17%	216
Hotel	7	28%	2,533	33%	362
Nightclub	10	40%	3,891	50%	432
Other	2	8%		0%	N/A
<b>Total</b>	<b>25</b>	<b>100%</b>	<b>7,719</b>	<b>100%</b>	

Table F.14: City of Stonnington venue profile of stays by risk category

Venue type	High Risk		Not High Risk		Total affected venues	Total recorded patron capacity
	Number of affected venues	Total recorded patron capacity	Number of affected venues	Total recorded patron capacity		
Bar	5	1,205	1	90	6	1,295
Hotel	6	2,275	1	258	7	2,533
Nightclub	8	3,591	1	300	9	3,891
<b>Total</b>	<b>19</b>	<b>7,071</b>	<b>3</b>	<b>648</b>	<b>22</b>	<b>7,719</b>

## F.2.4 City of Yarra

*Table F.15: City of Yarra venue profile of stays*

Venue type	Number of affected venues	% Total affected venues	Total recorded patron capacity	% Total recorded patron capacity	Average patron capacity
Bar	5	36%	875	20%	219
Hotel	5	36%	2,451	56%	490
Nightclub	2	14%	420	10%	210
Hotel/Gaming	1	7%	600	14%	600
Sauna/Bar	1	7%		0%	
<b>Total</b>	<b>14</b>	<b>100%</b>	<b>4,346</b>	<b>100%</b>	

*Table F.16: City of Yarra venue profile of stays by risk category*

Venue type	High Risk		Not High Risk		Total affected venues	Total recorded patron capacity
	Number of affected venues	Total recorded patron capacity	Number of affected venues	Total recorded patron capacity		
Bar	4	875			4	875
Hotel	4	2,161	1	290	5	2,451
Nightclub	2	420			2	420
Hotel/Gaming			1	600	1	600
<b>Total</b>	<b>10</b>	<b>3,456</b>	<b>2</b>	<b>890</b>	<b>12</b>	<b>4,346</b>



