

1. Assess whether the Late Night Code has successfully reduced

alcohol-related harm in and around licensed venues

No.

We have requested (multiple times and in various ways) to SAPOL, Consumer and Business Services, and multiple MP's, to view the specific data that would allow us to more accurately answer this question, however, even with the data available to the general public and without further filtering, we can make an informed conclusion.

The data available to us:

Data.SA allows filtering statistical records based on suburb. Although we know that all of the crime recorded is not "in and around licensed venues", our search on Adelaide CBD postcode 5000 in its entirety is as narrow as we could research. The time of incidents are also not listed, so it's impossible to see or determine the trend of crime specifically during the times of 3.01 am and 7.00 am. There is also not an option to further filter whether any or all of the recorded offences are 'alcohol-related'. However, irrespective of these points, the data still speaks for itself.

Before the lockout:

Both "offences against the person" and "offences against property" were already declining for 3 consecutive years before the lockout was introduced in October 2013. It's fair to say that the lockout did not contribute to this existing decline and it's impossible to conclude whether this trajectory wouldn't have continued on its own without the lockout. Publicised for each financial year, the earliest report available at the time of this article is 2010/2011, which had a total crime tally for the Adelaide city of 2,968 ("offences against the person" = 977 and "offences against property" = 1,991). In 2011/2012 this drops to a total tally of 2,930 ("offences against the person" = 966 and "offences against property" = 1,964). In the last full year before the lockout is introduced, incidents drop again to a total tally of 2,875 ("offences against the person" = 943 and "offences against property" = 1,932). Before the lockout was even introduced, we were on a downward trend with a total reduction from 2010/2011 to 2012/2013 of 93, or a reduction of an average of almost 2 incidents per week.

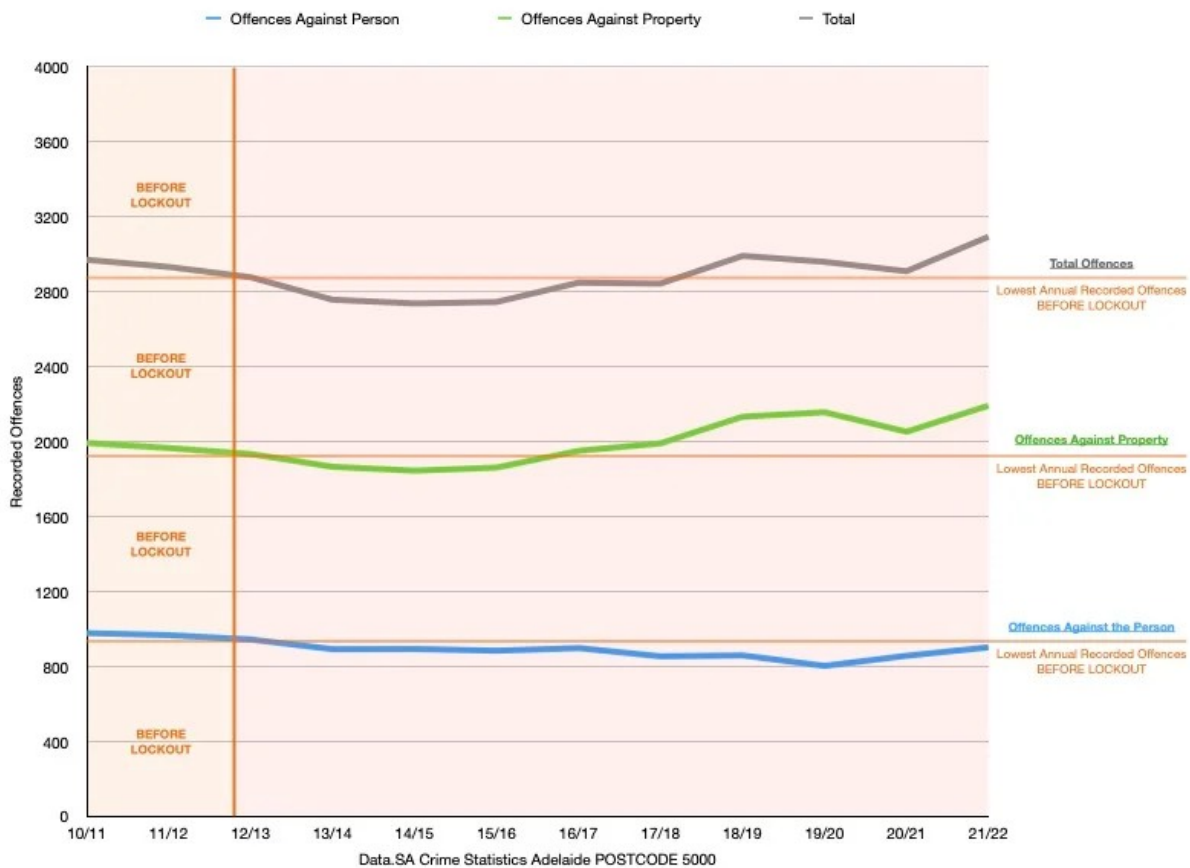
Since the lockout:

In the 2013/2014 report, which still included 4 months before the lockout commenced, a further reduction of total offences saw the tally drop to 2,755 in total ("offences against the person" = 891 and "offences against property" = 1,864) and this number stays somewhat consistent for 3 years before rising by almost 100 offences in the year 2016/2017, with a total of 2,846 ("offences against the person" = 897 and "offences against property" = 1,949), comparable with pre-lockout incidents and rises again over the next two years to see a 2018/2019 total offence tally reach 2,989 ("crimes against the person" = 858 and "crimes against property" = 2,131), *exceeding all three years prior to the lockout*. 2019/2020 and 2020/2021 saw the total tally drop back to 2,957 ("offences against the person" = 802 and "offences against property" = 2,155) and 2,907 ("offences against the person" = 856 and "offences against property" = 2,051). It's not unreasonable to presume this most recent drop could be attributed to COVID-19 and it only takes ***the following year's report of 2021/2022, when South Australia's COVID restrictions were eased, to see a total annual offences tally in the Adelaide CBD reach its 12 year record high of 3,091*** ("offences against the person" = 901 and "offences against property" = 2,190).

Conclusion:

According to the above statistics, we can see that the Late Night Trading Code, specifically Part 4, point 13, and the prohibition of entering or re-entering of licensed venues between 3.01 am and 7.00 am has not effectively reduced the total number of offences within the CBD. We also know that the above statistics are not all alcohol-related and they couldn't possibly all be within the hours of 3.01 am and 7.00 am. If the records are made available to reflect only alcohol-related offences within late night trading hours, specifically 3.01 am and 7.00 am, we would be able to further respond to its effectiveness and its validity, however, at this stage we are comfortable and confident in stating that it has not been effective and that offences have surpassed pre-lockout statistics.

The following graph and table reflects a pictorial of the above statistics:



Annual Record POSTCODE: 5000	Offences Against the Person	Offences Against Property	Total
2010/2011	977	1991	2968
2011/2012	966	1964	2930
2012/2013	943	1932	2875
2013/2014	891	1864	2755
2014/2015	892	1843	2735
2015/2016	883	1860	2743
2016/2017	897	1949	2846
2017/2018	852	1989	2841
2018/2019	858	2131	2989
2019/2020	802	2155	2957
2020/2021	856	2051	2907
2021/2022	901	2190	3091

2. Assess whether the Late Night Code has

resulted in any unintended consequences

Yes.

Including, but not limited to, the following:

- Loss of freedom of choice and civil liberties for the general public to participate in late night entertainment, including, but not limited to, hospitality and event staff, shift-workers, sporting teams and spectators, and guests of events outside of the CBD, who have limited to no time to enjoy multiple city venues before 3 am, or may not even make it before 3 am at all.
- Loss of choice for hospitality staff finishing close to or after 3 am to frequent any venue other than their own, unable to meet friends or participate in exploring the city nightlife after work, reducing work/life balance and enjoyment and eliminating limited social opportunities
- Loss of hours to hospitality staff
- Loss of income to bars and clubs
- Loss of guests to hotels with reduced number of tourists seeing Adelaide as a good choice for a weekend aware
- Loss of income, passengers and reduced hours for the transport industry, including taxis and Uber
- Loss of income to Musicians / DJ's / Entertainment and loss of choice to enjoy social activities after 'work' due to finishing times
- Heightened difficulty in finding transport as all patrons "locked out" are now looking for transport at the same time
- Lack of security and staff presence after 3 am makes it less safe for those "locked out", who may need assistance, water, facilities, or who may be isolated and displaced from friends
- Lack of security and staff presence after 3 am eliminates the presence of said personnel to act as a deterrent to troublemakers who are now knowingly "unsupervised", and removes the opportunity for them to alert police and/or request assistance
- Displacement and separation of friends in addition to the isolation with no open venues, staff or security presence, makes it less safe for individuals
- Food outlets are inundated with people who are 'locked out', pushing the responsibility of patron safety and wellbeing onto operators who do not hold responsible service of alcohol licenses and who may not be experienced or trained to effectively manage the situation when un-likeminded people are forced together
- Loss of reputation as a "vibrant city" (as the government aims to want to be) or tourist destination, reducing our appeal as a state of choice amongst those looking to party and enjoy a night or two on the town. Buildings don't create vibrancy, people create vibrancy! This then results in less trade to our airlines, hotels, motels, restaurants, bars and shops.
- Last remaining city in Australia with a lockout further cements our reputation as a 'nanny state', 'boring city' with 'nothing to do'. We need to be more appealing to all generations and audiences visiting our state and nurture both our day and night time activities for future generations and businesses to thrive and settle here
- Recent statistics show that most people choosing to settle here are 50+ years old and the age bracket of those leaving is 18-25 years old. We need to create a fruitful foundation for our young people to be motivated and inspired to grow their personal and business lives here and not just see this as a place for retirement. We have been voted most liveable city, best international airport, and yet we are often overlooked for international music acts and our nightlife is struggling!

- We are behind the times in a state, nation and world where we've moved to a 24/7 society. Think service stations, gyms, deliveries, online entertainment. Our hospitality industry is being held back for no logical or effective reason and it is being presumed that the only time people are available to socialise is in accordance with a "9-5" job and lifestyle
- Given the Adelaide Casino, SkyCity, has always been exempt from the Code / lockout, the government has knowingly funnelled all visitors to the city after 3 am to the casino for continued drinking and the incidental enticement of gambling
- Increased patronage to SkyCity after 3 am for those not wanting to go home creates a further unintended risk of becoming a problem gambler, which - also classified as "anti-social behaviour" - statistics show can lead to violence, including intimate-partner violence and domestic violence. Although there *may* be an indication that shows alcohol-related violence fluctuated after the lockout was introduced, how can the effects of problem gamblers, crimes against the person, crimes against property, and domestic violence be measured for those offences that are committed in residential areas / outside of the the CBD?
- Growing evidence shows the association between problem gamblers and intimate partner violence, along with severe mental health decline, depression and suicide
- Where 2016-2019 showed a 5% decrease in alcohol related presentation to the Emergency Department in South Australia at 2 am, 2018-2019 showed SA had the highest increase in Australia, at 3.8%, of Methamphetamine presentations. (2019 survey published by the Australasian College for Emergency Medicine)
- Every year since the beginning of the series in 2008/2009, illicit drugs was the highest recorded principle offence
- One can presume the unintended revenue increase of SkyCity was a welcome one, with their records, taken from their Annual Reports, increasing by into the high \$900m's once the lockout was introduced. The annual revenues are as follows

Financial Year	SkyCity Annual Revenue
2012	\$851,530,000
2013	\$859,549,000
2014	\$820,485,000
2015	\$916,087,000
2016	\$998,693,000
2017	\$927,300,000
2018	\$994,579,000

LOCKOUT
BEGINS
OCTOBER 2013

3. Provide recommendations (if any) to the Late Night Code

- Remove Part 4 (requirement 13) of the Late Night Code of Practice
- If Part 4 is to remain, amend 'lockout' time to start 6 am and end at 8 am
- If Part 4 is to remain, the same amount of security and staff that would normally be present on the street should be replaced with government funded security and/or police for a minimum of 1 hour to ensure the safety and security of those 'locked out' as they mass-exit the city or frequent late night food operators
- If Part 4 is to remain, remove SkyCity's exemption (licensed for over 13,000 patrons / the equivalent of approximately 20 venues). One venue should not be able to benefit (by way of an increase of more than \$100m) at the detriment of all others, especially when it seems that the venue may not

even be fit to hold a license at all, considering their current investigation with AUSTRAC

- Amend the 'lockout' time to fairly and equally effect each venues license. Eg, the 'lockout' time could be 2 hours before each venue's end of trading time according to their license (eg, those with a 2 am license are prohibited from allowing entry or re-entry after midnight)
- Continue to ensure each venue is following their already governed responsibilities as a licensee
- Continue to educate licensees, staff and patrons on responsible service and responsible consumption of alcohol and social behaviour. Create a new and progressive team within the government to effectively market this strategy and reach the intended audiences
- The safety and security of staff and patrons is the responsibility of licensees. If patrons feel unsafe, they will likely avoid the venue. The reputation and effective management and responsible service of alcohol will be what attracts people towards or repels them away from licensed premises. It's unfair to punish all venues and all patrons, most who are law-abiding citizens, as a result of those participating in unlawful or anti-social behaviour, some who may not even frequent licensed premises and simply be in town after pre-loading or attending suburban venues and/or activities
- Increase consequences to patrons / licensees if found to be guilty of unlawful behaviour
- A blanket rule shouldn't apply to the majority, who are law abiding citizens
- More police presence on the street can act as a deterrent to troublemakers
- Close Hindley Street to vehicle traffic on Friday/Saturday nights, making it a car-free street (potentially a one-lane or one-way lane for transport/emergency vehicles). This has proven effective in many cities around the world in creating a positive social environment for city-goers, has been shown to reduce both pollution and crime. There are many cities around the world whose population is in the millions that seem to function well without a lockout.)
- As seen on Beale Street, Memphis, a few years ago, the carless street was barricaded on its major entry points, with security checking people on their way in, with metal detectors and ID. Although this did take a little longer to enter the street, the completely full street felt safe and I predict troublemakers may stay away considering the effort to get in/out and the inability to 'escape' easily
- There are cities far larger than Adelaide with millions of people populating the area that seem to be able to manage a thriving nightlife without a lockout. We only need to manage 1 to 2 streets!
- Talk to the people, as we did, and ask what they want or suggest. Relate to our citizens, staff, musicians, shift-workers, licensees, etc, and ask what they believe the problems are and for their recommended solutions
- Create a new committee that is dedicated to the ongoing safety of our citizens and ongoing responsible service of alcohol. We could have a team of uniformed staff that patrol the street in pairs, are identifiable to our city-goers, are trained in body-language and first aid, can alert police if they sense trouble is brewing, can answer questions from city-goers who may need assistance, can potentially have blood alcohol readers or drug testing kits so that our citizens can be aided in making safe choices
- Create a new position, or a night time 'mayor' who is responsible for all of the above and can act as a bridge between daytime and nighttime economy
- Communicate what the actual problems are, what the intended objectives and goals are, and create a space where alternative solutions can be made and tried. The lockout is clearly not the answer to reduce alcohol-related violence, so its immediate removal should be made from the Late Night Code and ongoing work towards goals should continue
- Create or continue with initiatives, particularly at the grass-roots, to educate our young people on the responsible consumption of alcohol and drugs. Create a team that can reach our youth through social media with effective campaigns that aim to inspire and motivate social behaviour, even when on a night out. I have been invited to participate in the P.A.R.T.Y Programme to potentially collaborate on initiatives of connecting the target demographic with the intended content and education