

people's alcohol action coalition

PAAC

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26th September 2018

Mr. Richard Coates,
Chairperson,
NT Liquor Commission,
Darwin,
NT 0801

Via email

Dear Chairperson and members,

Review of alcohol take-away conditions in Alice Springs and surrounding district

1. PAAC wishes to make a submission to the above-mentioned Review. We refer to correspondence from PAAC to the Commission of 3rd July and 26th July, in which we asked the Commission to reduce Alice Springs liquor take-away trading hours in keeping with the availability of police to undertake full POSIs, for the reasons set out in that correspondence, including the prevention of alcohol-related deaths. We ask that the Commission consider our original request as part of this submission.
2. PAAC has met regularly with ARIT, the Alcohol Review Implementation Team, since its establishment. ARIT's Executive Director Ms Giovina D'Alessandro recently undertook to speak to senior police on PAAC's behalf about whether or not there is a commitment to the full coverage of take-away outlets in Alice Springs. Ms D'Alessandro provided the following on 17th September:

Hi Vicki

Apologies for the delay in responding. Assistant Commissioner White has provided me with the following update:

The recruitment of the full contingent of PALI across the NT is a 12 month program and as such numbers will fluctuate. The current team in Alice Springs is continuing on the job training as well as driver training in Darwin and is all due to be completed by the end of September.

Even once they have completed all their competencies we will not be able to have a full roster on bottle shops due to EB [Enterprise Bargaining; PAAC] requirements. We will have greater coverage that will be supplemented with other resources and will be subject to the demands for policing services across Alice Springs.

The new course starts on 24 September with a graduation at the end of November. At this stage final numbers have not been determined for the locations.

Assistant Commissioner White also told me that he is more than happy to discuss PALIs with you directly.

Thanks
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3. PAAC has since been advised that there are thirty persons in the second round of PALI training. Police have said they hope that from 1st October police hope there will full rostering of POSIs in Alice Springs. This would not, however, include meal and other breaks, and we have been told that actual full coverage will only become possible once the next intake has graduated. In our opinion the Assistant Commissioner's response and the later advice to us advice strongly reinforces the need for take-away trading hours to be reduced as per our previous request. Shorter Saturday trading hours, for example, would allow for one PALI or POSI shift to cover an outlet. This would reduce the requirement on a Saturday to around thirteen officers, rather than the twenty-six needed to cover current opening times. The present need for two shifts on a Saturday affects rostering over the remainder of the week.
4. PAAC would also like to see an end to Sunday trading in Alice Springs, as has occurred in Tennant Creek. This would not only potentially reduce consumption and allow respite for problem drinkers, their families and the community in general, but would also free up more auxiliaries or sworn officers to cover the outlets.

5. The most recent available wholesale alcohol data¹ shows a two per cent decrease in Alice Springs in sales (consumption) the 2016 calendar year compared to 2015, while the estimated drinking-age population decreased by one per cent. In our submission the fairly regular presence of police at bottle shops during 2016 would have contributed to this reduction.
6. In addition to reduced trading hours, PAAC also, as previously noted, seeks the implementation of the following measures:
 - a. **ID checks for Banned Drinker Orders** at the entrance to bars in Alice at any premises suggested by police or nominated by the Liquor Commission. PAAC originally argued for the BDR to apply on premises and we support the trial of this measure in order to try to improve the enforcement of the prohibition on consumption by those on the BDR.
 - b. **The retention of data** on take-away liquor purchases to the value of \$100 or more by any individual or household of liquor, unless a special case for exemption has been made and accepted by the Liquor Commission or police delegate for one-off purchases greater than \$100 without the retention of data. The aim would be to make it easier for police to apprehend secondary suppliers to those on the BDR and to apprehend sly grog sellers.
 - c. **The banning of alcohol purchases above \$150 per person per day** by the individual occupants of any dwelling, as defined by their IDs, unless a one-off or regular exemption has been sought and approved. The aim would be to make it more difficult for both secondary suppliers to those on BDR and to grog runners in general to operate.
7. We believe the Review provides an excellent opportunity to apply some uniformity to licence conditions in an effort to reduce the harm that results, or may result, from take-away sales from roadhouses. PAAC's base position is that roadhouses should not be allowed to sell take-away liquor at all; that these premises should be for the provision of fuel, automotive assistance, and accommodation and related services, with alcohol consumption permitted only ancillary to a meal. The sale of take-away liquor from such premises is unnecessary and can be extremely harmful, as was seen

over a long period with the Curtin Springs roadhouse. That establishment of course has had, since 1997, a licence provision prohibiting the sale of alcohol to people from the Ngaanyatjarra Pitjantjatjara Yankunyatjara Women's Council (Aboriginal Corporation) cross-border region.

8. NPY Women's Council (NPY), a PAAC member, has been concerned for some time about sales from the Kulgera roadhouse. There is a long-standing agreement with the Pitjantjatjara Council not to sell take-away alcohol to members of the Anangu Pitjantjatjara Yankunyatjara communities in South Australia, but no such condition applies to nearby NT communities. With the closure of the Mt. Ebenezer roadhouse near Imanpa, it seems that residents of that community are travelling to Kulgera to paint, sell their paintings and to drink alcohol. The roadhouse manager says Kulgera limits sales to six cans of beer per person per day and that he keeps a register. We are concerned about the sale of any take-away to residents of NPY member communities. NPY believes the limit is not strictly adhered to, and that spirits and other products are sold to Anangu from the organisation's NT member communities, mainly Fink/Apatula and Imanpa. Take-away trading is permitted between 10:00 and 22:00 Sunday to Friday, and from 09:00 to 22:00 on Saturdays.

9. PAAC member David Hewitt provided the following observation on 22nd July:

On our way back from Coober Pedy yesterday we paused at Kulgera for a toilet break for M and beside the toilets, 12 women and 2 men from Imanpa were painting and a few others watching on. Many of them had a VB can beside their canvas. PA, [Aboriginal man, initials; PAAC] who has relatives on the Jay Creek Road and at Hermannsburg, said that they sell the paintings to the roadhouse. I wondered what incentive Chris Le Page provides for artists? The bar was packed out (4.30pm) with many tourists, and 2 busloads of students from University of South Australia, otherwise I would like to have enquired about purchasing a painting.

Should the environment of their community not be better for painting, and what condition would the people be in if driving back that night, the 165km to Imanpa?

We do not believe it is over-stating the case to say it is only a matter of time before there is a motor vehicle accident in the area related to drinking at Kulgera, or to drinking take-away alcohol from Kulgera at other locations, if this has not already occurred.

10. NPY members and staff last year met with police and the Director-General of Licensing at Finke/Apatula to raise concerns about the supply of alcohol to members of that community, but there has been no change to our knowledge.
11. It is our submission that roadhouses north of Alice Springs and in the region in the south of the NT, if they are to be permitted to sell take-away at all, should not be allowed to sell to the members of Aboriginal communities in the area who reside on alcohol prohibited communities, and should not be able to sell more than six cans of beer per person per day to any customer. This is analogous to what the POSIs are achieving in Alice Springs. It is clearly an anomalous situation whereby Kulgera may not sell to APY residents, but may supply their countrymen just over the border.
12. Camels Australia at Stuart's Well sells take-away liquor only to customers who travel in registered tourist vehicles, or who hold tickets to camel rides at the property. There should be no objection to the inclusion of a licence provision relating to nearby 'dry' Aboriginal communities should the Commission decide to impose one.
13. The Erldunda roadhouse is permitted to sell take-away liquor from Sunday to Friday between the hours of 12:00 and 21:00; and on Saturdays and Public Holidays between the hours 10:00 and 21:00. We understand there may be a voluntary arrangement in relation to the supply of take-away to local Aboriginal people, and stress that any restrictions should be incorporated into the licence.

14. The take-away trading hours of the roadhouses differ, and also exceed those permitted in Alice Springs. We believe they should be consistent with Alice Springs trading hours, whatever these may be following the Review. For consistency with Alice Springs and to try to avoid the movement to roadhouses of people seeking to drink on a Sunday, take-away trading on that day should be prohibited at these establishments.

15. No roadhouse should be permitted, however, to ease existing restrictions for the sake of uniformity. For example, Curtin Springs should maintain its current arrangements. To be clear, if a roadhouse currently has stricter conditions than what the Commission may decide to impose generally, that roadhouse should keep to those conditions.

We thank the Commission for undertaking this Review, and hope that our submission may be of assistance. We would be happy to address the content in any hearing that may be conducted, or in any other forum convenient to the Commission.

Please do not hesitate to contact either myself on the number below, or PAAC's Policy Coordinator Vicki Gillick on 0401 077 483 if you have any questions or wish to discuss this submission.

A handwritten signature in black ink, appearing to read 'John Boffa'.

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¹ <https://justice.nt.gov.au/attorney-general-and-justice/statistics-and-strategy/wholesale-alcohol-supply-data>