

HORMAN-Consultant & Network Services **BILL HORMAN AM APM**

HORMAN-Consultant & Network Services
ABN 78615845427

Ms Sophie Dunstone
Committee Secretary
Email: alcohol.violence.sen@aph.go.au

Dear Ms Dunstone

SUBMISSION TO THE SENATE INQUIRY **Inquiry into the need for a nationally consistent approach to alcohol-fuelled violence**

Background

First, I commend the establishment of a Federal Inquiry to explore a nationally consistent approach to alcohol-fuelled violence.

In my many years of policing (Victoria, Vanuatu and Tasmania) I gained considerable experience working at different levels in relation to the use and abuse of alcohol – and following retirement from policing I was employed for Crown Casino Melbourne for over 15 years – and since “retiring” I have worked as a management consultant which has included working involved with licensed premises including carrying out audit reports, writing of Management Plans, monitoring of venues; providing training, etc. For over two decades I have been involved with Licensing Accords, being a member of Licensees Steering Committee (Melbourne, Port Phillip and Stonnington) and I currently I attend each of the day-long Advanced RSA Courses conducted by the William Angliss Institute as a “commentator” on the various topic presented.

I can advise the Inquiry that at the recent Forum of the Stonnington Licensees Accord held on 17th March 2016 the Chairman of the meeting and I informed the Forum of the Federal Inquiry. I advised that I was preparing a Submission and the Chairman sought an indication from the licensees present as to whether they supported the submission of a Submission. The overwhelming majority of the licensees were supportive of a Submission being prepared but time (including Easter) has mitigated against this being able to be achieved – but if the Inquiry wished to hear from the licensees the work could be undertaken.

Addressing issues around “alcohol-fuelled violence” calls for a very broad approach to a serious and complex matter – as well as the fact that I believe the topic needs to include alcohol AND DRUG fuelled violence because in my experience including reading of many articles and reports – it is often the combination of alcohol and some other drug/substances that contributes to the extreme violence or anti-social behaviour. An article in The Daily Telegraph on 23 December 2013 with the headline “*More than booze behind thuggery*” highlights a number of relevant issues which are relevant to this Federal Inquiry: see Attachment “A”.

Legislation

- **One Punch Legislation**

Various States have recognised what was felt to be appropriate legislation and adequate penalty to deal with the tragedy of one-punch fatal incidents. It is interesting to note that the Daily Telegraph published an article *"Surely there a better solution: Coward punch victim's sister wants lockout laws replace"* and mentioned that Ms Claudia McEwen has been awarded a NSW Young Leader medal after launching the "Wake Up Foundation" focussing on violence, drugs and alcohol after the coward punch of her brother, Michael: see Attachment "B". Accordingly, it seems to me, there is no need for any form of national legislation to deal with the situation.

- **Lock-Out Regime**

A number of jurisdictions have Introduced and trialled "lock-out" provisions whereby a time (such as 1am or 2am) is set after which patrons are not permitted entry to licensed premises and a time (such as 3am) imposed for closure of trading.

The lock-out provisions have met with various success or otherwise – which, of course, particularly depends on what form of measurement is taken to indicate "success".

For example, Victoria trialled a "lock-out" regime around which I had considerable involvement. Many licensed premises successful appealed against the lock-out provisions applying to their licensed premises. Ultimately the lock-out provisions concluded and it was generally considered not to have been successful (but on what criteria/measurement?). Recently Melbourne's Lord Mayor Cr. Robert Doyle spoke on the Neil Mitchell Program on Radio 3AW and stated firmly that the lock-out trial for Melbourne was not a success and he does not support it, particularly emphasising that each city and locality must be treated on its individual and specific circumstances.

Another example is the recent Kings Cross lockout project. Last week Ch9, Melbourne's "A Current Affair" put to air the issues around alcohol-fuelled violence including the lockout provisions. It was interesting for me, as a former senior executive police officer and now management/liquor consultant, to view the segment dealing with the impact of the lockout provisions on Kings Cross. It indicated that a number of nightclubs and licensed premises had closed down as a result – as well as a number of other businesses in support of the night-time economy in Kings Cross which for many years had been a hub of activity. How is success of the lockout project to be assessed? If it's a reduction in crime or, for example, hospital admissions, then the police seemed to be saying it was a success – but has research included focus on whether there was a displacement of such crime and hospital admissions arising from alcohol-fuelled violence in other areas? Any negative impact on the night-time economy and considerable loss of jobs also needs to be considered as part of the assessment as to whether the lock-out was successful.

It appears to me that liquor licensing is very well regulated in each of the various States and Territories and, I'd suggest, not in need of national legislation.

Evidence given recently to the Queensland Parliament Inquiry in relation to Alcohol-fuelled Violence by the President of SPAAL (Security Providers Association of Australia Ltd, Mr Garry Olivers and available on a video-clip (<http://www.youtube.com/watch?v=RV77zt67pU&feature=youtu.be>) is well worth viewing and consideration by the committee. I do not know Mr Oliver – but I agree with many of his comments and views.

I also bring to the attention of the Inquiry – an article in the Herald-Sun “*Do we have a booze problem*” on 27 February 2016 which refers to various studies being undertaken by Dr Michael Livingston of the Centre for Alcohol Policy Research based at Latrobe University relevant to this Senate Inquiry.

HOWEVER, I do believe and support a national approach and national support to a number of areas in the field of alcohol/drugs-fuelled violence and I will address brief comments in relation to Research, Education & Awareness, Funding and Individual Responsibilities (particularly covering comments in relation Patron ID Scanners and banning/barring of violent offenders from licensed premises.

Research

In my view, the Commonwealth could make a considerable and valuable impact in the area of alcohol-fuelled violence if it provided both leadership and funding in the area of research including:

- **Support for recommendation for increased funding to the National Judicial College to establish a national data-base**
- **Support for research in various area of alcohol-related harm – particularly domestic violence**
- **Support for research in relation to the issues around alcohol&substance-fuelled related harm**
- **Research into the impact of all night public transport on weekends and Public Holidays on alcohol-fuelled violence**

Education & Awareness

Other areas where a National Approach would be extremely valuable include:

- **Education and awareness materials and instructions to young persons approaching the age of being able to attend licensed premises**
- **Young persons/patrons to be taught:**
 - **their particular responsibilities and liabilities in relation to offences and anti-social behaviour and problems created by pre-loading and side-loading; fake IDs and fraudulently altered IDs; the danger of “drink-spiking” (including over consumption of alcohol);**
 - **the responsibilities and liabilities of licensees; and**
 - **the role of Security Officers at licensed premises.**

Earlier this year, the Licensee/Director of Chasers nightclub in Chapel Street, Prahran (Victoria) oversighted the setting up of a ½ day Workshop on “Heading Out, Heading Home” – to provide an educational/awareness foundation for School Principals, teachers, counsellors and others - regarding the information that late teenagers ought to know about before turning 18yrs and heading out to nightclubs for the first time and subsequently heading home, safely after enjoying an enjoyable social experience. Some of the topics presented at the Workshop included:

- Responsibilities and liabilities of running a nightclub/licensed premises
- The Role of and Relationship with “Security” at licensed premises
- The Role and Experiences of Police and other Enforcement Agencies in relation to licensed premises and dealing with young patrons in particular
- The Impacts of consumption of Alcohol and Drugs

It is strongly suggested that this is an area where the various Government Departments including Education, Police, Health, etc. and responsible licensees should be involved in the joint presentations of facts and details including harm minimisation measures that need to be taught to students approaching the age of 18 years in particular.

Such information also needs to be available to parents and teachers – a role calling for a national approach.

It was noted that on 24th March 2016 – an announcement was made that Griffith University has been funded to carry out research of 50,000 university students undertaking an online alcohol educational module aimed to further increase students’ knowledge, enable more informed choices and decisions to be made regarding alcohol. It was also noted that the research project involves AlcoCups (which was involved in the “Heading Out, Heading Home” project mentioned above): *see Attachment “C”*.

It is submitted that getting to the young students and also their parents may well be an even more worthwhile aim. For instance, we teach young persons to drive and don’t just put them into a car and let them learn as they go – but we let young persons start to attend licensed premises and consume alcohol with virtually no education or awareness training in relation to the consumption of alcohol and its effects as well as what are the issues around licensed premises that they need to be aware of. *See Attachment “B”*.

Patron ID Scanners

My long time experience around licensed premises and the issues involved, make me a very strong supporter of the use of Patron ID Scanners. In my view, two Patron ID scanners stand out from others i.e. ScanTek and NightKey (which uses bio-metrics).

Issues that can be expanded upon include:

- **Value of Patron ID scanners, particularly scanners that are interconnected electronically from venue to venue and across States**
- **Access to Police/Courts Banned/Excluded Patrons Lists – to enable access to lists of such persons to enable venues to include them on the Patron IDs scanners as “banned”**

Funding

- **Education and Awareness materials**

It is submitted that the Federal Government could make a very worthwhile contribution in the area relevant to this Inquiry by funding education and awareness materials which could be available to distribution and use in schools, licensed premises, etc.

- **Australian ID Guide**

An extremely useful document that used to be available and for use as a reference guide around Australia in relation to “Australian IDS” (32 pages) was published by the NSW Office of Licensing and Gaming. It featured the Learners Permits, Drivers Licences and other IDs acceptable to the authorities (such as KeyPass and Proof of Age) from every State and Territory in Australia. It highlighted the various details of each document to be checked to assist in identifying whether or not the ID produced was authentic or fake. And a new edition could also usefully include some of the various fake IDs used around licensed premises. Such new edition could also include the various websites that can be accessed to check the authenticity of the various ID produced as well as the various fake ID websites. See *Attachment “D”*. Clearly, with the increased use of technology and especially Apps for use on mobile phones – such an App. would be an important and very useful initiative the Federal Government to fund.

Thank you again for the opportunity to make a Submission to your Committee. I am happy to expand on any of these matters mentioned or other relevant issue(s) if the Committee so wishes.

Yours sincerely

BILL HORMAN AM APM
HORMAN – Consultant & Network Services

25th March 2016

This email and any attachment(s) may contain legally privileged or confidential information and may be protected by copyright. You must not use or disclose them other than for the purpose for which they were supplied. If you receive this message in error, please notify the sender by return email or telephone and destroy and delete all copies.

ATTACHMENT A

More than booze behind thuggery

- by: JASON MORRISON
- From: [The Daily Telegraph](#)
- December 23, 2013 12:00AM

40



Several men being aided by police due to over-intoxication. *Source:* News Limited

BARELY a weekend has passed this year when we haven't been confronted with the ugly reality of "alcohol-fuelled violence".

It's a Friday and Saturday night epidemic but there seems to be a reluctance to talk about the rest of the problem ... drugs and personal responsibly.

In the last fortnight, Sydney police have arrested more than 300 mostly young men in an alcohol crime crackdown. In truth, nowhere near that number were actually locked up. Most were let go and issued fines or tickets to front up to court.

But can anyone say how many of these offenders were drug affected? No one will ever know. But we link their violent behaviour to grog even though street police know there's a lot more to the story.

There's nothing new about brawls in and around pubs but it's the number of them and the severity and unprovoked nature that's getting worse.

As one experienced policeman puts it: "What else are these people on?"

"I've seen plenty of pub violence over the years but it's the gravity of this now that shocks me," he said.

"Some mongrel randomly punches a bloke to within an inch of his life for no reason, and when you arrest them you can tell it's more than the drink. You can see it in the eyes."

He'd know. He's spent 25 years policing the streets in our city and says while no one is doubting alcohol is a predominant factor, we need to start looking at what more they are taking, then start making the offender responsible.

It's time to stop blaming everyone else. Strangely, there's no provision for alcohol and drug testing of offenders for this kind of violent crime in NSW. The system tests the victim once they arrive in the emergency department, but why not test the perpetrator under arrest?

It's not like it's hard. We've done this for years with RBT and now roadside drug tests. Why not mandatory drug and alcohol testing of people charged by police for acts of violence?

If you're driving drunk and crash causing injury or death - that's an aggravated or more severe offence because of what's in your system.

I'd argue the same for having a swing at someone in a pub. If you're out of control, drunk or off your head on ice, your crime and the likely punishment should actually be greater.

Instead, being "under the influence" tends to work in the favour of the criminal. It's the diminished responsibility argument.

In the eyes of a crafty defence lawyer, being drunk and on drugs are classic excuses for "out of character" behaviour. Sadly, it often works.

Only a fortnight ago in the Downing Centre court, a 23-year-old who'd punched and kicked another man, putting him in hospital for a month, was given a fine and a community service order for his crime.

The victim faces years of facial and dental work and now has limited sight in one eye. He's had to quit his job and change occupation because of disabilities caused from the bashing.

But the lawyer for the criminal was able to argue that the "normally quiet young man was letting his hair down and had taken an unknown tablet given to him by a friend which caused this reaction incompatible with his normal nature".

Let's decode this lawyer-speak: "Don't blame him. It was the drug that did it!"

It won't shock many that the magistrate accepted the argument and let him off with a fine, even though the police wanted him jailed for the violent attack.

The point is, if you're off your head on any substance, legal or not, and then you commit a vicious crime, why are you not held more accountable? Why are these not aggravating factors?

Police should be able to supply the court with test results that tell the magistrate the real story: how much booze and what drugs. This should be part of the case against the thug, not a throwaway line to help him get off.

If you think this is unreasonable, think for a moment how you would feel if we started letting people go who'd killed or maimed while driving on the grounds that they didn't know what they were doing because they'd had a few drinks.

It sounds ridiculous yet we accept it with violence.

We are living in strange times when virtually everything can be explained away and rationalised. What happened to accountability, shame, and personal responsibility? We're fast making even the phrase "alcohol-fuelled violence" just another excuse.

ATTACHMENT "B"

'Surely there's a better solution': Coward punch victim's sister wants lockdown laws replaced

Michael McEwen was in a coma for eight  punch attack in December 2013.
(Supplied)

The sister of coward punch victim Michael McEwen says NSW's controversial lockdown laws are a failure and a better solution is needed to stop alcohol-fuelled violence.

For eight days Claudia McEwen, 22, watched her brother fight for life in a coma after being punched and stomped on in December 2013.

It was random violence directed at Mr McEwen and others in the Kings Cross and CBD areas of Sydney that led to the strict lockdown laws that restrict the serving of alcohol and opening times of clubs and pubs.

While assault rates in the trouble suburbs have reduced, many argue it is only a reflection on the dramatic drop in people to the areas, which has sparked an enormous campaign accusing the Baird government of destroying Sydney's nightlife.

Ms McEwen told the [Daily Telegraph](#) she was unconvinced the lockdown laws were the right way to curb violence and said young men needed to be taught violence was a "failure of self-control, not a symbol of masculinity" rather than blaming liquor laws.

"I say that after going out and seeing the impact (without lockout laws) is having on our nightlife culture," Ms McEwen said.

Claudia McEwen was awarded a NSW Young Leader medal after launching the Wake Up foundation focusing on issues of violence, drugs and alcohol after the coward attack on her brother. (Facebook/Pride of Australia Medal)

"You can't deny those statistics but when foot traffic has gone down so much, so many bars and clubs closing down, surely there is a better long-term solution."

ATTACHMENT “C”

New research partnership targets alcohol-fuelled violence

Author: Stephen O'Grady

Date: March 24, 2016

The role of education in the reduction of alcohol-fuelled violence will be highlighted at Griffith University on Thursday (Mar 24) when a new partnership involving Social Marketing @ Griffith and alcohol and drug educational specialists, AlcoCups, is unveiled.

Queensland Senator Glenn Lazarus has also backed the new research initiative to be outlined at a media conference at Griffith's Nathan campus, and will attend the 12:30pm event.

Senator Lazarus has recently succeeded in establishing a national Senate Inquiry into alcohol-fuelled violence and the need for a national strategy to address the issue in partnership with all states and territories.



“Nationally, one in seven serious incident presentations to emergency departments are alcohol-fuelled violence related,” Senator Lazarus (left) said today.

“In Queensland the number is higher, it is one in five, so I am very supportive of Queensland's lead in undertaking research to investigate how existing education programs can be improved to address the growing issue across our society.

"I am pleased to be supporting this research initiative between Griffith University and AlcoCups."

Thursday's announcement focuses on the launch of AlcoCups' new Online Alcohol Educational Module, which will be independently assessed by the Social Marketing @ Griffith team.

The module aims to increase knowledge among university residential students about standard drinks, Blood Alcohol Concentration, water safety and alcohol, the effects of alcohol and assistance for alcohol issues.

"The importance for innovative, interactive and informative education should be at the forefront of any approach to positively changing alcohol culture," Ashley Gurney, founder and managing director of AlcoCups, said.

Students living on university campuses around Australia have recently commenced the online alcohol educational module. The online modules are supported by the Australasian Association of College and University Housing Officers.

The module aims to further increase students' knowledge, enabling more informed choices and decisions to be made regarding alcohol.

Their responses to the module will be scientifically reviewed by the Social Marketing @ Griffith team to evaluate its impact and effectiveness.



"We will investigate their responses both before and after completing the five online modules, and analyse changes in knowledge, expectancies, intentions and attitudes towards excessive drinking," Dr Timo Dietrich (right), Griffith Business School, said.

“Our ultimate focus here is on alcohol-fuelled violence and what can be done to address it effectively. We are confident our partnership with AlcoCups can underline the crucial part that education has to play in tackling this issue by bringing about cultural changes.

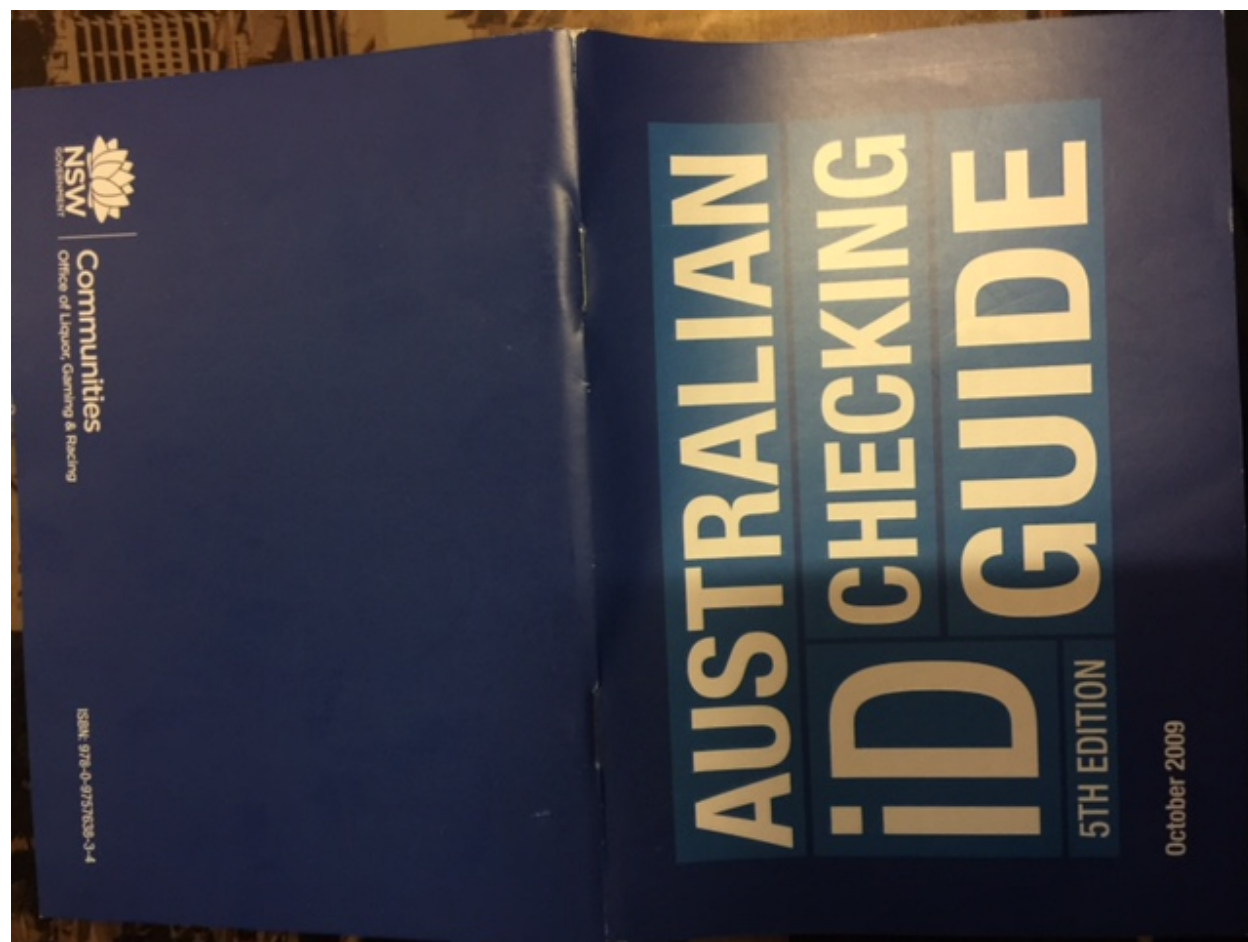
“One in every three Australians has experienced alcohol-fuelled violence during their lifetime.”

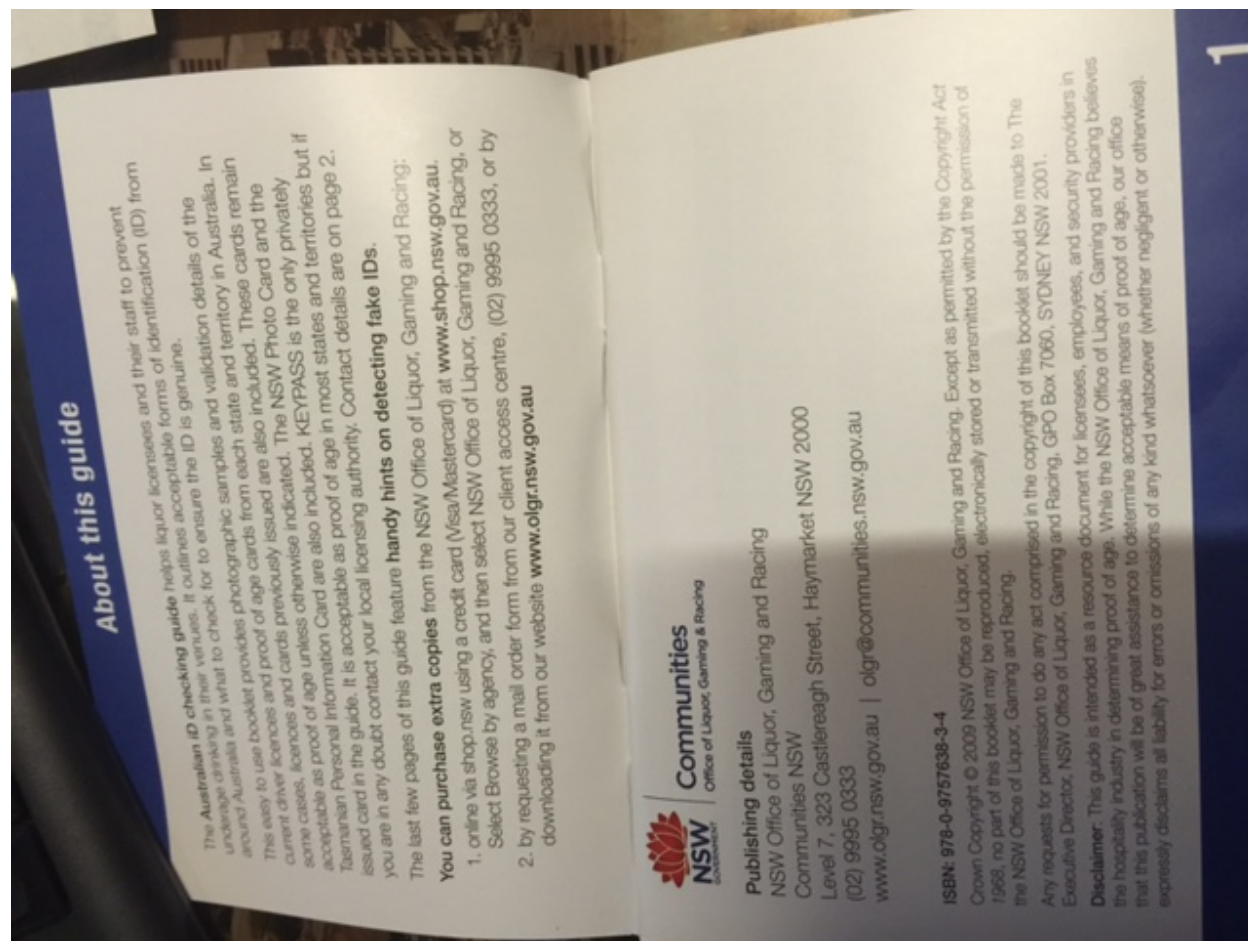
Social marketing involves the use of commercial marketing techniques to influence and facilitate behaviours that benefit individuals and communities.

Dr Dietrich has previously designed and developed Game On: Know Alcohol, an online program that successfully changed attitudes and behaviour among teens around alcohol consumption and binge-drinking.

“We are delighted with the support we have received from Senator Lazarus whose involvement will help to raise awareness of this project,” he said.

ATTACHMENT "D"





Participating authorities	3
Australian Capital Territory	
www.ors.act.gov.au Department of Justice and Community Safety, Office of Regulatory Services 255 Canberra Avenue, Fyshwick ACT 2609, phone (02) 6207 0562	8
New South Wales	
www.olgr.nsw.gov.au NSW Office of Liquor, Gaming and Racing, Communities NSW 323 Castlereagh Street, Haymarket NSW 2000, phone (02) 9995 0333	11
Northern Territory	
www.nt.gov.au/justice/licensing Licensing and Regulation Division, Department of Justice, Enterprise House, cnr Wood and Knuckey Streets, Darwin NT 0800, phone (08) 8999 1800	14
Queensland	
www.liquor.qld.gov.au Liquor Licensing Division 19th Floor, Mineral House, cnr Margaret and George Streets, Brisbane QLD 4000, phone (07) 3224 7024	18
South Australia	
www.olgc.sa.gov.au Office of the Liquor and Gambling Commissioner Level 9, Zurich Building, 50 Grenfell Street, Adelaide SA 5000, phone (08) 8226 8410	20
Tasmania	
www.treasury.tas.gov.au Commissioner for Licensing Henry House, 1 Civic Square, Launceston TAS 7250, phone (03) 6336 2212	22
Victoria	
www.justice.vic.gov.au Responsible Alcohol Victoria Level 37, 121 Exhibition Street, Melbourne VIC 3000, phone 1300 650 367	27
Western Australia	

DRIVER LICENCE

Victoria

February 2002 - present

DRIVER LICENCE
VICTORIA AUSTRALIA
LICENCE NUMBER
040000231
ANDREW G CITIZEN
60 DENMARK ST
KEW VIC 3101
LICENCE EXPIRY
29-01-2015
LICENCE TYPE
CAR
CONDITIONS
03-01-1954
A. Citizen
vic roads

Actual size shown

Description

- Photographic plastic card
- Vic Roads logo bottom right
- Reverse of card contains conditions and change of address instructions
- Coloured band across top of card indicates age of licence

How to tell if card is genuine

- Swirled security pattern across face of card
- Inverted triangle and five stars within hologram repeated in plastic laminate
- 9 digit licence number

COLOUR BORDER	TYPE	MINIMUM AGE
Blue	Open	18 Years
Yellow	Learner	16 Years
Green	Learner	16 Years
Red	Probationary	18 Years