

## ADF POSITION ON LIQUOR ACCORDS

### Purpose

The purpose of this document is to articulate the ADF's position on the value of Liquor Accords.

### Background

Liquor Accords are voluntary agreements between key stakeholders of the local liquor industry to reduce alcohol-related harm in and around licensed venues. The first Liquor Accord was established in Geelong in 1991<sup>1</sup> and as of 2013 there were more than 300 Liquor Accords in Australia.<sup>2</sup> Liquor Accords are an Australian innovation and there is a paucity of rigorous evaluation of their impact. However, the existing evidence base suggests Liquor Accords do not materially reduce alcohol related harm.

### Membership

Participants in liquor accords may include licensees, local councils, government departments including the licensing authority, police, and local community organisations, including local Community Drug Action Team in NSW, and relevant parties. Each Liquor Accord can determine its own membership as there are no universal membership requirement.

### Aims

Liquor Accords are codified in the liquor licensing legislation of several states: principally they aim to promote responsible service of alcohol and reduce alcohol related harm in and around licensed venues.<sup>3</sup> Additional aims include: promoting greater self-regulation, improving relationships between members of the Accord; fostering and promoting innovation and appropriate legal strategies and Improving management practices.<sup>4</sup>

### Implementation

Liquor Accords operate in every state and territory in Australia, excluding Tasmania and the Australian Capital Territory.<sup>5</sup> There are no major differences in the design or

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<sup>1</sup> Curtis A, Coomber K, Droste N., et al 2017. Effectiveness of community based interventions for reducing alcohol related harm in two metropolitan and two regional sites in Victoria, Australia. *Drug & Alcohol Review*: DOI: 10.1111/dar.1250.

<sup>2</sup> Manton E, *Liquor Accords: Do They Work?* In Manton E, Room R, Giorgi C, and Thorn M, (eds) 'Stemming the tide of alcohol: liquor licensing and the public interest', Canberra: Foundation for Alcohol Research and Education in collaboration with the University of Melbourne, 2014.

<sup>3</sup> Manton, 2014.

<sup>4</sup> Manton, 2014.

<sup>5</sup> Curtis, Miller, Droste et al, 2017.

aims of Accords from state-to-state, although they can differ on structure, membership, fees, meeting procedures etc. <sup>6</sup> Membership of accords is voluntary for licensees in all jurisdictions with the exception of several accords in designated late-night entertainment precincts in NSW (Precinct Liquor Accords), which have mandatory membership for all late night licensed venues in the area.<sup>7</sup>

Accords involve participants meeting together to be better informed of local issues, discuss matters of common interest, to hear from other stakeholders including police, and to seek practical solutions to liquor-related problems. Agenda items can include reminders about licensing requirements, changes to regulations and legislation, management of difficult patrons, advice on improving amenity and safety.

Accord participants have cited increased communication between stakeholders as the principal benefit of the initiative, allowing for better networking among their peers as well as improving consistency across their operations.<sup>8</sup> Participating in the Accord also benefits the licensees by promoting improved business standards and a better business environment, and by enhancing the reputation of the establishment.<sup>9</sup>

Some accords have ventured beyond their own practice and have implemented programs within their locality to promote safe behaviour, such as providing alcohol education in schools and subsidizing responsible service of alcohol training for students. <sup>10</sup>

### **Problems for accords**

Very few Accords have undergone a rigorous evaluation. Despite anecdotal claims that a particular accord is successful, the claim rarely survives scrutiny due to a lack of substantial data that would indicate a reduction of alcohol related harm.<sup>11</sup> Usually accords are set up without baseline data and are often established alongside other preventive measures which confounds determining its effect. Evaluations of accords in Geelong, Fremantle, Kings Cross failed to provide robust evidence of lowered rates of harm such as antisocial behavior, assaults, crime, emergency hospital admissions.<sup>12</sup> <sup>13</sup> Despite the presence of the Geelong Liquor Accord between 2005-2009, emergency department presentations for alcohol-related assaults rose consistently.<sup>14</sup>

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<sup>6</sup> Curtis, Miller, Droste et al, 2017.

<sup>7</sup> Club Training Australia. Liquor Accords in NSW. Downloaded April 2018  
<https://clubtraining.com.au/2012/09/29/liquor-accords-in-nsw/>

<sup>8</sup> Curtis et al, 2016.

<sup>9</sup> Curtis et al, 2016.

<sup>10</sup> Manton, 2014.

<sup>11</sup> Manton, 2014.

<sup>12</sup> Curtis A, Miller P, Droste N, McFarlane E, Martino F, Palmer D. 2016. The ones that turn up are the ones that are responsible: Key stakeholders' perspectives on liquor accords. *Drug & Alcohol Review* 35, 273-279.

<sup>13</sup> Manton, 2014.

<sup>14</sup> Curtis et al, 2016.

The existing literature indicates that accords are not productive.<sup>15</sup> A study of 46 stakeholders from two major Accords reported that issues discussed at the meetings were deemed important, but action was rarely taken by members and the issues remained untreated and unresolved.<sup>16</sup> The most significant criticism concerned the reluctance of licensees to implement effective policies that might reduce their revenue or provide a competitive edge to a rival venue. Those measures included the possibility of increasing drink prices or reducing opening hours.<sup>17</sup> This suggests the concept of Liquor Accords is hamstrung by a conflict of interest, as licensees are unlikely to self-regulate or implement effective policies due to the concern for business viability.<sup>18 19</sup>

### **The view of liquor regulators**

Despite the lack of evidence that the primary aims of liquor accords are being met, licensing regulators perceive a range of positive outcomes. The Victorian Commission for Gambling and Liquor Regulation and the NSW Office of Liquor suggests stated that the benefits include more enjoyable entertainment areas for residents and visitors, improved compliance with liquor licensing laws and improved business environments.<sup>20,21</sup>

### **Improving Liquor Accords**

There is general agreement that Liquor Accords have the potential to be more effective in reducing alcohol-related harm.<sup>22 23</sup> A common suggestion is making participation mandatory for all licensees in the local catchment area as the lack of universal participation inhibits effectiveness of accords. Miller et al (2012) has shown that mandatory participation in Accords increases the likelihood of the implementation of the Responsible Service of Alcohol.<sup>24</sup> Another suggestion is for the licensing authority to be granted the power to impose sanctions on licensees who do not comply with the Accord's policies.<sup>25</sup> Manton emphasises the importance of regular formal evaluations of the Accord to continually assess the strengths and weaknesses of the Accord.<sup>26</sup>

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<sup>15</sup> Curtis et al, 2016.

<sup>16</sup> Curtis, Miller, Droste, 2016.

<sup>17</sup> Homel R, McIlwain G, Carvolth R, Creating safer drinking environments, in Heather N, Peters TJ, Stockwell T (eds) 'International Handbook of Alcohol Dependence and Problems', Chichester: John Wiley and Sons, 2001

<sup>18</sup> Curtis et al, 2016.

<sup>19</sup> Babor, T. et al. (2010) *Alcohol: No Ordinary Commodity* Oxford, Oxford University Press.

<sup>20</sup> Curtis, Miller, Droste, 2016.

<sup>21</sup> Victorian Commission for Gambling and Liquor Regulation. 2012. Liquor forum and accord guidelines: establishing and operating a local liquor forum. Richmond: VCGLA.

<sup>22</sup> Manton, 2014.

<sup>23</sup> Loxley W. et al, The Prevention of Substance Use, Risk and Harm in Australia: A review of the evidence. National Drug Research Centre & the Centre for Adolescent Health, 2004.

<sup>24</sup> Miller P, Tindall J, Sonerlund A, Dealing with Alcohol and the Night-Time Economy (DANTE): Final Report. National Drug Law Enforcement Research Fund, 2012.

<sup>25</sup> Loxley et al, 2004.

<sup>26</sup> Manton, 2014.

## **Participation of Community Drug Action Teams**

At present 13 CDATs have joined a local Liquor Accord, or work with a local Accord, or are negotiating with an Accord. Involvement in the Liquor Accord offers CDATs participation in a mechanism that formally addresses alcohol matters and has the theoretical capacity to influence local drivers of alcohol related harm. Membership also provides the CDAT with important local support, advice, information and networks that assist the CDAT with its other work. In one case an Accord has provided a CDAT with funding of \$10000.

However, there are risks when CDATs align with Liquor Accords - if the Accord was to advocate policies or activities that are inimical to the CDAT purpose it will disrupt the CDAT work plan and pose a reputational risk to the CDAT and possibly the ADF.

To mitigate this risk the CDAT must join the accord as a full member, not as an observer, and the CDAT representative/s must be clear about the goals and objectives of the CDAT and the Accord, and work towards a mutually beneficial outcome. It would be best to work on a well-defined project rather than diffusing the group's energy widely and without focus.

## **Summary and recommendations**

Liquor Accords bring together local alcohol industry stakeholders including licensees, police, local government and community interests, including CDATs in several cases, with the aim of improving business practices in the interest of reducing alcohol related harm. Liquor Accords have not shown evidence of effectiveness in reducing the harmful effect of alcohol, although they do offer the community an opportunity to interact and influence the practice of local alcohol businesses.

## **Position**

- 1) Liquor Accords are a potentially useful mechanism to allow the community to exert some influence on the practice of local alcohol businesses with the aim of reducing alcohol related harm.
- 2) Liquor Accords will be more effective when regular participation is mandatory for the licensees in the Accord catchment area and when sanctions can be imposed by the licensing authority for failure to comply with Accord policy.
- 3) Community groups that join Liquor Accords must be careful to maintain their independence and not become compromised by their desire for community partnerships.

Ends.