



30 June 2017

Our Ref: 0306/17

Alcohol Policies and Legislation Review  
C/O - Department of Health  
PO Box 40596  
Casuarina NT 0811  
By email: [alcohol.review@nt.gov.au](mailto:alcohol.review@nt.gov.au)

Dear Review Panel

**NORTHERN TERRITORY POLICE ASSOCIATION INC. "NTPA" SUBMISSION IN  
RESPONSE TO THE NORTHERN TERRITORY ALCOHOL POLICIES AND  
LEGISLATION REVIEW – ISSUES PAPER**

**PART A**

**INTRODUCTION**

1. Subject to an appropriate legal and administrative framework, the NTPA supports the availability, in our community, of alcohol for personal consumption.
2. The community does not expect availability of alcohol to be without qualification.
3. The community expects government to manage alcohol availability and consumption according to what is best for the community as a whole and without regard to vested interests.
4. NTPA asks that government legislate and over time operate a scheme which balances access to alcohol with measures which will address problems caused by its over consumption.
5. NTPA asks government to work towards a situation where the availability of alcohol will be subject to a regulatory environment which:
  - (a) puts the safety of the community and its individual members uppermost;
  - (b) has as its prime priority, a reduction in alcohol related harm;
  - (c) ends alcohol-caused marginalisation and exploitation of the weak and vulnerable;
  - (d) gives families and children a chance for a life unaffected by alcohol; and
  - (e) ends violence caused or contributed to by alcohol.

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6. NTPA advocates the return of the Banned Drinker's Register in the form foreshadowed in the Issues Paper for the Northern Territory Alcohol Policies and Legislation Review. We return to this later in this paper.
7. NTPA calls for the immediate removal of Temporary Beat Locations (TBL's) under which officers, operating as single officer patrols, have been tasked with manning takeaway liquor license outlets in Alice Springs, Tennant Creek and Katherine. Detailed discussion follows later in this submission.

## **BUT FIRST, THE BANNED DRINKERS REGISTER**

### **SOME HISTORY**

8. From 1 July 2011, the then Labor Government introduced and rolled-out its inspired and groundbreaking "Enough is Enough, Safe Territory" initiative.
9. It was responding to high and increasing levels of crime, caused, or contributed to, alcohol. 60% of all assaults and 67% of all domestic violence incidents across the Territory were alcohol related.
10. Its intention was to prevent, by bans, problem drinkers from purchasing, possessing and consuming alcohol in restricted areas or at all, and to require they submit, to mandatory treatment. It was devised to provide a direct health intervention to problem drinkers without criminalizing alcoholism.
11. Treatment services were to be expanded to help problem drinkers get their lives back on track.
12. A Banned Drinkers Register supported by photo ID (chiefly Driver's Licence) scanners at all takeaway alcohol outlets, was rolled out to help enforce problem drinker bans.
13. Banned Problem Drinkers included people who committed alcohol-related crime or violence; people taken into protective custody three times in three months; and people who committed high range drink driving (DUI) or repeat drink driving offences.
14. Forms of government issued photo ID included NT or Other Australian Driver's Licence, Passport, Evidence of Age Card and the NT Ochre Card.
15. By this means, a database of Banned Problem Drinkers was established. It was by its nature cumulative, thus in the main overcoming the problem of a not banned drinker purchasing alcohol for consumption by banned drinkers.
16. Photo ID of an intending purchaser of alcohol was scanned at all Territory take-away alcohol outlets. Those on the register (Banned Problem Drinkers) were refused service. Anecdotally, the BDR became widely and very well accepted.

### **REMOVAL OF THE BDR**

17. In August 2012, 14 months after its introduction and the day after its election to government, the Country Liberal Party ("CLP") abolished the BDR. It was fulfilling an election promise.

18. The decision to abolish the Banned Drinker's Register was condemned by the Territory Labor opposition, and by federal leaders from both sides of politics. It was widely condemned in the Northern Territory community. There was widespread community dismay. In 2013-14, a House of Representatives Standing Committee on Indigenous Affairs conducted an "Inquiry into the Harmful Use of Alcohol in Aboriginal and Torres Strait Communities." The NTPA made a strong and well-received submission. Chaired by Dr Sharman Stone, MP, the Standing Committee strongly called for its reinstatement. The NTPA submission is attached. Members of the Review Panel may find it useful as it emphasizes the task parked upon police officer's shoulders and does develop some reform proposals.
19. So, fourteen months after its commencement, and at a stroke of the CLP's pen, the 2,500 people on the BDR, many of whom lived in central Australia, were freed of the BDR's restrictions and could buy takeaway alcohol again.

### **CONSEQUENCES OF DITCHING THE BDR**

20. This question has proved controversial and has engendered much debate. Among other things, alcohol-related hospital emergency admissions to the Alice Springs Hospital increased by 80% after the register was scrapped. However, it is understood they did not decrease while the register was in place either.
21. In the wake of the removal of the BDR in July 2012, alcohol-related emergency admissions to NT hospitals rose from 300 per quarter (in July 2012) to as high as 550 in March 2013, and then began to fall, reaching approximately 425 by about November 2013. The more complete picture can be found on ABC Fact Check at [www.abc.net.au/news/2014-03-19/did-the-northern-territorys-banned-drinkers-register-work/5315286](http://www.abc.net.au/news/2014-03-19/did-the-northern-territorys-banned-drinkers-register-work/5315286).

### **PEOPLE'S ALCOHOL ACTION COALITION**

22. Dr John Boffa, who works in public health in Alice Springs and is the principal spokesman for The People's Alcohol Action Coalition, which originated in Alice Springs and see ([www.paac.org.au/about.html](http://www.paac.org.au/about.html)) has long advocated working towards reducing the impacts of alcohol-related harm by the following strategies:
  - Developing constructive reforms to the sale of alcohol;
  - Advocating controls on public consumption;
  - Advocating responsible service of alcohol; and
  - Promoting healthy lifestyles.
23. The PAAC did not seek prohibition, but supports people's right to drink in a responsible and safe manner.
24. NTPA is aware of the successes which PAAC achieved in Alice Springs in promoting the introduction of floor prices for wine in Alice Springs. It is also aware of the efforts made by the CLP dominated Alice Springs Town Council to reverse the exciting changes and improvements brought about by the PAAC. A fuller discussion around floor prices and other management solutions is at paragraph 43 and following.

25. NTPA believes that the work of the PAAC in Alice Springs, particularly in relation to floor prices, could form a major component of future government policy on reduction of alcohol related harm throughout the Northern Territory. It will take time, and require wide community support, but NTPA will work with all stakeholders to reduce alcohol consumption in the Northern Territory so that the community as a whole becomes safer, and there are significant reductions in alcohol-related harm. This issue is further developed at paragraph 43 and following.

### **TEMPORARY BEAT LOCATIONS**

26. After abolishing the BDR, and then finding its mandatory treatment alternative impossible, the local initiative of Temporary Beat Locations (TBL's) became government policy. where at all points of sale of takeaway alcohol, a purchaser of liquor was asked when and where it was proposed the drink be consumed. If the answer was in a restricted area (a discussion of 'restricted areas' follows), the alcohol was seized.
27. A reduced supply may have resulted in reduced domestic and other violence and anti-social behaviour, and a downturn in hospital admissions. The precise numbers which would enable the public to measure the results of TBL's were withheld by the former CLP government.
28. Similar trials were conducted in Tennant Creek and Katherine with similar results.
29. It was not trialled in Darwin because there were not enough Police to cover the 70 odd outlets where takeaway liquor was sold.

### **NEGATIVES OF TBL'S**

30. Police Officers were forced to man the TBL's and work in circumstances where there was no internal policy in place for single officer patrols. Of great concern was that each TBL was only able to be staffed by one officer. This led to those unsupported officers being placed in a high degree of vulnerability to the behaviour of angry drinkers unable to obtain alcohol. Attacks and injuries to police in such circumstances have been reported.
31. Fortunately, no major injuries to a police officer has occurred in these circumstances, although many incidents have caused concerns, and the potential for injury remains.

### **RESOURCES**

32. The TBL program in Alice Springs, Tennant Creek and Katherine utilises 65 police positions.
33. Thus 65 police were not available for the other important work of police.
34. TBL's were never implemented in Darwin due to the sheer number of alcohol outlets, the cost, and the unavailability of sufficient numbers of police.
35. Whilst TBL's have been operating, Police have had to find \$1.0 million in overtime costs annually out of the Police budget. This has resulted in \$1.0m per annum being unavailable for other normal policing.

36. Rank and file police dislike undertaking TBL's duties. Supervising alcohol sales to shoppers is not and should not be police business.

#### **WHAT THE FORMER GOVERNMENT LEFT BEHIND**

37. The absence of a BDR and TBL's in Darwin has had the effect that this beautiful, highly regarded capital city, its residents and businesses, are now plagued by anti-social behaviour (in large part alcohol-fuelled), just as it was before the BDR was first introduced. This was particularly noticeable during the 2016/7 wet season when many itinerant drinkers travelled to Darwin for what seemed to many the otherwise unrestricted availability of alcohol.
38. The former CLP government claimed that reduced supply reduced the problems of alcohol. However, no empirical data was ever produced to support this claim, and it is clear that the public, relying on their own observations, rejects such claims.
39. No evidence to support the occurrence of any meaningful rehabilitation was produced.
40. Taxpayer cost in the last financial year was an average \$180-200,000 per annum per TBL police officer, or roughly \$11.7 million in total. 65 police officers were diverted from other vital policing duties and this has resulted in fewer resources within NT Police for its core functions.

#### **COMMONLY DISCUSSED STRATEGIES FOR HARM MINIMISATION**

41. Expressions like "floor prices" and "volumetric price controls" are commonly found in the debate about strategies for harm minimisation in the Northern Territory.
42. Without professing any expertise in such matters, the NTPA urges consideration of the following:
- (a) A "floor price" is generally, a government, business, or group-imposed limit on how much can be charged for a product;
  - (b) For a price floor to be effective, it must be greater than the equilibrium price;
  - (c) A "floor" price refers to a minimum fixed price on all alcohol products (takeaway or otherwise) limiting the ability of retailers to charge below a certain price – the objective being to cause a reduction in alcohol consumption through making it more expensive for people to drink the same quantity;
  - (d) A floor price assumes that drinkers will pay the least possible for their alcohol. Yet it may have the effect that pensioners, low income families, and tourists etc., without causing self-harm or disruption to the community, may have to pay more;
  - (e) Concerns have been raised that without a nationally consistent corresponding volumetric tax (based on the amount of alcohol in a product) floor prices will simply increase profit margins for retailers allowing them to discount or reduce prices on alcoholic products or reduce prices that are already in the highest tax bracket volume – e.g. Bundaberg Rum and Jim Beam. The objective would surely be not to make the high-end products cheaper.

## **NEW OPPORTUNITIES FOR ELIMINATING ALCOHOL RELATED HARM**

### **BIOMETRIC-RECOGNITION TECHNOLOGY**

43. NTPA recognizes that a Banned Drinkers Register based on the 2011 photo ID system may not in the future be as effective or comprehensive as could be achieved by other proven new technology, albeit not yet publicly available.
44. More recent advances have seen that new biometric recognition technology can now be deployed to support a new and upgraded BDR. New technology which minimises alcohol-related harm, not only exists, but is already privately deployed in the Northern Territory with exceptional success.
45. Such a system has been operating in Discovery Nightclub for over a year now. Once known as a location with regular alcohol fueled violence, it has become a far safer and a considerably more trouble-free nightclub to visit. It frequently reaches its 1000+ capacity on most weekends and holiday nights with significantly less violence than before, with long queues of patrons seeking entry, and has a reputation for both patrons and staff, particularly security staff, as one of the safer places in Mitchell Street's drinking and partying precinct.
46. Discovery's system can best be described as based on thumb print and facial scans of patrons as a condition of entry, and sophisticated CCTV monitoring of patron behaviour while inside and on the street outside its premises.
47. Eligibility to enter Discovery initially requires a facial scan of each patron who enters. This applies to first time entrants. A finger or thumbprint scan would normally be sufficient on each and every subsequent entry.
48. It creates a register which identifies those who are eligible to enter the Discovery premises. Those who breach behaviour requirements in Discovery are refused entry permanently. They have to go elsewhere.
49. The implications of this new technology for a roll-out of a much modernized BDR is that misbehaviour of any sort – drunkenness, drugs, violence, other trouble-making, could result in immediate and time specific withdrawal of the privilege of access to alcohol.
50. Under Territory law, there are many other locations where the NT Government could roll out the new scanning technology, indeed all licensed premises in the Northern Territory that are licensed to sell both on licensed premises and outlets for takeaway alcohol.
51. It may be for pubs, nightclubs, and other alcohol sellers to decide whether to install the scan technology. But if they do so, the public will be more likely to patronise those considered safe places to drink.
52. NTPA strongly supports the introduction of biometric scanning technology to provide effective management of risks of injury among patrons and staff, greater than ever privacy, and accurate recognition of those on the Banned Drinker's Register. The

technology is portable, and could be located in takeaway liquor outlets. TBL's would almost immediately become be a thing of the past.

### **IN SUMMARY (Part A)**

53. NTPA strongly advocates re-instatement of the banned drinkers register because this will reduce the availability and consumption of alcohol by problem drinkers. In turn, beneficial flow-on effects to the Territory community and its economy will follow.
54. NTPA has long advocated responsible sale and service of alcohol. It will support the introduction of volumetric pricing controls under which minimum prices are set and enforced. It will support measures to eliminate violence, binge drinking, anti-social behaviour and, in particular, to eliminate exploitation of those in the community who are least able to afford it, both financially and in terms of the ongoing accumulation of disadvantage suffered by Aboriginal and Torres Strait Islander people. This approach offers a comprehensive approach to reducing foetal alcohol spectrum disorder (FASD).
55. NTPA will support any reasonable measures which reduce and over time eliminate alcohol caused anti-social behaviour, alcohol-related violence, alcohol-caused road traffic trauma, death and injuries, and foetal alcohol syndrome related disorders.
56. In its place, those who are most affected and exploited by alcohol will have, over time, a far better future.

### **POINT OF SALE INTERVENTION POLICY**

57. Before commenting on the Issues Paper (see below), NTPA identifies the following matters as of special importance and significance. NTPA will argue that these issues are threshold requirements for meaningful alcohol reform:
  - (a) With regard to the POSI (point of sale intervention) policy currently adopted by the Commissioner of Police (COP), the impact of that policy on police resources (including the monetary impact on Police budgets) and how this should be taken up by others;
  - (b) A need for greater licensee "ownership" of the problems generated by their sale of alcohol on premises for consumption off their premises;
  - (c) A need to underpin (by legislation) the privilege of a licence to sell alcohol by acceptance of a corresponding obligation to both prevent, and ameliorate, alcohol related harm;
  - (d) The immediate re-introduction of the Banned Drinker's Register;
  - (e) The identification and immediate introduction of measures to support the BDR;
  - (f) The limited impact of the current sale of alcohol regulation regime in the NT;
  - (g) The need to introduce floor pricing in the NT;
  - (h) Best practice regulatory reform of late night trading and entertainment venues, including consideration of closing times and lock-out laws and the provision of public transport away from venues and precincts;

- (i) Extension of one-punch laws beyond death to life-changing injuries, including requiring late night venues to hold blanket insurance policies covering alcohol caused or contributed to injuries and death in or outside licensed premises, caused by patrons;
- (j) Licensing fees that reflect the true cost of industry regulation, and other costs such as for police and emergency services

## **PART B**

### **ISSUES PAPER (“IP”)**

#### **NORTHERN TERRITORY ALCOHOL POLICIES AND LEGISLATION REVIEW – MAY 2017**

- 58. This part comprises a commentary on the Issues thrown up by the Review. It is designed to generate ideas and contribute to discussion.
- 59. Regard has been had to Minister Fyles’ ‘message’ on page 3.
- 60. The NTPA hopes that this submission will be carefully read and understood. Its members are those officers of the Northern Territory Police Force who are, 24/7, on the front line of alcohol caused and contributed harm. Only the Territory’s Ambulance officers get close on our streets.
- 61. The Review, we are told, will ultimately result in the development of a broader integrated Alcohol Harm Reduction Framework based on the recommendations of the Expert Advisory Panel (EAP).
- 62. NTPA’s comments that follow are intended to assist the EAP in its task.

#### **IP page 10**

- 63. The trigger point for the issue of an ‘automatic’ BDO is vaguely expressed. There should be provision for the issue of a BDO which is instantly effective.
- 64. There is no articulation of the need for express pathways where the particular circumstances require haste.

#### **IP page 11**

- 65. It is misleading to refer to alcohol as a ‘legal’ substance. Alcohol in drinks is only made legal by regulation, and can be made illegal at any time. ‘Harms’, in all their manifestations, are not causes of alcohol use and abuse. They are produced by it. It is the prevention of harm which is the holy grail, the overriding objective of alcohol regulation, and not the availability of harmful substances. Harm is avoided by reduction in alcohol consumption
- 66. The great majority of alcohol regulation protects alcohol and its consumption. If the objective was to protect society from alcohol related harm, the detrimental impacts could be greatly diminished.
- 67. With respect to the Minister, the problems created by excessive alcohol consumption could be greatly ameliorated by making consumption of alcoholic drinks a privilege not



a right, and operating the entire alcohol management regime by reference to what conduct is required, by all sides, for the continuation of the 'privilege'.

#### **IP page 12 – Demand Reduction**

68. The NTPA supports all efforts at Demand Reduction.
69. Bans in 'designated areas' are impossible to enforce in practice because of the high turnover of persons who are banned, and a proven tendency of drinkers to both go to any lengths (including driving any distance) to concentrate around the open bottle or can. Policing of secondary supply is sometimes necessary, mostly stumbled upon, but this is a regulatory offence, the continued occurrence of which will not be solved by 'bans'.

#### **IP page 12 – Supply Reduction**

70. The NTPA reads this part (particularly dot point 2) as confirmation of a desire to keep and maintain TBL's. NTPA is totally opposed to TBL's. TBL's should not be the role of police.
71. With regard to supply reduction, nothing has occurred to foster expectation that s.102 of the *Liquor Act* will ever be properly applied. Further the notion of 'supply reduction' can only be measured by volume sold, not that which is not sold.
72. "Adoption of a risk based approach to compliance to reduce non-compliance with liquor regulations" is meaningless and may require interpretation.

#### **IP page 13 – Harm Reduction**

73. The NTPA supports all efforts at Harm Reduction. Temporary Beat Locations operate on the basis that they reduce supply (and therefore ease consumption), and that at least the money spent just before tip-out occurs, prevents or is unavailable for further purchase of alcoholic drinks. It might also be the money that would otherwise have been useful for food and other necessities and amenities.
74. In this part, it seems to have escaped notice that harm could be reduced by reducing consumption, which in turn is reduced by restricting availability.
75. With respect, the 11 dot-pointed proposals or pathways to 'harm reduction' proceed from underlying acceptance that in the circumstances of the primacy of alcohol availability, harm can never be avoided. Such narrow and rigidly structured thinking proceeds from an unwillingness to even contemplate measures to reduce harm by limiting consumption (of alcohol).

#### **IP page 14 – "Some Matters for Discussion"**

76. In this part of the Minister's Review, the whole discussion proceeds without regard to the most obvious question – can (alcohol-related) crime be reduced by reducing the availability of alcohol (hence, limiting consumption)?
77. The NTPA suggests that alcohol-related crime and disadvantage can be reduced not just by limiting trading hours; but also by limiting types and quantities of alcohol and,

concurrently, using floor prices as means of reducing the amount of alcohol purchased and used. The NTPA submits that the almost unlimited availability of (particularly high strength) alcohol without floor prices is at the heart of indigenous disadvantage.

78. Equally might it be said that after purchasing the alcohol, then having it seized as destined for consumption in a restricted area, the financial benefit is kept by the seller, accordingly the price paid amounts to a tax on the buyer for having an improper thought.
79. The corollary of this is that the seller should be made to inquire as to where the alcohol is to be consumed, and if in a restricted area, should not be permitted to make the sale.
80. Although not mentioned anywhere in the Issues Paper, a number of possibilities are obvious:
  - (a) minimum floor prices;
  - (b) shorter trading hours in liquor stores (including bottle shops and supermarkets);
  - (c) later opening hours and earlier closing hours in all premises licensed for the sale and/or consumption of alcohol;
  - (d) improvements to packaging of take-away alcohol, even ending cardboard holders and aluminium silver coated plastic bladders – all of which contribute to environmental degradation;
  - (e) reduction in size and alcohol content of take-away volumes (e.g. a maximum 2 litre bladder size for 'cask' alcohol with contents limited to only red and white wine not exceeding, say, 12% alcohol by volume, etc;
  - (f) concurrently with packaging down-sizing, limits on daily purchases;
  - (g) taxation in the form of a 'sales' tax by reference to volume; and in pubs and clubs, smaller glass sizes for across the counter and table service;
  - (h) technology across the alcohol and justice systems which identifies alcohol offenders and prevents them from consuming alcohol from whatever source, while on the BDR;
81. All avenues for reducing the supply of alcohol, or at very least reducing volumes consumed should be considered from the sole, perspective of harm reduction. Complaints based on adverse commercial effects of supply reduction, alcohol content restrictions, and other controls (including floor prices and retail price controls) on alcohol manufacturers, distributors and sellers should not be considered. Prices should be set by reference to the obligation of the Northern Territory to keep drinkers safe from all the consequences of excessive alcohol consumption.
82. At the very least the Alcohol Policies and Legislation Review must closely examine both the availability and utility of restrictions on the supply side of alcohol use and abuse. If this is done, the market will set the price.

#### **IP page 14 – “Ensuring Safe and Vibrant Entertainment Precincts”**

83. Here, the governing proposition is simple. The safety of patrons in entertainment precincts and especially in licensed premises is paramount.

84. Advertising regulation must exclude price when advertising and promoting alcoholic drinks. The market will set the price of drinks and food in entertainment precincts, based on the laws applicable. Limits to the strength and volatility of alcohol fail to be considered. One recalls the Australian Medical Association's public nation-wide call, a few years ago, for an end to red bull and vodka drinks, especially close to closing time, due to the on-street carnage being caused by rocket-fueled patrons.
85. It should be mandatory for licensees to provide free food and snacks to patrons while in pubs, nightclubs and other entertainment venues.
86. If these conditions are met, the market and the quality of the entertainment experience can set the price of alcoholic drinks.

**IP page 15 – “Designated Areas to Address Alcohol Caused or Contributed to Violence in Public Places in the Vicinity of Licensed Premises”**

87. In principle, the NTPA would support such initiatives, subject always to the devil in the detail.
88. The Minister needs to bear steadily in mind that absent funds and proper regulation, it is police who will be expected to enforce designated areas, so we assume consideration has been given to funding, training, additional police, governance, reporting and prosecutions required for such police operations.

**IP page 15 – “Public Restricted Areas”**

89. NTPA has the same comment.
90. A demarcation issue arises. On any given afternoon or evening there are numerous groups of persons socialising, drinking, eating, playing etc. at, to use a well-known Darwin example, East Point. Some elements among those present are heavy drinkers, sometimes they descend into anti-social behaviour, even violence. Members of the public usually call the Police when things get too bad. Police intermittently patrol the hotspots in the area, which is appreciated by all concerned.
91. Any new law requiring visitors to obtain alcohol approvals for consumption in a public restricted area, in advance, would ensure that most of the alcohol consumed at East Point would be consumed by those the law seeks to restrict. So far as the NTPA is aware, arrests are infrequent while often, negotiation and co-operation provides an immediate short term response.
92. The issues around “Public Restricted Areas” will need careful consideration, and that must involve consultation with Police.

**IP page 16 – “Alcohol Service Provision in Remote Communities”**

93. This is a subject entirely of its own.
94. All attempts to impose controls as to availability, type, frequency (in clubs) are confronted by the ingenuity of community residents in obtaining their preferred drink by other means.

95. Should the Committee wish to hear them, stories are available that precisely capture the difficulties which historically abound.
96. The NTPA commends everyone's long standing and continuing commitments in this delicate public policy area, and will contribute as required to finding solutions as it has always done.
97. Otherwise, this whole matter is in the hands of the Commissioner of Police. It is rare for there to be consultation between COP and NTPA on the subject of alcohol management.

#### **IP page 18 – Decision making under the Liquor Act**

98. The NTPA is aware of concerns intermittently generated by the appointment of persons to be members of the NT Licensing Commission (in all its various iterations and titles). The answer to these concerns is to strive for transparency, and to introduce due diligence processes designed to produce reliance on their capacity to be both competent and independent.
99. Such issues have always plagued proper administration around liquor in the Northern Territory. It is to be hoped that the proposed Alcohol Harm Reduction Act, will offer some relief.

#### **IP pages 19 – 22 - Making an application and public engagement; Public Hearings**

100. Ordinarily it is the Commissioner of Police to whom notice of applications for liquor licences, and the opportunity to respond are directed.

#### **IP page 22 – Director-General Model of Licensing**

101. NTPA will consider this and revert. Whatever model is chosen, the NTPA will insist on a seat at the high-level table. NTPA will insist on a high level of consultation and representation at any other decision-making tables.
102. NTPA will strongly oppose a model which reposes decision-making power solely with the Director-General. NT alcohol-regulation experience has shown the absolute necessity for a powerful firewall between vested interests and regulatory decision-makers.

#### **IP page 25 – Density and Size of Alcohol Outlets**

103. Density is an important issue in rational alcohol licensing, and overall harm minimisation.
104. Size matters to police in dealing with sources and causes of anti-social behaviour. If corner stores and other shops were not licensed to sell liquor, TBL's would hardly be necessary.
105. NTPA is of the view that corner grocery stores and other food and beverage shops should not be licensed to sell liquor. Their liquor licences are traditionally expressed to be 'ancillary' to a store. The reality is that a liquor licence has evolved to become the major driver of the viability and profitability of stores, and many of the small grocery

stores would be financially unviable without one. That being the case, consideration could perhaps be given to limiting the hours during which the sale of takeaway alcoholic drinks in stores is permitted for something like 3 to 6 pm, 6 days per week (excluding Sunday), and limited to 'survival' ranges of bottled beer and bottled wine. Many of such premises, particularly the small neighbourhood stores appear to be economically sustained by alcohol sales over which the police, and licensing authorities have no control. This adds to the accumulation of area specific social problems and night and day enforcement tasks for police. Re-licensing of stores and other outlets directed at reduction in alcohol-related harm should be a priority of Territory alcohol policy, management and reform. 'Store' would include bottle shop liquor stores attached to hotels.

106. NTPA acknowledges the complexity of the commercial issues around alcohol-related harm and strongly presses the need for urgent reform in this area of alcohol policy and management. NTPA will participate at the discussion table should meaningful reform come into prospect.

### **SOME ADDITIONAL COMMENTS**

107. NTPA submits that no discussion around reducing alcohol related harm can be complete without at least dot-pointing a range of other matters for consideration.
- (a) Licensees should be compelled, on pain of suspension, to submit accurate liquor sales returns which set out cost paid and price charged across alcohol categories;
  - (b) Consideration might be given to measures which encourage licensee reliance on volume of sales of lower cost alcoholic beverages, as an alternative to high strength high cost sales;
  - (c) Consideration might be given to limiting Sunday sales to lower alcohol content products;
  - (d) Licensees could be rewarded, through rebates, or other means for reducing sales of high strength alcoholic drinks in favour of the lighter versions;
  - (e) Takeaway stores could be levied with a super profit tax on sales volumes exceeding, say, 40% of total store turnover;
  - (f) Imposition of high deterrent style penalties for breaches of licence conditions especially where out of hours trading and secondary supply is involved;
  - (g) Mandatory store/seller identification on alcohol packaging to help identify where supply/purchases occurred and assist with identifying secondary supplier;
  - (h) Significant reduction in the number of takeaway liquor licences, especially in areas where there are a high number of licensed stores, and other takeaway outlets ancillary to, for example, hotels – here buy-backs are likely to become necessary, but do offer significant opportunities for harm reduction;
  - (i) Instead of police officers manning TBL's, consideration should be given to creating Liquor Enforcement Officers (LEO) along the same or similar lines to

Public Housing, and Transport Safety Officers. Police would still conduct joint operations with, and support LEO's, in their capacity.;

- (j) Tighten up NT Driver's Licence change of address requirements – at present it is unrealistic to rely on a driver's licence for their residential address. Officers frequently encounter addresses on driver's licences for places which don't exist;
- (k) For persons over 18 years old, ID cards should contain the residential address of the holder, with penalties being applicable to false information;
- (l) If a person has a residential address which is on a restricted area he or she must be ineligible to purchase takeaway alcohol – this might be no more complicated than having a gold star imprinted on that person's drivers licence;
- (m) To get patrons home safely, more public transport at closing time in pub and nightclub precincts; and
- (n) NTPA would not regard the above list to be complete.

#### **IN CLOSING**

- 108. It is police officers who work at the coal face of alcohol-related harm in the Northern Territory.
- 109. NTPA members' knowledge and experience is priceless. They must be consulted and attentively listened to when considering a way forward, because it will be police officers who will be required to deliver on the NT government's solutions.
- 110. The NTPA has much to offer the Northern Territory government in the way of experience, ideas and practical outcomes.
- 111. The NTPA asks to participate in the processes of-consideration and decision-making now under way.

Yours Sincerely



**Paul McCue**  
**President**