Creating Safer Drinking Environments

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Abstract

The focus of the chapter is violence and crime in the licensed drinking environment. The central argument is that creating safer licensed environments is primarily a regulatory problem, not just an “alcohol problem”, and that formal enforcement is a necessary but not sufficient tool for creating a culture of compliance. A system of regulation that is responsive to industry conditions will rely on the interaction of formal regulation, which is the political domain; informal regulation, mobilising civil society; and self-regulation, taming the market.

To be effective, regulatory systems must reduce situationally specific risk factors in the licensed environment that are related primarily to management practices and to “hidden deals” between licensees and regulators. Effective regulation will ensure that the physical environment is attractive and sends a message to patrons about appropriate behaviour; that it does not irritate or frustrate people by being crowded, excessively noisy, hot or smoky; that provocation related to such games as pool or to dancing is minimised; and that non-salty food is freely available. The social environment will not be permissive, having clear limits concerning sexual and other behaviours; drinking to intoxication, especially by large numbers simultaneously, will be discouraged; trained, peace-loving security and bar staff will be employed; and people identified as regularly aggressive will be kept out.

There is limited evidence that formal enforcement through visible, random checks on licensees can be effective, as can undercover policing combined with warnings to managers. There is consistent evidence that mobilising local community groups and agencies through organised community action can bring about major reductions in aggression and violence in and around venues, although the effects have not been demonstrated to be permanent in any locality. Critical ingredients of community action include: strong directive leadership during the establishment period; the mobilization of community groups concerned about violence and disorder; the implementation of a multi-agency approach involving licensees, local government, police, health and other groups; the use of safety audits to engage the local community and identify risks; a focus on the way licensed venues are managed (particularly those that cater to large numbers of young people); the “re-education” of patrons concerning their role as consumers of “quality hospitality;” and attention
to situational factors, including serving practices, that promote intoxication and violent confrontations.

Approaches available to regulators include licensing provisions, policy development, cooperation with the industry to develop standards, developing formal and informal codes of practice, education, publicity and information campaigns (especially at the local level), incentives for responsible operators, and working with the community. These approaches can usefully be arranged in an enforcement pyramid, the broad base representing frequently used approaches based on suasion, cooperation, and negotiation, the sharp end representing the ultimate but infrequently used sanctions like the closure of an establishment (the business equivalent of capital punishment). However, to ensure transparency and accountable in this most difficult of regulatory arenas, a system of responsive regulation will give a central place to community empowerment and to the role of public interest groups.

Fights are known to occur in or around pubs and taverns, and sometimes people get hurt. Usually young men are involved, and usually they’re drunk – or so people assume. Fights like this are a problem, of course, especially if one’s son or daughter is involved, but unless the injuries are really serious, it seems no one worries too much – least of all the police, who dislike the messy business of trying to get statements from people who can’t stand up straight and are frequently uncooperative, incoherent or violently ill (Homel and Tomsen, 1991).

However, the enforcement problem can take on a new dimension if lots of fights and incidents of disorderly conduct occur in a local “hot spot” on a regular basis. Downtown entertainment areas in many towns and cities often take on this character, becoming notorious for law-and-order and public safety problems that make extra attention from regulatory authorities and local government politically unavoidable. But then the response is often purely political: sweeping the streets clean of the human riff-raff in a series of well publicised blitzes for public relations purposes, rather than attending to the underlying problems of how venues and the surrounding public space are managed and regulated.

Despite the often blasé attitudes of the regulators, there is an emerging awareness in the research literature that a serious public health issue is at stake (e.g., Stockwell et al., 1994). One feature of assault victimisation found in all crime victim surveys, including those analysed by Homel and Mirrlees-Black (1997) in Queensland, is the extremely high rates of victimisation of teenagers and young adults. The survey data also highlight the importance of environmental or situational factors as risk factors for young people. In general, those who go out for entertainment at night, particularly to hotels and nightclubs, have a higher than average risk of assault. The same pattern applies to teenagers: about half of male and female teenage victims are assaulted in places they go to regularly (away from a home environment) which provide leisure or entertainment. Many of these places, especially for those aged 18 years or over, are licensed venues. It follows that one important strategy for reducing violence is to increase the safety of leisure and entertainment venues, including hotels and nightclubs, especially for young patrons.
I argue in this chapter that creating safer licensed environments is primarily a regulatory problem, not just an “alcohol problem”. A fundamental assumption is that whatever the effects of alcohol, its role is mediated by cultural, personal and contextual factors that are still the subject of active research. To quote Homel, Tomsen and Thommeny (1992: 681), who conducted observational studies of aggression and violence in licensed venues in Sydney:

A key assumption was that there is a complex (but nevertheless real) relation between violence and public drinking (not the mere ingestion of ethanol) which is imbedded in Australian history and culture and reproduced in institutional arrangements and regulatory and police practices regarding drinking. In our research we aimed to transcend the narrow debate about the effects of ethanol the substance by focusing on the total environment of drinking and its regulation (or lack of regulation) by management, police, and other public officials. Thus we considered features of the external regulation of licensed premises as well as more directly observable characteristics such as physical layout, patron mix, and social atmosphere.

If safety in licensed environments is a regulatory problem, it is a problem not much different in its essential nature from, say, persuading small businesses to comply with environmental laws or nursing home proprietors to maintain minimum prescribed standards of care. There are of course specific features of drinking environments that might make them problematic for the safety of their patrons (or staff), and it is very important that these be understood if wise regulations are to be devised. Nursing home regulations will not suffice for nightclubs.

One difficulty historically is that licensing and other laws relevant to the licensed environment have often not been very wise, in the sense that the known risk factors, such as simultaneous binge drinking by a large number of patrons, have not influenced the legal provisions (Stockwell, 1997). An even greater difficulty is that in many countries the laws, inadequate as they might be, have not been enforced very well. These difficulties have led in other fields both to extensive law reform and to the creation of complex mechanisms for persuading the target population if they cannot be coerced. In the licensed environments arena, the trend has been partly to new laws but even more to alternative regulatory models that rely in some way on new forms of ‘non-legal’ persuasion or on legal measures that fall short of prosecution (Stockwell, 1994). In recent years an important element in the search for new kinds of regulatory ‘levers’ to effect change has been the use of community action techniques.

This chapter is mainly about this search for new forms of regulation through community action. The focus is the licensed environment, especially hotels, taverns and nightclubs that provide entertainment for young people, since these are more likely to be sites of alcohol-related harm (Casswell, Zhang and Wyllie, 1993; Stockwell, Somerford and Lang, 1992). The perspective is Australian, although I draw on all the published international research of which I am aware. I begin with a brief review of what is known about risk and protective factors in the licensed environment, and then examine the literature from North America and Australia on community initiatives. I conclude that although promising new regulatory forms are emerging, no one has yet succeeded in demonstrating a permanent reduction in disorder, crime and violence through community action. This may reflect failures of implementation or, in other cases, the failure of the formal apparatus of state control – police and liquor licensing authorities – to “follow through” with consistent enforcement in the aftermath of a community initiative.
The search for a satisfactory system of regulation requires “praxis in concrete institutional arenas” (Ayres and Braithwaite, 1992). Slogans like “zero tolerance” will not suffice, nor will any rigid adherence to a single doctrine, regardless of context. It is clear that community action can reduce aggressive incidents and injuries. The challenge is to institutionalise the critical ingredients, especially the power of community groups to act as credible watchdogs, in forms that are sensitive to the political environment and to local conditions.

Risk and Protective Factors

While methods of preventing alcohol-related crime at large “one-off” or irregular public events have some relevance to the present discussion, the primary focus of this chapter is on the slightly different issue of the prevention of violence that may occur routinely in and around licensed venues. Consequently, the discussion in this section is based on the review chapter on “safer bars” by Graham and Homel (1997) (with some reference also to the chapter by Graham and West in this volume), and the earlier studies by Graham and her colleagues (1980) and by Homel and his colleagues (Homel, Tomsen & Thommeny, 1992; Homel & Clark, 1994; Tomsen, Homel, & Thommeny, 1991).

The Physical Environment

Using the environment to create expectations about behaviour. Attractive, nicely furnished, well-maintained premises give a message to the patron that the managers do not anticipate physical violence and associated damage to furnishings. Graham et al. (1980) found in their study of bars in Vancouver that aggression was significantly correlated with poorly maintained, unclean, unattractive bar environments. In Sydney, Homel & Clark (1994) found a relationship between bar cleanliness and aggression.

Avoiding physical environment features that irritate or frustrate people. Aggression in bars has been found to be associated with poor ventilation and smoky air (Graham et al., 1980; Homel et al., 1994), inconvenient bar access and inadequate seating (Homel et al., 1994), high noise level (Graham et al., 1980), and crowding (Graham, 1985; Homel et al., 1994). A plausible link between these aspects of the environment and aggressive behaviour is the role of these factors in irritating, frustrating or otherwise provoking bar patrons, particularly highly intoxicated bar patrons.

In a study of crowding, Macintyre and Homel (1997) concluded that for any given level of patron density (people per square metre) some venues exhibited higher levels of crowding (unintended low-level physical contacts) than others. The more crowded venues tended to be the more violent, and in these high-risk establishments crowding increased more rapidly with patron density than in low-risk venues. Crowding appeared to arise partly from inappropriate pedestrian flow patterns caused by poor location of entry and exit doors, dance floors, bars, and toilets.

Minimising provocation related to games and entertainment. Graham et al. (1980) found that aggression was more likely in bars where there was dancing and pool playing (no relationship with aggression was found for other games such as darts.
and shuffleboard). Gibbs (1986) in his review article used the example of pool playing to demonstrate how formal and informal rules can be used to structure bar environments in order to reduce both frequency and severity of aggression. His suggestions included limits on betting, establishing protocols regarding appropriate behaviour around pool games, and keeping observers of the game out of any disputes that arise.

**Safer glassware and other harm reduction strategies.** Shepherd (1994) observed that some of the more severe injuries resulting from bar fights were caused by using broken glasses or bottles as weapons, and suggested the substitution of tempered glass. Many venues do use plastic glasses on a routine basis.

**Encouraging eating with drinking.** The availability of food (especially full meals) has been associated with reduced risk of aggression in bars (Graham, 1985; Homel et al., 1994). This may be because the types of bars that serve food are less likely to have aggressive patrons; they more likely to have a positive social atmosphere; and because eating while drinking slows absorption of alcohol, reducing the blood alcohol level the drinker reaches (Wedel et al., 1991).

The Social Environment and Social Control

**Creating a social atmosphere with clear limits.** The ‘permissiveness’ of the environment has been shown to be associated with aggressive behaviour (Graham et al. 1980; Homel et al., 1994; Hauritz, Homel Townsley et al., 1998). This includes overall decorum expectations, abusive swearing, sexual activity among patrons, sexual competition, prostitution, drug use and dealing, male rowdiness, and male roughness and bumping. Management and staff behaviour is also important: there is greater aggression where bar staff are very permissive and do not engage in responsible serving practices (e.g., serving underage patrons) (Homel et al., 1994), or where staff exercise little control over patrons’ behaviour (Graham et al., 1980). Aggression has also been found to be more likely in bars where drunkenness is frequent (Graham et al., 1980; Homel et al., 1994) and where there are discount drinks and other drink promotions (Homel et al., 1992).

**Discouraging drinking to intoxication.** A high proportion of intoxicated patrons is associated (in complex ways) with aggression. High levels of intoxication signal a generally permissive environment, but there is also a consistent relationship between drunkenness and aggression in a number of studies (Graham & West, this volume) that suggests a variety of causal paths. In addition, the severity of aggression is related to levels of drunkenness (Graves, Graves, Semu, & Sam, 1981).

**Fostering a positive social atmosphere.** Positive atmospheres that are friendly rather than tense and hostile, that include quiet laughter and small talk rather than hostile talk, and where patron boredom is low, are associated with a lower risk of aggression (Graham et al., 1980; Homel et al., 1994).

**Employing trained peace-loving staff.** Aggression has been found to occur in response to venue staff exercising social control such as refusing service and otherwise intervening with intoxicated patrons (Felson, Baccaglini & Gmelch, 1986; Graves et al., 1981; Homel et al., 1994). Bouncers, in particular, have been identified
as sometimes increasing the harm associated with barroom aggression (Homel et al., 1992; Marsh & Kibby, 1992).

Keeping out aggressive people. Certain bars are violent because they are frequented by aggressive people (Graham & West, this volume; Tomsen et al., 1991). Therefore, a necessary feature of safer bars is the capability to recognize and ban, if necessary, persistent trouble-makers.

Prevention Programs

To be effective, prevention programs must reduce multiple risk factors in the licensed environment. It may not much matter which particular risk factors are manipulated, provided several of the features discussed in the previous section are covered. However, whatever else is done, controls on the incidence of intoxication, particularly mass intoxication, must probably be implemented for violence to decline substantially (Hauritz, Homel, McIlwain, Burrows and Townsley, 1998; Hauritz, Homel, Townsley, Burrows and McIlwain, 1998; Homel and Clark, 1994).

Responsible Server Programs

These programs employ a variety of techniques to prevent intoxication, including observing patrons and being able to recognise intoxication; promoting non-alcoholic and low alcohol drinks; serving well-priced, attractive, and well-marketed food low in salt content; and training staff in techniques for monitoring patrons and adjusting service as necessary. Training is also provided in refusal of service to patrons who are intoxicated or who show signs of becoming intoxicated. Bar staff are trained in offering positive alternatives, such as soft drinks or food at discounted prices, and both management and staff are trained in negotiation techniques with patrons who are becoming difficult or aggressive. The importance of a well publicised “house policy” to provide a positive context for responsible serving practices and for negotiation with patrons is emphasised (Simpson et al., 1987).

The small number of rigorous evaluations of responsible serving programs which have been published have reported mixed results. On the positive side, Saltz (1987), in an evaluation of an experimental 18 hour training program in a United States Navy base, reported that the likelihood of a customer being intoxicated was cut in half, although for the establishment as a whole absolute consumption and the rate of consumption were not affected. On the other hand, Lang, Stockwell, Rydon and Beel (1998) studied a responsible serving training program of 1-2 hours duration in 7 sites. They found that there was no significant reduction in patrons with blood alcohol levels greater than 0.15% (i.e. those who were ‘very drunk’), or in the number of drinking and driving offences from the intervention sites. Researchers who pretended to be drunk were rarely refused service, and identification was rarely checked.

Lang et al. (1998) attribute the disappointing results to poor implementation of the training and a lack of support among managers. They argue that server training should be mandatory, and that licensing laws must be routinely enforced if the goals of responsible service are to be met. It is noteworthy that in most of the programs in the United States, responsible serving programs are supported by legal sanctions or are imbedded in broader community interventions. The crucial role of enforcement is
highlighted by Jeffs and Saunders (1983), who reported the positive impact in an English seaside resort of the impact of uniformed police dropping in at random intervals two or three times a week and very conspicuously checking (in an amiable way) for under-age drinkers or intoxicated patrons. McKnight and Streff (1994) in the United States show that intensive undercover police operations, preceded by education of licensees about the enforcement activities, after-visit reports to licensees not cited, and media publicity, resulted (in comparison with a control county) in greatly increased refusals of service to “pseudopatrons” simulating intoxication and a marked decline in drunk drivers who had been served at the target establishments.

The great problem that is faced in most countries is that enforcement of licensing laws is not a high priority and therefore is not well resourced. Moreover, in some countries such as Australia the licensing area has been a seedbed for the corruption of police and other officials (Homel, 1996). For these and other reasons, ‘enforcement’ approaches that do not depend solely on agencies of the state have become attractive in recent years.

**Community Action Projects**

Community approaches emphasise regulation of alcohol-related disorder and violence through procedures that empower residents, business people and citizen groups to resolve problems with licensed establishments and to take effective action at the local level. Resources and reports that are available to understand and implement this approach include: Alcohol Advisory Council of Western Australia (1989); Braun & Graham (1997); Eastern Sydney Area Health Service (1995); Gilling (1993); Lakeland & Durham (1991); Lang, Keenan & Brooke (1998); Marsdon & James (1992); Parkdale Focus Community (1995); Robinson & Tether (1990); Robinson, Tether & Teller (1989); Shane & Cherry (1987); Standing Conference on Crime Prevention, (1986); Tether & Robinson (1986); The St Kilda Project (1997); Victorian Community Council Against Violence (1990); Welsh (1996).

There is a theoretical literature on community action, mainly from the United States and Canada, that emphasises its complexity and difficulty (e.g., Giesbrecht et al., 1990; Giesbrecht and Ferris, 1993; Giesbrecht, Krempulec and West, 1993; Holder, 1992). Giesbrecht, Krempulec and West argue that the complexity arises from the ‘unstable mix’ of processes such as research, community action, evaluation, and the type and level of intervention. The authors argue that by tackling the four main sources of problems faced by community projects this unstable mix may be overcome. The four problems are: the ideologies and agendas of main parties; the difficulties faced by evaluators when the dynamics of implementation are beyond their control; the failure to train community members in ‘how to do’ community-based interventions; and meeting goals because of funding problems, ill-defined timelines, political interference, poor methodology, and conflict among project participants (Lang, Keenan and Brooke, 1998).

Giesbrecht at al. (1993) argue that problems might be overcome by locating the research agenda within a health promotion framework, which is seen as relevant to a wide range of agencies, programs and services at a community level. The bottom line, according to the authors, is the ability of such projects to facilitate manageable...
partnerships; to ensure scientific rigor in a dynamic context; and to impart skills and resources to community members so that they can realise worthy and realistic goals.

Despite the difficulties, community action can be demonstrated to work. Putnam, Rockett and Campbell (1993) report the results of a very comprehensive community intervention on Rhode Island which resulted in a 21% reduction in Emergency Room assault injury rates in the intervention site compared with a 4% increase for the comparison communities. Motor vehicle crash injuries were also reduced. The community intervention involved server training as well as publicity campaigns, local task force activities, and community forums, and was supported by training of police and increased levels of enforcement with respect to alcohol-related accidents and crimes.

Undoubtedly the most wide-ranging and well-resourced attempt to date to reduce alcohol-related accidental injuries and deaths through community-based methods has been the work of Harold Holder and his colleagues in the United States (Holder et al., 1997).

This five-year project carried out in three experimental communities consisted of five mutually reinforcing components: community mobilisation; promotion of responsible beverage service for bar staff and managers-licensees of on-premise alcohol outlets; deterrence of drinking and driving through local enforcement; reduction in retail availability of alcohol to minors; and reductions in the number and density of alcohol outlets to limit general access to alcohol. The project did not target particular groups, but was based on the assumption that changes in the social and structural contexts of alcohol use can alter individual behaviour.

The community mobilisation process involved working as much as possible with existing community coalitions, tailoring program materials for each site, generating as far as possible resources from within the communities, and channelling existing community resources, skills and interests rather than only introducing them from the outside. As Treno and Holder (1997, p. S 176) observe, “... the Community Trials Project was composed of three independent replications of a generic prevention design ... in which implementation approaches were designed within each community ...”

The Project brought about a 10% reduction in alcohol-involved traffic crashes, a significant reduction in underage sales of alcohol, and increased adoption of local ordinances and regulations to reduce concentrations of alcohol outlets. The specific aspect of the project of most relevance to the present paper was the responsible beverage service (RBS) component.

The general operating principle of this component was to create a combination of incentives and disincentives that would strongly encourage on-premise licensees to provide server training in responsible beverage serving practices and to strengthen their policies related to preventing intoxication and keeping intoxicated patrons from driving. (Holder et al., 1997, p. S162).

Saltz and Stanghetta (1997) conclude that this component achieved modest success as measured by the number of businesses trained, by the introduction of limited law enforcement around service to intoxicated patrons where none had existed.
previously, and by increases in levels of community debate about RBS policies. However, these program elements did not produce significant changes in serving practices. Saltz and Stanghetta argue that to achieve any impact, it is essential to involve the hospitality industry; to avoid voluntary RBS training; and (once again) to reinforce mandatory training with enforcement of the law around service to intoxicated patrons.

The Australian Experience

Perhaps as a response to the vacuum created by an inadequate regime of legal regulation, community action projects targeting licensed premises have proliferated in recent years in Australia. Examples include the Westend Forum in Melbourne (Melbourne City Council, 1991); Eastside Sydney Project (Lander, 1995), The St Kilda Project (1997), the Tennant Creek Project (a community collaboration against striptease shows, Boffa et al; 1994), the Kings Cross Licensing Accord (New South Wales Health Department; 1997), the Armidale Community Alcohol Strategy Committee (Cope, 1995), the Halls Creek initiative (Douglas, 1995), and several projects in South Australia (Fisher, 1993; Walsh, 1993). Limited evaluation data are available for these projects, although most show at least qualitative signs of impact, and some (like the Halls Creek project) suggest falls in alcohol consumption and reductions in crime and alcohol-related presentations at hospital.

Stockwell (1997), Boots et al. (1995), and Felson et al. (1997) report three recent Australian initiatives that have been evaluated: the “Freo Respects You” project in Fremantle, Western Australia, the COMPARI (Community Mobilisation for the Prevention of Alcohol-Related Injury) project in Geraldton, Western Australia, and the “Geelong Accord” in Victoria. Recent work that colleagues and I have conducted in Queensland is summarised in the next section.

“Freo Respects You” was a collaborative project involving the hospitality industry, police, and liquor licensing and health authorities. The project was designed to increase levels of responsible service of alcohol in participating premises by providing incentives for drinkers to avoid excessive intake (e.g. offering competitively priced, reduced alcohol-drinks and good food); avoiding incentives for intoxication (e.g. very cheap, high strength drinks); instituting policies to minimise the harm of being intoxicated (e.g. transport schemes) and establishing policies to minimise intoxication by refusing service to intoxicated customers. The other major component of the intervention was a series of training programs for licensees, managers and bar staff covering liquor licensing laws, strategies for dealing with drunk customers and the development of responsible house policies.

An evaluation of the project revealed that there was a significant increase in the awareness of bar staff’s obligations under the Liquor Act and an increase in the rate at which bar staff at participating premises requested age ID. There were small improvements in the responsible house policies of some of the participating premises including the provision of free non-alcoholic drinks for drivers and lower-priced reduced-alcohol beers. However, discounting of full-strength drinks continued and bar staff reported that they were serving obviously drunk customers. Stockwell (1997) suggests that the Fremantle Project was hindered by the fact that there was
insufficient “ownership” of the project by licensed operators and that only medium- to high-risk premises participated.

The COMPARI project in Geraldton commenced in 1991. A local community taskforce was established in 1992, involving police, local government, health and education officers and the local public. The taskforce was encouraged to develop a sense of ownership through actively seeking alternative funding from local government and the regional health authority (Lang et al., 1998). Unfortunately, the evaluation found that with regard to measures of alcohol-related harm there was no evidence of a positive impact from the COMPARI project. Key informant interviews indicated that community awareness of alcohol issues had increased, along with improved knowledge about associated harm. There was, however, only minimal impact among young people. In line with experience with similar projects undertaken elsewhere, community participation was found to be highest during the early part of the project following which numbers gradually reduced. Community leadership and organisation, however, were judged to have improved as the project developed. The survey of community attitudes found a statistically significant increase in support for local council having a role in alcohol issues. There was an increased level of awareness of the project and the various activities, especially the ‘skipper’ campaign, alcohol free concerts and the campaign around the establishment of a new tavern.

The “Geelong Local Industry Accord,” was a cooperative effort beginning in 1991, involving police, the Liquor Licensing Commission, hotel and nightclub licensees, and local government, although in practice police appear to have taken on the main leadership role (Felson et al., 1997; Kelly, 1993; Rumbold et al., 1998). Essentially the Accord is a Code of Practice that facilitates self-regulation by licensees throughout the region. “Best Practice” provisions included specified types of photo identification, minimum $5 cover charges after 11.00 p.m., no passouts from venues with an entry charge, no underage patrons, and responsible service of alcohol (including elimination of gimmicks that promote rapid and excessive consumption of alcohol). A key strategy of the Accord was to stop “pub hopping” by means of entry and exit controls.

No before-after measures of alcohol and drug related harm were available but police records suggest that reported assault and property damage rates reduced after the Accord was implemented (Rumbold et al., 1998). Moreover, in comparison with two other regional centres, practices in Geelong venues were significantly better in terms of responsible drinking promotions, amenities, and responsible serving practices, although no differences were found with respect to crowding or overall levels of intoxication. In comparison with other community-based initiatives, the Geelong Accord seems to have maintained a positive impact over a period of several years. Rumbold et al. (1998) attribute this “longevity” to several factors, particularly the fact that the Accord was developed and resourced entirely within the local community, and the levels of stability in the local liquor industry and amongst police, local government and liquor licensing personnel.

It seems that the Fremantle, Geraldton and Geelong initiatives were mostly “top down” rather than community-initiated interventions, despite the levels of cooperation achieved at the local level. In fact most “community” projects seem to require at least some external resources or initiative to get them going, even if the level of community involvement and empowerment eventually achieved is quite high.
As Midford et al. (1994) conclude, the “top down” and “bottom up” approaches both have strengths and weaknesses, and in practice should be seen as complementary rather than mutually exclusive.

**The Queensland Safety Action Projects**

The Surfers Paradise Safety Action Project was a community-based initiative in 1993, designed to reduce violence in and around licensed venues in the central business district of the main tourist area on Queensland’s Gold Coast (Homel et al. 1997). Key features of the implementation included channelling funding through local government; creating a representative steering committee and community forum; forming task groups to address safety of public spaces, management of venues, and security and policing; encouraging nightclub managers to introduce a Code of Practice regulating serving and security staff, advertising, alcohol use, and entertainment; and regulating managers through “risk assessments” and through a community-based monitoring committee. More subtle but equally important aspects of the implementation included: rehabilitating the image of nightclub managers and integrating them into the local business community; using managers committed to the reform process from another city to encourage and bring pressure to bear on local licensees; employing a Project Officer who was female and who had considerable interpersonal skills; and balancing the conflicting political agendas of participating agencies.

The evaluation showed a marked initial impact of the project, with reductions in practices that promote the irresponsible use of alcohol (such as binge drinking incentives) and improvements in security practices, entertainment, handling of patrons, and transport policies. Physical and verbal aggression inside and outside venues, based on structured observations pre- and post-implementation and on police and security data, showed substantial declines. Male and female drinking rates and drunkenness declined markedly, but there was no change in prices for drinks or admission. There were dramatic improvements in publicity to patrons about house policies, and associated improvements in server practices, the physical environment (eg., clean toilets and accessible bars), and security practices (eg., ID checks at door).

However, there are indications that displacement of problem patrons may have been at least partly responsible for the impact of the project. In addition, observational data collected two years after completion of the project indicated that violence and drunkenness levels had returned to pre-project levels, and that compliance with the Code of Practice had almost ceased (Homel et al. 1997). Licensees attributed the deterioration to a failure on the part of regulators to deal with “cowboy operators” who flouted the Code of Practice and engaged in dangerous but (at least in the short term) profitable practices.

In 1995 the Surfers Paradise Safety Action Project was replicated in Cairns, Townsville and Mackay in North Queensland (Hauritz, Homel, McIlwain, Burrows and Townsley, 1998; Hauritz, Homel, Townsley, Burrows and McIlwain, 1998). Many of the features of the Surfers Paradise project were incorporated in the replications, but not all features were present at all sites, while others that seemed important in Surfers (like a community monitoring committee) were introduced quite late in some of the projects.
Using structured observational methods in 1994 and 1996, big reductions were observed in each city on overall physical and non-physical aggression. Paralleling this, there were marked improvements on most indicators of host responsibility practices, especially practices to control consumption. Publicity to patrons improved, with an increase in the use of underage drinking warnings, Patron Care signs, and other forms of publicity. Presumably as a result of these initiatives, some drinking measures showed marked changes. Male and female drinking rates were not judged to have changed significantly, and nor did the estimated levels of female drunkenness, but male drunkenness appeared to decline sharply. These results imply that staff intervened in a firm way when serving men in order to prevent intoxication.

The fact that the situation in Surfers Paradise was badly deteriorating in the 1994-96 period suggests that the improvements observed in the replication projects were not part of a more general trend.

Guidelines for Social Policy and Best Practice

From the Queensland safety action research, features that characterize successful community interventions include: strong directive leadership during the establishment period; the mobilization of community groups concerned about violence and disorder; the implementation of a multi-agency approach involving licensees, local government, police, health and other groups; the use of safety audits to engage the local community and identify risks; a focus on the way licensed venues are managed (particularly those that cater to large numbers of young people); the “re-education” of patrons concerning their role as consumers of “quality hospitality;” and attention to situational factors, including serving practices, that promote intoxication and violent confrontations.

In a review of the experience of many communities with action on alcohol and drug issues, Lang, Keenan and Brooke (1998) emphasise the importance of ownership and control of programs by the communities themselves, in contrast to control by outside “experts”. They propose guidelines for community action based on a philosophy of: harm reduction; using community diversity as an asset (providing a wealth of social resources to address issues of concern); encouraging broad community and organisational collaboration allowing the sharing of resources to achieve common goals; and accommodating the dynamic nature of community action, emphasising ongoing reassessment.

The themes of “grass roots” action and interagency collaboration also emerged from the UK Home Office working group on violence associated with licensed premises (Standing Conference on Crime Prevention, 1986), together with a number of other practical management strategies. The working group recommended the development of local inter-agency liaison groups, such as “Pub Watch” (see below); an investigation of the relationship between licensing hours and violence; that premises should be encouraged to become more family orientated to help reduce age segregation; that ‘difficult’ pubs should be run as community ventures with a local community management structure; and that attempts be made to involve liquor industry in identifying and disseminating good practices among members.
The authors identify a number of good practices which came to their attention during the course of the research. One example was communication and cooperation between police, industry, local government, tenant associations and local resident action groups, evolving into local Licensing Forums or Committees. This process has resulted in some pubs becoming seen as part of the community and to a great extent self-policing. The report notes that problem premises are well known to industry, police, local authorities and local residents, so a cooperative approach at the grass roots level to monitor and deal with such premises is required.

A comprehensive summary of possible prevention strategies that builds on recent literature is provided by Braun and Graham (1997). These authors also provide examples of specific measures and a summary of the evidence for their impacts. Their overall emphasis is on ways of mobilising and empowering the community. Consequently, they focus on creating coalitions linking community groups with representatives from key commercial and government agencies including the police, liquor licensing authority, taxi/bus services, and retail associations. The role of these coalitions includes auditing licensed venues and the surrounding neighbourhood to identify problems and develop measures to reduce risks to personal safety. The authors emphasise that community mobilization needs to be supported by legal, regulatory and enforcement methods.

Many of Braun and Graham’s principles encourage licensees to lift their horizons and accept responsibility for behaviour within community settings beyond their own establishments. With support from external organisations such as the police, they need to assume responsibility for monitoring their customers and ensuring that bar staff serve in a responsible manner. Thus bar staff should be trained in responsible practices and door staff should also be registered and trained. The authors observe that strict enforcement of the liquor laws is necessary to increase perceptions that there will be adverse consequences from serving underage or intoxicated customers.

Braun and Graham document several valuable techniques for effective harm reduction. One key proposal concerns the formation of a town planning committee aiming to limit harm through effective environmental design. The committee’s role would be to consider appropriate locations for services such as fast food outlets and transportation in relation to licensed venues. Other proposals involve mobilising licensees to monitor and report violent offences by their customers. One such measure is Pub Watch, which is a communication system for licensees to warn each other about any disorderly incidents in their area via a “ring-around arrangement”. Pub Watch is closely linked to Pub Ban schemes which involve banning known offenders. Pub Ban can be supported by the creation of an incidence register of bar fights, which would fully document the occurrence of fights in or near licensed establishments.

**Conclusion: Toward Better Regulatory Models for Creating and Maintaining Safe Drinking Environments**

There are many signs from the emerging literature on community action and formal enforcement that disorder and violence in the licensed environment can indeed be reduced. There is less compelling evidence that anyone has yet succeeded in effecting a permanent reduction in these problems. So the challenge is to build on the successes and learn from the failures, in order to devise systems of regulation that
continue to work over time. There is certainly no shortage of good ideas with which to experiment.

The most important lessons from the literature concern systems of regulation. The importance of consistent and vigorous enforcement from police and liquor licensing authorities is clear, from the examples of both success and failure in achieving and maintaining reductions in violence. However, there are lessons as well for other forms of regulation: those deriving from the persuasive powers of agency and citizen partnerships at the local community level, and those relating to the practices that are best implemented by licensees and managers themselves. Getting the balance right between these three levels - formal regulation, which is the political domain; informal regulation, mobilising civil society; and self-regulation, taming the market - is one of the primary challenges for those interested in the prevention of violence and associated problems in and around licensed venues.

On the basis of their experience with safety action projects, Hauritz, Homel et al. (1998) developed a model of the change process that posited parallel but interacting processes at the three levels of regulation. This model, perhaps in modified form, is proposed as a tool for any person or group concerned with reducing violence and crime in the licensed environment.

Hauritz and her colleagues assumed that certain antecedent conditions, such as a political environment emphasising deregulation of liquor licensing or a lack of faith by licensees in the formal system of regulation, lead to a range of problem behaviours. These behaviours could include cut-throat competition between venues and irresponsible drinks promotions, a police crack down on symptoms (arresting drunks in the streets) rather than dealing with problem venues, and a fragmented local response. These conditions and problems create a climate conducive to the development of a range of intervention strategies at each of the three levels of regulation. Strategies could include inter-agency cooperation, community mobilisation, and the formation of a licensed venues association to promote compliance with a Code of Practice and to “legitimise” the role of licensees as part of the local business community. These interventions produce certain positive outcomes, such as reduced violence or legislative reform, which can be reinforced if key players and organisations are rewarded through career enhancement or positive publicity. The reinforcers of positive change are more likely to have a continuing effect if key reforms are institutionalised through legislation or community-based monitoring systems. They referred to this process of institutionalisation as mechanisms to safeguard change.

A crucial philosophy that guided Hauritz and her colleagues, and which in the light of the failed projects in the literature may be an important guideline for future interventions, was the need to be situationally specific in the analysis of problems and the formulation of solutions. The theoretical basis is “situational crime prevention,” (Clarke, 1997, p. 4), which involves a shift from thinking in terms of offenders and their motivations to offences and their settings. In the case of licensed premises this implies a focus on all the management practices that give rise to unsafe environments. As previously emphasised, alcohol serving practices are only one aspect of unsafe environments. Other aspects include such things as physical design, selection and training of security staff, the permissiveness of the social climate in venues, and the hidden “deals” between managers and regulators. The relevance of situational theory
to these kinds of issues can be illustrated not only by the traditional typology that was focused on the physical environment, but by Clarke and Homel’s (1997) recent extension of situational methods to include techniques for removing excuses, or inducing guilt or shame. These include rule setting (e.g., through Codes of Practice), stimulating conscience (e.g., by encouraging managers to regard themselves as responsible businessmen), controlling disinhibitors (e.g., by controlling alcohol through server intervention), and facilitating compliance (e.g., by creating a regulatory environment in which it is financially worthwhile for licensees to adhere to the Code of Practice).

A focus on venue management leads not only “inward” to specific contexts, but “outward” to the local community and to the larger arena in which laws and regulations are created and enforced (or not). The concept of “responsive regulation” (Ayres and Braithwaite, 1992) is particularly useful in this context. Ayres and Braithwaite propose regulatory approaches that are responsive to industry context and structure, regulatory culture, and history, and which incorporate, as key ideas, “tit-for-tat” strategies that combine punishment and persuasion in an optimum mix; “tripartism” (empowering citizen associations) as a way of solving the dilemma of regulatory capture and corruption; and “enforced self-regulation,” in which private sets of rules written by business (such as Codes of Practice) are publicly ratified and, when there is a failure of private regulation, are publicly enforced.

Central to their model is an “enforcement pyramid” of penalties, from the frequently used techniques of persuasion and warning letters through to the infrequently used techniques of license suspension and revocation (“capital punishment” of alcohol outlets). The ideological basis of their ideas is “... a replacement of the liberal conception of the atomized free individual with a republican conception of community empowerment” (p. 17). Tripartism fosters the participation of community associations by giving them full access to all the information available to the regulator; by giving them a seat at the negotiating table; and by giving them the same standing to sue or prosecute as the regulator. Thus they propose a model in which no one element, whether it be self-regulation, formal enforcement or citizen involvement, can operate effectively without the others.

There are many questions that must be addressed in each community as new forms of regulation are developed. An excellent general reference, whether or not readers are Australian, is the extensive report prepared by Stockwell and his colleagues (1994), focusing on the appropriateness and efficacy of liquor licensing laws across Australia. This report particularly contrasts the complex and fragmentary nature of the Australian regulations with the Canadian situation. However, no jurisdiction has a monopoly on best practice, so to conclude this chapter some questions are raised and ideas proposed that may assist in the “praxis” of responsive regulation (Ayres and Braithwaite, 1992, p. 99).

A fundamental question is whether any form of regulation beyond effective police or licensing authority enforcement is really required. Why not just devise clearer and more comprehensive laws, and ensure that the authorities have the resources and motivation to enforce them (Solomon and Prout, 1994)? Is it really necessary to complicate the regulatory problem by emphasising the community and self-regulation layers?
The critical role of formal enforcement has already been noted, although the evidentiary base is still thin. The paper by Jeffs and Saunders (1983) suggests that some form of visible, random enforcement in licensed venues can be quite effective, while the research of McKnight and Streff (1994) suggests that an undercover police presence combined with warnings to managers can be a potent deterrent. More evidence on the effects of enforcement in a variety of settings is urgently required, addressed particularly to the appropriate balance between visible and covert methods. But as Solomon and Prout observe (p. 79), when it comes to law enforcement “resources and priorities” are the problem. This reflects the fact that in many jurisdictions it is just not politically feasible to expect that police or licensing officers will be particularly zealous in law enforcement. The industry is too important economically to jeopardise good relations, so probably the most that can be expected of formal enforcement is that it will be used to support and reinforce other regulatory measures.

The overall aim of regulation should not be to “catch crooks,” but to develop a culture of compliance. Of course a few heads on stakes might be essential occasionally to get the attention of unruly and anarchistic operators, but generally less savage techniques will be appropriate. The options apart from prosecution include persuasion and non-prosecution enforcement measures. Approaches available to regulators include licensing provisions (e.g. imposing conditions in specific cases), policy development (e.g., advocating for change in licensing authority priorities), cooperation with the industry to develop standards (e.g., what exactly are the maximum acceptable degrees of “permissiveness” in a nightclub?), developing formal and informal codes of practice (working with a representative industry body if possible), education, publicity and information campaigns (especially at the local level, and designed and implemented with full industry cooperation), incentives for responsible operators (lower license fees for exemplary performance?), and, of course, working with the community.2

These approaches can usefully be arranged in an enforcement pyramid, the broad base representing frequently used approaches based on suasion, cooperation, and negotiation, the sharp end representing the ultimate but infrequently used sanctions like the closure of an establishment (the business equivalent of capital punishment). Many specific techniques that are used, at least occasionally, in some jurisdictions have already been noted. Others that are used in allied fields, such as environmental regulation, include abatement notices (to control “nuisance practices”), show cause notices (an operator is given time to make written representations why further action should not be taken), enforcement notices (setting out the grounds on which it is issued and the action required to comply), and on the spot fines. An increasingly common practice in environmental regulation is the environmental management plan, which can be issued by the regulator or voluntarily by the operator. The issuer devises objectives and strategies for compliance, stipulates a timetable, and proposes performance indicators and monitoring and reporting mechanisms. Some of these techniques are already used by liquor licensing authorities, but all could be used more frequently, with a greater emphasis on experimentation and evaluation.

But “head office” busyness will never be enough. All regulatory arenas are littered with the putrescent remains of cost cutting, shady deals, and blatant corruption. The liquor licensing field, for obvious historical and cultural reasons, is
particularly prone to regulatory capture and to official misconduct. For this reason, more than any other, a system of responsive regulation will give a central place to community empowerment and to the role of public interest groups. It does seem however, as Ayres and Braithwaite sadly observe, that the ideal of a full partnership role at the negotiating table with industry and government for such interest groups is as yet too remote to be promoted as a realistic goal. But the literature on community action *has* taught us that in the present political environment in at least some countries local groups can be credible watchdogs, if not full partners, and can also bark loud enough to be effective “terriers for reform.”

**Note**

1. For research and guidelines on the maintenance of order at large public events and in public places, see: Alcoholic Liquor Advisory Council (1996); Bjor, Knutsson and Kuhlhorn (1992); Department of Tourism, Sport and Racing (1999); Dunstan and McDonald (1996); Ramsay (1989; 1990; 1991); Magnificent Events Company (1996).

2. I am indebted to my wife, Beverley, for valuable insights into the world of environmental regulation.
References


The St Kilda Project (1997). Tool Kit. A resource guide for (local communities) (community groups) wishing to develop a Harm Reduction response to alcohol and other drug use. St Kilda, Vic: St Kilda Project & City of Port Phillip.


