

# Smart Justice

“Smart action for a safer community”

## Reducing alcohol-related violence

### We need to tackle the systemic causes of harm

Alcohol-related violence is a significant cause of harm in many countries including Australia. In 2004-05, alcohol-related crime was estimated to cost the Australian community \$1.7billion.<sup>1</sup>

While evidence suggests a link between violence and alcohol consumption (particularly high levels of consumption), the relationship is not simple or straightforward.<sup>2</sup> The majority of people who consume alcohol do not become violent offenders.

There is a substantial body of research on “what works” in reducing alcohol-related harm,<sup>3</sup> and a growing body of research on evidence-based responses to alcohol-related violence.<sup>4</sup>

However, politicians tend to ignore the interventions that are based on best-practice and supported by a strong research-base, instead favouring responses designed to appeal to voters but which are less effective – such as criminalising individual drinkers.<sup>5</sup>

Research on alcohol-related harm suggests we should be focusing on the systemic causes of alcohol abuse, including alcohol supply, price and culture. As Victoria Police Chief Commissioner, Simon Overland has said, alcohol-related violence is a problem that “cannot be arrested, put on trial or locked away in a prison”.<sup>6</sup>

### Reducing availability will reduce harm

Research suggests that the density of alcohol outlets impacts on rates of violence. Localities with higher densities of outlets have been found to experience higher rates of assault.

In Victoria, deregulation has resulted in a substantial increase in alcohol availability.

Recent Melbourne-based research has found that increases in the number of alcohol outlets in the community are linked to increased rates of assault.<sup>7</sup> Packaged liquor outlets have been found to be associated with violence in Melbourne’s suburbs while pubs and other licensed venues (nightclubs, restaurants and bars) are associated with violence in the inner-city and inner-suburbs of Melbourne.<sup>8</sup>

### Targeting higher risk licensed venues will reduce harm

Research has also shown that not all venues are problematic and a small number of outlets can be responsible for a disproportionate number of problem incidents. There are various risk factors that contribute to the likelihood of violence associated with a particular venue. Identifying and targeting venues associated with great numbers of problems is an evidence-based strategy to reduce alcohol-related violence.

The strongest predictor of violence is specific venue characteristics. Risk factors include extended or 24 hour trading, long queues, large capacity, crowding and patrons milling around outside at closing.

Other risk factors include:

- staffing characteristics (lack of responsible serving practices, aggressive security staff);
- personal characteristics of patrons (level of intoxication, age and gender); and
- the characteristics of the wider environment (high density of licensed venues in the vicinity; high movement of people in and out of venues; congestion points and poor management of cluster points such as taxi ranks and food outlets).<sup>9</sup>

### Community-based responses work

Community action plans can also be effective in reducing alcohol-related violence and harm. One example is the Alcohol Linking Program in New South Wales - a decade long collaboration between Hunter New England Population Health, the University of Newcastle and NSW Police.

The program involves police routinely gathering and analysing alcohol-related data from persons involved in police-attended incidents. This information includes level of intoxication, reported place of last consumption and, if the last place was a licensed venue, the name and location of the venue. This data allows police to feed back information to licensees linked to the incidents, audit venues on

responsible service of alcohol and management practices and provide advice on reducing problem incidents. The evaluation of the program confirmed it had substantially decreased alcohol-related incidents attended by police.<sup>10</sup>

### Increasing alcohol tax will reduce harm

There is strong evidence that price changes affect alcohol consumption. Increasing the price of alcohol through increased taxation is one of the most effective measures to reduce alcohol-related harm.<sup>11</sup> It can also help pay for social costs of alcohol-related harms if the taxation revenue is spent on public health initiatives to tackle alcohol abuse.

### Changing attitudes to drinking

Strategies to address harmful alcohol consumption must acknowledge the role that alcohol plays in people's lives. For many, drinking is an acceptable and enjoyable part of life. Strategies need to address broader cultural attitudes to alcohol and set about effecting change in attitudes and behaviours across all age groups. Strategies could include limiting and regulating the way alcohol is promoted and advertised, particularly to young people, and health education campaigns.<sup>12</sup>

### Managing the harm properly – treatment not criminalisation

Victoria is the only Australian State where being drunk in a public place is of itself a criminal offence.<sup>13</sup>

Several major reports have recommended that public drunkenness be decriminalised.<sup>14</sup> The offence of public drunkenness disproportionately affects Indigenous Australians, increases the risk of death in custody, increases the number of people being locked up in police cells,<sup>15</sup> and fails to act as a deterrent.<sup>16</sup>

Reforms from other states have shown it is more effective to deal with public drunkenness as health or social problem, not a criminal problem. Instead of being arrested and locked up in a police cell, intoxicated persons could be taken to health care facilities and sobering up centres where they can be treated by properly trained staff.<sup>17</sup> Treatment of alcohol abuse can work and be cost effective.<sup>18</sup>

### Smart Justice solutions

Smart Justice solutions include:

- strengthened regulation of licensed premises including better enforcement of the responsible alcohol supply practices and high risk venues;
- strengthened licensing controls such as reduced trading hours and reduced density of alcohol outlets;
- decreasing consumption through increased alcohol taxation;
- limiting alcohol advertising and marketing; and
- decriminalising public drunkenness.

In order for responses to be effective, it is critical to support better data collection so that the evidence-base can continue to grow.

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This factsheet was drafted by the Victorian Alcohol and Drug Association

- 1 Collins, D & Lapsley, H (2008) *The costs of tobacco, alcohol and illicit drug abuse to Australian society in 2004/05*, Series No. 64, Australian Government Department of Health and Ageing.
- 2 Morgan, A & McAtamney, A (2009) *Key issues in alcohol-related violence*, Research in Practice Summary Paper No. 4, Australian Institute of Criminology, p 4.
- 3 See for example: Babor, T (2010) *Alcohol: No Ordinary Commodity - Research and Public Policy*; Drugs and Crime Prevention Committee of the Parliament of Victoria (2006) *Inquiry into Strategies to Reduce Harmful Alcohol Consumption – Final Report*; Loxley, W and others, (2004), *The prevention of substance use, risk and harm in Australia: A review of the evidence*, National Drug Research Institute and Centre for Adolescent Health; Loxley, W and others (2005). 'A new integrated vision of how to prevent harmful drug use', *Medical Journal of Australia*, 82(2): 54-55; Stockwell, T and others (eds) (2005). *Preventing harmful substance use: The evidence base for policy and practice*.
- 4 Babor, T above n 3; Livingston, M (2008). 'A Longitudinal Analysis of Alcohol Outlet Density and Assault', *Alcoholism: Clinical and Experimental Research*, 32(6):1074-1079; Morgan & McAtamney, above n 2. *Key issues in alcohol-related violence*, Research in Practice Summary Paper No. 4, Australian Institute of Criminology.
- 5 The Victorian Government has announced it will recruit 1700 new police officers to tackle crime including alcohol-related violence and recently introduced broad "move on" powers. The Victorian Opposition has proposed on-the-spot fines for people attempting to re-enter premises they have been ejected from and banning people convicted of alcohol-related violence from venues for a period of two years.
- 6 Butler, M "Simon Overland concedes alcohol and related violence could last 'decades'" *Herald Sun* 1 December 2009
- 7 Livingston, above n 4
- 8 Livingston, above n 4.
- 9 Morgan & McAtamney, above n 2.
- 10 Wiggers, J H (2007) 'Reducing alcohol-related violence and improving community safety: the Alcohol Linking Program', *NSW Public Health Bulletin*, 18(5-6):83-85
- 11 New Zealand Law Commission, *Alcohol in our lives: curbing the harm. A report on the review of the regulatory framework for the sale and supply of liquor* (2010), 21-22; on volumetric alcohol taxation see Byrnes J & others, "Cost effectiveness of volumetric alcohol taxation in Australia", *Medical Journal of Australia* 2010; 192 (8): 439-443; Treasury (2010), *Australia's Future Tax System*, 55-56.
- 12 Morgan & McAtamney, above n 2, 6 and New Zealand Law Commission, above n 11.
- 13 Ombudsman Victoria and the Office of Police Integrity, *Conditions for Persons in Custody* (2006) 18
- 14 *Royal Commission into Aboriginal Deaths in Custody National Report* (1991) Royal Commission into Aboriginal Deaths in Custody; *Inquiry into Public Drunkenness* (2001) Drugs and Crime Prevention Committee, Parliament of Victoria; *Inquiry into Strategies to Reduce Harmful Alcohol Consumption* (2006) Drugs and Crime Prevention Committee.
- 15 Guivarra, F "The Survival of Public Drunkenness Laws in Victoria" [2008] *Indigenous Law Bulletin* 7(5), 19.
- 16 Desmond Lane, 'Public Drunkenness in Victoria', (1991) 2(51) *Aboriginal Law Bulletin* 21, 21.
- 17 Guivarra, above n 12.
- 18 New Zealand Law Commission, above n 11, 129.