



Foundation for Alcohol Research & Education

Submission to the ACT Legislative Assembly Inquiry into Domestic and Family Violence—Policy approaches and responses

September 2017



**STOPPING
HARM
CAUSED BY
ALCOHOL**

About the Foundation for Alcohol Research and Education

The Foundation for Alcohol Research and Education (FARE) is an independent, not-for-profit organisation working to stop the harm caused by alcohol.

Alcohol harm in Australia is significant. More than 5,500 lives are lost every year and more than 157,000 people are hospitalised making alcohol one of our nation's greatest preventive health challenges.

For over a decade, FARE has been working with communities, governments, health professionals and police across the country to stop alcohol harms by supporting world-leading research, raising public awareness and advocating for changes to alcohol policy.

FARE is guided by the World Health Organization's (2010) *Global strategy to reduce the harmful use of alcohol* for stopping alcohol harms through population-based strategies, problem directed policies, and direct interventions.

If you would like to contribute to FARE's important work, call us on (02) 6122 8600 or email info@fare.org.au.

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Summary

Family violence is an abhorrent violation of human rights, and alcohol is a significant contributor to family violence in the Australian Capital Territory (ACT). It is encouraging to see that family and intimate partner violence is rightfully a prominent issue on government agendas across Australia.

In responding to the Terms of Reference and Discussion Paper for Legislative Assembly Inquiry into Domestic and Family Violence – Policy approaches and responses, this submission draws on the literature of what is known about alcohol-related family violence. This includes evidence on the relationship between alcohol and family violence and the actions that can be taken to reduce alcohol-related family violence.

In the ACT alcohol is involved in 24 per cent of family violence incidences. Yet the role alcohol plays in family violence continues to be ignored.

Implementing alcohol availability controls and other policies that reduce alcohol-related violence are vital to preventing and reducing the severity of family violence and associated harms. Doing so is one way of making an immediate and positive impact on the incidence of family violence, while enhancing the safety and wellbeing of children affected by family violence.

The ACT Government has now been reviewing the *Liquor Act 2010* for five years and it is disappointing that no policies have been introduced that will address the severity of harm and reduce or prevent alcohol-related family violence.

There has been a serious lack of direction by the Government when it comes to alcohol reform. The good thing is that there are actions we can take to address alcohol-related family violence. A bold plan of action is required, which recognises that we as a community have a role to play in protecting women and children from alcohol harm and family violence.

For far too long the sale of packaged liquor has gone under the radar. We need a plan that addresses the harm associated with packaged liquor, and takes action on the insidious nature of alcohol marketing and the impact this is having on our children. The ACT would also benefit from a plan that supports innovative programs that provide our children with skills to recognise healthy relationships and understand the role alcohol plays in family violence; and a plan that provides a comprehensive Model of Care (MoC) to ensure that no one slips through the cracks.

The Foundation for Alcohol Research and Education (FARE) welcomes the opportunity to provide a submission to the Legislative Assembly Inquiry into Domestic and Family Violence – Policy approaches and responses (The Inquiry).

This submission makes 15 recommendations to The Inquiry on how the ACT Government should work to reduce the incidence of alcohol-related family violence.

Recommendations

1. Define family violence as a harm within the objects and principles of the *Liquor Act 2010* by amending section 10(c) and inserting (v) family violence.
2. Amend the *Liquor Act 2010* and introduce the following restrictions to the hours that alcohol is available for sale for both on-licence premises (bars, pubs and clubs) and off-licence premises (bottle shops):
 - a. Introduce last drinks of no later than 3am for on-licence venues.
 - b. Limit off-licence trading hours to between 10am and 10pm.
3. Amend the *Liquor Act 2010* to introduce tighter controls on the density of liquor licences in the ACT, including:
 - a. Ensuring that approval processes for new on and off-licence premises consider existing levels of alcohol harm and community views.
 - b. Interventions that limit or reduce the density of liquor licences in areas with significant levels of alcohol harm through the introduction of special control zones and licence buy-backs.
4. Strengthen enforcement and compliance of the regulations under Section 29 (1)(c)(i) of the *Liquor Regulations 2010* that ban all forms of sexualised alcohol advertising and promotional material.
5. Include provisions under regulation 29 of the *Liquor Regulations 2010* that:
 - a. Declare ‘shopper docket’ (liquor promotion vouchers on the receipts for purchases) a prohibited promotional activity.
 - b. Prohibit point of sale promotional materials for liquor, such as free gifts with purchase, prominent signage, competitions, price discounts for bulk purchases, and sale prices.
6. Strengthen the current policy to prohibit the placement of alcohol promotions in public spaces, as well as on all ACT Government property not just public buses and include this as a provision under regulation 29 of the *Liquor Regulations 2010*.
7. Develop and fund Models of Care between alcohol and other drug services, mental health services, intimate partner violence services, perpetrator programs and child protection services, which incorporate:
 - a. Common risk assessment frameworks with a shared understanding of alcohol and family violence.
 - b. Inter-sectoral and joint training between sectors.
 - c. Joint guidelines and systems that facilitate information sharing about the wellbeing and safety of clients’ children between alcohol and other drug services and child protection services.
8. Establish a swift, certain and fair pilot modelled off the *24/7 Sobriety Project* and implement alongside other behaviour change, family violence and alcohol and other drug services.

9. Evaluate current and past family violence education programs and update existing programs and resources to include alcohol's role in family violence.
10. Implement a territory wide school-based family violence education campaign or program that addresses attitudes and behaviours that normalise and tolerate gender-based or family violence, holds perpetrators accountable and acknowledges the role of alcohol in family violence.
11. Update the Interactive Crime Statistics Map to include rates of family violence.
12. Police reporting of family violence should be comprehensive and report on the type of incident, where and when it occurred and whether alcohol was involved.
13. Ensure that plans and programs for family violence are appropriately evaluated so that they can inform future practice.
14. The collection of alcohol sales data in the ACT should be enhanced by:
 - a. Amending Part 1.5 of Schedule 1 of the *Liquor Regulations 2010* to include the collection of cider sales as part of wholesale data collection.
 - b. Amending Part 1.5 of the *Liquor Regulations 2010* to assist licensee reporting of alcohol purchases to the Commissioner of Fair Trading by including a definition of 'wholesaler'.
 - c. Implementing the recommendations made by the Centre for Alcohol Policy Research in *Understanding alcohol sales data in Australia*.¹
15. Establish a liquor licence tracking map, modelled on the Victorian map, with geo-located information on the incidence of alcohol harm from ambulance services and police.

Alcohol's role in family violence

Alcohol is a significant contributor to family violence in the Australian Capital Territory

Alcohol is a significant contributor to family violence, increasing both the likelihood of violence occurring and the severity of harms that can result.² Alcohol consumption of both the perpetrator and the victim is a factor that contributes to physical violence.³ This association has been recognised by the World Health Organization (WHO) and the Council of Australian Governments (COAG).^{4,5}

To achieve systemic and generational change the Australian Capital Territory (ACT) Government must address the gendered nature of family violence, while giving equal consideration to policy measures outside this arena, especially those such as alcohol and mental health issues, which are contributing to the violence.

Family violence assaults in the ACT increased by 33 per cent between 2015 and 2016 to 240 victims per 100,000 persons.⁶ This significant increase is indicative of the lack of reporting of family violence and the potential underrepresentation of victim survivors. A study found that of all family violence incidents in the ACT 24 per cent were alcohol related.⁷

Across Australia, significant investment is being made to reduce family violence. Unfortunately, much of this funding is crisis rather than prevention focused and does not address other issues contributing to family violence such as alcohol harm. This is a short-sighted approach and does not recognise how family violence affects people across the population and that other stressors contribute to or exacerbate risk.

Addressing both gender inequalities and alcohol misuse are critical to preventing and reducing family violence. Action to prevent family violence should encompass factors that influence the consumption of alcohol. Many factors impact on the consumption of alcohol. These include the physical availability, economic availability and promotion of alcohol in our society. In understanding risk factors for family violence, it is important to understand how factors that affect alcohol consumption also contribute to the increased risk of violence and severity of violence. Decreasing the availability of alcohol reduces alcohol harm. Restricting the promotion of alcohol reduces alcohol harms. This effect can extend to reductions in the incidence of family violence and child maltreatment.

Australia's response to alcohol-related family violence

In recent years Australian governments have committed to taking action to reduce family violence, as is demonstrated by the release of the *National Plan to Reduce Violence against Women and their Children 2010 – 2022* (National Plan) in 2011. The National Plan was the first time that governments committed to coordinated action. The National Plan is supported by three action plans as well as by state and territory plans, on family violence and child protection.

A number of national and jurisdictional strategies have been announced over the past 12 months, but all have fallen well short of adopting meaningful policies to reduce alcohol-related family violence.

National	<i>Third Action Plan 2016-2019 of the National Plan to Reduce Violence against Women and their Children</i>	<ul style="list-style-type: none"> ○ October 2016: Launched by the Prime Minister. ○ This Plan fails to recognise the role of alcohol and does not list any initiatives that can reduce this harm.
	<i>Changing the Story: A shared framework for primary prevention of family violence.</i>	<ul style="list-style-type: none"> ○ October 2015: Launched by Our Watch as a national prevention framework. ○ Alcohol is recognised as a significant risk factor, but only individual men’s use of alcohol, not as a contributor to stress, poverty, isolation, shame and fear. ○ The framework does not recognise society’s role and influence in alcohol consumption including social context, age and cultural background.
Victoria	<i>Free from Violence – Victoria’s strategy to prevent family violence and all forms of violence against women.</i>	<ul style="list-style-type: none"> ○ May 2017: Launched by Premier Daniel Andrews and Hon Fiona Richardson, Minister for the Prevention of Family Violence and Minister for Women. ○ The strategy draws heavily on <i>Changing the Story</i>, thus focused on individual men’s use of alcohol. ○ The only detail of specific actions are in accompanying rolling action plans, this is to “...integrate the efforts of violence prevention specialists and those working across other areas of policy, advocacy and service delivery”. ○ The strategy aims to embed the violence prevention within other government frameworks, but fails to mention the <i>Victorian Alcohol Strategy 2016-2019</i> in this section.
Western Australia	Simone McGurk appointed as the Minister for the Prevention of family and domestic violence.	<ul style="list-style-type: none"> ○ WA Labor’s <i>Stopping Family and Domestic Violence</i> plan focuses on crisis interventions such as funding additional Refuges, ‘One stop hubs’ and establishing more Communicare Breathing Spaces for perpetrators. ○ Alcohol is not mentioned within the Labor Party’s plan. ○ The 2015 <i>Freedom from Fear Action Plan</i> recommends to “<i>trial an integrated approach to substance misuse and family and domestic violence</i>” to undertake case collaboration for male perpetrators using substances.

The ACT Government's response to alcohol-related family violence

The ACT Government has been progressively working to reduce the rates of family violence and improving the health and safety of families, men, women and children. However, the ACT Government has failed to recognise the role of alcohol in family violence in its strategies, education programs and community engagement. The *Discussion Paper* and *Terms of Reference* for The Inquiry do not mention alcohol's involvement at all. The government is beginning to put in place further policy measures addressing family violence and it is paramount that they acknowledge and address alcohol-related family violence as well.

The ACT Government recently responded to two reports on family violence in the territory, the *Glanfield Inquiry*⁸ and the *Death Review*⁹. This response was made public in June 2016 and outlined leadership and cultural change, prevention and early intervention, information sharing, collaboration and integration, and transparency and accountability as the themes for a cohesive and integrated service system. In order to achieve this the Government allocated \$21.42 million in the 2016-17 budget to a Family Violence Package with four main priority actions:¹⁰

1. appointing the first, full-time Coordinator-General for Family Safety to lead change and provide accountability across the service system
2. implementing a collaborative and integrated approach to services through a dedicated Family Safety Hub
3. authorising information sharing and collaborative practices via a new legislative framework
4. developing a skilled and educated workforce, especially frontline staff, responding to the needs of adults and children experiencing family violence.

Funding for the Safer Families Package will be provided by the recently introduced Safer Families Levy. The \$30 levy came into effect 1 July 2016 and can be found on the rate notice of every household in the ACT. The recently passed new *Family Violence Act 2016*, the *Government Response to Family Violence Report*¹¹ and recent budget allocations (2016-17 and 2017-18) indicate a clear desire to address the issues of family violence in the ACT.

The ACT Government should be congratulated for these efforts as they demonstrate the commitment to upholding the human rights of ACT women and children. However, rarely do these efforts give serious consideration to alcohol and its contribution to family violence and no plans, at any level, address the issue adequately. This is a significant failing of the ACT's response to family violence to date. As the government continues to develop and implement these policy and project commitments, they must consider the significant and complex role that alcohol plays in family violence.

Policy responses

1. Appropriately regulate the availability and promotion of alcohol

The ACT Government's jurisdiction over alcohol availability and promotion is outlined in the *Liquor Act 2010* (Liquor Act). Access Canberra is responsible for the regulatory functions of the Liquor Act including the availability and promotion of alcohol in a way that minimises harm associated with the consumption of liquor. However, the definition of harm within the Liquor Act does not include family violence.

1.1 Define Harm

Alcohol causes considerable harm within the community and this should be reflected in the laws that govern the sale and supply of alcohol. Currently the Liquor Act defines its main purpose as being to "regulate the sale, supply, promotion and consumption of liquor". The first sub point of this section is to minimise harm caused by alcohol.

The ACT's Liquor Act does not directly acknowledge family violence as a potential harm resulting from alcohol consumption.

Future Directions

Amendments to the purpose of the Liquor Act should be introduced into the Legislative Assembly to ensure harms are defined and women and children's safety is considered.

The South Australian Government has recently acknowledged the link between alcohol and family violence and incorporated this into the objects of the amended Liquor Act. The bill that is before South Australian Parliament states:

The object of this Act is to regulate and control the promotion, sale, supply and consumption of liquor—(a) to ensure that the sale and supply of liquor occurs in a manner that minimises the harm and potential for harm caused by the excessive or inappropriate consumption of liquor; and

harm caused by the excessive or inappropriate consumption of liquor includes—

- (a) the risk of harm to children, vulnerable people and communities (whether to a community as a whole or a group within a community); and*
- (b) the adverse economic, social and cultural effects on communities (whether on a community as a whole or a group within a community); and*
- (c) the adverse effects on a person's health; and*
- (d) alcohol abuse or misuse; and*
- (e) domestic violence or anti-social behaviour, including causing personal injury and property damage.*

This is the first time that an Australian jurisdiction has considered family violence and risk of harm to children within the objects of the Liquor Act. This is important because these objects are the overarching principles that guide licensing decisions and protects citizens from alcohol harms.

Recommendation

1. Define family violence as a harm within the objects and principles of the *Liquor Act 2010* by amending section 10(c) and inserting (v) family violence.

1.2 Availability

The availability of alcohol contributes to high levels of alcohol harm in the ACT. Research has shown that there is a strong association between family violence and the concentration of take-away liquor outlets (or off-premise licences) in an area.¹² Late night trading hours also contribute to other harm including drink driving, assaults and hospital presentations.¹³

Just as increasing the availability of alcohol increases harm, decreasing the availability leads to a decrease in harm. There are a number of ways in which the ACT Government can decrease the availability of alcohol such as reducing trading hours and managing the density of liquor licences in an area. Further information on availability measures can be found in the report *Anytime, anyplace, anywhere? Addressing Physical Availability of Alcohol in Australia and the UK*.¹⁴ The report, developed by FARE in conjunction with the Institute for Alcohol Studies (IAS), provides a comparative analysis of policies designed to regulate the availability of alcohol in Australia and the United Kingdom (UK).

1.2.1 Trading hours

Alcohol is currently available for purchase in the ACT for up to 22 hours per day every day, depending on the type of venue. Standard opening hours for licensed premises that sell alcohol for consumption on the premises (on-licence) are 7am to 12am, with the opportunity to extend late night trading hours to 5am upon application.¹⁵ Off-licence or takeaway liquor outlet standard licence times are 7am to 11pm.¹⁶

There is strong evidence to show that an increase in trading hours is associated with an increase in harms¹⁷ and that alcohol-related assaults increase significantly after midnight.^{18,19} The resulting increased availability is associated with an increase in assault,^{20,21} family violence,²² road crashes,²³ child maltreatment²⁴ and harmful consumption.²⁵ Research within Australia and internationally has demonstrated that there is a 16-20 per cent increase in assaults for every additional hour of trading, and conversely, a 20 per cent reduction in assaults associated with every hour of reduced trading.^{26,27}

Reduced trading hours of packaged liquor outlets can result in:

- decreases in non-domestic assaults, with a statistically significant decrease of 1.4 per cent experienced in New South Wales (NSW) since packaged liquor outlets were restricted to 10pm closes since 2014²⁸
- decreases in hospital admissions among adolescents and young adults by 40 per cent, as experienced in Geneva, Switzerland, when combined with a ban on the sale of alcohol from petrol stations and video stores²⁹
- declines in admission to women's refuges as observed in Tennant Creek, Northern Territory, when take-away alcohol sales were restricted on Thursdays.³⁰

Reduced trading hours of on-licence venues also shows a reduction in alcohol-related violence. In 2008, Newcastle, NSW, introduced a 3:30am closing time and 1:30am restricted entry policy (also known as 'one way door' or 'lockout') in on-licence venues in the city's central business district. These policies resulted in a 37 per cent reduction in night-time alcohol-related assaults,³¹ and no displacement of harm to adjacent late-night districts.³² Five years on, the positive effects were sustained with alcohol-related assaults down by 21 per cent per hour on average.³³

Future directions

The ACT's trading hours of alcohol must be reduced in order to decrease alcohol harm, including family violence.

To reduce trading hours, policies such as those implemented in Newcastle should be implemented in the ACT. This includes limiting off-licence trading hours to between 10am and 10pm and last drinks of no later than 3am for on-licence venues.

Recommendations

2. Amend the *Liquor Act 2010* and introduce the following restrictions to the hours that alcohol is available for sale for both on-licence premises (bars, pubs and clubs) and off-licence premises (bottle shops):
 - a. Introduce last drinks of no later than 3am for on-licence.
 - b. Limit off-licence trading hours to between 10am and 10pm.

1.2.2 Outlet density

In the ACT, a range of information must be considered when assessing an application for a liquor licence or permit in the ACT such as the noise impact,³⁴ patron capacity,³⁵ impact on the local community³⁶ and proximity of the premises to specified locations such as schools and places of worship.³⁷

However, there is no requirement for consideration to be given to the number and concentration of active licensed premises in the relevant local area when assessing new liquor licensing applications or applications to extend late night trading. In the ACT Government White Paper, it was proposed that the Minister be granted the power to declare "high risk zones" where alcohol harm is deemed significant in order to manage outlet density.³⁸ However, this proposal was not included as part of the recent amendments to the Liquor Act or Regulations which passed in July 2017. This is a serious oversight that needs to be addressed in light of the evidence on the relationship between outlet density and alcohol related family violence.

There is support within the Government for outlet density management policies. The Minister for Justice, Consumer Affairs and Road Safety, Shane Rattenbury, stated in the Legislative Assembly that "consideration should be given to introducing a geographic licensing restriction scheme, similar to that used for chemists, as an effective harm minimisation measure in response to [alcohol related harm associated with off-licence venues]."

A recent study examining associations between alcohol sold through off-licence premises and the incidence of traumatic injury in surrounding areas, found that a ten per cent increase in chain outlet density (such as Dan Murphy's and First Choice Liquor) is associated with a 35 per cent increase in intentional injuries (including assaults, stabbing and shooting), and a 22 per cent increase in unintentional injuries (including falls, crushes, or being struck by an object).³⁹

Research in Melbourne found that there is a strong association between family violence and the concentration of off-licence premises in an area. The study concluded that a ten per cent increase in off-licence liquor outlets is associated with a 3.3 per cent increase in family violence. Increases in family violence were also apparent with the increase in general (pub) licences and on-premise licences.⁴⁰ In Western Australia, a study concluded that for every 10,000 additional litres of pure alcohol sold at an off-licence premise, the risk of violence experienced in a residential setting increased by 26 per cent.⁴¹

A study by the NSW Bureau of Crime Statistics and Research (BOCSAR) found that “the concentration of hotel licences in [local government areas, or LGAs], particularly at higher density levels, was strongly predictive of both intimate partner and non-intimate partner assault rates”.⁴²

Research from Victoria found that people living in disadvantaged areas in and around Melbourne had access to twice as many takeaway liquor outlets as those in the wealthiest areas. For rural and regional Victoria, there were six times as many takeaway liquor outlets and four times as many pubs and clubs per person.⁴³ Research also shows that the increased access to alcohol in disadvantaged communities may explain some socio-economic disparities in health outcomes. Disadvantaged communities find it harder to influence planning and zoning decisions. As such, their ability to prevent the continuing proliferation of outlets is hindered.⁴⁴

The World Health Organization has highlighted that neighbourhoods with higher densities of alcohol outlets (both on and off-licence) also have greater child maltreatment problems. These neighbourhoods are also more socially disadvantaged with fewer resources available to support families. This situation can lead to increased stress for families and restrict development of social networks that can prevent child maltreatment.⁴⁵

Future directions

To address outlet density, saturation policies need to be introduced. In England and Wales, regulatory bodies have introduced policies such as saturation zones where limitations are imposed on the introduction of new licences in areas that already have a high density of existing licences. Operational saturation zones in the United Kingdom have been determined based on existing outlet density, crime data and family violence statistics.^{46,47}

To support the harm minimisation Object, an assessment framework must be developed and implemented for liquor licensing decisions. This framework should take into account and prioritise the potential impact on community safety and wellbeing. This is particularly important for disadvantaged communities who are often powerless to stem the proliferation of outlets in their area, and who experience disproportionate levels of health and social harms including family violence.

The Liquor Act should include provisions that require the Commissioner for Fair Trading to take into consideration the existing density of liquor outlets when making decisions on new liquor licence applications. Each application assessment should consider the cumulative impact of the venue in terms of the following risk factors: venue capacity; trading hours; venue type and related considerations such as noise; other outlets in the area and proximity to these; proximity to locations such as schools, childcare centres, places of worship, hospitals, sporting grounds and residential premises; crime and assault data; hospital and ambulance data and other relevant risk factors.

The ACT Government should introduce special control zones where community protection from alcohol harm is required. These special control zones will consider the cumulative impact of a potential licence and prioritise community safety and wellbeing.

Recommendations

3. Amend the *Liquor Act 2010* to introduce tighter controls on the density of liquor licences in the ACT, including:
 - a. Ensuring that approval processes for new on and off-licence premises consider existing levels of alcohol harm and community views.

- b. Interventions that limit or reduce the density of liquor licences in areas with significant levels of alcohol harm through the introduction of special control zones and licence buy-backs.

1.3 Promotion

Alcohol is heavily promoted across Australia in the public domain, on the internet and at the point of sale (POS) for liquor products. Alcohol promotions influence the age at which young people begin drinking alcohol, as well as their levels of consumption.⁴⁸ The ACT takes a passive approach to the identification of inappropriate alcohol promotions conducted by licensed venues. It relies on public complainants to draw attention to the inappropriate promotional conduct of licensed venues in the ACT.

1.3.1 Sexualised alcohol advertising

It is vital that alcohol advertising and promotion does not perpetuate sexist attitudes or behaviours towards women. All forms of sexualised alcohol advertising should be banned, these contribute to an environment that promotes irresponsible behaviour and violence towards women as acceptable when drinking alcohol.

Advertising has a powerful influence in shaping how we view the world. The ubiquitous presence of sexually attractive females in advertising contributes to the environment where sexual harassment, sexual aggression and family violence is tolerated in society.⁴⁹

Alcohol is one product where advertising is often highly associated with sexual appeal. Alcohol advertisements often contain images that imply that certain irresponsible sexual behaviour (or treatment of women) is appropriate in the context of alcohol consumption.⁵⁰

Under Section 29 (1)(c)(i) of the ACT *Liquor Regulation 2010*, prohibited promotional activity includes advertising or promoting the supply of liquor “using images, symbols or figures that are directly or indirectly sexual, degrading, sexist or otherwise offensive in nature”.

Future Directions

The ACT Government should maintain its ban on unacceptable sexist promotions and those that contribute to an environment about unacceptable behaviour towards women. Banning sexualised alcohol advertising is a population-wide measure, which will ultimately make women and children’s lives safer as it will disassociate alcohol advertising and the sexualisation of women. This in turn contributes to an environment where violence against women is not condoned or promoted by advertisers. The regulatory authority must ensure that they take a proactive approach to monitoring advertisements and are not relying solely on complaints.

Recommendation

4. Strengthen enforcement and compliance of the regulations under Section 29 (1)(c)(i) of the *Liquor Regulations 2010* that ban all forms of sexualised alcohol advertising and promotional material.

1.3.2 Point of sale promotions

The Liquor Act currently does not provide grounds for regulatory intervention in the reckless discounting of liquor at off-licence premises.

Point of Sale promotions (POS) are promotional materials found within or on the exterior of licensed premises at the point where an alcohol purchase is made (for instance, happy hours, free gifts with purchase, prominent signage, competitions, price discounts for bulk purchases, and sale prices). They often involve price or volume discounts have been found to be particularly effective in encouraging the purchase of increased volumes of alcohol.^{51,52} POS marketing is becoming more widespread⁵³ and this is likely to affect overall consumption of all drinkers.⁵⁴

Shopper docket are liquor promotion vouchers located on supermarket shopping receipts. A prominent theme in shopper docket promotions is “buy some get some free”. A 2013 report Professor Sandra Jones prepared for the NSW Office of Liquor, Gaming and Racing (OLGR) cautioned that promotions which lead people into buying more alcohol than they had originally intended are likely to increase consumption, and that this is particularly the case for young people.⁵⁵ The report also notes that shopper dockets and other linkages between liquor and everyday grocery items sends a message to people, particularly children and young people, that alcohol is a normal, everyday product. The NSW Office of Liquor, Gaming and Racing conducted a six month investigation into shopper dockets, concluding that shopper dockets were “likely to encourage the misuse and abuse of liquor”.⁵⁶ The agency consequently recommended that shopper dockets promoting discounted alcohol should be banned.^a

Future Directions

The ACT should heed the lessons learned by its counterparts in NSW, and ban alcohol promotions from appearing on shopper dockets. Equal attention should be given to the promotion practices of on- and off-licence premises. To that end, measures to limit harmful price discounting should be introduced. Companies like BWS sell three five-litre casks of wine for \$33 (the equivalent of 22 cents a standard drink) as part of bulk buying promotions. Ceasing harmful price discounting will reduce risky alcohol consumption and discourage risky practices by minimising the price differential between on- and off-licence premises. This will ultimately make women and children’s lives safer by discouraging bulk purchases at cheaper prices.

Recommendation

5. Include provisions under regulation 29 of the *Liquor Regulations 2010* that:
 - a. Declare ‘shopper dockets’ (liquor promotion vouchers on the receipts for purchases) a prohibited promotional activity.
 - b. Prohibit point of sale promotional materials for liquor, such as free gifts with purchase, prominent signage, competitions, price discounts for bulk purchases, and sale prices.

1.3.3 Advertising on public property

Alcohol advertising on public assets is clearly visible to minors. This is contradictory to regulations requiring that advertising not be visible or directed to people under 18. Young Australians are bombarded with alcohol promotions in a variety of settings, including billboards and posters, other promotional materials and on the internet.⁵⁷ Advertising on public assets is one area where the ACT Government has complete control. Alcohol advertising is already banned from public buses, however there are no restrictions regarding bus stations and other public assets such as stadiums. There are also no regulations restricting the advertising of liquor licensees or venues on Action buses.

^a Regrettably, the Director General of OLGR decided not to support his agency’s recommendations, thus allowed this harmful practice to continue.

Future directions

The ACT Government needs to align its policies on the promotion of liquor with its strategies that concern alcohol harms and family violence. The government should not profit from or facilitate the promotion or advertising of alcohol companies and retailers.

The ACT has already made great progress in banning alcohol advertising from public transport. Now the government needs to go one step further and ban alcohol promotions from all ACT Government property. There should also be controls imposed on the placement of alcohol advertisements in public spaces, specifying types of places and distances from these places where alcohol advertising is not permitted.

Prohibiting liquor advertisements from being displayed on public property would reduce the presence of alcohol advertising that perpetuates sexist attitudes and behaviours towards women. This would also reduce the exposure of children to liquor promotions.

Recommendation

6. Strengthen the current policy to prohibit the placement of alcohol promotions in public spaces, as well as on all ACT Government property not just public buses and include this as a provision under regulation 29 of the *Liquor Regulations 2010*.

2. Model of Care

For too long family violence and alcohol and other drug (AOD) sectors have not worked together in the ACT. Overcoming this requires sustainable partnerships between services, joint working protocols, clear referral pathways, improved monitoring and increased staff supervision.

The ACT Government's new Family Safety Hub hopes to provide an integrated support service for victims of family violence. However, the current description of the Hub's purpose, while considering housing services, does not mention the interrelatedness of alcohol and other drug services with family violence support services.

It is important to understand the complex association between victimisation and alcohol problems. Alcohol is often used as a form of self-medication, to cope with the abuse itself and associated effects such as isolation, lack of support and feelings of self-blame or shame.⁵⁸ The risk of being a victim of intimate partner violence increases with increasing levels of alcohol consumption.⁵⁹ Victims who are intoxicated are more likely to be blamed for the violence than victims who are sober.⁶⁰ Both family violence and problems with alcohol disproportionately affect Aboriginal and Torres Strait Islander communities, with both likely to stem from the same underlying issues of continued social disadvantage⁶¹ and intergenerational grief and loss.⁶²

Problematic alcohol use by a victim of family violence can pose barriers to them seeking help. Problematic alcohol use tends to exclude women from family violence support services and refuges, and can increase the likelihood of a woman losing custody of her children.⁶³ Other issues that prevent women from seeking support or disclosing family violence include fear of a lack of access to support services,⁶⁴ especially in rural and remote communities; and issues of anonymity within the community and kinship groups.⁶⁵

Parents' consumption of alcohol can impede their capacity to take care of their children.⁶⁶ Alcohol use by parents and carers is generally considered problematic when it is at levels that impair the

judgement or alter the mood of parents, placing the child at risk of abuse or neglect.⁶⁷ If both parents are experiencing problems with alcohol, the risk of maltreatment is higher.⁶⁸

There are a range of risk factors that increase the likelihood of child maltreatment. These risk factors include the parent's own history of child maltreatment, parental mental health issues and use of AOD, and relationship risk factors.^{69,70} Being a victim of, or witness to, family violence has serious emotional, psychological, social, behavioural and developmental consequences for children.⁷¹ These problems may precipitate life experiences and conditions that create a cycle of violence from one generation to another.⁷²

Children can also be affected by alcohol exposure before birth. There is strong evidence internationally^{73,74,75} and emerging evidence from Australia⁷⁶ that children with a Fetal Alcohol Spectrum Disorder (FASD) are disproportionately represented in the child protection system. Where issues with alcohol do occur they are often associated with other problems that families are likely to be experiencing, such as poverty, violence, housing and employment issues.⁷⁷

Integrated and coordinated service models within AOD and family violence sectors are rare, despite the long recognised association between family violence and alcohol and other drug use issues.

This results in the sectors working independently with little or no training in how to respond to the 'other issue'. There are also philosophical differences between the sectors as well as funding and policy framework differences that do not allow for integration and means the needs of service users are also not being met.

Future Directions

Developing and funding a comprehensive Model of Care (MoC) for victims of alcohol-related family violence will improve service integration. This in turn will help to prevent the recurrence of violence, enable victim survivors to overcome their AOD issues as well as other issues and in the long term make women and children's lives safer.

Collaboration and coordination both within and between sectors provides a better understanding of an individual's situation and avoids requiring people to repeat stories they may find traumatic. A MoC is a coordinated and evidence-based package of programs that:

- provides a structure for collaboration to meet the complex trauma-related support needs of AOD treatment and family violence service clients
- focuses on developing professionals shared understanding of the issues through cross-agency training and establishing formal partnerships for delivery of training
- coordinates and delivers a standardised approach to information to protect the privacy, safety and wellbeing of clients and their children, this includes the development of common risk assessment frameworks.

The Common Assessment Frameworks in Victoria are the only MoC operating in Australia. Following the Royal Commission into Family Violence, the Victorian Government have developed a Support and Safety Hub Concept. This concept appears to address the fundamental needs of an effective MoC, including the interconnectedness of AOD services with family violence services, as well as housing, legal services and financial counselling.⁷⁸ The ACT Government should look to at the Victorian Support and Safety Hub Concept when designing their MoC.

Recommendation

7. Develop and fund Models of Care between alcohol and other drug services, mental health services, intimate partner violence services, perpetrator programs and child protection services, which incorporate:
 - a. Common risk assessment frameworks with a shared understanding of alcohol and family violence.
 - b. Inter-sectoral and joint training between sectors.
 - c. Joint guidelines and systems that facilitate information sharing about the wellbeing and safety of clients' children between alcohol and other drug services and child protection services.

3. Programs targeted at perpetrators

The use of alcohol by perpetrators of family violence is complex. When a perpetrator is drinking, they are less aware of the physical force they may be using, they are less concerned about consequences, and display increased emotionality which can lead to greater likelihood of violence occurring.^{79,80}

Prevention and early intervention have been described as key priorities for the ACT Government in addressing family violence. One element of this is implementing programs and services that are targeted at perpetrators.

The ACT Government has committed to providing a behaviour change program delivered by Domestic Violence Crisis Service (DVCS) in partnership with Connections ACT. There is limited information on this program, which could be due to its early implementation stage, however, it is important that information on these services are publicly available and easily accessible.

While alcohol's involvement in family violence is complex it is important to recognise that alcohol does play a role and as such that role should be addressed as part of prevention and early intervention strategies. The behaviour change program – ACT Corrective Services Domestic Abuse Program – will be a three-month residential program that involves individual counselling, case management, group work and development of living skills.⁸¹ Existing programs do not adequately address alcohol or provide guidance on coordination between men's behaviour change/family violence service providers and AOD support service providers.

The reduction or cessation of alcohol use has been demonstrated to reduce family violence and improve family relations and functioning. A survey of Australians in recovery from substance addiction (with alcohol being the primary drug of concern for 66 per cent of participants) found that half of the participants reported being a victim or perpetrator of family violence in the active addiction phase, compared to less than ten per cent in the recovered or recovery phase.

It is important to acknowledge that women who are receiving treatment for their own alcohol problems are at a particularly elevated risk of family violence as a perpetrator may be concerned about loss of control and use further violence against her to regain control.⁸² He may also stall or prevent her access to treatment. A study from the US found that women who were currently experiencing domestic violence were much less likely than women who were not experiencing domestic violence to complete substance misuse programs.⁸³ When providing alcohol services to the perpetrators of domestic violence, it is essential to note that alcohol withdrawal is likely to increase irritability and agitation which may lead to increased rates and severity of domestic violence.

Future Directions

The ACT Government should pilot a ‘swift, certain and fair’ (SCF) program, which should be combined with a well-funded and coordinated collaboration between AOD services, men’s behaviour change programs and family violence services. Both of these actions will complement the provision of support to families of people accessing perpetrator programs to ensure their safety. Justice projects that directly target the alcohol-related offences through swift and certain punishment have been effective in reducing crime.⁸⁴ These programs have also led to reductions in family violence due to the identification of offenders previously hidden or unknown in the family violence system.

The pilot will provide SCF sentencing approaches for people arrested or convicted of alcohol-related offences. This would see offenders required to take two alcohol breath tests a day and be met with swift, certain and fair sanctions if in breach of these conditions. This pilot should be based on the evidence from South Dakota’s *24/7 Sobriety Project*, which demonstrated that justice projects that directly targeted alcohol-related offences through swift and certain punishment led to reductions in family violence, and are effective in reducing crime.^{85, 86}

The *24/7 Sobriety Project* originally targeted repeat drink drivers and resulted in a nine per cent reduction in intimate partner violence arrests.⁸⁷ The program has since been modified to include other alcohol-related crimes (including family violence).⁸⁸

An important component of this pilot is the requirement to present for alcohol breath tests. This requirement ensures that offenders are closely monitored, and presents an opportunity to discuss concerns with parole officers and reinforce prevention messages at the time of presentation. Similar to the *Hawaii Opportunity Probation with Enforcement (HOPE)* program, the frequency of breath testing could decrease over time if a probationer continues to pass these tests. However, the emphasis of the project remains on the swift and certain punishment if the probationer fails a test. An evaluation of the HOPE program found that compared to a control group, HOPE participants were less likely than the comparison group to be arrested for a new crime (21 per cent compared to 47 per cent) and to have a positive urine test (13 per cent compared to 46 per cent).⁸⁹

An ACT pilot could compare matched controls and evaluate the results in terms of rates of repeat offending, self-reported criminal activity and breathalyser/drug test results. The project should be implemented alongside men’s behaviour change programs and alcohol and other drug treatment to allow for the provision of counselling and support while they participate in the program. This will ensure that consideration is given to those who have alcohol dependence so they are not placed in a situation of unassisted withdrawal. Research shows that addressing an individual’s alcohol use is associated with marked improvements in other life outcomes that are often risk factors for family violence, such as improved financial situation, fewer legal problems, and higher participation in education and the workforce.⁹⁰

Recommendation

8. Establish a swift, certain and fair pilot modelled off the *24/7 Sobriety Project* and implement alongside other behaviour change, family violence and alcohol and other drug services.

4. Education

In the area of family violence, the need for public awareness has been recognised by the Council of Australian Governments (COAG). On 4 March 2015, COAG announced a \$30 million joint commitment to deliver a national awareness campaign aimed at reducing violence against women and their children.⁹¹

Education on family violence targeted at school children is important because it supports one of the central principles of effective prevention: starting early. Childhood and especially adolescence is a critical period for shaping the quality of relationships later in life. Successful education at these stages of life is likely to prevent the emergence of negative relationship behaviours such as violence.⁹²

In 2014 the Australian Child & Adolescent Trauma, Loss & Grief Network (ACATLGN) at the Australian National University (ANU) in Canberra piloted the Trauma Understanding and Sensitive Teaching in Schools project (TRUST). This schools-based education program aims to create safe and supportive environments, build relationships, increase children's educational, social and emotional engagement and wellbeing, as well as using positive responses to behaviour. It is an important program for children experiencing family violence but also provides a whole of school approach for all children to build on a sense of belonging, routine, attachment, capacity and emotional skills.⁹³

YWCA Canberra also provides resources on respectful relationships. The *Respect, Communicate, Choose* program was funded under the National Plan to Reduce Violence Against Women and their Children and supported in 2012-13 by the ACT Government Community Services Directorate.⁹⁴ It appears as though this program is no longer government supported or funded but individual schools wishing to use the program can contact YWCA. YWCA Canberra also provides teaching tools and training resources on respectful relationships and respectful education.

The ACT Government Education Directorate provides a good database of resources and services available in the ACT on family violence education and support services. However, the webpage is difficult to find, the information is not easily accessible and does not provide any resources on alcohol-related family violence.

There is no single, easily accessible and well integrated resource database platform nor is there a territory-wide school-based education program on family violence in the ACT.

Future Directions

Evaluate what exists

There are currently a number of different support and education services available in the ACT, however it is unclear how effective these services are, how many people use them and whether they are sufficiently resourced.

Organisations such as YWCA Canberra have already developed and piloted evidence-based education programs on family violence and respectful relationships. The ACT Government should evaluate the resources that are already publicly available and develop an easily accessible, user friendly, integrated database with information on family violence support and education services and programs. An evaluation of the TRUST program should also be conducted and made publicly available.

Ensure that programs include alcohol's role in family violence

Alcohol as a contributor to family violence should be addressed in both school-based alcohol education programs and in family violence or respectful relationships programs. Public and school

education around the unacceptability of alcohol as an excuse or justification for violence is urgently needed to challenge these views. School-based education projects also need to challenge the use of alcohol as a weapon by perpetrators who put the onus of responsibility on victims to avoid harm.

The Australian Women's Health Network states that the primary aim of anti-family violence campaigns should be to: change attitudes, behaviours and beliefs that normalise and tolerate gender-based violence and violence against children. These campaigns should be victim-centred, hold perpetrators to account and emphasise equality.^{95,96}

All education campaigns regarding alcohol and family violence should provide advice to the audience on avenues of support where they can seek help. This support would serve the interests of young people who are experiencing, or have experienced, alcohol-related abuse; or if they themselves are consuming alcohol to cope with the trauma they are experiencing or have experienced.

Roll out a comprehensive education program across ACT schools

Following the evaluation of existing education programs, the ACT Government should implement a comprehensive school-based education program or campaign throughout all schools in the territory. Public and school education campaigns on family violence are often inconsistently or insufficiently funded. Consequently, they are often only of limited duration and unlikely to produce sustained, long term effects.

School-based campaigns that address the role of alcohol in family violence should be well-funded, ongoing, multifaceted, and form part of a wider strategy of legislative change and reform.^{97,98} Campaigns and programs must be formally evaluated to assess their effectiveness in changing negative attitudes and behaviours, both in the short and long term.

Online resources

The ACT Government Education Directorate provides a good database of resources and services available to both victims and perpetrators of family violence. It also provides general information on family violence and respectful relationships. However, the information is not easy to find. All government websites with information on family violence should be interlinked and easily accessible across all platforms. The ACT Police webpage on family violence should link individuals to the Education Directorate, however this is currently not the case. Online resources should also incorporate and detail the role of alcohol in family violence.

Recommendations

9. Evaluate current and past family violence education programs. Update existing programs and resources to include alcohol's role in family violence.
10. Implement a territory wide school-based family violence education campaign or program that addresses attitudes and behaviours that normalise and tolerate gender-based or family violence, holds perpetrators accountable and acknowledges the role of alcohol in family violence.

5. Data collection

There are two main types of data collection methods for family violence and alcohol harm. These are service data (which includes police data and child services data), and survey data (which is usually self-report).

Collecting data on family violence is complicated and limited. The data collected for the ACT provides an indication of how many victims and perpetrators of family violence come into contact with police and family violence support services or self-report their experience of family violence in surveys.

Due to family violence being a largely 'invisible' problem, self-report is important in providing an indication of the nature and extent of alcohol-related family violence. Survey data is collected by the National Drug Strategy Household Survey and the Australian Bureau of Statistics (ABS) Personal Safety Surveys. It is important that these surveys complement data collected through service sectors, such as police and health service data. As many as half of family violence occurrences go unreported.⁹⁹ Having a cross-section of different data is important to mitigate limitations such as underreporting.

5.1 Service data

The ACT Government does not currently collect data for or report on family violence incidences, but rather relies on data from the ABS. ACT Police data is collected and reported in the Interactive Crime Statistics Map, which includes categories of assault, sexual assault and crimes against a person but not family violence.

Accurate and consistent data collection provides an indication of the prevalence of the issue. It also informs policy development and enables better monitoring and evaluation of policies, programs and services.

Unfortunately, in the ACT family violence programs and systems are not evaluated nor is data consistently collected on these programs. Therefore is unclear how well the existing strategies, services and programs benefit victims and perpetrators of family violence.

Future Directions

Consistently collected disaggregated data is crucial to understanding the prevalence of alcohol-related family violence. Such data enables researchers and policy makers to develop, implement and track the progress of evidence-based policies and services.

The ACT Government should collect police, ambulance and emergency department data related to family violence. Other states and territories report on family violence statistics including the involvement of alcohol in that incident.

The NSW Bureau of Crime Statistics and Research breaks assault data down into domestic assault, non-domestic assault and police assault.¹⁰⁰ The data can also be searched or refined by the involvement of alcohol in the domestic assault, whether the incident occurred on a weekday or weekend and where the incident occurred (such as in the home, at a licensed premises or in a park).

The police in Victoria are required to complete an L17 Risk Assessment and Risk Management form when attending a family violence incident which asks if they believe either the perpetrator or the victim was under the influence of alcohol at the time of the family violence incident with options for flagging either party as 'Alcohol use definite', or 'Alcohol use possible.'¹⁰¹

The ACT Government should report on family violence at the most detailed level. It is also important to consider a tangible range of data sources. Service sector data including police data, family violence services, alcohol and drug treatment data and hospital data should all seek to gain information on alcohol's involvement in alcohol-related family violence.

When reporting on family violence incidences the following should be considered: whether the family violence incidence was 'assault' or 'other'; whether alcohol use was definite, possible or not involved;

whether alcohol was used by the victim, perpetrator or both parties; whether the incident occurred on a weekday or weekend and where the incident occurred.

Comprehensive data reporting will assist in policy development and program evaluation. All programs and services related to family violence and AOD support service provision need to be evaluated consistently and regularly to monitor outcomes for clients, and program cost-effectiveness for government. Numbers of individuals using services should also be reported on in order to gain some representation of the extent of the involvement of alcohol in family violence incidents.

Privacy and confidentiality is essential to the collection of data about alcohol and family violence. Researchers must ensure that they protect data, especially if it is in any way identifiable.

Recommendation

11. Update the Interactive Crime Statistics Map to include rates of family violence.
12. Police reporting of family violence should be comprehensive and report on the type of incident, where and when it occurred and whether alcohol was involved.
13. Ensure that plans and programs for family violence are appropriately evaluated so that they can inform future practice.

5.2 Sales and licence data

The collection of alcohol sales data is important, as it is critical to understanding consumption patterns and allows for comparisons between family violence prevalence and alcohol sales. Sales data helps inform policy, targeted prevention and resource management. The World Health Organization (WHO) recommends sales data as the most reliable and accurate method for measuring alcohol consumption within communities.¹⁰²

Under sections 1.19 and 1.20, Schedule 1 of the Regulations, sales data is collected from off-licence premises only in two separate forms asking for the volume of wholesale alcohol sold and the supplier's name, address and gross price paid for the liquor from that supplier. While the first form asks about volume of different beverage types the form is not itemised by each purchaser/retailer to allow geographical context to where the alcohol is most likely to be consumed and the second, which tracks the location of suppliers, does not itemise by drink type, volume or date.

Currently cider sales are not reported on nor is a definition of what constitutes a 'wholesaler' included in the Regulations. Thus the forms used by the ACT omit the ability to look at local consumption levels.

There is also no geo-locator tool that represents liquor licence density in the ACT. Such a tool combined with comprehensive consumption and sales based data would provide useful information on alcohol-related harm trends.

Future Directions

Comprehensive and standardised alcohol sales data allows for better monitoring of alcohol availability and consumption. Territory-wide sales data helps inform stakeholders and allows them to understand and compare significant health information relating to alcohol. It is this accurate representation of consumption trends through territory-wide data that is invaluable to evidence-based policy. It enables the implementation of targeted reforms and is crucial for monitoring and evaluation.

Sales data should be collected from all licensed venues to get accurate representation of consumption levels and geographical trends. Surveillance of trends over time is important for not only policy development but also service planning.

In Victoria the regulatory authority uses a liquor licence map that provides a partial indication of liquor outlet and alcohol harm dynamics in particular localities.¹⁰³ This tool “provides decision-makers and the community with information at a glance about licence density, and has the potential to improve ambulance response times to alcohol-related accidents and injuries”.¹⁰⁴ The map can be used by local councils, government agencies and researchers to plan and assess liquor licence applications, research and develop ways to reduce alcohol-related harm in the community, target high-risk areas for compliance and enforcement action. What is missing from this tool is geo-located information on the incidence of alcohol harms from ambulance services and police.

The ACT Government should establish a liquor licence tracking map, modelled off the Victorian map that details outlet density and geo-located information on the incidence of alcohol harm from ambulance services and police. This will allow the government to see where there is overlap between family violence incidences and increased outlet density and alcohol sales. Accurate data mapping will allow for better policy making regarding alcohol-related family violence.

Recommendation

14. The collection of alcohol sales data in the ACT should be enhanced by:

- a) Amending Part 1.5 of Schedule 1 of the *Liquor Regulations 2010* to include the collection of cider sales as part of wholesale data collection.
- b) Amending Part 1.5 of the *Liquor Regulations 2010* to assist licensee reporting of alcohol purchases to the Commissioner of Fair Trading by including a definition of ‘wholesaler’.
- c) Implementing the recommendations made by the Centre for Alcohol Policy Research in *Understanding alcohol sales data in Australia*.¹⁰⁵

15. Establish a liquor licence tracking map, modelled off the Victorian map, with geo-located information on the incidence of alcohol harm from ambulance services and police.

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ISBN 978-0-6481593-0-8