

## Seccombe, David

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**From:** Kathrin Stroud [Kathrin.Stroud@adca.org.au]  
**Sent:** Friday, 21 May 2010 2:21 PM  
**To:** Seccombe, David  
**Cc:** Brian Flanagan; David Templeman  
**Subject:** Ref. 41613: ADCA letter on Queensland's Office of Liquor and Gaming Regulation Accord  
**Attachments:** ADCA letter to ACCC re Queensland Office of Liquor and Gaming Regulation Accord.pdf

Dear David,

As discussed on the phone earlier today, please find attached a statement by the Alcohol and other Drugs Council of Australia (ADCA) for the ACCC's consideration on the applications for authorisation from the State of Queensland's Office of Liquor and Gaming Regulation (OLGR) (Ref. 41613).

Please be advised that ADCA consents to the document being placed on a public register (despite an alternative message potentially appearing at the bottom of this message).

Please do not hesitate to contact me if you have any queries. ADCA would be pleased to be of further assistance regarding the interim authorisation process in question.

Thank you and kind regards,

Kathrin

### *Kathrin Stroud*

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21 May 2010

**Ref 41613: Queensland Office of Liquor and Gaming Regulation applications for  
authorisation – interested party consultation**

Dear Mr Channing,

The Alcohol and other Drugs Council of Australia (ADCA) is the national non-government, not-for-profit peak body for the alcohol and other drugs (AOD) sector, providing an independent voice for people working to reduce the harm caused by alcohol and other drugs. As the national peak body, ADCA occupies a key role in advocating for adequate infrastructure support and funding for the delivery of evidence-based AOD initiatives. In this regard, ADCA represents the interests of a broad group of AOD service providers and individuals concerned with prevention, early intervention, treatment, supply reduction, and research.

ADCA welcomes the Australian Competition & Consumer Commission's invitation to formally comment on the application from Queensland Office of Liquor and Gaming Regulation for authorisation to progress the development of a Liquor Accord. ADCA as the national AOD peak body, however, is not in a position to comment on the potential establishment of a specific Liquor Accord due to the fact that Liquor Accords are a community-based approach to address liquor-related issues, taking the specifics of the local environment into account, but wishes to submit some general comments on Liquor Accords and their potential to successfully reduce alcohol-related harm.

The term "Liquor Accord" refers to local, community-based initiatives which involve licensees, other businesses, local government authorities, community representatives and police which are implemented and largely coordinated by the latter to reduce alcohol-related harm in and around licensed premises. A liquor accord entails 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. Accords encourage collaboration between members, with a common goal of implementing practical solutions to alcohol-related problems and improving community safety and amenity without the need for mandatory legislation and enforcement (Chikritzhs et al 2007).

In its policy position on alcohol, ADCA states that it in principle supports Liquor Accords with their characteristics and objectives outlined above but believes that a number of factors need to be taken into consideration when assessing their effectiveness as a harm reduction strategy:

**1) Liquor Accords need to be embedded in a broader Community Safety Strategy**

ADCA acknowledges the potential inherent in liquor accords to create safe and well-managed environments in and around licensed premises and to reduce

alcohol-related harm by establishing communication and collaboration between licensees and key local stakeholders in the interest of community safety. It believes, however, that in order to improve community safety and amenity and reduce alcohol-related harm in the long term, the geographical area covered by a liquor accord further needs to be subject to a broader Community Safety Plan of which the establishment of a liquor accord is only one strategy to achieve the identified objectives. The belief that these cannot be achieved by solely establishing a liquor accord derives from its very own nature of being voluntary and self-regulated.

## **2) Appropriate levels of enforcement can enhance the effectiveness of liquor accords**

Liquor accords have established a voluntary code of conduct to restrict the availability of alcohol in a large number of communities across Australia. Communities' pro-activism has to be commended and the number of liquor accords established to date is evidence of a community-based commitment to reduce alcohol-related harm. ADCA has previously stressed its belief that change in alcohol consumption patterns in Australia can only be realised if all levels of government and society cooperate.

While ADCA commends the voluntary element of liquor accords, it believes that liquor accords entail the potential to enhance their outcomes further by adopting a more regulated approach. In order to achieve positive outcomes from a liquor accord, ensuring that restrictions imposed on the availability of alcohol are supported by communities is vital, because restrictions which are imposed on communities without their consent are less likely to be effective both short-term and long-term. ADCA, however, believes that it is of equal vital importance that liquor accords contain effective enforcement mechanisms. This is not to say that liquor accords should be made mandatory but suggests that where the commitment to establish a liquor accord is being made, increased consideration should be given to effective enforcement strategies instead of solely relying on the good-will commitment of participating licensees.

Research has noted that liquor accords' reliance on voluntary commitments from individuals who operate in a highly competitive, profit-oriented industry is one of their fundamental weaknesses, and that such a conflict of interest can potentially undermine any genuine attempt to bring about effective change (Chikritzhs et al 2007; Hawks et al 1999). Instead of relying solely on the licensee's commitment to the accord, enforcement by police and licensing authorities could contribute to positive outcomes. There is a danger that in the absence of adequate enforcement, liquor accords are being perceived as a look-good measure only (Chikritzhs et al 2007; Stockwell 2006), especially since the voluntary nature and the lack of enforcement mechanisms prevent formal evaluation of their outcomes.

## **3) Liquor Accords need to entail formal evaluation mechanisms**

To date, only a limited number of liquor accords across Australia were subject to formal evaluation, and it is therefore unknown to what degree identified objectives have been achieved and whether the establishment of a liquor accord is indeed a successful harm reduction strategy at the community level (Chikritzhs et al 2007). In fact, most of the few evaluations to date have been unable to demonstrate effectiveness in either short-term or long-term reduction of alcohol-related harm. They have, however, successfully contributed to the development of local

communication networks, a sense of local control, and improving public relations through open negotiations (Chikritzhs et al 2007).

Adopting a more regulated approach for liquor accords would establish a number of measurement mechanisms which subsequently would allow formal evaluation of liquor accords' performance against the identified objectives. These evaluations would then become an evidence base that informs best practice principles for the establishment of future liquor accords, and documents which elements make some liquor accords more successful than others. The number of liquor accords established to date proves that the concept of voluntary liquor accords entails value at various levels, but currently data is lacking that proves that liquor accords successfully and cost-effectively achieve their objectives of restricting availability of alcohol and reducing alcohol-related harm.

ADCA believes that evaluation mechanisms should be inherent in any liquor accord from as early on as possible. Research shows how important evaluation of community-based projects is since without formal evaluation, information about and evidence for required modifications in the project are not available. Evaluations conducted in the past can further inform liquor accords being set up in the future and duplication of mistakes could be avoided.

ADCA considers it vitally important that policy and programs at all levels are informed by comprehensive evidence and urges governments at all levels to resource the collection and evaluation of data to inform best practice as well as policy and program development. It is, however, not the compilation of data alone which is important, but the subsequent actual evaluation of this data to inform policy development.

ADCA commends the pro-active stance of the Queensland Office of Liquor and Gaming Regulation and urges the ACCC to support and encourage such community-level commitment to reduce alcohol-related harm by voluntarily restricting the availability of alcohol. ADCA recommends that the ACCC grants interim authorisation in relation to the proposed Queensland Office of Liquor and Gaming Regulation Accord to enable stakeholder consultations to take place and the Accord to be further developed. ADCA further recommends that the ACCC considers the issues raised above when a full assessment of the benefit and detriment likely to arise as a result of the proposed accord is conducted.

If ADCA can be of further assistance regarding this matter, please do not hesitate to contact either myself or the Strategic Communications and Policy Officer of this submission, Ms Kathrin Stroud, on (02) 6215 9814 or via email [Kathrin.Stroud@adca.org.au](mailto:Kathrin.Stroud@adca.org.au).

Yours sincerely



David Templeman  
Chief Executive Officer

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References used in this submission:

Chikritzhs, T.N., Gray, D., Lyons, Z. and Siggers, S. (2007). Restrictions on the sale and supply of alcohol: Evidence and outcomes. *National Drug Research Institute*. Curtin University of Technology, Perth, Western Australia.

Hawks, D., Rydon, P., Stockwell, T., White, M., Chikritzhs, T., & Heale, P. (1999). *The evaluation of the Fremantle Police-Licensee Accord: Impact on serving practices, harm and the wider community*. Perth: National Drug Research Institute, Curtin University of Technology.

Stockwell, T. (2006). Alcohol supply, demand, and harm reduction: What is the strongest cocktail? *International Journal of Drug Policy*, 17(4), 269–277.