



**ENCOUNTER
YOUTH**

Encounter Youth Submission

**Late Night Trading Code of Practice
2023**

**Prepared for the Liquor and Gambling Commissioner,
Consumer and Business Services**

**We Support Young People To Make
A Positive Difference In The World.**

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Encounter Youth Background

Encounter Youth is a not-for-profit health promotion charity. For the past 24 years, we have worked with community members, local, state, and federal government to support young people across South Australia. We manage school leaver celebrations in South Australia, which is now largely recognised as the shortest and safest school leaver celebration management program in Australia. Our Empower Education program is the largest provider of preventative, evidence-based alcohol and other drug education in South Australian high schools. Since 2011, our award-winning Hindley Street Program has supported vulnerable young people in the Adelaide CBD every Saturday night. Our programs are facilitated by a staff team of 14 and supported by over 450 volunteers.

The Encounter Youth Hindley Street Program responds weekly to the complex issues of alcohol-fuelled violence, drug offences, sexual assault, anti-social behaviour, and community safety concerns among young people in Hindley Street. This program utilises evidence-based, situational, and social crime prevention theories to increase and promote safety. Trained Encounter Youth volunteers patrol Hindley Street in street teams of four every Saturday night between 11:00 pm-5:00 am. Volunteers provide responsible supervision on a peer level to young people and support to patrons in their moment of need or vulnerability. Consistent with our holistic approach to working in complex social environments and community development, we regularly collaborate with key stakeholders to ensure ongoing development of late-night safety strategies.

LATE NIGHT TRADING CODE OF PRACTICE REVIEW

Encounter Youth is uniquely positioned to observe the late-night precinct from 11:00 pm to 5:00 am every Saturday night with our volunteer reports and direct response to patrons informing our opinion.

Encounter Youth supports the provision of the lock out in the Late Night Trading Code of Practice. As our program has been operating before and after its implementation, we have directly witnessed its effectiveness in reducing alcohol-related harms, crime, and antisocial behavior in the Hindley Street precinct.

Our volunteers consistently report that the number of patrons on the street significantly decreases at the enactment of the 3:00 am lock out. Through weekly volunteer reports, our volunteers observe and comment on the number of people in the precinct pre and post lock out as well as incidents that they respond to.

It is our observation from these reports that there is a direct correlation between the length of time patrons spend in the Hindley Street precinct and their level of intoxication. Alcohol-fueled violence is likely to increase with higher levels of intoxication. Therefore, the observations that there are fewer people on the street further support the role that the 3:00 am lock out has had on directly increasing safety.

Below are excerpts from each year of what our volunteers notice pre and post lock out.

DECEMBER 2016 "Street was very quiet and tame when we emerged at 3am."

JUNE 2017

"There were less people hanging around on the street after the lock out. People didn't like the cold and headed home pretty fast. Shisha places still had several patrons but apart from that there was hardly anyone sitting outside at 4AM."

AUGUST 2018

"Large number but quickly dissipated after lock out."

JANUARY 2019

"Pre-lock out crowded busy street. Post crowded to begin with but numbers thinned out quickly."

JULY 2020

"Lots of people early on. Average number after lock out."

DECEMBER 2021

"Busy overall throughout the night. After lock out, some areas were much quieter, some food areas were still pretty busy later into the morning around 4am."

APRIL 2022

"Low numbers right after lock out."

SUGGESTED AMENDMENT

Encounter Youth has observed that, at times, the result of venues upholding Section 7(4) has broadly resulted in the eviction of patrons from the venue without any ongoing observation or support.

While this action may be appropriate for patrons displaying antisocial or abusive behaviour, we do not believe it is appropriate for the licensee to discharge their duty of care for patrons who are heavily intoxicated from the alcohol the venue itself has sold to them.

Our volunteers have observed in these circumstances that the risk of harm is not reduced but rather transplanted, from inside the venue to outside the venue. Often these patrons are left on their own around the venue from which they have been evicted, unable to walk or support themselves to get home.

Encounter Youth does not believe that the complete eviction of a patron with no further support by venue staff is “appropriate action to be taken”. We propose that this section be amended to require the venue to provide appropriate monitoring and support to an intoxicated patron who has been evicted. This could include knowledge of options to get home such as the managed taxi ranks or the home zone buses.

See two excerpts from incident reports below.

1:20 AM, 04 September 2022

Volunteers were responding to a patron when one volunteer saw venue security bring a different patron out of their venue. The patron appeared heavily intoxicated and was not very responsive. The patron had a friend with him. Two volunteers walked over to the patron and discovered that the patron was not in a good state. The patron was covered in vomit and was very slumped and unresponsive. The volunteers spoke with the friend and discovered the patron had recently been diagnosed with Type 2 diabetes. The patron was sweating profusely, the breathing was okay, but pulse was about 90bpm. The volunteer called SAAS who took about half an hour to arrive. SAAS arrived and took command of the situation.



2:30 AM, 21 June 2020

Volunteers saw a young male patron face-down lying on the ground outside of a venue. Volunteers observed that venue security were not responding to the situation and there were many people walking past without paying any attention to the patron.

The volunteers stopped and tried to wake the patron. They were able to do this and although the patron was not very alert the patron slowly got up. The patron had trouble standing without leaning against anything, so the volunteers tried to work out if the patron had a plan to get home. The patron was non-committal when volunteers suggested getting a taxi home. The volunteers noticed the patrons' eyes were out of focus and that the speech was very slow and slurred. The volunteers suspected there may be other drugs affecting the patron.

The volunteer asked if the patron had taken any other drugs, and the patron softly confirmed this and started walking away. The volunteers convinced the patron to sit down, and after some conversation, the patron informed the volunteers that he'd taken MDMA. The volunteers informed the patron that they wanted to call an ambulance. The patron was concerned of the trouble that would follow. The volunteers reassured the patron that the paramedics wouldn't take any more action than needed. The patron then consented, and the volunteers called an ambulance. The paramedics assessed the patron and then took him away in the ambulance.

Statistical Information

Over the period of 1 January 2016 to 31 November 2022, Encounter Youth Green Team volunteers patrolled the street on 294 nights. Data regarding interactions and responses to critical incidents is recorded from every shift that volunteers complete. Our observations are limited to 42 Saturday nights per year, and our volunteers respond to incidents that they are either made aware of or encounter as they patrol the street. This is not representative of what transpires on the other nights of the week, nor of incidents, we do not attend.

The most common type of incident that our volunteers respond to is alcohol-related, with the second most common being assault related. During this time period, our volunteers responded to 251 critical incidents relating to alcohol and/or assault. While our volunteers respond to many other incidents across the night, such as supporting a young person to get home, these are not included as critical incidents. Our volunteers are trained to determine what factors might be at play with a person needing support. We equip our volunteers to notice key signs of alcohol-related behavior or drug-related behavior.

In addition to the critical and non-critical incidents, in the 2022 calendar year, our volunteers recorded 17,298 positive interactions with patrons, an average of 412 patrons each night.

Of the 251 critical incidents that our volunteers have responded to in the past 7 years, 84% have been referred to emergency services. The other 16% are still deemed critical, as a patron is unconscious or a fight is initiated. The reason these instances were not referred to emergency services includes a patron declining to consent, or the patron's circumstances improving after volunteers spend a significant amount of time with a patron. This is usually upwards of 1 hour with any given patron.

The table below shows the number of critical incidents per hour between 12:00 am and 6:00 am over a 7-year period from January 2016 to November 2022. The number of incidents progressively decreases from midnight and each hour thereafter, whilst the severity of the incidents that our volunteers respond to increases each hour after midnight.

Hour	Number of Incidents	% Referred to emergency services
12:00 am – 12:59 am	77	66% (51)
1:00 am – 1:59 am	59	71% (42)
2:00 am – 2:59 am	31	74% (23)
3:00 am – 3:59 am	40	75% (30)
4:00 am – 4:59 am	33	95% (29)
5:00 am – 5:59 am	6	100% (6)



Conclusion

The Encounter Youth Hindley Street Program exists to respond to the complex social environment on Hindley Street. Our volunteers will respond to alcohol-fueled violence, drug offences, sexual assaults, antisocial behaviour, and community safety concerns every Saturday night.

We support the continuation of the Late Night Trading Code of Practice. Our volunteer observations show that the 3 am lock out results in less patronage on the street later in the night. This coupled with the statistical information shows that despite our volunteers responding to fewer incidents as the night progresses, the nature of these incidents increases in their severity, and the requirement to be referred to emergency services.

Despite a venue's efforts to uphold Section 7(4), there is an increased risk of a patron being evicted from a venue with no further support. Encounter Youth would advise further measures included in Section 7(4) to ensure that a patron has appropriate support if they are evicted from a venue.

The safety of patrons, venue staff, emergency service providers, and volunteers is essential to the ongoing success of any late-night entertainment precinct. Encounter Youth has seen improvements from the enactment of the Late Night Trading Code of Practice and believes that its ongoing implementation is essential to the further improvement of personal safety and broader vitality of the late-night entertainment precinct.