



Consumer and Business Services  
Attorney-General's Department  
Government of South Australia

3 February 2016

To Whom It May Concern,

### **Submission in response to the Liquor Licensing Discussion Paper**

#### **Background of Encounter Youth**

Encounter Youth is a positive influence on young people in the community. As a not-for-profit charitable organisation, Encounter Youth provides direct relief to young people facing serious social challenges. We achieve this by working collaboratively with the community and providing effective programs, professional management of volunteers and engaging education.

Since 1999, Encounter Youth has managed the annual school leaver (Schoolies Festival™) mass gathering in Victor Harbor. Encounter Youth's Schoolies Festival™ management is the only non-government led and non-government funded response in Australia. It is widely recognised as the safest and most successful Schoolies management strategy in the country. This has been achieved in part through the coordination of over 700 volunteers from Christian churches – known as the Encounter Youth Green Team.

Encounter Youth is also the largest provider of alcohol and other drug education to schools in South Australia. In 2015 this program was delivered to over 16,000 students, parents, school staff, and other members of the community. The interactive seminars give young people, parents/guardians and other participants a chance to learn what is currently happening in relation to young people and parties and express their opinions on celebrating safety.

#### **The Encounter Youth Hindley Street Program**

Following an invitation from South Australia Police, Encounter Youth has also been working to improve the safety of young people utilising the popular nightspot of Hindley Street.

Since August 2011, every Saturday night between the hours of 11:30pm and 5:00am, Encounter Youth Green Team volunteers offer a hands-on service to the

community that directly relieves the harms associated with challenging social environments facing young people. Green Team volunteers provide a safe presence, referral service, free bottled water, and basic first aid to patrons, as well as always being available for an encouraging conversation or high five. Encounter Youth also seek to influence a decrease in binge drinking among young people through our positive engagement strategies and social media campaign known as 'A Lighter Night'.

Consistent with our holistic approach of working in complex social environments and community development, we lead a Hindley Street Program Key Stakeholders Group. Each month we meet with representatives from the South Australian Attorney-General's Department, SA Police, and Adelaide City Council. We share details of our Saturday night observations and critical incident referral statistics. We encourage and foster an environment of transparency and collaboration, where each stakeholder is able to share their main challenges, opportunities, and objectives. This is done so that all key stakeholders can be at the forefront of improving late night safety in direct support of young people and the community.

To date this program has seen:

- Countless positive interactions between our Green Team volunteers and young people encouraging them to drink a little less, and look after themselves and their mates.
- Volunteers responding to many critical incidents where young people require further emergency service assistance or referral to other community services.
- Volunteers supporting young people in vulnerable situations due to excessive alcohol consumption, thus preventing further harm from occurring.
- The positive rapport of our volunteers actively encouraging and supporting young people to head home after excessive alcohol consumption.
- A higher presence of responsible people and observers on the street, which brings greater surveillance and increased safety.
- Assistance to SA Police in the provision of support and supervision to young people that have been instructed to go home.

The Encounter Youth Hindley Street Program is currently funded by the South Australian Government through the Attorney-General's Department and SA Police. In December 2013, as an outcome of the inaugural Citizens' Jury, Encounter Youth were awarded a grant, receiving recognition from the South Australian Government of the value and importance of this program, and the desire to see it develop and grow. This funding will conclude in May 2016 ceasing this program; however, we are currently in discussion with our key government stakeholders to see its continuation.

As a key community group that provides support to countless numbers of young people impacted by the use of alcohol, our focus in this submission is on addressing specific questions raised to promote 'a safer drinking culture'.

### **How can we improve the harm minimisation provisions in our legislation?**

Harms as a result of alcohol consumption typically occur either within a licenced venue or in the area surrounding that venue.

Whilst the *Liquor Licensing Act 1997* has provisions for harm minimisation within a licenced venue, including security, crowd controllers, and responsible service of alcohol requirements, Encounter Youth would also welcome other measures for consideration in reducing alcohol-related violence in licensed venues. These include limitations on the number of drinks that can be served to patrons at any one time, prohibiting the stockpiling of drinks by patrons, and active distribution of water and food.

There are currently no provisions for harm minimisation in the areas surrounding licenced venues. As a result, the burden of responsibility to care for, or reduce harm from intoxicated or disruptive patrons that are ejected from a licenced venue falls to SA Police or passers-by. These issues are particularly concentrated in areas such as Hindley Street where there are a large number of licenced venues with extended trading hours.

Encounter Youth believe the responsibility of a venue to accommodate harm minimisation strategies should include the surrounding area. This is obviously difficult to facilitate directly, so we propose that a portion of licencing fees that are collected from Level 3 and Level 5 club licences be made available to fund harm minimisation initiatives in the areas surrounding these clubs. This would assist in promoting a safer environment, not only within the clubs but also in the surrounding areas.

### **Should the number and hours of trading of licensed venues in an area be a relevant consideration?**

It is well documented that increased availability of alcohol through the number of liquor licenses and late night trading hours is associated with an increase in alcohol-related harms (Stockwell and Chikritzhs 2009; Livingston 2011).

Several venues on Hindley Street and the Skycity Adelaide Casino have exclusively gained and operate 24-hour trading liquor licenses under the *Liquor Licensing Act 1997*. In order to obtain 24-hour licensing, these premises were required to satisfy the liquor licensing authorities that tourism existed during all hours of the day and night in Hindley Street which needed to be catered for, and that those particular premises serviced that need on the basis of being a 'tourism attraction' in South Australia.

It is largely recognised that the majority of patrons of Hindley Street venues and the surrounding area are not tourists, but 18-25 year old South Australians. Through observations of patronage by our Encounter Youth Green Team volunteers on Hindley Street, we believe Hindley Street is certainly not the epicentre of tourism for interstate or overseas visitors to warrant 24-hour licensing. Additionally, we can see no evidence-based reason for the Casino's exemption from the 3am lock-out as part of the *Late Night Trading Code of Practice*.

Given this, we believe the purpose and aims of 24-hour trading liquor licenses must be reviewed and modified. At the very least, Encounter Youth recommend a break in

liquor trading across the board from 4:01am until 7am. This is on the basis of setting a responsible boundary for young people in South Australia in effort to increase their overall health and public safety, and decrease risk of injury from a single drinking occasion and risk of disease or injury over a lifetime.

### **Should closing times, lock-out times or last drinks be set for particular areas?**

Encounter Youth fully supports the provision of the “3am lock-out” in the *Late Night Trading Code of Practice* and bear witness through our work on Hindley Street to its effectiveness in reducing alcohol-related harms and antisocial behaviour in the precinct.

There is compelling evidence that the last drinks/closing time models in Kings Cross and Newcastle have had a dramatic effect on assault rates. We believe any additional measures such as these which may be considered by the South Australian Government be applied across the board, as they have proven to reduce alcohol-related harms and antisocial behaviour regardless of the location.

### **Should alcohol be able to be sold in supermarkets?**

The effect of allowing alcohol to be sold in supermarkets would be an increase in the number of points of sale for alcohol in any given area. This is a safety concern as an increase in the density of alcohol outlets has been shown to have substantial negative health impacts. For example, research conducted in Melbourne found that a higher density of alcohol outlets increased the rate of chronic alcohol-caused hospitalisations (Livingston 2009). In New Zealand, a higher density of alcohol outlets was correlated with higher consumption among 12-17 year old drinkers (Huckle et al. 2008). Furthermore, the exposure of young people to alcohol advertising has been clearly shown to influence both current and future drinking behaviour (Smith and Foxcroft 2009, Jones and Magee 2011).

It is Encounter Youth’s view that permitting supermarkets to sell alcohol will increase the exposure of young people and adults to alcohol brands. This would, in turn, result in higher rates of both young people and adults accessing and consuming alcohol. Given that alcohol contributes to a significant burden of disease in Australia, permitting the sale of alcohol in supermarkets is highly likely to have negative consequences for public health in South Australia.

### **Should we regulate the consumption or possession of alcohol by minors at private parties? If so, how?**

Currently Section 117 of the *Liquor Licencing Act 1997* specifies that minors may not possess or consume liquor in public places. There is currently no provision for the consumption of alcohol by minors while at a private premise. Through our experience of working with young people, their parents and with SA Police, we have heard anecdotal evidence that many young people are exploiting this allowance to possess and consume liquor at parties that are held at a private premise. This includes so-called ‘warehouse parties’ that have emerged as one of many formats for school formal after-parties. These ‘warehouse parties’ can be very large, held on a private premise with a large number of minors drinking alcohol, with no legal restriction on their right to do so. In addition, many parents have expressed concern to us that

alcohol may be provided to their child at a party without the parent's knowledge. As the legislation currently stands, there is no legal restriction on a minor consuming alcohol in this situation, regardless of their age. Several parents have also expressed concern that they have no legal reason to deny a request from their child that alcohol be made available for guests at a party that they are hosting.

As a result, Encounter Youth recommend that Section 117 of the *Liquor Licencing Act 1997* be revised to only allow minors to possess or consume alcohol in situations where the express permission of their parent or legal guardian has been given. This would restrict the ability of minors to possess and consume liquor on a private premise without parental consent. Having legal restrictions on the possession and consumption of liquor by minors on private premises would also give parents or guardians substantial grounds to restrict or prohibit the supply of alcohol at a party that they may be hosting for their young person.

**Should the State Government be working together with the Commonwealth Government to reduce alcohol access and abuse?**

Encounter Youth strongly supports a collaborative approach between all levels of government and other key stakeholders to reduce alcohol access and abuse. These are extremely complex issues that transcend jurisdictional boundaries and warrant appropriate responses and coordination at both the state and national levels.

Thank you for the opportunity to provide a submission and for your consideration in conducting this total review of South Australia's liquor licensing framework.

Encounter Youth would be happy to provide any further assistance in the future.

Yours faithfully,

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## References

Huckle, T., Huakau, J., Sweetsur, P., Huisman, O., and Casswell, S., 2008, 'Density of alcohol outlets and teenage drinking: Living in an alcogenic environment is associated with higher consumption in a metropolitan setting', *Addiction*, 103:10, 1614-1621

Jones, S., and Magee, C., 2011, 'Exposure to alcohol advertising and alcohol consumption among Australian adolescents', *Alcohol and alcoholism*, 46:5, 630-637

Livingston, M., 2011, 'Alcohol outlet density and harm: Comparing the impacts on violence and chronic harms', *Drug and Alcohol Review*, 30, 515-523

Smith, L., and Foxcroft, D., 2009, 'The effect of alcohol advertising, marketing and portrayal on drinking behaviour in young people: Systematic review of prospective cohort studies', *BMC Public Health*, 9:51, 1-11

Stockwell, T., and Chikritzhs, T., 2009, 'Do relaxed trading hours for bars and clubs mean more relaxed drinking? A review of international research on the impacts of changes to permitted hours of drinking', *Crime prevention and Community Safety*, 11, 153-170