

Assault Reduction Strategy

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Firstly - welcome to all those overseas visitors and those from interstate to Melbourne. We hope you certainly enjoy your stay here and it has been an enjoyable one for everybody. If I could just set the scene a little bit with the area that I have got.

I have responsibilities for the cities of Stonington and Yarra, and they are both on the boundaries of the central business district of Melbourne. Both have a population of about 90,000. In Yarra, I have three 24-hour police stations – Collingwood, Richmond and Fitzroy. Yarra has over 20% public housing and a large entertainment precinct. In Stonington, roughly the same population – 90,000, but it has the area known as Chapel Street, which is promoted as an entertainment precinct. We probably get more people coming into that area than anywhere else in Melbourne. At the weekend, on Friday night, Saturday night, the population of Peran or Stonington doubles; of course, with it we have the associated problems.

Whilst I have a total of over 1600 licensed premises, the majority of those are cafés, restaurants and the like, and we do not have any real issues with those. It is more the late night venues that we have the problems with - those that operate after one o'clock or 1.00 a.m. in the morning, those that have live bands or amplified music. And I think one of the real issues that has emerged in recent times with those premises has been the fact that, on one hand we have promoting entertainment precincts such as Chapel Street and we have a move to inner city living, and of course we know the result of that – the two do not co-exist too well. And I think there is a real planning issue there in the future for how we manage the problem of the two co-existing. In my area, too, I have what some people may have heard about, certainly the locals know about the *Salt Night Club*. In the Salt Night Club we have had five murders in the last three years. That has received a lot of publicity and of course generates a lot of problems for me, particularly from those above me. So they are issues that we have got to solve along those lines.

But I wanted to focus my talk today on what we see as the greater problem impacting on policing and that is the last day we heard an awful lot about the drug scene and the use of what we know commonly as the 'recreational party drugs'. Today my focus is going to be mainly on the issues surrounding alcohol, because there is no doubt, in my area and the areas I am going to talk about, that the greatest impact on policing, the greatest impact on public hospitals, is the abuse of alcohol.

(Referring to screen) What I want to first do is show you a number of areas in Melbourne and what it will highlight. The first one is the central business district. The blue dots are all offences against the person. Offences against the person generally are assaults, but it does include 'road rage' and a few other offences. It is not too hard to work out from the first map where our major nightclub area is and from that you can see it is in the CBD, also at Carlton along the entertainment precincts.

This next map is my area of Stonington, and it is not too hard to identify from the blue where Chapel Street is. It is very easy to distinguish Chapel Street from that map and it is not only Chapel Street, it is the side streets. Around the Chapel Street precinct there are a lot of clubs, there are a lot of licensed premises – hotels, cafés, but there is also a large gay population, and quite often they are the subject of a lot of abuse and also from the problems associated with policing in Chapel Street and the licensed premises.

(Referring to screen) The next one is Yarrow - probably the difference in this particular map in Yarrow is that we have three high-rise estates. There are a lot of public housing and it is easy to identify from that where these housing estates are as well, so we have a lot of problems around the housing estates. But in particular round the housing estates, it is not so much an alcohol problem as a drug problem. The final one is the city of Port Philip. Now Port Philip takes in your St. Kilda Caulfield, also bounded on the CBD, but from that map of course, on the bottom part of it, you can see where Fitzroy Street is, on the southern extremity, and the top part includes the area around the casino and the like. And there are a lot of issues with policing around the casino.

(Referring to screen) This next overhead shows demand for police services and the impact on policing. The graph in yellow depicts crimes against the person, which, as I said, is generally assaults, road rages, and those type of offences. The second map is public disturbance. Now the two things public disturbance really captures in these statistics is the brawls that we get called to, and the noise complaints we get called to. And the noise complaints are a big part of the impact on public safety, because if people hear noise they feel threatened by it and it does impact on their life-style.

(Referring to screen) That shows the day of the week and, as you can see, that is a rather flat graph. That is because of the number of people that do come into the city; other problems happen with the large number of people that come into the city. It starts to show a real trend when you go to Stonington and Peran. As you can see, the impact that it has on policing at the weekends. The thing about crimes against the person, they are reported when they happen, so that reflects very accurately when the crimes are actually occurring, when the demands are on our services. If you have crimes against property, the crime against the property may happen at midnight but is not reported, so with crimes against property it is very hard to do a graph depicting when they actually happen. But crimes against the person reflect when it happens. As you can see, there is a real peak over the weekend, the busiest period Sunday morning, Saturday night going into Sunday morning.

The same thing happens for Yarra. The crimes against the person are flatter over in Yarrow because of some of the issues around the drug trade and the like. Port Philip is probably the most graphic depiction of the trends over the weekend, particularly in relation to the brawls and the noise complaints that come out of the licensed premises in particular.

So we recognise that we have got an issue with assaults in particular and dealing with the public safety issues. So what I did was I sat down with a number of my people and certainly entered into a great degree of consultation with other key agencies, in particular the hospitals. We spoke to ambulance, Liquor Licensing Victoria, the AHA

(the Australian Hotels Association), and other key stakeholders to work out what were the real problems and how could we come up with some sort of concept, which could deal with this problem. And I think everybody has heard the problems, which are associated with people presenting at public emergency wards in relation to drugs. The problem is far greater with alcohol-related assaults.

So we came up with a concept and I will just run through that concept with you. Now that concept is at the stage there where we have got public funding. We have got funding from the government to run a project - they have given us 110,000. And we have a project officer now appointed and that project is just commencing. But in very broad terms I will just run through what it is all about. The first thing is, of course, to promote the level of community safety – that is the number one objective that we have got – in those places, in and around licensed premises.

The second one deals with harm reduction to patrons and members of the public because it is the members of the public also that do get affected by alcohol. The third one is to reduce the level of demand on police services. It is an enormous demand, as you can see from the graphs that I showed before. If we are not attending those types of incidents, that means that we can be far more pro-active. I can put people on the street and I can create a safer environment for everybody.

I thought I would just touch on an issue with licensed premises so that you have an understanding of the conditions that are imposed on people when they do get a licence. And the reason that I am doing this, is because the whole focus of the project is that we have got a lot of communication that does go on with licensed premises, we have a lot of very, very good partnerships. A lot about the industry self-regulates. We meet regularly and we aim for best practice. And the majority of our night clubs and our licensed premises are members of those accords. There are licensees' forums and there are also those regular meetings that we do have with the licensees. But we still have these problems coming up with assaults and we still have these demands on our services.

So the whole focus of my project has been on accountability. And it is accountability of the licensee and what he is to be held accountable for. There are two things that have really got to be focused on, and too often we hear blame laid at the crowd controller - the one person who is responsible for the management of those licensed premises is the licensee. Now I just grabbed at random a licence with the conditions on it, so I will give you a bit of an idea on some of the conditions that licensees – this relates to a club and the conditions are imposed on that licence.

The first thing it deals with is amenity. “The licensee shall not cause or permit undue detriment to the amenity of the area to arise out of, or in connection with, the use of the premises to which the licence relates, during or immediately after the trading hours authorised under this licence. The licensee shall ensure that the level of noise emitting from the licensed premises shall not exceed the permissible noise levels, for entertainment noises specified in the state Environment Protection Control Act.” Now these are special conditions on this particular licensed premise: “All staff engaged in the service of liquor on the premises have undertaken a *Responsible Serving of Alcohol Course* approved by the Director of Liquor Licensing within one month of commencement of employment or, for existing employees, within two months of this

condition being imposed.” So they have all got to do a course in *Responsible Service of Alcohol Course*, within timelines.

“Crowd control is licensed under the Private Agents Act, to be employed at a ratio of two crowd controllers for the first 100 patrons and one crowd controller for each additional 100 patrons or part thereof. After the hour of 1.00 a.m. not less than three security personnel shall be employed whilst the premises are in operation. One such crowd controller is to be present in the street outside the premises to monitor behaviour of patrons arriving and departing the premises, from 8.00 p.m. or the time of opening of the premises if later than 8.00 p.m. until one hour after the sale of alcohol ceases.” So that puts a requirement that, just because they have stopped serving alcohol, they have still got a responsibility to have a crowd controller outside of those premises and make sure that this safety issue is addressed.

It also talks about a video surveillance system to identify individuals and showing times and dates, must provide continuous images of the main entrances, bars and entertainment dance areas, from one hour before the entertainment to which the condition relates, commencing until one hour after the sale of liquor ceases. Images must be retained for one month or such period as the Director of Liquor Licensing prescribes and made available for viewing or removal by Victoria police or other persons authorised by the Director. The surveillance system must be operating within two months of this condition. And it also talks about a maximum capacity of 900 and a seating accommodation for 200.

So, as you can see, there are very strict conditions imposed. Unfortunately some of the people in the industry do not comply with them and I experienced that on Saturday night, where the condition of one of the premises I visited was that they should have two crowd controllers, they had one. Then they refused to talk to us about it and said: “Contact my solicitor”. That approach does not go down all that well.

But the real focus is about the responsible management of the licensed premises. It is to ensure the management have clearly defined roles and responsibilities for all their staff, so that the bar staff know to identify when somebody has had too much to drink and starts becoming a problem. To know how they interact with the crowd control people, so that the first intervention by a crowd controller is not the eviction of that person, because quite often that results in confrontation and further problems, but so that they are able to nip these things with early intervention, address the problems when they are first identified, rather than let them get worse; I can assure you when a person is drinking, their condition does not improve any and all that ends up being is a real problem later on, the more alcohol that they do consume. The second part of it is really a focus on the responsible service of alcohol. We believe that if we can make people accountable for the responsible management of those licensed premises and in particular the responsible service of alcohol, we will not have the majority of problems that we currently do have.

I will just talk briefly about some of the partnerships and what is in it for those involved. We did identify a number of key stakeholders, which I briefly touched on. The first one is the licensee. And what is in it for the licensees? Well, firstly they are creating a safe environment, which people can come to; that will certainly equate to a

more profitable environment. And if they do manage it in a responsible manner, it also greatly reduces their exposure to civil litigation - and I think everybody knows what a litigious society we are; every time somebody is assaulted now, you can guarantee that usually there will be civil litigation and the exposures that go with it. And at the end of the day, the bottom line is that everybody is in business mainly for profit and if you can increase that profit, reduce the risks, it certainly is worthwhile.

The second one is the Australian Hotels Association. I know they were upset with some of my comments the other day when I spoke about this, but I think they misconstrued them because I had only spoken to them at a conference about two weeks before and I think they got my comments out of context. But they are key stakeholders. And I think it should be said that the majority of licensed premises act in a very responsible manner. We do not have any problems with them. And I would say, out of the 1600 plus licensed premises that I have, I could count on both hands how many I have continual problems with. And they are the ones that we really have trouble coming to terms with and dealing with the issues that come out of those premises.

The third one is the security industry. I think that we see all the time problems with the security industry; we are always reading about bouncers and the problems that we have with bouncers. Unfortunately, we had a good experience and a bad experience on Saturday night/Sunday morning. I have had a large operation running in my particular area of Chapel Street and the environs. We have also been running it in St. Kilda. At one of the premises, uniformed police were walking past, the crowd controller said to the uniformed police: "I've got somebody inside selling drugs. They are trafficking in drugs." The people went in and the person was selling party drugs to the people and he was arrested. Further up the same street, the police arrested a crowd controller for trafficking in drugs.

Now that is the difference in the ethic that we get in the industry, these are some of the problems that we have in the industry. That crowd controller also in his coat had a knuckle-duster. Now there is only one reason you have a knuckle-duster and that is to severely injure people; he has been charged now with trafficking drugs and possession of a weapon. His career in the security industry is certainly finished, I can assure you of that, so at least he will not be a problem but, once again, that gets back to the management of those licensed premises. Here is a crowd controller selling drugs and the owners do not know what their own staff are doing. It is a failure to monitor, and keep track on, what your staff are doing. And that owner will be called to account over this and he certainly will not be pleased to get a telephone call from me later on this week to tell him to come in and see me.

(Referring to screen) Hospitals – vested interest for the hospitals, a great deal of demand on their services and on ambulance services comes out of licensed premises and, of course, Liquor Licence in Victoria, they have got certainly a vested interest in this. And of course we, as a stakeholder, the demand it puts on our services is extremely high.

So, what are we doing? We are collecting data from a number of places. The first one is the hospitals. Contentious - but the thing we do not get from the hospitals is the name of the victim. The hospitals will supply us with the time, date, the age, the

nature of the injuries the person suffered and details of the circumstances surrounding those, such as: a person was assaulted by a bouncer, a person was in a brawl at such and such a licensed premises. So, we will get those details electronically transported to us.

We have also got our own database we can look up and find details of people who report crimes to us. So that will go on to our database. The interesting thing is that quite often it might be a theft, but we will look and we will see that the victim was a 16-year old female. What are they doing on licensed premises when the age limit is 18? We have also got what is called a *Licensed Premises Incident Report* that records all complaints against licensed premises or if we are called there for a brawl. A brawl is not a crime *per se*; it does not go onto our database as a crime. But the Licensed Premises Incident Report captures that there was a brawl inside those premises. And the fourth one is offenders arrested. That is when somebody is locked up for being drunk. I was in a conversation last night and somebody was horrified that people are locked up for being drunk. But we had a debate about it and it is still an offence in this state and I know it is in other states as well.

So that is where we capture data in relation to this particular project. Now, where does the information go and how do we use it? Firstly, it goes to the Licensing Inspector in the area where the incident happened. And all this is recorded on a database. And what the Inspector does, he contacts the licensee, and he has a conversation and he relates to the licensee the incident. So the licensee has then got to come in and sit down with the Licensing Inspector and he has got to give an explanation about the incident that occurred on his premises, whether it was an assault, whether it was a theft of a handbag and the person was 16, or whether it was a brawl - whatever the incident may be, he has got to have some explanation. We also record the staff who were working on that particular night and the reason for that is to identify if we have problem people in the industry and how we are going to deal with that particular problem, whether it be re-training, talking, giving them a warning, or whatever.

The next thing is they bring up a Crowd Controller's Register, which records any incident, so that if there was a brawl, or someone was evicted, or someone was thrown out and they were injured, that should be in the Crowd Controller's Register. They have got to bring up any footage of that particular incident so that we are getting a picture on what happened and an explanation off the licensee about what happened on those premises; any operating procedures that they have, because we want people to manage their places better and have guidelines about how staff should operate, what their roles and responsibilities are, but the most important one was "What are you going to do to make sure that this incident does not happen again?" What we want from the licensee is to develop a strategy of how he is going to make sure that that brawl does not occur again, how that assault does not happen again, how those bouncers will behave responsibly. That is putting it back on him to manage his licensed premises so that we do not get called there because of incidents that occur.

We then work out what action we can take against the licensee; we can take sanctions such as a penalty notice on the spot, or the ultimate limit is taking them before what we call V-CAT (Victorian Civil and Administrative Tribunal) and take action against their licence, so that their licence can actually be removed. The second thing is we

can target them, because we may think we need further evidence against them, or there is training issues that have got to be dealt with in the industry as a whole.

(Referring to screen) Our key performance indicators, and I am not saying it is a final list, but it is a list of things that we want to use to measure the success or otherwise of our programme. The critical success factors include communication strategies, critical so that you get everybody, you promote awareness amongst the industry and you get everybody on board; commitment by all partners - if you have not got commitment of course you are going to have difficulty with it working; You need clear protocols and guidelines defining roles and responsibilities with all your various partners and how they are going to record, report and exchange information – it is critical; and feedback, letting them know how the whole programme is going. The outcomes, hopefully, will be a safer environment, reduced crime and reduced demand on the various emergency services.

Thank you.