



**Queensland Office of Liquor and Gaming Regulation**  
**Applications for Authorisation:**  
**A Submission by the National Drug Research Institute on**  
**Liquor Accord Agreements**

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## **Introduction**

The National Drug Research Institute welcomes the opportunity to comment on the Queensland Office of Liquor and Gaming's regulation applications for authorisation. We also thank the Australian Competition & Consumer Commission for inviting our input on the pro-forma liquor Accord agreement.

## **About the Institute**

The National Drug Research Institute's (NDRI) mission is to conduct and disseminate high quality research that contributes to the primary prevention of harmful drug use and the reduction of drug related harm in Australia.

Since its inception in 1986, the Institute has grown to employ about 30 research staff, making it one of the largest centres of drug research and public health expertise in Australia. It is a designated World Health Organization Collaborating Centre for Alcohol and Drug Abuse and a Curtin University of Technology Tier 1 Research Centre.

Staff at the National Drug Research Institute Tier 1 Research Centre have completed more than 500 research projects, resulting in a range of positive outcomes for policy, practice and the community.

Based within the Division of Health Sciences at Curtin in Perth, the Institute receives core funding from the Australian Government Department of Health and Ageing, under the National Drug Strategy, with additional research funds being sought from a variety of national and international funding bodies.

## **About Voluntary Liquor Accords**

Voluntary liquor Accords emerged as a strategy to potentially reduce alcohol-related problems in late-night entertainment centres in Australia in the early 1990s.

The term 'liquor Accord' is mainly used in Australia to identify local, community-based initiatives that involve licensees, other businesses, community representatives and police services to reduce alcohol-related harm in the late-night drinking environment. Largely implemented and coordinated by police, such Accords usually entail a 'voluntary' agreement between stakeholders that sets out harm minimisation practices and a code of conduct to improve safety and reduce alcohol-related violence and anti-social behaviour in and around licensed premises.

They encourage collaboration between members, with a common goal of implementing practical solutions to alcohol-related problems and improving community safety and amenity.

Stakeholders usually expect a range of outcomes from a successful Accord, including:

- reductions in alcohol-related violence, underage drinking, anti-social behaviour and crime in and around premises;
- improved safety and amenity for nearby neighbourhoods;
- increased compliance with liquor laws; and
- improved relationships between police, licensees, councils and residents.

### **An Instructive Example**

Despite their popularity, several comprehensive reviews of the effectiveness of voluntary Accords has concluded that they have little impact on actual levels of consumption and harms in the night time economy.

Moreover, of the many Accords in operation only a small proportion have been formally and independently evaluated, e.g. Geelong Local Industry Accord, the Fremantle Accords and the Surfers Paradise Safety Action Project.

Perhaps the most comprehensive and reliable analysis of an Accord's effectiveness was the review undertaken by Hawks *et al.* (1999) of the Fremantle Police Licensee Accord.

The Accord operated in Fremantle, an entertainment precinct near Perth, WA.

The review examined the impact of the Accord over a 14-month period using a range of outcome measures including: patron, resident, business and taxi driver surveys regarding perceived changes; risk assessment; and the use of 'pseudo-patrons' for measuring service to intoxicated and under-aged persons. Officially recorded data that identified road crashes, drink-driving charges and assaults specifically associated with individual premises were also used to evaluate the intervention.

Levels of harm indicators from before and after the Accord was in operation were examined among 10 particularly high-risk premises. Those premises were 'matched' to control premises in a similar entertainment area (Northbridge in the City of Perth) that did not have an Accord at the time to allow an accurate comparison of the Accord's impact.

It is this pre- and post-intervention study design, including matched control premises, that enables a high degree of confidence to be placed on the results.

The evaluators did not find any evidence of significant reductions among any of the alcohol-related harm indicators.

Night-time alcohol-related crashes identified as associated with prior drinking at the selected Fremantle premises showed a significant increase when compared to the control site.

There was also no indication that blood-alcohol levels of drivers charged with drink-driving in the Fremantle area were any different to the levels before the Accord was introduced or in comparison to the Northbridge precinct.

Numbers of assaults in Fremantle also appeared to increase over time, but this was most likely due to an increased police presence in that area.

The evaluation also found that:

- The 'pseudo-patron' data indicated that the Accord made no difference to the level of bar staff adhering to responsible beverage service practices, including service to intoxicated and underaged patrons during the Accord period.
- Licensed premises in Fremantle, particularly nightclubs, were more conscientious in carrying out age identification checks compared to the control premises however these differences were not statistically significant.

- Survey data indicated that there was no overall perceived change in levels of harm. However, there appeared to be a consensus that there were more police patrolling the local streets and venues had reduced drink-discounting practices.

The reviewers of the Fremantle Police Licensee Accord concluded that, "Accords are, by definition, cooperative agreements, the force of which is only as strong as the commitment of those who are signatories" and that in a highly competitive environment such as the liquor industry that harm minimisation strategies, unless backed by mandatory training and enforcement, are likely to fold under the weight of pressures of business (Hawks *et al.* 1999: 43).

### **The Evidence about Liquor Accords**

The intention of liquor Accords is overwhelmingly positive. Unfortunately, the evidence suggests that their effectiveness is not as strong as the positive intention.

At best liquor Accords may have some short-term gains, however any positive impacts are not sustained beyond a few months as "compliance typically degrades over time as competitive pressures come to bear" (Chikritzhs 2009).

When well conducted, Accords may have the potential to be an effective vehicle for introducing "some harm reducing practices into licensed drinking venues" (Loxley *et al.* 2004). However, the evidence clearly shows that the only way Accords will be effective in achieving the outcomes desired by those that design and enter into such agreements is if they are mandatory, not voluntary, and if they are accompanied by diligent enforcement of liquor licensing and other laws in and around licensed premises:

Despite the growing popularity of Accords and other types of voluntary 'codes of conduct', few have been formally evaluated and, among those that have, most evaluations have been unable to demonstrate effectiveness in either short- or (particularly) long-term reduction of alcohol-related harms. It has been noted that a fundamental weakness of Accords is their reliance on voluntary commitments from individuals who operate in a highly competitive profit-orientated industry, and that such a conflict of interest is likely to undermine any genuine attempt to bring about effective and lasting change (e.g. Hawks *et al.* 1999). Similarly, other reviewers have concluded that in the absence of adequate enforcement, Accords can be a 'look good' only measure (Stockwell 2006), the evidence for which is contra-indicative (Loxley *et al.* 2004). It appears that overall, the 'value' of Accords rests more on the development of local communication networks, the facilitation of local input, a sense of local 'control', and improving public relations through open negotiations, than in the actual reduction of harm. Nonetheless, improved communication and participation may also be perceived as desirable and worthwhile outcomes.

In closing, it is clear from the evidence that in order to have impact, Accords need to be backed by enforcement. With particular reference to the Queensland Accord and the proposal to have a voluntary and non-binding liquor Accord in place, the evidence then suggests that it is unlikely to achieve the stated outcomes.

Furthermore, given the ACCC will likely have particular regard for the proposed Accord's impact on competition, it is worth considering whether Accords must be mandatory to be consistent with competition policy. Unequal access, whereby one operator chooses to 'do the right thing' in terms of community and public health could put that operator at a competitive disadvantage compared to a competitor in the same area whose practices are determined by commercial imperatives only.

### Further Evidence

The National Drug Research Institute has deliberately kept its submission brief. However in the interests of providing the ACCC with further information to inform its deliberations, we have listed the key documents that inform the evidence base regarding the effectiveness or otherwise of liquor Accords in Australia:

- *Restrictions on the Sale and Supply of Alcohol: Evidence and Outcomes*: available at <http://ndri.curtin.edu.au/local/docs/pdf/publications/R207.pdf>;
- *The Prevention of Substance Use, Risk and Harm in Australia – A Review of the Evidence*: available at [http://www.health.gov.au/internet/main/publishing.nsf/Content/health-pubhlth-publicat-document-mono\\_prevention-cnt.htm](http://www.health.gov.au/internet/main/publishing.nsf/Content/health-pubhlth-publicat-document-mono_prevention-cnt.htm);
- 'Australia': *Chapter in Nightlife and Crime: Social Order and Governance in International Perspective*; and
- *Alcohol supply, demand, and harm reduction: What is the strongest cocktail?*

### References

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