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Managing Alcohol Consumption:  
A review on licensed clubs in remote  
Indigenous communities in the NT

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## Executive Summary

This study was commissioned by the (then) Commonwealth Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA) and the (then) NT Department of Justice, and funded by the Australian federal government. It was commissioned in 2012, and the research took place in early 2013. The study has two aims: -

- Appraising harm levels associated with the operation of licensed social clubs in communities as compared to communities without such clubs;
- Identifying what the best practice social club models would look like, and how these can best support responsible drinking which contributes to managed alcohol consumption and reduction in levels of alcohol related harms (Request for Tender, NT Dept of Justice, 2012).

To achieve these aims two main strategies were implemented. Firstly we gathered qualitative information on governance, staff practices, service, infrastructure, patterns of alcohol consumption in the community and perceptions of the impact of the club. Secondly we accessed quantitative data in order to assess the impact of alcohol consumption on community residents, and compared that to communities without clubs.

In order to gather qualitative data we conducted surveys with residents and service providers in eight communities with clubs in the Top End of the Northern Territory. The communities and their respective liquor outlets are listed in Table 1 below.

**Table 1: Communities and associated licensed venues**

<b>Community</b>	<b>Liquor outlet</b>
<b>Beswick (Wugularr)</b>	Beswick Community Store
<b>Gunbalanya</b>	Gunbalanya Sports & Social Club
<b>Milikapiti</b>	Milikapiti Sports & Social Club
<b>Wurrumiyanga (Nguiu)</b>	Wurrumiyanga (Nguiu) Club
<b>Peppimenarti</b>	Peppimenarti Club
<b>Pirlangimpi</b>	Pirlangimpi Community Club
<b>Kalkarindji</b>	Kalkarindji (Warnkurr) Sports & Social Club

## **Wurankuwu (Ranku)**

## **Wurankuwu Club**

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One of the licensed venues in the above list – Wurankuwu – did not trade during the period of the study and was excluded from the quantitative analysis.

A total of 362 participants took part in the survey. In addition we conducted interviews with club staff and managers. The service providers represented were police, school staff, welfare organisations, health and store staff.

In order to assess the impact of clubs on alcohol related harms we undertook a comparison of alcohol related data between communities with and without clubs. For this purpose we obtained data on reported assaults; alcohol related hospital separations and admissions to sobering up shelters.

### **1.1 Background to licensed social clubs**

The history of the clubs varies across the eight sites. In some places there have been long periods in which the clubs have been left to manage themselves. These periods have seen very high sales of alcohol at some of the clubs, and reports of heavy alcohol related harms in some of their communities. The alcohol sales of 2005 presented in this report are the best reflection of this period. They indicate per capita alcohol consumption that was well above the average consumption for the NT, which in turn is well above the Australian average. This period is also discussed in the literature review presented in chapter three.

### **1.2 Current levels of alcohol consumption**

Five<sup>4</sup> clubs recorded a significant decline in wholesale supplies in 2007 – the year in which the federal government introduced restrictions on trading conditions under the Northern Territory National Emergency Response (NTNER). Moreover, the lower levels of sales post-2007 appear to have been sustained for the remainder of the period under review. In the one club that was not affected by the NTNER sales appear to have peaked in late 2009, after which they may have declined, although the significant gap in records in 2010 and 2011 precludes more definitive interpretation.

Four key changes introduced under the NTNER are likely to have combined to produce this impact. The first is the shortening of opening hours from five or six to four days per week; and from five to three hours per day. The second is the shift from full strength to mid-strength beer. The impact of this is explored further below. The third is the abolition of take away sales from outlets that previously allowed them. The fourth change is Income Management, under which half of income received through

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<sup>4</sup> Insufficient data was available to discern trends for two of the eight clubs. These two – Beswick and Ranku are the smallest and least frequented of the eight clubs.

Centrelink was quarantined from spending on alcohol or tobacco. Residents in all of the communities included in this review were made subject to Income Management.

However there is strong qualitative evidence that in most of the communities residents purchase a substantial portion of their alcohol from other outlets. Qualitative data suggest that in some communities this is more than 50% of their total consumption, and in some it is far less. In addition some communities with social clubs have a permit system which allows residents to purchase some alcohol each week to drink at home. Total alcohol consumption levels for communities with clubs cannot therefore be assessed through club sales alone.

### **1.3 Feedback on opening hours and alcoholic beverages**

The provisions banning full strength beer have become a political issue in some of the communities. In this context it is important to examine community feedback on the changes to both opening hours and the type of alcoholic beverages sold.

Respondents were asked whether or not they were content with the switch from full to mid strength beer that was mandated in the changes made in 2007. More than half (59.0%) reported that they were happy with the mid strength beer, and 39.8% were not.

Over the whole sample of survey respondents a small majority (52%) reported that they are happy with the shorter opening hours, while 43% would like to see longer opening hours (other responses were either 'Don't know' or no response). This varies somewhat between communities, but only one community recorded more than 55% of respondents in favour of longer opening hours. The reasons given for approval of shorter hours are that it gives the community a better balance between club opening times, and family and cultural life.

The reasons given for the positive feedback on mid-strength beer is that people feel that the communities are quieter and there is less violence than when full strength beer was available. On a personal level respondents reported liking that they do not feel bad the next morning, and are able to go to work. The police reported strong support for the change to mid-strength beer.

### **1.4 Comparison of alcohol related harms between communities with and without clubs**

Prior to, and at the time of, the NTNER (2007), the rates of both total recorded assaults, and alcohol-related assaults, were higher in communities with clubs than in the NT as a whole, and in 'NT Balance' – the remainder of remote communities in the NT. Since then, two trends are apparent. Firstly, rates of total recorded assaults have continued to rise in communities with clubs, the NT as a whole, and in 'NT Balance'.

The rates of increase in all three are similar. Secondly, however, the rates of alcohol-related recorded assaults in communities *with* clubs have exhibited a downward trend, in contrast to trends in the NT as a whole, and in NT Balance, in both of which rates have continued to increase.

The upshot of these trends was that, in 2011-12, the rate of alcohol-related recorded assaults in communities with clubs was similar to the NT-wide rate (but higher than NT Balance), while the rate of total recorded assaults in communities with clubs remained over 50% higher than in the NT as a whole.

One conclusion that can be derived from this analysis is that, as of 2011-12, licensed clubs in communities did not appear to be associated with rates of alcohol-related assaults higher than the NT-wide figure, although this was not the case five years earlier. At the same time, continuing high rates of non-alcohol related assaults in communities with clubs warrant further investigation.

Hospital admission rates for alcohol related causes for localities with and without licensed clubs were compared. The results indicate that communities with clubs have slightly lower rates of alcohol-related separations (28.8 per 1,000 population) than those without clubs (32.1 per 1,000 population).

Sobering Up Shelter data was accessed to compare admission rates for clients from communities with and without clubs in order to assess the extent to which residents of communities with clubs continue to access alcohol in urban areas. The trends and differences between residents of communities with and without clubs point to two conclusions: firstly, the presence of a licensed outlet in a community need not, in itself, lead to lower rates of apprehensions for public drunkenness in town and regional centres than are associated with communities without licensed outlets; secondly, a significant influence on rates of apprehensions in towns and regional centres – possibly acting in conjunction with the presence of licensed outlets in communities – appears to be the degree of accessibility to urban liquor outlets.

In summary this analysis suggests that communities with clubs do not experience markedly higher alcohol related harms than those without clubs.

## **1.5 Feedback on other elements of the impact of clubs on their communities**

Many survey respondents reported being proud of their clubs. It gives them somewhere to go and enjoy themselves, and another element to life in their community. Many non-drinkers also supported the existence of the club and felt that it should be available to people who want to use it. Clearly, for some people they are a valuable community resource.

Service providers, particularly police, report that clubs are a powerful tool in controlling people's behaviour. Community residents value access to the club highly, and some aspects of their behaviour can therefore be controlled by threats of banning from the club. Communities use this control for a variety of purposes – getting people to go to work, punishment for perpetrators of domestic violence, punishment for people who neglect their children, making people pay for things that they have broken and so on.

A less positive impact is the financial stress that having a club brings to individuals and their families. A considerable proportion of the disposable income in a community with a club is spent at the club. This creates financial pressure, and is likely to mean that other things like vehicles, clothes and food are less likely to be purchased. However this dynamic is not unique to communities with clubs. In communities with no clubs the pressure is for money to travel to the nearest alcohol outlet to buy alcohol. Qualitative data suggest that individuals within communities both with and without clubs also experience pressure to provide money to purchase marijuana.

## **1.6 How the clubs operate**

There are differences between the ways in which the seven clubs that were trading at the time of the research operate. However it is the researchers' perception they all provide a pleasant place where community residents enjoy meeting, socialising, playing pool or darts and having a drink. Drinking is undoubtedly the main activity, but the clubs have successful strategies to manage the levels of intoxication and unruly behaviour. There is also some evidence that banning individuals from clubs for a period of time functions to reinforce the need for moderate drinking practices *while they are in the club*. However there is no evidence that this behaviour impacts their drinking habits in other environments. (This research does not attempt to explore this area.)

The clubs have a range of legal and governance structures in place. In several clubs their financial management and governance practices are not transparent, and there is significant community unrest about how decisions are made and what happens with the money made by the club. Because clubs deal with alcohol, and with significant amounts of cash, they can become very powerful institutions within the community. They need to be carefully managed so that corrupt practices do not become entrenched. Incorporation through a legal vehicle with high standards of accountability and support to meet reporting and operating obligations is important.

The way in which clubs are regulated is also important. For much of their history the clubs have been subject to light regulation from the NT Licensing Commission. In effect they were managed in the same way as any mainstream alcohol license is managed until the NTNER in 2007. The uniform regulation introduced then has functioned to

decrease the level of alcohol consumption at the clubs, and the findings from analysis of assault data described above suggest a parallel decrease in alcohol related harms. The other element of regulation comes from the club committee. This study found a range of levels of effectiveness in the management provided through the committees. They noted that one model that appeared to be working well was to outsource club management to a third party, such as the Arnhem Land Progress Association. This enabled the provision of skilled managers whose activities were supervised by a party external to the community.

## Recommendations

The research has generated the following recommendations:

1. Shortened hours and a ban on selling full-strength beer should be maintained at existing clubs, and should be a feature of any proposed new clubs.
2. All clubs should consider moving to incorporation under the Corporations (Aboriginal and Torres Strait Islander) Act, 2006 legislation to encourage good governance and the transparent distribution of profits. Immediate steps need to be taken to resolve the legal issues around the distribution of profits to club members and communities.
3. If the number of clubs is increased the NT Department of Business or some other appropriate governmental agency should create a unit that focuses exclusively on licensed clubs in remote Indigenous communities. This unit would have responsibility for *pro-actively* working with the community to ensure that the clubs function responsibly.
4. If a decision to establish a club is made the following checklist should be followed in creating standards for the design, construction and management of it:
  - a. Plans for such a licensed facility should include a range of hot meals as well as entertainment and activity – not just the consumption of alcohol.
  - b. The design of such a facility should demonstrate it will have a kitchen and dining area, as well as a bar area, and should be spacious and able to accommodate small groups of people who may wish to drink separately.
  - c. The design also needs to demonstrate that alcohol will be stored in a highly secure manner that mitigates the risk of being stolen.

- d. The club should be incorporated through a legal vehicle which sets a high standard of governance.
- e. The club committee has access to professional advice over the recruitment and supervision of a manager, and is fully aware of its responsibilities.
- f. That governance training is provided to club committee members and regularly updated. Training on committee requirements under the NT Liquor Act needs to be included in this training.
- g. That as part of the capacity building of the club committee, members learn more about alcohol related matters affecting their community. This could include arranging for the local health service to provide quarterly reports on the level of alcohol related presentations in their community.
- h. The club management should commit to a transparent process for the return and use of profit to their community, and that procedures be established for the fair and equitable distribution of benefits to appropriate groups in the community.
- i. The club committee should agree that the club venture be evaluated after the first two years, and commit funds to undertake the evaluation.

## **1.7 Conclusion**

In essence the clubs in this study offer an environment in which alcohol consumption is effectively managed, and can be seen as a tool for harm minimisation. This is in part because of the NTNER restrictions on trading hours and removal of full strength beer, but also because of the clubs' own rules, management practices and existing licensing conditions. Most of the time patrons do not get unmanageably intoxicated. When alcohol related trouble occurs as a result of drinking at the club, all the clubs have very effective systems of managing the behaviour through rules, security staff and a system of banning people who have broken the rules. This system is also used to control a range of other behaviours (such as not turning up to work) in every community. We note that all of the clubs have developed these systems over time and trial, and they may not be easily replicated.

However the dilemma facing policy makers is not a dichotomy between a dry community where residents don't drink alcohol, and a community with a club where people do drink alcohol. Residents of remote communities access alcohol from a number of outlets – whether they have a club or not. The dilemma is therefore creating policy and regulatory settings that maximise drinkers' access to environments in which their alcohol consumption is managed and harms are minimised.



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## 2 Introduction

Licensed clubs<sup>5</sup> have been present in a small group of remote Indigenous communities in the Top End of the Northern Territory (NT) since the 1980s and 1990s. In the NT there are currently eight clubs that have licences to operate in remote communities. These are in Wurrumiyanga (Nguui), Wurankuwu (Ranku), Milikapiti and Pirlangimpi on the Tiwi Islands; Gunbalanya in East Arnhem, Beswick (Wugularr) and Kalkarindji in the Katherine region and Peppiminarti in the Daly River region. At the time of this research (2013), Ranku was not trading. Over the last twenty years there have been clubs in other communities both in Central Australia and other locations in the Top End. However, for a range of reasons these no longer operate (Brady, M., 2014).

Since the establishment of the current clubs there have been some regulatory changes, however each club has developed its own practices and place in each community. This study is the first that has been conducted on these clubs since 1998. It has its genesis in the changes in the regulation of alcohol in the remote Indigenous communities in the NT that occurred as part of the Northern Territory National Emergency Response (NTNER) in 2007. The NTNER created 'Prescribed Areas' through the federal legislation (*Northern Territory Emergency Response Act 2007*). Through this legislation it became an offence to possess, consume, sell or transport alcohol in these 'Prescribed Areas' without a relevant license or permit (In fact many communities had used the 'Dry Areas' legislation to choose to be 'dry' for many years prior to 2007.)

Communities with licensed clubs were exempt from a part of these conditions, in that they were allowed to keep their clubs. However the changes created uniform regulation covering seven of the clubs declaring that there would be no take away alcohol, and determining the days of trading, opening hours and alcohol beverages that could be sold. These changes came into effect in October 2007. One of the clubs surveyed for this study, Kalkarindji, was exempt from these conditions because it was not in a 'Prescribed Area'.

The *Stronger Futures in the Northern Territory Act 2012* sets out a continuation of the alcohol restrictions in 'Prescribed Areas' (now called 'Alcohol Protected Areas'), but encompasses a change of focus from a universally imposed measure to a measure designed to respond to individual circumstances of specific communities. To achieve this goal communities have been given the opportunity to create an Alcohol Management Plan (AMP).

An AMP provides a strategic framework for action and community driven strategies that are based on the principles of harm reduction. Within this environment, some

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<sup>5</sup> The word 'clubs' as a general description for the group of outlets is not strictly correct. Two of the outlets have tavern licenses, and are not legally 'clubs' at all. However for simplicity we have used 'clubs' to describe the group of eight outlets throughout this report.

communities have expressed interest in establishing their own licensed social clubs to serve alcohol.

As a pre-cursor to responding to community requests for licensed social clubs, the then NT Department of Justice and the Australian Government Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA) commissioned this study in April 2012.

An initial draft report for the study was completed and submitted in June 2013 to the then NT Department of Justice, which in turn distributed the draft to members of a project advisory group for comment. At this stage, the process of finalising the report effectively 'stalled', as a result of government restructurings and shifts in policy priorities following a change of government in late 2012. In 2014, comments and criticisms of the draft report were collated, and the consultants asked to prepare a final draft. This report is the result.

The study has two aims:

- Appraising harm levels associated with the operation of licensed social clubs in communities as compared to communities without such clubs; and
- Identifying what the best practice social club models would look like, and how these can best support responsible drinking which contributes to managed alcohol consumption and reduction in levels of alcohol related harms.<sup>6</sup>

Its objectives are to explore the following issues:

- *what factors need to be in place for an effective well run social club;*
- *what factors contribute to / need to be in place to ensure responsible drinking practices and safe communities;*
- *a comparison of the incidence of alcohol related injury and harm in communities with a social club to those of residents from dry communities;*
- *best practice models of licensed social clubs that:*
  - *promote the community amenity beyond being a source of liquor supply and incorporates other recreational activities for the community on non-alcohol trading days;*
  - *develop mechanisms which allow individuals greater control over drinking, encourage responsible drinking and contribute to safe communities;*
  - *promote good governance and transparency of operations, including code of conduct;*
  - *club committees are democratically elected and provided appropriate training for directorship responsibilities; and*
  - *ensures all residents share in the benefits<sup>7</sup>.*

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<sup>6</sup> Drawn from the Request for Tender, D12-0083, Objectives and Purposes

<sup>7</sup> Ibid

The study achieved these objectives through implementing three key strategies. The first was to conduct a literature review of good practice in licensed clubs in the mainstream, and to examine both the history of licensed outlets in remote Indigenous communities in the Australian context, and how access to alcohol is managed in remote Indigenous contexts internationally. The literature review is at chapter three of this report. The second was to conduct a survey in all eight communities with clubs. This survey focused on accessing both community residents' and service providers' perceptions of their clubs and their impact on their lives and organisations. The third was to access alcohol consumption, assault, health, and sobering-up shelter data in order to assess and compare alcohol related harms in communities with clubs with other communities in the NT

This study has been guided by the Licensed Social Club Research Advisory Group, which has membership from the following organisations:

- NT Department of Justice (until September 2012)
- NT Department of Health
- (then) Commonwealth Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA)
- Aboriginal Medical Services Association of the Northern Territory
- Aboriginal Peak Organisations, Northern Territory
- NT Police
- FaHCSIA Research and Evaluation Committee

The report presents four key areas:

- A description of the methodology;
- Alcohol consumption and drinking practices in communities with clubs;
- Comparison of alcohol related harms in communities with clubs and the rest of NT remote Indigenous communities; and
- How clubs operate in terms of service of alcohol, managing their patrons, governance and their relationships with the wider community.

Each chapter ends with a 'Key findings' section, and these are brought together in a 'Key findings and Conclusions' chapter at the end of the report.

### **3 Methods**

In this chapter we describe the way in which the study was conducted, under three headings: preparatory steps, data collection, and data analysis.

#### **3.1 Preparatory steps**

The Northern Territory Department of Health and the then Commonwealth Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA) collaborated in engaging communities. Meetings were held in each community, with residents being talked through the aims of the project, a draft copy of the questionnaire, and thoroughly informed of what their participation would entail. As a result of these meetings, permission to participate was given by all eight communities involved. Management of one of the licensed clubs declined to be involved, however the community concerned agreed to participate. In this instance our researchers visited the community but did not interview the club manager.

After these initial meetings the communities were kept informed of the progress of the research by letters.

Ethical clearance for the project was received from the Human Research Ethics Committee of the Menzies School of Health Research and NT Department of Health.

#### **3.2 Data collection**

The study drew on three types of data: administrative quantitative data, selected in order to assess the impact of community-based alcohol outlets on health and wellbeing; a community survey, and observations made in the course of field visits. Each is described further below.

##### **3.2.1 Assessing the impact of licensed clubs: quantitative analysis**

In order to examine alcohol consumption patterns and the impact of the presence of licensed venues in communities on health and wellbeing, four sources of data were utilized:

- wholesale supplies of liquor to licensed venues;
- assaults recorded by police;
- alcohol-related separations at NT hospitals, and
- admissions to NT sobering-up shelters.

Quarterly wholesale supplies of liquor to licensed clubs collated by the NT Licensing Commission were provided by the NT Department of Business for the years 2005 to 2012 inclusive. As Table 2.1 shows, there were substantial gaps in the data made available. In fact, complete wholesale supply figures were provided for only two of the

seven outlets: Nguiu and Pirlangimpi. The most serious gap in data related to Beswick, for which no supply figures were provided more recent than the third quarter 2007. It appears that, like a number of other small outlets in the NT, Beswick Community Store (who hold the licence for the club) has purchased liquor not from a recognized wholesaler, but from another retail outlet in the NT in recent years.

**Table 2-1: Wholesale supplies of liquor to licensed clubs - data provided and data missing**

<b>Outlet</b>	<b>Provided (quarter ended)</b>	<b>Missing (quarter ended)</b>
<b>Beswick Community Store</b>	31 March 05-30 Sept 07	31 Dec 07-31 Dec 12
<b>Gunbalanya Sports &amp; Social Club</b>	All except quarters at right	31 Mar 07 31 Mar 08 31 Mar 09 31 Mar 10
<b>Milikapiti Sports &amp; Social Club</b>	31 March 05-30 June 11	30 Sept 11-31 Dec 12
<b>Wurrimiyanga (Nguiu) Club</b>	31 March 05-31 Dec 12	None
<b>Peppimenarti Club</b>	All except quarters at right	31 Mar 08 31 Mar 09 30 June 09 31 Mar 10 31 Mar 11 30 June 11 30 June 12
<b>Pirlangimpi Community Club</b>	31 March 05-31 Dec 12	None
<b>Kalkarindji (Warnkurr) Sports &amp; Social Club</b>	All except quarters at right	30 Sep 10 31 Dec 10 30 June 11 30 Sep 11 31 Dec 11

Wholesale supply data was provided as litres of pure alcohol (PAC), which in turn were derived by the NT Licensing Commission by applying beverage – specific conversion factors based on alcohol content to the litres of particular kinds of beverage supplied by wholesalers. Estimates of per capita consumption at the venues were obtained by

utilising Australian Bureau of Statistics estimates of resident populations aged 15 years and over.

The number of assaults recorded by NT Police in each of the seven communities with licensed venues for the years 2004-05 to 2011-12 inclusive was analysed. Assaults were classified by police using three categories:

- Alcohol involved;
- No alcohol involved;
- Alcohol involvement unknown.

Numbers of assaults were converted to rates per 10,000 population, and compared with two indicators:

- The NT-wide rates of recorded assaults, per 10,000 population, for the years 2006-07 to 2011-12;
- The corresponding rate of assaults over the same period in 'NT Balance'. This is the NT total, minus all urban centres, i.e. Darwin, Palmerston, Katherine, Tennant Creek, Alice Springs, Nhulunbuy, Alyangula. The 'NT Balance' is, in effect, the aggregate of remote settlements in the NT.

A count of numbers of patients, and patient episodes, for all patients admitted to an NT hospital between 2005 and 2012 inclusive, with an alcohol-related primary diagnosis, as defined by a list of ICD10 codes with an alcohol Population Attributable Fraction greater than 0.5 (see table below), was provided by the NT Department of Health. (The list of conditions is based on a 2009 study by the National Health Service of Scotland (ISD Scotland, 2009).)

**Table 2-2: Primary diagnoses included under alcohol-related hospital separations**

Wholly attributable conditions	All ages attributable fraction	
	M	F
Alcohol induced Cushing's Syndrome	By definition, all of these have a PAF = 1	
Wernicke's encephalopathy		
Mental and behavioural disorders due to use of alcohol		
Alcoholic polyneuropathy		
Alcoholic myopathy		
Alcoholic cardiomyopathy		
Alcoholic gastritis		
Alcoholic liver disease		
Alcoholic induced chronic pancreatitis		
Fetus and newborn affected by maternal use of alcohol		
Fetal alcohol syndrome		

Excessive blood level of alcohol	
Toxic effect of alcohol	
Accidental and intentional poisoning by and exposure to alcohol inc NOS	
Evidence of alcohol involvement determined by blood alcohol level	
Evidence of alcohol involvement determined by level of intoxication	
Poisoning by and exposure to alcohol, undetermined intent	

Partly attributable conditions	All ages attributable fraction	
	M	F
Lip oral cavity and pharyngeal cancer	.51	.48
Oesophageal varices	.73	.67
Unspecified liver disease	.73	.67
Portal hypertension	.73	.67
Epilepsy	.53	.53

The count was analysed to compare the rate of alcohol-related hospital separations per 1,000 populations in communities with and without licensed clubs.

Admissions to sobering-up shelters in each of the five regional centres of Darwin, Alice Springs, Katherine, Tennant Creek and Nhulunbuy for the years 2007-2012 inclusive, categorizing according to the recorded place of usual residence of clients, were analysed. Two limitations of this data need to be kept in mind: firstly, the figures record admissions, not individuals. It is well known that admissions to sobering-up shelters include a proportion of high repeat clients. Secondly, not all persons apprehended for being intoxicated in public are taken to shelters. Some persons are taken by police to emergency departments, and some are detained in police cells. The figures used here do not include either of these categories, and therefore are not indicative of the prevalence of public drunkenness in the regional centres concerned.

### **3.2.2 Community survey**

Two interview schedules – one for community members, another for managers and staff of clubs - were developed using an iterative process. Initial drafts were reviewed by the Research Advisory Committee, and by an NT Department of Justice Regional Alcohol Strategy Project Officer (RASPO), before being trialled in the field and further revised. The final versions were approved by staff from FaHCSIA and the NT Department of Health. The interview schedules are included in this report as Appendices 1 and 2.

A team of three researchers visited seven of the eight communities with clubs for five days – Monday to Friday. The eighth community, Ranku, is very small, and it was visited for one day by two researchers. In five of the seven communities local people were engaged to assist in the research. Their role was to help our researchers to identify and locate people who would like to do the survey, and to explain the research to them.

On arrival the researchers located contacts, visited Traditional Owners wherever possible to pay their respects and let them know of the team's presence, and called on service providers and club managers. After these preliminary visits the researchers started to conduct interviews. Each participant had the project explained to them – generally in terms that 'we are here to learn about your club – how it works, what you like about it, what you think could be better....' Researchers were asked to record as much comment as possible on the questions. An average interview took around 30 minutes, and many in-depth conversations occurred. The researchers included extensive qualitative notes in the data entry. Generally the survey was well received at the community level. Many people volunteered to participate once they heard about it, and gave thoughtful and insightful answers to the questions. In each community approximately a quarter to a third of those approached chose not to participate.

### **3.2.3 Sampling in the community survey**

The survey design aimed to interview at least 50 people in each community, using a convenience sample stratified by age and gender on the basis of data from the ABS 2011 Census of Population and Housing, and including if possible representatives of the following:

- Members of the Boards of the clubs
- Members of Shire Boards
- Police
- Health clinics
- Traditional owners
- Government Engagement Coordinators
- Safe house staff
- Individuals who would like to have their say.

A total of 362 people participated in the survey, distributed as shown in Table 2.3. As the table shows, in six of the eight communities, the number interviewed was close to 50. The number was slightly lower in Peppiminarti, a result of it being a smaller community. In Ranku, only 11 people were interviewed.

**Table 2-3: No of participants in community survey**

Community	No. interviewed
Gunbalanya	51
Beswick	51
Kalkarindji	49
Milikapiti	51
Nguiu	58
Peppiminarti	38
Pirlangimpi	53
Ranku	11
<b>Total</b>	<b>362</b>

Table 2.4 shows the distribution of the sample according to age, gender and drinking status. A little over half of those interviewed were male, with around 70% aged between 25 and 55 years. People aged under 25 are under-represented because this age group are the most difficult to engage in an interview process. This should be kept in mind when interpreting results, as this age group normally includes some of the heaviest drinkers in a population.

**Table 2-4: Community survey sample by gender, age & drinking status**

<u>Characteristic</u>	<u>Categories</u>	<u>No</u>	<u>%</u>
<b><u>Gender</u></b>	<u>Female</u>	<u>154</u>	<u>42.5</u>
	<u>Male</u>	<u>202</u>	<u>55.8</u>
	<u>Not stated</u>	<u>6</u>	<u>1.7</u>
	<b><u>Total</u></b>	<b><u>362</u></b>	<b><u>100.0</u></b>
<b><u>Age</u></b>	<u>Under 18</u>	<u>4</u>	<u>1.1</u>
	<u>18-24</u>	<u>36</u>	<u>9.9</u>
	<u>25-39</u>	<u>129</u>	<u>35.6</u>
	<u>40-55</u>	<u>125</u>	<u>34.5</u>

	<u>Over 55</u>	<u>46</u>	<u>12.7</u>
	<u>Not stated</u>	<u>22</u>	<u>6.1</u>
	<b><u>Total</u></b>	<b><u>362</u></b>	<b><u>100.0</u></b>
<b><u>Drinking status</u></b>	<u>Drinker</u>	<u>275</u>	<u>76.0</u>
	<u>Non-drinker</u>	<u>78</u>	<u>21.5</u>
	<u>Not-stated</u>	<u>9</u>	<u>2.5</u>
	<b><u>Total</u></b>	<b><u>362</u></b>	<b><u>100.0</u></b>

Just over three-quarters of participants were current drinkers. Based on the information from one club, we estimated that 97.0% of males and 47.7% of females in a given population were members of the club. If we assume that almost all club members are drinkers, this suggests that approximately 75% of the population in the surveyed communities are likely to be drinkers, which in turn suggests that our sample is representative with respect to drinking status.

In addition to conducting the interviews for the survey, the researchers also interviewed club managers and staff, using a separate interview schedule. As describe above, one manager declined to be interviewed, although a member of his staff was interviewed.

### **3.2.4 Field observations**

Researchers visited seven clubs as patrons on both Tuesday and Wednesday evenings. They purchased drinks and food (if available), and conducted low-key observations, chatting with local people if appropriate, and generally absorbing the ambience of the club.

### **3.3 Data analysis**

Quantitative data was analysed by using SPSS Version 22. Qualitative data from survey responses was analysed thematically.

## **4 Evidence about good practices in managing licensed venues in Aboriginal communities: a literature review**

This literature review presents evidence from the literature on reducing harms in licensed venues generally; how Indigenous communities in New Zealand and Canada manage alcohol consumption in remote Indigenous communities, as well as findings from the literature that is specifically about clubs in Australian Indigenous communities.

### **4.1 Introduction**

A large proportion of all alcohol-related assaults occur in or around pubs and clubs across Australia. Licensed premises are a major site for alcohol-related violence and elevated levels of anti-social behaviour across the country (Doherty & Roche, 2003; Fleming, 2008; Graham, K & Homel, 2008; NSW Auditor General, 2008). As a result of this, the literature covering examples of good practice in the management of licensed premises – including licensed clubs – is usually oriented to dealing with high-risk premises, the responsible service of alcohol and how licensees can predict and prevent violence. There is comparatively little published literature that deals with broader issues such as better club management (for example harm reduction strategies, workforce issues or participatory governance structures), or with Indigenous-managed liquor licenses *per se*. However, out of this wider mainstream literature we can extrapolate some useful principles of good policy and practice that are relevant and applicable to Indigenous social clubs. What follows in this section attempts to do that.

We begin with a brief review of mainstream research on the responsible service of alcohol and the prevention of violence in pubs and clubs. We consider relevant developments taking place for Indigenous groups in the USA, Canada and New Zealand. We then examine examples of 'best practice' guidelines for licensed clubs, including Indigenous social clubs in Australia.

### **4.2 General principles of risk-reduction in licensed premises**

The principle underlying best practice in most jurisdictions is for the police and the relevant licensing authority to work closely with licensees in order to promote the responsible service of alcohol and harm minimisation. As the NSW Auditor-General's office observes (2008), although it is important that government agencies and licensees work together on these strategies, and the relationship between licensees and the licensing authority is usually positive, relationships between Police and licensees can sometimes be less constructive.

NSW identified three ways in which alcohol-related incidents could be reduced on or near licensed premises:

- Preventing patrons from reaching undesirable levels of intoxication through the responsible service of alcohol (RSA);
- Introducing strategies that reduce the opportunity for crime, such as extra transport at peak times and when premises close; and
- Responding to incidents after they occur to prevent them from escalating and to deal with offenders (NSW Auditor General, 2008, p.2).

In NSW the Office of Liquor, Gaming and Racing (OLGR) works with licensees in a number of ways, including providing licensees with self-assessment tools ('audit check lists'); running workshops for licensees; and facilitating liquor accords (formal partnerships with licensees) and presenting at liquor accord meetings. Liquor accords are mechanisms set up to enable practical solutions to alcohol-related problems. They usually involve a number of partners such as licensees, local police, city council representatives, health services and the OLGR. Accords can include strategies such as courtesy buses, lockouts at particular times (after which new patrons cannot enter a premises), and public education campaigns. However accords are simply agreements and have no legislated backing: a change of management at a particular premises can undermine an apparently workable accord.

Licensees are encouraged to complete a 'risk matrix' drawn up by the OLGR as a starting point for their own assessment of the risks in each venue and how to minimise these. The risk matrix covers licensees' obligations around signage, licence conditions, minors and intoxication. Of relevance to this discussion about 'best practice' for Indigenous licensed clubs are the following risks, noted from the NSW document (NSW Auditor General, 2008):

1. Risk of signage (on harm minimisation, or house policies) becoming out-dated, being placed in the wrong location, or being removed by patrons;
2. Risk that licence conditions such as trading hours or number of drinks served are undermined by patrons devising new ways to beat the venue controls;
3. Risks around minors: risks that adult patrons supply alcohol to minors, minors use fraudulent ID cards, or responsible adults fail to stay in the immediate company of a minor;
4. Risks around intoxication: too many exits and too many patrons to properly assess all patrons entering a premises; staff too busy to gauge a person's level of intoxication; patrons buying alcohol for an intoxicated person.

#### **4.2.1 How to identify high risk premises**

As a result of the association between licensed premises and violence, New South Wales has implemented several strategies to target high-risk premises. Which premises fit this high-risk category can now be identified from standard data-collection that was put in place following research demonstrating that not all premises were equally associated with alcohol-related trouble. This is known as the 'Alcohol Linking Program', and is a form of problem-oriented policing involving the systematic collection and application of intelligence data to identifying patterns and causes of crime.

In this case, the police collect intelligence data on the last place of alcohol consumption from people involved in police-attended incidents. This helps to pinpoint premises where patrons often have high levels of intoxication. Police complete a simple incident report for every alcohol-related police attendance: the data sheet lists the type of incident (assault/domestic violence/offensiveness etc); the state of intoxication; and the name and address of the last place of alcohol consumption. Among other benefits, the data has enabled police to narrow down and identify the licensed venues that seem to 'produce' the greatest number of alcohol-related crimes. Armed with this factual information, the police are then in a better position to leverage greater cooperation from licensees to improve their practices. Premises that are associated with such activity are subject to police audit and inspections. The project has been running in NSW since 2004 following initial research based in Newcastle (Doherty & Roche, 2003, p.65; Fleming, 2008; Wiggers, jauncey, Considine et al., 2004).

The findings from such a study can be remarkable. In the Hunter region, they found that 30% of premises were responsible for 78% of all incidents associated with licensed premises. In some cases a single outlet would be responsible for up to 190 incidents per year (Wiggers, 2007 ).

In order to make this project work, the Office of Liquor, Gaming and Racing (OLGR) must request the crime data from police. However the Alcohol Related Crime Information Exchange (ARCIE) now in place enables the OLGR and the police to access data from the alcohol linking project, details of every alcohol-related offence, where and when it occurred, and crime infringement notices occurring in the state. Licensing officers are then in a position to caution, educate or take more punitive action with particular licensees. A program such as this works best where there is a high density of outlets, and the aim is to narrow down the focus onto the few highly problematic outlets. Nevertheless, in the context of this research in the NT, it could be implemented on a smaller regional scale to identify the outlet(s) producing the customers who are most strongly identified with alcohol-related crime. Such a

strategy was recommended for the Northern Territory in 1999 (Brady, Maggie & Martin, 1999).

### 4.3 Responsible service of alcohol (RSA)

Clearly the practices of how patrons are served whilst they are in a licensed premises has a great deal of influence on their behaviour during and after their drinking. The movement encouraging responsible service of alcohol (RSA) or responsible beverage service (RBS) started with an initial focus on drink-driving, and has gathered pace since its beginnings in the 1980s (Stockwell, 2001). In the USA server responsibility became an issue because of an increasing number of civil actions brought against licensees who served (and continued to serve) intoxicated drivers who later caused injury or death to third parties. Licensees were deemed legally liable, something that happens less frequently in Australia (Solomon & Payne, 1996).

The UK Home Office has recently published a resource providing examples of good practice in alcohol service: *'Selling Alcohol Responsibly: Good practice examples from the alcohol retail and hospitality industries'* (Home office (UK), 2010a). It is presumably intended to inspire publicans and those serving alcohol with real-life examples of effective schemes already in place to prevent harm in the retail and hospitality industries. It provides key contacts for follow-up. The good practices illustrated in the resource include:

- Preventing underage sales (for example raising awareness among servers of proof of age requirements);
- Building strong community partnerships (for example incentive schemes through awards for premises to improve standards of operation);
- Taking a socially responsible approach (for example checklist of requirements of a corporately socially responsible business, and server training information);
- Keeping staff and customers safe (for example a guide to assessing the risk of violence in licensed premises);
- Supporting National Communications campaigns (for example consumer information for drinking choices, alcohol effects, and public education programs).

In concert with these gently persuasive and positive efforts to improve practices, in 2009-10 the UK Home Office introduced five new mandatory licensing conditions aimed at irresponsible service and at problem drinkers, amending the Licensing Act of 2003 (Home Office (UK), 2010b)<sup>8</sup>. The new conditions were clearly designed to address some extreme selling practices and tackle specific problems. They aim to

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<sup>8</sup> <http://www.homeoffice.gov.uk/crime-victims/reducing-crime/alcohol-related-crime/index.html>

establish a set of minimum standards in the way in which alcohol is sold in the UK. The conditions are as follows:

- Ban irresponsible promotions
- Ban the dispensing of alcohol directly into the mouth
- Ensure customers' access to free tap water
- Require an age verification policy to be in place
- Ensure that customers may choose small measures of beers, ciders, spirits and wine.

The UK government also introduced Drinking Banning Orders (DBOs - similar to the Banned Drinkers Register in the Northern Territory which was discontinued in September 2012), and Directions to Leave (referring to intoxicated patrons who refuse to leave licensed premises). DBOs are aimed at banning individuals with repeated alcohol-related criminal or disorderly behaviour from being able to purchase alcohol (Home Office (UK), 2012).

Host responsibility and mandated server training are now widespread in this country. However, it must be stated that RSA practices in Australia have generally been lax, with few prosecutions for server-liability offences (Fleming, 2008, p.13). There is great variation between the states and territories in the length of training and the depth of knowledge required; as is often the case in Australia, there is no national uniform curriculum or standard delivery. Costello, Robertson and Ashe (2011, p.15) provide a table showing the RSA requirements (as at 2009) in each Australian state or territory. Relevant to this present study is that in the Northern Territory, all staff members including licensees and managers, security staff and volunteers must have RSA training prior to starting work in a licensed premises.

In NSW it is compulsory for all servers of alcohol to have had RSA training delivered by an approved trainer. This includes staff of all licensed clubs (such as RSL clubs), which must still abide by the Liquor Act 2007 although they are administered under their own Registered Clubs Act (1976). In NSW local area police commands are responsible for training their police in RSA. In South Australia a new code of practice was introduced in 2013 stating that all servers of alcohol, whether volunteers or paid staff members, must have RSA training. This is particularly relevant to clubs, where volunteers are often working behind the bar (Information from Clubs SA).

The OLGR (NSW) lists a number of RSA strategies adopted by licensees (although it does not say what proportion of licensed premises has adopted such principles):

- Offering free water and bar snacks
- Promoting low alcohol and non-alcoholic drinks at discount rates
- Banning liquor shots to discourage rapid consumption

- Having meals available at all times
- Limiting the number of alcoholic drinks purchased per person to slow consumption
- Improving environmental factors (lighting, floor layout) so it is easier to observe patrons
- Ensuring bar staff have completed RSA training and undertake refresher courses
- Having more and better trained security staff to ensure intoxicated persons do not enter premises
- Employing RSA marshals to monitor patrons' behaviour and to identify patrons who are intoxicated or at risk of being intoxicated.

There are numerous examples of licensees failing to apply these strategies rigorously, however. In one instance, a Bourke police sergeant lodged complaints against all licensed premises in the town on the grounds that none of them were applying responsible service practices. There was broken glass outside the premises, a lack of security staff, and intoxicated patrons outside and inside the premises. As a result, extra conditions were placed on the licences, primarily an instruction that RSA should be strictly applied (Bourbon, Sagers, & Gray, 1999, p.20).

The prevalence of such poor adherence to the laws of responsible service led the National Drug Law Enforcement Research Fund (NDLERF) to fund a project entitled 'Why do staff at licensed premises continue to serve patrons to intoxication despite current laws and interventions?' (Costello, Robertson, & Ashe, 2011). Their report is worth noting in some detail, as the authors take a selective look at the literature as well as reporting their own interviews and an on-line survey with participants who worked serving alcohol in Western Australia.

#### **4.3.1 Key Findings of NDLERF 2011 study 'Why do staff at licensed premises continue to serve patrons to intoxication despite current laws and interventions?'**

##### Training: target managers not just staff:

Firstly, the authors of the NDLERF study, Costello, Robertson and Ashe, state categorically that server training in RSA is not a panacea, and that its effectiveness has been repeatedly questioned. RSA training is inconsistent and usually oriented to providing general knowledge and information (rather than specific skills in safe refusal of service for example). The authors cite several research studies advising that training programs need to target the managers and owners of licensed venues rather than just targeting their bar staff. Training of managers should concentrate on establishing and enforcing workplace policies, should emphasise responsibility and duty of care/liability issues, and should support and back up the actions of their staff.

### Managers are influential:

Perhaps the most significant finding of the study was that the actions and attitudes of managers or supervisors were found to be more influential than the policies that might be in place on premises. The role of the manager and the licensee were 'pivotal' in establishing the responsible service culture of the particular venue: they are, in effect, role models (Costello, Robertson, & Ashe, 2011, p.24). The manager's attitude was instrumental in staff decisions to refuse or continue service to intoxicated people, and it was crucial that staff felt that their manager would consistently support their decisions to refuse service.

Reasons why bar staff are less likely to refuse service to intoxicated people (even when they 'know' that they should refuse them) included the perception – or the reality – that managers put economic pressure on staff to make more sales (by over-serving and keeping regulars happy).

### Service favouritism

The research found that over time there was a degree of desensitisation among staff so that local social and cultural norms and attitudes (for example tolerant attitudes to intoxication and bad behaviour) were contagious. This was particularly the case in regional or rural areas (where everyone knows everyone else). There was pressure on staff from 'regulars' and friends to continue to serve them despite intoxication (or to otherwise bend the rules) because they were known to staff. This is known as service favouritism. There may be an inclination 'to value the desires of customers above current laws and regulations in order to maintain both a societal/cultural and economic relationship' (Costello, Robertson, & Ashe, 2011, p.21). Servers who deal more frequently with intoxicated customers are less concerned about civil liability risks. Owners, managers and bar staff all need to be alert to laws, regulations and workplace policies about their duty of care. The research found that servers were more likely to be consistent in their application of RSA if they saw refusal of service as being a responsibility that goes with the job. They needed to perceive it as 'just part of the job'.

### Workplace culture:

The research found that a professionally supportive and healthy working environment produced the conditions within which servers were more likely to refuse service to intoxicated patrons. This is because the existence of a sense of duty and solidarity among supervisors and staff, and being part of a team, translates into positive support for refusal of service and supervisors trusting in workers' decisions. Poor job-related behaviours and lack of knowledge and experience were exacerbated by poor staff management. The research highlighted the need for better business development in

terms of staff recruitment, working environment and work culture for licensed premises and their employees.

### Recommendations:

The authors of the 2011 NDLERF study made the following recommendations:

- Standardise RSA training across the country;
- RSA training to include patron management skills as a preventive measure;
- Work with managers and licensees to improve the culture of the venue through ongoing required training;
- Draw up risk management and prevention plans for all new licence applications and existing licensees;
- Reward licensed premises for positive harm reduction programs by creating a program that rates licensed premises. Apply incentives rather than disincentives. (There is a need to demonstrate to licensees and managers that taking on responsible serving practices will not adversely impact on their profits. If this cannot be done, it is unlikely that venues will voluntarily comply with responsible service laws). A graded accreditation system (a star rating) using essential, desirable and bonus criteria is one idea (Costello, Robertson, & Ashe, 2011, pp.23-26).

With respect to the above comment about profits, the authors of a US Server Intervention Program frankly acknowledge that applying server intervention would be likely to reduce alcohol sales.

This goes against the grain of almost everything business managers and servers have been taught: greater sales mean greater profits. However, a reduction in alcohol sales does not mean your overall profits will decrease, because part of the ASIP [Alcohol Server Intervention Program] effort is to increase food and non-alcoholic beverage sales to customers who would otherwise order the extra alcoholic drink. The profit margin on these other items can be just as attractive as for alcohol, and with careful planning, promotion, and selling by servers, you may even see an increase in overall sales and profits (Glutfelty, 2011, p.6).

In high-risk situations (such as social clubs in Aboriginal communities) it is undoubtedly necessary to work with managers and committees in a similar way – to encourage ways of making money by selling other items and off-setting any reduction in sales as a result of harm reduction strategies.

### 4.3.2 Responsible service in the Northern Territory

In the 1990s numerous incidents highlighted the issue of responsible (or rather the irresponsible) service of alcohol in the Northern Territory. Marshall Perron was the Chief Minister at the time and a crucial advocate of the Living with Alcohol program (1991-1997)<sup>9</sup>. Perron called for drunks to be evicted from hotels and momentum built for further action.

In 1991 a Sessional Committee into the Use and Abuse of Alcohol by the Community found that financial pressures on licensees were leading to aggressive marketing, and even the Northern Territory Hotels and Hospitality Association called for the industry to cooperate with government to combat alcoholism in the NT. The government provided funding for the Association's free course on responsible service of alcohol for all bar and liquor serving staff (Bonney & Brister, 1996). However despite the industry's apparent support for a collaborative effort to reduce harm, it objected to new restrictions on happy hours, free liquor and drinking competitions, and to the penalties for breaches of the Act.

Hotels in the NT continued to struggle to comply with their responsibilities to serve alcohol responsibly, and in 1995 the Walkabout Hotel in Nhulunbuy was found guilty of serving beer to a woman with a blood alcohol level of .35% (an employee of Macs Liquor was also charged after selling liquor to a customer with a high BAL). Later that year, the Manager of the Walkabout proposed to the Liquor Commission that licensees should have plastic cups of iced water available at the bar; there should be greater price differences between full strength and light beer; and that more sobering up beds were needed (Bonney & Brister, 1996, p.4). Since 1996 in the NT there has been greater onus placed on licensees and staff to ascertain the sobriety of their customers, and it has been made an offence to serve alcohol to intoxicated persons.

In 2006 a Liquor Supply Plan was introduced in Alice Springs as part of the Alcohol Framework (Northern Territory of Australia, 2004) and the Alice Springs Alcohol Management Plan (2006) (see Symons, Gray, Chikritzhs et al., 2012, p.23). The Liquor Supply Plan included (reiterated) the following measures relating to RSA:

- All staff involved in the service of alcohol must hold a Responsible Service of Alcohol Certificate within one (1) month from commencement of employment (with a reasonable period permitted for current staff to obtain certification);
- A holder of a Responsible Service of Alcohol Certificate must be on premises at all times during trading hours. Hotel type premises that have separate drive through bottle shops are required to have a person who holds a Responsible

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<sup>9</sup> *Living with Alcohol* was a comprehensive public health strategy to address alcohol related harm, funded by a levy on alcohol products containing more than 3% alcohol by volume (National Drug Research Institute, Curtin University, and the Lewin-Fordham Group 1999).

Service of Alcohol Certificate in the bottle shop area in addition to the main area of the licensed premises.

Responsible Service of Alcohol accreditation can now be accomplished online in the Northern Territory for a fee of \$56.00 with the William Angliss Institute, or for \$50.00 with the International College of Advanced Education. The ICAE created a course to meet the needs of bar-tenders, bar managers and publicans.<sup>10</sup>

### **4.3.3 Good practice in physical environment and amenity**

Apart from the principles of good practice around the responsible service of alcohol, we know that the physical environment within which drinking occurs has an effect on drinking behaviour and aggression. International research has demonstrated that the level of amenity in licensed premises (such as cleanliness, ventilation, layout, seating, type of entertainment) is associated with levels of violence.

The décor and upkeep of a bar sends a message to patrons about the behaviours expected of them. A physical environment that is messy or unclean contributes to a general ambiance of permissiveness, which in turn may influence aggression, according to Graham et al (Graham, K, Benardes, Osgood et al., 2006). In their study, aggression was more likely to occur when bars or clubs were crowded, noisy, smoky and unclean, with plenty of movement, dancing, sexual activity and highly intoxicated patrons, security staff who may lack professional boundaries, and large numbers of patrons hanging around after closing time.

Research by Ross Homel and Jeff Clark (Homel & Clark, 1994) on predicting and preventing violence in pubs and clubs (and based on fieldwork observations of 36 premises) found some specific predictors of aggression and violence – or at least correlations with aggression and violence. These predictors included: the presence of a disco, hostility, swearing, roughness and bumping; bar crowding<sup>11</sup>, inadequate numbers of bar staff relative to crowd; Pacific Islander bouncers; staff intervention with intoxicated patrons, refusal of service, and low levels of server responsibility. Bouncers were not responsible for initiating assaults, however they often inflamed the situation or ignored it, partly because they were frequently employed ‘straight off the gym floor’ and had minimal skills in communication and non-violent conflict resolution. Staff interventions with intoxicated patrons increased the likelihood of aggression, especially if they were intimidatory. Homel and Clark’s research observed that instead of offering a non-alcoholic drink, food, or alternative transport to such

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<sup>10</sup> <sup>10</sup> <http://www.ahant.com.au>

<sup>11</sup> Homel distinguishes *bar crowding* from *overall* crowding: bar crowding has to do with movement and concentration within the premises, as opposed to the overall density of patrons.

patrons, staff usually just refused service, precipitating arguments, verbal abuse and (directly or indirectly) physical violence (Homel & Clark, 1994).

Research in the UK found that assaults on licensed premises were associated with:

- Frustrations arising from insufficient serving areas, poor layout, uncomfortable sound, heating or lighting levels;
- Poor layout, including large open spaces that can lead to the contagion of aggression;
- Inadequate flow patterns restricting customer movement without physical contact (increasing spillage, jostling and conflict);
- Siting and design of the bar not allowing for staff to control their own space (cited in King & Richards, 2003).

An Australian literature review (Doherty & Roche, 2003, cf also King & Richards, 2003) identified many similar problems and suggested solutions:

**Table 3.1 Suggested solutions for design issues**

<b>Crowding</b>	<b>Consider design issues when deciding maximum patron numbers; ensure compliance with maximum numbers; maximise traffic flow</b>
<b>Lighting</b>	Ensure that lighting balance is not irritating (too bright), nor encourages offending (too dim)
<b>Ventilation</b>	Ensure premises are not too hot (or smoky)
<b>Bars</b>	Ensure that bars are accessible and do not interfere with patrons' movement
<b>Staff</b>	Ensure adequate staff/patron ratio supported by good communication systems (for example security guards with walkie-talkie)
<b>Physical hazards</b>	Remove obstacles such as seating in high traffic areas

#### **4.3.4 Ideas for good practice from mainstream clubs**

A guide published in South Australia is designed to help licensed social clubs manage themselves well. Clubs SA published *Roles and Responsibilities for Licensed Clubs* in 2012. The guide dovetails with South Australian liquor legislation, and is designed to give the directors of clubs one resource that overviews all their responsibilities, in a situation in which there are around 1200 licensed clubs, some of which are very small

and staffed by volunteers. Clubs SA is a peak body with voluntary membership. It is affiliated to the national organisation Clubs Australia and, like the Australian Hotels Association, there are branches in each state and territory, including Clubs NT.

*Roles and Responsibilities for Licensed Clubs* deals with a wide range of issues including corporate governance, directors' and committees' roles and responsibilities, club constitutions, occupational health and safety issues and industrial relations. It seems that many clubs have out-of-date constitutions that need to be updated. The constitution is where you list the meeting procedures, rules about annual general meetings, record keeping, who is auditor etc. Clubs SA organises managers' meetings about three times a year: these are designed to keep club managers up to date with compliance issues, with guest speakers discussing a range of issues such as energy efficiency and tax issues. There is a monthly newsletter to members of Clubs SA.

South Australia's Office of Liquor and Gaming (which is now part of an overarching department called Consumer and Business Services) keeps records of the membership of the governing committee of all clubs that hold a liquor licence. All such members are required to pass a police probity check.

#### **4.4 International Indigenous initiatives in operating licences**

Australia is alone in experimenting with having long-term licensed clubs or taverns under community control located within discrete Indigenous communities. In Canada there are scattered examples of native-owned and run liquor stores and bars, but it is more common for First Nations Canadians to apply for special occasion licenses, which allow them to run short-term bars at events on reserves. In New Zealand, Maori also make use of special licences in order to sell alcohol on marae.<sup>12</sup> Particularly in the USA (and to a lesser extent in Canada), Indigenous corporations own hotels and casinos on their land which sell alcohol, but these venues are designed to attract a wider customer base onto their reserves in order to create wealth locally. This means that such drinking venues often (but not always) have a racially mixed character in which locals mingle with a wide range of visitors and tourists, whereas the most obvious result of the development of social clubs in Aboriginal communities is that that they constitute drinking environments for a very particular, and largely segregated, clientele.

Because it is not common for Indigenous groups in developed countries such as Canada or New Zealand to own and manage licensed drinking venues in their communities, there is a relatively small pool of research literature on good practice internationally. However, there are examples from New Zealand and Canada of good practice in host responsibility in managing Indigenous-run licensed events. These

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<sup>12</sup> A *marae* is a communal meeting place used for religious and social activities

would best be described as instances in which communities have instigated regulated occasional consumption as a harm reduction strategy – a compromise between being completely dry on the one hand, and having alcohol permanently available on the other. In Canada some communities have designed their own regulatory policies to support moderate drinking and to cut down on alcohol related problems (Dell & Lyons, 2007). In New Zealand, Maori have produced similar guidelines for licensed events on marae.

#### **4.4.1 New Zealand: Maori marae**

The history of alcohol use among Maori demonstrates that cultural forms and activities have not necessarily precluded the consumption of alcohol, and this is a feature of Maori culture that persists today. Social customs including drinking alcohol were adopted by many Maori, so that it was customary for alcohol consumption (usually a cap of whisky) to accompany talking about history, and to be a catalyst for discussion and the recounting of oral testimony (Na Bradford Haami, Appendix in Hutt, 1999, p.109). In the 1960s in rural communities home brew or bottles of whisky were presented as gifts by visitors to their hosts (Hutt, 1999, p. 78), and beer parties were held following a burial – usually away from marae. Ceremonial gatherings (hui) often now include a visit to the pub, and speakers at hui are sometimes inebriated.

Alcohol is now accepted on some marae, although most of them forbid alcohol consumption other than for special occasions. Marae are used for social and ceremonial gatherings, which include weddings and 21st birthday parties – these usually involve drinking. Few marae have total prohibitions, indeed in 1996 wine was being produced commercially on a Wellington marae (Hutt, 1999, p. 80). In the past, controls over alcohol on marae were much stricter. In the early 1900s for example, Maori councils in a number of districts had powers to make by-laws on sanitation, drunkenness, gambling and so on, and the first of these by-laws to be enacted, in 1901 (at Horouta on the East Coast), banned bringing alcohol onto the marae. By so doing, the council built on a long tradition of alcohol controls and regulation emanating from earlier local committees of Maori elders.

#### **Short term alcohol licences on marae**

Marae have been permitted to have licences since 1974, when an Inquiry into the Sale of Liquor in New Zealand allowed this to happen. It was thought that within marae alcohol could be ‘sold and consumed within the cultural context of Maoritanga’ (Hutt, 1999, p. 78). On these occasions, residents seek and obtain short-term licences to sell and serve alcohol. Special licences in New Zealand, as in other countries, are available for the temporary or intermittent sale of alcohol at an occasion or event, or at social gatherings of varying kinds. The responsible supplier is legally required to ensure host responsibility is followed at all times (which includes requirements such as the

provision of substantial food as long as alcohol is being served; the provision of non-alcoholic drinks; and free non-alcoholic drinks for designated drivers).

Accepting the reality of alcohol on marae, since 1994 the Manaaki Tangata [‘Caring for people’] program of the NZ Alcohol Advisory Council (ALAC) has been providing guidance for the service of alcohol at community events in an attempt to minimise harm and encourage moderation. The Manaaki Tangata program is in effect the ‘indigenisation’ of the existing mainstream principles of host responsibility in New Zealand, and is designed to assist Maori to develop and implement policies that ensure safer drinking practices in homes, marae and sports clubs ([www.alac.org.nz/maori/manaaki/index/html](http://www.alac.org.nz/maori/manaaki/index/html))

### Host responsibility and safe service

The focus of Manaaki Tangata is on ownership of the responsibility for alcohol control, and is based on the notion that both hosts and guests have an equal responsibility to promote safer drinking practices – making use of the strong Maori tradition of hospitality, of offering the best to one’s guests (the term manaaki can mean ‘to care for’, ‘to support’ and ‘to give hospitality to’). The Manaaki Tangata guidelines state clearly that ‘Alcohol is used frequently as a symbol of Maori hospitality, and it is now often an automatic gesture to offer manuhiri [visitors] a drink or to provide alcohol when entertaining and socialising’ (Manaaki Tangata, 1994). ‘Manaaki Tangata’ seems to be synonymous with host responsibility.

The Manaaki Tangata program provided a resource kit with guidelines for safer alcohol use at home, marae or sports clubs; brochures; a directory of Maori alcohol health promotion workers; a newsletter;+ and promotional T-shirts. Awards for promoting sensible attitudes towards alcohol have been given to clubs and inter-marae competitions, for the implementation of four harm reduction practices:

- Food – providing an adequate supply of non-salty foods
- Non-alcoholic beverages – providing a variety of non-alcoholic drinks including tea and coffee
- Drive safe – providing alternative transport options for drivers at risk
- Games and activities – providing alternatives to drinking (New Zealand Alcohol Advisory Council (ALAC), 1994).

The advice provided to Maori wanting to serve alcohol includes how to develop a Manaaki Tangata policy on safe service and consumption, and a pro-forma of such a policy for people to complete and display at their venue. The items recommended for inclusion in the policy are as follows:

- The policy should include when alcohol is served (what types of occasions)
- Length of time alcohol will be served

- Location of where alcohol is to be served
- That food will be provided at all times (before, during and after drinking)
- That non-alcoholic drinks will be available
- That low alcohol beer will be available
- Those who serve alcohol are aware of their responsibilities on the Sale of Liquor Act
- Training for those serving alcohol
- Not serving alcohol to young people underage
- Not serving people who are drunk
- Organising activities for children
- Strategies for dealing with drunken people
- What other activities are to be provided
- What is to be done to ensure everyone gets home safely.

The Manaaki Tangata ‘best practice’ guidelines for hosting a special (licensed) event are as follows:

1. Provide food before, during and after alcohol is served
2. Serve alcohol responsibly and provide non-alcoholic drinks (if someone looks like they’ve had too much, encourage them to eat some food, take time out, or offer them a bed for the night)
3. Avoid serving underage drinkers (encourage parents and guardians to keep an eye out for underage drinkers)
4. Managing those who drink too much (list of signs to look out for; offer food to take the focus off drinking; make sure they don’t drive home)
5. Provide a wide range of activities (band, singing, cultural group, talent quest, karaoke to lessen the focus on alcohol)
6. Organise activities for children (ensure they are not left unattended in cars outside; have a roster for babysitting; provide activities, entertainment and a sleeping room with an adult supervising)
7. Get everyone home safely.

The Manaaki Tangata program dates from the mid-1990s. More recent reports from New Zealand confirm that short term licences on marae are well managed and respected by the people. They have good support systems in place (including police and local authority processes and support); and often these licences go through a thorough process of consultation within the communities as part of marae policy in general. If serious incidents occur the police become involved; less serious problems are said to be dealt with by the wider marae families (Pers. Comm. 13/5/12, Matiu Julian, Maori Manager, ALAC).

At present ALAC provides two kinds of funding under the Manaaki Tangata program: community funding, and workforce training grants.

#### **4.4.2 Managing special occasions permits on Canadian First Nations reserves**

In Canada, First Nations communities on-reserve have opted for a variety of alcohol control regimes, ranging from complete bans in dry communities, to different types of alcohol permits in ‘moist’ communities (Smart & Ogborne, 1996). In the latter case alcohol use is only permitted in private homes rather than in community space – an arrangement that has caused a decline in community social life (such as participating in feasts and Powwows) as people opt to stay home where they can consume alcohol (Gliksman, Rylett, & Douglas, 2007, p. 1853).

A solution to this situation for some reserves has been to apply for a special occasion permit (SOP). A Special Occasion Permit has been required since the 1970s in Ontario any time liquor is offered for sale or served anywhere other than in a licensed establishment or a private place (such as a residence).<sup>13</sup> First Nations communities have used these SOPs to serve alcohol legally at weddings, sports banquets or fund-raising events. So instead of these First Nations communities deciding to open a permanent licensed club, as has been the case in Australia, they are licensing specific facilities (such as sports fields, skating rinks, indoor sports facilities) for specific occasions, including renting out their facilities to individuals and groups from neighbouring communities (Gliksman, Rylett, & Douglas, 2007). The permit-holder assumes responsibility for the safety and sobriety of those attending.

The disruptive use of alcohol at some of these special functions in one Reserve (Mattagami in Ontario) led the Chief and Council to appoint a committee to develop a policy for such events. Policy was made in this instance by a widely representative committee (including police, legal aid, community health and NNADAP<sup>14</sup> representatives, the chief, and a consultant from the Addiction Research Foundation<sup>15</sup>). Deliberations took seven months, and involved a thorough review of research findings, information on managing drinking in recreational settings, activities by other communities and past experiences. They examined the Liquor Licence Act and looked at suitable facilities, collected opinions and ideas from the community and identified concerns.

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<sup>13</sup> <sup>13</sup> The Alcohol and Gaming Commission of Ontario issues Licensee Information Sheets for running Special Occasion Permits events: [www.agco.on.ca](http://www.agco.on.ca)

<sup>14</sup> <sup>14</sup> NNADAP = National Native Alcohol and Drug Abuse Program

<sup>15</sup> <sup>15</sup> The Addiction Research Foundation is now known as the Centre for Addiction and Mental Health.

The resultant alcohol management policy (AMP)<sup>16</sup> (adopted in 1993) is to provide responsible management practices at drinking permit events in Mattagami.<sup>17</sup> It includes:

- a listing of where drinking permit events may and may not take place
- a ban on under-aged youth from such events
- the policy requires low- and non-alcoholic drinks to be available
- the policy requires signs to be posted about the serving of intoxicated people, and other server issues which remind the operators of their responsibilities.

Most permit drinking events are operated by volunteers with limited experience in managing drinking environments, so the Mattagami AMP requires that servers receive training in recognising when a person is intoxicated, and how to prevent this.

Having an AMP has offered a compromise between different (and sometimes antagonistic) Indigenous positions on alcohol use, with a balance of 'wet' and 'dry' events, and an insistence that low- and non-alcoholic drinks be available (Gliksman, Rylett, & Douglas, 2007; Lauson, Gliksman, Douglas et al., 1998; Narbonne-Fortin, Rylett, Manitowabi et al., 2001). The principles guiding Canadian alcohol management policies, and the licensed occasions on which they are used, appear to be very similar to the Maori Manaaki Tangata policies.

At Wikwemikong, the AMP designated specific facilities as being suitable for hosting alcohol-related events (for example the hall and the concrete surface of the ice skating rink), while banning alcohol from the lobby and locker rooms. Their policy designated all beaches, parks, sports fields and church halls as alcohol-free zones, and stated that adult events taking place in youth facilities or schools should also be alcohol-free ((Narbonne-Fortin, Rylett, Manitowabi, et al., 2001).

In the 1990s four Ontario First Nations communities implemented alcohol management policies as a way of tightening up how and when licensed events operate. Policies were adopted in Moose Cree First Nation (1992), the Unceded Aboriginal reserve of Wikwemikong (1993), Mattagami First Nation (1993), and Aamjiwnaang First Nation (1994), with populations ranging from 126 to 2,500. It is important to note that these four communities approached and received assistance in the policy-making process from the field staff at the Centre for Addiction and

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<sup>16</sup> In Australian alcohol policy literature, the initials 'AMP' frequently refer to Alcohol Management Plan. These are not to be confused with Canadian Alcohol Management Policies (AMPs).

<sup>17</sup> These Canadian examples of Alcohol Management Policies (AMP) are primarily directed at managing serving practices at licensed events, whereas an Australian Alcohol Management Plan (AMP) is a broader plan for regulating the availability of alcohol in a community, including whether it is available at all and if so, how that availability is managed.

Mental Health in Ontario. Each community set up a special committee separate from the Band Council to formulate and debate policy and become familiar with the laws for operating licensed events.

#### Problems and monitoring

After two years of operation, problems in these Canadian alcohol management policies included one community reporting difficulties in enforcing the policy rules because their facilities were rented out to other people from surrounding communities. In another instance the Band Council sometimes undermined the rules by granting special permission to favoured groups. Overall stakeholders believed that events were well organised using the AMP and that alcohol-related problems had been reduced, with fewer fights and fewer underage participants being served alcohol (Lauson, Gliksman, Douglas, et al., 1998). It appears that these improvements have been sustained over time (Gliksman, Rylett, & Douglas, 2007).

In these Maori and First Nations Canadian examples, it is hard to establish how people have dealt with enforcement or cautioning people who disregard or flout these informal rules. It is important to remember that these are indeed informal policies and forms of community regulation, relying in effect on the degree of respect paid to those who created the policies, and dependent on the tacit agreement of others to abide by them.

Short-term special licences such as these are, naturally, available in Australia, and each state or territory has its own regime. In Queensland the Office of Liquor and Gaming Regulation issues Community Liquor Permits to unlicensed organisations who wish to sell or supply liquor on a temporary basis or a one-off occasion. An individual over 18 years can apply on behalf of a non-proprietary club, organisation or association as long as the purpose is not to make money for themselves. Commercial operations or individuals may apply for a permit as long as the profit from liquor sales is donated to a registered charity or organisation. In Queensland, an Event Management Plan is required for such licences; but there are relatively weak requirements for servers to have had RSA training (Government, 2010).

#### **4.5 Alcohol outlets in remote Indigenous communities in Australia**

Since the 1970s some remote Indigenous communities have had clubs and pubs that have sold alcohol to the local community. There is no uniformity in the development of these outlets – they did not arise as a result of a particular policy. The history of each one is governed by local factors. However, once established, many clubs and canteens have followed quite similar trajectories in terms of consumption patterns and the issues they encounter in response to pressures within the community for access to alcohol, and externally from regulatory and other bodies to minimise any harm that may be caused by the alcohol they sell.

Since the 1970s the general trend has been for starting with modest trading hours and conditions, which expanded to longer hours and a higher likelihood of takeaway; followed by progressively tighter limitations on opening hours and products sold. A second general trend is that management and accountability structures for such outlets tend to be problematic.

One group of community based alcohol outlets are to be found in the Cape York region of Far North Queensland. These were formally established after 1971 when regulations were gazetted under the 1971 *Aborigines Act*. They were originally set up and run by the Department of Aboriginal and Islander Affairs (DAIA). The Director was empowered to own liquor facilities and hold liquor licences, thereby controlling conditions of sale and supply (Cape York Justice Study, 2001). Some years later control was transferred to Aboriginal Community Councils (which were also set up under the Act). Initially only beer was sold, and canteens were open for two to four hours a day. The premises were described by Fitzgerald as ‘open-sided sheds lacking seating, food or any of the social amenities required under the Licensing Act. Parameters were marked out, often by logs, as the established premises’ (Cape York Justice Study, 2001).

The other setting for licensed premises in remote communities is the Northern Territory. As in Queensland, these outlets began in the 1970s with the establishment of Sports and Social Clubs in several communities. Over the decades several communities have opened licensed clubs for varying amounts of time, most of which have been in the Top End. By 2013 only eight licenced premises remain open in remote Indigenous communities in the Northern Territory. All are in the Top End, and four are on the Tiwi Islands.

#### **4.5.1 Regulatory environment**

##### **4.5.1.1 Queensland**

In the 1970s, profits from canteens went into a Welfare Fund, which was spent ‘on a range of administrative functions’ (Cape York Justice Study, 2001). As the politics of self-determination unfolded through the 1980s and 1990s, community councils were given increasing control over the management of canteens. This was done through the application of community by-laws (*Community Services Act – (Aborigines) 1984*), the power of which overrode the requirements of the Queensland *Liquor Act*. This meant that community councils could control the opening hours, what products were sold, and how any profits arising were spent.

Under this regime the hours of opening were extended, takeaway was allowed, and the range of products was extended beyond beer. The canteens generated considerable profits, which made them an important part of the economy of each individual community. The profits made were controlled by the community council,

and came to be an important source of discretionary revenue in an environment in which most council funds were from government and subject to accountability requirements. This created pressure to increase profits from the canteens, which was achieved by extending their trading hours and terms of trade.

The Fitzgerald Cape York Justice Inquiry noted that the co-location of the control of the sale and consumption of alcohol, and the other responsibilities of community councils were not comfortable bedfellows:

*There are major contradictions between the commercial imperatives of running a liquor outlet, and the responsibilities of the councils relating to welfare and to law and order. The community council has the responsibility for the welfare of the residents on one hand, and on the other, running the wet canteen as its main enterprise. This enterprise is threatened by calls to shut it down or vary the trading hours, and by the demand that maintains the sly grog trade. It has been recommended that the contradiction inherent in the councils' roles of community responsibility and managing the canteen be addressed. Martin recommends that the conflict between the various current roles of councils in the sale and control of alcohol in these communities could be minimised. This would involve separating responsibility for developing and implementing local policies and by-laws to control the supply and consumption of alcohol from responsibility for its actual sale (Cape York Justice Study, 2001, Vol. 1, p. 51).*

In 2002, in response to the Fitzgerald Inquiry, the Queensland government introduced a policy entitled 'Meeting Challenges, Making Choices', one priority area of which was dealing with alcohol misuse. This was to be achieved by introducing new restrictions on alcohol availability; empowering Community Justice Groups to impose sanctions on community members who misused alcohol; divesting community councils of responsibility for managing licensed venues in communities; and introducing a range of measures to enhance capacity in education, primary health centre-based interventions, and treatment/rehabilitation (Queensland Government, 2002). New initiatives relating to the supply and management of alcohol were to be governed by Alcohol Management Plans devised through a consultative process on a community by community basis.

An evaluation of the new policies conducted in 2005, three years after the policies were introduced, reported mixed findings. It noted that new restrictions on alcohol availability had taken effect in 18 of 19 communities targeted by the reforms and that, overall, there had been a reduction in assaults and injury. However, the report was critical of what it saw as poorly planned and conducted implementation of the reforms. It concluded that, while progress had been made in reducing availability of alcohol, attempts to transfer control over canteen licenses from community councils

to separate 'Canteen Management Boards' had failed, and the promised additional resources for intervention and rehabilitation had not eventuated (Queensland Government (Department of the Premier and Cabinet), 2005).

In 2008 the Queensland Government introduced further legislative changes, under which community councils would henceforth be prohibited from holding canteen licenses (Queensland Government, 2008). The practical effect of these changes was that licensed canteens ceased to operate in almost all communities. These changes were also linked to the Cape York Welfare Reforms, which have been the responsibility of both the Australian and Queensland governments. It is now the responsibility of the Office of Liquor and Gaming Regulation (OLGR), which will consider any new licence applications lodged for restricted area communities. The Liquor Licensing Division can place conditions on licensed premises in a restricted area to ensure the responsible service and consumption of alcohol. They are also empowered to determine licence conditions for existing licences and to ensure that each Canteen adheres to those conditions.

#### Alcohol Management Plans

Since their introduction from 2002, Alcohol Management Plans in Queensland have generated continuing controversy and, more recently, a legal challenge. However, two studies of assaults and injury rates, based on medical evacuations from Cape York communities, suggest that they have had a beneficial impact on health and wellbeing in these communities, with retrievals for serious injury falling to their lowest level in 15 years (Margolis, Ypinazar, & Muller, 2008; Margolis, Ypinazar, Muller et al., 2011).

Notwithstanding these trends, in December 2012 the recently elected Liberal National Party Queensland Government announced that these Community Alcohol Management Plans would be reviewed (Queensland Government Department of Aboriginal and Torres Strait Islander and Multicultural Affairs, 2012). The Reviews was to consider the following:

- Previous reviews and the evidence base regarding alcohol misuse and the causes of high levels of violence
- The strength of community leadership and capacity to manage alcohol misuse and reduce alcohol-related harm
- The effectiveness and impacts of current AMP supply and demand strategies to reduce alcohol-related harm
- The impact of AMPs on community members and regional centres

- Future strategies to manage alcohol misuse and reduce alcohol-related harm, in each community, with a view to transitioning from AMPs<sup>18</sup>.

#### **4.5.1.2 Northern Territory**

Regulation of liquor licences in remote communities in the Northern Territory has followed a very different path. Until 2015 it was the responsibility of the Licencing Commission (LC), now the NT Department of Business, or its predecessors. Prior to 2015 the LC was an independent statutory authority with extensive powers to regulate and enforce the Territory's racing, gaming and licensing legislation, and act as an independent tribunal to resolve complaints through a formal process. However in January 2015, in order to 'cut red tape and simplify processes for licensees' it was abolished (Northern Territory Licensing Commission, 2015). The aims of the Liquor Act 2012 are stated as:

*1) The primary object of this Act is to regulate the sale, provision, promotion and consumption of liquor:*

*(a) so as to minimise the harm associated with the consumption of liquor; and*

*(b) in a way that takes into account the public interest in the sale, provision, promotion and consumption of liquor.*

*(2) The further objects of this Act are:*

*(a) to protect and enhance community amenity, social harmony and wellbeing through the responsible sale, provision, promotion and consumption of liquor;*

*(b) to regulate the sale of liquor in a way that contributes to the responsible development of the liquor and associated industries in the Territory; and*

*(c) to facilitate a diversity of licensed premises and associated services for the benefit of the community (Northern Territory of Australia, 2012).*

During the period prior to the 2007 NTNER communities who wished to have a liquor licence had to apply to the LC, and demonstrate that the whole community supported the proposal. The LC then set the condition under which the licence operated.

Unlike Queensland, the NT did not develop any uniform response to its regulation of licenced clubs in remote Indigenous communities. LC involvement in each licence was triggered by a complaint (most often from police), or an application to vary trading conditions from the licensee. The LC has then used the provisions of the Liquor Act and its established due process to address the issues before it.

Through this event triggered supervision process the LC addressed similar issues in each community. The principal elements that have arisen, and over which the LC has made decisions, are:

- Whether the licence permits take away sales;
- Trading days and hours;
- Limits on the volume any individual is allowed to purchase per day;
- Stipulations intended to slow down patrons' drinking by limiting the number of drinks they can have in front of them at any one time;
- Limits on the products sold – a limitation to beer in the beginning, and this has progressed to light and mid-strength beer only;
- Requirements for training for management, bar staff and security staff.

The general trend has been for progressively tighter requirements. The case study below presents a summary of the dealings of the LC with one club (extracted from the hearing documents made available by the (then) Alcohol Policy and Strategy Unit). It demonstrates the ongoing series of complaints and responses, and shows the interaction between the efforts of the licensee and the LC. These excerpts are drawn from interactions that took place between 2002 – 2009.

**CASE STUDY 2002 – 2009 LICENSING COMMISSION INTERACTIONS WITH ONE COMMUNITY LICENSED PREMISES**

**Sept and Nov 2002 – Complaint from police – list of 41 incidents:** Heard Jan 2003

- Lack of trained security resulting in excessive intoxication
- Lack of enforcement by Nominee of licence conditions
- Nominee permits staff to drink excessively for several hours after closing
- Nominee and executive fail to respond to community concerns
- Patrons are served well past point of intoxication

Led to following licence conditions

- Employ non local security personnel: Mon – Wed – 2; Thurs – Sat 3
- Nominee shall be present bet 5 – 7 every trading day
- Cooked finger food available – 6 – 7pm and free of charge, enough to cater for everyone
- 6 – 7pm not more than 1 cup of beer per patron at any one time
- Club will close for funerals and ceremony
- Staff drinks are prohibited
- Club will be closed on Wednesdays – trial for 6 months (references Tennant Creek experience)

**Feb 2003**

Request by the local government to suspend closure of the club on Wednesdays:

- Being done in isolation was causing problems at other clubs
- Closure during the consultation for the AMP was causing confusion
- Community was not consulted and did not agree to the Wed closure
- Wed arvo exodus to other drinking venues might see a fatal accident
- Wed arvo was seeing high absenteeism as people were driving to other places.

Request denied

**July 4 2005**

Clubs requested change in T/A hours to 5 – 6.30. Aim to stop people getting their takeaway before Club opening time because patrons are arriving at the Club already intoxicated. Granted, but changed to 4 – 6pm, with all alcohol having to be purchased and removed by then. Change to make them uniform with other clubs.

**Sept 2005**

Director of licensing brought 4 complaints on Dec 2004: 2 about serving people while they were intoxicated. 2 about fitness of person to hold the licence. Both dismissed due to circumstantial evidence.

However Commission noted its concern: 43 '*about the obvious relationship between persons drinking at the Club and domestic violence, suicide attempts and other callouts attended by Police and Clinic. The general tenor of the evidence before us seems to support the conclusion that most of the problems within the community on the nights when the Club is open involves a person or persons who have earlier been drinking at*

47: To this end we formally request a written report from the licensee within 3 months of the date of this decision documenting what steps the licensee has taken and intends to undertake to address the problem of binge drinking at the Club and to assist in bringing about a change to social drinking.

Not made a license condition. Notes that they will visit after they receive report to talk it through.

**June 5, 2006**

Licensee requested a hearing in order to:

Variation of the license condition to prohibit the sale of heavy beer on licence. Trial for 6 months and to be reviewed.

Reasons: 8 high rates of suicide and many of the deceased having high blood alcohol levels – 94 attempted suicides from Nov 2004 – June 2006 and 6 successful. Connection between high rates of alcohol related harms and nights on which the Club is open.

Request accepted: Notes that if problem drinkers migrate to other clubs they may have similar conditions imposed on them.

**Sept 2009**: Hearing into several complaints: ‘Numerous breaches over Oct – Nov 2008:

- Underage drinking on the premises
- Serving people who are intoxicated
- Only 2 non local security staff when licence requires 3’

Nominee did not contest complaints.

Despite the NTNER licence conditions the club still regularly experiences the following:

- Intoxicated patrons on premises
- Patrons regularly trying to have more than 6 cans
- Patrons regularly trying to have more than one can in possession
- Patrons regularly attempting to stock pile cans
- Patrons regularly trying to take cans out of the premises

Club has tightened up the ticket system – security issuing tickets, creating server lanes so serving is more orderly, put signs around with the rules, put in camera surveillance. Nominee made point that if the LC suspended the licence they needed to make sure that the patrons understood why, and that what they try to do is serious, and leads to club closure.

26: *‘Whilst the Club Committee have generally been disinterested in trying to improve the culture binge drinking at the Club, various measures and in particular the full strength beer ban imposed by the Commission did result in a significant improvement in patrol conduct at the Club and a decrease in after hours police call outs. More recently however, there appears to have been an increase in binge drinking at the Club despite all of the restriction imposed in the licence conditions’.*

27: *‘The Commission is now presented with the information that the trading conditions at the Club appear to be at best, not conducive to the socialising of alcohol in a community friendly manner, or at worst, a debasing swill by those hardened to over consumption. The Commission is presented with the unedifying spectacle of many drinkers not so much enjoying the occasion as drinking to get drunk.’*

Commission imposed a 4 day suspension, and required that a photo id system be introduced to curb accessing more than 6 cans. Considerable discussion on ways to make ‘the ticket’ system more effective in limiting people to 6 cans.

Commission members to visit to explain their decision and ramifications to Committee and other stakeholders.

The above example demonstrates the dialogue between the LC and one particular licensed premises. It is clear that the Commissioners are trying to arrive at conditions that will help to create a safe and responsible drinking environment – which was part of their role as described by the Liquor Act 2012.

Whilst it is clear that the LC endeavours to achieve its mandate in the remote context, there are also examples of cases where it accepted more high risk practices than would be tolerated in an urban environment. The following example is from 2002, and is the response of a Commissioner to a complaint by the police that the nominee was selling take away liquor to people who did not hold the appropriate permits:

*Because the law allows for any person or group to seek a liquor licence and because the Commission appreciates that the management skills of licensees in most communities need time to develop, we are inclined to allow, at least initially, a lower hurdle for Aboriginal licensees. We don't turn our minds as to whether our attitude is discriminatory. We simply believe it is necessary to provide an opportunity for local management of what can be a valuable community resource (Northern Territory Licensing Commission, Reasons for Decision, X Sports and Social Club, Darwin, February 2002).*

The Commissioner here refers to the club as a 'valuable community resource'. This point of view also has reinforcement in the Liquor Act which sets out aims to contribute to the responsible development of the liquor industry, and to promote licenced premises to the benefit of the community. The following excerpt is part of the same decision:

*'The Commission and myself spend many hours embroiled in the alcohol debate. Much of the debate revolves around the excess consumption of liquor by Aboriginal people. There are many people, both Aboriginal and non Aboriginal who argue that there should not be clubs on Aboriginal communities. There is research published by academic institutions that grimly details the deleterious effects of some clubs or so-called wet canteens. Nevertheless the Commission continues to defend its position and continues to approve licensed clubs in communities because the law allows Aboriginal people to seek such clubs as a matter of community choice.*

*The Commission sees no value in prohibition. Indeed we are amazed it has advocates. There are Aboriginal clubs that are well managed, and have been so for extended periods (Northern Territory Licensing Commission, 2002).*

The issue which confronted the Commissioners of the LC is one of balance – what price is reasonable for a community to pay in order for its members to have access to

alcohol? At times the LC appears to come down strongly in favour of the right to access alcohol:

*19: ‘ We have considered the whole history of these particular licensed premises, the health concerns expressed about the X<sup>19</sup> children and the more general concerns about the impact of liquor on X Communities. We have heard the strong submissions put forward by other complainants that the licence breaches and general history of the Club are sufficient reasons to cancel the licence.’*

*20: Had there been no change in management following the numerous breaches of licence in 2004 cancellation of this licence would have been highly likely. Whilst the change in management has not been without its difficulties and with full acknowledgement of the licence breaches on 4 separate occasions in 2005, we have reached the conclusion that the penalty imposed against the Club should not be the ultimate penalty of cancellation of their licence. We reach this conclusion after careful consideration of many significant factors.’ (Northern Territory Licensing Commission, 2005).*

The dilemma of the LC in trying to find a balance in regulating licenced clubs has been noted in the research literature. As researchers from Curtin University commented, many Indigenous people drink in settings which permit lower standards of behaviour and higher levels of intoxication (Bourbon, Saggars, & Gray, 1999, p. 20). Because Indigenous social clubs are in effect small-scale ‘Aboriginal pubs’, they are at risk of these lower standards and higher tolerance of poor conduct. In 1999 Bourbon, Saggars and Gray found that many licensed Aboriginal canteens and social clubs were poorly maintained rugged structures of corrugated iron and concrete floors and that that club managers appeared to be unaware of the influence of poor amenity on patrons’ behaviour.

Since that time the managers of social club premises have tried to create better environments with outdoor garden areas, barbeques, and areas that can cope with influxes of visitors. The (now closed) Tyeweretye Club in Alice Springs and the Gunbalanya club were cited as examples of such positive developments (Bourbon, Saggars, & Gray, 1999, p. 21). At the time of this research all clubs were pleasant places with good amenities.

The 2007 NTNER Act made some changes to the conditions covering licensed social clubs that are described in the Introduction of this report.

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<sup>19</sup> The name of the community has been removed for reasons of confidentiality.

#### 4.5.1.2.1 Ideas for Sports and Social Clubs: Creating Safer Drinking Environments – a guide published by the Living with Alcohol program (1996)

Despite an absence of any over-riding policy approach to licensed clubs in remote Indigenous communities in the NT, there was an attempt to foster better management practices. In 1996 the Living with Alcohol program published *Ideas for Sports and Social Clubs Creating Safer Drinking Environments* (Hunter & Clarence, 1996). This was the first (and still is the only) published document about the role that licensed social clubs can play in creating safe alternatives to drinking away from the home community. It is in effect a best practice guide to running a licensed club.

Social clubs are described in the guide as being:

- a means of keeping people in the community to consume alcohol in a safe environment (harm reduction); and
- a means of creating income to be shared by the community for community projects (social enterprise).

*Ideas for Sports and Social Clubs* sets out the basic principles of responsible service and management of a licensed social club and makes the following recommendations:

##### Governance:

Club committee: The club committee or club management is responsible for supervising all operations of the club. Some committees are made up of serving members of the community council. The guide recommends regular community meetings to deal with issues concerning the operations of a club.

A House Policy: this outlines the club's practices, procedures and conditions, summarising the Code of Conduct and the Code of Practice (see below).

##### Signage:

Clubs should display regulation signs saying they are not allowed to serve intoxicated or underage drinkers. They need to display the name of the licensee, the hours of opening, and the conditions of the licence.

Management:

##### A Code of Conduct:

A code of conduct is a list of publicly displayed rules for patrons about behaviour in the club. This can include listing banning orders for alcohol-related offences; dress requirements; no spitting; no racial taunts; no arguing; no fighting; no re-entering premises drunk; no aggressive threats etc.

##### A Code of Practice:

A code of practice is a list of publicly displayed rules for staff and licensees about selling and drinking alcohol in the club. This can include the penalties for staff who

break the rules of alcohol service, such as serving drunks or providing book-up when it is prohibited; lists of acceptable trade practices such as promotions, happy hours etc.; unacceptable practices such as multiple free drinks; promotions encouraging excess; and it should set out the club's safe transport policy.

Underage drinking:

Staff should ask for proof of age if necessary. Club rules should explain how to deal with underage drinkers and accompanying family members.

Working environment and staff morale:

There should be enough staff and supervision for the premises, and staff should have access to regular training and regular staff meetings.

Managing intoxication:

Proper training teaches staff how to recognise when a person is drunk and how to deal safely with them. For example staff can: ensure another staff member is close by; show concern for the safety of the drunk person; speak to them privately; be polite and non-judgmental; arrange for transport or help home; call the manager or police if the situation becomes hard to handle. The guide provides details of where accredited training courses are available.

Security staff:

Their role is to prevent drunk or underage people from entering, to remove troublemakers. Trained crowd controllers are now regulated by the industry. They should have identifiers such as arm bands, uniforms. The guide recommends keeping an incidents book documenting fights etc. that occur in or near the club.

Harm reduction:

Venues are encouraged to charge a cheaper price for light (low alcohol) beer.

Provision of coin-operated breath testers (breathalysers) – these allow customers to measure their breath alcohol levels. They are useful as a guide to safe driving and also as an educational tool.

Education programs can be conducted on the premises, run by the police or health staff, concerning blood alcohol levels, safe and unsafe levels of drinking.

Entertainment and environmental factors:

The guide mentions the importance of good lighting and ventilation, seating, comfort for customers, spaciousness, no crowding, the provision of games and entertainment

such as pool, darts, TV screens, juke box, bands and family entertainment. The use of plastic drinking cups or non-glass containers is recommended.

Food:

Food slows down the effects of alcohol and makes money for the venue; salty snack foods should be avoided; self-cook BBQs are one way to make money; proper meals with meat and vegetables. Wine could be available if served with a meal in a bistro or dining area.

Safe Transport:

Have a policy on safe transport home. Discourage people from driving after drinking. Provide a bus or 'Sober Bob' program. Provide free soft drinks to designated drivers.

Limits on availability:

Clarence and Hunter (1996) provide examples of the restrictions and rations in place at different clubs. These include maximum daily beer rations, takeaway limits for individuals, and rewards for those who drink light beer.

With hindsight, we can see that several important issues were not covered in the 1996 *Ideas for Sports and Social Clubs* publication. These include:

- necessary criteria to be met before establishing a club
- the discussions that must be had before a social club is introduced, such as honest consideration of the advantages and disadvantages, how to access governance support and advice, and whether there is a sunset clause for the club
- a community in which a club is proposed should be able to demonstrate that it has sufficient social capital to make such a venture work safely (that is a functional local board, a literate, cohesive community with employed people, good school attendance, functional services such as health
- advice about how to manage breaches of rules (for example, options for temporary banning orders, and how to enforce them)
- options for managing and distributing revenue from sales of alcohol and food; introducing some checks and balances
- alternative mechanisms for social clubs to raise funds (for example sales of non-alcoholic drinks, coffee and by providing proper meals)
- governance matters (for example the composition of social club committees, fit and proper person checks, their powers, overarching supervision).

Response to the publication of Ideas for Sports and Social Clubs

This guide was distributed to existing Aboriginal licensed clubs at the time, although it appears that there was no specific follow-up in the form of workshops or any formal

'roll-out' of the ideas in it. It does not appear that Aboriginal social clubs have ever been audited for harm and risk reduction, or for the application of principles of best practice such as those listed in the guide. However, for the duration of the Living with Alcohol Program (1991-1997), program staff visited clubs in any community they were in, and there were attempts to conduct alcohol awareness in clubs. Even if there was some activity at the time or immediately following the production of *'Ideas for Sports and Social Clubs'*, there are frequent changes in staff and committee memberships in communities. Any form of on-site training, alcohol awareness or skilling-up club managers or committee members needs to be conducted regularly to account for this.

A recent list of venues promoting a Sober Bob program (promoting a designated driver, which is one of the recommendations in the guide) shows only three Aboriginal social clubs out of eight potential sites. As at 2012, the three clubs with a Sober Bob program are: Milikapiti Sports and Social Club, Pirlangimpi pub and Peppimenarti Club.

#### **4.5.1.3 Recommendations from other research reports**

As mentioned above, very little research has been done on beer canteens and licensed clubs. However a review of liquor licensing regulation across all states and territories and Indigenous Australians by Curtin University in 1999 recommended, with respect to beer canteens and licensed clubs:

- That, where it does not occur, all licensed club managers ensure compliance with laws regarding responsible service of alcohol;
- That, where it does not occur, licensing authorities assess whether applications for new club licences are likely to affect nearby dry communities. Residents of those communities should be notified of the application and representatives of licensing authorities should solicit opinions of those residents in addition to opinions of residents where clubs will be located;
- That a review be conducted into the contribution of social club profits to basic community infrastructure; and
- That, where it does not occur, liquor licensing authorities should investigate ways to support communities wishing to undertake research into the health and welfare impacts of clubs (Bourbon, Saggars, & Gray, 1999, pp. 41-42).

This project was funded by the Commonwealth Department of Health and Family Services, but it appears that these recommendations made in 1999 were not acted upon.

#### **4.5.2 Making the decision to have an alcohol outlet**

Alcohol control is a highly divisive issue in any community (in Sydney's Kings Cross for example), but it is particularly so in smaller Indigenous populations of relative isolation. Decisions about alcohol inevitably touch on a range of community factors

such as the composition of families, leadership, power, social cohesion and demographics, not to mention the personal consumption habits of influential individuals. A community's control over itself can be 'gutted by inter-family feuds and other historical conflicts', any of which may be sufficient to disable a community from reaching a consensus, as Alaskan researchers noted (Lonner & Duff, 1983). As described above, many communities have a long history of different measures being tried with varying levels of success and enforcement. Others are too divided to organise themselves well enough to make workable decisions.

When licensed social clubs or canteens were first instigated in Aboriginal communities in the 1970s and 1980s, there was little or no attempt made to assess how prepared people were to manage such facilities, to assess whether people had a good grasp of the different options available to them, or were equipped to deal with the inevitable conflicts brought by vested interests, let alone cope with the potential for disruptive alcohol-related behaviours. Rudimentary 'votes' occurred in some instances and community meetings took place in others – which often resulted in sizable pockets of disgruntled residents (usually women) feeling that their views had not been heeded. Women seem not to have supported the establishment of licensed clubs in communities.

Discussions around local controls over alcohol inevitably pit the victims of alcohol-related violence (usually women and the elderly) against the offenders, who are usually young and middle-aged men.

Some communities find decision-making around alcohol control relatively easy, while others find it more difficult. Some, such as Elliott, have in the past successfully conducted opinion polls or votes on different options, and the (largely Aboriginal) population has retained a high level of activism and local control (Walley & Trindall, 1994). It is perhaps useful to list the attributes most likely to predict successful decision making:

- A secure, activist and strong community council
- A council which is not itself typified by abusive use of alcohol
- Consolidation or unanimity, among all community power bases
- A population marked by stability in terms of racial composition, migration, economy, goals and rates of problems
- A community desire and ability to identify problems, set goals, establish priorities, establish solutions and take action as a community
- A history of other difficult goal-directed actions taken which indicate that the community can exercise self-control (Lonner & Duff, 1983, pp. xi-1).

These attributes were listed in the context of communities in Alaska deciding on local options, but they have universal application. One difficulty confronting Aboriginal

communities in the Northern Territory is the advent of the Shire system of local government and the dissolution of local community councils. How can communities mobilise local opinions and views about existing licensed social clubs in the absence of a local representative body such as a council?

Apart from the need for stronger local government to enable proper debate and transparency in decisions around local alcohol licenses, in Canada the First Nations communities had access to ongoing advice. In communities in Ontario with special licences, their band councils sought the support of a provincial alcohol research and training organisation, as well as a federal government Indigenous alcohol and drug program, to help them with expert advice and background research and to provide them with long-term support in their alcohol management arrangements.

#### **4.5.3 Alcohol Management Plans**

AMPs are simply locally-negotiated plans designed to help communities manage alcohol use and cut down on harms affecting their residents. They take a more holistic approach to reducing crime and violence than a Liquor Accord (which concentrates on managing restrictions and related problems around licensed premises; cf Fleming (2008, pp. 22-25)).

Alcohol Management Plans (AMPs) have been in place in Queensland for several years (since the mid-2000s) and have been discussed and drawn up in the Northern Territory since around 2006. They have also been in place in Western Australia, for several years. There is only one AMP in place in New South Wales and that is in Bourke.

The relevance of AMPs to this literature review resides in the fact that an AMP may include a proposal for a new licensed social club or, if a community already has such club, the AMP may nominate harm reduction provisions that relate to that club. In November 2012 FaHCSIA circulated a series of draft Minimum Standards for Alcohol Management Plans in the Northern Territory, inviting comments. The draft minimum standards include setting out the principles that AMPs should be developed and discussed through local consultations with stakeholders (including drinkers and non-drinkers), and that their purpose is to reduce alcohol-related harm. If a community has a licensed social club then the minimum standards document states that the AMP should nominate the hours of sale, types of alcohol sold and amounts permitted to be sold. It should 'specify measures to encourage responsible drinking and discourage binge-drinking'. The AMP should also consider strategies involving any local liquor supply in close proximity to the community concerned, and where possible should engage with the manager of such an outlet (Minister for Families Community Services and Indigenous Affairs, 2013).

In the latter instance, it is possible that this more formalised process of constructing an AMP which has the support of government or other agencies, may give a

community additional leverage in their dealings and negotiations with managers of relevant nearby liquor outlets.

## **4.6 Research literature on Aboriginal licensed social clubs**

Most of the research cited here was done prior to the year 2000. It therefore presents findings about the clubs and canteens from the period when they operated with little supervision. Indeed the findings referred to below contributed to the increased regulation that has since been implemented.

### **4.6.1 Consumption patterns**

D'Abbs examined apparent per capita consumption in 1994-5 for seven of the eight NT communities with licensed clubs, using purchase into store figures from the Liquor Commission and population estimates. The figures showed high consumption levels in all but one of the communities. Consumption in communities with clubs was reported to be 183 per cent higher than the NT level – which in itself was 32 per cent higher than the Australian average. People were drinking the equivalent of 5.8 standard drinks per day for female drinkers and 9.3 per day for male drinkers (d'Abbs, 1998, pp. 681-682).

These data suggested to d'Abbs that having a social club keeps consumption at a steady, high level, with people drinking more frequently, rather than the irregular, explosive binge drinking pattern that characterises much Indigenous drinking in towns.

In Cape York canteens there is also evidence of extremely high levels of consumption. Martin, using sales data, estimated per capita consumption of alcohol by persons aged 15 and over in four Cape York communities in 1996/97 to be between 35 and 43 litres of absolute alcohol per year. The corresponding figure for Queensland a whole (in 1992/93) was 10.9 litres, and in Australia as a whole 9.03 litres. In other words, per capita consumption levels in Cape York communities appeared to be more than four times the national average. As Martin points out, these figures suggest that virtually all drinkers in these communities, on average, are consuming alcohol at extremely hazardous or harmful levels (Martin, 1998).

This estimate also includes consumption related to alcohol that was purchased through sly grogging, as well as at the canteen. It is not possible to measure consumption solely from alcohol purchased through the canteens, however it is likely to be very high.

These consumption figures are also drawn from the era before the tightening of licensing conditions that has been occurring since 2002 in Queensland. It is therefore likely that consumption levels have declined since this data was collected.

#### **4.6.2 Health impacts**

Health impacts are driven by two factors – those that accompany acute intoxication, primarily trauma; and health effects of chronic high consumption. Any discussion of health impacts of clubs and canteens must acknowledge that it is difficult to tease out the impacts of alcohol consumed at the licensed premises, and that consumed as illicit or 'sly grog'.

The results of long term high consumption of alcohol are well documented. Given the level of consumption documented above, it is no surprise that research in communities with clubs has found evidence of high levels of alcohol related harm. One study in an NT community with a club found that the long-term consequences of high-level consumption to be elevated liver function tests, and higher risks of insulin resistance, hyper-lipidemia, impaired glucose tolerance and diabetes (Hoy, Norman, Hayhurst et al., 1997).

A study of health indicators in Cape York Health Service District (HSD) presented disturbing data on the extent of alcohol related violence, and concluded that the rate of hospital separations for interpersonal violence in Cape York HSD increased from 692 per 100,000 in 1993/94 to 901 per 100,000 in 1998/99 (Martin, 1998). Further, Gladman et al (1997) studied injury in five Cape York communities and found that, far from encouraging responsible drinking, the daily pattern of alcohol-associated injuries was influenced by canteen opening hours and drinking days following the payment of pensions and CDEP. Days of canteen closure and low attendance had low numbers of alcohol-related injuries. Overall and age-pecific injury rates for a community with a canteen were double those in a community without a canteen. The study found that over 50% of all injuries, and 88% of all assault injuries, were associated with alcohol. Furthermore, injury patterns were clearly related to the cycle of Community Development Employment Project (CDEP) and Social Security payments, with high rates on payday and the day following, with a marked decline on Sunday when the canteen was closed (Gladman, Hunter, McDermott, et al., 1997).

Fitzgerald also gives details of research on foetal alcohol syndrome (FAS), and points out that with such high levels of consumption it is highly likely some people born in community with these levels of consumption will exhibit symptoms of the syndrome (Cape York Justice Study, 2001).

#### **4.6.3 Economic impacts**

High levels of consumption mean that a considerable amount of money is being spent purchasing alcohol. D'Abbs calculated the total beer sales in the seven NT clubs in 1994/95 to be 882,259 litres. Using an estimated cost per can of heavy and light beers he suggested that more than \$8million would have been spent across the seven communities during the year (d'Abbs, 1998). This is in a context in which average

incomes are low. With this extent of spending on alcohol it is likely that the ability to purchase other vital commodities such as food is affected.

In the NT the advent of the Basics Card in 2008 has meant that much less money can be spent on alcohol for many residents of communities with clubs.

#### **4.6.4 The rationale for having clubs and canteens in remote Indigenous communities**

As well as addressing the health and economic impacts of canteens and clubs the research considers the arguments for and against having licensed premises in remote Indigenous communities. There are three main arguments that have been used to support proposals for licensed social clubs in bush communities:

- Clubs promote civilised drinking patterns and ‘teach’ moderation
- Clubs prevent drinkers from leaving home communities to seek alcohol elsewhere
- Clubs keep revenue earned from alcohol sales within the community, for community use.

##### **4.6.4.1 Clubs “promote civilised drinking patterns”**

When beer rations, canteens and social clubs were first introduced into Aboriginal communities from the mid-1970s there were little if any attempts to ‘teach’ people ‘how to drink’, to introduce people to different types of alcohol and what they consisted of, or to engage in any formal ‘instruction’. Drinkers were provided with (usually) a ration of beer, and it was assumed that the limited quantity alone would succeed in producing moderate or ‘civilised’ drinking behaviour (Brady, M., 2014).

D’Abbs reviewed the literature to 1998 on consumption patterns in communities with licensed clubs. Briefly he noted the following. The 1986-7 Drug Use Survey of Northern Territory Communities (Watson, Fleming, & Alexander, 1988) found that if a community had a club there was a greater proportion of drinkers, and that (unsurprisingly) drinkers tended to drink more frequently than in communities without clubs. In communities with clubs, 64 per cent of drinkers reported drinking on 4-7 days per week, compared with 31 per cent drinking that often in the communities with no clubs, and nearly 2 per cent in those where there was a permit system. In another community with a licensed club, Hoy et al (1997) found that 85 per cent of males and 25 per cent of females were current drinkers, 90 per cent of them consuming alcohol six nights per week, with 62 per cent of males consuming 10 or more drinks while their money lasted.

Martin (1998), who examined the canteen at Aurukun in Cape York in some detail, showed that drinking did not become more ‘responsible’ over time, and noted that

arrest rates and criminal offences escalated dramatically once the canteen was established (despite licit and illicit alcohol being available before this time). People drank to the limit of available alcohol.

At this stage we can only conclude that the research conducted prior to uniform regulation of licensed clubs and canteens in remote Indigenous communities gives no evidence that they have functioned to moderate the way in which their patrons drink, or any evidence to support the original idea that clubs would promote 'civilised' drinking patterns.

#### **4.6.4.2 Clubs “prevent drinkers from leaving home communities to seek alcohol elsewhere”**

In 1987 d'Abbs reviewed the NT Restricted Areas Legislation, which was used to prohibit alcohol from some remote communities, for the Drug and Alcohol Bureau and the Liquor Commission (d'Abbs, 1987). He addressed the often-made assertion that dry areas in remote communities are the prime cause of Aboriginal movements into towns (to drink) – and that ipso facto, if alcohol was available in their own communities, they would not travel to town.

d'Abbs observed (as have many others) that Aboriginal people from bush communities go to town for a variety of reasons, and he found that people who come from open (wet) as well as dry communities go to town and drink (d'Abbs, 1987, p. 86).

In order to try and answer the question of whether dry areas caused more Aboriginal people to drink in town and be apprehended for alcohol incidents in town, d'Abbs analysed changes in Aboriginal Protective Custody Apprehensions (APCAs), and usage of Sobering Up Shelters (SUS) in towns and in bush communities. What he found was variation between regions. In Alice Springs and Darwin there was an urbanisation of APCAs, but in the Tennant Creek region this did not occur. He concluded that in all likelihood the dry areas declarations (in the early 1980s) at certain times and places had stimulated more drinking in towns, but 'this is neither a universal nor inevitable outcome of the dry area system' (d'Abbs, 1987, p. 84).

The findings from SUS client records provided contrary findings. They showed that around 50 per cent of Darwin SUS clients came from beyond the greater Darwin area. Belyuen community accounted for the highest number of clients as a proportion of the population, but d'Abbs attributes this to Belyuen's close proximity to Darwin – only 145 kms by road or a short ferry ride away. However, it was significant that apart from Belyuen, the three communities with the highest per capita rates of use of SUS in Darwin were three communities which all had licensed clubs: Nauiyu Nambiyu (Daly

River), Milikapiti and Wadeye.<sup>20</sup> On the basis of these figures d'Abbs concluded it would be hard to argue that 'the presence of a licensed club on a community helps to reduce the prevalence of drinking in towns' (d'Abbs, 1987, p. 92).

On the contrary, d'Abbs proposed that becoming dry (and having no club) had made some communities more, rather than less attractive to live in. By example he reported that Rockhole (outside Katherine) and Bulla Camp (55km west of Timber Creek) both attracted population growth when they became restricted alcohol areas in 1982 and 1983 respectively (1987, p. 90).

A study at Yalata, South Australia, in 1981-2 also suggested that an in-community liquor licence did not prevent travel to other locations for more alcohol. Brady and Palmer (1984) were observers of the beer ration at the Yalata canteen, which had been licensed to the Lutheran church in 1968, the first Aboriginal community to be granted a liquor licence.

The Yalata beer-only canteen opened in 1969 and lasted until 1982. Although the regime changed over time, by 1981 on Mondays, Wednesdays and Fridays three cans per person were sold to those on 'the list'. Cans were unopened and could be collected on behalf of others. The system was clearly open to abuse. From 1976 when the Eyre Highway was sealed and Nundroo roadhouse opened 60 kms away, Yalata men left the community in order to purchase alcohol there as well<sup>21</sup>. While some beer was consumed by Yalata men in the public bar at Nundroo, port was the preferred drink and was purchased as takeaway supplies to be consumed at impromptu drinking camps located in the scrub anywhere along the highway between Nundroo and Yalata. Nundroo managers reported that sales of port were almost entirely to Yalata Aborigines and that in 1976 port sales amounted to approximately 60 cartons (720 bottles) per week. This was seven years after the commencement of the Yalata canteen.

The Yalata canteen however, was not a 'social club' in the ideal sense. Other than in the early years of its operation (when people reportedly had soft drinks and sandwiches as well as beer, and there were tables and chairs), the canteen was just a large empty recreation hall with a cement floor, from which the beers were given out. Whether it would have made a difference to peoples' decisions to seek more alcohol elsewhere if the canteen had been a more salubrious 'club', it is impossible to say. As Brady and Palmer document, among Yalata drinkers of the time the aim of drinking was to become inebriated, and it was difficult to achieve that state on three rationed cans of beer – although winnings at the Two-up games did allow for the accumulation

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<sup>20</sup> Two of these clubs have since closed.

<sup>21</sup> Adult (drinking age) population in 1977 was 226 according to the Lutheran superintendent; in 1981 the Census count was an adult population of 165. Estimated number of drinkers was 80 men and 20 women (Brady and Palmer 1984:32).

of more cans, and the beer – in those days – was full strength. Becoming ‘full drunk’ needed access either to more beer or to fortified wine (port).

In agreement with d’Abbs’ observations in the NT, Brady and Palmer observed that Yalata people regularly travelled to the nearest sizable town Ceduna for many reasons - to attend hospital, court, annual events and shopping. Many stayed at informal ‘half-way’ camps in or near town and several Yalata people remained there, taking on drinking as an all-engrossing way of life and becoming more estranged from their home community.

The study of injury in Cape York communities with and without canteens showed that keeping adults ‘in the community’ to drink had negative consequences. Late afternoon and early evenings were high-risk times of day for children to be injured, and coincided with larger numbers of adults drinking at the canteen. The study found that adult supervision of children was compromised by large numbers of adults drinking at the canteen, especially following paydays (Gladman, Hunter, McDermott, et al., 1997).

#### **4.6.4.3 Clubs “keep the revenue from alcohol sales within the community”**

Martin (1998) provides one of the few definitive accounts of alcohol sales and net profits, from communities in Cape York in the 1990s. He shows that considerable profits were made in four Aboriginal communities, ranging from \$100,000 to over \$1 million per year. He noted that community councils had considerable discretion over how these profits were spent. He also noted the ‘major contradictions’ between the commercial imperatives of running a liquor outlet, and the responsibilities of Councils relating to welfare, law and order (Martin, 1998, p. 4). He saw these as presenting ‘clear and irresolvable conflicts of principle’.

Martin’s data also show that while the canteen profits may remain within the community, the establishment of a canteen was implicated in a major shift in expenditure patterns in the community he studied. There was a significant reduction in expenditure on basic foodstuffs and other items from the store: a shift away from expenditure on basic sustenance to expenditure on alcohol. Children were given cash to buy takeaway foods rather than having food prepared for them, and sales of alcohol continued to trend upwards. Martin also found that having a canteen did not reduce the expenditure on illicit alcohol: in the mid-1980s an average of between \$7000 and \$10,000 per week was spent on illicit alcohol, an amount only marginally affected by the availability of alcohol at the canteen. The illicit resellers of alcohol continued to make large profits, with cartons of beer that sold in town for \$25 having a standard price of \$240 on the illicit market.

Having large funds to disburse may also trigger unrest, distrust and argument within a community. D’Abbs (1998) observed that these difficulties of governance and

concentrations of power stem from the high turnover and thus the high income generated by licensed clubs. Social and political issues include the following:

- Managers of clubs have a virtual monopoly of control over a highly valued resource
- The high levels of expenditure provide the club's managers and board members with an economic power base in a community not matched by any other institution
- Clubs in communities are subjected to much weaker accountability requirements than those of most companies
- Usually the administrative infrastructure is poorly developed, and lacks trained staff
- The populations to which clubs are accountable have difficulty enacting proper scrutiny over procedures as a result of low literacy and numeracy
- Populations are polarised between those supporting the right to drink and others who are anti-alcohol. A club allows the interests of the drinkers to take priority over those of non-drinkers in a community
- The economy of the community can become alcohol-driven, with club profits representing 'untied' grants
- Clubs can create a symbiotic relationship in which the drinkers become dependent on the club (for their social life and entertainment) and the club relies on maintaining high levels of consumption for its continued economic prosperity.
- The more successfully managed a club is, the more likely it is to become a powerful economic and political institution in the community.

While members of club committees or boards may not be able to derive personal financial benefit from the club, they do derive a personal benefit in another form: in the form of 'social power'. These less obvious and more insidious political problems of governance, accountability and financial decision-making need careful attention. It may be possible to suggest ways of avoiding the more problematic consequences.

#### **4.7 Key findings**

- There is considerable literature on strategies to reduce violence at clubs and pubs, much of which is relevant to clubs in remote Indigenous communities
- Responsible service of alcohol practices are seen as key to reducing levels of intoxication and associated violence
- Australia is alone in having clubs in remote Indigenous communities where Indigenous residents are the primary client group – Canada and New Zealand both have a system of occasional licensed for special occasions, and have

developed support for responsible practices and governance arrangements for licensed events

- The NT produced a best practice guide in 1996, however it was not well distributed, and seldom used.
- No Australian research has been done on the management and impact of clubs and canteens since the year 2000
- Existing research (prior to 2000) on the impact clubs and canteens on per capita alcohol consumption, health and economic indicators in remote Indigenous communities in both NT and QLD found high levels of negative impacts. All studies noted that it was very difficult to tease out impacts of alcohol consumed at clubs, compared to that bought elsewhere
- Three rationales are often presented as the reasons to have clubs in remote communities. They are to teach people to drink in a moderate manner; to keep people at home, as oppose to travelling to towns to access alcohol; and to keep money within community control through spending it at community controlled premises, rather than external outlets.
- Studies done on the extent to which these rationales hold true in practice suggests that residents of communities with clubs don't learn to drink in moderation and still travel to towns to access alcohol. Money is spent in communities, but spending patterns change to increased spending on alcohol and a decrease on food, and changes to take away food rather than home cooking.

## **4. Patterns of alcohol consumption in communities with clubs**

This chapter examines drinking patterns and drinking levels associated with community-based clubs, drawing on two sources of data: first, wholesale supplies of liquor to the licensed outlets under review; second, responses to some questions in the community survey. Both data sources are described in the earlier chapter on methods. Wholesale supplies are used to estimate per capita consumption by persons aged 15 years and over in community-based clubs, and to compare these estimates with corresponding estimates for the NT as a whole, and for Australia as a whole. They are also used to examine trends in sales from clubs between 2005 and 2012. Responses to questions in the community survey shed light on several inter-related aspects of the role of clubs in communities, in particular:

- Their place as a source of liquor purchased by community residents, as compared with other sources located outside the community;
- The extent to which the presence of clubs may have moderated, increased or otherwise affected drinking patterns in the community;
- Community residents' views on changes imposed on clubs under the NT National Emergency Response, in particular reduced trading hours and bans on selling full-strength beer.

### **4.1 Background: the changing context of clubs in communities**

As noted in the previous chapter, clubs and other licensed outlets emerged in a number of Indigenous communities in the NT in the 1970s, each operating under locally generated conditions. This situation changed in 2007 when, under the NT National Emergency Response (NTNER), all licensed outlets in 'prescribed areas' were subjected to new trading conditions, the net effect of which was to sharply reduce permitted trading hours and restrict sales to light and mid-strength beer only. Of the seven communities with clubs that make up the present study, all but one – Kalkaringi – are classified as 'prescribed areas'. These outlets are permitted to trade for no more than 12 hours per week, spread over four days as follows:

- Tuesday and Wednesday: 4.30 – 7.30pm
- Friday and Saturday: 5.30 – 8.30pm

(Current trading conditions incorporate some variations on these regulations, and are shown in detail in Appendix 3. One small community has voluntarily reduced its trading hours even further in light of staffing and cost issues). Warnkurr Sports and Social Club at Kalkaringi is permitted to trade every day except Sunday, for a total of

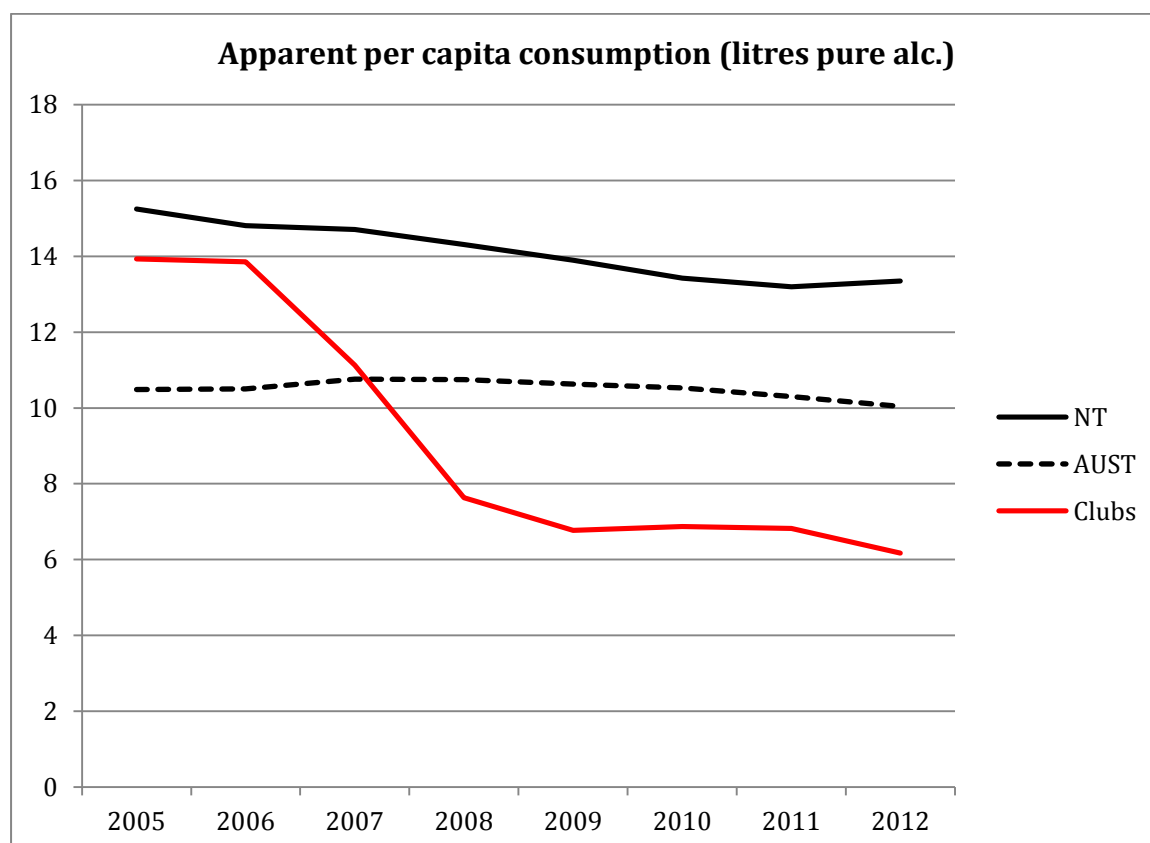
29.5 hours. It can sell full strength beer and is not required under the licence to serve meals. However, in recent years the Club has voluntarily reduced its trading hours well below the permitted level.

## 4.2 Trends in apparent per capita consumption in community-based clubs

Figure 4.1 compares trends in apparent per capita consumption by persons aged 15 years and over in clubs in communities with apparent per capita consumption in the NT as a whole, and in Australia as a whole. The figures on which the graphs are based are shown in Table 4.1.

It is important to note that the per capita estimates for ‘clubs’ cannot be taken as estimates of per capita consumption of alcohol by residents of those communities, since (a) not everyone in the community drinks liquor, and (b) not all of the liquor consumed by residents of a community is purchased at the local club. However, these figures do tell us something about the place of clubs in communities that have them.

**Figure 4.1: Trends in apparent per capita consumption of alcohol by persons aged 15 years +**



**Table 4-1: Apparent per capita consumption of alcohol by persons aged 15 and over (litres of pure alcohol)**

Year	NT (a)	AUST (b)	Clubs (c)
2005	15.25	10.49	13.93
2006	14.81	10.50	13.86
2007	14.71	10.76	11.13
2008	14.31	10.75	7.63
2009	13.9	10.63	6.77
2010	13.42	10.53	6.87
2011	13.2	10.30	6.82
2012	13.35	10.04	6.17

(a) Source: (Northern Territory Government Department of Business, 2013)

(b) Source: (Australian Bureau of Statistics, 2014) Note that ABS figures are based on financial years, while NT and the 'Clubs' figures are based on calendar years.

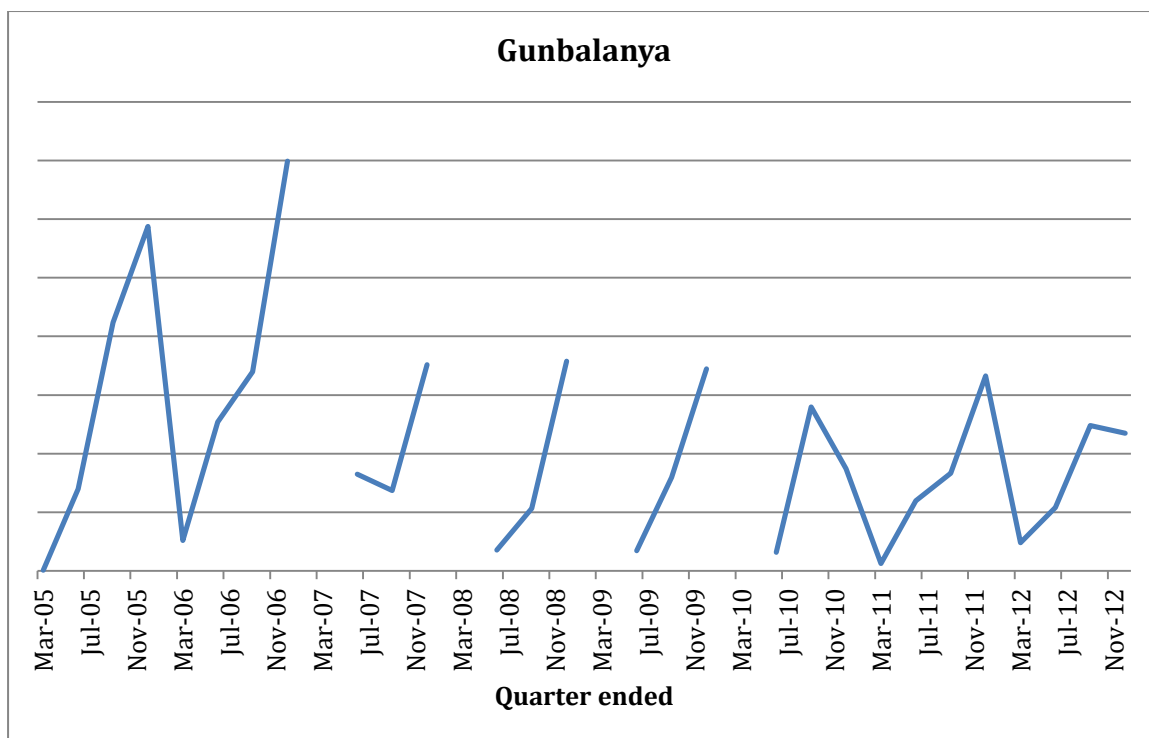
(c) The per capita estimates for clubs in each year are based on the number of outlets for which data was available in that year.

Three clear inferences can be drawn from Figure 4.1. Firstly, prior to the 2007 NTNER, apparent per capita consumption in the clubs under review was similar to the level in the NT as a whole, which in turn was almost 50% above the national rate (45.4% higher in 2005; this is a long-standing feature of NT society.) Secondly, following the NTNER, consumption at clubs in communities fell sharply, to a level significantly *below* the national average. Thirdly, since that time (at least, throughout the period covered by this study), consumption levels in clubs have remained below both the NT and Australian per capita levels.

### **4.3 Trends in wholesale supplies of alcohol to clubs in communities**

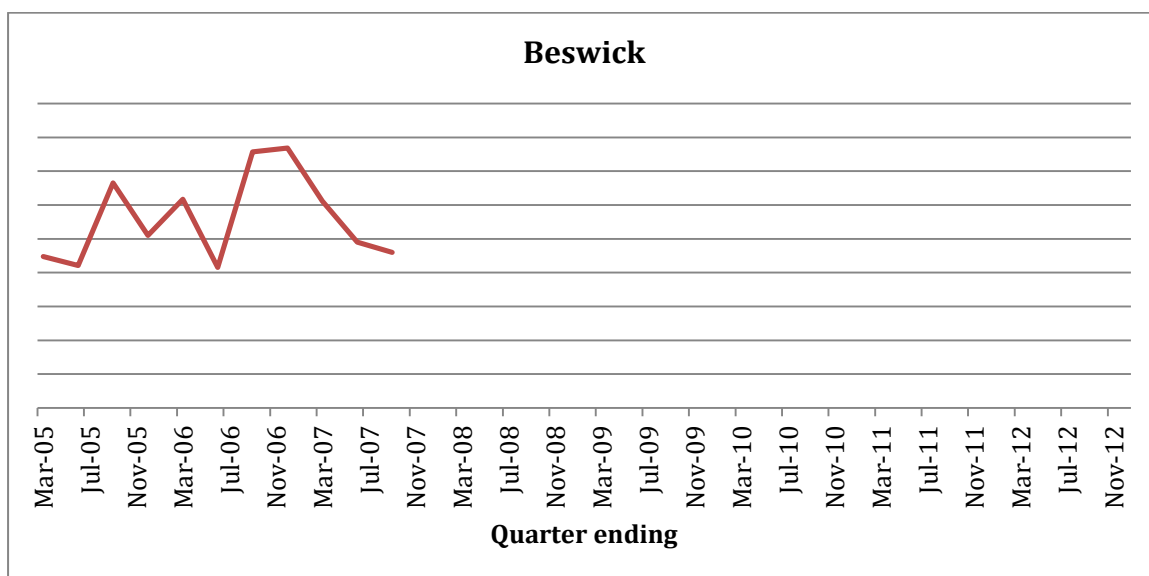
In the graphs below, trends in quarterly total alcohol supplies, expressed as litres of Pure Alcohol Content (PAC), are shown for each of the outlets. Gaps are shown. To respect commercial confidentiality, the actual amounts sold have been removed from the vertical axes of all of the graphs, leaving the graphs showing trends in sales over the period.

**Figure 4.2: Wholesale supplies of liquor to Gunbalanya Sports & Social Club (litres of PAC)**



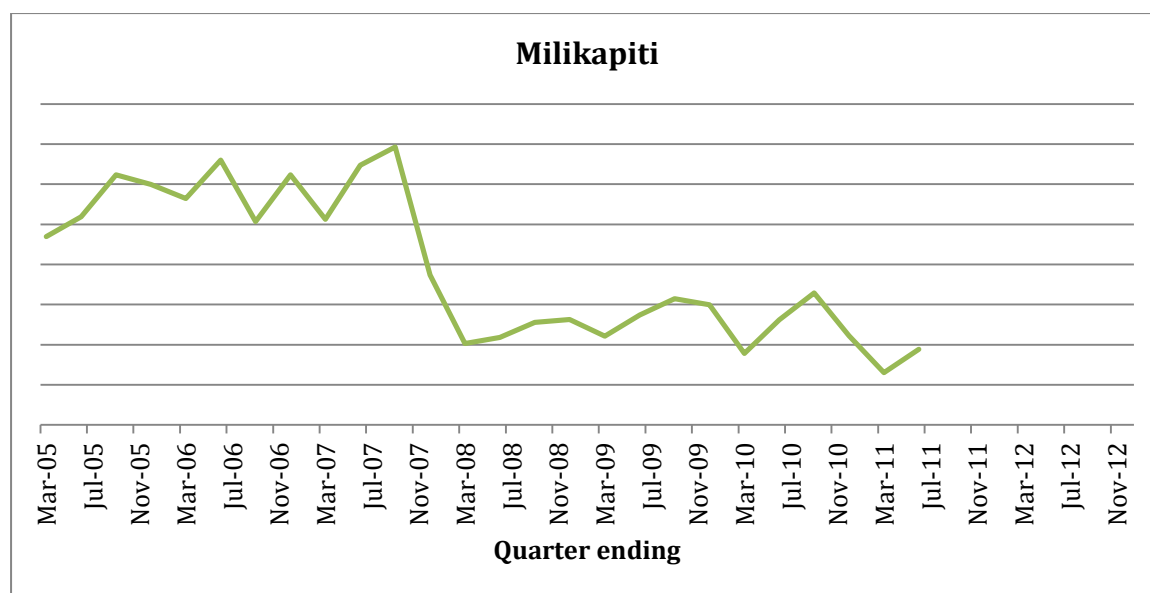
Note the sharp decline in 2007, followed by a continuing, but less marked, downward trend.

**Figure 0.3: Trends in wholesale supplies of liquor to Beswick Community Store (litres of PAC)**



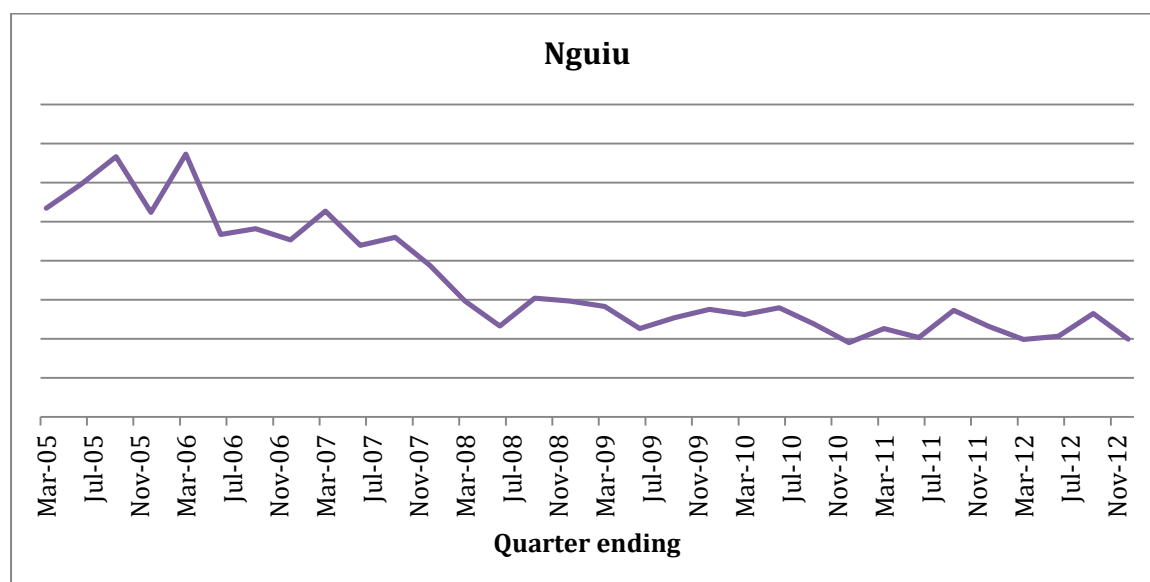
The graph suggests that sales may also have declined in 2007, but it is impossible to tell from the limited information available whether this marked a change or simply normal fluctuation.

Figure 0.4: Trends in wholesale supply of liquor to Milikapiti Sports & Social Club (litres of PAC)



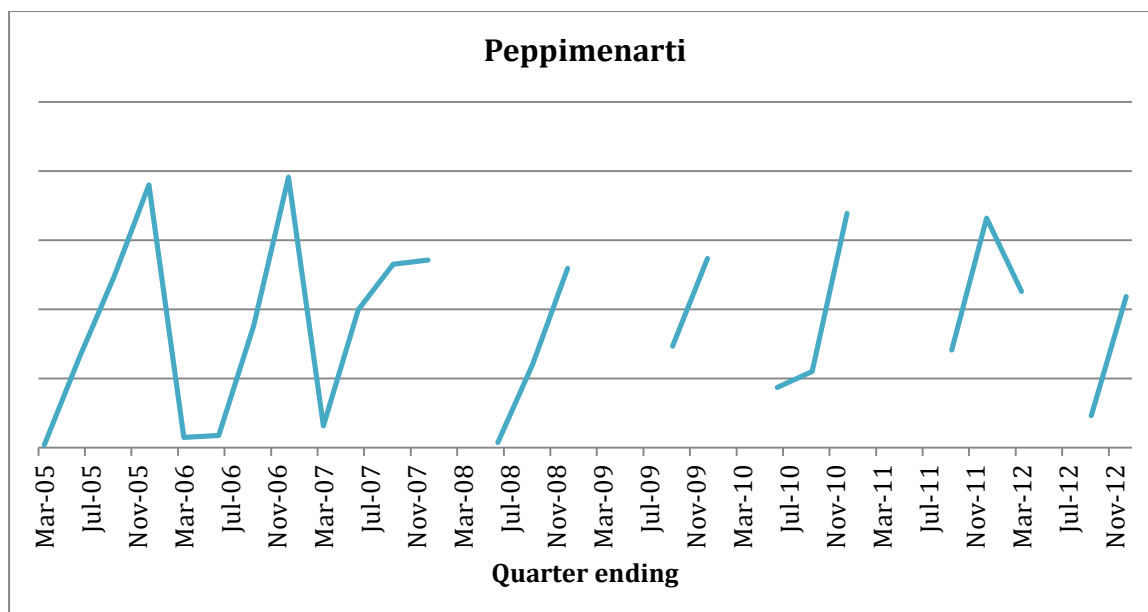
Milikapiti Sports and Social Club also shows a steep decline in 2007, to a level that was subsequently sustained, at least up till mid 2011.

Figure 0.5: Trends in wholesale supplies of liquor to Wurrimiyanga (Nguiu) Club (litres of PAC)



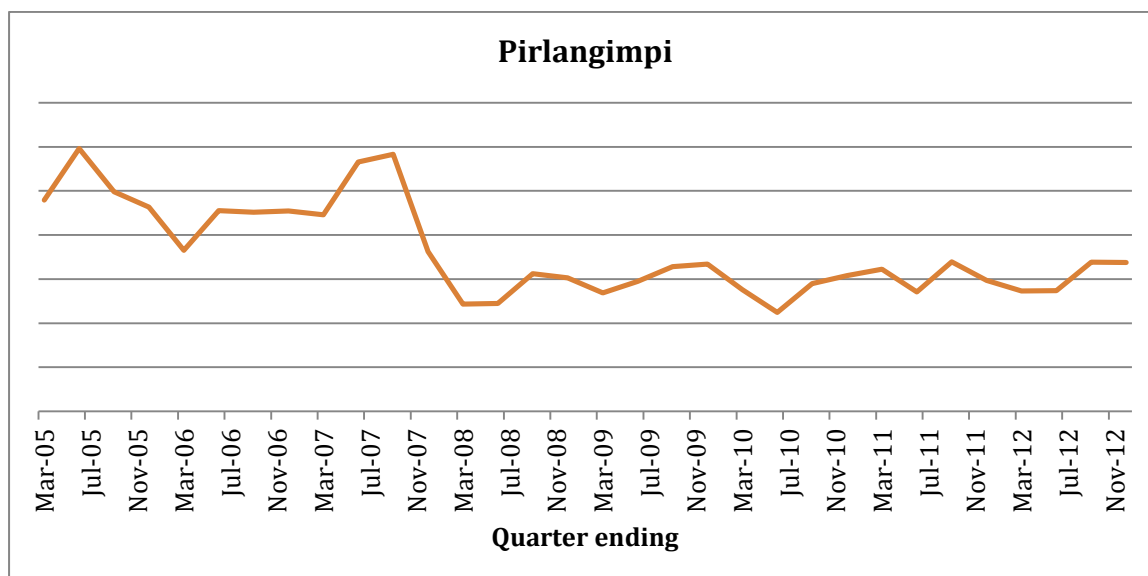
In Nguiu, too, sales declined in 2007 and subsequently remained stable. In this instance, however, it appears that the decline commenced in 2006, when the club ceased selling full-strength beer as a result of a decision by the NT Licensing Commission.

Figure 0.6: Trends in wholesale supplies of liquor to Peppimenarti Club (litres of PAC)



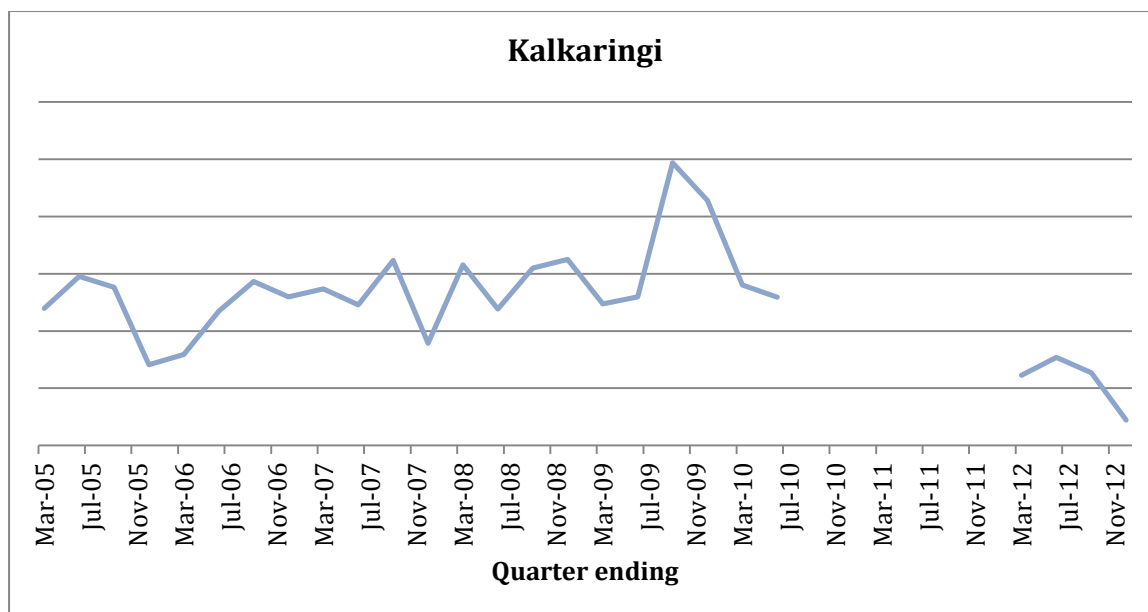
In Peppimenarti, sales post-2007 are generally below pre-2007 levels, although the decline is not great and caution is needed in interpreting the data in light of data gaps.

**Figure 0.7: Trends in wholesale supplies of liquor to Pirlangimpi Community Club (litres of PAC)**



Pirlangimpi Community Club also displayed a decline in sales in 2007, with a subsequent levelling off for the remainder of the period under review.

**Figure 0.8: Trends in wholesale supplies of liquor to Warnkurr Sports & Social Club, Kalkaringi (litres of PAC)**



This is the one club that displays a different trend to the others: there was no decline in sales in 2007. Sales appear to have peaked in late 2009, after which they may have declined, although the significant gap in records in 2010 and 2011 precludes more definitive interpretation.

Overall, setting aside Beswick Community Club where the data was not provided, and Warnkurr SSC in Kalkaringi, which displays a different trend, the remaining five outlets all recorded a significant decline in wholesale supplies in 2007 – the year in which the Commonwealth Government introduced restrictions on trading conditions under the NTNER. Moreover, the lower levels of sales post-2007 appear to have been sustained for the remainder of the period under review.

Four key changes introduced under the NTNER are likely to have combined to produce this impact. The first is the change in opening hours described above. The second is the shift from full strength to mid-strength beer. The impact of this is explored further below. The third is the abolition of take away sales from outlets that previously allowed them. The fourth change is Income Management, under which half of income received through Centrelink is quarantined from spending on alcohol or tobacco. Residents in all of the communities included in this review were made subject to Income Management. However, as we have seen, in one community – Kalkaringi – the licensed club was not subjected to reduced trading hours. This provides an opportunity to examine the impact of Income Management in the absence of other changes to trading conditions. As Figure 4.8 above shows, wholesale supplies of liquor in Kalkaringi did not decline in 2007, following the introduction of Income Management, suggesting that, in itself, Income Management may not have been as significant a factor as the changes in trading conditions.

#### 4.1 The place of licensed clubs in the community: responses from the community survey

Consumption patterns as revealed by wholesale supplies data were complemented by responses to a number of questions in the community survey that sought to explore the ways in which licensed clubs were perceived and utilised by drinkers and others in the community. Respondents were asked, firstly:

*‘If you have drinkers in your family where do they buy most of their grog from?’*

- a. The club
- b. The roadhouse
- c. Another community
- d. Town

The responses to this question indicate that the club is by no means the major outlet for many community residents, as Table 4.2 shows.

**Table 0-2: Major sources of liquor purchased by community members**

Community	N=	Most grog bought from (%)			Total
		Club	Other outlet(s)	Not stated	
1	51	1.9	96.1	2.0	100.0
2	51	60.0	30.0	10.0	100.0
3	49	22.4	63.3	14.3	100.0
4	51	35.3	52.9	11.8	100.0
5	58	48.3	44.8	6.9	100.0
6	38	89.5	10.5	0.0	100.0
7	53	43.4	43.4	13.2	100.0

The data above suggest that only two clubs supply more than half of the alcohol consumed by community members. This is indicative only, as it is based purely on self-report.

The trends revealed by wholesale supplies data, presented above, suggests that consumption in several clubs varies according to the season. In the Wet some communities become cut off, and at those times people drink more at the club. The community survey was conducted during the Wet season, which may have resulted in more people answering that they got most of their beer at the club than would have been the case if the question had been asked in the dry season.

Apart from drinking at the club, there are three other patterns of drinking for community members– permits; bringing alcohol into the community illegally (sly grogging); and buying and drinking alcohol away from the community.

#### **4.1.1 Liquor permits**

All of the communities in the study have alcohol permits as well as alcohol sold through the club. Alcohol bought through permits is purchased at a takeaway outlet (away from the community), and must be consumed at home. Different communities have different rules about whether or not the purchaser of ‘permit alcohol’ is allowed to share it with non-permit holders.

Amounts of alcohol that can be bought through the permit vary. In three of the communities in the study community members have alcohol permits that allow them to purchase either 24 cans of mid strength beer, 12 cans of heavy, 12 cans of mid-strength UDL, or three bottles of wine each week. In at least three of the other communities, the main (and in one the only) purchasers of alcohol through the permit system are non-Indigenous community residents.

Qualitative feedback suggests that people prefer to purchase alcohol through permits because it is cheaper than the club, and there is more flexibility about when you can drink it. People also appreciate the variety of alcohol that can be bought through their permits. In some communities the limiting factor is that you have to have a debit card to be able to pay for the alcohol, and many people don’t have one.

It is likely that in two of the communities most of the alcohol drunk by residents is either purchased through permits or drunk at the club. However the other five communities report considerable quantities from additional sources.

#### **4.1.2 Sly grog**

The other major source of alcohol that makes its way to the community is through sly grogging. People buy alcohol at outlets in town or at a roadhouse, and bring it to the community, or to the drinking spot. Survey respondents and police suggested that a lot of the alcohol drunk this way is spirits: *‘People bring rum home. You can’t hide a 30 pack in your trousers!’*

Police in one community reported that most of the alcohol related issues that they deal with are the result of smuggled spirits, as opposed to beer consumed at the club. The pattern is for people to bring in a bottle of spirits and drink it quickly before they get caught with it. Consequently they are very drunk and make trouble. Feedback from residents supported the perception that the stronger alcohol bought from other outlets causes trouble: *‘Cars can still come in the wet season, that’s when people get really drunk, on grog running beer[full strength].’*

### 4.1.3 Drinking away from the community

There is considerable feedback from community residents that many of the heavier drinkers in communities leave to get full strength beer and spirits from other outlets: *'Heavy drinkers and alcoholics go to town to get heavy grog like VB and rum. They go there because they can get grog more often that way. They go to town when they get paid.'*

There was similar feedback that some of the heavier drinkers have left the community for long periods: *'People have left to drink in the long grass. Alcoholics couldn't get the alcohol they need where they live, and they left. More than 50 have left.'* One woman summarised it like this: *'Alcoholic mob in town; moderate drinkers at the club.'* Some people also commented that some of those who left after the NTNER are now returning.

However many people also mix and match where they purchase their alcohol from: *'The drinkers in my family group buy most of their grog from the club but also go to the road house at least once a month to buy 15 slabs and also Bundy and then sit at the grid in the heat with the beer all stacked up in the sun.'*

Practical issues such as access to vehicles have a major impact on how often people drink at their club, and how often they go to other outlets. It's clear that many people adapt their drinking to where they are: *'I drink all over the place. Heavy cans. Then when I come back I drink light can.'*

Qualitative data indicate that the motivation behind the non-club drinking is twofold – a wish to drink alcohol other than mid strength or light beer, and the desire to drink more: *'They would like to get more drunk.'*

Clearly community residents have options about where, when and how they drink. Given this, it is interesting to consider why they choose to drink at the club when the alcohol is more expensive, there are limits on how quickly they can drink and what behaviour is tolerated. Qualitative feedback suggests that part of the reason is access. When people do not have a vehicle, and want to drink, they go to the club. However there is also considerable feedback that people like the atmosphere at their club. They appreciate the entertainment, the socialising and the food. As one survey respondent put it: *'The grid [drinking spot beyond community boundary] is boring.'*

This issue is discussed in further detail in the section on 'Do clubs function to keep their residents staying at home', below

#### 4.1.4 Impact of the club on individuals' alcohol consumption

The material above makes it clear that the club constitutes only one part of people's drinking habits. With this in mind, survey respondents were asked: *'How much grog would people drink if the club wasn't here?'*

**Table 0-3: Responses to 'How much grog would people drink if the club wasn't there?'**

Response	Frequency	Percent
<b>A lot less</b>	40	11.0%
<b>A little bit less</b>	57	15.8%
<b>About the same</b>	38	10.5%
<b>A little bit more</b>	33	9.1%
<b>A lot more</b>	134	37.0%
<b>Don't know</b>	43	11.9%
<b>No response</b>	17	4.7%
<b>Total</b>	362	100.0

The responses show a diversity of opinion, with a little under half of respondents (46.1%) thinking that without the club people would drink more. There are no significant differences between the responses of men and women, or drinkers and non-drinkers.

People who that felt that there would be less drinking without the club tended to point out the following arguments: *'If there was no club, some people would think twice about drinking, some would leave, but not the majority.'* Along these lines some respondents commented: *'I guess just get on with our lives.'* One person felt more strongly: *'People would do other things more - like go fishing and hunting. The club pulls people away from their culture.'*

Those that thought it would be about the same tended to point out that different people would respond in different ways: *'Alcoholics - about the same as they will drink anyway. Some people get the shakes and have to get to town to get grog. Moderate drinkers would drink a lot less because they would stay here and stay at home.'*

Those who thought that there would be more drinking tended to think that if there was no club people would travel to access alcohol elsewhere: *'I think more – they would go to town to the long grass. They like beer.'* Respondents reported that some would leave permanently, and others would leave for a while and return when they were sick or broke (or both). Many survey respondents also commented that people would drink more heavy beer and spirits while they were away: *'People would go to*

*families [to stay] where there is heavy grog and drink more.’ Another person pointed out that: ‘They would go to another community to drink where there is no limit.’*

There was also significant comment that sly grogging would increase: *‘They would spend the same amount of money to get more and it would be heavy and more would come into the community.’*

Many people expressed concern about family members travelling to access grog: *‘People would go right back to town, they’d be like long grass people, no good. Too many accidents, people getting lost, we don’t know where they are.’*

In thinking about the issues involved with having alcohol available in their community, some people commented that it was better to have a club than not: *‘The club holds people here’* and *‘I really hated the club before but I think now it is better to have people in the community as much as possible and not in town.’*

#### **4.1.5 Responses to changes in the opening hours for the clubs**

With the history of changes to trading conditions in mind, survey participants were asked ‘Are you happy with the opening hours of the club?’ Table 4.4 presents the responses to this question.

**Table 0-4: Responses to changes in permitted opening hours of clubs**

<b>Response</b>	<b>Frequency</b>	<b>Percent</b>
<b>Happy with how it is now</b>	187	51.7
<b>Prefer less hours</b>	4	1.1
<b>Prefer more hours</b>	156	43.1
<b>Don’t know</b>	12	3.3
<b>No response</b>	3	0.8
<b>Total</b>	362	100.0

These responses indicate that a small majority (52%) of those surveyed like the change to shorter trading hours. However a sizeable minority (43%) would like to see their club open for longer hours.

Qualitative data indicate a number of factors driving this response. The overall tenor of the comment was encapsulated by this woman: *‘Good enough, 4:30-7:30 plenty of time to drink. We don’t want Monday and Thursday [opening hours], it was imposed on us but everyone has got used to it.’* Considerable numbers of respondents who supported the shorter hours commented that the community was quieter since the

change, and they appreciated that: *'In the past, they were off drinking 6 days a week, never think about their kids, having clothes and good sleep'. And: 'Now it's running really well cos Mondays and Thursdays families having a break and time together. They should keep it going. 4.30 - 7.30 is good, they can still have their beer and come home and behave themselves and have time with family.'*

At the core of much of the feedback on opening hours is an attitude to drinking that is clearly held by some respondents – that the purpose of going to the club is to get drunk: *'Hours are not long enough – I can't get drunk.'* In recognition of this attitude some people argue that the short hours that the clubs are open each day encourage binge drinking, and longer hours would slow people down: *'Because people try to drink as much as they can in the short time available. If there were longer hours, they would slow it down a little.'* However other people's opinion was that people would drink as much as possible whatever the hours, and therefore shorter hours were preferable: *'Not longer. People jam in as many beers as possible in the time.'* In a similar vein, other people commented that the short hours gave a feeling of having to rush, and that particularly on pay days, there were long queues at the bar, which limited how much could be drunk.

Feedback on the opening hours that comes from a different angle noted that the opening hours were right across dinner time, which makes it difficult for parents:

*'The club is open between 4:30 - 7:30. I have kids and this is dinner time for them, showers and bed, ready for school. But I like going to the club, if the club was open at different times I would be able to look after my kids not get my aunty in so I can go to the club, I like my grog. I cook before I go.'*

It is quite likely that other parents also struggle to balance children's dinner time and going to the club. One non-drinker complained that she looked after a family member's children every day because their mother was at the club. This woman fed the children herself. Presumably there are some children with less supportive extended families who do not get well fed. Despite these comments researchers at all the clubs reported looking for, but not seeing, children waiting outside for their parents for more than a few minutes. In fact staff at one club commented that if they see children waiting for a long time for their parents the parents are banned.

Several people also gave their opinion that it was essentially an argument that should revolve around Aboriginal people's right to drink – even though that may bring more alcohol-related problems. They felt that no other alcohol outlets are limited to the same extent: *'We should have 5-6 days per week. Because shouldn't treat Aboriginal people any differently. 'But I know we'll have more problems' (if there is more access to grog). I don't agree with the rules imposed by the Government'*

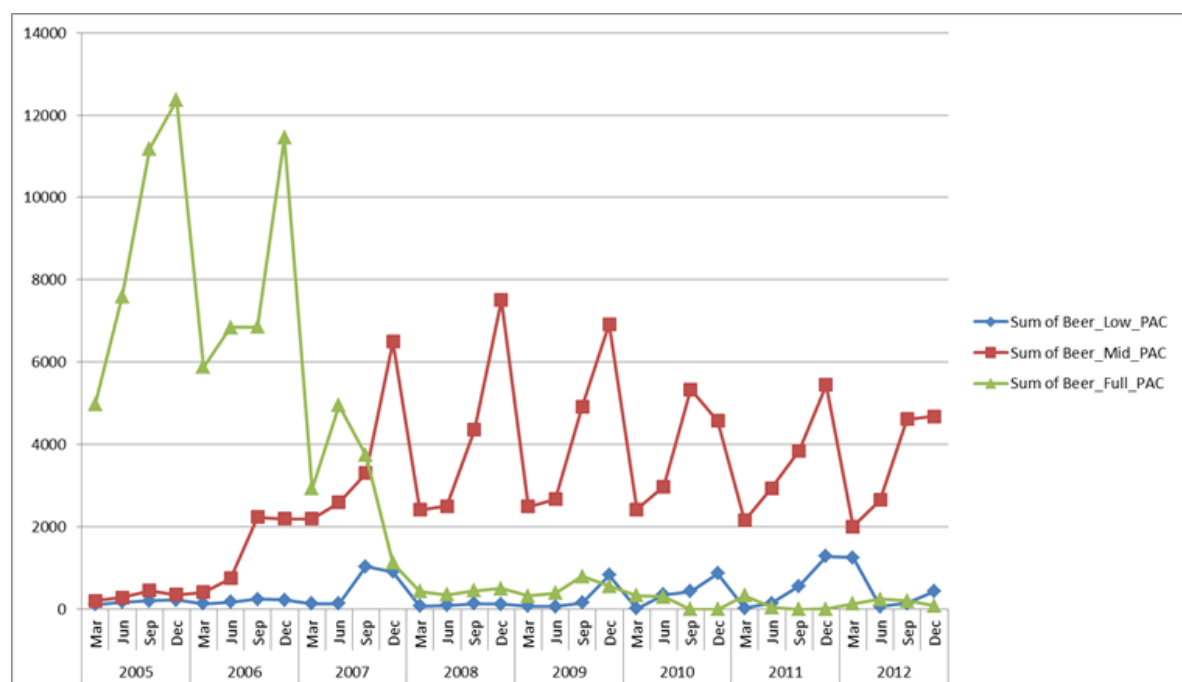
One club manager made an interesting point. He was counting the club takings from the previous night as he was interviewed, when he noted that there was a lot of coinage, which he interpreted as many of the patrons being down to the last of their money. He noted that changes in the opening hours would have limited impact on the amount of alcohol consumed because the key limitation is in fact money, not opening hours. One survey respondent corroborated this: *'Enough hours, enough days. I go to the club when I've got enough money - money's the problem.'*

There is clearly a complicated set of factors that impact on the amount of money people have to spend at the club. The discussion of the impact of Income management given above suggests that quarantining 50% of income does not impact on sales of alcohol through the club. This suggests that people put a high priority on spending their income at the club. However there must be a fairly regular limit on available funds across the whole community when the total income is taken into consideration.

#### 4.1.6 Alcohol sold by the clubs – Full strength, mid-strength and light beer

Under the NTNER, in addition to shortening opening hours, six of the seven clubs in the study had to limit themselves to selling only light and mid-strength beer, where previously full strength beer had been the preference of most patrons. The figure below presents the aggregated wholesale sales of each strength of beer, expressed as litres of pure alcohol. Missing data is not represented in this graph, and affects the accuracy of the total figures presented.

**Figure 0.9: Aggregated wholesale supplies of full, mid and light strength beer, all clubs, 2005-2012**



Source: PAC Wholesale supply, 2005-12, NT Licensing Commission<sup>22</sup>

The data show the decline in sales of full strength beer. Despite the missing data it is clear that prior to 2007 full strength beer was the main drink. Interestingly sales appear to have been declining before the introduction of the mandated change in October 2007. This is accompanied by a rise in sales of mid-strength beer. This is likely to have been partially caused by two clubs stopping selling full strength beer in 2006 because of a change in their license conditions.

However the switch to mid-strength beer continues to cause controversy, and feelings in some areas of the community run high on the issue. Survey respondents were therefore asked 'Are you happy with the sort of drinks your club is allowed to sell?' Table 4.5 below presents their responses.

**Table 0-5: Are you happy with the sort of drinks your club is allowed to sell?'**

<b>Response</b>	<b>Frequency</b>	<b>Percent</b>
<b>Yes</b>	199	59.0%
<b>No</b>	144	39.8%
<b>Don't know</b>	13	3.6%
<b>No response</b>	6	1.7%
<b>Total</b>	362	100.0

The majority of respondents (59%) reported that they are happy with the clubs switching to mid-strength beer. In contrast almost 40% said that they were not. This response is something of a surprise, and suggests that while some people are being very vocal about their displeasure with the switch, more people are quietly happy about the change.

There is considerable variation in this result when it is analysed across the communities. For three clubs in the Tiwi Islands<sup>23</sup> the result is reversed, with 54% of respondents reporting that they are not happy with the change, and 46% who are. When the Tiwi Island clubs are excluded the result swings more heavily to those who are happy with the current regime, with 71% reporting they are happy, and 29% who are not.

<sup>22</sup> Please note some quarterly data is missing. The data for 2005–6 is complete. The main impact of the missing data is in the quantity of mid strength sold from 2007-12.

<sup>23</sup> Analysis of the data for the fourth club in the Tiwi Islands has not been done due to very small numbers.

There is a small difference between genders, with women more likely to be happy than men, but this difference is not significant. There is however a significant difference in the responses of drinkers and non-drinkers, with 50.5% and 70.5% respectively reporting being happy with the change. It is interesting to note however that this still indicates that half of the survey respondents who drink are happy with the switch.

Qualitative data suggest that one of the key reasons so many respondents like the switch to mid-strength beer is that they feel that it has decreased the level of violence in their community: *'When you could drink heavy beer and as many as you liked - the ladies used to fight their husbands and the husbands would fight their wives. They would spend all their money at the club. When it went to 6 cans limit and light/medium beer there was less fighting.'*

Some people also indicated that having mid-strength meant that their community is functioning better: *'Happy with that [light beer]. We changed, we're good. The light can is real good - people used to get real drunk before and hangover, crook, couldn't go to work. Now people come to work no hangover, it's good.'*

All the police interviewed fully supported the change away from full-strength beer: *'Never go back to the heavy days. At its height the police were attending up to 30 DV incidents a month and now it is down to 5 or less.'*

On the other hand, as described above, not all survey respondents were happy, and many would like to be able to access heavy beer in their community. The following comment typifies this feeling:

*I'd love that [selling full-strength beer] - I'm a VB man - I don't drink wine or spirits. I'm too used to the heavy, the light ones don't agree with me. I get bloated. I've been drinking heavy all my life. That's why I go to town now and then. A lot of people go to town because of that - some go to town for weeks on end, end up in long grass broke and hungry. Some people from here, because after a while you get a craving. Main reason why people want light here is because of domestics[domestic violence]. But now run risk of getting caught by police and having accident getting heavy [beer]. Some people don't need heavy cans, light is enough for them.*

This man describes how he leaves the community so that he can drink heavy beer, and this is not uncommon. However there is some feedback that people who have left because of the switch are slowly returning: *'Heavies are no good. Light is much better. But when they did away with heavies lots of people went to town when they couldn't get them. They are slowly coming back now.'* And: *'the change to mid strength lost a lot of customers but they are coming back now.'*

Feedback suggests that people are becoming accustomed to mid-strength beer. In one community our researchers watched the ‘permit alcohol’ being unloaded from the barge. As described above, permits allow consumers to purchase either 12 cans of full-strength beer, or 24 cans of mid-strength beer once a week. At least two thirds of the beer purchased at this community was mid-strength, which suggests that people are choosing it in preference to full strength. Several people commented that a particular brand of mid-strength was ‘their beer’.

On the other hand, some drinkers indicated that they would like to be able to drink something other than beer. Several people commented that they don’t go to the club because they don’t like beer – they like pre-mixed spirits: *‘Should be able to get UDL lights, don’t know why they stopped that. Not heavy beer - people still get drunk alright on mids, better off keeping light otherwise people start getting violence, won’t work with heavy beers.’* And: *‘Should be UDL lights for the ladies, because there is only beer some of the ladies don’t go, better when there are more ladies in the club.’*

#### **4.1.7 The place of clubs in the community: key points**

- *Residents of communities with clubs purchase significant quantities of alcohol at other outlets as well as what they buy at the club.*
- *Qualitative feedback indicates that people drink elsewhere because they like to drink other products, and because they want to drink more alcohol than they are allowed at the club.*
- *Heavier drinkers are more likely to leave the community to purchase full strength beer and spirits at other outlets.*
- *Residents adapt their drinking habits to where they are – drinking full strength beer at some outlets, and mid-strength in their community.*
- *One of the reasons people choose to drink at their club is because they enjoy the socialising, food and options for entertainment.*
- *There was diversity of opinion on the impact of the club on individual drinking.*
- *The most common response was that if there was no club, people would drink more.*
- *People felt that if there was no club, people would drink in riskier places like the ‘long grass’.*
- *Some people commented that the club functions to keep people in their community, where they are safest.*
- *Some people would welcome the closure of the club because there would be more cultural activities like hunting and fishing.*
- *A small majority (52%) of survey respondents reported that they are happy with the shorter opening hours, while 43% would like to see longer opening hours.*

- *There was considerable comment that the shorter trading hours had led to fewer alcohol related problems in the community.*
- *Some respondents commented that it was good that the club wasn't open on Thursdays, because that is when people buy most food at the Store.*
- *Prior to the enforced switch to mid-strength beer most patrons chose to drink full strength beer.*
- *In the communities on the Tiwi Islands, 54% of survey respondents reported they that were not happy with the change to mid-strength, and 46% reported that they were happy.*
- *In the remaining four communities, 71% of respondents reported that they were happy with the switch to mid-strength beer at their club.*
- *The reasons that people like mid-strength are:*
  - *You feel OK the next morning after you've drunk it*
  - *People are turning up to work after evenings at the club*
  - *There is less trouble in the community since the switch to mid-strength (although this might be more attributable to the shorter opening hours)*
- *There is considerable feedback that people would like the clubs to be able to sell light and mid-strength pre-mixed spirits such as UDL.*

## 5 Impact of clubs on health and social functioning of the community

In this chapter we report on evidence derived from three data sources: recorded assaults in communities with clubs; alcohol-related hospital separations, collated as described above in Chapter 2, and admissions to sobering-up shelters in Alice Springs, Darwin, Katherine, Tennant Creek and Nhulunbuy from 2007-2012 inclusive. A cautionary note should be added: although indicators such as alcohol-related assaults and alcohol-related hospital separations help to map the impact of alcohol on health and wellbeing in a community, we cannot draw a direct causal link between the presence or absence of a licensed venue and trends in these indicators, since levels of assaults and hospital separations are determined by other factors apart from the local availability of liquor.

We also examine responses to three questions in the community survey that related to the impact of clubs in the community. These were:

- Do you think there would be less trouble in your community if there were no club?
- Do you think that having a club here keeps people from going to town to drink?
- How often does your family experience alcohol-related problems?

### 5.1 Recorded assaults

Assaults were classified by police using three categories:

- Alcohol involved;
- No alcohol involved;
- Alcohol involvement unknown.

For this analysis, we have used, firstly, 'alcohol involved' assaults and, secondly, total assaults.

Table 5.1 shows the number of recorded alcohol-related assaults per 10,000 resident population for the financial years 2004-05 to 2011-12, for each community with a licensed venue, as well as for the NT as a whole, and for 'NT Balance' – that is, for the NT, minus all urban centres, i.e. Darwin, Palmerston, Katherine, Tennant Creek, Alice Springs, Nhulunbuy, Alyangula. The 'NT Balance' is, in effect, the aggregate of remote settlements in the NT.

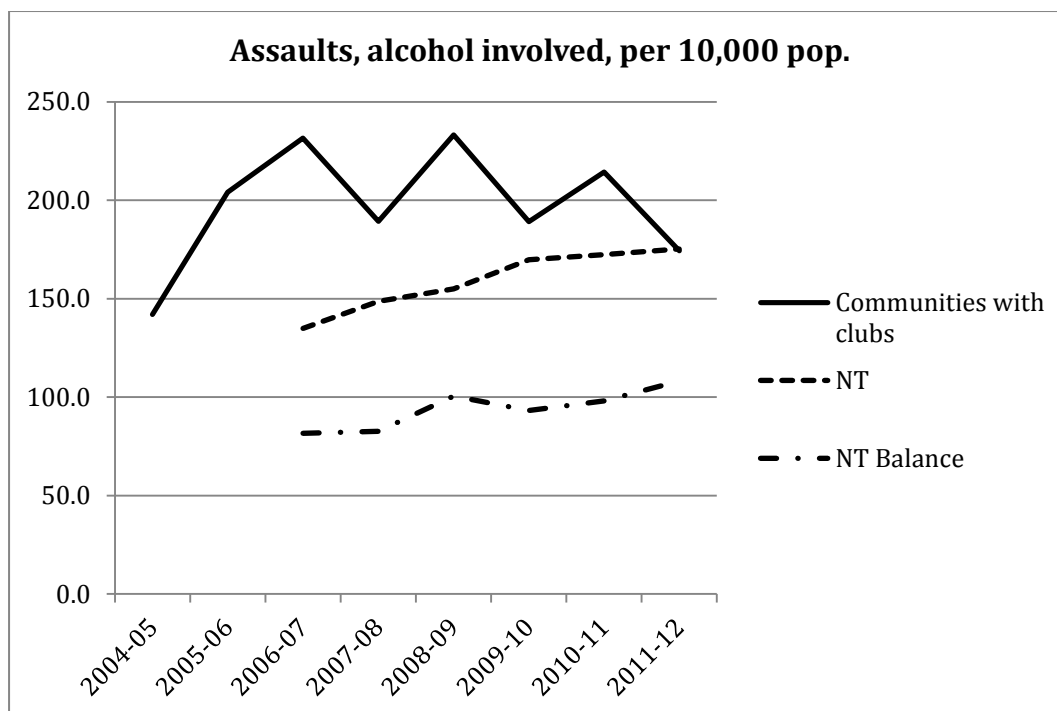
**Table 5-1: Recorded alcohol-related assaults per 10,000 population, 2004-05 to 2011-12**

Locality	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12
Gunbalanya	192.7	249.4	204.1	192.7	153.3	289.6	289.6	247.0

<b>Beswick</b>	153.5	153.5	230.2	281.3	156.9	235.3	372.5	254.9
<b>Milikapiti</b>	26.2	236.2	367.5	131.2	111.9	179.0	111.9	223.7
<b>Nguiu</b>	181.8	173.9	166.0	150.2	143.9	71.9	85.0	117.7
<b>Peppimenarti</b>	162.2	108.1	108.1	108.1	585.1	159.6	212.8	212.8
<b>Pirlangimpi</b>	108.7	298.9	298.9	54.3	320.0	53.3	80.0	26.7
<b>Kalkaringi</b>	55.1	183.8	330.9	367.6	653.0	373.1	447.8	149.3
<b>NT</b>			134.9	148.6	155.1	169.8	172.4	175.3
<b>NT Balance</b>			81.6	82.7	100.5	93.3	98.1	108.2
<b>Communities with clubs</b>	<b>141.9</b>	<b>204.2</b>	<b>231.6</b>	<b>189.2</b>	<b>233.2</b>	<b>189.1</b>	<b>214.3</b>	<b>174.4</b>
<b>NT</b>			<b>134.9</b>	<b>148.6</b>	<b>155.1</b>	<b>169.8</b>	<b>172.4</b>	<b>175.3</b>
<b>NT Balance</b>			<b>81.6</b>	<b>82.7</b>	<b>100.5</b>	<b>93.3</b>	<b>98.1</b>	<b>108.2</b>

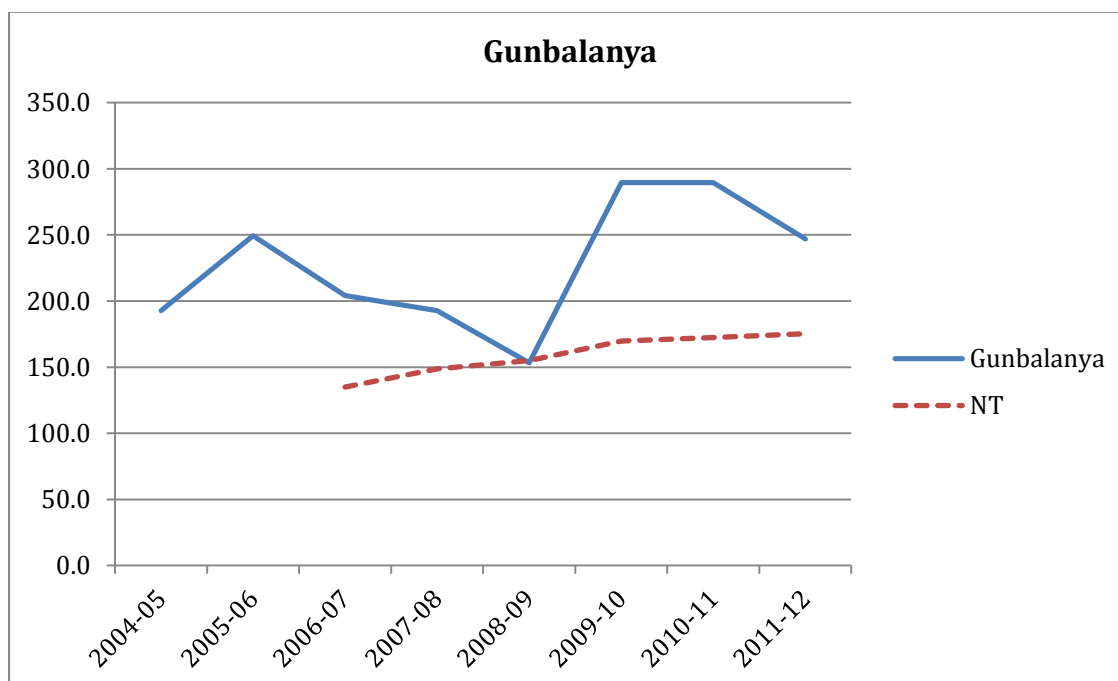
Figure 5.1 compares the aggregated rates of recorded alcohol-related assaults per 10,000 population in communities with licensed venues with the overall rate for the NT, and for 'NT Balance'. The figure shows, firstly, that for the period under review – except for the end of the period – the rate of alcohol-related assaults in communities with licensed venues was higher than the two comparative indicators. However, it also shows that since 2008-09 the rate in communities with licensed venues has declined, while in the NT as a whole, and in 'NT Balance', it has continued to rise. As a result, by 2011-12, the rate in communities with licensed venues was no higher than in the NT as a whole, although it remained higher than the rate in 'NT Balance'.

**Figure 5.1: Recorded alcohol-related assaults, 2004-05 to 2011-12**



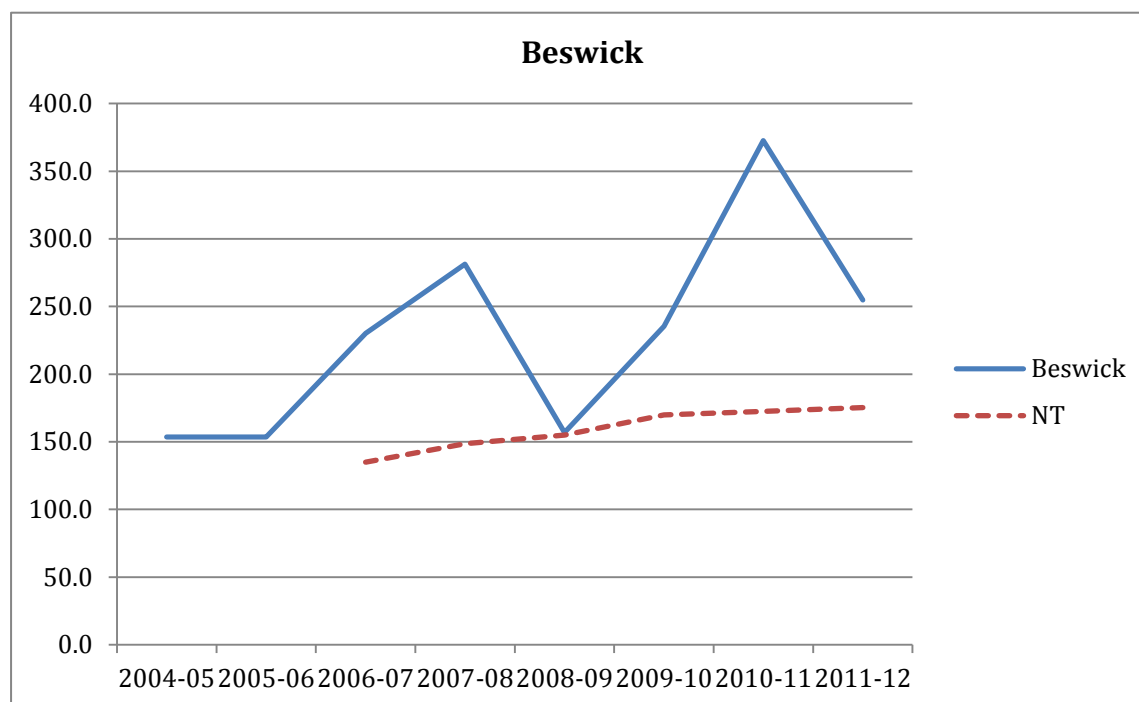
Not surprisingly, individual communities display variations from these aggregated trends. These are shown below.

Figure 5.2: Trends in alcohol-related recorded assaults, Gunbalanya, 2004-05 to 2011-12 (assaults per 10,000 population)



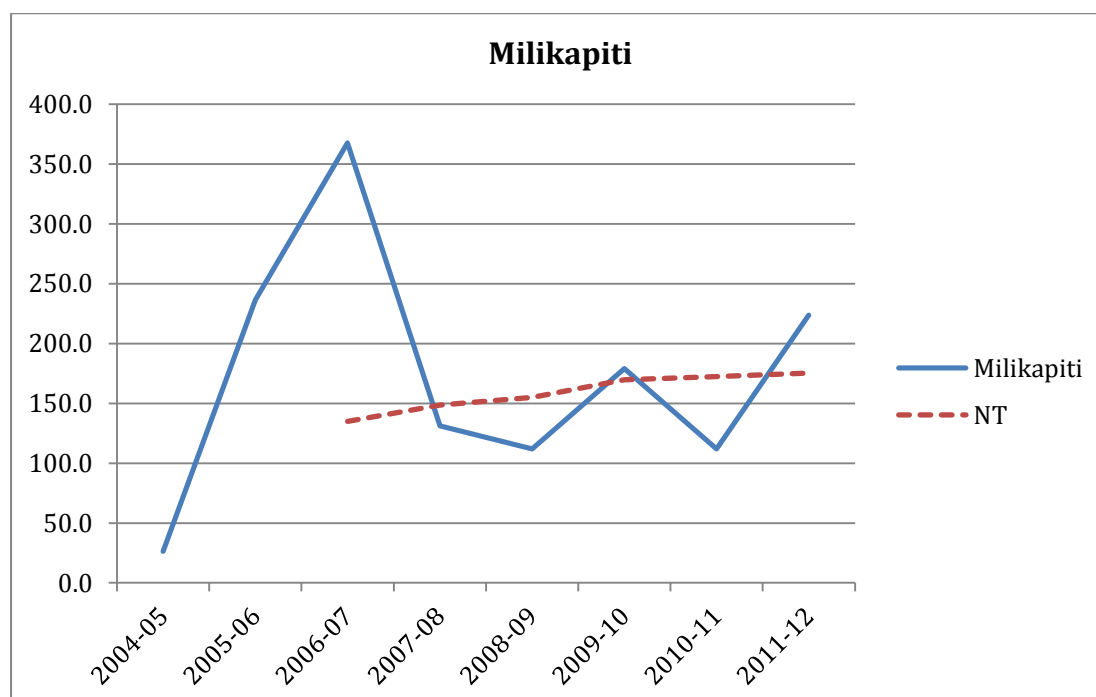
In Gunbalanya, the number declined in 2007-08, but then rose, levelling off in 2009 and declining again over the last 12-month period, although it remained higher than the NT-wide level.

Figure 5.3: Trends in alcohol-related recorded assaults, Beswick, 2004-05 to 2011-12 (assaults per 10,000 population)



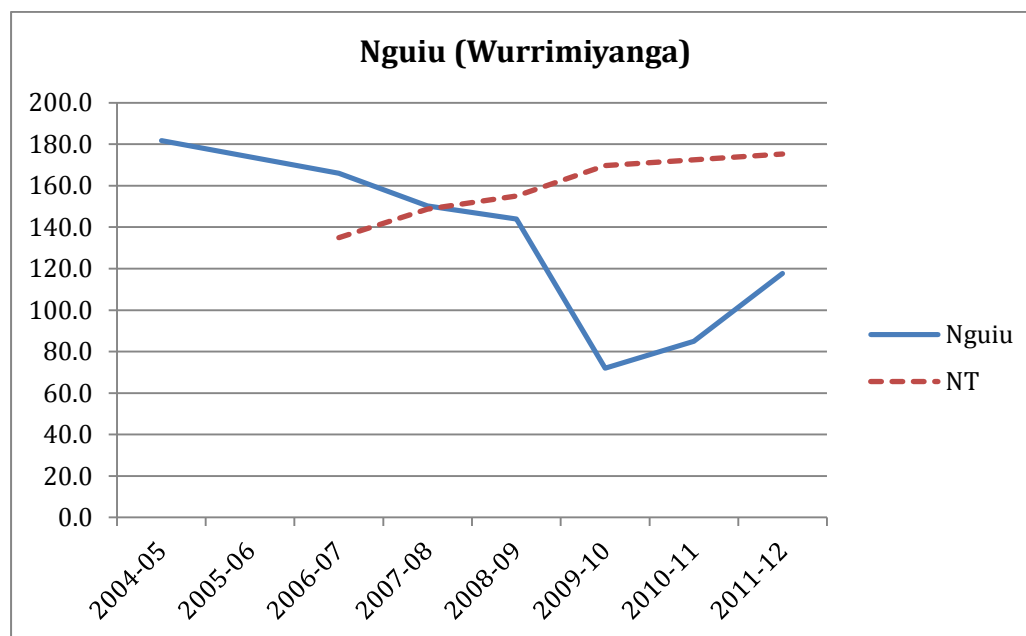
Alcohol-related assaults in Beswick, as Figure 5.3 shows, follow a similar trajectory to Gunbalanya, with a fall in 2007-08, followed by an increase, followed by a more recent fall.

Figure 5.4: Trends in alcohol-related assaults, Milikapiti, 2004-05 to 2011-12 (assaults per 10,000 population)



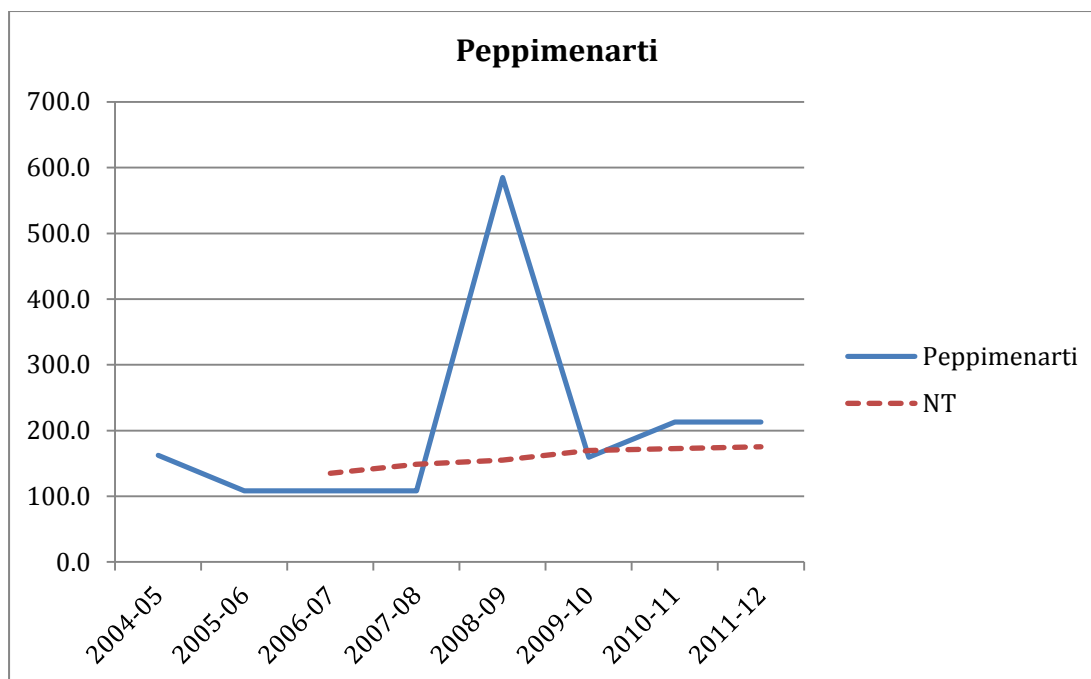
In Milikapiti, the rate of alcohol-related recorded assaults declined in 2007-08, and has since remained close to the NT-wide figure, like the latter showing a gradual upward trend.

**Figure 5.5: Trends in alcohol-related recorded assaults, Nguiu, 2004-05 to 2011-12 (assaults per 10,000 population)**



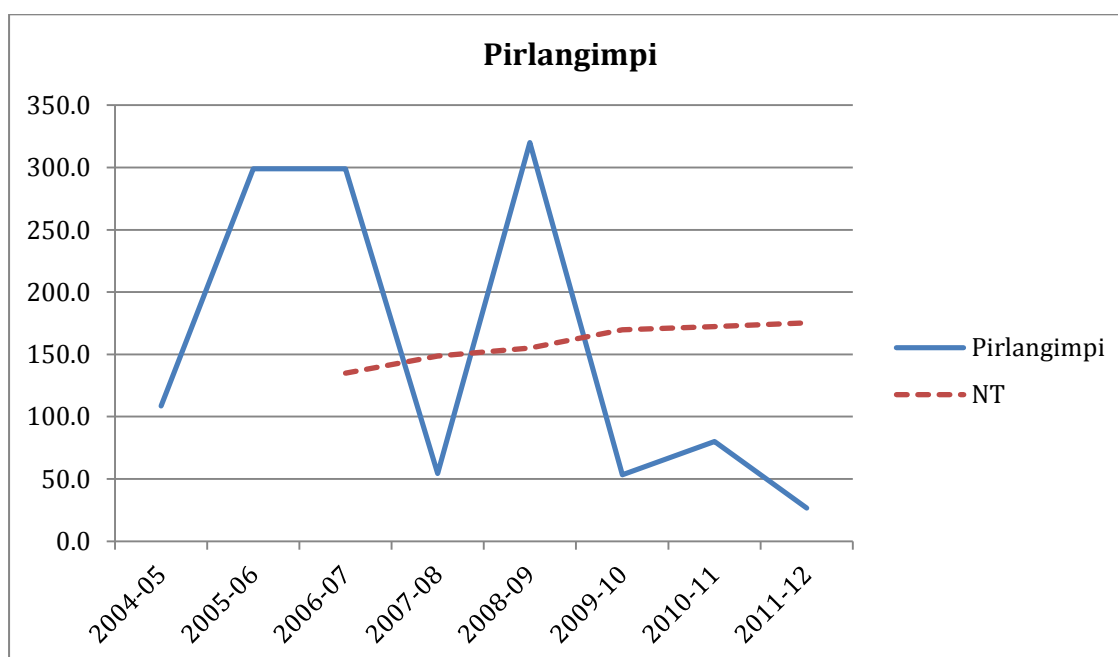
In Nguiu, the rate of alcohol-related assaults declined between 2004-05 and 2008-09. Since then it has trended upwards, but remained at the end of the period under review well below the NT-wide rate.

**Figure 5.6: Trends in alcohol-related recorded assaults, Peppimenarti, 2004-05 (assaults per 10,000 population)**



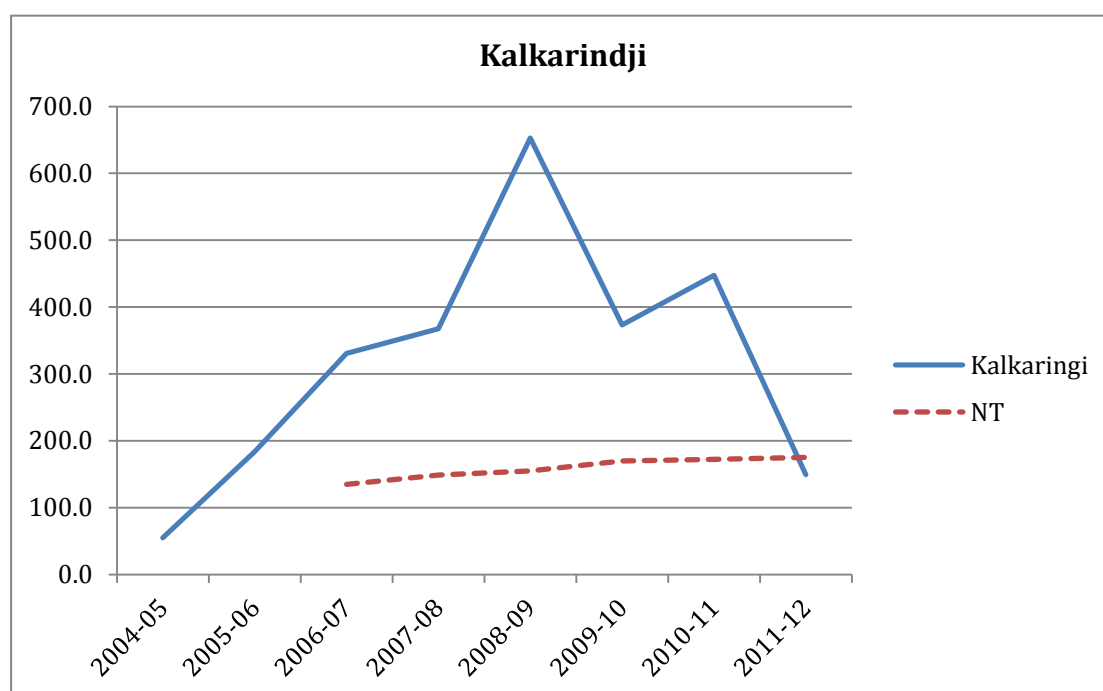
Apart from a 'spike' in 2008-09, the rate in Peppimenarti has remained close to the NT-wide rate.

**Figure 5.7: Trends in alcohol-related recorded assaults, Pirlangimpi, 2004-05 to 2011-12 (assaults per 10,000 population)**



As Figure 5.7 shows, the rate of alcohol-related recorded assaults in Pirlangimpi fluctuated through the early part of the period under review, before declining in 2009-10 and subsequently remaining below the NT-wide level.

**Figure 5.8: Trends in alcohol-related recorded assaults, Kalkarindji, 2004-05 to 2011-12 (assaults per 10,000 population)**



In Kalkarindji, the rate increased from 2004-05 to 2008-09, reaching a point significantly higher than NT as a whole, but since then has declined, to a point where, in 2011-12, it was close to the NT-wide level.

Overall, by the end of the period under review, only Gunbalanya and Beswick recorded levels of alcohol-related assaults higher than NT as a whole, and Pirlangimpi and Nguui were below NT-wide level.

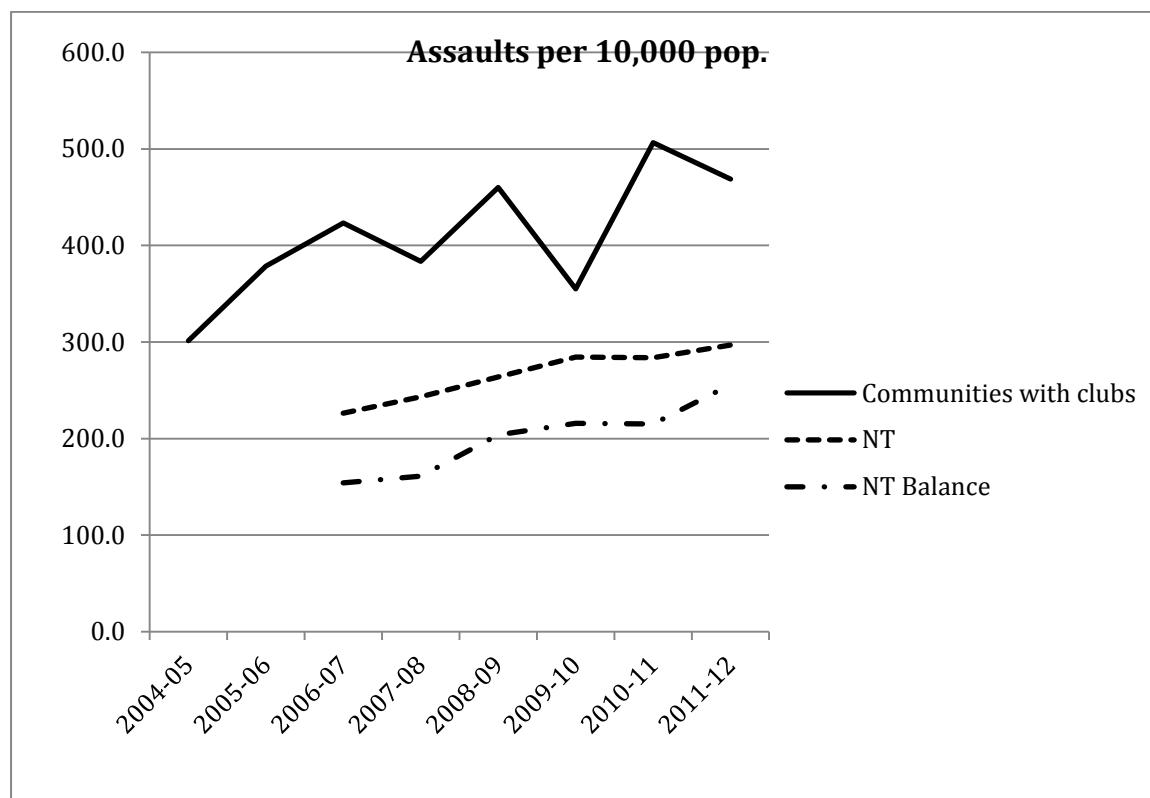
### 5.1.1 Trends in total recorded assaults

While the rate of alcohol-related assaults in communities with licensed venues declined between 2009-10 and 2011-12, the same cannot be said of total recorded assaults, which, like the overall NT rate, continued to increase over the period under review. This is shown in Table 5.2 and Figure 5.9. In 2006-07, the rate in communities with licensed outlets (423.3 per 10,000 population) was 87.1% higher than the NT-wide rate of 226.3 per 10,000 population.

**Table 5-2: Trends in total recorded assaults (assaults per 10,000 population)**

Locality	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12
Communities with clubs	301.3	378.5	423.3	383.5	460.2	355.1	506.4	468.6
NT			226.3	243.2	263.8	284.5	283.7	296.9
NT Balance			154.1	161.0	204.0	215.7	215.1	255.8

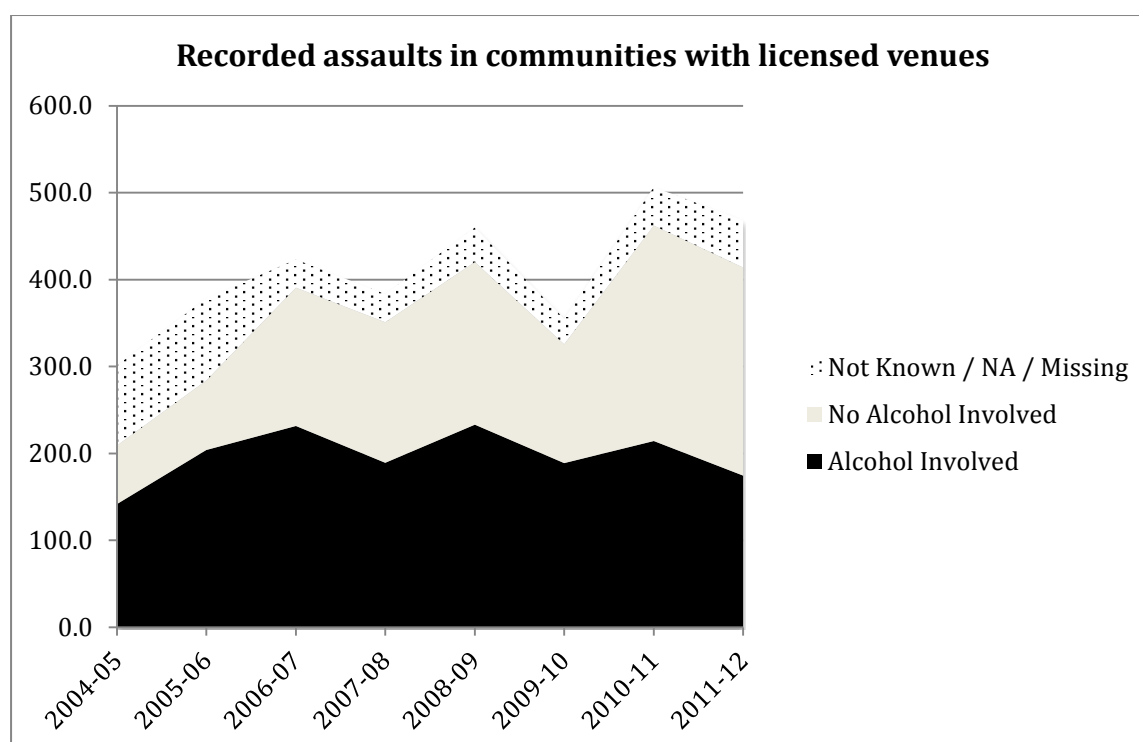
Figure 5.9: Total recorded assaults per 10,000 population, 2004-05 to 2011-12



In 2011-12 not only was the rate in communities with licensed venues 10.7% higher than it had been in 2006-07, but it was still 57.9% higher than the NT-wide rate.

However, since the trend in total recorded assaults incorporates an increase in the number of non-alcohol related assaults, it cannot be attributed directly to the presence or operating patterns of licensed venues in these communities. As Figure 5.10 shows, the contribution of alcohol to the steadily increasing rates of recorded assaults in these communities declined between 2005-05 and 2011-12.

Figure 5.10: Total recorded assaults in communities with licensed venues, 2004-05 to 2011-12



### 5.1.2 Interpreting assault trends: key points

Interpreting these trends is not straightforward, but the key points can be summarised as follows:

1. Prior to, and at the time of, the NTNER, the rates of both total recorded assaults, and alcohol-related assaults, were higher in communities with clubs than in the NT as a whole, and in 'NT Balance'.
2. Since then, two trends are apparent. Firstly, rates of total recorded assaults have continued to rise in communities with clubs, the NT as a whole, and in 'NT Balance'. The rates of increase in all three are similar. Secondly, however, the rates of alcohol-related recorded assaults in communities with clubs have exhibited a downward trend, in contrast to trends in the NT as a whole, and in NT Balance, in both of which rates have continued to increase.
3. The upshot of these trends was that, in 2011-12, the rate of alcohol-related recorded assaults in communities with clubs was similar to the NT-wide rate (but higher than NT Balance), while the rate of total recorded assaults in communities with clubs remained over 50% higher than in the NT as a whole.

One conclusion that can be derived from this analysis is that, as of 2011-12, licensed clubs in communities did not appear to be associated with rates of alcohol-related assaults higher than the NT-wide figure, although this was not the case five years

earlier. At the same time, continuing high rates of non-alcohol related assaults in communities with clubs warrant further investigation.

## 5.2 Alcohol-related hospital separations

Between the years 2005 and 2012 inclusive, a total of 1809 patients from 152 Aboriginal communities and town camps were admitted to an NT hospital with an alcohol-related primary diagnosis. (The patient count was unique: a patient presenting to hospital on multiple occasions with the same primary diagnosis was counted once only.) Using the ABS 2011 estimated Indigenous population of the NT (56,778) as a basis, this represents a rate of 31.9 alcohol-related admissions per 1,000 population.

Admission rates for localities with and without licensed clubs were compared. The results are shown in Table 5.3. The table shows that communities with clubs have slightly lower rates of alcohol-related separations (28.8 per 1,000 population) than those without clubs (32.1 per 1,000 population).

**Table 5-3: Rate of alcohol-related hospital separations per 1,000 population, communities with and without clubs**

Location	Pop (ERP) 2011	Alcohol-related separations	
		No	Rate per 1000 pop
<b>Community with club</b>	4,759	137	28.8
<b>Community without club</b>	52,019	1672	32.1
<b>Total</b>	<b>56,778</b>	<b>1809</b>	<b>31.9</b>

Table 5.4 shows the rates for individual communities with clubs. These rates, especially for the smaller communities, should be viewed with caution, as the numbers involved are very low. For example, the rate of 42.6 per 1,000 population for Peppimenarti is accounted for by just eight separations over the eight year period.

**Table 5-4: Rates of alcohol-related hospital separations per 1,000 population, 2005-2012, communities with clubs**

Locality	Population (ERP) 2011	No	Rate per 1000 population
<b>Gunbalanya</b>	1174	40	34.1
<b>Beswick</b>	510	19	37.3
<b>Milikapiti</b>	447	17	38.0

<b>Nguiu</b>	1,529	37	24.2
<b>Peppimenarti</b>	188	8	42.6
<b>Pirlangimpi</b>	375	1	2.7
<b>Kalkaringi/Daguragu</b>	536	15	28.0
<b>TOTAL</b>	<b>4,759</b>	<b>137</b>	<b>28.8</b>

In short, the available data does not indicate that communities with licensed clubs are marked by higher rates of alcohol-related hospital separations than other communities in the NT.

### 5.3 Admissions to sobering-up shelters

In each year between 2007 and 2012, between 17,000 and 22,000 admissions to sobering-up shelters (SUS's) took place in the NT. These figures do not represent numbers of individuals. While the information available to us does not allow us to distinguish between episodes and individuals, it is well known that annual total admissions to sobering-up shelters are made up of a relatively small number of high-repeat individuals, and a larger number of individuals who each account for a small number of admissions. Nor should these numbers be read as indicators of the numbers of episodes of public intoxication that occurred in a given place and time, since they do not include persons apprehended by police and taken, not to a sobering-up shelter, but to a police cell. (While numbers of these are also recorded, the place of residence is not routinely recorded; hence this data has not been used for this study.) Almost all admissions to shelters involve Indigenous clients.

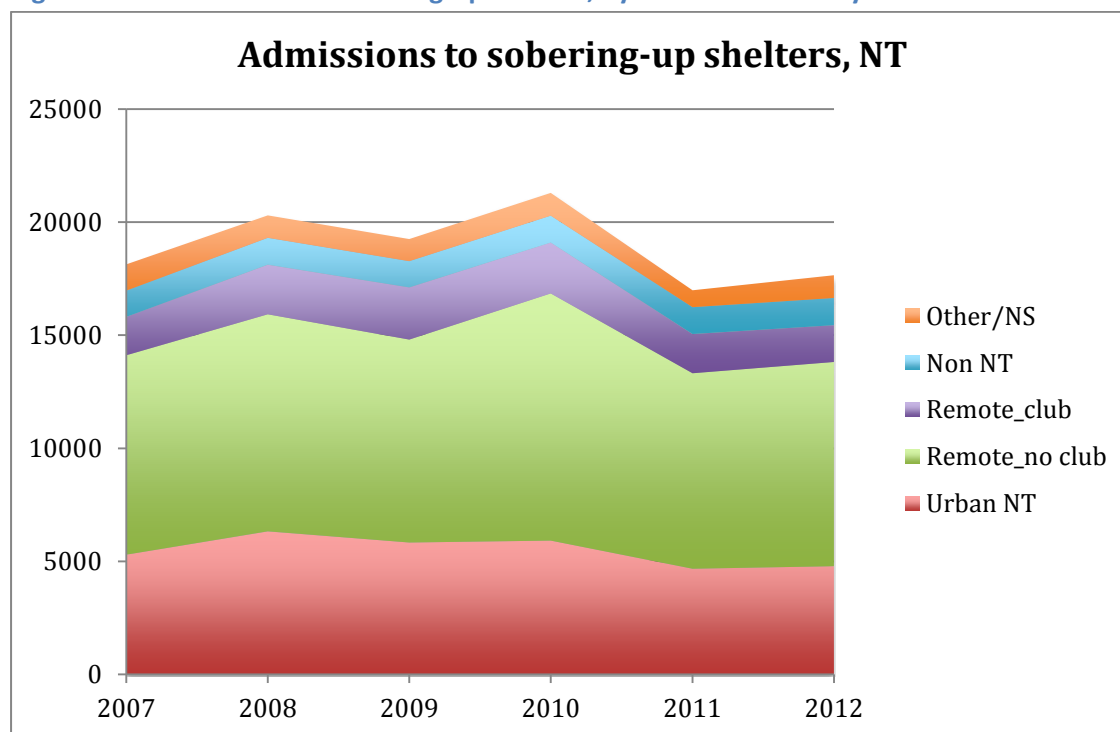
Table 5.5 shows the number of admissions to sobering-up shelters in the NT, categorized according to where those apprehended said they lived. Figure 5.11 shows the same information graphically. In general, around 30% of admissions in any one year were categorized as 'urban NT' – that is, they were recorded as being residents of one of the towns or regional centres of the NT, in most cases, the centre in which they were apprehended. Around half of annual admissions were recorded as residents of one of the remote communities in the NT that did not have a club or licensed venue, while another 10% came from communities with licensed venues. The remaining 10% were from outside the NT, or their place of residence was not recorded.

**Table 5-5: Admissions to sobering-up shelters, by source community**

<b>Source community</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>
Urban NT	5292	6326	5832	5915	4677	4783
Remote_no club	8828	9598	8980	10935	8640	9037
Remote_club	1697	2196	2296	2249	1736	1622
Non NT	1152	1181	1166	1190	1188	1200

Other/NS	1166	991	981	1001	751	1011
<b>Total</b>	<b>18135</b>	<b>20292</b>	<b>19255</b>	<b>21290</b>	<b>16992</b>	<b>17653</b>

Figure 5.11: Admissions to sobering-up shelters, by source community

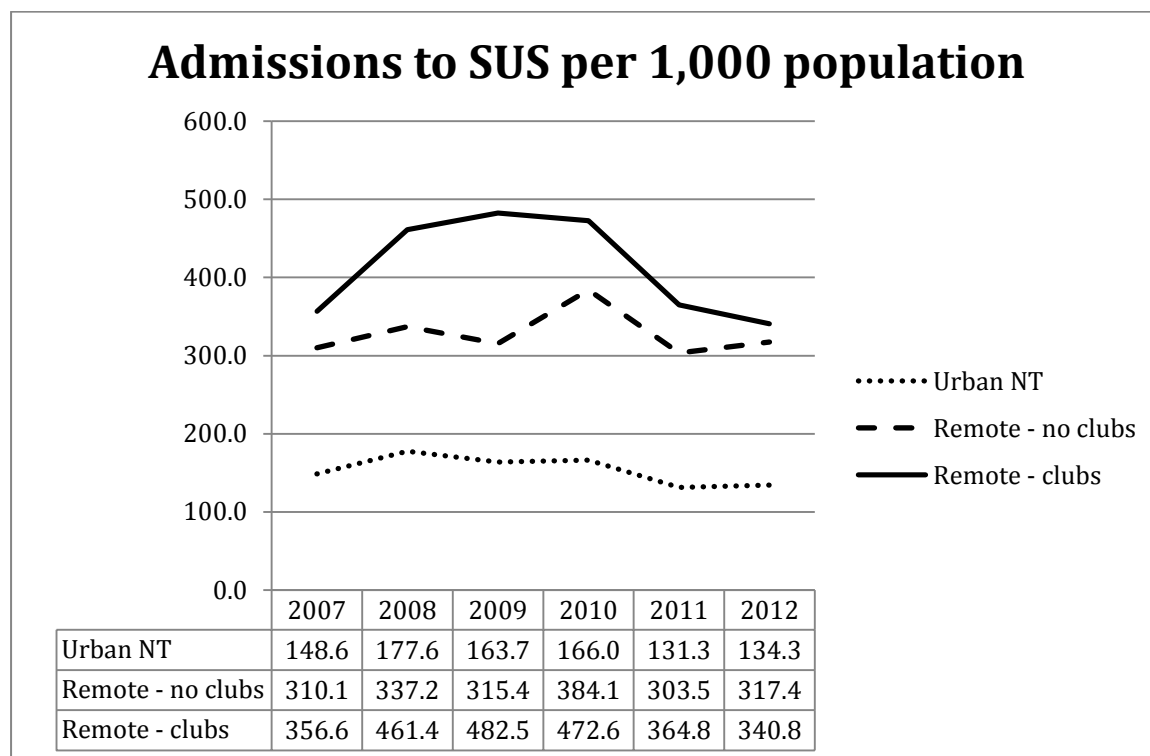


These figures should be treated with caution. They imply a distinction between ‘urban’ and ‘remote’ residence that in reality is often blurred, for example by people who move from a remote community into a town for prolonged periods, and then return to their community. There are no clear conventions or guidelines to determine whether someone apprehended for being intoxicated in public names their current urban location or the community from which they have come as their place of residence. Nonetheless, with these qualifications in mind, the SUS admissions data do enable us to address a key question of relevance to this inquiry: does the presence of a licensed outlet in a community reduce the likelihood that members of that community will be apprehended for public intoxication in one or other NT urban centres? To explore this question, rates of admissions per 1,000 population were calculated for the three categories ‘urban NT’, ‘remote no club’ and ‘remote with club’ in the above table, using ABS 2011 figures for estimated resident populations. The results are shown in Figure 5.12.

The figure shows that the lowest per capita rate of admissions is accounted for by ‘urban NT’ apprehensions. Surprisingly, perhaps, it also shows that the rate of SUS admissions from remote communities with clubs was *higher* than the rate for communities without clubs for every year under review, although by 2012 the

difference was small: 340.8 admissions per 1,000 population from communities with clubs, compared with 317.4 per 1,000 from communities without clubs.

**Figure 5.12: Admissions to sobering-up shelters per 1,000 population**



There are, however, major difference between the admission rates for specific communities with licensed outlets, as Figure 5.13 shows. In this figure, the three Tiwi Island communities with clubs – Nguiu, Milikapiti and Pirlangimpi – have been combined, the reason being that the SUS admissions data frequently fail to distinguish between these three communities, simply coding the admissions as ‘Tiwi Is’ or something similar. Also, there are no admissions in which Peppimenarti has been recorded as a place of residence. This in fact means that the figures for communities with clubs probably understate the true number of admissions, since any Peppimenarti residents apprehended have by definition been coded for some other locality.

For comparative purposes, Figure 5.13 also shows the rate of SUS admissions for all NT remote communities.

Figure 5.13: Admissions to sobering-up shelters per 1,000 population, selected communities

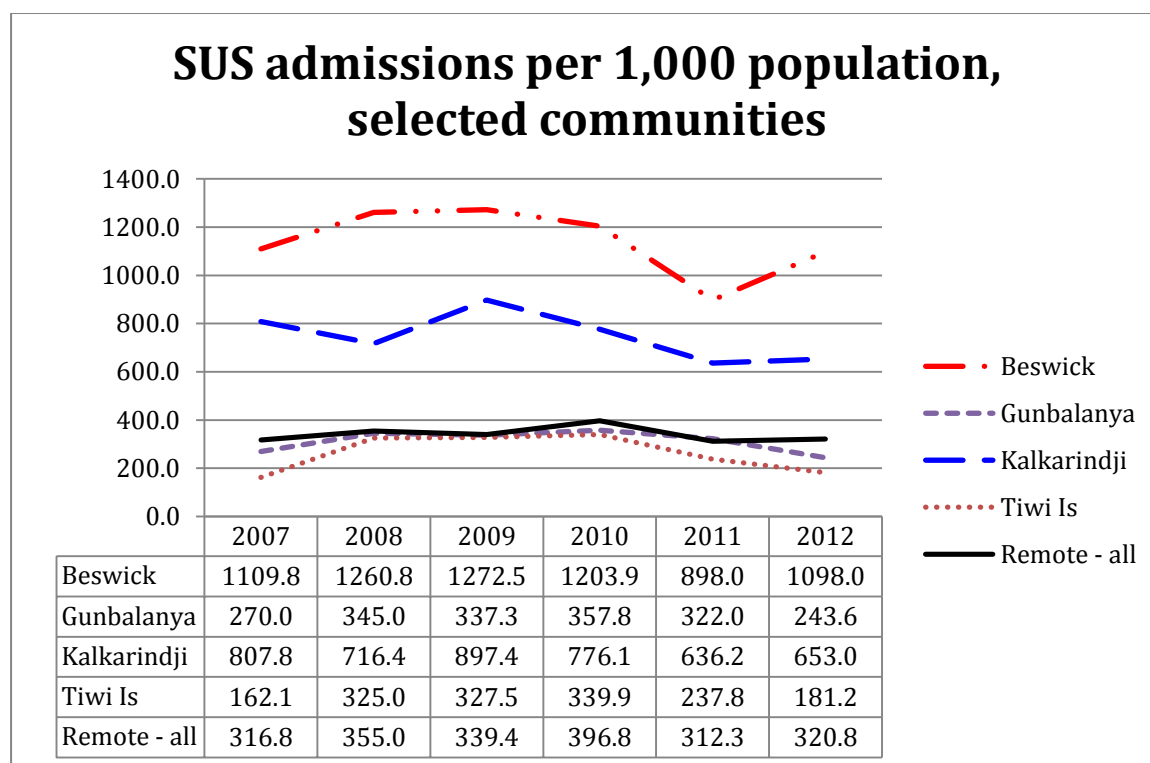


Figure 5.13 shows that one community – Gunbalanya – and one group of communities – the Tiwi Islands – recorded SUS admission rates close to or just below the level for all remote communities, while two communities – Beswick and Kalkarindji – recorded rates much higher than the overall remote rate: around 3.5 times higher in the case of Beswick, and over twice the rate in the case of Kalkarindji (where, however, the graph also points to a decline in the rate of admissions from 2009).

These trends and differences raise more questions than can be addressed here but, at the least, they point to two conclusions: firstly, the presence of a licensed outlet in a community need not, in itself, lead to lower rates of apprehensions for public drunkenness in town and regional centres than are associated with communities without licensed outlets; secondly, a significant influence on rates of apprehensions in towns and regional centres – possibly acting in conjunction with the presence of licensed outlets in communities – appears to be the degree of accessibility to urban liquor outlets. In the above figure, the communities with the lowest rates of SUS apprehensions – the Tiwi Island communities – are also those with the least easy access to urban outlets, while the community with the highest rate of admissions – Beswick – is the one with the easiest access – 110 km of sealed (virtually) all-weather road.

That the relationship is not simple or direct, however, is demonstrated by the fact that Kalkarindji, with the second highest rate in Figure 5.13, is further from Katherine (461 km) than Gunbalanya, with an admission rate less than half that of Kalkarindji, is from Darwin (353 km).

#### **5.4 Residents' views about impact of clubs: responses from the community survey**

Respondents in the community survey were asked three questions that explored the impact of clubs in the community. These were:

- Do you think there would be less trouble in your community if there were no club?
- Do you think that having a club here keeps people from going to town to drink?
- How often does your family experience alcohol-related problems?

In this section we explore answers to these questions.

The question 'Do you think there would be less trouble in your community if there was no club?' proved very difficult to word so that people understood, and we acknowledge that there may be some bias in the question. Responses are summarised in Table 5.6.

**Table 5-6: Responses to the question: 'Do you think there would be less trouble in your community if there was no club?'**

	<b>Frequency</b>	<b>Percent</b>
<b>Less trouble</b>	138	38.1%
<b>The same</b>	52	14.4%
<b>More trouble</b>	125	34.5%
<b>Don't know</b>	9	2.5%
<b>No response</b>	38	10.5%
<b>Total</b>	362	100.0%

This shows that there are very divided opinions on whether there would be more or less trouble in the community if the club were to close. The largest group of respondents (38%) felt that there would be less trouble – however this is only just over one third of the total number of respondents. Almost as many respondents felt that there would be more trouble if the club were to close.

The comments given to qualify these responses explain the thinking behind them. In essence those that think there will be less trouble without the club reason that people fight when they are drunk, and if the club wasn't there, they wouldn't be drunk – therefore there would be less trouble. This respondent typifies this line of thought: *'No dvo, no accidents, no problem everyone will be happy. There will be more fishing, hunting and family get together.'*

The respondents who felt there would be more trouble without the club essentially cited the following arguments:

- If people drank less, they would use more gunja [marijuana]: *'There'd be more gunja. There are already people stressing out for no drugs now and going crazy.'*
- If the club was closed people would smuggle in more spirits and full strength beer – which would make more trouble than people drinking mid-strength: *'More trouble if smuggling came in and bringing spirits - all hell would break loose. They wouldn't just be buying beer, they'd bring in spirits and that's when the violence goes up and the family would be damaged.'*
- It isn't the club that causes the trouble – people fight anyway: *'They fight the same, anger is already there',* and *'Don't know, a lot of the trouble is between children and the kids get involved, it works how it works, trouble is there, the club is not fuelling the trouble or causing trouble.'*
- People would go and drink in less controlled environments and get into more trouble: *'There be more trouble, they would drink all day long no trouble [no one telling them to stop], people would live in Darwin, they would move to town and leave this place, I did that when I got banned for a week, went to town on a bender.'*
- The club provides a way for older people to exert their authority, and if it closed no one would listen to them: *'We've got the skin group that will control problems. If it's a small offence and first offence, skin group deals with it. We warn them. If it goes on and on, we ban them but they don't go on the Police ban list. Young people take notice of us. If it's a serious matter, we ask the police to ban them.'* and *'This way the community can get involved in talking about the trouble. Then they get banned and take it. Wouldn't happen if they were drinking in Darwin.'*

These arguments point to factors that need to be considered when exploring the issue of whether or not clubs are beneficial to a community.

In response to the question *'Do you think having a club here keeps people from going to town to drink?'* over 80% answered in the affirmative, as Table 5.7 shows.

**Table 5-7: Responses to ‘Do you think having a club here keeps people from going to town to drink?’**

Response	Frequency	Percent
No	41	11.3%
Yes	291	80.4%
Don't know	20	5.5%
No response	10	2.8%
<b>Total</b>	<b>362</b>	<b>100.0%</b>

Many respondents thought that the club keeps the more moderate drinkers in the community, but the heavy drinkers leave anyway: *‘Heavy drinkers would go to town. The ones who really love their alcohol - alcoholics - would stay in town cos they've got to have grog in their system. Others - yes it stops them from going to town.’* It was also suggested that changing the clubs to mid-strength beer meant that more people travelled to town to access full strength beer: *‘When we had heavy beer here sometimes people would go and buy beer at the roadhouse , a lot more go now.’* And *‘A lot of people have left to go to live in Darwin to get the full effect of beer, heavy price there is like the mid-price here, steep price here.’* Many survey respondents described a pattern of people going to the towns to drink for a weekend, and then returning home: *‘If you've got private car they go spend the weekend there in Darwin and come back.’* This was reinforced by others who felt that having alcohol in the community stops people staying away: *‘It stops them getting run over and it stops them staying in long grass.’*<sup>24</sup>

Respondents were very aware of the risks of drinking in towns and regional centres. They saw the key risks as exposure to violence, and people engaging in much heavier drinking. As one man said *‘Stopping people yes, because in Darwin drink port, get sick and die.’*

Respondents were also asked how often their family experienced alcohol related problems. Table 5.8 below presents the responses to this question.

<sup>24</sup> A summary of research on the ‘long grass’ and the reasons that people have for being there is presented at Attachment 3. This summary analyses the research as it relates to the questions of the extent to which people from communities with clubs travel to towns to drink.

**Table 5-8: Responses to 'How often does your family have grog-related problems?'**

<b>Response</b>	<b>Frequency</b>	<b>Percent</b>
<b>None of the time</b>	122	34%
<b>Some of the time</b>	145	39%
<b>All of the time</b>	76	21%
<b>Don't know</b>	21	6%
<b>No response</b>	0	0%
<b>Total</b>	362	100%

This data suggests that around one in five families experience alcohol related problems all of the time. It is of concern that almost half of the respondents who reported problems 'all of the time' come from one community.

## **5.5 Summary**

Rates of assaults per 10,000 resident population in communities with clubs from 2004-05 to 2011-12 were analysed. Two assault categories were examined: total recorded assaults, and alcohol-related assaults. Trends in communities with clubs were compared, firstly, with the NT-wide trends and, secondly, with trends recorded for 'NT Balance' – that is, the NT-wide figure, minus the urban centres of Darwin, Palmerston, Katherine, Tennant Creek, Alice Springs, Nhulunbuy, Alyangula.

At the time of the NTNER in 2007, and prior to this time, rates of both total recorded assaults, and alcohol-related assaults, were higher in communities with clubs than in the NT as a whole, and in 'NT Balance'. Since then, rates of total recorded assaults have continued to rise at a similar rate in communities with clubs, the NT as a whole, and in 'NT Balance'. Over the same period, however, the rates of alcohol-related recorded assaults in communities with clubs have exhibited a *downward* trend, in contrast to trends in the NT as a whole, and in NT Balance, in both of which rates have continued to increase. As a result, by 2011-12, the rate of alcohol-related recorded assaults in communities with clubs was similar to the NT-wide rate (but higher than NT Balance), while the rate of total recorded assaults in communities with clubs remained over 50% higher than in the NT as a whole. The continuing high rates of non-alcohol related assaults in communities with clubs warrant further investigation.

Numbers of patients from Indigenous communities admitted to an NT hospital between 2005 and 2012 inclusive, with an alcohol-related primary diagnosis, were analysed. Admission rates for localities with and without licensed clubs were compared. Communities with clubs were found to have slightly lower rates of alcohol-related separations (28.8 per 1,000 population) than those without clubs (32.1 per 1,000 population).

This analysis suggests that, under the conditions governing operations of clubs since 2007, there is no evidence to suggest that communities with clubs experience higher rates of alcohol-related harms than other communities.

Admissions to sobering-up shelters in urban centres in the NT were examined for the years 2007 to 2012 inclusive. The analysis found no evidence to suggest that the presence of a licensed outlet in a community leads to lower rates of admission to SUSs than occurs with respect to remote communities without licensed outlets.

Respondents in the community survey were asked three questions that explored the impact of clubs in the community. These were:

- Do you think there would be less trouble in your community if there were no club?
- Do you think that having a club here keeps people from going to town to drink?
- How often does your family experience alcohol-related problems?

The number of people who thought there would be less trouble in the community if there were no club (38.1%) was evenly matched by the number who thought there would be *more* trouble in the absence of a club (34.5%).

Most people (80.4%) thought that clubs helped to keep drinkers from going into town to drink, although this view was qualified by a perception that the effect applied mainly to moderate drinkers, rather than heavy or dependent drinkers.

Around one-fifth of people reported experiencing alcohol-related problems in the family 'all of the time', while another 39% did so 'some of the time'. A little over one-third (34%), however, said that such problems were experienced 'none of the time'.

## 6 How the clubs operate

This chapter presents detailed descriptions of the variety of ways in which the clubs manage their patrons and negotiate their place in the life of the communities in which they operate. Material from this analysis will go towards the creation of a ‘best practice’ document that will provide guidance for the operation of licensed clubs in remote Indigenous communities.

All the clubs in this study operate in an unusual environment. They are (to varying degrees) controlled by, and answerable to the communities in which they operate. In addition they trade in small communities in which a large proportion of their patrons are ‘regulars’, staff members could be expected to be related to a large proportion of the patrons, and there are often high levels of tension between different groups within the community. All of this creates very particular sets of obligations and tensions that need to be carefully managed if the clubs are to be convivial and pleasant places.

There are several elements to how the clubs function that are important for the quality of their service and their role in the community. This section covers the following areas:

- Governance
- Physical amenities
- Practices around how alcohol is served
- Security arrangements
- Club rules
- The role of the club in the community

### 6.1 Legal and Governance Structures

The legal structures vary between the clubs. Four are incorporated through the NT Associations Act (2008)<sup>25</sup>. The NT Associations Act is overseen by the Licensing Commission, and is not resourced to have the range of governance support that are part of alternative vehicles for incorporation.

This Act stipulates a range of rules and rights for members. It specifically allows rules to be based on the customs and traditions of different communities. It stipulates that:

- there must be a Committee, and the powers of that Committee
- correct keeping of accounts,

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<sup>25</sup> This Act has recently been amended (June 2014), however the relevant sections continue to apply

- requirement for annual audits
- Annual General Meeting at which the audited reports are presented.

Two of the four clubs incorporated through this Act are ‘Trading Associations’<sup>26</sup> – which allows them to distribute funds among their members. Interestingly, one of the provisions of the NT Associations Act (2008) is that organisations are that not incorporated as ‘Trading Associations’ are precluded from disbursing profits to their members (Section 13A Division 2: *‘An incorporated association must not distribute profits, or dispose of assets of the Association to its members’*<sup>27</sup>). (However we understand that they are allowed to distribute profits in the form of gifts that benefit the whole community as oppose to individuals.) Given that one of the reasons given for having Licensed Social clubs in Indigenous communities is that profits can be used to benefit the community members, this provision is surprising. It seems likely the two clubs that are not ‘Trading Associations’ are operating illegally if they disburse profits to individual members.

Two more clubs are incorporated through the Corporations Act, which is managed by the Australian Securities and Investment Commission. This too requires a reporting regime and specifies the roles and responsibilities of Officers of Corporations. Incorporation through this Act means that the organisations distribute profits to their Directors and Shareholders. There is no provision for aiming to operate for the benefit of members. Like the NT Associations Act, this Act does not have a easily accessible support structure for organisations that are incorporated through it.

Two are incorporated through the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (CATSI Act), which is administered through the Office of the Registrar of Indigenous Corporations (ORIC). This legislation has a regime of regulations around the constitution and high requirements for regular reporting. It also has developed and run a comprehensive governance training system.

The legal structure through which the clubs are incorporated is important. Given that the clubs operate in such a contentious space in which people hold strong opinions, and policy decisions of their organisations impact on their members’ health and safety, it is important that the clubs are soundly managed by people who understand their roles and responsibilities. Six of the clubs are incorporated through legal avenues that offer very limited or no support for improving standards of governance, or offer guidance on developing robust Committees.

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<sup>26</sup>Definition: ‘An Association, society, institution or body formed or carrying on for the purpose of trading or securing pecuniary profits to its members.’ NT Associations Act, June 2014, Part1 Preliminary, p6

<sup>27</sup> NT Associations Act, June 2014, Part 3, Division2, 13A, p13

Given that there is a legal vehicle which does offer these things – the CATSI Act and ORIC – it makes sense for clubs to consider moving to becoming incorporated through this Act.

### **6.1.1 Club committees**

The quality, commitment and competence of the eight club committees vary considerably. On one end of the spectrum one club committee meets very rarely, and only when the manager calls a meeting. He doesn't call them often because he is of the opinion that members don't really have anything to say – they just want the sitting fees. Another manager believed that the committee was 'just advisory'. Other organisations have committees that meet once every three months. However most appear to meet monthly. One committee is made up entirely of the extended members of one family. However most are elected each year at the Annual General Meeting. The roles taken on by the committees varied slightly between clubs, but were generally as follows:

- Decisions on how long people were to be banned for;
- Financial oversight of the club,
- Discussion of entertainment to be provided – like a talent night
- Negotiations with the Licensing Commission

There was some feedback that having a 'strong' committee was considered an important aspect of running a good club. (This is discussed in more detail on Chapter 7). By 'strong' survey respondents meant people who would be able to devise and implement rules that would keep patrons behaviour in check.

Committee members were interviewed in each community. Most were satisfied with the way in which the committee was conducted. They felt that the committee provided a forum in which they were informed by the manager of relevant issues, and could make decisions. Several communities reported that they make an effort to get drinkers and non-drinkers on their committees, and a balance of men and women. There was one accusation raised that the manager in question hand-picked committee members, and rigged the Annual General Meeting to make sure they were elected. The researchers had no way of validating this accusation.

In three communities there was considerable tension between committees and managers, with accusations that the managers did not give the community good information, or implement their decisions. This tended to accompany managers with authoritarian styles, which left many in the community disgruntled.

The issue of governance and the skills of committee members is a difficult one in most Indigenous communities. The extent to which members fully understand the financial and legal operation of their club, and the consequences of their decisions is hard to discern. At points in their history the club committees have made decisions that have

allowed reportedly harmful levels of alcohol consumption, which suggests that harm minimisation is not necessarily their priority.

It is important that committee members are aware of the impact of their club on their community. A system through which committees receive reports from the clinic, police and other service delivery organisations on alcohol related issues in the community would function to strengthen the clubs' response to any such incidents, and to educate committee members on the impact of their club.

It is interesting to note that many community controlled organisations now have constitutions that allow people with particular expertise, such as accountants, lawyers or health professional, to be Board or committee members. This is an option that could be considered as a way for club committees to have access to relevant expertise. Club committees are also discussed in the chapter 'What makes a club run well'.

### **6.1.2 The Role of Club Managers**

Club managers are in positions of considerable power. As described above the committee membership tends to have low literacy and numeracy skills. If the manager so chooses they can present heavily biased information to committee meetings in order to get them to make a decision that accords with the managers' perceptions of how things should be run. For managers with the communities' interest as their priority this will be in the interests of the club; however over the years some clubs have had experience of dishonest managers who have arranged financial matters for their own benefit. Given that the clubs can generate considerable income, the integrity and competence of managers is an important consideration. The role of club managers is discussed in more detail in the chapter 'What makes a club run well'.

### **6.1.3 Club Licenses**

Club licences are also varied. The type of license granted is determined by the NT Licensing Commission when the organisation first applies for a liquor licence, depending on the purpose and operating conditions described in the application. Two of the clubs operate under 'tavern licenses' – which are essentially the same license that most hotels operate under, and pre-suppose that profits will accrue to owners and directors of the organisation. The remainder have 'club' licenses – which mean that they can function in the interests of their members.

All licenses are required to have a licensee and a nominee. In some cases the manager fills both roles and they must be physically present to open the club. This requirement gives them enormous power over the running of the club, as they can threaten to close up if anyone challenges their authority. This is a major dis-incentive for any would-be challengers, as they would be blamed by other community members for the closure.

In one club the Arnhem Lands Progress Association (ALPA) Community Manager is the licensee, and ALPA employs a club manager, who is the nominee. This system provides another layer of scrutiny for the operation of the club, and some back up for the nominee. This club has closed circuit security cameras that are linked to the licensee's house so he can monitor activities.

In another arrangement the local Shire is the Licensee and the manager is the nominee. There was considerable feedback that this system was not satisfactory because neither the club committee nor the nominee received timely information from the Shire regarding the financial status of the club. This meant that community based decisions regarding club matters had to be made in a vacuum.

#### **6.1.4 Legal and Governance Structures – key points**

- *Legal and governance structures are important in providing a framework for a well run and accountable club. There is enormous variation on the legal structure of the clubs, and the liquor licenses they hold;*
- *Two clubs are incorporated in a way which prohibits the distribution of profits to members (there is some doubt over whether the distribution of profit for community benefit is also illegal), which runs counter to their purpose as an organisation holding a clubs liquor license which is meant to act for the benefit of its members;*
- *The various legislative frameworks provide varying levels of governance and financial scrutiny. Only two of the clubs are incorporated under the Corporations for Aboriginal and Torres Strait Islanders Act (2006), which both promotes high standards of regulation, and assists organisations to meet their responsibilities.*
- *Two of the clubs are in effect, privately owned and under no legal obligation to operate for the benefit of the community*
- *Club managers are in situations of considerable power. Some communities consider that their club managers are not sufficiently scrutinised and there are allegations of nepotism in employment, and lack of financial transparency*
- *Two communities outsource the management of their clubs to ALPA, which provides oversight of the club manager position and governance training to committee members.*

## **6.2 Physical amenities and general atmosphere**

Our researchers visited six of the seven clubs on Tuesday and Wednesday evenings of the week of the fieldwork<sup>28</sup>. They had a few drinks, purchased food if it was available, and had a low key, social time. As described in the methodology, they recorded their observations after their visits. They were struck by how unusual it was to see a large gathering of residents of a remote Indigenous community socialising happily in pleasant surrounds and obviously feeling relaxed and at home. All the clubs had a

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<sup>28</sup> The other club were closed at the time of the fieldwork.

convivial atmosphere. One of the researchers described it as: *‘High level sociality, bonhomie, geniality. Overall everyone was very friendly, interested, engaging and sociable.’*

The physical environs of the clubs were mostly pleasant, with both covered and uncovered areas for patrons to sit, fans, pictures on the walls, easy access to the bar and amenities, and well kept gardens. In general the bar areas were well designed, with plenty of space for patrons. All clubs had entertainment for patrons: music – either live or piped, juke boxes, occasional DJ’s, pool tables, TV’s and dart boards. Several had areas set aside for the women to play pool.

### **6.3 Practices around how alcohol is served**

It is important to remember that all of the clubs now only sell mid-strength and light beer, which means that people are less likely to become as heavily intoxicated, as they once did on full strength beer. Staff report that this has made the task of managing patrons much easier.

Within the bounds of responsible service of alcohol practices, most mainstream alcohol outlets do not have rules around how alcohol is served – a patron is at liberty to buy several drinks at one time, and to purchase as many drinks as they choose during their stay at the venue (providing they do not get too intoxicated). The ‘responsible service of alcohol’ is normally achieved through individual bar staff monitoring the level of intoxication of patrons, and refusing service if it is warranted.

However the clubs in this study have developed rules around the way in which they serve alcohol that aim to limit both the amount consumed and the rate of consumption by an individual. The license conditions for the clubs stipulate some of the practices used, and others have developed through experience of what works in a given community.

#### **6.3.1 No drinking prior to going to the club**

All the clubs have a rule that patrons have to arrive sober. Survey respondents reported that most instances of patrons becoming drunk and disorderly occur when people have been drinking *before* they go to the club. In this context it makes sense for club staff to closely monitor people’s state of intoxication when they arrive.

Three clubs routinely breathalyse people before they enter. Some clubs send home people who register having consumed any alcohol at all; while one allows people to have 0.01 or 0.02 readings, depending on their demeanour. One patron noted that this was not done in mainstream: *‘In Darwin people get pissed in one place then go to another place, no worries.’* When asked why their club was so strict on this the manager replied *‘We are trying to act responsibly.’* However there was some feedback that people don’t like the way the breathalyser is used in their club: *‘That breathalyser*

*makes people angry. Why do we get tested and not the balanda[non Indigenous patrons]. It is racist.'*

### **6.3.2 Six can limit**

The license conditions for two clubs determine that they cannot sell any individual more than six cans in any one night. The Licensing Commission created these conditions after a long history of complaints about excessive consumption and its consequences<sup>29</sup>. In addition one other club has created its own limits of six drinks an evening for men and four for women. Such rules clearly impact on the ways of serving alcohol.

The two clubs that are limited to selling patrons six cans use a ticket system through which patrons purchase their six tickets at the entrance to the club at the beginning of the evening, and exchange the tickets for cans of beer at the bar. There are also rules forbidding patrons to give their tickets to anyone else, as this patron reported: *'Limit of 6 tickets. If you give them to some to someone else [you are] banned.'*

Our researchers visited one of these clubs, and noted that the manager paid strict attention to who was purchasing tickets and then buying alcohol. On the other hand, several survey respondents observed that the ticket system was open to abuse through strategies such as a non-drinking relative buying six tickets and giving them to the person wishing to drink. Staff try to mitigate this risk by seeing ID before tickets are bought, and writing down the name of each patron and how many tickets they buy. However they report that it is difficult to administer the system rigorously.

The club that voluntarily limits consumption by patrons use a system on which patrons names are written down each evening, and the number of beers they purchase is ticked off against their name by a security guard at the bar.

### **6.3.3 One can at a time**

All but one club have a rule that for most of the opening hours patrons can only buy one drink at a time, and all beer is sold as opened cans. The one exception has a limit of four cans per person per trip to the bar.

Some clubs have an additional rule that the empty can has to be bought back before a new one can be bought. This is to make it more difficult for any individual to drink really quickly, and to limit buying rounds of drinks for a group (which makes it harder to monitor individual consumption). As one manager commented: *'That rule means you have to get up and walk to buy another beer. Bar staff can see if you're drunk.'*

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For a more detailed exploration of the interactions between the clubs and the NT Licensing Commission, please see the 'Broad Review into Licensed clubs Literature Review' which accompanies this report.

Three of the clubs vary this rule and allow ‘stacking’ for limited periods. During these periods patrons are allowed to buy either two or three cans at a time. One club allows this for the last half hour, and the others allow it for the first hour. The extent of the ‘stacking’ is monitored by security staff noting how many cans are at any one table. During visits our researchers noted that the vigilance of this checking varied between clubs. It was the researchers’ observation that allowing stacking for the first hour was a better experience for patrons because the alternative meant that people bought a lot of alcohol towards the end of opening hours that they then had to drink quickly before closing time. Many patrons reported that in this situation they drank too quickly and became ill, or argued with staff when their newly purchased beer was tipped out because they hadn’t finished it by closing time. It is also likely to mean that patrons leave in a more intoxicated state, and have potential to cause trouble in the community.

The one club that does not have a ‘one can at a time’ rule reported that it monitors the level of intoxication of clients by watching their behaviour: *‘There is no limit, people can get a 6 pack for the table, we don't concentrate on the number of cans that people are having, we watch the behaviour of the drinkers. If someone has had enough grog we give them a warning or send them out.’*

One club has beer cards through which patrons purchase 10 cards through their credit card, and then have ten ‘credits’ at the bar. Some patrons commented that this sped up the service of alcohol, and sometimes meant that people spent more than they realised.

#### **6.3.4 Early leaving**

One club has an arrangement through which some people leave at 7pm. These are people with health issues, or people who have demonstrated (through bad behaviour) that they cannot handle drinking for a more extended period. Several individuals on this regime were ex-petrol sniffers with associated brain damage, while others tend to be younger people. One patron described it as follows: *‘Some young boys who are silly have to leave at 7pm.’*

#### **6.3.5 The impact of these practices**

The rules described above aim to prevent patrons from getting too intoxicated. Club managers reflect that managing levels of intoxication means there is less likelihood of misbehaviour, making clubs both easier to manage, and less likely to come under the scrutiny of the Licensing Commission. It also makes it less likely that bar staff will have to refuse service to intoxicated patrons. All the clubs reported that they don’t often ask people to leave, and for most of them that ‘scenes’ created by patrons are not common.

Managing the level of intoxication of patrons is particularly important in these remote clubs. The fact that staff are likely to be related to patrons makes it extremely awkward for them to manage intoxicated patrons in a professional manner. It therefore makes very good sense to prevent patrons from becoming intoxicated, rather than to manage them once they are. It is to all the clubs' and their committees' credit that they have evolved a set of practices that work fairly effectively to prevent patrons from becoming very intoxicated and unruly.

### **6.3.6 Refusal to serve intoxicated patrons**

As described above, most patrons do not become intoxicated to the extent that they become unruly and need to be told to leave. However all the clubs reported that it happens sometimes. Research on the responsible service of alcohol found that bar staff are far more likely to refuse service if they know that the manager will support them (NDLERF, 2011)<sup>30</sup>. With this in mind researchers asked bar staff and managers: *'Is it easy or difficult for staff to refuse to serve people who seem drunk? Have they done this? How does it go?'*

The vast majority of bar staff who were interviewed reported that the manager or security staff had the role of asking any patron to leave. One manager commented: *'It's very easy because there is complete backup'*. Another security person reported: *'Yes it's easy, if they don't listen you ban them for some time.'*

There were very few reports of intoxicated patrons being physically forced to leave. All the clubs used people who were respected – either the manager or senior security staff – to ask the patron to leave. If that failed, the most common strategy was for the manager to close the bar until that individual left. When this happens other patrons combine to get the offender to leave. It is also clear that the family atmosphere of the clubs means that family members also join in to get their members to follow the rules: *'Last Friday one drunken fellow had been drinking barge beer and came to the club. He wouldn't leave. His sons were trying to get him to leave. They had to shut the bar before he would go. The security talk to the manager, and they move him along.'*

### **6.3.7 Other responsible service of alcohol practices**

Staff of the clubs mentioned a number of other responsible service of alcohol practices that they have developed:

- *'If people have been broken down on the way from Palumpa or Wadeye they might be dehydrated. We make them have a meal so they don't get too drunk. We encourage the bar being a social place. We bring old people together there.'*

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<sup>30</sup> For details of this please see the Literature Review associated with this report.

- *‘They supply water in a machine next to the bar. Some family have requested that someone only drink light beer – for medical reasons or may be very old. The club back the family up.’*
- *‘Sell food. And there are cold bottles of water available at the door for when you come in and leave.’*

#### **6.3.8 Key points - responsible service of alcohol**

- *Most of the clubs have pleasant physical surrounds, entertainment, and a relaxed, happy feel;*
- *All the clubs have a rule that patrons cannot be even mildly intoxicated when they arrive, and several breathalyse incoming patrons to enforce this rule;*
- *In all but one of the clubs there are a range of strategies used to slow down the rate of consumption of alcohol;*
- *All Managers support their staff in refusal to serve intoxicated patrons, however this is not often needed.*

### **6.4 Club Rules**

Holding a Liquor License entails meeting a number of conditions relating to such things as opening hours, the condition of the premises, the qualifications of staff, and who is entitled to sell alcohol. Naturally these conditions also apply to the entities that hold the licenses of the clubs in this study. However most mainstream liquor licensees do not create an extensive list of rules relating to the behaviour of patrons. In the mainstream it is generally understood as a condition of entry that the licensee has the power to evict any patrons that become unruly.

The situation in these clubs is different, and over time all the clubs in this study have developed a set of rules which create expectations of how patrons will behave. Our researchers found that in most communities these rules are quite stable, despite changes in managers. Rules relate to patron behaviour whilst they are in the club, behaviour in the wider community, and health and safety.

#### **6.4.1 Rules about behaviour in the club**

Like the practices around the service of alcohol, a number of rules regarding behaviour are aimed at preventing trouble starting. As one patron put it: *‘Just enjoy yourself, no dramas’*

##### No humbug

All clubs have rules which forbid patrons asking each other for money or to buy them drinks<sup>31</sup>. This aims to prevent tensions rising over the sharing of money; and to ensure that patrons who do have money can enjoy the club in peace. One club has an associated rule that all patrons have to show that they have \$20 before they enter the club.

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<sup>31</sup> This asking for money is known as ‘humbug’.

Our researchers found that many people approve of this rule, as this woman commented: *'Previously there was bad humbug, no humbug a rule now and it is way better.'* There was also feedback that this rule is offensive to them because it denies their culture. These people felt that it is part of their culture to share, and there were people in the club whom they could legitimately (in cultural terms) ask for money. In this context they felt that the club had no right to outlaw the practice.

#### No arguing/fighting/violence

All clubs have rules outlawing any kind of arguing or physical violence. Many survey respondents outlined the particular rules developed by the club. No patrons could threaten staff – either verbally or physically. In addition no patron could become violent either in or immediately outside the club. As one young man said: *'Can't throw things around - tables and chairs or you get banned.'*

Three clubs also have associated rules that forbid people from making too much noise. This is particularly associated with people barracking for their football teams whilst matches are being broadcast on the television. This rule is recent, and was not well received by many patrons who were surveyed, as this comment indicates: *'No barracking for your team, you can't scream. A strict manager – even a pub in Darwin you can sing out for your club. People get pissed in one place then go to another place no worries. Here got to be quiet like a mouse'.*

#### No spitting, rubbish in bins, butts in ashtrays

All the clubs have rules about patrons behaving in a way that keeps the club clean and tidy. These rules were about spitting, and where to put rubbish. These rules were some of the most frequently cited by survey respondents, which suggests that people are aware of them, and take them seriously.

#### Dress regulations

Most clubs have dress regulations which stipulate that patrons must have some sort of foot wear, and their clothes should not be in bad disrepair. One club also stipulates no steel cap boots or studded belts. This club explained that both of these had been used as weapons in the past.

#### No drugs

Finally, two clubs have specific rules that stipulate that no drugs are to be brought or sold on the club premises. Presumably this rule arose from situations in which patrons were using the club as a venue to sell drugs.

### **6.4.2 Rules for the health and safety of patrons**

#### Health rules

A number of clubs have rules against serving people with health conditions which make drinking inappropriate. Two clubs have rules that pregnant women are not served. One of these extends to not serving either parent for the first six months of a child's life. These arrangements are usually made through the community health

clinic. However one nurse said that she did not participate directly in any process of arranging that an individual would not be served at the club, because she didn't want to jeopardise her relationship with her clients. Instead she approached family members and explained that a particular person should not be drinking, and left it to their discretion to approach the club.

### Sober Bob

One club which has a large number of patrons from neighbouring communities has a 'Sober Bob' rule. This stipulates that people from other communities have to come with a 'Sober Bob' – a driver who has a valid driver's license, and stays away from the club for the evening – and consumes no alcohol. This club does not let patrons from other communities into the club until they can demonstrate that they have a 'Sober Bob'. The security staff member describes their arrangements as follows: *'We have a nominated driver system for people who have driven from other communities to come to the pub. We take down the car rego, a description of the car and the driver's name, the nominated driver has to stay outside. If the driver ends up getting drunk, I take the keys. People have to camp with family for the night and I look after the car. They can get the car back and head home in the morning. Last time this happened was 2 years ago. If I see people trying to come to the club already drunk I check the driver, because they must have been drinking elsewhere.'*

The club management takes this policy very seriously: *'One person got banned after they took off to their home community with no sober bob. People there worked it out and rang the club to let them know.'*

### **6.4.3 Rules responding to behaviour in the wider community**

All the clubs also have rules relating to patrons' behaviour in the broader community. For example, one young man was banned for being drunk and breaking a bus window. He has been banned until he pays to have the window repaired.

### No work; No club

One club has a very strong 'No work, no club' rule. If people in this community do not turn up for work, they are kept out of the club for that evening, as this patron describes: *'I didn't know. A couple of days after I arrived [several months previously from another community] the security asked me if I was working and when I said no she told me to go home. Then I started working [laughs].'*

Another community used to have the same rule, however it has fallen out of use because of the decline in employment in the community.

### No domestic violence

Several clubs also have rules that ban any individual with a charge for domestic violence. It is unclear whether this rule relates to all domestic violence, or only to instances that were alcohol related, and the alcohol concerned was drunk at the club. Different clubs have slightly different versions of this rule.

#### **6.4.4 How do people know the rules?**

Survey respondents were asked how they knew the club rules. The results reflect the way in which the clubs tend to be enmeshed in community life. The most common response was that rules were communicated through word of mouth, as this person described: *'We tell them. We talk to people and explain that you can't get silly at the club.'* It is clear too that families talk about the rules, and make sure that young people know them before they turn eighteen: *'Family will let them know.'*

It was also common to refer to the signs that were posted around the club, and at other places in the community such as the store. It was interesting to note that in some cases patrons confidently referred to signs that were at various locations around the club – however the researchers did not see the signs. We concluded that in several places signs must have been in place some time ago, but no one had noticed that they were no longer there.

The other major way of learning the rules is through being reminded by security staff and managers. As one person wryly noted: *'If they make a mistake they learn quickly!'*

#### **6.4.5 Do people follow the rules?**

The general consensus is that most people do follow the rules most of the time. The times when they don't is when they are drunk – which is often when they have been drinking before they arrive at the club, and then consume more at the club.

It was also clear that the reason many people follow the rules is because they want to continue to go to the club, and if they are banned they can't. So people do not necessarily like the rules, but feel that they have little choice: *'Yes we follow the rules, but hate them.'*

Feedback on the rules varied to some extent between the different communities. In communities with highly authoritarian club managers there was a bitter tone to many of the responses. For example: *'I don't think some people don't follow general rules. Club manager make his own rules, some people think they can speak up for themselves, they don't want to take notice of club rules. When they have a few drinks they complain 'This is my country, I'm a TO, my family works there, my family works behind the bar', people bring that up when intoxicated.'*

However in communities with a stronger sense of community ownership of the club the tenor of the feedback was more positive: *'Yes, the rules have been here ever since they started the community.'*

#### 6.4.6 Who makes the rules?

Given that in some communities the rules have a status that is almost akin to folklore, it is interesting to consider perceptions on who makes the rules. Survey respondents and club staff were asked ‘*Who makes the rules for the club?*’ The responses varied widely, both within each community and across the whole sample. It is evident that the key players in the formation of the rules are similar in each community. They are (in no particular order):

- The club committee
- The manager
- The licensee
- Members
- The police
- Traditional Owners
- Skin groups
- Old people
- The community

In most communities there was a lot of different opinion on which of these players make the rules, and how. The majority (56%) of respondents thought that it was the committee – with some people specifying that it was the club committee. This was followed by 20% who thought that the manager makes the rules.

Among those who think that one of the other players noted above makes the rules, opinion was fairly evenly divided as to which it is. This suggests that there is a fair degree of confusion over the process through which rules are made. It is not possible to say whether the level of confusion over the making of club rules is more or less than over other processes in the administrative life of communities, so we cannot infer further meaning from this lack of knowledge.

In one community, in which the club has a very long and stable history, the majority of respondents agreed that the committee makes the rules, and there appeared to be a high degree of knowledge of the process through which the committee is elected by the community and reports back to the community. In a further three communities feedback suggests that there is tension between the manager and the committee over who should, and who actually does make the rules, as this comment attests: ‘*The committee tries to make the rules but the manager changed the rules himself.*’

In two communities there was a lot of feedback on the significance of the club in how people perceive the strength of their community. People were proud of their clubs, and recalled the work of ‘the old people’ deciding that their community needed its own club. In this context the rules take on additional meaning about being a part of the community. One respondent recalled how their community visited a number of other communities before they established their club: ‘*We went to Oenpelli and*

*Bathurst Island (to look at their clubs) before ours opened, to see what made them better. We learned from our mistakes, our own rules.'* Another respondent from the same community recalled how they made the rules: *'We made all those rules, elders made the rules. We wanted to see the community run it real good.'*

#### **6.4.7 Do the rules help make the club a safe place?**

Survey respondents were asked *'Do you think that the rules help to make your club a safe place?'* The response to this question was overwhelmingly positive in all communities. Overall only 5% of respondents answered 'no', and there are no significant differences when this response is analysed by gender or drinking status.

Interestingly one community recorded a significantly higher 'no' response, with 15.7% of respondents stating that the rules did not make their club a safe place. This club was undergoing some upheaval at the time of the research, and a number of respondents were not happy with the way it was being run.

#### **6.4.8 Key points– rules**

- *clubs have developed a comprehensive set of rules that govern behaviour within the club;*
- *They also have rules relating to patrons behaviour once they have left the club*
- *Survey respondents knew the rules, and most had learned them through word of mouth, although some mentioned signs on the walls reminding patrons of the rules;*
- *Most people follow the rules, although some resent them;*
- *The reason many people follow the rules is because they don't want to get banned*
- *Many survey respondents were confused over the process through which the rules were made*
- *89% of survey respondents believe that the rules help to make their club a safe place*

#### **6.4.9 Mechanisms for enforcing rules**

Clubs use several mechanisms to enforce the rules: security staff, gates and fences, security cameras and banning.

##### **6.4.9.1 Security staff**

All but one of the clubs have security guards (the one that does not is the smallest, and only has one member of staff). One club has license conditions that stipulate both the numbers of security staff that must be present each night, and that they must not all be local people. One police officer interviewed was very clear that security guards are much more effective if they are not local people.

In addition the *NT Private Security Act (1995)* stipulates that all security staff working in licensed premises are required to have their 'Crowd Controller's License'<sup>32</sup>, which is issued by the NT Licensing Commission. A person applying for it must have a criminal history check, and people with offences at the more severe end of the spectrum will not be granted a license. Before a Crowd Controller's license is given, the applicant must have a PRS 20103 Certificate II in Security Operations. This nationally accredited course is delivered by a number of registered training providers in the Northern Territory. Security officers and crowd controllers are also required to have a current senior first aid certificate.

Clearly employing correctly trained and certified security staff for the clubs is quite an onerous undertaking. Many of the club managers reported that it is extremely difficult and expensive for them to comply with these conditions, as many local residents did not meet the pre-conditions for the Crowd Controller's License, and completing the Certificate II course is difficult for them. However most of the clubs do manage it. The larger communities tend to have approximately six to seven staff available, with two to three staff at any one time – frequently one of these is the manager. At the time of the research one community had just hosted a training course at which a number of local people had got their license. Several survey respondents were very pleased that local people now had the training to be able to do the security job properly.

Feedback given by survey respondents and managers was that the roles of security guards are as follows:

- man the gate to make sure no banned people came in
- assess patrons' intoxication on arrival at the club –either by breathalysers, or judgement
- assess patrons' intoxication as the night goes on
- ask people who've had too much to drink to ease up or go home
- break up any loud arguments or fights
- police the 'no humbug' rule

Sometimes these tasks would be very routine, but if patrons become intoxicated and/or fights begin the job becomes extremely challenging. It can be particularly

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<sup>32</sup> A crowd controller is a person who in respect of a licensed premises, a place of entertainment, a place to which the public has access or a private or public event performs the duties of:

- controlling or monitoring the behaviour of persons
- screening persons seeking entry
- removing persons because of their behaviour, or
- any other prescribed function.

difficult for local people, as one person observed: *'If fighting or arguing the security guard kicks them out. Sometimes that's hard for the security if they're family.'* Managers report that in these circumstances, as with the responsible service of alcohol, their staff have their complete support. One security trainer who was conducting training while the researchers were in the community confirmed how important it was for managers and the wider community to support their staff: *'The manager stood by the security trainee, when his brother threatened him. Trainees need to know that the social club committee members are behind them – that's the message I've been giving because there's a lot of flak that comes with the job.'*

Researchers observed quite a range in the way the security people operated. In some clubs they had a very low profile: they checked people as they came into the club to see if they were banned, but appeared to do very little else. In other clubs they were very much in evidence – sometimes keeping their distance from patrons, but obviously observing the mood of the crowd and individuals closely. As one manager put it: *'As soon as the pitch changes we diffuse it straight off. You hear something happening and you go over straight away'*. Other staff have a different style, circulating and sitting down with patrons. One person with this style described their work as follows: *'If people raise their voices security staff have to be there, they need to use gentle voices and help calm things down.'* Our researchers also observed that quite a lot of the local security staff tended to be older men who appeared to be well respected in the community.

#### **6.4.9.2 Gates and fences**

The design of the fencing and the gate area is also an important factor in being able to enforce the rules – particularly those that forbid takeaway (and thus people walking out with alcohol), and people arriving drunk. One club has, in the past, been ordered by the Licensing Commission to improve its fences. Another club is looking to upgrade the gate/fence area so that people can come in to a holding area to be breathalysed, so that if they fail it will be easier to persuade them to leave.

#### **6.4.9.3 Security Cameras**

Two clubs have security cameras set up at several points around their clubs. They do this so that when patrons argue over what did and did not happen (prior to any response by the club to rule breaking), there is some evidence. One of the key rules that is policed by the cameras is taking beers out of the club. The club manager checks the footage to see if anyone has smuggled beer out of the club. Patrons know about the cameras, and it appears to have resulted in some changing their behaviour: *'Last year we didn't have cameras. They were telling us to drink up and I took a can out. Can't do that anymore.'*

#### **6.4.9.4 Banning**

Banning people is the most powerful sanction available to the club and, as described above, it makes people take the rules seriously. Probably because of this, it is a contentious issue. Survey respondents were asked if they knew anyone who had been banned, and only one in ten replied that they did *not*. Several respondents reported that it was often the young male drinkers who were banned, and it was because they hadn't learned how to behave themselves yet. The longest banned list had 113 people, and the shortest had three. Most of the communities had around 50 people on their lists.

Survey respondents were also asked whether they thought that what people had been banned for was fair. Almost two thirds (64.9%) thought that the ban was fair, with the following comment being typical: *'I did run amok so I should be banned. I've settled down now.'* On the other hand, a significant number reported that banning was not fair because the law was there for punishing bad behaviour, and the club shouldn't be able to do it as well: *'Not fair for us, we go to court get punishment and get banned as well.'*

#### **6.4.9.5 Who decides on bans?**

It is difficult to identify the mechanisms through which people are banned, and the typical length of bans, as feedback on this issue was very diverse. The police in one region report that they are the only ones that ban people: *'We maintain the banned list here, and we decide on the banning. No one else can. We send it to each club.'* They request that the Licensing Commission issue the bans. Despite this statement most clubs report more than one banning mechanism, and survey respondents identified several pathways to being banned.

Survey respondents reported that bans can be issued by the club management, club Committees, or by the police. Some survey respondents reported that groups of traditional owners and heads of family groups can also ban people, however this was not corroborated by the police, club managers or members of club Committees.

##### Bans by the club

The club manager and or the club committee tend to ban people for behaviour that occurs inside the club and violates the club rules – such as spitting, humbug or arguing. Offenders tend to get banned for relatively short periods, and the ban is given out the same day. Survey respondents recalled some instances of this sort of banning that certainly did not relate to any broader laws being breached: *'My brother was banned for screaming for his team, Hawthorn and Sydney game, last month, screamed, talked back then was asked to leave.'* On other occasions the ban is not for a set period, but until the offender has made recompense: *'My cousin smashed the TV at the club. Got banned till he paid it off.'*

The manager and committee are sometimes approached by community members who want an individual banned. These requests are considered at the monthly club committee meetings. Several committee members from each community were interviewed about this: most commented that it was quite difficult to decide on the length of the ban, but community members generally support their decisions.

Sometimes the requests for bans come from family: *'If my son run amok I go and see the manager and ask him to ban him.'* and *'I was banned for one month - arguing with my sister about a tape, at home, and my sister rang the club and reported me.'* On other occasions other community members request the ban. Sometimes the motivation may be purely personal: *'I had a fight after I had been drinking at the club. The person I fought with reported me to the club to get me.'* Clearly some of these bans are a response to relatively petty issues, and can be somewhat open to a lack of balance. One police officer corroborated the lack of balance, saying: *'Bans can be used for family politics – for example if someone didn't share something they try to get them banned.'*

There was also feedback that the banning process was open to manipulation, and could be influenced by your place in the community: *'It depends on who you know, your relations, rules vary for committee members as they have a big say about who gets banned and whether someone gets let back in.'*

#### Bans by the police

The police also issue bans without referring to the club. It seems to be general practice that if police are called to an incident that involves people who have been drinking at the club, that those involved are banned. One club reports that community members from another community are banned from their club for behaviour in their home community. In these cases the police inform the club of who is banned, and for how long:

*There was recently a blanket ban that prevented anyone from one community from drinking at the club, it was instituted following riots that erupted after the murder of one of the gang leaders there. The ban stopped and started over 4 months (as police lifted it and then reinstated it), it was confusing. People would arrive here thinking the ban was lifted and we would have to stop them coming in. This has happened a lot over the years, maybe twice a year.*

On the Tiwi Islands the police circulate the banned list to all clubs, and if an individual is banned in one club they are automatically banned from all four clubs.

#### **6.4.9.6 Who should have the power to ban people?**

Because of the confusion around the banning process respondents were asked who should have the power to ban people. The responses to this question were as mixed

as the feedback on who decides who is banned. The majority of respondents acknowledged that the police and the club Committee should have the power to ban people. Many also thought that family leaders should also have that power.

#### **6.4.9.7 What behaviour can lead to a ban?**

##### Bans for behaviour at the club

As noted above, the club manager and or the club committee can ban people for behaviour that occurs inside the club and violates the club rules – such as spitting, humbug or arguing.

##### Bans for behaviour not directly related to the club

People are also banned for behaviour that is not directly related to the club. The club management can be approached by agencies in the community to request that an individual be banned: *'My brother smashed the meter box at his house after drinking at the pub. The family reported him to the police and the Shire, who asked for the ban until the damage was paid for.'*

It is difficult to tell if all the behaviour involved with these bans is alcohol related. Almost three quarters of survey respondents (70.5%) reported that you *could* be banned for non-alcohol related issues; however many people were uncertain, and responses differed between the different communities. One school of thought says that it isn't fair because the police should handle those issues: *'It is a hard one but generally I believe that banning should only relate to incidents that are directly related to the club or alcohol consumption at the club - if you get a DUI offence in the mainstream you don't get banned from drinking, you get banned from driving.'* The other point of view is that people shouldn't do the wrong thing, so it was fair enough to ban them: *'Stealing or something – it's good to get banned. Why should you do something that you shouldn't do, then go to the club and enjoy yourself.'*

An example of banning (or threatened banning) for non-alcohol related reasons is provided by the photo below.



The sign was put there by the plumber, with no authorisation from the club – and he reported that it worked. No one went near the building site.

This is a vexed issue. Several club managers found the banning systems extremely frustrating. They reported that being banned from the club becomes the de facto social control system for the whole community – and makes their businesses much less profitable. Some survey respondents agreed: *'It's too cheeky to do that. Not fair. What has it got to do with the club. Club should only be involved if its grog.'*

However other stakeholders, both service providers and community members, reported that banning is one of the few effective forms of social control, and it is a good option to have available. This person summarised this point of view well: *'Kids stealing out of houses - parents get banned, that's good, no-one steals.'* Another survey respondent characterised it as 'instant justice'. The banning happened quickly, and was an effective punishment. In their opinion this was better than the justice provided by the police because *'You don't have to wait.'*

#### Bans relating to children's behaviour

It seems that several communities have, or used to have, systems through which parents are banned if their children didn't go to school or were anti-social around the community. Again opinion was divided about whether this is a good thing. Some respondents said things like: *'I think it's good getting parents banned if kids muck up or smash anything. It's parents' responsibility to look after them but they're in the club.'* Other people who have been banned for this reason aren't so sure: *'I don't think it's a good idea. I was banned for 3 days because my little boy didn't go to school because he was at outstation. So we went to pick him up [laughs].'*

In one community the principal used to go to the club and ask that the parents be banned. However this appears to have stopped when that particular principal left the school. One community wants to re-negotiate the alcohol agreement with the police

to include school attendance as a basis for banning. However feedback from other schools was that they do not want to be part of linking school with alcohol – it does not feel right. This comment gives a flavour of what teachers object to (although the speaker supported linking bans to school attendance): *'They've got to make their kids go to school now. Their kids are going to school because they want to drink their beer.'* It is difficult to disentangle the messages that children could receive from this arrangement.

#### Bans relating to neglect of children

Parents who are seen to neglect their children are sometimes banned. This ban seems to relate more directly to the club. One survey respondent described what happens in their community: *'Some people don't look after their kids. Parents go to the club. If a kid gets hurt the blame goes back to the mother and father, they get banned from the club.'*

#### Bans relating to domestic violence

Most communities have systems through which perpetrators of domestic violence are banned. However it is unclear whether this is only the case when alcohol is involved.

#### Banning for minor domestic issues

Several respondents reported people being banned for: *'Breaking things in the house like a fridge, or a stove, family tell on them'*. This raises the issue of the potential for banning being used as a threat in a whole range of small scale domestic situations.

#### **6.4.9.8 How long are people banned for?**

There is a large range in how long people are banned for. Most bans seem to be for less than six months. Some are for a matter of days. One police officer commented: *'The ban is a bit negotiable. If they don't race off and get more grog, or try to bring it in, we lift it early. We also don't police the requirement that you lose your permit when you're banned. It isn't in anyone's interest to have someone have no alcohol and go off the island.'*

All communities have some people who are banned for life. This is generally for repeated and serious offences. In one quite small community there were 43 people on the banned list, and 28 of these (65%) were life bans. However these things are obviously a factor of how the clubs are administrated - another community had a banned list of 113 people, 19 (17%) of whom were banned for life. Interestingly, the club with the high 'banned for life' proportion has a reputation as a peaceful and well run club, whereas the other is less so.

There was some debate about whether life bans are a constructive strategy. Several survey respondents felt that a really long ban simply sends people away from the community to drink elsewhere. As one survey respondent who has been banned for

life declared *'This community is trying to kill me. They want me to drink somewhere else and get myself killed!'*

#### 6.4.9.9 Does banning improve behaviour?

Most survey respondents felt that banning was a constructive strategy, as long as the ban is not for too long. They felt that being banned teaches people a lesson in respect, and how to drink in moderation: *'They have to take punishment. Banning teaches them a lesson - teaches them not to run amok, that they should drink like normal people, be sensible and drink in moderation. Some people drink too much.'* It was not only people who observed the impact of banning on other people that were positive about it. Several people also spoke positively about the fact that the threat of being banned kept their own behaviour in check: *'I don't get banned because I love my beer.'*

One person also referred to banning as the tool to achieve the original idea behind the clubs – which was to teach people moderate drinking: *'The club is made for people to socialise in. It shouldn't be really intoxicated. It's like a learning thing, that's why it was opened in the first place.'*

One survey respondent felt that banning should not be used as a form of social control, because it doesn't have the same power over people who don't drink: *'It would be too hard to ban drinkers who don't look after their kids, because there are non- drinkers too who don't look after their kids, what will you ban them from? The shop?'*

#### 6.4.9.10 Does banning make the community safer?

Banning people is clearly a nuanced and complex issue. The bans have become to some extent a de facto system of social control for all of the communities that have clubs. It is therefore interesting to consider if the overall impact of banning is seen to be positive for the safety of community residents. Survey respondents were asked *'Does banning make your community safer?'* Table 6.1 presents the results for this question.

Table 6-1: Responses to 'Does banning make your community safer?'

Response	Frequency	Percent
No	44	12.2%
Yes	274	75.7%
Don't know	25	6.9%
No response	19	5.2%
Total	362	100.0

When this is analysed by gender and drinking status there are no significant differences. This is a very positive result which suggests that banning is a form of social control that is effective in improving community safety.

However we stress that it is not possible to draw any overall conclusion about the impact of the clubs on community safety from these responses, because we have no comparison with community safety measures in communities *without* clubs (other than the assault data presented in Chapter 5).

In two communities a considerably higher proportion of respondents do not think that banning makes their community safer (56.9% and 66.7% respectively). These clubs are both characterised by highly authoritarian managers, resulting in community members not feeling engaged in the process of running the club. This lack of input and transparency may be the reason that residents feel that the bans do not improve community safety.

In two communities people who are banned have had to do some training before they return to the club. In one they have to attend the alcohol and other drug counsellor, and in another they had to do an anger management course. These arrangements drew community support. However it appears that they are difficult to maintain, as people who have been banned find it difficult to arrange a course to attend. In one community this arrangement has lapsed because the anger management courses are no longer running. However it is worth noting as an arrangement that seeks to address the causes of the behaviour which has resulted in the individual being banned.

#### ***6.4.9.11 Does banning result in people leaving their community to drink in more risky environments elsewhere?***

A major dilemma regarding the impact of banning people is the extent to which they then leave the community to drink in other places. One person summarised the issue well: *‘People get banned for life and then go to Darwin to drink. Get in trouble and accident, and coffin coming back.’* There is consistent feedback that some people who are banned do go to other places to drink. In one community the son of a local research assistant was banned while the research team were there. The mother was very worried and went to the club and police to ask that he not be banned. Meanwhile the son was vowing to go to the nearest town to drink, and starting to walk along the road out of town. The whole family was genuinely concerned that the young man would come to harm when he went drinking somewhere else.

Further investigation of the impact of being banned was done by accessing the list of people who had been banned in one community. Researchers then sat down with local research assistants to ask who had left the community, and who had stayed. Of 30 people on the list, 20 (66.7%) were said to have subsequently left the community,

although some people who left were also said to have returned. Young people were particularly likely to have left the community, with 13 of the 20 being aged less than 30 years.

#### **6.4.9.12 Key points - banning**

- *Banning becomes a system of social control for the whole community*
- *Most people think the bans are fair*
- *Banning systems sometimes get used for more petty family politics*
- *Community controlled system of response to bad behaviour (in some places)*
- *The issue arises the extent to which it is fair to use access to the club as a major carrot for a whole range of behaviour*
- *Banning is seen as a tool to teach more moderate drinking*
- *Many (particularly the young) that are banned leave the community to drink in other places*

### **6.5 The role of the club within the community**

In addition to learning about the way each club operates, we were also asked to investigate the role of each club within its community. We therefore asked survey respondents: *'Does your club ever run events for the whole community – drinkers, non-drinkers and families?'* Almost two thirds (59.9%) responded that their club did run such events. Responses between communities varied markedly, with the proportion saying yes varying between 29% and 87%.

It is clear that the clubs vary significantly, both in the extent to which community members are aware of additional activities and, if respondents are correct, in the extent to which such activities occur. Communities that run fewer activities tend to have managers who have not been there long (however one of the highest responses is for a club with a very new manager). Another possible interpretation is that researchers noted that relationships between the manager and the community are somewhat strained at the two clubs with the lowest 'Yes' response, and this may cause fewer activities to be run.

Feedback reports that the type and number of events are mostly determined by the manager, rather than the committee. This generated a long list of the sorts of events that are held including: Christmas day, New Year's day, Australia Day, International Women's Day, Mother's and Father's Day, staff farewells, Melbourne Cup, NAIDOC day, weddings and wakes.

Those that are held for the whole community tend to occur two to three times a year. Some are initiated by the club, and others are when a group hires the facility. It is clear that prior to the NTNER and the contraction of trading hours the clubs ran more lavish

activities that occurred more frequently. Our researchers were given wistful reminiscences of big parties with long tables of lovely food. However several managers reported that the clubs are not currently generating profits to allow lavish events to continue.

There is quite a clear division of opinion on how desirable it is to have whole-of-community functions at the club. Most people welcome it, and would like to see more. They like the children to have a good time there and enjoy the facilities. However there is significant opinion from community residents that children should not be encouraged to go to the club because it can be seen as a positive endorsement of alcohol: *'The disco used to run but not now. Maybe BBQs. We don't want kids at the club, we don't think kids should go there.'*

The third type of event that some clubs hold is when it is used for additional events at which alcohol is available. For these functions the club management has to apply for a special license from the Licensing Commission. One manager reported his experience when he applied to run the staff Christmas Party in 2012: *'The application went to Licensing Commission. FaHCSIA management were a part of the process. They put the following condition: 'Nobody is allowed to drive a vehicle to the club; they have to provide a bus to take them home, and they could only provide what is sold in the club; there could only be 6 beers in total. We didn't bother with the party – those conditions are offensive. It was for a staff Christmas Party. Where in Australia do they put conditions like that!'*

It is clear that these events are popular. Three quarters (75.4%) of survey respondents would like them to be held more often. There were no significant differences in responses between drinkers and non-drinkers, or men and women.

#### **6.5.1 Role of the club within the community - Key points:**

- *All the clubs hold events for the whole community, but generally not more than two or three times a year.*
- *The events that are held are very popular, and include a wide range of celebrations.*
- *Some people feel that children should not be involved in events at the club because of its association with alcohol.*
- *Club facilities in many communities are also hired out for use to host meetings.*
- *Applying for a license variation for the club to be able to sell alcohol outside of its normal license is an onerous process that some feel is too tightly controlled, and does not occur at mainstream clubs.*

#### **6.5.2 Financial contributions from the club to the community**

One of the arguments used to support the existence of clubs is that they keep money in the community, as opposed to people buying alcohol elsewhere. The logic is that

the profit goes to the club, which then supports community initiatives. With this in mind we asked respondents 'Does the club spend any of the money it makes on buying things for the community?' We then asked for comment. Table 6.2 presents data on whether or not respondents thought that the club spent money in the community.

**Table 6-2: Responses to 'Does the club spend any of the money it makes on buying things for the community?'**

<b>Response</b>	<b>Frequency</b>	<b>Percent</b>
<b>No</b>	85	23.5%
<b>Yes</b>	139	38.4%
<b>Don't know</b>	110	30.4%
<b>No response</b>	28	7.7%
<b>Total</b>	362	100.0

The responses show how mixed people's opinions and knowledge were about what happens to profits made by their clubs. When this is analysed on a club by club basis, it is clear that some communities know more about the financial operations of their clubs than others. In one community only 10% of respondents thought that their club gave money or donations to the community. The highest positive response was still quite low – 59%. This highlights the fact that what happens to any profit made by the clubs is not common knowledge. This may be exacerbated by the decrease in donations from the clubs to the community as their profits have fallen.

When survey respondents were asked to elaborate on what sort of support was given by the club, a list of relatively minor donations and sponsorship were given: sponsoring football teams and jumpers, attendance prizes for schools (bicycles, laptops) and sporting trips and excursions for primary school students.

There were some more major purchases – two clubs had bought buses for community use, however both these buses remained the property of the club (and neither were roadworthy at the time of fieldwork). Several respondents also commented that their clubs give donations to families for funerals, and supply the food for wakes that are held in the club. In at least one club this sort of support is only available to paid up members.

There was also feedback that the process through which the community could access donations was difficult, and changed according to the manager. At least one club required a written request. Similarly the process through which requests were approved was not transparent. Some respondents were clear that the committee made the decision, while others assumed it was the manager. Committee members

were interviewed in every community, and their feedback confirmed that some requests are dealt with by the Committee, and some go straight through the manager.

One club was clearly putting their profit into the community by working with the store to renovate the store building to include a bakery and takeaway shop. They were planning training programs so that local people could operate the enterprises: *'The club paid for the renovations, and it is helping pay for the extension to the store. It is about making jobs for our people - we will have a takeaway and a bakery.'* (The manager pointed out that a loan was paying the major part of the renovations.) The profits from this club are also routinely used to subsidise the store and keep the prices of fresh fruit and vegetables as low as possible (this club was one that was managed by ALPA in conjunction with the store, so that they operate as one economic unit).

At least two clubs have used earnings to build commercial accommodation facilities that they run as small motels for visitors to the community. Such enterprises raise an ethical dilemma – the facilities are built with club profits, and are expected to generate profit. However it seems that community knowledge of what happens to the earnings generated is very poor, and that returns to the community have fallen substantially since 2007 despite the new enterprises. One manager explained that they operate very conservatively, and keep substantial capital in the bank in case of a rainy day.

There was considerable disquiet among survey respondents about financial management at several of the clubs. One is managed by a third party, and people felt that they haven't been told the financial status of the club. They heard that it was making a loss – but this had not been confirmed. (Later enquiries by our researchers indicated that the club was in profit, and plans were afoot to reinvest some of this into the club.)

Some community residents and service providers commented that they didn't know the salary level of staff, but were concerned and suspicious that it might be very high: *'The first licensee supported the school, now the club is knocking everyone back. This licensee went on holidays at the end of last year to Las Vegas, with wife to Hawaii for their holiday.'*

Respondents from another community reported that their club (which operates on a tavern license) pays very high rent and wages, and all the profit goes to private individuals. Researchers do not have evidence to either support or deny this claim.

### **6.5.3 Financial contributions from the club to the community - Key points:**

- *There are generally low levels of knowledge in the community about what happens to any profits made by the clubs.*

- *The level of profit returned to the community has declined with the decreased profitability following the decrease in opening hours and the move away from full strength beer.*
- *All clubs make minor sponsorships for things such as football guernseys.*
- *Several clubs assist community members with funeral costs – in some communities this is limited to club members.*
- *Several clubs support the breakfast programs at their schools through monthly donations of a few hundred dollars.*
- *One club is involved in funding major renovations within the community.*
- *Some clubs have built additional enterprises such as accommodation facilities. In some cases the additional profit that could be expected to flow from these enterprises is not evident in increased support for community projects.*
- *In some communities there is disquiet and suspicion over financial management practices and the level of salaries paid.*

## **7 What makes a club run well?**

*'The committee and the people's rules, helping each other, communication, responsibility, working together. A strong committee makes the difference.'*

Survey respondents were asked two questions on what they perceive makes a club run well:

1. 'Can you tell me what has made the club run well or badly in the past?'
2. 'What do you think is important for the club to run well?'

There were several very clear themes in their responses. Overall there was a tone of pride in their club and their achievements in running it: *'Since the club has been here people have been happy. It's been a good club. In the beginning there wasn't any grog. The Europeans bought the grog. Then we have made a club here that has our rules.'*

### **7.1 The attitude of the drinkers**

There was a lot of feedback that a key determinant of how a club runs is the attitude of the drinkers: *'Trouble makers can ruin it.'* and *'The attitude of people when they are drunk is important, no matter what kind of manager you got. If drunk people act silly...'*

It is difficult to determine how drinkers' attitudes are formed – it seems that the way they are treated at the club is at least part of it. However it may be that communities and families have their own norms. It is easy for a club to develop a repressive culture that aims to force drinkers to behave – and this has reverberations for the feel of the whole club. The previous section on banning gave great detail on banning regimes, and clearly all the clubs have them. But our researchers observed that there is an ingredient beyond that, which is about how the patrons and staff perceive the club, and the extent to which there is mutual respect and liking. To some extent this changes as the managers change. However it is likely that the patrons and community have their own, more stable, set of attitudes about the club.

### **7.2 The importance of the manager**

Many survey respondents identified having a good manager as key to having a good club. They specified having someone who likes Aboriginal people, and is prepared to listen. However they also want someone who can be strong and enforce the rules. The point was also made that the manager needs to be consistent, and that trouble arises when the rules are inconsistently applied.

The manager's role in relation to the rules for the club raised considerable comment. Survey respondents felt that the manager should implement the rules of the club, but should not have a role in making those rules. They believed that the best process is

for the committee to make the rules, and for the rules to be stable. They recognise that most managers don't stay for more than a few years, and they do not want the club changing every time the manager changes: *'Every manager has to listen to the committee, they're the boss of the club not the manager. Some managers don't understand that. He's there to hold the license, not make the rules.'*

There were several comments that indicate that through their history clubs have had managers who have created problems through favouritism, with practices like allowing traditional owners and other important people in the community to drink after closing time; and paying them with either money or alcohol: *'The managers are manipulative - I've heard after hours drinks for committee members - who can I put in my pocket?'* Some clubs have also had problems with managers defrauding the community and stealing money. (This problem is certainly not limited to clubs.)

Other survey respondents highlighted the power a manager has in the community: *'It's hard to get rid of a manager who you don't like, people are afraid to criticise as they might get banned.'* The manager is often the licensee or the nominee for the license. This gives them a great deal of control over a highly valued asset. They can, if so inclined, close the club for considerable periods. If a manager chooses to gather power within a community they are well placed to do so.

Most clubs employ their managers directly. They are on a wage, and some have incentive payments related to the way the club is running (as far as we are aware the incentive payments are *not* related to turnover). There is considerable lack of transparency over how the managers are managed. The club committee generally has the responsibility for supervising them, but there is potential for this to be ineffective because of the power the manager has over the club through being the licensee or nominee.

However two clubs employ the Arnhem Land Progress Association (ALPA) to run the club and take responsibility for employing and supervising the manager. This arrangement creates some checks and balances, as the manager receives supervision from the head office of ALPA, and there are processes in place to monitor the propriety of corporate and financial behaviour. ALPA also takes responsibility for the training of committee members in governance matters. Committee members in these communities still reported feeling that they had control of their club. They did not appear to feel that having an additional stakeholder in management meant that they had lost control.

### **7.3 The importance of security staff**

Table 7.1 also makes it clear that almost half of survey respondents felt that security staff are key to running a good club. It was well recognised that security staff need to be there to control drunks, and it was acknowledged that this is not an easy job. There

was considerable feedback that it helps if security staff receive training: *'Security should be stepping up a little bit more - wear uniforms, get training, otherwise subject to family influences.'*

As cited earlier (Section 5.5,) people prefer that security guards are low key, and speak quietly to people. In two communities there was some feedback that security in the club can be rough and disrespectful: *'Security staff mishandle people, they are rough and inflame the situation, then they get punched and it's more trouble. They need to talk politely to people.'* Feedback suggests that this relationship between security and patrons seems to function to introduce a sour note to the club, and people from these communities were far less likely to comment that their club was a happy, relaxed place in which people meet to socialise and have fun.

#### **7.4 The role of the club committee**

Many survey respondents recognised that their club committee plays a key role in how well the club runs. They specified that a strong committee is needed – people who can enforce a strong set of rules: *'Working well when the committee is strong and willing to send a message we will not tolerate that type of behaviour.'* The functioning of club committees is discussed in more detail in the chapter on 'Legal and Governance Structures'.

#### **7.5 Rules**

Both rules on opening hours and rules governing behaviour were identified by respondents as being important in the running of a good club. These issues are discussed in more details in chapters four and six.

#### **7.6 Food**

It is important to note that it is a license condition of all the clubs that hot food be available. There was a great deal of feedback that having good food available is important in creating an atmosphere where people are enjoying themselves – not merely drinking their beer: *'Important thing is food, hot and spicy, eat as well as drink - no problem then.'* It was clearly felt that the availability of hot food makes the club more of a night out: *'Runs well because you can watch football on TV, play pool, darts, and there is nice food, hot food.'*

There was also some indication that eating food and drinking is something that people learn. It is a move away from a culture of drinking to get drunk:

*We didn't used to have a bistro - only started recently. It's made it better to have a feed at the club and drinking as well. Some people don't eat there - go home and have a feed. But it's no good sitting and drinking beer when you're hungry. Now people are happy to spend some money on food, and some on*

*beer. I'm getting that habit now - eating and drinking. I'm alright with that as long as I have a good yarn.*

Some managers reported that they had tried to sell food, and it was wasted because nobody bought it. As one manager put it – *'People are here to drink, not eat.'* However other clubs had a different experience. It seems that clubs that sell hot food such as casseroles do create a market: *'We have hot food - try to do hot stews, casseroles, foods - sometimes hot chips & wing dings but we try to make it healthy, stomach filling food. They often put their name down for food before they buy beer.'*

One club had a reputation for selling good food, and non-drinkers would go to the club to get food, and then go home. However when that manager left the turnover in meals decreased markedly. So it appears that the quality of the food is very important. Several managers of the clubs that do sell food commented that people would often buy it at the club, but take it home to eat after the club closed. In this way the club becomes a takeaway food outlet for the community.

The point was also made that the food should not be too expensive. One club was charging \$30 for a meal, which was well beyond what most people were prepared to pay.

## **7.7 Entertainment**

Several survey respondents felt that to run well the club needs to provide entertainment. This too functions to lessen the focus on drinking. People can have a good time playing pool and darts. Several of the clubs also run dancing competitions, meat raffles and fashion shows. Some managers made the point that planning and running such entertainment is expensive, and since the change to trading hours enforced by the NTNER most of the clubs are making much less profit.

Survey respondents reported that having entertainment gave the club a happy feel: *'They play music, they have bands, sometimes they have little corroboree, makes the club real happy. Make people really happy, laugh, enjoying themselves. Sometimes the club go right up to 8 o'clock and then it closes and everyone comes out real good.'*

One manager commented that he had received censure from other organisations in the community when he ran such entertainment, as they felt he was trying to entice people to the club. Far from encouraging people to drink, it creates an environment in which they don't focus solely on drinking.

## **7.8 Good relationships with other organisations in the community**

Some of the managers interviewed commented that it is important for their club to have good links to other organisations in the community. They need to communicate well to make sure systems like banning people, and 'no work, no club' can be properly run. It is also important to have good channels of communication with the police.

One club has become very isolated from other community organisations. There is a lot of mutual mistrust and suspicion. This environment means that the club is less able to play a positive role in community life.

## **7.9 Regulation**

There was also feedback from some staff on the need for the clubs to be regulated by an external body. The need for this was perceived to be around the responsible service of alcohol, but also more broadly around financial management matters. There is a need for a more pro-active approach so that clubs can receive support in working towards providing a responsible service that adds to the overall quality of community life. Most of the clubs do this most of the time. However their history demonstrates that at times they do not, and at these times they need supervision and support. Recommendation 3 of this report deals with this issue by suggesting the creation of capacity with the Northern Territory government to pro-actively work with and assist clubs to operate responsibly and for the benefit of their community.

## **7.10 Physical environment**

In keeping with the general feedback that it was important to make the club a pleasant place where people could relax and enjoy themselves, some people commented that it was good to have a well maintained club, with clean toilets, tidy areas and good gardens. There was also some comment that it was good to have separate areas where people from different groups could sit, and areas both inside and outside. This is supported by findings from the literature review

## **7.11 What makes a club run well – key points:**

- *Clubs run best when they create an atmosphere that encourages patrons to have a good, social time and not focus solely on drinking.*
- *Most clubs employ their manager directly, however two contract ALPA to run them. This arrangement creates some checks and balances and gives more surety that the club will be appropriately managed.*
- *Most managers are supervised by the club Committee. This system is open to abuse, because Managers have a great deal of control over the opening and running of the club. If they so desire, they can exert enormous power because potential critics do not want to be banned from the club.*
- *The strength of the Committee was seen as crucial to running a stable and responsible club.*
- *Committees should be representative of the whole community and have drinking and non drinking members, as well as a range of ages. In some cases there may be a role for non-Indigenous committee members.*
- *Good security is done in a low key manner wherever possible.*
- *The quality of security staff is important, and training helps them to do a good job.*

- *The availability of food is important in a well run club:*

  - *The availability of hot food such as a casserole is important in creating an atmosphere where people are there to have a good time – not only to drink and get drunk.*
  - *When good food is available people will buy it, but the habit of eating as well as drinking is a learned one, and takes time to acquire.*

- *Entertainment such as games, bands, competitions and music are important in creating a happy lively atmosphere where the drinking is not the sole focus.*

## 8 Conclusion

This study examines the operation and impacts of clubs in remote Aboriginal communities in the Northern Territory. The findings indicate that the clubs have had a mixed history. Prior to 2007 some of the clubs experienced periods of very high consumption, associated with high levels of alcohol related harm for the community members. This period was characterised by license conditions that allowed extensive opening hours and take away sales. In 2007 opening hours and alcohol sold were brought under centralised control, and all but one club were limited to opening for three hours a day on four days each week. Sales were limited to mid-strength and light beer.

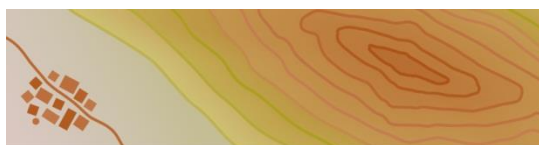
Since 2007 two measures of alcohol related harms (alcohol related assaults and alcohol related hospital separations) in communities with clubs have been declining, and are now comparable to the rest of the NT. This suggests that *when license conditions are tightly controlled*, communities with clubs do not suffer from uniformly higher alcohol related harms than those without clubs.

Over their history clubs in Aboriginal communities in the NT have developed an array of successful measures that manage patrons' alcohol consumption and behaviour. All the clubs are now pleasant places to spend an evening, and offer community members a convivial place to socialise. When alcohol related trouble occurs as a result of drinking at the club, all the clubs have very effective systems of managing the behaviour through rules, security staff and a system of banning people who have broken the rules. This system is also used to control a range of other behaviours (such as not turning up to work) in every community. We note that all of the clubs have developed these systems over time and trial, and they may not be easily replicated.

However the dilemma facing policy makers is not a dichotomy between a dry community where residents don't drink alcohol, and a community with a club where people do drink alcohol. Residents of remote communities access alcohol from a number of outlets – whether they have a club or not. The dilemma is therefore creating policy settings that maximise drinkers' access to environments in which their alcohol consumption is managed.



## Appendix one – Interview Schedule for Community Members



**BOWCHUNG**  
PTY LTD

Code

### Survey questions for licensed club research

Thanks for agreeing to participate. We are trying to work out ways to make sure that the Club is as safe as it can be for everyone – staff, drinkers and family. So we are keen to ask you some questions about the Club, and about grog in the community.

#### About you

1. Do you usually live here at this community, or are you visiting?
  - Yes
  - No(Interview even if they are not residents)
2. Age
  - Under 18 yrs
  - 18 – 24yrs
  - 25 – 39yrs
  - 40 – 55yrs
  - Over 55yrs
3. Where do you get your money from?
  - Family
  - CDEP
  - Job
  - Centrelink
  - Pensioner

4. How often do you go to the club?

- Most times that its open
- Sometimes
- Hardly ever
- Never

### **About the club**

These questions are about your Club. We are looking for ideas on what are the best rules for Clubs, so your ideas are important.

The opening hours of the Club are **(to be filled in by researchers)**

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5. Are you happy with those hours? (*Researcher to tick box*)

- Happy with how it is
- More hours
- Less hours
- Don't know

Comment – prompt for discussion on length of time each day, what time during each day (work hours/after work) and number of days a week the Club should be open.

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6. As you know, the club is allowed to sell

\_\_\_\_\_ (Researcher note: put in whatever the local Club rules on the type of alcohol sold are)

Are you happy with the sort of drinks your Club is allowed to sell?

- Yes
- No
- Don't know

7. If not, what sorts of drinks do you think the club should be able to sell?

- Light or mid strength beer only
- Heavy beer

- 0 Wine
- 0 UDL (researcher may need to explain)
- 0 Spirits
- 0 Port
- 0 sherry

Comment

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8. What rules does the Club have about how you're supposed to behave?

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9. How do people know these rules?

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10. Who makes the rules for the Club?

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11. Do people follow the rules?

*Researcher to prompt which rules are and aren't followed*

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12. Do you think that the rules help to make your club a safe place?

- Yes
- No
- Don't know

Comment

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### **Banning**

These questions are about banning people from the Club.

13. Do you know anyone who has been banned from the Club?

- Yes
- No

14. If yes, what did they get banned for?

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15. How long were they banned for?

- Less than two weeks
- Less than three months
- Between three and six months
- More than six months

Comment (prompt: did they have to do anything else to be able to return to the Club – like a sensible drinking course etc)

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16. Do you think it was fair that they were banned for doing that?

- Yes
- No
- Don't know

Comment

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17. Are people banned from the Club as punishment for other things – like not looking after their kids?

- Yes
- No
- Don't know

18. What do you think about that?

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19. Who should have the power to ban people from the Club?

- Police
- School
- Welfare
- Shire
- Club Committee
- Traditional Owners

Comment

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20. Do you think banning people from the Club helps to make the community safer?

- Yes
- No
- Don't know

Comment

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### **Responsible Service**

Pubs and Clubs all over Australia do things to make sure people don't get too drunk, and we would like to find out what your Club does.

21. Does the club serve beer to people who are drunk?

Comment

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22. Does the Club ever close down for a while if people start to make trouble there?

- Yes
- No
- Don't know

Comment (Prompt for why the club closes – trouble at the club/in the community, and who makes the decision to close it and how well that works)

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**What makes the Club run well**

These questions are about how the club has run over the time you've known it.

23. Can you tell me what has made the Club run well or badly in the past?

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24. What do you think is important for the Club to run well?

Note to researchers: *prompt only as needed*

A good manager; Good security staff; Good police; Everyone knowing the rules; Good Management; board; Good food available; Good local committee; Rules on opening hours

Comment

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25. Does your Club ever run events for the whole community – drinkers, non drinkers and families?

- Yes
- No
- Don't know

Comment (get a description of activities)

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26. How often does it hold things like that?

- Once a week
- Every few months
- Less than that

27. Do you think it would be good to have more activities like that?

- Yes
  - No
  - Don't know
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28. Does the Club spend any of the money it makes on buying things for the community?

Comment

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**Where grog comes from for people in your community**

We've asked you about your Club, now we have a few questions about where else people drink.

29. If you have drinkers in your family where they buy most of their grog from?

- The club
- The roadhouse
- Another community
- town

Comment

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**These questions are about how people drink during the day – which places they drink at, and when.**

30. If you have drinkers in your family do they drink here at the Club and somewhere else in one day?

- Yes
- No
- Don't know

31. If yes, what do they usually do?

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32. How often does this happen?

Comment: *(Prompt – why do people want to get grog from different places)*

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33. How much grog would people drink if the Club wasn't here?

- A lot less
- A little bit less
- About the same
- A little bit more
- A lot more
- Don't know

Comment

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**About your community**

This is the last lot of questions, and they are about your community.

34. Do you think there would be less trouble in your community if there was no Club?
- Yes
  - No
  - Don't know

Comment

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35. Do you think that having a Club here keeps people from going to town to drink?
- Yes
  - No
  - Don't know

Comment

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36. How often does your family have grog related problems:
- All the time
  - Some of the time
  - None of the time
  - Don't know/don't want to say

Comment

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37. Is there anything else about grog in your community, or the way the Club runs that you want to talk about?

Comment

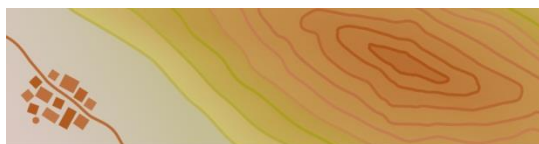
## **THANKS FOR YOUR TIME**

**These questions have to be filled in by the researcher after each interview**

From the knowledge you have gained from them from the whole survey, please answer these questions

1. Gender
  - Male
  - Female
  
2. Do they drink alcohol
  - Yes
  - No
  - Don't know

## Appendix Two – Interview Schedule for club managers and staff



**BOWCHUNG**  
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### **Questions to ask staff and management of clubs**

#### About you

1. What is your role at the Club
2. How long have you been in that role?
3. How long have you lived in this community?

#### Licensing Conditions

4. Are you happy with the licensing conditions? If not, why not? What arrangements would you prefer and why?
5. What proportion of the alcohol consumed in the community do you think is sold by the club? (How much comes in from other sources)

#### Serving Customers

6. How many of your staff have had training in responsible service of alcohol? Has your manager/licensee/security staff done the training? (Get answers for each group)
7. How do you enforce the limit on how much people are allowed to drink (if there is a limit)?
8. Is it easy or difficult for staff to refuse to serve people who seem drunk? Have they done this? How does it go? Does the Manager mind? (Get stories)
9. Is there pressure on you from family that you serve to treat them differently? How do you manage that?

### Staff

10. What is staff turnover like? Are there new staff all the time, or do people tend to stay for a while?
11. How many staff have experience working in Clubs and pubs? Do you mostly get experienced people?

### Security

12. What security arrangements do you have in place? Do you have security staff? Do they have to do any training? What?
13. How many times a week do your security staff need to keep the peace, or ask someone to leave?
14. What are the main reasons for security staff asking people to leave?

Comment

### Banning

15. How many people do you have on your 'banned' list at the moment?
16. How long are people usually banned for? What do you think is a good length of time?
17. What proportion of them have been banned because of their behaviour at the Club?
18. What other reasons are people banned from the Club?
19. How do you feel about other organisations banning people from the Club?

### Safe drinking

20. Do you do anything to help people not get really drunk? What?

Comment (Prompt: which are the most and least effective)

21. Have you tried other things in the past? Why aren't you doing that now? (ie in your experience, what has/hasn't worked well)

Contribution to the community

22. How many members do you have?
23. What legislation are you incorporated through?
24. What are the club's main contributions to the community?
25. Are some benefits for members only? Which ones?
26. Does the club hold any community activities that are outside the immediate business of selling alcohol and food to patrons?
27. What happens to any profits made by the Club?
28. Are the Manager or any other staff on an incentive scheme with the Club where their pay is related to profit?
29. Is there a Club Committee/Board? Who is on it? (How do people come to be on it – elections, representative of clans/families etc)
30. How often does the Board meet?

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