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Prohibiting public drinking in an urban area:
Determining the impacts on police, the
community and marginalised groups

Amy Pennay, Elizabeth Manton, Michael Savic,
Michael Livingston, Sharon Matthews, Belinda Lloyd
Turning Point Alcohol and Drug Centre

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Executive summary

Public drinking laws, which are the mandate of local councils in some jurisdictions such as Victoria (but state/territory legislation in others), have proliferated across urban centres in Australia over the past 15 years without any evidence of their effectiveness. Previous evaluations of public drinking laws have shown that they often result in negative impacts to marginalised groups and lead to displacement, but also improve perceptions of safety among the community. Previous evaluations have shown little or no evidence that public drinking bans reduce congregations of drinkers or reduce alcohol-related crime or harm.

The purpose of this project was to build on previous work and evaluate public drinking laws in three local government areas (LGAs) in Melbourne where public drinking remains a contentious issue: the City of Maribyrnong, the City of Darebin and the City of Yarra.

The objectives of this project were threefold:

- to evaluate the *implementation* of the prohibition of public drinking;
- to evaluate the *effectiveness* of the prohibition of public drinking; and
- to evaluate the *impact* of the prohibition of public drinking across three distinct LGAs in Melbourne.

This mixed-methods evaluation involved seven key data collection components:

- a media analysis of public drinking and public drinking bans;
- sessions of daytime and night-time observation;
- in-depth interviews with drinkers;
- in-depth interviews with police, traders and other stakeholders;
- a household survey mailed to residents;
- focus groups with residents; and
- analysis of ambulance and police data.

The implementation of public drinking laws

Public drinking laws are constructed as a necessary law for improving community safety, improving public amenity and reducing crime. The key actors responsible for the establishment of public drinking laws are police and local councils, but traders also play a significant role. Public drinking laws have proliferated in urban areas in recent years, in part as a result of increasing gentrification and growing socioeconomic disparity. This has created new demands on public space and these tensions are likely to escalate even further over time.

Public drinking laws are generally poorly understood (with fewer than 50% of participants in a community survey aware of the law in their municipality) and more work needs to be applied at a council level to ensure they are more widely recognised, including the specific provisions of each council's laws, which vary from one municipality to another.

In general, public drinking laws have the strong support of the community, with over three-quarters of household residents supporting laws prohibiting public drinking in the street and just over half supporting laws prohibiting public drinking laws in parks. Given the high support for public drinking laws, their continued proliferation is inevitable.

The effectiveness of public drinking laws

The effectiveness of public drinking laws in reducing the visibility of street drinking will always remain context specific. The extent to which the laws reduced the visibility of public drinking differed across the three LGAs

examined in this evaluation. In the City of Maribyrnong, public drinking continued after the law was introduced. In the City of Darebin, public drinking ceased following the law's introduction and in the City of Yarra, public drinking decreased following the establishment of the law.

Police adopt a range of approaches to address public drinking, from warnings and directing drinkers to tip their drinks out (most common), to frequent and aggressive issuing of infringements to 'repeat offenders'.

The evaluation showed no effect on alcohol-related ambulance attendances in the three LGAs pre and post the law. There was a small decline in alcohol-related assaults in Yarra and Darebin following the law; however, this finding should be considered with caution given that only one data point was available after the law (given the recency of the laws).

Experiences of negative outcomes relating to public drinking and perceptions of improved amenity following a public drinking law were mixed among residents. For example, there were no differences pre and post the law in Maribyrnong (perhaps due to the continued street drinking occurring in that location), but there were significant reductions across many negative outcomes in Darebin and Yarra. Most improvements were around perceptions of safety and amenity, such as feeling safer in a public place, feeling safer waiting for public transport, feeling safer using public transport, being less likely to need to avoid drinkers, being less likely to be annoyed at vomit, urination and litter, and being less likely to be kept awake at night or disturbed because of someone else's public drinking. More severe harms, such as being physically or verbally assaulted remained unchanged, perhaps indicating that the public drinking that occurred prior to the law affected perceptions of safety, rather than experiences of safety.

Impacts of public drinking laws

Consistent with previous evaluations, the primary impact of public drinking laws is negative outcomes for drinkers. These include social, cultural, economic, legal and health impacts. In Yarra and Darebin, drinkers reported loss of social and cultural connections as a result of not being able to congregate in the same space with their friends and family, contributing further to their social marginalisation. Drinkers were also often unable to pay fines, sometimes resulting in increased contact with the criminal justice system. Finally, dispersing drinkers meant they were less likely to access medical, health and welfare treatment because community health workers were unable to locate them once they no longer congregated in the same space.

Also consistent with previous evaluations, there was some evidence of displacement resulting from public drinking bans, with drinkers moving to more covert areas to evade police, such as public housing estates, alleys and railway tracks, or at private homes. This simply shifts 'the problem' elsewhere. Drinking at home was anecdotally reported to be related to increased harms, such as drinking more and having fewer people around to moderate antisocial behaviour.

The future of public drinking laws

It is not possible to make a definitive judgement as to whether public drinking laws are effective or ineffective, particularly given that there are numerous ways that 'effectiveness' can be measured. The findings are mixed as to whether public drinking laws reduce congregations of drinkers and there is no evidence that they reduce alcohol-related crime or harm, but they do make residents feel safer and improve perceptions of the amenity of an area. Given the high level of public support for public drinking laws, their continued application is inevitable; however, given the negative impacts to drinkers that occur as a consequence of public drinking laws, it is important that they are carefully considered, implemented and enforced, and are coupled with community-specific social inclusion strategies.

Our recommendation is that public drinking laws should remain the discretion of local councils where this is currently the case (as opposed to becoming state government legislation across Australia) and local councils should work closely with police to design and enforce public drinking laws specific to the sensitivities and needs of the individual community.

A warning system is the most adequate enforcement approach in terms of fostering a good relationship between police and drinkers, and ensuring that disadvantaged groups are not further marginalised. It was generally recognised by all members of the community, including police, that punitive measures are not an appropriate way to deal with a social problem. It is important that there is no discriminatory application of public drinking laws and we recommend that police pay more attention to enforcing public drinking laws near and around licensed venues at night, including people drinking outside designated licensed areas on the footpath of venues, so that different types of drinkers are subjected to the law equally.

To minimise any negative impacts of public drinking laws, it is crucial to establish concurrent activities, such as providing increased outreach support to public drinkers. In addition, punitive measures must be coupled with the provision of health care services for drinkers, particularly culturally specific outreach and detoxification programs.

Introduction

Policies that restrict the spaces in which alcohol can be consumed are now widely implemented around the world. Bans on the public consumption of alcohol are particularly common in Western countries, including North America, the United Kingdom, Nordic countries, Australia and New Zealand. In Australia, partial or complete bans on drinking in public operate to some degree in all major cities, as well as in many regional and rural towns (Webb et al. 2004).

Public drinking bans are described by many different names, including dry areas, alcohol restricted areas, liquor bans, open container laws, alcohol free zones and alcohol exclusion zones (Chikritzhs et al. 2007; d'Abbs et al. 2008; Mast et al. 1999; Webb et al. 2004). There are jurisdictional differences in regards to public drinking laws in Australia, whereby they are a matter of state/territory legislation in some jurisdictions and local council laws in others. In Victoria, public drinking laws are designed, enacted and controlled by local government, but are enforced by state government (police). This means that the provisions of these laws, including which spaces are included and exempt, and during what hours the law operates, often differ between LGAs, even if they are directly adjacent to one another. It also means that such laws require a considerable degree of cooperation and coordination between local council officers and police (Pennay & Room 2012).

It is only really in the past 10 to 15 years that public drinking bans have proliferated across urban centres in Australia. What is interesting about this timing is that this is also the timeframe in which drinking on the street has become increasingly legitimated in the form of licensed restaurant/bar/hotel footpath trading. It should be noted that bans on public drinking are therefore often in the interests of licensees, as it restricts a form of competition with them (but not in the interests of off-licenses, also known as liquor stores or bottle shops). Despite the many vested interests involved in public drinking bans, including local council employees, elected councillors, police, licensees, traders, drinkers and community members, and despite the recent proliferation of these drinking bans in urban areas, there have been very few evaluations of their impact or effectiveness throughout the world (Pennay & Room 2012).

All LGAs in Melbourne have implemented a ban on public drinking within in the last 15 years. However, only three of the 31 LGAs in greater Melbourne have commissioned an evaluation of the public drinking bans that were enacted in their municipality. All three LGAs are located in inner-city areas—the City of Maribyrnong, the City of Darebin and the City of Yarra. These three councils have each commissioned two separate evaluations of the impacts and effectiveness of the ban on public drinking in their LGA and recent interviews conducted with council officers in these municipalities showed that the issue of public drinking is still a big issue within these particular councils (Pennay 2012).

Rationale for the project

This project gathered data for a third evaluation in the City of Maribyrnong, the City of Darebin and the City of Yarra. All evaluations of public drinking bans conducted thus far (both in Australia and internationally) have been funded by the local council that has enacted the law. This is the first known evaluation of public drinking laws that is funded by an independent organisation (the National Drug Law Enforcement Fund—NDLERF). This evaluation allowed us to not only strengthen the evidence in each municipality by measuring change over time (by comparing the results of this evaluation with the 2 previously commissioned evaluations, some of which are now 7 years old), it also allowed us to compare and contrast the differences and similarities across the three diverse inner-urban districts of Melbourne and to generalise the findings beyond just one unique geographical area.

Aims

The objectives of this project were threefold:

- To evaluate the *implementation* of the prohibition of public drinking in the City of Maribyrnong, City of Darebin and City of Yarra (ie the strategies used in the implementation, the effectiveness of these strategies, and the barriers and enablers to successful implementation);
- To evaluate the *effectiveness* of the prohibition of public drinking in the three LGAs in reducing alcohol-related crime and harm and improving public amenity; and
- To evaluate the *impact* of the prohibition of public drinking in the three LGAs on a range of target groups, including:
 - police;
 - residents;
 - traders;
 - local health and welfare workers;
 - local stakeholders (including local and state government representatives);
 - potentially marginalised groups including particular ethnic groups, Aboriginal and Torres Strait populations, homeless people and young people; and
 - people who visit the area.

Literature review

We recently published a review of community-based evaluations of public drinking bans in urban areas that aimed to explore the effectiveness of these policies and their impacts on the community (Pennay & Room 2012). Sixteen evaluations were identified across 13 locations (3 districts had commissioned 2 evaluations at different time points). These included:

- two evaluations from the United Kingdom (Lancaster and Winchester);
- four evaluations from New Zealand (Christchurch, Wellington, Havelock North and Auckland); and
- ten from Australia (Melbourne: City of Yarra, City of Darebin and the suburb of Footscray; Adelaide: City of Adelaide the suburb of Glenelg; New South Wales: a review across the entire state; and Port Augusta).

All evaluations used one or more of the following data collection methods: surveys, in-depth interviews, focus groups, observations and analysis of police data and hospital statistics. Content and thematic analyses of the evaluations were performed (Joffe & Yardley 2003) and nine key themes were drawn out of the analysis. In summarising the weight of evidence on each theme, two ticks are used to indicate that a theme was strongly supported, one to indicate it was supported but not strongly and a question mark to indicate mixed results.

Negative impacts to marginalised groups

The most common theme identified across the evaluations (in at least 7 of the 13 locations) was that the introduction of a public drinking ban resulted in negative impacts to marginalised groups, particularly homeless and Indigenous people, as well as young people. For example, being unable to congregate in the same space with the same people they had been drinking with for a long time contributed further to the social marginalisation of these drinkers. In addition, these drinkers were overrepresented among those who had received fines, contributing further to their economic marginalisation. Furthermore, these drinkers received less medical, health and welfare treatment because their community health workers were unable to locate them once they no longer congregated in the same space, contributing further to their health-related marginalisation (Darebin City Council 2010; Dwyer et al. 2007; Hunter et al. 2004; Pennay & Berends 2010).

Displacement

Displacement (ie moving the drinkers from one location to another) was also a common theme observed across the evaluations (in 7 of the 13 locations). Coupled with this was the finding that in at least three evaluations, displacement led to drinkers moving to more covert and less safe spaces to drink. This anecdotally led to an increasing number of assaults reported in these secluded areas. In three evaluations, displacement shifted the 'the problem' elsewhere, which led to negative impacts for others (Davies 2006; Henley 2004; Pennay & Berends 2010; Plexus Strategic Solutions 2003).

Perceptions of safety improved

A common theme identified (in at least 6 of the locations) was that perceptions of safety among community members improved following the implementation of a public drinking law. Improved perceptions of safety were often related to increased police presence rather than decreases in congregations of drinkers. It should be noted that in three of the evaluations, perceptions of safety remained low after the law. This was due to continued visibility of street drinking following the establishment of the law (Boerson 2003; Darebin City Council 2010; Hart 2004; Henley 2004; MacGibbon 2003; Pennay & Berends 2010).

Concerns about police enforcement and consistency

In five of the evaluations, there were some concerns about police under-enforcing the law and targeting certain groups. In three evaluations, it was reported that groups of marginalised street drinkers received the bulk of the fines issued. In some cases, this led police to under-enforcing the law, given that the drinkers were not likely to be able to pay the fines. In other cases, it led police to over-enforce the law due to frustration at the drinkers' disregard for the law (Darebin City Council 2010; Dwyer et al. 2007; Pennay & Berends 2010).

Improvement to the environment and visibility of the area

In four evaluations, residents, traders and police reported improvements in environmental factors, most notably reduced litter and broken glass following the implementation of a public drinking ban. However, in two evaluations, there were no reported improvements in the environment and visibility of an area, but this was due to continued congregations of people and street drinking after the law had been established (Boerson 2003; Capire Consulting Group 2011; Dixon et al. 2003; Henley 2004; MacGibbon 2003; Pennay & Berends 2010).

Support for the law

In three evaluations, community members were generally supportive of the public drinking ban, but in a further two evaluations, only 50 percent of general community members were supportive of the law. There was a tendency for older community members to support the law more than younger members. Groups who generally did not support the law were young people, homeless people and Indigenous people (Boerson 2003; Dixon et al. 2003; Darebin City Council 2010; Davies 2006; Pennay & Berends 2010).

Reduction in street drinkers?

There were mixed findings on whether there was a reduction in the visibility of street drinking following the implementation of a public drinking ban. In five evaluations, there was a noticeable reduction in street drinking and in another five there was no impact on the visibility of street drinking. There were varying explanations offered as to why street drinking continued in some areas, from inadequate police enforcement through to disregard for the law among drinkers because they prioritised socialising over receiving fines, to continued visibility of drinking on the footpaths of licensed venues during the day and in the evening (Capire Consulting Group 2011; Darebin City Council 2010; Davies 2006; Department of Local Government 2007; Dixon et al. 2003; Hart 2004; Henley 2004; Pennay & Berends 2010; Plexus Strategic Solutions 2003; South Australian State Aboriginal Affairs 1990; Wellington City Council 2004).

Reduction in alcohol-related crime and harm?

There were some reports of reduction in crime following an implementation of a public drinking ban, such as a decrease in arrests for public intoxication and hospital admissions related to alcohol, but in three evaluations, alcohol-related crime increased following a public drinking ban. Where alcohol-related crime and harm increased or decreased, no causal relationships could be established that these changes were related to the law (Boerson 2003; Henley 2004; MacGibbon 2003; Pennay & Berends 2010; Plexus Strategic Solutions 2003; South Australian State Aboriginal Affairs 1990).

Good awareness of the law?

Awareness of public drinking laws was generally mixed, with up to 60 percent of survey respondents in some communities either not knowing that the law existed, or being confused about its provisions, such as which areas were included and exempt from the law and during what hours the law operated (Boerson 2003; Dixon et al. 2003; Darebin City Council 2010; Pennay & Berends 2010; Wellington City Council 2004).

Summary

In summary, only 16 evaluations of urban street drinking bans across 13 locations were identified. The limited amount of evaluation research conducted on public drinking laws is surprising. The evaluations were all lacking methodological rigor, making it difficult to understand whether public drinking bans had been effective or not. The limitations of the evaluations included issues of objectivity and conflict of interest (with 4 of the evaluations conducted by local council staff themselves); limited funding, resources and evaluation timeframes; methodological concerns such as sampling approach, response rates, small sample sizes, sample bias and subject representativeness; and study design issues, such as the absence of pre-ban data for which to compare post-ban data.

Although they were not oriented to any single dimension of effectiveness, the studies do provide a range of findings on the various impacts of street drinking laws. The most common themes were that public drinking bans often result in negative impacts to marginalised groups, often result in displacement and often improve perceptions of safety among the community. Themes that were noted but that were less pervasive were concerns about police enforcement and consistency, improvement in the aesthetics of an area (by removing drinkers and/or litter and glass) and variation between stakeholder groups in support of street drinking bans, ranging from strong support from police, traders and older people, through equivocal support from general community members, to disapproval from young people and Indigenous people. Finally, there was little or no evidence that street drinking bans reduced congregations of drinkers, reduced alcohol-related crime or harm or were understood and adhered to by the community.

The thematic analysis in this study highlighted the competing demands and needs of different groups of the community—those who wish to use public space to drink and socialise, and those who feel threatened by this practice, or see it as negatively affecting business or amenity. The purpose of the current evaluation is to build on the previous evaluations and specifically look at the evidence on changes in alcohol-related harm indicators, which has not yet been explored in previous evaluations.

Method

This was a mixed-methods evaluation that involved seven key data collection components:

- a media analysis of the public drinking issue and public drinking bans;
- sessions of daytime and night-time observation;
- in-depth interviews with drinkers;
- in-depth interviews with police, traders and other stakeholders;
- a household survey mailed to residents;
- focus groups with residents; and
- analysis of ambulance and police data.

Media analysis

A search of Australian newspaper articles was undertaken using the 'NewsBank' database to find articles related to the public drinking bans in each of the LGAs (City of Maribyrnong, City of Darebin and City of Yarra). Search terms included the name of each of the LGAs, 'council' and variants of 'alcohol ban'. A total of 44 articles were considered relevant and were included in the media analysis. Of these, 30 were about the ban in Yarra, eight were about the Darebin ban and six related to the Maribyrnong ban.

Observation

A minimum of 20 hours of observation were undertaken around selected 'hotspots' of each LGA during the day and night, on different days of the week and in summer, autumn and winter. Sessions of observation that occurred after dark were always undertaken in pairs or threes. Sessions of observation lasted between one hour and three hours in duration.

Observations included:

- the extent to which people were drinking in public;
- the extent to which there were other visible signs of drinking;
- the cleanliness of the area;
- any public disorder problems;
- the presence of police;
- the actions of police.

Detailed notes were taken during and immediately following sessions of observation. When notes were taken during a session of observation, they were done so in a concealed way (eg in a coffee shop or restaurant) so as to ensure the setting remained naturalistic and those being observed were unaware of this practice. Minimal verbal contact was made with public drinkers during periods of observation.

Interviews with drinkers

In-depth interviews were conducted with 23 drinkers across the three LGAs (10 in Maribyrnong and Yarra, and 3 in Darebin). Interviewees were both male and female, and aged between 20 and 60 years. These interviews took place at a convenient location. Interviews lasted from 10–45 minutes and were tape-recorded and transcribed. In some cases, the interviewee opted not to have the interview recorded and in these cases,

thorough notes were taken. The interview schedule was semi-structured, which enabled a certain level of control over the questions while also allowing responses to dictate the flow of conversation and issues arising. Participants received a \$30 supermarket voucher for their time and any out-of-pocket expenses.

Interviews with key informants

In-depth interviews were conducted with a minimum of 15 local stakeholders (including local council officers, local health and welfare workers and members of other local relevant agencies), 15 police (a mix of senior and junior police) and 15 traders (including licensed venue owners and other traders) across the three LGAs. These interviews took place at a convenient and private location. Interviews lasted from 30–90 minutes and were tape-recorded and transcribed. The interview schedule was semi-structured which enabled a certain level of control over the questions while also allowing responses to dictate the flow of conversation and issues addressed.

Household survey

A brief household survey was mailed out to 15,000 residents in the three LGAs via random selection from the White Pages. Surveys were sent to all suburbs of each LGA, but suburbs where public drinking was known to occur (ie Collingwood, Fitzroy and Richmond) and ‘hotspots’ where the ban was implemented (ie Reservoir, Preston and Footscray), were purposefully over-sampled. Approximately 1,244 surveys were returned as incorrect addresses, leaving a total possible sample of 13,756. The postal survey offered householders the opportunity to complete the survey online by providing a web address or to complete the questionnaire and return by post. Completed paper surveys were returned from 1,595 residents, with 86 residents completing the survey online; the total sample was 1,681 (41.5% from Yarra, 29.8% from Darebin and 28.7% from Maribyrnong). This was a lower than expected response rate of 12.3 percent.

The survey included questions about the length of time the residents had lived in the municipality and their general activities within the LGA, their awareness of the law, their views of the law, their experiences relating to public drinking prior to and since the law, and perceived effects of the law.

The demographic characteristics of household survey participants are listed in Table 1. It is important to note that a random White Pages sample is not representative of the population, given that this method does not selectively target people of different ages, gender and other characteristics, and the low response rate has also resulted in the under-representation of some population groups. In particular, the sample over-represents females, with females representing 61.3 percent of the sample; but according to census data, around 50 percent of residents in the three municipalities are female (48.8% Maribyrnong, 50.8% Yarra and 51% Darebin). The sample also over-represents older people with a mean age of 49.9 years, but according to census data the majority of residents living in three LGAs are between the ages of 15–45 years (52.5% in Maribyrnong, 59.1% in Yarra and 47.9% in Darebin). Finally, the sample over-represents people with post-secondary school qualifications, with 77.7 percent of the sample having post-secondary school qualifications; but according to census data, between 50–70 percent of residents in the three municipalities have post-secondary school qualifications (54.5% in Maribyrnong, 67.9% in Yarra and 52.8% in Darebin) (ABS 2010; ABS 2011a; ABS 2011b).

There are no significant differences in demographics between residents across the three LGAs, with the exception that most of the Aboriginal and/or Torres Strait Islanders who completed the study lived in Darebin and residents from Yarra generally held higher levels of university qualifications and had higher a household income (which is consistent with the profile of the area) (ABS 2010).

Table 1 Demographic characteristics of residents

	Maribyrnong n=483 (%)	Darebin n=501 (%)	Yarra n=697 (%)	Total n=1681 (%)
Mean age	47.5 (range 18–94)	51.8 (range 20–95)	50.2 (range 18–90)	49.9 (range 18–95)
Gender	177 (37.6)	172 (35.2)	288 (41.9)	637 (38.7)
Male	294 (62.4)	317 (64.8)	399 (58.1)	1010 (61.3)
Female				
Aboriginal and/or Torres Strait Islander	3 (0.6)	8 (1.6)	2 (0.3)	13 (0.8)
Education				
Postgraduate degree	139 (29.2)	127 (26.1)	280 (40.6)	546 (33.0)
Bachelor degree	148 (31.1)	126 (25.9)	241 (34.9)	515 (31.2)
Certificate/diploma	47 (9.2)	49 (10.1)	41 (5.9)	137 (8.2)
Trade certificate	27 (5.7)	40 (8.2)	21 (3.0)	88 (5.3)
Year 12	60 (12.6)	67 (13.8)	55 (8.0)	182 (11)
Year 10–11	36 (7.6)	48 (9.9)	34 (4.9)	118 (7.1)
Year 7–9	22 (4.6)	29 (6.0)	18 (2.7)	69 (4.3)
Employment				
Full-time	192 (40.0)	150 (30.3)	237 (34.2)	579 (34.7)
Part-time	104 (21.7)	104 (21.0)	131 (18.9)	339 (20.3)
Self-employed	50 (10.4)	47 (9.5)	119 (17.2)	216 (12.9)
Unemployed	9 (1.9)	12 (2.4)	11 (1.6)	32 (1.9)
Student	17 (3.5)	13 (2.6)	19 (2.7)	49 (2.9)
Home duties	23 (4.8)	36 (7.3)	25 (3.6)	84 (5.0)
Retired	69 (14.4)	121 (24.4)	133 (19.2)	323 (19.4)
Other	16 (3.4)	12 (2.4)	18 (2.6)	46 (2.8)
Housing				
Own house	355 (74.4)	399 (80.6)	499 (72.0)	1,253 (75.3)
Renting	107 (22.4)	81 (16.4)	159 (22.9)	347 (20.8)
Public/rooming housing	14 (2.9)	8 (1.6)	27 (3.9)	49 (3.0)
Other	1 (0.2)	7 (1.4)	8 (1.2)	16 (1.0)
Household income				
\$150,000 +	59 (13.3)	49 (11.4)	150 (23.3)	258 (17.0)
\$100,000–\$149,999	62 (13.9)	71 (16.5)	121 (18.8)	254 (16.7)
\$75,000–\$99,999	90 (20.2)	82 (19.0)	100 (15.6)	272 (17.9)
\$50,000–\$74,999	91 (20.4)	83 (19.3)	102 (15.9)	276 (18.2)
\$30,000–\$49,999	68 (15.3)	61 (14.2)	79 (12.3)	208 (13.7)
\$10,000–\$29,000	65 (14.6)	68 (15.8)	72 (11.2)	205 (13.5)
\$0–\$9,999	10 (2.2)	17 (3.9)	19 (3.0)	46 (3.0)

Focus groups

Focus groups (with between 7 and 9 people per group) were undertaken with residents in each of the three LGAs (3 separate focus groups). These participants were recruited through a question in the household survey. Participants were between the ages of 19–69 years and were a mix of male and females. These focus groups occurred at Turning Point and lasted between 60–90 minutes. Focus groups were tape-recorded and transcribed. The focus group schedule was semi-structured to enable a certain level of control over the questions, while also allowing responses to dictate the flow of conversation and issues addressed. Focus group participants received a \$30 supermarket voucher for their time and any out-of-pocket expenses.

Public service case data

Analysis was performed on a) Melbourne ambulance and b) Victorian police data between the years 1999 and 2011.

a) Ambulance data were derived from the *Ambo Project: Alcohol and Drug-related Ambulance Attendances*. This project collates information from alcohol and other drug-related non-fatal ambulance attendances. Data are obtained from the patient care records (PCRs) that are completed by attending paramedics for every incident that they attend and for which they provide a service. Since 2006, patient care has been recorded electronically in field via a handheld device (VACIS®). PCRs are coded and entered by trained project staff into a database that contains information including demographic and location characteristics, clinical signs, treatment details and outcomes. Drug involvement in the attendance is determined by paramedic clinical assessment and information available at the scene, and cases were included where alcohol played a causal role in the reason for the ambulance attendance. Data were extracted from a database developed for examining nonfatal drug-related ambulance attendances (Lloyd 2012; Lloyd & McElwee 2011). This database is a compilation of PCRs completed by paramedics for each ambulance attendance. For the present study, cases were extracted where alcohol intoxication only was recorded on the case for the period January 1999 to December 2011.

b) Data on assaults and 'behaviour in public' offences that were flagged as being associated with alcohol were sourced from the Victorian police to assess whether there was any reduction following the introduction of the public drinking restrictions. Due to relatively low numbers, only annual data were available (due to confidentiality issues associated with accessing police data with a small number of cases). Data was sourced from 1999–2000 to 2010–11.

Analysis

Data collected via media analysis, sessions of observation, in-depth interviews and focus groups were stored and analysed using NVivo9, a qualitative software package that enables thematic and content analysis of large amounts of text (Beekhuizen 2007). Consistent with an inductive approach, analysis was shaped by the themes arising, but was informed by the themes identified in the literature on public drinking bans and the previous evaluations conducted in each of the LGAs. Data were examined for commonalities, variations and contrasts between and within different sources and methods.

Quantitative data from the household survey was analysed using Stata Version 11. Analysis involved descriptive statistics and cross tabulations. Variables such as awareness of the law, approval of the law, concerns about public drinking prior to and after the law, engagement in public drinking prior to and after the law, and changes since the law were analysed for the whole sample, and then analysed by subgroups, including gender, age, education and suburb of residence. McNemar's tests were performed on variables investigating changes pre and post the law.

A time series analysis was performed on ambulance data using Stata Version 11. Data were analysed using auto-regressive integrated moving average (ARIMA) models as derived specifically by Box and Jenkins (1976). This technique models the temporal structure of the error term, ensuring that any correlations in the series over time do not bias the model coefficients. Due to the low numbers of police data (meaning only annual data were available), time series analysis could not reliably be undertaken. As a result, descriptive analyses of the police data were undertaken.

The results of each LGA are presented separately for stakeholders who are interested in the findings specific to their geographical area. A discussion chapter then brings together the common themes and contrasts across the municipalities to explore the issue of public drinking laws in a wider context.

City of Maribyrnong

The City of Maribyrnong is located west of the Melbourne central business district and spans an area of approximately 31.2 square kilometres. The suburbs that comprise the City of Maribyrnong include:

- Footscray;
- West Footscray;
- Maribyrnong;
- Maidstone;
- Seddon;
- Yarraville;
- Kingsville; and
- Braybrook.

Figure 1 The City of Maribyrnong



The City of Maribyrnong has an approximate population of 73,000 people. It is the smallest and most densely populated municipality in the Melbourne metropolitan area. Major features of the City of Maribyrnong are the Maribyrnong River, Footscray Markets, Victoria University, Highpoint Shopping Centre, Whitten Oval, Medway Golf Club, Sun Theatre (Yarraville), and Footscray and Pipemakers parks.

Until the 1940s, the population of the Footscray area (the main suburb of the City of Maribyrnong in which the study was undertaken) was overwhelmingly Australian born or from the British Isles. Following the Second World War, waves of migrants and refugees arrived from Europe and the Americas and by 1966, almost one-third of the population was overseas born, mostly from Italy, Greece, Malta, Poland, the former Republic of Yugoslavia and Germany. By the 1980s, the area was a major location for the settlement of migrants and refugees, particularly from Indo-China, the Middle East and Central and South America. Recent arrivals include people from the Horn of Africa and the former Republic of Yugoslavia.

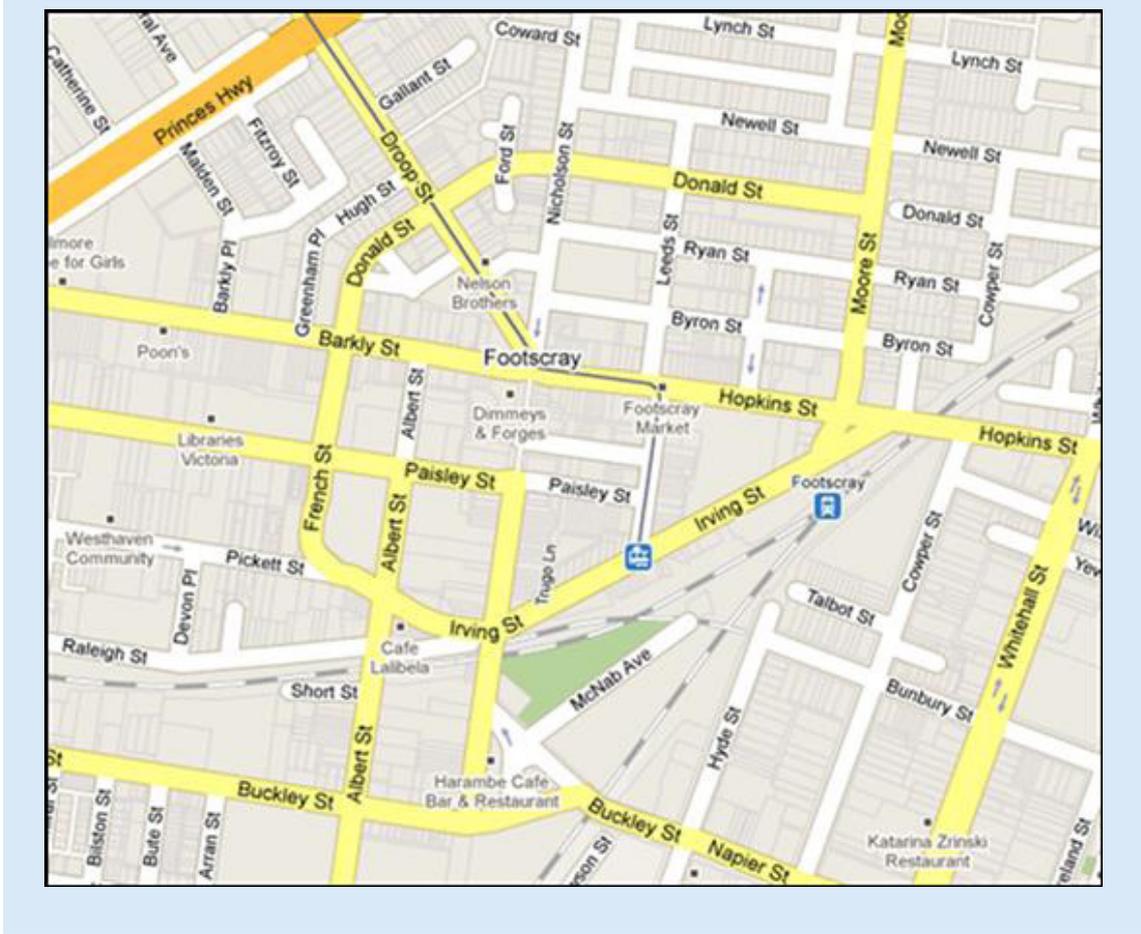
The City of Maribyrnong is undergoing a period of significant change. Residential properties are increasingly sought after, contributing to gentrification and increasing housing prices in suburbs such as Yarraville, Seddon, Footscray and Maidstone. At the same time, a number of large redevelopment opportunities have emerged from changes in land use as result of the restructuring of manufacturing industries. Despite this gentrification, the City of Maribyrnong is the third most disadvantaged LGA in Melbourne (ABS 2011).

Public drinking and the implementation of the law

Public drinking has a long history in the central business district (CBD) of Footscray, but not in any other suburbs of the City of Maribyrnong and as such, the public drinking law in Maribyrnong only applies in Footscray. With the exception of consulting with residents from neighbouring suburbs, data collection was focused on the Footscray area. For many years prior to the law's implementation, different groups of drinkers were known to congregate in the Footscray CBD. Key informants interviewed as part of our evaluation identified the arrival of younger, louder and more aggressive drinkers to be the trigger for the introduction of the alcohol exclusion zone in the Footscray CBD in 2003. Media coverage around this time reported that these younger and louder drinkers were negatively impacting business through aggressive and violent behaviour, offensive language, harassment, crime, or fear of any of these, as well as people feeling unsafe enough that they were unwilling to spend time in the Footscray CBD or unable to enjoy the area without harassment.

Local police were active in seeking support from Maribyrnong City Council and in August 2003, the first local law prohibiting public consumption of alcohol in Nicholson Street and Maddern Square (Footscray) was introduced (see Figure 2). Under the law, it became an offence to consume alcohol or possess an open container of alcohol in this declared area (note the red line area of the map).

Figure 2 Footscray Restricted Zone in 2003



Research identified that many of the public drinkers were men aged over 30 years living primarily in Footscray and surrounds who came to socialise and drink. Often they were marginalised men who would benefit from having a greater opportunity to access services appropriate to their complex health and welfare needs (Henley 2004).

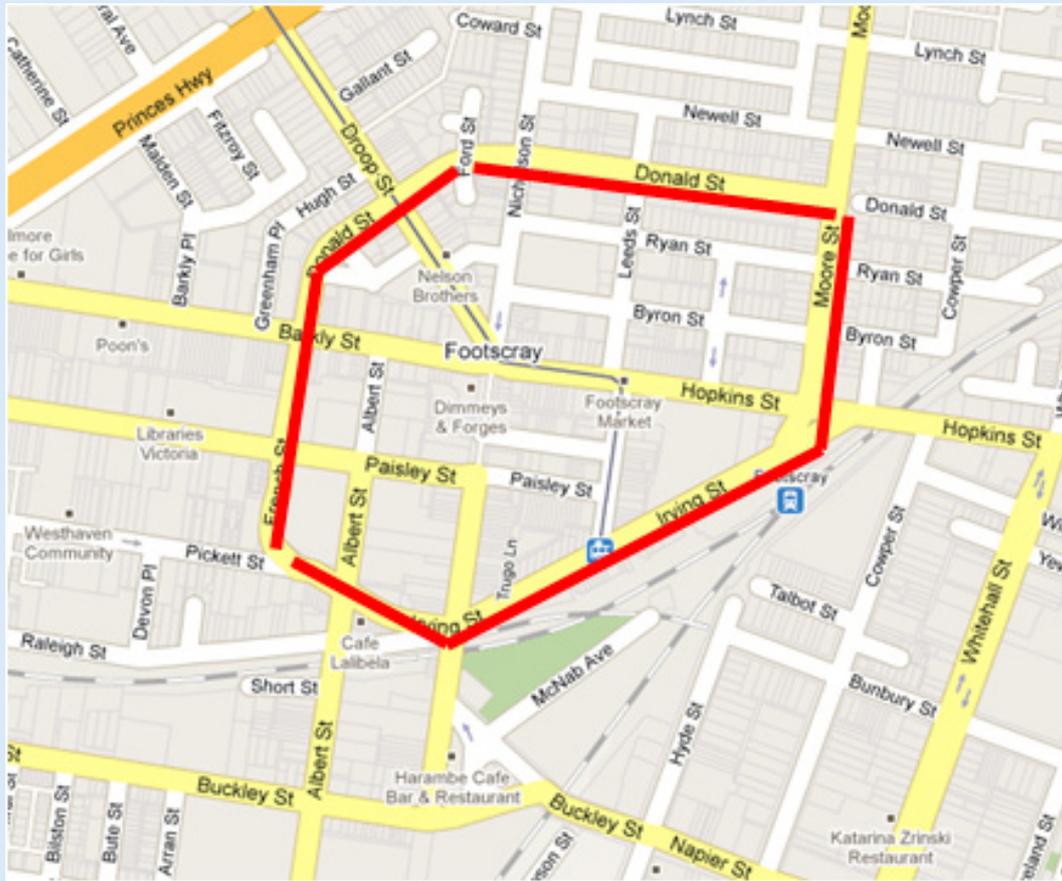
As public drinking was not diminished by implementation of the 2003 law and again in response to complaints from traders and the community, the law was adapted in April 2006, extending the alcohol restriction zone to encompass a larger section of the Footscray CBD bordered by Irving Street, French Street, Moore Street and Barkly/Hopkins Street (see Figure 3).

Key informants clarified the logic for extending the zone:

Well originally the police said it's impossible to control when somebody can stand in the banned area, the police say you can't drink here and they can take ten steps left and they're in an area that's not banned for drinking ... I believe the police always wanted it to be that larger area, they said it could never work with just that one strip (Trader).

The law stipulates that it is an offence for any person to consume alcohol or possess an open container of alcohol in the zone. If someone is seen breaching the law, they may be required to pay a \$200 fine. The law also provides for a maximum fine of \$2,000 upon conviction in a Magistrates Court. The law is enforced by police but fines are managed by council.

Figure 3 Footscray Restricted Zone in 2006



The law remains within these boundaries to this day. It should be noted that the law only applies to this one small part of the City of Maribyrnong municipality.

Research conducted after 2006 identified that public drinking was still taking place in the Footscray Mall (hereafter the 'Mall') and Railway Reserve (a park area just outside the exclusion zone) (Dwyer et al. 2007). Three sets of drinkers were identified: those who drank in Railway Reserve, those who drank in the Mall and those who primarily used heroin and moved around the Footscray CBD. Public drinkers were observed drinking beer or premixed alcoholic drinks, sometimes concealed and at other times quite openly; they could either be seated or walking through the area.

In 2012, research confirmed that public drinking was still highly visible in the Footscray CBD (Papanastasiou et al. 2012). Three main groups of drinkers were observed: mainly males aged in their late teens to their 30s who were of African descent and were persistent and heavy drinkers (this was a new group to those identified previously). This group was observed drinking mostly in Railway Reserve (outside the alcohol exclusion zone) and also in Maddern Square (inside the zone). A second group comprised European men who were usually observed in the Mall and while observed interacting with the broader group, they largely kept to themselves. The third was a group of highly mobile males and females of largely Anglo-Australian appearance, the majority of whom consistently drank but were also consumers of other drugs. The main reasons identified by the drinkers for coming to the area were for social interaction, to reduce feelings of loneliness, to attend appointments or pick-up medications and to drink in an open space.

Evaluating the law

An evaluation of the 2003 law in Footscray was commissioned by Maribyrnong City Council (Henley 2004). The evaluation concluded that public consumption of alcohol in the two designated areas continued after the introduction of the local law, despite enforcement action by police and signs detailing the law and its associated penalties. A survey of those consuming alcohol in public spaces found that drinkers used the spaces to socialise with friends. It was recommended that council, together with key stakeholders, explore various options for providing a legitimate space for such people to congregate. This evaluation suggested that the issues related to public consumption of alcohol could be viewed in the context of the growing socioeconomic disparity and associated gentrification occurring in Maribyrnong. Twenty-six per cent of drinkers surveyed reported that they had been drinking in the alcohol exclusion zone for more than 10 years and yet complaints regarding this behaviour had been only a recent phenomenon. While there were a number of possible explanations for this, it was likely that the expectations of some newer residents and traders were at least a partial factor. The author of this report considered that the issues regarding public alcohol consumption were best understood in the context of the competing uses for public space in a rapidly changing and constantly evolving central business district area; a common feature of the activity districts of many inner-city areas.

After the law was modified in 2006, a second evaluation was undertaken, also commissioned by council, to evaluate the effects and impacts on public drinkers (Dwyer et al. 2007). Drinkers came from three main social sets as identified above. While alcohol was central to the drinkers from Railway Reserve, with harmful drinking patterns reported among this group, alcohol was an adjunct to the main activities of the other two groups. The 'Mall' drinkers used alcohol relatively sparingly and prided themselves on managing their resources, remained relatively unobtrusive and only rarely interacted negatively with police. Similarly, while all groups experienced alcohol-related harms, these were most frequently reported by the drinkers around Railway Reserve. Reported alcohol-caused violence was typically intra-group—generally oriented towards other members of each drinking group. In spite of reports of sporadic violence, the groups served significant social functions with reports of important shared experiences, trust and reciprocity evident among the primary drinkers. Nevertheless, these social connections were confined largely to the public sphere, with structural and personal reasons precluding invitations to one another's homes or residences. Other public drinking settings such as hotels were generally avoided for a variety of reasons including cost, poor treatment by bar staff as well as the effect of the new smoking bans and preferences for outdoor settings.

In July 2008, a consulting group was commissioned by the City of Maribyrnong to undertake community consultation on the *Draft Public Drinking Strategy 2008–2011* and provide a series of recommendations to Council based on the findings (Capire Consulting Group 2008). Traders and local community members were included in this consultation, providing feedback on the issues about public drinking and the proposed objectives and actions defined in the draft strategy. The majority of people consulted expressed continued concern about safety relating to aggressive behaviour and increases in violence by public drinkers, leading to an impact on the perception and image of Footscray.

In 2012, a report on public drinking and drug use in Footscray was undertaken (Papanastasiou et al. 2012). The authors of this report observed that public drinking was still highly visible in the Footscray CBD, occurring mainly in Maddern Square, Railway Reserve and the Mall. This report concluded that enforcing the alcohol exclusion zone through law enforcement measures, such as the issuing of fines and moving people had done little to resolve the presence of public drinkers.

To build on the previous evaluations, we conducted 40 hours of field observations on 20 separate occasions. Observations took place at all times of the day, on different days, in summer, autumn and winter. Observations focused on the area covered by the public drinking exclusion zone, as well as Railway Reserve and to a lesser extent, the Footscray railway station. Ten interviews were conducted with public drinkers in Footscray. Two were older European men who drank in the Mall; five were polydrug users—three men and two women, all

young (20s and 30s) and Anglo, except for an Indigenous woman; and three were 'floaters' (did not easily fit into one of the groups of drinkers and moved between them), all middle-aged or older men including two Anglo and one Indian. Fifteen key informant interviews were conducted involving five police officers—two senior, one mid-ranking and two junior, four council officers, two outreach workers and four traders. A household survey was completed by 483 residents. There was one focus group of eight residents—four men and four women, aged from 27 to 54 years (average age 37 years).

Perceptions of the law

As is a common theme throughout the evaluation across all three LGAs, perceptions of the law varied, both in terms of its worth and applicability.

Media

The main interest groups represented in the early media coverage of public drinking were residents, police, traders and councillors. By comparison with the media coverage in the other LGAs (Darebin and Yarra), interest groups not represented in these articles were the drinkers themselves, health workers and state government. However, this was addressed in one of the 2012 articles that focused on the concerns of the young Sudanese drinkers, including an interview with a Sudanese drinker.

The ban was represented in the media as being largely ineffective, with public drinking continuing and traders still concerned for their businesses and the public still afraid. There was little reported support for a 'wet zone' (a designated area where drinking is permitted, but monitored, often run in conjunction with health and support services) or conversely, extending the ban on the drinking of alcohol outside the designated areas.

Residents

Just over half (55.8%; n=266) of the respondents surveyed by household were aware that a public drinking law existed in Maribyrnong, with the remainder either not aware or unsure. Of those who were aware of the law, 39.5 percent (n=105) knew that it applied only to the Footscray CBD area, but only 22 percent of the total sample knew the specifics. Interestingly, people living in Brooklyn and Braybrook (61.6%; n=45) were more aware of the law than people living in Footscray (53.3%; n=125). There were no other characteristics that predicted awareness of the law.

Despite relatively low awareness of the laws, 86 percent of Maribyrnong residents (n=412) reported supporting laws prohibiting public drinking in the street. Only 3.5 percent of household survey respondents reported opposing laws prohibiting public drinking in the street (n=17), with the rest neither supporting nor opposing these laws. Age and education were the strongest predictors of support for the law. Approval for the law rose with age, from 73.3 percent (n=11) among those aged 18–24 years to 92.8 percent (n=26) among those aged over 75 years. Those with less than secondary school education supported the law heavily (94.6%; n=53), while those with university or postgraduate degrees supported the law the least (83.1%; n=237). Interestingly, those living in areas less affected by public drinking, such as Yarraville and Braybrook supported the law more (94.5%; n=69) than those living in Footscray (83.5%; n=187).

When asked specifically about public drinking in parks, fewer (60.4%; n=288) Maribyrnong residents supported these laws, with 14.5 percent (n=69) opposing these laws (and the rest neither supporting nor opposing).

Residents in the focus group were mixed in their views, with two opposing the law and the remaining six approving of the law. Views expressed in the focus group covered a range of concerns: litter, menacing behaviour, loud noise, swearing, violence, begging and feeling threatened. Safety was raised as an issue in that some (but not all) chose not to shop in Footscray, or use the trains at night or withdraw money from automatic teller machines (ATMs) in certain locations. A number of residents of Footscray reported avoiding shopping in the area and chose to go to Yarraville instead for a safer, more middle class experience.

Drinkers

All drinkers interviewed disapproved of the public drinking law, but were typically resigned to it. The drinkers acknowledged that the law had not changed their engagement in public drinking in Footscray and said they would continue to drink in the area. The only impact of the law on public drinkers was that they had to conceal their alcohol and periodically evade police.

Police

The police had a different view of the law believing that it had enabled them to disperse people and maintain greater order:

Interviewer: Do you think the exclusion zone has a function?

Respondent: I guess it does because you don't want a free for all. You don't want people to come in and go 'I'm going to drink in here' or go around like that. It still gives you a power to take things off them or move them on or something like that (Police officer).

Other police did not see the law as the solution given that alcohol dependence is a social problem, but saw it as a necessary component of a response to public drinking:

The by-law isn't the solution, but obviously just a small part of it, because you are dealing with people that are often socially disadvantaged...I think in terms of public drinking, the social solutions will be a lot more effective than a lot of what we can do because whether we issue them fines, whether we lock them up for their own safety for whatever period of time, that's a short term fix. If they've got issues with alcohol and dependency, they're not going to stop just because we give them a fine and lock them up (Police officer).

Traders

Traders all supported keeping the ban even while agreeing that it had not been effective. Some traders were critical of others for contributing to the problem by selling single cans of 'ready-to-drinks' (RTDs) and stubbies of beer.

Key informants

None of the council officers interviewed believed the public drinking law was working and several questioned whether it should ever have been introduced. Even those who supported it conceded that it was not operating effectively. Outreach workers opposed it because they saw it as targeting a particularly vulnerable population, forcing people to congregate together who might otherwise not choose to come together, adding tension to their relationship with police by having them congregate in a particular area and creating more social problems through stereotyping rather than solving anything about their drinking.

Effectiveness of the law

It is difficult to evaluate the effectiveness of public drinking laws when it is unclear how 'effectiveness' should be measured. For example, the law might be considered a success if there is a reduction in the visibility of public drinking, if alcohol-related crime or harm is reduced following the ban, if residents feel safer, if amenity is improved or if drinkers receive better health outcomes. Each of these potential indications of success are discussed in turn.

Visibility of public drinking

As with previous evaluations, ours showed that public drinking is continuing in the alcohol exclusion zones in Footscray; as such, it was widely regarded that the public drinking law in Footscray is 'failing'.

Maddern Square, Railway Reserve and the Mall were identified as the primary locations of public drinking, at least until Railway Reserve was closed off in April–May 2012 (due to re-development). Thereafter drinkers, who had formerly undertaken their public drinking outside the alcohol exclusion zone in the Reserve were displaced into the exclusion zone, mainly into Maddern Square. Public drinking was observed at any time during the day, from 9am to 5pm, especially Monday to Friday. Public drinking was more popular in the warmer months, but continued in cooler weather from the end of May to August (the end of the observation period).

Four groups of drinkers were identified based on field observations:

1. Young Sudanese men who drank initially in Railway Reserve and Maddern Square in groups of up to 10–12 men and for long periods of time, especially in Railway Reserve. After Railway Reserve was closed off, they moved exclusively to Maddern Square, especially the western end of the Square; they did not drink in the Mall. The Sudanese drinkers had a strong preference for Golden Oak Fruity Lexia in 4 Litre casks. This is a drink that contains 9.5 percent alcohol and is called a 'wine based' product. They also occasionally drank spirits, especially whisky. They were at times accompanied by young Sudanese women who did not seem to be drinking.
2. Middle to older aged European men who drank mainly in the Mall, never in Railway Reserve, and only occasionally in Maddern Square. These men congregated in groups ranging from a couple up to eight to 10 men, to socialise, often speaking in their own language amongst themselves; not all the men in the group were drinkers. These men could be observed any time from 9am to 5pm and even when the weather turned cooler.
3. Polydrug users who mixed their injecting drug use with alcohol congregated in either the Mall or Maddern Square, usually up the eastern end. They did not frequent Railway Reserve for drinking during the period of this research. This group covered a wide age range but included men and women from young to middle aged and they seemed mostly Anglo-Australian. This group could be seen drinking at any time of the day but, although they could be observed in Footscray after 5pm, they tended not to drink at this time.
4. The final group has been labelled the 'floaters'. This group of drinkers included those who were most likely to drink a lot of alcohol at any time of the day. They included the mentally ill and individuals of a range of ages and ethnicities (Anglo, European, Indian) who appeared to find it more satisfying to drink in company than alone. They were mostly, but not exclusively, men.

While much of the observed public drinking took place quite openly, particularly by the Sudanese young men and the polydrug users, many of the Europeans and the 'floaters' took some effort to conceal their drinks in paper or plastic bags, or in their pockets or jacket flaps. It was common to see broken six packs in liquor stores, from which individual drinks had been purchased.

One of the clearest impacts of the public drinking was litter, particularly in Railway Reserve. There was a great amount of broken glass, empty drink containers, cigarette butts and somewhat inexplicably, a wide variety of discarded clothing. Broken glass and litter in Maddern Square was observed on occasion but this area was much better maintained and the litter was regularly removed. The Mall was also well maintained.

The recent closure of Railway Reserve due to redevelopment has displaced the Sudanese public drinkers into Maddern Square, increasing public drinking in the exclusion zone and decreasing the likelihood that non-drinkers will want to use Maddern Square.

The continued public drinking visible to researchers in Footscray was supported by findings from the household survey. When asked about concerns relating to public drinking prior to and since the law came in, 53.33 percent (n=166) of Maribyrnong residents who were living in the municipality prior to the law's introduction reported being concerned about public drinking and 53.6 percent (n=259) were currently concerned about public drinking. This essentially reflects the 'unchanged' nature of public drinking in Footscray.

Of residents who were currently concerned about public drinking, the most common locations of concern were on the street during the day (75.7%; n=203) and on the street at night (67.9%; n=182), and around shopping areas during the day (63.4%; n=170) and at night (56%; n=150). Of those currently concerned about public drinking, overwhelmingly the Footscray Mall (Nicholson St) and Maddern Square were the specific locations noted by residents, with Railway Reserve and Footscray train station to a lesser extent.

Despite continued drinking in Footscray, of those who lived in the municipality both pre and post the law (and had experienced concern about the law (n=125)), there was a significant reduction in concern relating to public drinking in some locations, such as on the street during the day and night, in parks during the day, around shopping areas during the day and around public housing estates during the day and night after the law's introduction (see Table 2). This finding is somewhat contradictory to reports of continued street drinking on the street and around shopping areas during the day in Footscray.

When asked whether they believed public drinking had increased or decreased since the law's introduction, 8.2 percent (n=39) of residents said they believed it had increased, 17.3 percent (n=82) said they thought it had decreased, 21.1 percent (n=100) believed it had stayed the same and 53.5 percent (n=254) did not know.

	Pre the law (n=125)	Post the law (n=125)
On the street during the day	91.2	80.8*
On the street at night	80.0	63.2**
In or around parks during the day	67.2	56.0*
In or around parks at night	56.0	50.4
In or around licensed venues during the day	31.0	26.2
In or around licensed venues at night	29.6	24.8
In or around shopping precincts, supermarkets or markets during the day	72.0	61.6*
In or around shopping precincts, supermarkets or markets at night	58.4	51.2
In or around public housing estates during the day	43.2	32.0*
In or around public housing estates at night	40.8	31.2*

* $p \leq 0.05$

** $p \leq 0.01$

Enforcement

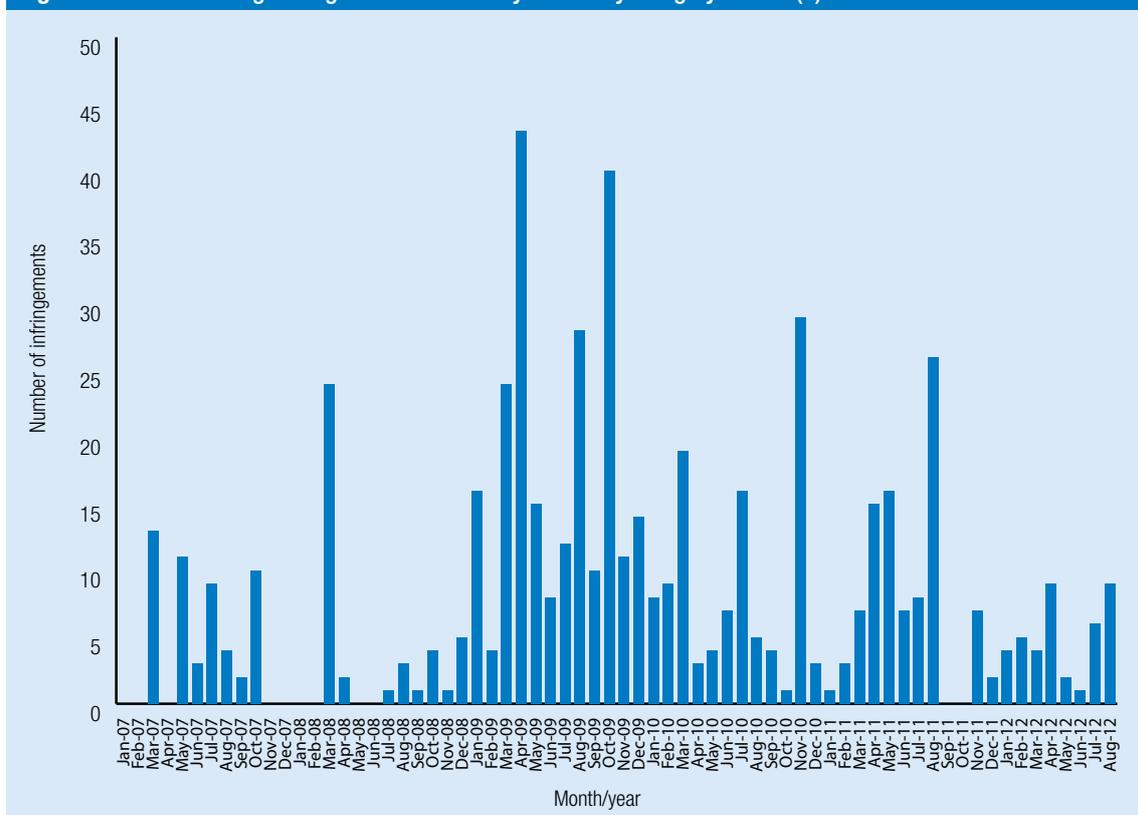
Infringement data sourced from the City Maribyrnong (only available between 2007 and 2012) shows that infringement notices issued for public drinking vary dramatically from year to year with no apparent trend or reason for variation. Unfortunately, no information was available detailing the time of offences, nor the demographics of offenders.

Table 3 Number of public drinking infringements in the City of Maribyrnong 2007–12

Year	Number of infringements
2007	52
2008	41
2009	225
2010	108
2011	92
2012*	40

*Up until August 2012

As is also evident from the graphical display of infringements by month (see Figure 4), there is little seasonal pattern in relation to infringements in Maribyrnong.

Figure 4 Public drinking infringements in the City of Maribyrnong by month (n)

The qualitative data gathered contextualises these findings. While police were seen on foot patrol during several of the observations, they were more likely to be seen at the railway station than elsewhere. There were no occurrences of disturbances or police taking action against drinkers during observations.

Interviews with police revealed that enforcing the public drinking law was not always their top priority:

You might not have enough time to sit there and talk to them. If you've got jobs, you keep going and you're not patrolling the Mall as often as you could be (Police officer).

The traders suggested that regular patrolling was the best strategy, but that when police were visible they only stayed for a short time and then they were gone again:

Some days it's a lot more active here, other days not so much. We've had a heavier police presence in the past two months which I guess has helped us a lot because once the police move in you look around and all of a sudden everyone's gone. But they can't be patrolling here 24/7 can they? (Trader).

The lack of police resources was identified as the most important factor behind the failure of the public drinking ban and even when more resources were provided, it was never perceived to be 'enough'.

In order to assist police, 30 permanently positioned CCTV cameras were commissioned in the Footscray CBD area in October 2011. Although they were powerful enough to 'see what brand of alcohol they're drinking', senior police conceded that their primary use to date had been for drug-related operations and assaults. They felt that the impact of the cameras had been to disperse drug dealers and to a lesser extent, public drinkers outside the CBD.

Police reported a range of responses to public drinking from warnings to confiscation or pouring out, to the issuing of infringement notices or fines. Warnings were often used as an attempt to disperse the drinkers but also to keep a good relationship:

Use it as a way to move them along...you can just get them to be on their merry way and [if] you talk to them a bit better, then they're probably more likely to just get out of here (Police officer).

Not all police had the same view; one said that although he had issued warnings in the past 'it's just the rules and the locals know it, so it's just penalty notices straight out' (Police officer). There was a requirement that even warnings should be registered and reported to the Attorney General but it was believed across all jurisdictions that this does not happen.

When warnings proved ineffective, the next level of response was confiscation or pouring out of the alcohol. Although there had been some reluctance to take this approach, in practice there had not been a problem, although this may have been a function of the experience or the skill level of the police.

Traders favoured this response believing that the drinkers would get sick of it:

The obvious thing to me is just take the drinks off them and pour them in the rubbish bin...and I think if the police do that consistently for say a 12 month period, sooner or later they're going to realise that there's no point coming here because we can't sit here and drink anymore (Trader).

But other traders recognised that this did not have as much impact as they hoped as the drinkers could just go and buy more straight away, and that the police were being too lenient with warnings.

Issuing infringement notices was perceived by the police to have influenced the drinking practices of the law abiding people who were likely to take note of the exclusion zone, but to have had little impact on others 'who just don't care' (Police officer). Fines were more likely to be issued to the habitual drinkers, usually after warnings and pouring out had proved ineffective (Police officer).

Some of the frustration with the fining system was that although the police issued them, it was the responsibility of council officers to collect them:

A frustration from the police end is that our local laws officers don't follow up on unpaid fines, so the police stop re-issuing sometimes...and council's not going to chase them up if they [the drinkers] are not going to pay them (Council officer).

Generally the people who received fines were those who were least likely to have the capacity or inclination to pay the fine. The normal way of handling non-payment of a fine was to take away the driver's licence or vehicle registration through the Infringements Court. This system had no impact if the drinker had neither.

Non-payers were referred to the Magistrate's Court:

The unpaid ones, there'd obviously be a warrant, but it's not for incarceration. The Sheriff would always bring that person back before the Judicial Registrar or before the Magistrate. They wouldn't be seeking to get the person put in jail over a \$200 local law offence and in a lot of cases they might be coming back to council because the person might be living in a boarding house and not have \$200 worth of goods or chattels to be seized and sold (Council officer).

The more likely outcome (as confirmed in interviews with public drinkers) was to impose community work orders, although this was perceived to be such a slow process that it was ineffective:

No, it doesn't make any difference because it takes so long to get to that process where they're actually having to do that, because it goes through a whole...Sheriffs, we tell them where they are, whether they can catch up with them or...because some of them [are] itinerant males or females, you know where they move around (Police officer).

While the drinkers understood that it was the council who were driving the public drinking policy in response to community and trader concerns, their main point of contact was with the police. All the drinkers had had contact with the police in relationship to their public drinking and considered that the police presence was a daily factor in their lives. Mostly, the relationship with police was reported as fairly positive. They also understood that the police had a range of priorities, particularly relating to drugs and serious crime, and on any particular day they might be too busy to worry about public drinking:

It depends if they want to pick on you I think. Like there are times, you know, where they'll walk by and see you with one and you just hold kind of, don't be obvious about it, about what you're doing (Drinker).

If you be nice to them, they're nice to you. If you are an idiot, the same thing. Nothing wrong with them, nothing wrong. If there are not police you can't walk in this city (Drinker).

Evasion was a common strategy with the polydrug users in particular, keeping on the move and 'doing laps' so as to avoid 'harassment' from the police. A different form of evasion common to the Europeans and floaters was to conceal drinks in paper bags, in plastic bags, in bags at people's feet, in pockets and under jacket flaps. Sometimes drinks were concealed in alternative containers. RTDs were said to be chosen partly because they were easier to conceal. The Sudanese drinkers made no attempt to conceal their drinking, both in Railway Reserve (outside the exclusion zone) and in Maddern Square (inside the exclusion zone).

Many of the drinkers had been issued with both warnings and infringement notices or fines. When Railway Reserve was still operational (before redevelopment began mid-year in 2012), drinkers were sometimes told to go there where their drinking would be legal, whereas at other times, the alcohol was poured out. What action the police took could sometimes depend on how 'rowdy' the drinkers were being.

The size of the fines was variously given as anywhere from \$200 to nearly \$500. Those who had something to lose (eg their driver's licence) were more likely to pay the fine and worry about being fined again, tipping out their drink rather than risk being fined. Others did not care and did not pay the fines:

One time I told them, I told them to fuck off. I was drunk and I knew what I was doing and she said it wasn't nice, I've got too much paperwork already, just go and get out of my sight (Drinker).

Other options rather than paying fines included going to jail, donating to charities or doing community work (such as painting a school). Others paid off their fines in instalments.

Their own beliefs about the minimal impact of their drinking were a large driver behind the law's ineffectiveness:

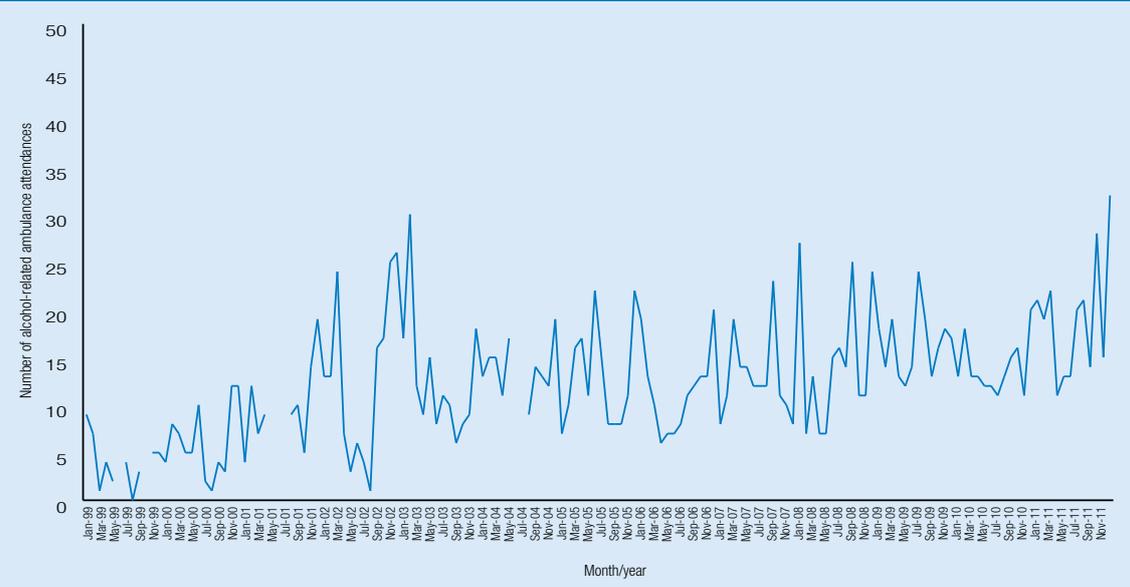
I like to drink, that's it. I don't make trouble, I make nothing. I drink nice and peaceful whatever and there's no...I never do no trouble to nobody (Drinker).

I'd rather just sit here, and like, even though I'm not supposed to be doing it, a few friends and just be quietly, you know, I don't get myself completely intoxicated in public but I have a few drinks (Drinker).

Changes in alcohol-related harm and crime

To assess any changes to alcohol-related harm and crime in the City of Maribyrnong pre and post the law, Melbourne ambulance and Victorian police data were analysed.

Monthly counts of alcohol-only ambulance attendances within Maribyrnong were examined between January 1999 and December 2011, to see whether there was any impact of the introduction of the public drinking laws in 2003 and 2006 on rates of alcohol-related harm (see Figure 5).

Figure 5 Alcohol-related ambulance attendances in Maribyrnong by month, 1999–2011 (n)

Alcohol-related ambulance attendances increased dramatically between 1999 and 2003 in Maribyrnong, but have been relatively steady subsequently. The number of attendances varies sharply from month to month. In the 10 months following the introduction of the initial law, the number of alcohol-related attendances was 170, compared with 122 in the 10 months prior (note that 10 month periods were used here, due to missing data in June-July 2004). The number of attendances in the year leading up to the expansion of the public drinking ban ($n=155$) was slightly higher than that in the year after ($n=139$). While this is suggestive of a reduction in problems linked to the law, more robust analyses are required to ensure that the results are not overly influenced by underlying trends unrelated to public drinking^{1,2,3}.

Because the data presented above had a strong underlying trend in it, we modelled the annual change in ambulance attendances, rather than just the raw numbers. This ensured that the findings were not overly influenced by long-term trends and instead related to the direct effect of the policy change on ambulance attendances. The simplest possible specification of the ARIMA model that produced completely random residuals was used, in this case the model included two auto-regressive terms along with the differencing discussed above (ie an ARIMA (2,1,0) model). For the sake of simplicity, the auto-regressive terms are not reported.

The policy intervention in Maribyrnong is modelled as a simple step variable (ie it is set to 0 before the first policy was introduced, 1 after the initial ban was implemented and 2 when it was expanded in 2006). To ensure that any seasonal variation in alcohol-related ambulance attendances was accounted for, the model included indicator variables for month of year. The results are presented in Table 4.

1 Note that, due to privacy restrictions on the ambulance dataset, the data for any months when there were between 1 and 4 attendances have been replaced with randomly generated values between 1 and 4

2 Data for June 1999, October 1999, May through July 2001 and June through July 2004 are missing due to industrial action undertaken by paramedics over those months

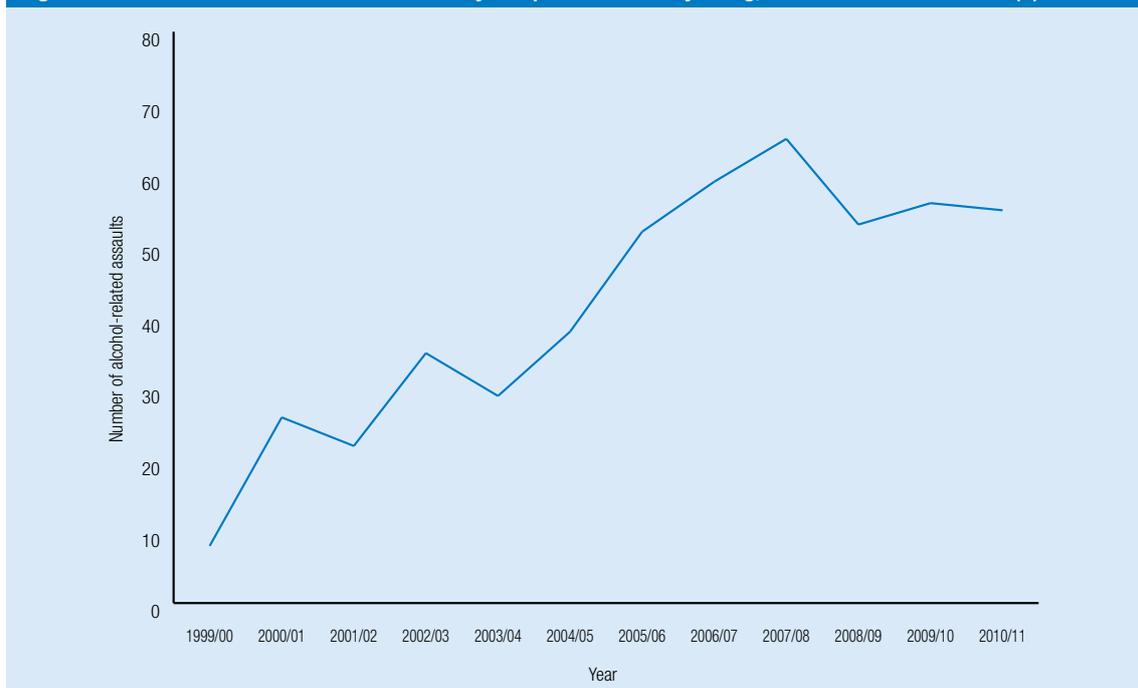
3 The small numbers of monthly cases available within each LGA mean that we have only analysed total numbers of alcohol only attendances in this report. Exploratory analyses of youth-specific attendances and attendances in public and outdoor locations were also undertaken, but the small numbers of cases meant that no meaningful conclusions could be drawn

Table 4 ARIMA Model output for the impact of the Maribyrnong public drinking law on alcohol-related ambulance attendances

	Coef	S.E.	p-value	95% Confidence interval
Policy impact	-3.03	1.89	0.11	(-6.73–0.67)
Month (Jan as reference)				
Feb	0.27	1.71	0.87	(-3.08–3.62)
Mar	0.16	1.79	0.93	(-3.35–3.67)
Apr	-3.94	2.05	0.05	(-7.97–0.07)
May	-4.45	1.90	0.02	(-8.17– -0.73)
Jun	-3.14	1.93	0.11	(-6.93–0.65)
Jul	-3.05	1.95	0.12	(-6.88–0.77)
Aug	-3.82	2.23	0.09	(-8.19–0.54)
Sep	-1.78	1.63	0.27	(-4.98–1.41)
Oct	-2.60	1.94	0.18	(-6.39–1.19)
Nov	-1.60	1.74	0.36	(-5.02–1.81)
Dec	4.13	1.77	0.02	(0.65–7.61)
Constant	0.11	0.03	<0.01	(0.05–0.17)

Introducing and expanding public drinking restrictions in Maribyrnong was followed by a non-significant reduction in rates of alcohol-related ambulance attendances. The wide confidence interval around the estimate of policy impact reflects the significant month-to-month variation in ambulance attendances, which makes it difficult for statistical models to detect any underlying change in the rate of attendances. It is important to note that in general ambulance attendances have been rising in Melbourne over time.

Only yearly data was available for alcohol-related assaults and thus, the data presented in Figure 6 describe the yearly trends in alcohol-related violence in Maribyrnong before and after the introduction of the public drinking law. These data refer to offences where an offender has been apprehended and was considered by the police to have been alcohol affected at the time of the offence.

Figure 6 Alcohol-related assaults recorded by the police in Maribyrnong, 1999–2000 to 2010–11 (n)

Alcohol-related assaults have steadily increased in Maribyrnong, with no obvious break in the trend when either set of public drinking restrictions was introduced. The limited data available from the police mean that it is hard to determine what link there is between the public drinking restrictions and violence, but these figures suggest that the restrictions had negligible impact. Unfortunately, the 'behaviour in public' offences related to alcohol consumption were very small over the period and little can be gleaned from data on them. On average, only four alcohol-related behaviour in public offences were recorded yearly both pre and post the ban, with the exception of 2003–04, when 12 alcohol-related public offences were recorded. This cannot be causally related to the introduction of the law⁴.

It is important to note that analyses of both ambulance and police data were run at the LGA level rather than by postcode (due to a small number of cases and confidentiality issues) and in Maribyrnong the public drinking law only applied to a small area of the LGA. Thus, it is important to consider that our analysis may not have been sensitive enough to detect small changes.

Safety and amenity

As already discussed, findings from focus groups showed that residents in Maribyrnong expressed a range of concerns from litter, menacing behaviour, loud noise, swearing, violence, begging and feeling threatened. Safety was raised as an issue and some people had stopped shopping in Footscray, using trains at night or withdrawing money from ATMs in Footscray. Some deliberately did their shopping in other suburbs, despite living in Footscray.

Residents surveyed as part of the household survey had experienced a range of concerns relating to public drinking, both pre and post the law. The problems they experienced most often were feeling unsafe in public places, feeling unsafe using public transport, having gone out of their way to avoid people or places where drinkers were known to hang out and being annoyed by people vomiting, urinating or littering when they had been drinking.

There were only small differences in experience of a range of problems relating to public drinking pre and post the law among those who were living in the municipality at both time points (n=299). McNemar's tests revealed that none of these changes were significant (see Table 5).

Table 5 Problems experienced related to public drinking pre and post the law in the City of Maribyrnong (%)		
	Pre the law (n=299)	Post the law (n=299)
Been kept awake at night or disturbed because of somebody else's public drinking?	26.4	24.4
Been verbally abused because of somebody else's public drinking?	24.7	21.4
Been physically abused because of somebody else's public drinking?	6.7	7.0
Been threatened because of somebody else's public drinking?	15.4	14.7
Felt unsafe while waiting for or using public transport because of somebody else's public drinking?	43.5	37.8
Felt unsafe in a public place because of somebody else's public drinking?	44.5	38.8
Gone out of your way to avoid drunk people or places where drinkers are known to hang out?	48.8	45.2
Been annoyed by people vomiting, urinating or littering when they have been drinking?	44.1	39.1

4 A number of police officers have informed us that 'behaviour in public' offences are rarely flagged for alcohol use, so it must be assumed that these are underestimations

Outcomes for drinkers

Because the main response to the public drinking ban in Footscray was to ignore it, there were fewer harmful impacts to public drinkers, for example, disruption of social networks, than are often reported in evaluations of public drinking bans.

One of the main adverse outcomes for public drinkers during the research period was the closure of Railway Reserve (outside the exclusion zone) and the displacement of the Sudanese drinkers to Maddern Square (inside the zone), which is likely to raise tensions between different groups of public drinkers (ie those who were already using Maddern Square and are fearful of the Sudanese drinkers) and residents who use this space. This is a development that should continue to be monitored.

The household survey asked questions about experience of public drinking and interaction with public drinkers, prior to and after the law, with no differences detected, presumably as a result of continued drinking in Footscray and also due to the fact that the law does not apply in the rest of the municipality.

	Pre the law (n=303)	Post the law (n=303)
Enjoyed drinking on the street during the day?	5.6	5.0
Enjoyed drinking on the street at night?	4.6	5.3
Enjoyed drinking in parks during the day?	13.5	12.9
Enjoyed drinking in parks at night?	5.0	5.0
Had positive interaction with others who have been drinking on the street during the day?	5.0	5.3
Had positive interaction with others who have been drinking on the street at night?	5.6	5

Proposed alternatives

There was a wide range of proposals about how to move forward on the problem of public drinking in Footscray, reflecting its complexity. Responses ranged from reinforcing the existing local law, to changing how it was implemented and in some cases, changing the method of its enactment.

Reinforce existing law

One of the proposed suggestions to 'fixing' the problem of public drinking was giving police more power, either that they should be able to charge drinkers, or that the fines should be increased significantly. An alternative suggestion was that fines should be reduced, as drinkers could not afford them. One trader suggested a \$50 fine would be more effective.

Council officers favoured warning, pouring out and community service orders for non-payment of fines (if issued)—all responses that were in place. One of the council officers foresaw that Maribyrnong would go the way of other LGAs and eventually ban public drinking everywhere. However, even beyond expanding the exclusion zone throughout the LGA, it was reported that many local law officers believed that it was not appropriate that local governments deal with this issue and that laws around the consumption of alcohol should be enacted at the state government level.

Dilute or disperse drinkers

Because they recognised that the police would never have sufficient resources to be physically present at all times, some council officers proposed a strategy in which the area would be improved with better shop

fronts, lighting, more festivals, syringe sweeps and other amenity improvements. Council officers wanted to encourage a more friendly atmosphere in which 'ordinary folk' could feel safe by 'diluting' the impact of the public drinker:

Our view is that there are lots of other inner city municipalities where public drinking and ordinary shoppers and retailers coexist much better...Fitzroy, St Kilda, Prahran because the amount of street activity and liveliness is much higher it's a bit more hidden (Council officer).

Alternatively, several interviewees proposed dispersing the drinkers by stopping them from coming to Footscray. Firstly, there was the proposal to spread some of the services such as chemists and counselling services into different areas. More specifically, the possibility of relocating Open Family, a centre for rehabilitating alcoholics and drug addicts, was proposed 'because they're the reason why you are getting a lot of public drinkers coming into Maddern Square' (Council officer). Within council, there were conflicting agendas and a range of views existing from zero tolerance to harm minimisation.

Previous reviews of the local law had identified the provision of a dedicated space for public drinking, such as a 'wet zone'—somewhere that services could also be made available to provide support to marginalised people. This had also been the subject of some early media attention, although it was reported that it did not have enough council support to proceed. While Railway Reserve had fulfilled that function in part, with police conceding that they had sent drinkers there and outreach services targeting the drinkers there, two changes had occurred as mentioned above. First, the young Sudanese drinkers had arrived and as interviews with the public drinkers made clear, other drinkers no longer wanted to drink in Railway Reserve for their own safety. Second, Railway Reserve was blocked off by May 2012 for redevelopment, thus the provision of an alternative dedicated space would have to be a deliberate policy choice.

Senior police said that the provision of such a space was not on their agenda and they would not be advocating it, feeling that it would create the same problems associated with existing public drinking, although they remained 'open to the argument'. By contrast, they favoured encouraging social gathering places that did not encourage drinking. At the other end of the spectrum, the outreach workers recognised that marginalised people needed a space where they could congregate and recognised that 'often that is around drinking and often that holds people together, so it's trying to juggle that need to come together in a meaningful space in a way that is not harmful' (Outreach worker).

Change access to alcohol

There was concern expressed about the perceived increase in bottle shops, with council officers proposing that reducing the number of outlets would not solve the problem, but would contribute to lessening it. Police were trying to work with traders to get them to stop selling packaged alcohol in small quantities, a practice that was perceived by council officers to be facilitating public drinking because it was easier to conceal a single container. The police also expressed the view that Footscray retailers needed to stop serving public drinkers who were already drunk.

Acknowledge the wider social complexity

Public drinking in the Footscray exclusion zone was recognised by most as a very complex problem, which was 'definitely not going to change overnight'. There was a widespread understanding that it was more than an individual responsibility and in that sense, the by-law was not seen to be the solution. All council officers and outreach workers were concerned with ensuring the drinkers were safe, were fed and had access to health services, while respecting their own priorities:

Work with them around their health and social needs but a lot of them, employment is an issue, housing's an issue...work with them to address them if they want to be worked with because...some of them are really happy, which is fine (Council officer).

However, there was also a belief that using the social and cultural context could be a way of avoiding other solutions, particularly with the young Sudanese drinkers. Some of the council officers believed that since many of the Sudanese were not recent refugees and had in many ways broken with their cultural traditions, seeking to involve African leaders was not the solution.

A view expressed by some residents was that the ongoing gentrification in Footscray would result in an influx of new ideas.

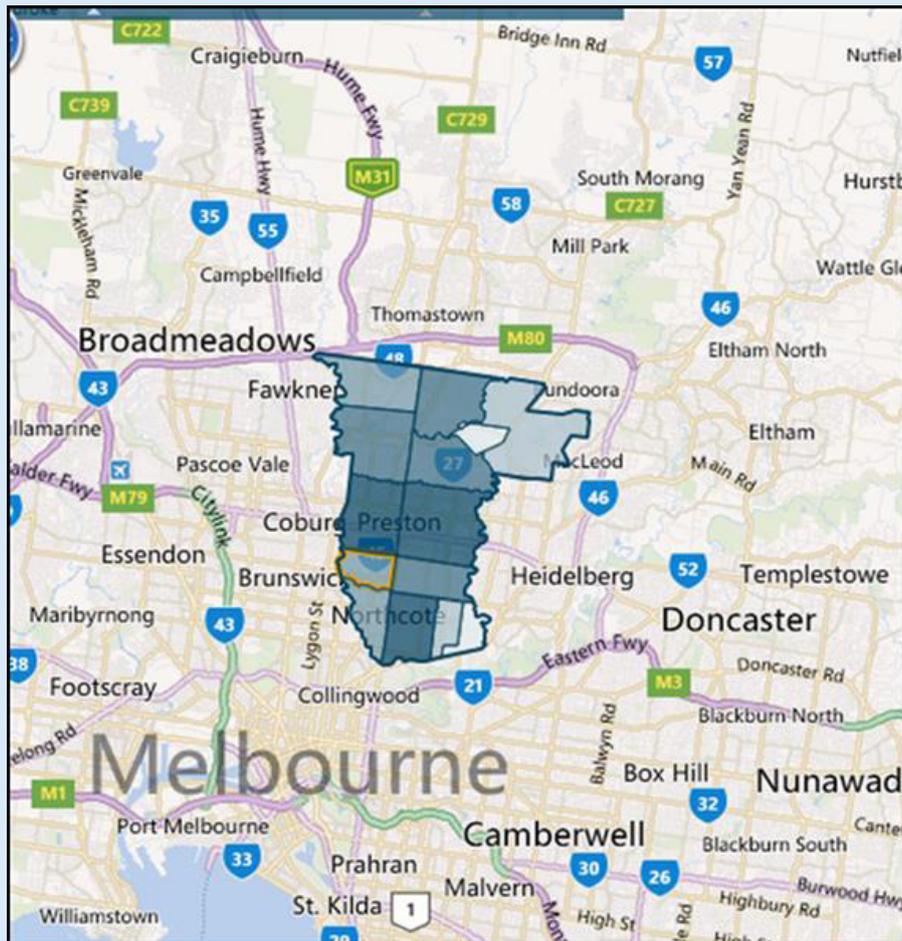
Ultimately, any future solution to the problem was going to have to engage with both levels of state and local government, drinkers, traders, community members and relevant institutions such as Liquor Licensing Victoria.

City of Darebin

The City of Darebin is situated five to 15 kilometres north of Melbourne's CBD, spanning an area of 53 square kilometres. The suburbs that comprise the City of Darebin include:

- Alphington (shared with the City of Yarra);
- Bundoora (shared with the City of Banyule);
- Coburg (shared with the City of Moreland);
- Coburg North (shared with the City of Moreland);
- Fairfield (shared with the City of Yarra);
- Kingsbury;
- Macleod (shared with the City of Banyule);
- Northcote;
- Preston;
- Reservoir; and
- Thornbury.

Figure 7 The City of Darebin



Darebin is one of the largest and most diverse communities in Victoria. There are approximately 136,000 residents in the Darebin area, with 800 hectares of parks and reserves. A tram line running down High Street (a main street lined with shopping strips and entertainments precincts) splits Darebin down the middle, running from the central business district of Melbourne through Northcote, Thornbury, Preston and Reservoir. Popular features of Darebin include the Preston Market, Northcote Plaza, Northland Shopping Centre (Preston), Latrobe University (Bundoora), Merri Creek, All Nations Park (Northcote) and Edwardes Park Lake (Reservoir).

As with other municipalities in Melbourne, gentrification has begun to transform some parts of Darebin, particularly the suburbs of Northcote, Thornbury, Fairfield and Alphington. However, other parts of the municipality are characterised by lower socioeconomic status. Despite some gentrification, Darebin is the fifth most socioeconomically disadvantaged LGA in greater Melbourne.

Approximately 35 percent of Darebin residents were born overseas (heavily dominated by southern and eastern Europeans) and 40 percent speak a language other than English at home. Approximately one percent of Darebin's residents are Indigenous Australians (ABS 2011).

Public drinking and the implementation of the law

Prior to the implementation of the law, public drinking had been occurring for some time in two distinct locations in the City of Darebin, in the suburbs of Preston and Reservoir.

Preston

Our research (and research previously conducted by Darebin City Council) revealed that public drinking had been occurring near the Preston market for approximately 10 years. Over this time, a group of male drinkers had been visible outside Aldi supermarket on Cramer Street (directly outside the market) and sometimes on the other side of the road in a small park area near the Preston Bullants football oval, between the hours of 9am–9pm (but most visible between the hours of 12pm–7pm). The size and characteristics of the group drinking at Preston fluctuated over the years, but there was a core group of males who had been consuming alcohol in public throughout the 10 year period. In 2009, it was reported by various key informants there were around 20 different males drinking in Preston (generally in groups of 4–8 on any one day). These drinkers were estimated to be between the ages of 20 to 65 years, with most aged between 40 and 50 years. They were mainly Anglo, but many with European ancestry. These drinkers were mostly all alcohol dependent, and were either homeless or living in assisted accommodation arrangements such as boarding/rooming houses or public housing. Most drank beer or cask wine and often shared with one another (including cigarettes), relying on reciprocity depending on when their 'pay day' was.

In general, the drinkers were described as friendly, particularly in the earlier part of the day. The biggest concern from residents about the drinking at Preston was that they felt unsafe walking past a large group of men, especially later in the day when they had become intoxicated. Concern was also expressed about swearing, begging for money and broken bottles. Some of the public drinkers had a history of incarceration and it was noted that the Preston site was often the first place people who had been released from prison would look to find their friends. While there was some mention of intra-group fighting (but no mention of ever fighting with strangers), this was reported to be rare and resolved quickly. In particular, the group of 'regulars' that had been drinking at Preston for some time (older Anglo and European men), were reported to cause very little trouble. But leading up to the implementation of the law, there had been increasing reports of physical fighting leading to police and ambulance attendances. Three drinkers interviewed, who had all been visiting the area to drink for around 10 years, reported that this was the result of an increasing number of visitors to the group who could not 'handle their alcohol'. According to the drinkers, these 'visitors' were from Reservoir, Fitzroy and Thomastown, and sometimes up to 20 visitors at any one time. The visitors reportedly stole alcohol from Aldi or Cramer's bottle shop, which also encouraged increased police presence. It frustrated the 'regulars' who believed that these visitors and their troublemaking were responsible for the introduction of the

law. Residents, traders, council and police also supported the view that prior to the implementation of the law, it was not the 'regulars' who were causing the increasing number of disturbances.

Reservoir

The experience of public drinking in Reservoir was quite different to the Preston experience (the sites are approximately 5 kilometres from one another). In Reservoir, there were some concerns expressed about the occasional presence of public drinkers sitting on benches on the Edwardes Street shopping strip (older 'locals' with alcohol dependence who either sat alone or with one other person), but most concerns were expressed about a group of youths drinking in the car park behind the Edwardes Street shopping strip in the evenings. These males were described to be young (16–20 years) South Sudanese men who were unemployed (but housed, still living with their family) and drinking heavily, particularly on weekend evenings. Given that most of the drinking occurred after the shops were closed, most concerns expressed about these youth were from traders. In the past, prior to the South Sudanese drinkers' presence, a group of Maori or Pacific Islander males had been known to occupy the car park on the weekend, but there were few concerns expressed about these men as they were generally polite and did not get acutely intoxicated. It was reported the Maori males were waiting for their female partners who attended a course in the library and after this course finished the Maori males were no longer seen.

There were few reports of aggressive behaviour among the South Sudanese men, but some residents had reported feeling intimidated when going to the library in the evening, as did traders returning to their cars. One health worker noted that the men tended to self-regulate their alcohol consumption and often sat in the car park for a number of hours before 'going out'. The police did not report significant concern about the South Sudanese men; the only explicitly negative report about them came from one of the traders who reported that sometimes the group got as large as 15 and they often became intoxicated and intimidating and never purchased anything from his venue, but always used his toilets.

In November 2009, in response to a number of requests made to Darebin City Council via the local Safety Committee (who were strongly influenced by complaints from traders), an 'alcohol restricted zone' was established in the two areas of the municipality where there had been concerns about public drinking. The first location was the Preston market, with the zone extending between St Georges Road, Regent Street, Plenty Road and Bell Street (see Figure 8).

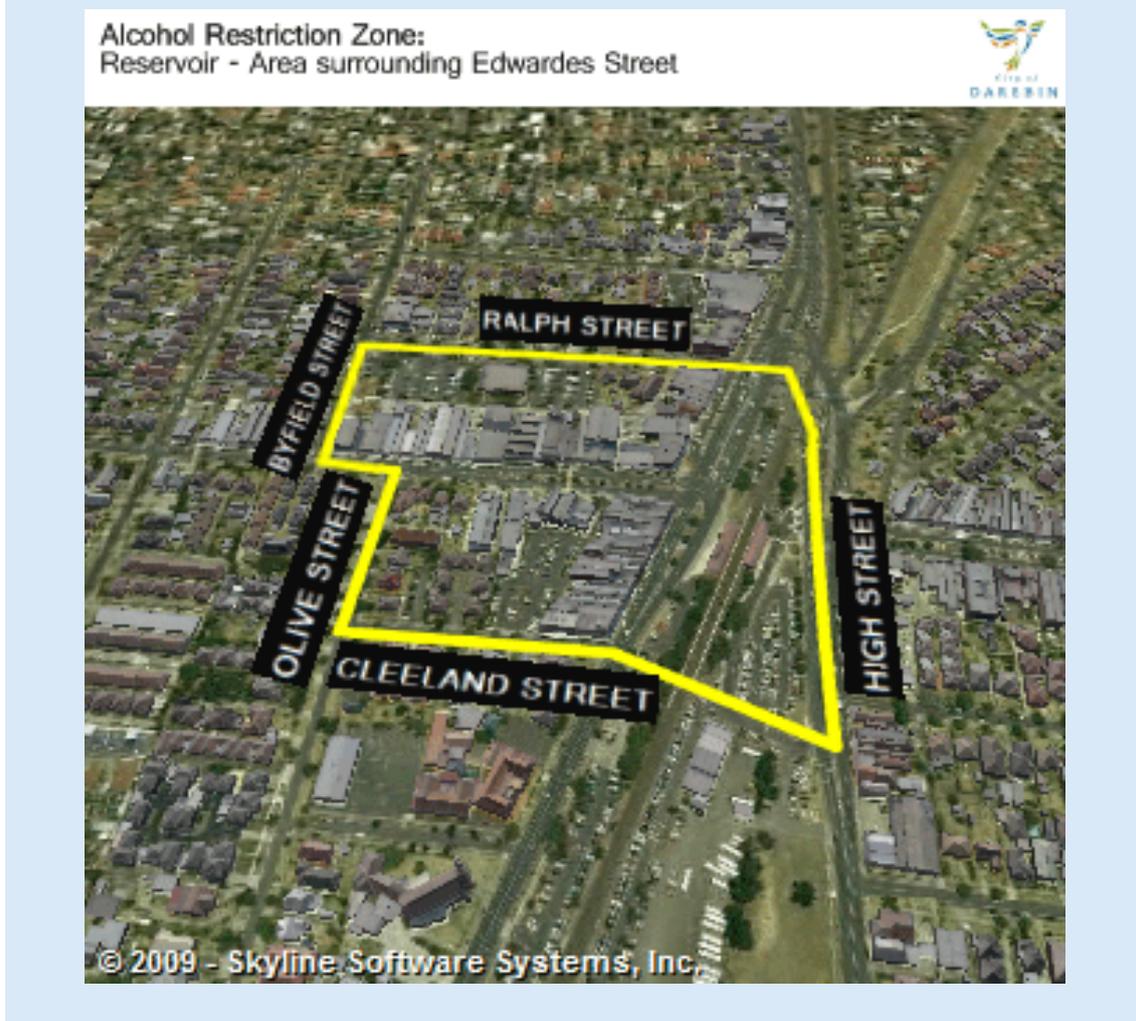
Figure 8 Preston Restricted Zone

Alcohol Restriction Zone:
Preston - Area surrounding Cramer Street



The second zone was established in Reservoir around the Edwardes Street shopping strip and car park, with the zone covering the area between Ralph Street, High Street, Cleeland Street and Byfield Street (see Figure 9). The law stipulates that if someone is found in possession of open container of alcohol within these zones they may incur a \$200 fine. The justification for the alcohol-restricted areas was based on three key messages that were common throughout our analysis: improving safety, improving amenity and decreasing crime. A Memorandum of Understanding was established with Victoria Police, who are responsible for enforcing the law while council plays the main role in the administration of fines.

Figure 9 Reservoir Restricted Zone



Evaluating the law

Two reviews of the alcohol-restricted zones in Darebin were undertaken by Darebin City Council; the first after six months and the second after 12 months (Darebin City Council 2011, 2010). It is important to note that at the same time that the law was implemented, council initiated a number of concurrent activities, including a series of alcohol-free events for youth involving music, films and food, as well as giving information about the law in Reservoir on Saturday nights between 6–10pm. In addition, an outreach support worker was funded for 15 weeks to spend time with the public drinkers in both locations to inform them about the law and identify any needs they might have. Council also attended meetings of a local liquor accord to make licensees aware of the law.

As with all three LGAs targeted in this evaluation, Darebin City Council was sensitive to the needs of marginalised drinkers and approached the bans with the view that public drinking is a complex social and cultural issue that is often complicated by alcohol dependence, homelessness and mental health problems, and that all residents have the right to freedom of association, expression and movement. The sensitivities of Darebin Council were most aptly demonstrated in their employment of outreach workers to engage with drinkers during the first 15 weeks of the law. Arguably, this had some success in facilitating drinkers' access to housing and other support services.

The first evaluation, which took place six months after the law was introduced, involved interviews with division managers within council, interviews with external stakeholders (including police, traders and health/support workers), a street intercept survey with residents and qualitative data gathered from drinkers (obtained by the outreach workers). The first evaluation showed that the law had been relatively ineffective and this was the way the findings were described in local media. Twenty-eight infringements and 21 warnings were issued in the first six months of the law, with seven people receiving multiple fines/warnings. Only one fine was paid. Given that there was only one 'repeat offender' in Reservoir, it was suggested that the ban was deterring drinkers in Reservoir, but not in Preston where there appeared to be a disregard for the law. The drinkers in Preston reported that they would continue to congregate and incur fines (which they were unable to pay) due to the priority they placed on having a space in which they could socialise with others.

A street intercept survey showed that awareness of the law was only at 35 percent and it also found no evidence that residents were feeling safer or that they believed public drinking had reduced. This was consistent across both sites. Regardless, support for the ban remained high. In both locations, there was a slight decrease in the visibility of drinking. In Preston, this was because the drinkers had moved to a more covert location (on the same street) behind toilet blocks and in the local football oval. Consultation with health workers showed that the zone was having a negative impact on the health of the drinkers because support staff could not locate them to attend to their medical needs and escort them to appointments (Darebin City Council 2010).

The second evaluation, after the law had been in place for 12 months, involved interviews with police, traders, health workers, local council officers and residents (via street intercept survey). The 12 month review reported a significant reduction in the visibility of drinking in both sites (although not a complete absence of drinking) and as such, in local media, the law became touted as a success. Only seven infringements were issued in the second six months of the law; however, as with the first evaluation, community perceptions of safety remained unchanged. The issue of drinkers congregating behind toilet blocks and at the local football oval in Preston was no longer a problem because of the absence of drinkers and the location of the Preston drinkers was unknown at the time of the second evaluation. The review suggested that outreach workers who had been employed to engage with the drinkers during and after the ban had had some success linking the drinkers with support services such as housing. It was recommended by local council that the law be continued in the two zones for a second 12 month period with a view to discontinue the bans if the reduction in the visibility of public drinking was sustained (Darebin City Council 2011). However, since this time there have been no more reviews and the ban has continued since November 2009.

To build on the previous evaluations in Darebin, 10 sessions of observation at the Preston site and seven sessions of observation at the Reservoir site (most sessions lasting between 1–2 hours) were conducted. These were undertaken both during the day and in the evening, on both weekdays and weekends in summer, autumn and winter. Interviews were undertaken with seven police from Preston and Reservoir police stations (1 Senior Sergeant, 4 Sergeants and 2 Senior Constables), seven traders (across both sites), as well as five health workers, two members of local council and one elected councillor. Only three drinkers were interviewed due to the absence of street drinking in Darebin and thus limited access to drinkers. These drinkers were all men, aged between 40 and 60 years. A household survey was completed by 501 residents and a focus group with nine residents was undertaken (6 men and 3 women, aged 21–69 years).

Perceptions of the law

The media analysis revealed six distinct groups that had a vested interest in the implementation and outcomes of the public drinking ban in Darebin: residents, the drinkers, traders, health workers, police and local council. The media analysis captured the crux of the debate: the needs and rights of non-public drinking residents versus the needs and rights of the drinkers. A number of articles described drinkers as 'aggressive', 'anti-social' and 'causing havoc', and emphasised support for residents who were described as intimidated

and fearful for their safety and for citizens who importantly should not have their own rights impinged by advocating for drinking at parks or outside at restaurants. On the other hand, some articles were sympathetic of the drinkers, describing the social support network that had been established through drinking together in Preston and the ineffectuality of fining people who did not have the capacity to pay fines. Other articles were more neutral, simply describing the debate between those in support of the drinkers, such as the Community Legal Centre who felt the law discriminated against homeless and Indigenous people, and citizens who felt that not having a law discriminates against children, the elderly and 'law-abiding' citizens. Stakeholders such as health workers were generally reported as favouring the rights of the drinkers, while traders were generally reported as favouring the rights of residents. Police and council were constructed more neutrally, acknowledging the complex social conundrum presented by public drinking.

Our evaluation showed that each of the vested interest groups held different perceptions about the law and even within vested interest groups there were differing views of the law. Some supported it, others opposed it and some were conflicted about it, while others were ambivalent.

Residents

Around half of household survey respondents (48%; n=234) were aware of the law in Darebin; however, only 26 percent of those aware of the law and 12.3 percent (n=61) of the total sample, knew the specifics of the law (ie that it only applied to 'hotspots' in Reservoir and Preston). Unsurprisingly, awareness of the law and in particular, knowledge of the specifics of the law, was higher in Preston (55.8%; n=77) and Reservoir (51%; n=50) than all other suburbs in Darebin (36%; n=58). There were no other characteristics that predicted awareness of the law.

Support for laws prohibiting alcohol consumption in the street were high in Darebin (78.9%; n=393), with only 6.4 percent (n=32) opposing such laws and the rest neither supporting nor opposing. Age was a strong predictor of support for the law, with people over 55 years old being most in favour of the law (87.2%; n=171) and people with university qualifications being least approving of the law (68.1%; n=171). Those living in areas unaffected by public drinking, including Thornbury, Northcote and Alphington (69.3%; n=124), were less likely to support the law than those living in Reservoir (85.3%; n=87) and Preston (83.7%; n=118).

Fewer residents supported the prohibition of alcohol consumption in parks, although it was still more than half the sample (57.8%; n=288). Seventeen percent (n=85) opposed laws prohibiting alcohol consumption in parks, with the rest neither supporting nor opposing. Those who were ambivalent most often cited their reasons for this as thinking it should be acceptable for alcohol consumption to be consumed responsibly during the day at picnics or barbeques.

Eight of the nine residents participating in a focus group supported the law due to safety concerns associated with public drinking. In particular, those who were parents were anxious about their children being around public drinkers. It was also generally acknowledged that public drinking was not a 'good look' for the local neighbourhood. Only one resident opposed the law because he felt that over-regulation was draconian and that police have enough other tools available (such as state laws of public drunkenness and being drunk and disorderly) to effectively manage any negative behaviour associated with public drinking.

The location of public drinking that was raised as the most concerning to residents was on public transport, particularly trams, which was reported to be a big problem. There were no concerns about public drinking around licensed venues in Darebin; however, there was dissatisfaction expressed at broken glass and empty beer bottles on weekend mornings near venues. All nine of the focus group participants believed that alcohol consumption should be permissible in parks during the day and on special occasions so that families or groups of friends could enjoy 'wine' with picnics or 'champagne' on New Year's Eve. In general, the locations of alcohol-restricted zones were approved of and there was no support for extending the ban beyond these two zones. However, it was noted that people would rather be around public drinkers in busy spaces such as shopping areas where there are other people around, as opposed to moving drinking to quieter areas.

In particular, residents kept returning to the ‘cultural’ problem of excessive drinking in Australia, which creates the need for laws that are unnecessary in other countries where moderate drinking is more ingrained. It was generally put forward by all residents that the irresponsible drinking of ‘a few’ negatively affects the ‘many’ in terms of the need for such a law. However, there was also general acknowledgement that drinkers dependent on alcohol might benefit more from social support than punitive measures.

Drinkers

Of the three drinkers interviewed in Darebin, two opposed the law, while one supported it. The male who supported the law said the law ‘had to come in’ because of the increasing disturbance, fighting and harm caused by the ‘visiting’ drinkers. While he was annoyed at the change in his circumstances, he understood the implementation of the law from a public health perspective. The other two were strongly opposed because of the importance the social network provided for their lives, but even one of these men was not surprised that the police felt they needed to respond to the ‘troublemaking’ visitors.

Police

In general, police favoured the public drinking law for its preventative ability. However, this was not always the case. When the law was initially implemented, there were senior police in Darebin who did not believe that public drinking laws were necessary to respond to antisocial behaviour as a result of alcohol consumption. However, a changing of key police personnel meant that at the time of this evaluation, all senior police were vocally in favour of the law as it added another ‘string to the bow’ and the perceived effectiveness of the law has allowed them to focus their energy on bigger problems. One Sergeant reported that public drinking laws protect the community and the drinkers themselves. Another police officer reported that public drinking often led to property damage and assaults and public drinking laws reduce the likelihood of such crimes. A third police officer reported approving of public drinking laws for the reduction in smashed bottles, improved look and feel of the area and a generally ‘nicer society’.

Other key stakeholders

Unsurprisingly, traders were supportive of the law because it reduced the number of people drinking in and around their business. In both Preston and Reservoir, the local traders associations played a strong role in the establishment of the law by lobbying to council for its introduction. Council officers and councillors were divided on the public drinking law, with some reporting a ‘duty of care’ to provide a safe environment for citizens and others believing that punitive approaches were not a sensitive or effective way of dealing with alcohol dependence. The compromise arrived at was the provision of outreach support, at least in the initial period of the law. Health workers were also concerned about the law; in particular, issues such as displacement and shifting drinking to less safe spaces, the loss of social connection the meeting place provided and reduced access to healthcare.

Effectiveness of the law

Visibility of public drinking

A significant amount of time was spent in Preston both during the day and night, and in summer, autumn and winter, and consistent with the findings from the second evaluation conducted by Darebin City Council, there was no street drinking visible at the Preston market site at all during 2012. Occasionally, beer bottles were observed on the ground near the football oval and in the bin at the same location, but no drinking was ever observed at this site. This finding is consistent with the reports of local council, police, traders and residents.

Similarly in Reservoir, despite extensive observational research, there was no public drinking observed on the Edwardes Street shopping strip, nor in the car park behind the shops. No groups of South Sudanese men were seen during sessions of observation. This is mostly consistent with reports from local council and police, who reported a significant reduction in drinking at this site; however, traders and a number of residents said that a group of South Sudanese men do still drink behind the Edwardes Street car park on some weekends. Beer bottles, bourbon cans and wine bottles were noticed at the library during observations, but library staff said they no longer witnessed drinking during library hours (which closes at 9pm), but did sometimes see fresh bottles on Monday mornings.

The only public drinking observed in the Darebin area was at the Northcote Plaza where occasionally men sitting alone or in small groups could be observed drinking alcohol sitting on a bench. They were observed sitting quietly and concealing their alcohol as they conversed or observed other shoppers.

The survey findings generally support the continued absence of public drinking in Darebin. Prior to the law, 58 percent (n=156) of those living in the municipality at the time were concerned about public drinking, but after the law, this had dropped to 32 percent (n=162). Of those currently concerned about public drinking, the locations of concern included on the street during the day (64.5%; n=107) and on the street at night (66%; n=110) and around shopping areas during the day (63.3%; n=105) and at night (54.8%; n=91). Of those residents currently concerned about public drinking, the specific location reported most commonly was the Preston market. While it was reported that drinking at the Preston market had reduced considerably, it had not vanished entirely. Little concern was reported about continued drinking in Reservoir.

Of those who lived in the municipality both pre and post the law, and had experienced concern about the law (n=106), there was a significant reduction in concern relating to public drinking in some locations, such as on the street at night around in shopping areas during the day (see Table 7). The reduction around shopping areas during the day is likely related to a reduction in public drinking in both Preston and Reservoir. There was a general reduction (non-significant) in many other locations, with the exception of around licensed venues at night and around parks during the day. This again makes sense, given that the laws were not implemented in entertainment precincts and drinkers from the Preston market were displaced to a park across the road.

Table 7 Locations of concern in relation to public drinking in the City of Darebin (%)

	Pre the law (n=106)	Post the law (n=106)
On the street during the day	71.7%	67.0%
On the street at night	76.2%	64.8%*
In or around parks during the day	55.2%	54.3%
In or around parks at night	58.1%	52.4%
In or around licensed venues during the day	27.6%	25.7%
In or around licensed venues at night	32.4%	33.3%
In or around shopping precincts, supermarkets or markets during the day	74.3%	65.7%*
In or around shopping precincts, supermarkets or markets at night	61.9%	54.3%
In or around public housing estates during the day	45.7%	41.0%
In or around public housing estates at night	43.8%	37.1%

*p≤0.05

When asked whether they thought public drinking had increased or decreased since the law's introduction, 3.5 percent (n=17) of residents said they believed it had increased, 18.9 percent (n=92) said they thought it had decreased, 19.7 percent (n=96) believed it had stayed the same and 58 percent (n=283) did not know.

From the perspective of the police, traders and residents, the diminished visibility of public drinking in both sites was indicative of the law's success. In Reservoir, it was reported that while there is still a bit of a 'problem' with public drinking, police callouts had reduced from weekly to once or twice a month. In Preston,

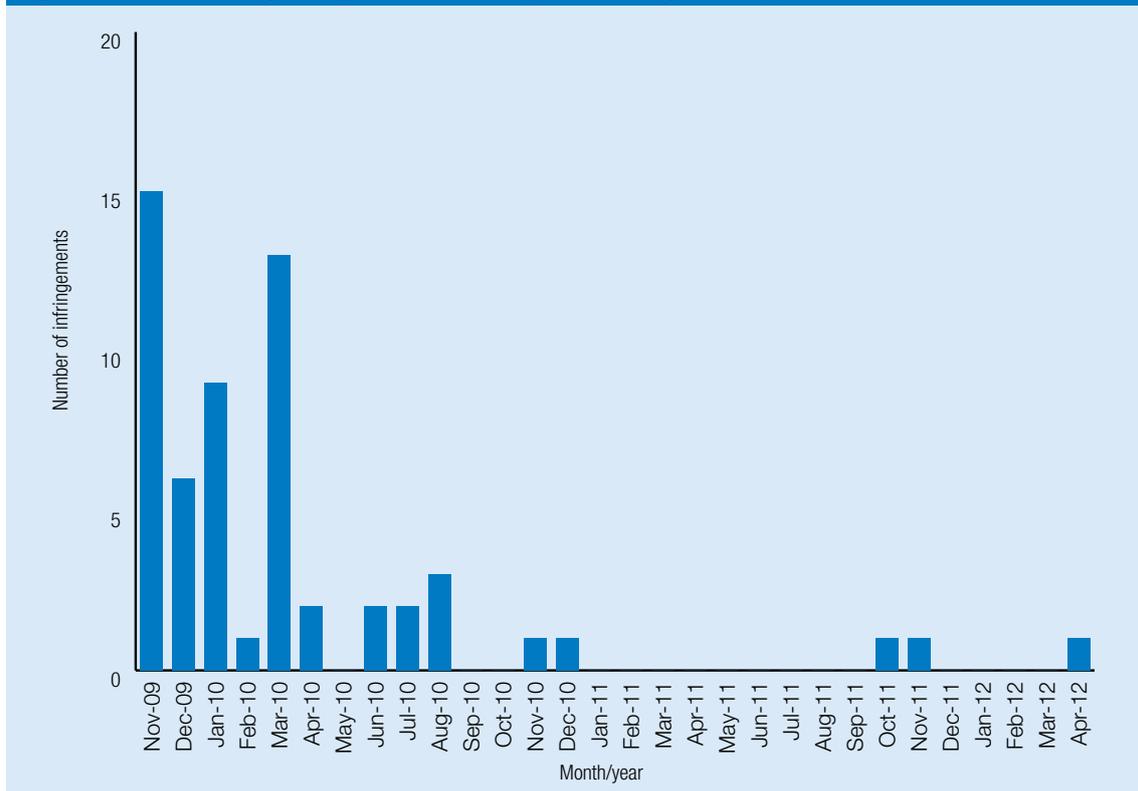
police callouts relating to public drinking were reported to be even less. For example, the following is a comment from a police officer:

I think [the law has] been very effective in particular with dealing with the issue in Preston. I know the police have not had [as] many callouts as they used to in the past and I drive by regularly and I don't see any evidence of drinking there and there's no evidence of discarding of bottles or casks as there was in the past (Police officer).

Enforcement

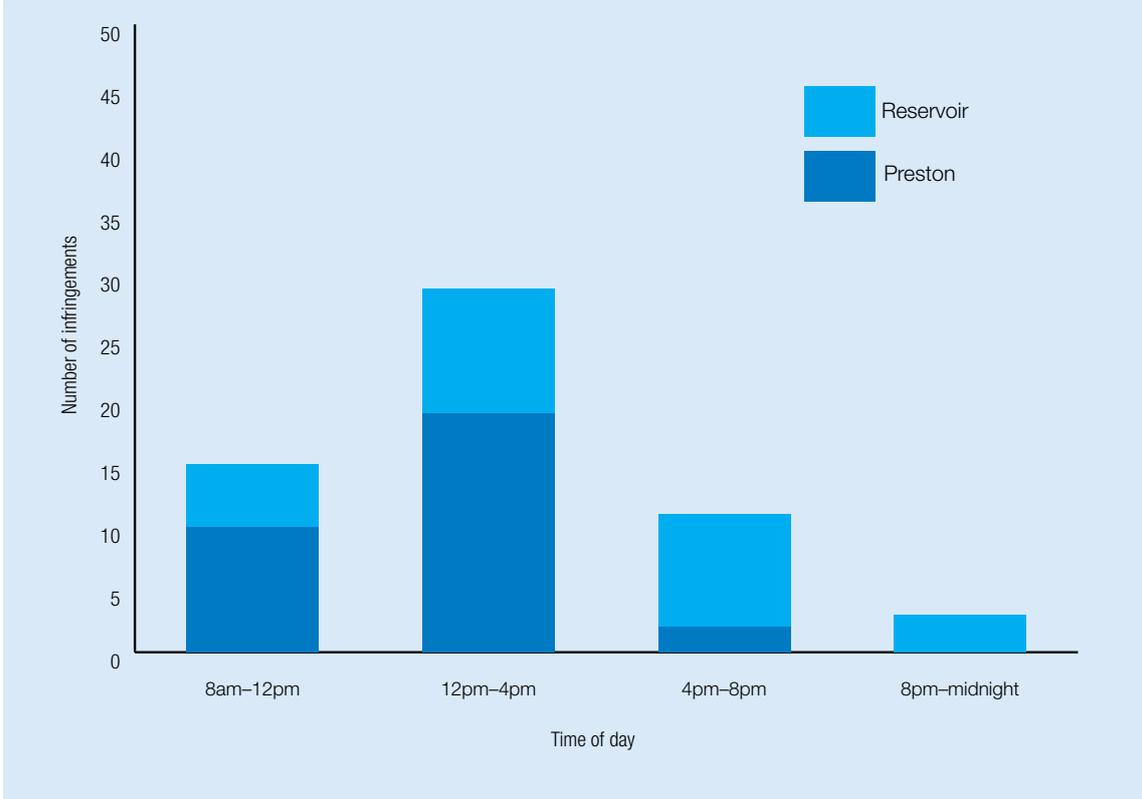
Since November 2009, 59 warnings and infringements have been issued for public drinking in Darebin (37 infringements and 22 official warnings without a fine). Twelve of these were issued to four people who have received multiple warnings/infringements. Only seven of the 37 fines have been paid. Most warnings and infringements were issued to males (74%; 29 of 39 infringements in which gender was recorded) and the average age of those receiving warnings or fines was 40 years (range 18–62 years). In the first two months of the law, mostly warnings were issued and the bulk of infringements were issued in late 2009 and early 2010. Only two fines were issued in 2011 and only one has been issued in 2012 (see Figure 10). This is generally consistent with reports of decreased drinking in public places in Darebin since mid-2010.

Figure 10 Public drinking infringements in the City of Darebin by month (n)



As can be seen in Figure 11, the bulk of the infringements in Preston were issued between 11am to 4pm, which is consistent in general with reports of drinking patterns in that area. In Reservoir, there were a number of day-time infringements, as well as night-time infringements, also consistent with reports of drinking patterns behind Edwardes Street in the car park.

Figure 11 Public drinking infringements in the City of Darebin by location and time of day (n)



When the law was first implemented, the Memorandum of Understanding between council and police dictated that there were three stages of enforcing public drinking laws. First a verbal warning was to be issued (drinker asked to tip out the drink, which is an unrecorded warning); second, a formal warning was to be issued (the drinker receives an infringement notice which council also receives to keep on file, but there is no fine) and the third stage was to issue a \$200 fine.

The drinkers in Preston reported a fairly good relationship with police prior to the law, but this changed after the implementation of the law (which it must be said, coincided with increased disturbance, fighting and harm at the Preston site from 'visiting' drinkers). All three drinkers reported consistent and intense police presence following the law, and generally reported a heavy-handed police approach. The three drinkers reported receiving numerous fines, for public drinking, public drunkenness (which they had rarely received before) and urinating in public. They also reported an increasing tendency to be 'locked up in the van, just for drinking'. One drinker reported that the police would often take one drinker in the van and say to the rest of the group that 'we'll back in half an hour and if you're here you're all going inside', so they would all go home to avoid temporary incarceration.

Police officers confirmed the views of the drinkers and acknowledged putting in place a concerted approach to fining drinkers in the initial period of the law. One police officer said 'we deliberately targeted them', adopting the approach that there would no discretion or warnings in the initial period of the law. For example:

When it first came out we used to hit them pretty hard. We used to go down there and just issue them with the notices for drinking in the exclusion zones (Police officer).

When it first came out we were tasked to, you know, just keep patrolling, keep issuing notices, keep reinforcing the...it's an exclusion zone, you're not allowed to drink here. Like if the police don't get told by their supervisors to go and actually police it and you send out foot patrols deliberately with that as your task for the day and you just allow them to go on and do it, well of course it will keep happening (Police officer).

These reports suggest that in Preston, police did not follow the three-step approach to addressing public drinking. Police acknowledged that while it was never expected that public drinking fines would be paid given the circumstances of the individuals drinking, they were still likely to act as an effective deterrent. Health workers and drinkers opposed this view and suggested that the fines were ineffective and not taken seriously among the homeless drinkers in Preston, but agreed that constant police presence (regardless of the issuing of fines) acted as a deterrent.

Conversely, police reported using discretion with first-time offenders and people who were not the ‘intention’ of the law. The place where this was most evident was in Reservoir, where it was reported that ‘repeat offenders’ who regularly consumed alcohol in Edwardes Street during the day would receive fines, but the young men who consumed alcohol behind the car park in the evenings who were not the ‘intention of the law’ would not receive fines if they tipped the alcohol out, which they always did. Police in Reservoir reported a different approach to Preston, giving many more warnings than fines. One Reservoir police officer said it often it came down to the ‘attitude test’—if someone fails the ‘attitude test’ they usually get a fine. But if someone is polite and conforming they will usually just get a warning.

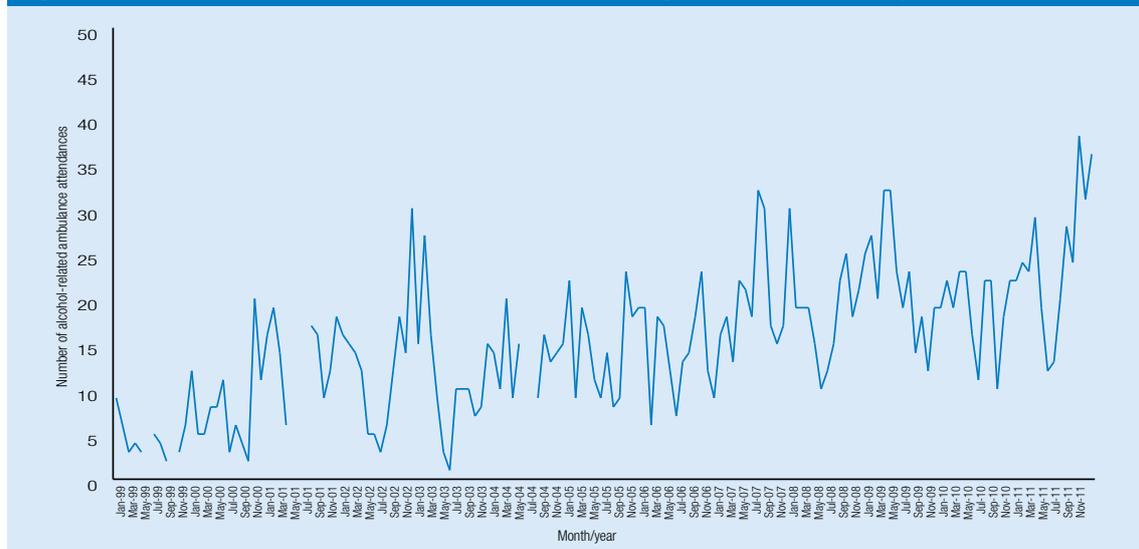
While police credited the laws and their approach with reducing public drinking in Darebin, drinkers and health workers proposed a number of alternative explanations for the reduction in public drinking in Darebin. Researchers in this study were informed that at least three of the Preston ‘regulars’ had died (with one drinker reporting that 6 of them had died) and one had been incarcerated less than 12 months after the law came into effect. The second major factor that led to reduced drinking at Preston, according to both the drinkers and health care workers, was that secure assisted living arrangements had been facilitated for a number of the ‘regular’ drinkers and this housing was outside the Darebin area. The drinkers and health workers said that it was mostly these other factors that led to reduced street drinking in Preston, but that the law had also played some role in dispersing the group. Both drinkers and health care workers acknowledged the combination of factors had led to the perceived ‘effectiveness’ of the law.

Changes in alcohol-related harm and crime

To assess any changes to alcohol-related harm and crime in Darebin, Melbourne ambulance and Victorian police data were analysed.

Monthly counts of alcohol-only ambulance attendances within Darebin were examined between January 1999 and December 2011 to see whether there was any impact of the introduction of the public drinking law in November 2009 on rates of alcohol-related harm (see Figure 12).

Figure 12 Alcohol-related ambulance attendances in Darebin by month, 1999–2011 (n)



As can be seen in Figure 12, there has been a steady increase in the number of alcohol-related ambulance attendances in Darebin over time, although the number of attendances varies sharply from month to month. In the 12 months following the introduction of the law, the number of alcohol-related attendances was 224, compared with 266 in the 12 months prior; however, this had begun to rise again in 2011. This finding is somewhat contradictory to the results of the Darebin City Council evaluations, which showed that public drinking continued in the first half of 2010, but the reduction could be indicative of more constant police presence reducing the need for ambulance services. While this is suggestive of a reduction in problems linked to the law, more robust analyses are required to ensure that the results are not overly influenced by underlying trends unrelated to public drinking.^{5,6,7}

Because the data presented above had a strong underlying trend in it, we modelled the annual change in ambulance attendances, rather than just the raw numbers. This ensured that the findings were not overly influenced by long-term trends, and instead related to the direct effect of the policy change on ambulance attendances. The simplest possible specification of the ARIMA model that produced completely random residuals was used—in this case the model included two auto-regressive terms along with the differencing discussed above (ie an ARIMA (2,1,0) model). For the sake of simplicity, the auto-regressive terms are not reported.

The policy intervention in November 2009 is modelled as a simple step variable (i.e. it is set to 0 before the policy was introduced and 1 afterwards). To ensure that any seasonal variation in alcohol-related ambulance attendances was accounted for, the model included indicator variables for month of year. The results are presented in Table 8.

Table 8 ARIMA Model output for the impact of the Darebin public drinking law on alcohol-related ambulance attendances				
	Coef	S.E.	p-value	95% Confidence interval
Policy impact	2.43	14.63	0.87	(-26.24–31.11)
Month (Jan as reference)				
Feb	-2.90	1.87	0.12	(-6.56–0.76)
Mar	-1.03	1.93	0.59	(-4.81–2.74)
Apr	-3.72	2.02	0.07	(-7.68–0.25)
May	-7.26	2.35	0.00	(-11.86– -2.66)
Jun	-9.33	2.73	0.00	(-14.67– -3.99)
Jul	-4.99	2.28	0.03	(-9.46– -0.52)
Aug	-4.67	2.27	0.04	(-9.12– -0.22)
Sep	-5.82	2.22	0.01	(-10.18– -1.46)
Oct	-4.03	2.08	0.05	(-8.11– -0.06)
Nov	-3.65	2.15	0.09	(-7.86– -0.56)
Dec	-0.33	2.11	0.88	(-4.47– -3.82)
Constant	0.15	0.29	0.61	(-0.42– -0.72)

Table 8 shows that the impact of introducing public drinking restrictions in Darebin had no significant impact on rates of alcohol-related ambulance attendances. The wide confidence interval around the estimate of policy impact reflects the significant month-to-month variation in ambulance attendances, which makes it

5 Note that, due to privacy restrictions on the ambulance dataset, the data for any months when there were between 1 and 4 attendances have been replaced with randomly generated values between 1 and 4

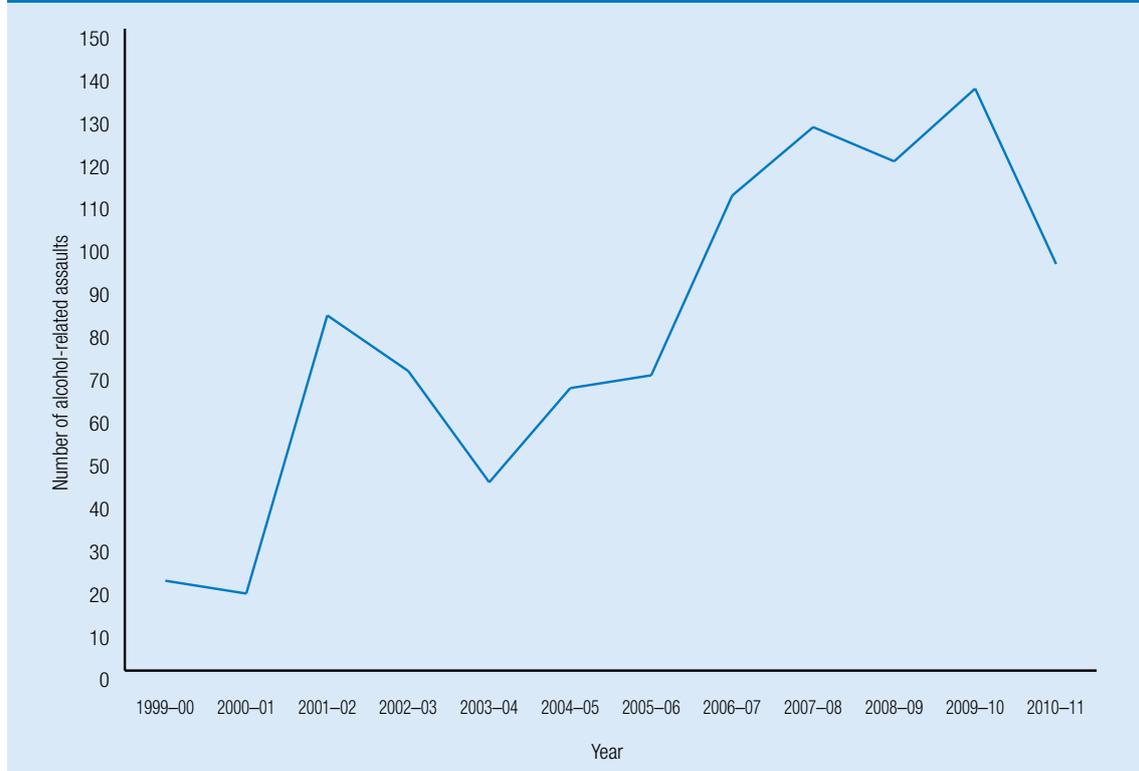
6 Data for June 1999, October 1999, May through July 2001 and June through July 2004 are missing due to industrial action undertaken by paramedics over those months

7 The small numbers of monthly cases available within each LGA mean that we have only analysed total numbers of alcohol only attendances in this report. Exploratory analyses of youth-specific attendances and attendances in public and outdoor locations were also undertaken, but the small numbers of cases meant that no meaningful conclusions could be drawn

difficult for statistical models to detect any underlying change in the rate of attendances. It is important to note that in general ambulance attendances have been rising in Melbourne over time.

Only yearly data was available for alcohol-related assaults and therefore, the data presented in Figure 13 describe the yearly trends in alcohol-related violence in Darebin before and after the introduction of the public drinking law.

Figure 13 Alcohol-related assaults recorded by the police in Darebin, 1999–2000 to 2010–11 (n)



Alcohol-related assaults dropped sharply in the financial year following the introduction of the public drinking ban in Darebin (from 136 in 2009–10 to 95 in 2010–11). Unfortunately for the analysis, the fact that there is only one time-point of data available following the policy change makes it impossible to ascertain whether this represents a lasting shift. Unfortunately, the ‘behaviour in public’ offences related to alcohol consumption were so small over the period that nothing meaningful can be gleaned from the results. On average, only five alcohol-related behaviour in public offences were recorded yearly both pre and post the ban.⁸

It is important to note that analyses of both ambulance and police data were run at the LGA level rather than by postcode (due to a small number of cases and confidentiality issues) and in Darebin the public drinking law only applied to a small area of the LGA. Thus, it is important to consider that the analysis used may not have been sensitive enough to pick up small changes.

Safety and amenity

As discussed, safety concerns were expressed by residents in relation to the visibility of drinking at the Preston market and by traders in relation to the groups of youths drinking in the car park. Concerns about the ‘look’ and ‘feel’ of both suburbs were both expressed. Survey respondents were asked about perceptions of safety and amenity to investigate any changes pre and post the law. As can be seen in Table 9, there were significant reductions across many domains relating to public drinking in Darebin, including feeling unsafe in a

⁸ A number of police officers have informed us that ‘behaviour in public’ offences are rarely flagged for alcohol use, so it must be assumed that these are underestimations

public place, waiting for public transport, using public transport, avoiding drinkers, being annoyed at vomiting, urination and littering, and being kept awake at night or disturbed because of someone else's public drinking. More severe harms, such as being physically or verbally assaulted remained unchanged, perhaps indicating that the public drinking that occurred prior to the law affected perceptions of safety, rather than actual safety.

Table 9 Problems experienced related to public drinking pre and post the law in the City of Darebin (%)

	Pre the law (n=166)	Post the law (n=166)
Been kept awake at night or disturbed because of somebody else's public drinking?	23.7	14.4*
Been verbally abused because of somebody else's public drinking?	13.5	8.9
Been physically abused because of somebody else's public drinking?	2.9	3.8
Been threatened because of somebody else's public drinking?	7.3	7.1
Felt unsafe while waiting for or using public transport because of somebody else's public drinking?	29.9	23.1**
Felt unsafe in a public place because of somebody else's public drinking?	27.7	20.4**
Gone out of your way to avoid drunk people or places where drinkers are known to hang out?	37.5	26.4**
Been annoyed by people vomiting, urinating or littering when they have been drinking?	31.7	23.5**

* $p \leq 0.05$

** $p \leq 0.01$

Outcomes for drinkers

Initially the drinkers in Preston and Reservoir responded to the law by attempting to conceal their alcohol (hiding it in containers and in their jackets), acting inconspicuous and attempting to avoid coming to the attention of shoppers, traders and police. In Reservoir, it was reported that during the day, regular street drinkers began concealing their drinks in brown paper bags and mixing alcohol in cola bottles. In Preston, drinkers self-reported getting 'smarter' and 'quicker' in relation to evading police, splitting up and concealing their alcohol.

In Preston, drinkers initially moved across the road from the market (outside Aldi) to behind the toilet blocks outside the football oval. This was still in the zone but out of the public gaze. Over time, a combination of police presence and other factors led the public drinking in Preston to dissipate and this has led to some displacement.

One drinker reported that the 'regulars' were still drinking in Preston but hiding from police. They frequented back alleys and underground areas near the railway station. Some traders reported still seeing the drinkers at the market site but only occasionally and only ever for an hour or two at a time.

Some drinkers who did not find another convenient place to drink started drinking more at home, which was not an ideal situation. Two drinkers blamed the law for some of their friends dying from alcohol-related (chronic liver failure) harms as a result of drinking more at home. There was one report of a Preston drinker who had fallen off his balcony and ending up in hospital for some time due to 'at-home' drinking. One health worker also reported a number of assaults due to 'compacting six guys into what is a one bedroom apartment'.

Another health worker reported that a number of drinkers had been consuming alcohol in a hostel in the area

and this created a new set of safety concerns. He reported dangerous levels of drug taking happening at the hostel, particularly amphetamine use

there's people taking more amphetamines, so there are a variety of issues that have come about, but they're not always directly obviously connected to the dry zone itself.

One drinker said a few of the 'regulars' had found an abandoned house where they sometimes met in the backyard just to drink and socialise. This house had no electricity or water but provided a good space for 'a couple of blokes having a drink and a chat'. However, this drinker acknowledged that they were actually still 'offending' by breaking into this private property to drink, placing them at additional risk of legal problems.

A number of drinkers reported feeling upset and lonely as a result of their network collapsing over time. A majority of the group were unemployed and disconnected from their family and so they acted as a social and familial network for one another. One drinker was distressed at not being able to find his 'buddies'. Another said that he blamed the law for some of his friends dying at home alone, not just because they had been drinking more at home, but because nobody was with them to help get them in an ambulance or moderate their drinking.

In essence, some of the drinkers reported loss of social connection, increased drinking and worse outcomes as a result of the law. Health workers also expressed concern about worse health outcomes for drinkers, with some services at a loss as to where to access their clients after the law change given that most of their clients did not have mobile phones. This meant that health workers were not able to check on the physical health of their clients, escort them to medical and legal appointments and notify them when housing opportunities arose.

In order to investigate any changes in the personal alcohol consumption patterns of residents and whether they experienced any reduction in positive interaction with public drinkers, a question was included in the household survey that asked about positive experiences pre and post the law. Of those who lived in the municipality at both time points and responded (n=451), there was a significant reduction in those who had consumed alcohol in parks post the law and in those who had had positive interaction with others who had been consuming alcohol in the street. This indicates an effect of the law, but also that some residents (albeit a small number) may miss the interaction with public drinkers in Preston and Reservoir.

Table 10 Positive experiences related to public drinking pre and post the law in the City of Darebin (%)

	Pre the law (n=451)	Post the law (n=451)
Enjoyed drinking on the street during the day?	6.7	6.2
Enjoyed drinking on the street at night?	6.2	5.5
Enjoyed drinking in parks during the day?	22.6	16.0**
Enjoyed drinking in parks at night?	6.4	5.1
Had positive interaction with others who have been drinking on the street during the day?	7.3	5.3*
Had positive interaction with others who have been drinking on the street at night?	6.4	6.7

* $p \leq 0.05$

** $p \leq 0.01$

Proposed alternatives

Very few proposed alternatives were offered in Darebin that would meet the needs of residents, traders and drinkers. During the focus group, it was suggested by residents that perhaps the ban could be expanded to the whole municipality, with a particular area in the hotspots that would be exempt from law, but that was monitored heavily by police and council (for example, an outdoor 'wet zone'). Traders wanted more signage and CCTV in Darebin, particularly in the zones.

In general, residents believed the best approach would be a whole of government approach to tackle the

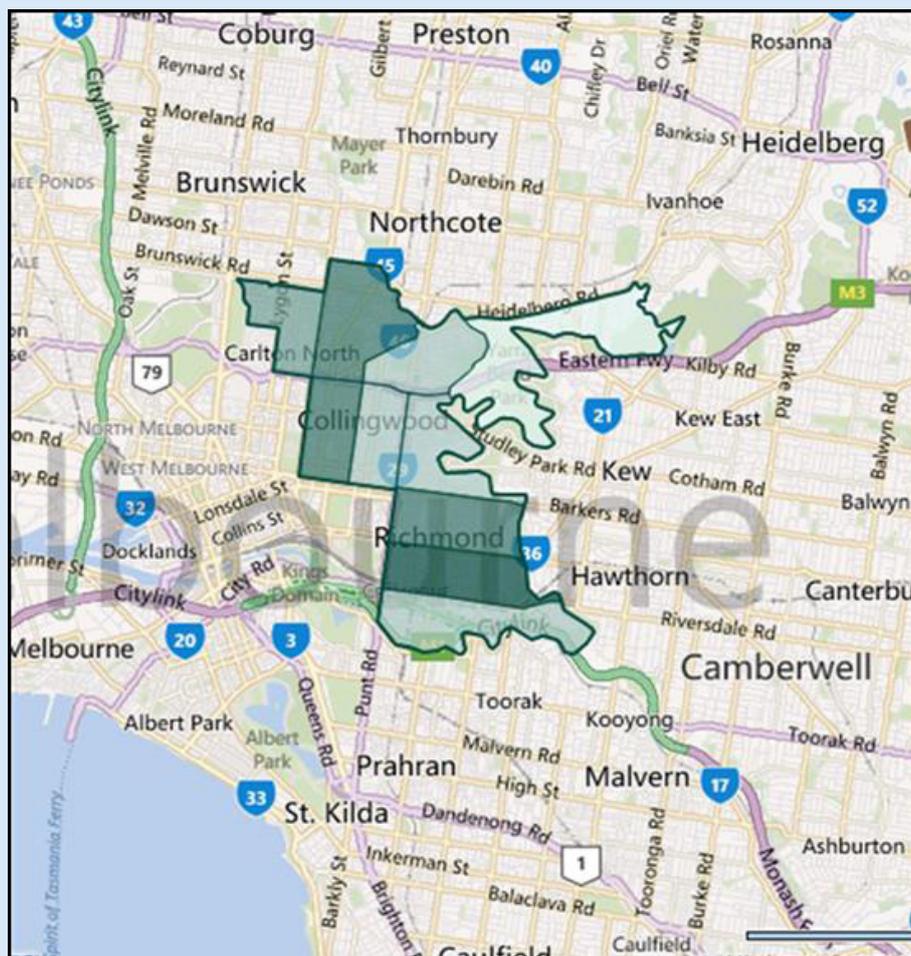
'cultural' problem of drinking in Australia; for example, more public education to change the acceptability of excessive drinking in Australia. Some residents called for more information from local council about the various bylaws in place (because they were generally unaware of the specifics of the public drinking law in Darebin) and also more information about drug and alcohol support services in the area so that would know where to refer a friend or family if they had a problem with alcohol.

City of Yarra

The City of Yarra is situated east of Melbourne's central business district, spanning an area of around 20 square kilometres. The suburbs that comprise the City of Yarra include:

- Abbotsford;
- Alphington (shared with the City of Darebin);
- Burnley;
- Carlton North (shared with the City of Melbourne);
- Clifton Hill;
- Collingwood;
- Cremorne;
- Fairfield (shared with the City of Darebin);
- Fitzroy;
- Fitzroy North;
- Princes Hill; and
- Richmond.

Figure 14 The City of Yarra



Yarra is home to an estimated 76,000 residents and there are approximately 8,720 businesses in Yarra, with more than 58,000 people working in these businesses across the municipality. Yarra is an entertainment precinct hub, with many restaurants, cafes, pubs and bars located in the municipality. Yarra is home to popular shopping districts, such as Brunswick, Smith and Swan Streets and Bridge Road. There are many parks and reserves in Yarra, both along the Yarra River and in other parts of the municipality. The Melbourne Cricket Ground, an iconic sporting landmark, which hosts Australian Rules Football and international cricket games throughout the year, is located close to the Yarra border (in the City of Melbourne).

Yarra is a generally affluent community. Gentrification has transformed Yarra from working class to middle class, with a growing number of educated and professionally employed people moving into Yarra for its bohemian character and proximity to work, nightlife and services. Yarra has the fifth highest average wage in Victoria. However, a large proportion of Yarra's population are public housing tenants. There are almost 5,000 public housing dwellings in Yarra, comprising 13 percent of Yarra's dwellings. Significantly, 33 percent of Victoria's high-rise public housing is in Yarra. This means that Yarra is Victoria's most socially and economically diverse community, with a large disadvantaged population living alongside significant affluence. Yarra has more high and more low-income households than the Melbourne average (ABS 2010).

Around 27 percent of Yarra's population were born overseas and approximately 0.4 percent of Yarra's population are Indigenous Australians, with many more visiting the area on a daily basis. The suburbs of Collingwood and Fitzroy have been established on part of the traditional lands of the Wurundjeri people. In the 1950s, Fitzroy not only became the largest Aboriginal community in Victoria, it also became the social and political hub of Aboriginal Melbourne. Fitzroy and Collingwood became the central meeting point for all Victorian Indigenous communities as it was here that Indigenous families first lived when they moved from country Victoria to Melbourne. In the 1960s and 1970s, a number of Indigenous statewide services were developed, covering areas such as Indigenous health, housing, legal issues, sport and recreation, and community and child-care services. For these reasons, Yarra is culturally resonant to Indigenous Australians (Pennay & Berends 2010).

Public drinking and the implementation of the law

Historically there have been two types of public drinking in the City of Yarra:

1. Night-time public drinking has occurred in entertainment precincts such as Swan Street, Richmond; Brunswick Street, Fitzroy and Smith Street, Collingwood, as people transit to and from venues.
2. Daytime drinking in Smith St, Collingwood, which has been an established public drinking location frequented by Indigenous and non-Indigenous drinkers for many years.

Interviews conducted with Indigenous drinkers as part of this evaluation revealed cultural reasons for drinking in Smith Street (Collingwood) and in the parks of the Atherton Gardens housing estate (Fitzroy). For the drinkers, these were well-known meeting places and places in which they could connect with family members and relatives. For instance, one drinker said:

Well everyone knows from all over Australia, they know where people, you know Koori's get...if they want to find someone they just come to them spots...You know family, cousins that you haven't seen for years or [they get a] funeral notice and that they all come here and that...you know, community (Drinker).

Drinkers in interviews differentiated themselves, as residents of Yarra or nearby areas, from visitors or relatives from outside of the area and often from outside Melbourne. Both groups were predominantly daytime drinkers but visitors were regarded as more likely to be loud or 'make trouble' while drinking and less likely to be aware of the public drinking law. One Indigenous drinker referred to these visitors as 'blow ins', explaining that:

Blow ins are like people who come down from bush and they come down to the big city or interstate and heard about Smith Street, so they come along and carry on like a bunch of yahoos and red light the place and then leave the locals to wear the shit so to speak...(Drinker).

A law to restrict public drinking had been on the agenda as early as the 1990s in Yarra. In fact, a local law was enacted in the early 1990s as a means to curb excessive public drinking at street festivals in the City of Yarra. The law in this form ceased around 2004, after which there was no local law governing public drinking in City of Yarra. However, key informants and media reports highlight growing pressure from residents, traders and police to address the behaviours associated with drinking in areas such as the entertainment precincts and in Smith St, Collingwood around this time. Concerns were raised about behaviours associated with intoxication, violence within the groups predominantly drinking on Smith St, and the perceived negative impact this was having on local businesses, amenity and community safety. At the same time, newspaper articles and key informant interviews illustrate that some residents and councillors, health and social service providers, Indigenous people and advocacy groups argued against a ban on the basis that it would unfairly target marginalised groups who drink in public. The media constructed the debate on the law in Yarra as highly polarised, with little middle ground between those in favour of the law and those against. The law had become a contentious issue and was the subject of vigorous debate inside and outside of council.

While the debate went on, the council continued with its health and wellbeing approach to the issue of public drinking among the group of Indigenous people who refer to themselves as ‘the Parkies’. Key features of this approach continue today and include supporting outreach, service provision and social and recreation programs. However, in 2008, new councillors were elected to council and there was mounting pressure from state government, as well as traders and residents to ban public drinking.

In December 2009, a public drinking law was enacted and officially came into place on January 2010. Under the law, the consumption of alcohol or the possession of an open container in public spaces in the City of Yarra is prohibited. The law applies municipality-wide, except in certain exempted parks, gardens and reserves during the hours of 9am to 9pm.

The principal objective of the law is:

to control the consumption and possession of liquor in a public place including where such consumption or possession may interfere with the amenity and enjoyment of the public place or of land in the vicinity of the public place.

Police enforcing the law can direct anyone consuming or possessing an open container to:

- a) cease the consumption of liquor;
- b) seal the container of liquor;
- c) tip the liquor out into a receptacle approved by the authorised officer; or
- d) surrender any opened container of liquor to the authorised officer⁹.

If an individual does not comply with a direction, they are considered to have committed an offence and can be issued an infringement, which has a \$100 fine attached.

The Yarra City Council and police have agreed upon a *Protocol for Public Places (2009-2013)*⁹ in order to guide how the law is applied in relation to marginalised groups such as Indigenous people who identify themselves as ‘Parkies’, homeless people, people with mental illnesses, young people and people with alcohol and drug issues. The protocol encourages a sensitive approach to enforcement, known as the ‘Ask, Tell, Enforce’ approach. It involves an initial request to cease drinking and to seal the container (Ask), followed by a warning that if they do not comply, that they will need to empty their container or they will be charged (Tell) and then if compliance is not forthcoming, an infringement will be issued (Enforce)⁹.

Since its introduction, there have been unsuccessful council motions to revoke the local law. The most recent of these was in December 2011, suggesting that debate on the law continues.

⁹ The Local Law documentation and Protocol for Public Places can be viewed at: <http://www.yarracity.vic.gov.au/Your-Council/Governance/Local-Laws/Consumption-of-Alcohol/>

Evaluating the law

There have been two previous independent evaluations of the local law. One was conducted during winter and the other during summer. The first evaluation was conducted by Turning Point Alcohol and Drug Centre between the months of April and September 2010 (Pennay & Berends 2010). It involved daytime observations of public drinking, stakeholder interviews, drinker focus groups, a survey of residents and data from office of housing on alcohol-related incidents in public housing estates. The evaluation found that there was less public drinking around previously identified hotspots such as Smith Street. Concerns that Indigenous groups who had previously consumed alcohol in Smith Street during the day had been dispersed were raised by service provider key informants in the evaluation. It was thought that drinking and the harms associated with drunkenness had shifted to public housing estates and private homes. This was thought to make outreach difficult. The evaluation also found that stakeholders were more concerned about public drunkenness associated with licensed venues and thought that police should focus on this, as opposed to daytime public drinking. Low community awareness of the law was also noted, which subsequently led to a number of council-led activities to increase awareness.

A second evaluation was undertaken that focused on the impact of the law during the summer months of 2011 (Capire Consulting Group 2011). This evaluation included key informant interviews, a community survey, day and night-time observations, data on enforcement of the law and data from office of housing on alcohol-related incidents in public housing estates. By contrast with the first evaluation, this evaluation found no notable decrease in public drinking during day and night-time hours, and noted an increase in public drinking in Smith Street after the initial reduction reported in the first evaluation. Drinkers were found to be adapting their behaviour to minimise the chances of being 'caught'. The evaluation found that the law had limited impact on amenity and perceptions of safety, and less of an impact on outreach services to drinkers as compared with the first evaluation. While drinking was noted on the Collingwood and Richmond Housing estates, this was not accompanied by increases in noise or alcohol-related incidents on the public housing estates according to the evaluation. The evaluation concluded that there was limited evidence of displacement. Other key findings related to enforcement. While police viewed the law as a useful additional tool, residents and traders reported that police rarely enforced the law and desired a more stringent approach to enforcement. Conversely, police were found to be balancing community expectations with the need for a sensitive approach towards marginalised groups. The evaluation also revealed that where infringements were issued, they were often not filled out completely or correctly, which made a high proportion invalid.

Building on previous evaluations, researchers in this study conducted 15 sessions of observations in public drinking 'hotspots' in Yarra. These included Smith Street, Collingwood, Swan Street, Richmond and Brunswick Street, Fitzroy, as well as the Richmond and Atherton Gardens Housing estates. The majority of sessions lasted between one and two hours and occurred during weekdays and weekends in both warmer and cooler months. Interviews were conducted with key informants including nine service providers (3 managers, 4 outreach workers and 2 health workers), two council officers, four police officers (2 senior police officers, 1 mid-ranking and 1 junior officer) and two traders. Nine interviews were conducted with drinkers (8 men and 1 woman), all of whom were aged between 30 and 60 years. A household survey was completed by 697 residents and a focus group was conducted with nine residents from Yarra—five men and four women of various ages who had been living in Yarra between four and 25 years.

Perceptions of the law

As discussed, the media constructed two polarised groups of stakeholders who held conflicting positions about the law with little middle ground in between. The 'For' public drinking law group consisted of traders, residents, some councillors and police. The main arguments for the law, as reported in the media, included amenity, business and community safety issues.

The 'Against' public drinking law group consisted of some councillors, some residents, health and social service providers, Indigenous people and advocacy groups, who were reportedly concerned that the law would unfairly target marginalised groups who drink in public.

Residents and traders

As with the other LGAs, approximately half of residents surveyed were aware of the public drinking law in Yarra (54%; n=373), but only 31.9 percent (n=119) of those who were aware of the law were aware of the specifics of the law (and only 17.3% of the total sample were aware of the specifics of the law). The only predictor of awareness of the law was postcode. Awareness of the law was higher among those living in the suburbs of Richmond, Collingwood and Fitzroy (57%; n=186 as opposed to 50%; n=135 across the rest of the municipality), which is unsurprising given that these are the three suburbs where there is most attention to public drinking. Residents in Collingwood were mostly likely to be aware of the specifics of the law (24.4%; n=22).

Support for laws prohibiting alcohol consumption in the street was slightly lower in Yarra than the other municipalities, but it was still the overwhelming majority (67.9%; n=467). Approximately one-tenth of residents (10.5%; n=72) opposed the law and the rest neither supported nor opposed. As with the other LGAs, age and education were the strongest predictors of approval for the law. In regards to age, support for the law rose steadily with age, from 47.4 percent (n=9) in support of the law among 18–24 year olds, rising to 89.5 percent (n=34) among those over 75 years of age. As with other municipalities, those with university qualifications had the lowest levels of approval for the law (65.4%; n=336). Interestingly, those who lived in Fitzroy and Collingwood were less likely (63.5%; n=134) to approve of the law than residents living in areas less impacted by public drinking (70%; n=264).

Less than half of Yarra residents favoured laws prohibiting alcohol consumption in parks (42.85%; n=296), which might be partially explained by the law in Yarra currently permitting consumption of alcohol in parks during daylight hours. Nearly one-third of Yarra residents opposed laws prohibiting alcohol consumption in parks (29.7%; n=205), with the rest neither supporting nor opposing (with most people in this category saying responsible drinking at picnics and barbeques should be permissible).

Residents in the focus group were in favour of the law because they had noticed a reduction in day-time public drinking in Smith Street and similarly traders approved of the law because they felt it had contributed to less rowdiness in the area during the day. However, residents remained concerned about night-time drinkers and those leaving venues, for noise and amenity concerns. In this sense, more enforcement around night-time areas was called for.

Police

Police were also unanimously in favour of the law. They believed that the law was a good early intervention tool to prevent the escalation of potentially problematic behaviour associated with drunkenness:

So before being intoxicated and a nuisance they can intervene and say this is a no alcohol area, please leave this prescribed area...there are other functions within the local law that I think are quite useful...so from a professional perspective I had no hesitation in recommending it to council that the local law be made despite the very polarised views in the community (Police officer).

Key informants and drinkers

Many key informants believed the law had its place, but acknowledged that it was not a panacea for addressing public drinking and the harms associated with excessive alcohol use:

I mean the answer is so complex. So what I'm saying is that you can't be expecting a little thing like the

local law to be the solution to issues that relates to you know racism, dispossession, stolen generations, sexual abuse, illiteracy, discrimination, low job opportunity, you know everything...so many things, you can't expect one little local law to be the answer to that (Service provider).

...yeah the whole public drinking thing is much larger than the local law. It's the proliferation, concentration of licence outlets, it's the attractors that we have as a municipality that just draw people from right across metropolitan Melbourne here on a well Monday, Tuesday, Wednesday, Thursday, Friday, Saturday, Sunday night (Council officer).

Some service providers and drinkers believed the law should be rescinded, due to a perceived lack of effectiveness, as well as its perceived prejudicial nature. For example:

Well I don't like it because if everyone else can drink up on the street, you know all the cafes and they're all sitting up there drinking on and that. I don't see why we have to stop (Drinker).

However, some key informants and drinkers believed there was a place for the law among other measures. One drinker said:

Yeah I reckon it should stay...it keeps them in line. Yeah especially the young ones...(Drinker).

Effectiveness of the law

Visibility of public drinking

Observations, interviews and focus group discussions identified 'hotspots' for public drinking and how these have changed over time.

Smith Street

As discussed, previous evaluations revealed that a group of Indigenous drinkers on Smith Street were the primary public drinking concern of residents in Yarra. The first evaluation conducted after the law was initially introduced showed that public drinking in Smith Street had been reduced, but the second evaluation showed that public drinking had resumed in Smith Street. In the current evaluation, residents in focus groups had noted a decrease in daytime public drinking in Smith Street over the past 12 months; however, interviews with drinkers, as well as observations confirmed that drinkers continue to drink in Smith Street during the day, albeit in smaller numbers than before. Public drinking observed in Smith Street was confined to the corner of Stanley and Smith Street, and the corner of Moor and Smith Street. Groups of four to 15 drinkers congregated around the benches in both locations. Drinkers observed in these locations included males and females, were predominantly Indigenous (although one or two Anglo males were observed with drinkers) and were of a variety of ages. Drinks consumed included beer, wine and port. Observed drinking occasions were generally cheerful occasions and on one occasion, musical instruments such as guitars, didgeridoos and harmonicas were played. Only a couple of drinkers were spotted engaging in more disruptive behaviour, including begging and drunkenness. Drinking occasions such as these generally ended at nightfall, with no public drinking observed in these locations after dark.

As discussed, residents in focus groups were more concerned with the continued visibility of night-time drinking on Smith Street associated with travelling to or from licensed venues. Residents perceived these drinkers as more likely to be young, intoxicated, loud and 'not care' as much about the amenity of the area and therefore, more likely to leave empty containers or urinate on residents' properties.

Brunswick Street

Key informant interviews revealed a similar visibility of night-time venue-associated drinking in popular Fitzroy entertainment precinct area (Brunswick Street) with its high concentration of licensed venues. Very little daytime drinking was observed on Brunswick Street, except on two occasions when two males were witnessed consuming alcohol on the corner of Westgarth Street and Brunswick Street.

Swan Street

Swan Street in Richmond has a similar concentration of licensed venues as Brunswick Street and is also a popular destination for people before and after sporting matches and concerts at the Melbourne Cricket Ground, AAMI Stadium and Rod Laver Arena. Key informants reported continued concern about night-time 'spill-over' drinking—drinking on the way to and from venues or sporting matches—in this locality. However, very little public drinking was observed in the Swan Street entertainment precinct at night in the summer observations (though an abundance of public drunkenness and empty bottles were observed) and there was even less evidence of public drinking in the winter observations.

Public housing estates

Service providers were concerned about a rise in public drinking on public housing estates and North Richmond Housing Estate in particular, since the last evaluation. Large groups of drinkers were observed in Williams Court on the North Richmond Housing estate in the summer observations and drinker interviews confirmed the presence of public drinking at Williams Court. On one occasion, a large group in excess of 15 people were observed. The group contained a mix of Indigenous and Anglo drinkers, male and female drinkers, and young and old. A group of long-time residents of the North Richmond Housing estate were also reportedly believed to drink at the housing estate site but observations could not confirm this.

There was no evidence of public drinking at Williams Court in the winter observations—possibly due to building/demolition work that appeared to be occurring in the area. Public drinking was also observed at other public housing estates including Atherton Gardens, Fitzroy. A marked decrease of public drinking in all hotspots during the winter was noticed.

Consistent with an observed reduction in street drinking in Yarra (albeit only marginally reduced), there was a fairly substantial reduction in concern about public drinking from Yarra residents post the law. Of those Yarra residents living in the municipality prior to the law, 47.9% (n=282) were concerned about public drinking prior to the law and this reduced to 37% (n=262) post the law. The most common locations of current concern in relation to public drinking were on the street at night (56.7%; n=151), on the street during the day (40.2%; n=107), around shopping areas during the day (48.5%; n=129) and at night (40.2%; n=107).

However, in Yarra, concern about public drinking had reduced across all locations, pre and post the law. Of those who experienced concern prior to and post the law, significant reductions were reported in each location, with only 'around licensed venues at night' not having reduced significantly (see Table 11). This is consistent with reports from residents that police were less likely to enforce the law in relation to drinking occurring on weekend evenings than during the day. Despite apparent displacement effects to public housing estates, this was not noted by residents who completed the household survey.

Table 11 Locations of concern in relation to public drinking in the City of Yarra (%)

	Pre the law (n=182)	Post the law (n=182)
On the street during the day	74.2	54.9**
On the street at night	72.7	57.4**
In or around parks during the day	35.5	25.7**
In or around parks at night	47.3	34.6*
In or around licensed venues during the day	26.4	17.0**
In or around licensed venues at night	40.1	35.2
In or around shopping precincts, supermarkets or markets during the day	62.3	47.0**
In or around shopping precincts, supermarkets or markets at night	54.4	35.7**
In or around public housing estates during the day	35.2	26.4**
In or around public housing estates at night	36.3	24.7**

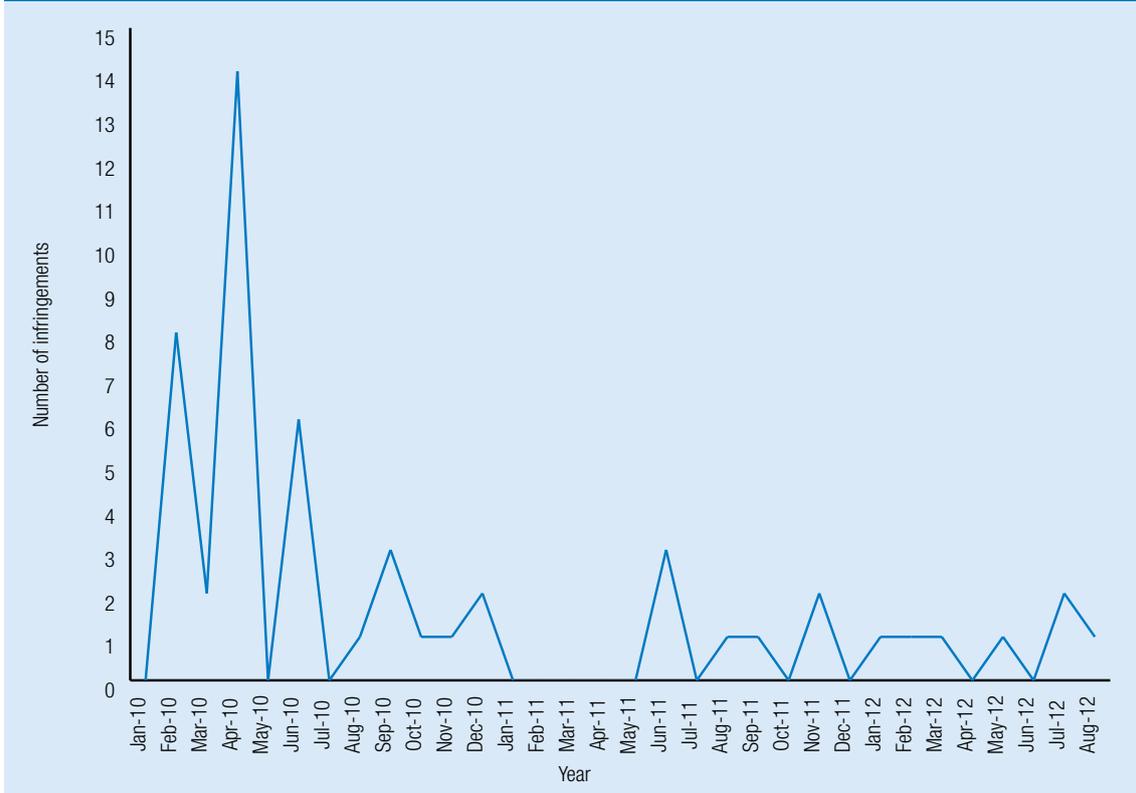
* $p \leq 0.05$ ** $p \leq 0.01$

When asked if they believed public drinking had increased or decreased in Yarra since the law, 2.8 percent (n=19) said they believed it had increased, 21.4 percent (n=147) said it had decreased, 29.5 percent (n=203) believed it had stayed the same and 46.3 percent (n=318) could not say.

Enforcement

Fifty-two public drinking infringements have been issued in Yarra since the law's inception in January 2010. As can be seen in Figure 15, the police issued infringements in the early part of 2010 but have rarely done so since. Thirty-nine infringements were issued in 2010, with 24 of these in the first four months. Seven infringements were issued in 2011 and six had been issued in 2012 at the time of writing.

Only five of the 52 infringements had been issued to women and the average age of those receiving fines is 34.9 years (range 18–65 years). The fines have all been issued in Fitzroy (n=25), Richmond (n=20) and Collingwood (n=6), with one in Abbotsford. Unfortunately, data is not available for the time of infringement and so it is not possible to tell whether infringements are more likely to be issued to daytime drinkers or drinking around entertainment precincts at night.

Figure 15 Public drinking infringements in the City of Yarra by month (n)

The lack of infringements was characterised by police as evidence of a negotiated approach to enforcement:

I also want people to respect that the success of the local law cannot be measured from penalty notices, there's so many qualitative measures that you can take whether it be perception of safety, whether it be the community feedback, whether it be...and you're clearly doing those pieces of work, but not just statistical penalty notices and I know that, I know that a lot of people have discussed that, well that penalty notices aren't being issued so it's not working. Well it's working isn't it, because there's not people walking the streets of Richmond on a daily basis with open containers of liquor (Police officer).

A variety of views were expressed about enforcement. Police officers interviewed gave a perspective on the infringement data, reporting that they were unlikely to issue to infringements for public drinking.

There was a view among service providers and residents that the law was not considered a priority for police, whom they thought had bigger issues to address. Among drinkers who were interviewed, a few had received fines. However, most could not and did not pay fines, resulting in more fines and in some cases, court appearances.

Some thought they were unfairly targeted because they were perceived as being more visible and/or were associated with a particular group. According to one drinker:

I get harassed by police, you get told to move on a lot, you know they tip your alcohol out. Sometimes they think we're causing trouble when we're not. Some of us are there just having a drink you know before the trouble starts we all move on (Drinker).

Police officers denied that they applied the law in a prejudicial manner, although there may be instances where this may be the case. As one police officer explained:

Every now and then we'll get young people who are over exuberant, you know...I'm not going to sit here and say there's no racism at all in the police force...but if a complaint came in saying you're picking on us all the time whether it's Aboriginal, Africans or whatever, we'd look into it. You know is it the same person or same people, but that's something we've got to look into (Police officer).

Police officers also described their attempts to engage with the Indigenous community through Aboriginal Community Liaison Officers, and involvement in service provider networks such as the Yarra Aboriginal Support Network (YASN).

It was generally agreed upon by all groups, including drinkers, that police usually enforce the law using the protocol of warning, tipping out if the warning was not heeded and only issuing fines if drinkers refused as a last resort. This approach to enforcement was explained by police as a process of negotiation or persuasion:

It's pretty much, like in policing, a lot of its negotiation, like people think you just get to tell people what to do but a lot of its negotiation, like persuading people to do something and they're more likely to do it and less likely to give you problems (Police officer).

However, there were some instances where this was not the case and where a more authoritarian approach to enforcement was used. For instance, one drinker said 'yeah they tell you to move on but they do it aggressively' (Drinker).

The continuing issue of whether the parks within public housing estates constitute public places that are covered under the public drinking law emerged again (consistent with previous evaluations) during interviews as something that, at times, council and police had differing opinions on.

Some police argued that private ownership did not preclude a place from being a public place. Analogies were drawn between the Melbourne Cricket Ground and public transport. One police officer demonstrated this position by saying:

I've read some material that speaks along the lines that the housing commission building itself is not a public place, so behind the door is a private, is private property...but can I as a resident of Richmond walk into some of the housing commission estates with my family and play on the playground?...I think there's some ambiguity there (Police officer).

Other key informants were adamant that public housing estates were exempt from the law. In relation to drinking on public housing estates, one outreach worker argued that:

You know they're allowed to drink there and then you have disputes with different police officers because they then turn around and say well no it's an open space, it's considered public space and then it's just the fights and then you've got to get the council to ring the police to say no this is the law (Outreach worker).

As one service provider explained, the local council did not want drinking in public housing estate gardens to be illegal:

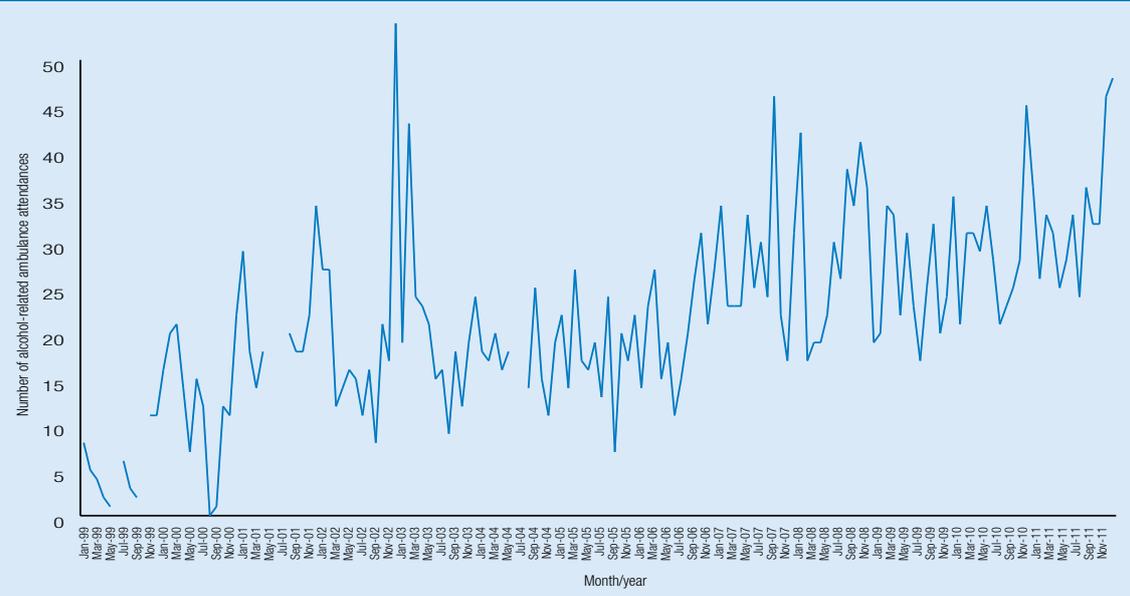
So and that's even [though] the City of Yarra's express [wish is] that they don't want it to apply, that's the situation, it is being used. But then the trouble is, if you don't use the local law you can also use drunk in a public place and lock someone up or you can direct them to move on and if they breach that it's a criminal offence and they can be apprehended for that. So it becomes a situation where the local law is maybe the lower threshold, yeah (Service provider).

Clearly this is one area that still needs resolving.

Changes in alcohol-related crime and harm

To assess any changes to alcohol-related harm and crime in Yarra, Melbourne ambulance and Victorian police data were analysed.

Monthly counts of alcohol-only ambulance attendances within Yarra were examined between January 1999 and December 2011 to see whether there was any impact of the introduction of the public drinking law in January 2010 on rates of alcohol-related harm (see Figure 16).

Figure 16 Alcohol-related ambulance attendances in Yarra by month, 1999–2011 (n)

There has been a steady increase in the number of alcohol-related ambulance attendances in Yarra, although the number of attendances varies sharply from month to month. In the 12 months following the introduction of the law, the number of alcohol-related attendances was 352, compared with 316 in the 12 months prior. This suggests an increase in problems following the law's introduction, but more robust analyses are required to ensure that the results are not overly influenced by underlying trends unrelated to public drinking.^{10,11,12}

Because the data presented above had a strong underlying trend to it, the annual change in ambulance attendances were modelled, rather than just the raw numbers. This ensured that the findings were not overly influenced by long-term trends and instead related to the direct effect of the policy change on ambulance attendances. The simplest possible specification of the ARIMA model that produced completely random residuals was used—in this case, the model included two auto-regressive terms, along with the differencing discussed above (ie an ARIMA (2,1,0) model). For the sake of simplicity, the auto-regressive terms are not reported.

The policy intervention in January 2010 is modelled as a simple step variable (ie it is set to 0 before the policy was introduced and 1 afterwards). To ensure that any seasonal variation in alcohol-related ambulance attendances was accounted for, the model included indicator variables for month of year. The results are presented in Table 12.

10 Note that due to privacy restrictions on the ambulance dataset, the data for any months when there were between 1 and 4 attendances have been replaced with randomly generated values between 1 and 4

11 Data for June 1999, October 1999, May through July 2001 and June through July 2004 are missing due to industrial action undertaken by paramedics over those months

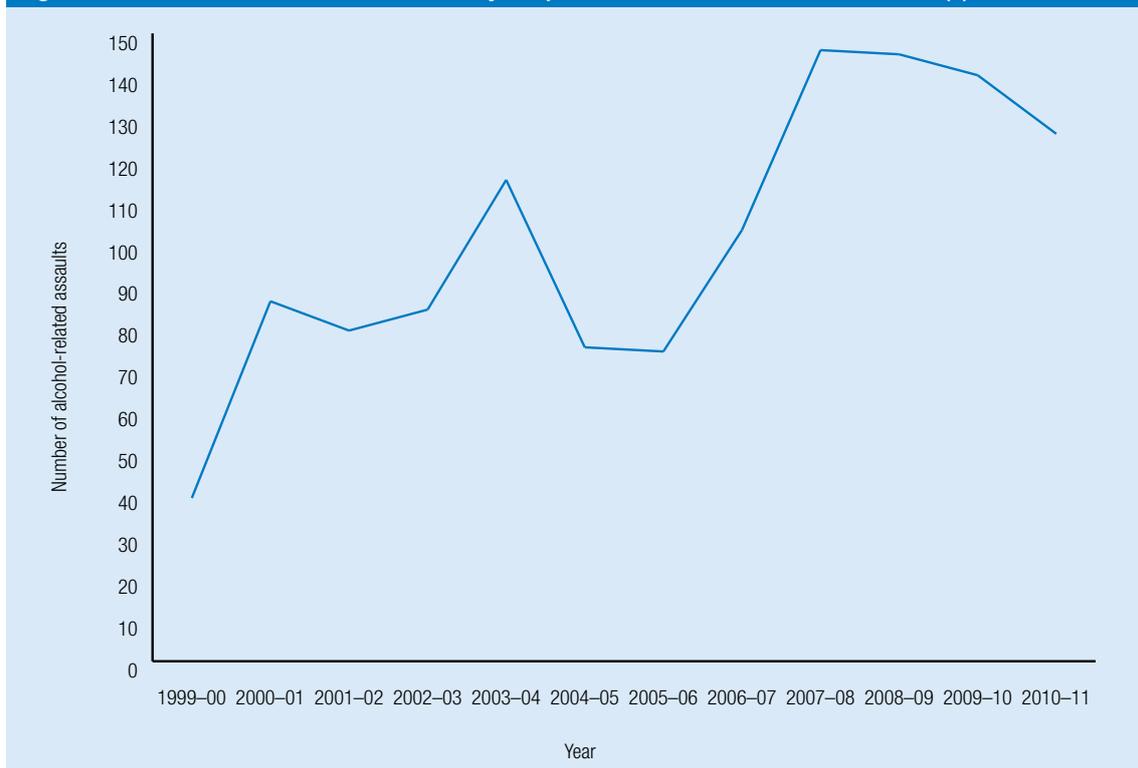
12 The small numbers of monthly cases available within each LGA mean that only total numbers of alcohol only attendances have been analysed in this report. Exploratory analyses of youth-specific attendances and attendances in public and outdoor locations were also undertaken, but the small numbers of cases meant that no meaningful conclusions could be drawn

Table 12 ARIMA Model output for the impact of the Yarra public drinking law on alcohol-related ambulance attendances

	Coef	S.E.	p-value	95% Confidence interval
Policy impact	-1.12	4.49	0.80	(-9.93 – 7.68)
Month (Jan as reference)				
Feb	0.41	2.18	0.85	(-3.86–4.69)
Mar	-1.33	2.87	0.64	(-6.95–4.3)
Apr	-5.06	4.19	0.23	(-13.27–3.15)
May	-3.54	3.45	0.31	(-10.3–3.22)
Jun	-4.54	3.66	0.21	(-11.71–2.62)
Jul	-7.17	3.39	0.03	(-13.81– -0.54)
Aug	-4.28	2.59	0.10	(-9.35–0.79)
Sep	-2.93	2.20	0.18	(-7.25–1.39)
Oct	-2.96	2.59	0.25	(-8.04–2.12)
Nov	-2.05	2.46	0.40	(-6.86–2.76)
Dec	4.32	1.98	0.03	(0.45–8.2)
Constant	0.19	0.07	0.01	(0.04–0.34)

The impact of introducing public drinking restrictions in Yarra had no significant impact on rates of alcohol-related ambulance attendances. The wide confidence interval around the estimate of policy impact reflects the significant month-to-month variation in ambulance attendances, which makes it difficult for statistical models to detect any underlying change in the rate of attendances. As with the other municipalities, colder months had typically fewer alcohol-related ambulance attendances than the warmer months, although this was only significant for July. It is also important to note that in general ambulance attendances have been rising in Melbourne over time.

Data on alcohol-related assaults were sourced from Victorian police to assess whether there was any reduction in alcohol-related violence in Yarra following the introduction of the public drinking restrictions. Due to the relatively low numbers, only annual data were available, meaning that statistical analyses could not reliably be undertaken. Therefore, the data presented in Figure 17 describe the trends in alcohol-related violence in Yarra before and after the introduction of the public drinking law.

Figure 17 Alcohol-related assaults recorded by the police in Yarra 1999–2000 to 2010–11 (n)

Alcohol-related assaults were declining in Yarra prior to the introduction of the public drinking law in January 2010. This trend continued after the law was introduced, with a slight indication that the trend sharpened. Unfortunately, the fact that there is only one time point of data available following the policy change makes it impossible to ascertain whether this represents a lasting shift. Unfortunately for the analysis, the ‘behaviour in public’ offences related to alcohol consumption were so small over the period that nothing meaningful can be gleaned from the results. On average, only five ‘alcohol-related behaviour in public’ offences were recorded yearly both pre and post the ban¹³.

Safety and amenity

Concerns related to safety and amenity were noted by residents and traders prior to the law, both in relation to daytime public drinking in Smith Street and night-time drinking in entertainment districts. To detect any changes in experiences of safety and amenity post the law, residents in the household survey who lived in Yarra prior to the law were asked a range of questions (see Table 13). A significant reduction in experiences of being kept awake at night, being verbally abused, feeling unsafe in public and on public transport, being verbally abused, feeling threatened and being annoyed by vomit, litter and urination as a result of public drinking were reported. No change in the experience of physical abuse was reported. This indicates a strong effect of the public drinking law on feelings of safety and improved amenity; however, it should be noted that given the recency of the law (2010), some of these effects might be explained by the time period of exposure both pre and post law.

¹³ A number of police officers have informed us that ‘behaviour in public’ offences are rarely flagged for alcohol use, so it must be assumed that these are underestimations

Table 13 Problems experienced related to public drinking pre and post the law in the City of Yarra (%)

	Pre the law (n=625)	Post the law (n=625)
Been kept awake at night or disturbed because of somebody else's public drinking?	34.7	29.0**
Been verbally abused because of somebody else's public drinking?	25.1	16.5**
Been physically abused because of somebody else's public drinking?	4.8	4.5
Been threatened because of somebody else's public drinking?	11.7	8.8*
Felt unsafe while waiting for or using public transport because of somebody else's public drinking?	30.7	22.2**
Felt unsafe in a public place because of somebody else's public drinking?	30.4	22.2**
Gone out of your way to avoid drunk people or places where drinkers are known to hang out?	47	37.4**
Been annoyed by people vomiting, urinating or littering when they have been drinking?	44.6	39.8*

* $p \leq 0.05$

** $p \leq 0.01$

Outcomes for drinkers

Despite a perceived reduction in public drinking among residents and improved safety, most drinkers said that the law had not had any effect on their public drinking, as exemplified by the following drinker's sentiment:

Yeah I haven't seen any effect, hardly any...minimal effect on the local drinkers and by the local drinkers I mean the Koori folks that gather up on the corner of Smith and Stanley and Moor Street and sometimes at Safeway (Drinker).

As mentioned earlier, drinkers seemed to be unconcerned by overdue fines or court cases and many discussed important cultural reasons for drinking in the spots they did. However, some had commented that the law had caused them to become more 'shifty'. Examples of this expressed by drinkers involved concealing drinks or drinking faster when a police officer was suspected of being nearby, as the following drinkers highlighted:

Yeah hiding the grog when they come along (Drinker).

They sort of guzzle when they drink rather than sip and try and make it last because in between they're waiting to see the cops again, they'll drink quick (Drinker).

Outreach workers noted some displacement effects, which had led to increased public drinking on public housing estates where drinkers were further from public view and 'natural community surveillance systems'. One outreach worker noted the increase in drinkers on the North Richmond housing estate started occurring when the law was introduced and had continued:

And it's Lennox and Elizabeth Street, it's a park area there where some residents meet and drink, and all of a sudden two years or so ago [there was] that a large influx of Aboriginal (drinkers) (Outreach worker).

According to some outreach workers, housing estate residents were also quite vocal about expressing their safety and amenity concerns about the increase in public drinkers at North Richmond.

It was felt that drinkers were exposed to greater risky behaviour such as polydrug use on housing estates:

What's kind of unique at the moment about Richmond is there's a really strong drug market, heroin...So you've got a lot of polydrug users with the Aboriginals, though they're predominately drinkers they are using other drugs when they come into the area (Service provider).

Whether exposure to the drug market at Richmond encouraged drinkers to consume drugs other than alcohol at greater levels than they had previously is not clear and would require further investigation. Some had suggested that as a result of the law, some drinkers had shifted from drinking outside to drinking inside homes and constricted spaces, where family violence and other harm to others could occur, or where their housing might be threatened by the behaviour of other drinkers, with whom they drank. To this effect, one outreach worker said:

I think it...I don't see any good that has come from this. If anything what people or what this law had done in my view, has brought about a lot of disadvantaged people and putting them in a very enclosed area, in a small area and that might be easier to police, but that's when it's becoming more problematic as well. You know that's when trouble starts as well in those small confined spaces and that...So you're just getting one disadvantaged you know, socially disadvantaged group and just making it larger and in one area (Outreach worker).

Another perceived consequence of the perceived shift in drinkers from streets to the housing estates was decreased access to outreach services and the potential for outreach workers to feel less safe:

Oh and they go down alleyways and things like that and something, whereas on Smith Street it's a bit more open, it's a bit more public, so for the workers' safety it's a lot more ideal than going to the commission high rises or crowded house. So yeah it's sort of, it's reaching out and that may only increase drinking and drug use in that particular environment (Outreach worker).

Residents were asked about their experiences relating to public drinking pre and post the law; across all domains (enjoyed drinking on the street during the day and at night, enjoyed drinking in parks during the day and at night and had positive interaction with street drinkers during the day and night), there was a reduction in positive experiences. Of significance, residents reported drinking less on the street and in parks now, in the evening, but their consumption of alcohol in parks during the day was relatively unchanged given the specificities of the law in Yarra.

Table 14 Positive experiences related to public drinking pre and post the law in the City of Yarra (%)		
	Pre the law (n=627)	Post the law (n=627)
Enjoyed drinking on the street during the day?	11.6	9.4*
Enjoyed drinking on the street at night?	11.8	8.5**
Enjoyed drinking in parks during the day?	38.8	35.0
Enjoyed drinking in parks at night?	15.3	10.4**
Had positive interaction with others who have been drinking on the street during the day?	14.2	12.4
Had positive interaction with others who have been drinking on the street at night?	9.7	8.6

* $p \leq 0.05$

** $p \leq 0.01$

Proposed alternatives

A range of alternative or complementary strategies to reducing public drinking were canvassed by key informants, drinkers and residents.

Outreach and service provision strategies suggested included providing more and better coordinated outreach and programs to public drinkers, establishing an Indigenous cultural centre and providing sobering up centres. One service provider said:

You know there has been for a long time advocacy around the need for a more integrated and holistic solution which should be like drying out centres, you know increasing outreach capacity, increasing activity based stuff, working on early intervention with children...(Service provider).

Other strategies mentioned related to liquor licensing reform and the responsible sale of alcohol, and are evident in the following quote:

So we're taking a much greater interest from a community safety perspective and working more constructively and collaboratively with that group about reinforcing our objectives which we have around liquor which is, you know, responsible service, responsible consumption, minimising harms resulting from the consumption of liquor, and I'll always go back to the position that we've always had, is that the local law is not, you know, the panacea for alcohol harms in the community (Council officer).

Discussion

Over the past 15 years, every local government area in Melbourne has implemented a public drinking law. The final LGA in Melbourne to do so was the City of Yarra in 2010. Public drinking laws have been implemented without any evidence of their effectiveness due in part to a lack of research in the area and this warrants attention given some evidence of negative impacts to marginalised groups. It is timely to ignite a debate about the worth and viability of public drinking laws, given the increasingly legitimated street drinking that occurs in the form of licensed restaurant/bar/hotel footpath trading.

Previous research conducted by the authors has revealed that public drinking and laws prohibiting public drinking are particularly contentious issues in three LGAs of Melbourne—the City of Maribyrnong, the City of Darebin and the City of Yarra (Pennay 2012). In particular, Nicholson Street in Footscray and Smith Street in Collingwood are the two most ‘notorious’ street drinking locations in Melbourne. Given the issues in these three LGAs, previous work has investigated the impacts of public drinking laws in these municipalities. This evaluation extends the previous work by drawing similarities and contrasts between the three areas in order to generalise the findings wider than one specific location. Given that public drinking laws are unique in their council mandate and police application, but vary in their provisions from one municipality to the next, the findings of this report are likely to be useful in future planning and policy processes.

As stated in the *Introduction*, the objectives of this project were threefold:

- to evaluate the *implementation* of the prohibition of public drinking;
- to evaluate the *effectiveness* of the prohibition of public drinking; and
- to evaluate the *impact* of the prohibition of public drinking across the three LGAs.

The implementation of public drinking laws

Precipitators of the law

There was a long history of public drinking in each of the three LGAs targeted in this evaluation prior to the implementation of the law. However, the laws were triggered partly in response to the arrival of more visible, louder and aggressive drinkers (at least in the City of Maribyrnong and the City of Darebin). In each of the LGAs, the catalyst for the ban was the right mix of police, council and trader support. For example, in Darebin, police had been opposed to a public drinking ban for some time until there was a change in key police personnel. In Yarra, there was longstanding police willingness but councillor opposition until there was a change in elected officials. In all three locations, powerful traders associations pushed for the ban.

The three main concerns that were frequently highlighted throughout this analysis and raised as the grounds for the need for a public drinking law were safety, amenity and crime. Public drinkers were described by almost all stakeholder groups as aggressive and threatening, responsible for litter and negatively affecting the ‘look’ of an area, and their behaviour was often linked to crime including drug use, theft and assault. Police, in particular, focused on crime and safety, while traders and residents focused on safety and amenity. Residents reported avoiding shopping in areas where public drinkers were known to congregate, which in turn negatively affected traders and the ability of residents to use their local public space.

One of the main themes that arose in each of the LGAs was that concerns about the public consumption of alcohol had grown over time as the result of gentrification and growing socioeconomic disparity in the three areas. An influx of wealthier residents created new demands on the use of public space and drinkers were seen to disrupt the pace at which the area was evolving and businesses were transforming by bringing down the amenity of the area. Over time, it is expected that these tensions will escalate further. The gentrification

occurring in these inner city areas may ultimately lead to the displacement of drinkers to outer LGAs of Melbourne where there is less access to health care, potentially marginalising them further.

Strategies for successful implementation

Importantly, successful strategies implemented in Darebin and Yarra were to activate an outreach model of care in conjunction with the local law. In Darebin, this resulted in the facilitation of secured housing arrangements for some of the homeless drinkers. Strategies such as this are crucial in minimising the negative impacts to public drinkers.

More work clearly needs to occur at the local council level to heighten awareness of public drinking laws. Across all LGAs, only half of respondents who received a household survey were aware of the law in their municipality and in some areas, as little as 12 percent were aware of the specificities of the law.

Regardless, it appears that public drinking laws have the strong support of the community, with three-quarters of household residents (76.4%) who responded to a postal survey supporting laws prohibiting public drinking in the street and just over half (52.3%) supporting laws prohibiting public drinking in parks. Primary areas of concern in relation to public drinking laws are on the street during the day and night, and around shopping centres during the day. Less concern was expressed in this evaluation in relation to night-time drinking around licensed venues, with the exception of noise (which is probably more related to public drunkenness than public drinking) and litter. Given the high support for public drinking laws, their continued proliferation is inevitable.

The effectiveness of public drinking laws

Visibility of public drinking

This evaluation is inconclusive as to whether public drinking laws reduce the visibility of street drinking. This will always remain context specific. The three LGAs differed in the visibility of public drinking following the laws. In Maribyrnong, street drinking continues and is frequent and highly visible. In Yarra, street drinking continues but has been reduced. In Darebin, street drinking is now rarely visible. These findings were consistent across various data sources (observations, interviews, and survey and focus groups).

Despite these mixed findings, in all three locations, residents reported a reduction in concern about public drinking in specific locations after the law. This reached significance in most locations in Maribyrnong and Yarra and around specific locations in Darebin (shopping areas during the day and licensed venues at night). These findings were even true for Footscray, where by all reports, there has been no change in street drinking pre and post the law. This suggests that public drinking laws at the very least create a perception that problems relating to drinking have decreased.

When residents were asked whether they believed public drinking had increased or decreased since the law's introduction, between three percent and eight percent believed it had increased, between 17 percent and 21 percent believed it had decreased and between 20 percent and 30 percent believed it had stayed the same (with the rest being 'unsure'). This is generally reflective of a small positive trend in relation to perceptions of the effectiveness of the law.

Enforcement

Police reported a range of approaches to addressing public drinking, from warnings and directing drinkers to tip their drinks out (most common) to frequent issuing of infringements. Police were generally favourable of the law, but it was clear that it was not one of their top priorities and infringement data shows it was rarely

applied. However, this is likely to vary from one municipality to another. In Footscray, there were much higher numbers of infringements issued and this is likely to be similar in other central business district areas such as the Melbourne central business district. Aside from in Preston, where drinkers reported an aggressive approach from police in the initial period of the law, most drinkers reported a positive relationship with police, who were more likely to issue a warning than a fine. Given the absence of drinking in Preston, compared with all other areas, this aggressive approach might appear successful; however, interviews with drinkers, council officers and health workers revealed that there were other factors explaining the dispersion of drinkers, including a number of deaths in the drinking group and changed housing arrangements moving drinkers outside the area.

Reduction in alcohol-related harm and crime

Consistent with previous evaluations, there was no effect on ambulance attendances in the three LGAs pre and post the law. There was a small drop in alcohol-related assaults in Yarra and Darebin following the law; however, this finding should be considered with caution given that only one data point was available after the law (given that these laws were recent and only yearly police data could only be obtained). These trends should be monitored to see whether this reduction is sustained.

Changes in safety and amenity

The findings are mixed in relation to experiences of harm and perceptions of improved amenity following a public drinking law. For example, there were no differences pre and post the law in Maribyrnong (perhaps due to the continued street drinking occurring in that location), but there were significant reductions across many negative outcomes in Darebin and Yarra. Most improvements were around perceptions of safety and amenity such as feeling safer in a public place, feeling safer waiting for public transport, feeling safer using public transport, being less likely to need to avoid drinkers, being less likely to be annoyed at vomit, urination and litter, and being less likely to be kept awake at night or disturbed because of someone else's public drinking. More severe harms, such as being physically or verbally assaulted remained unchanged, perhaps indicating that the public drinking that occurred prior to the law affected perceptions of safety, rather than experiences of safety. It should also be noted that given the recency of the laws in Darebin (2009) and Yarra (2010) some of these effects might be explained by the difference in time period of exposure pre and post law.

Impacts of public drinking laws

Consistent with previous evaluations, the primary impact of public drinking laws was negative outcomes for drinkers. These included social, cultural, economic, legal and health impacts. In two locations, drinkers reported loss of social and cultural connections as a result of being unable to congregate in the same space with their friends and family, contributing further to their social marginalisation. Drinkers were also often unable to pay fines, sometimes resulting in increased contact with the criminal justice system. Also consistent with previous evaluations, dispersing drinkers meant they were less likely to access medical, health and welfare treatment because community health workers were unable to locate them once they no longer congregated in the same space.

Also consistent with previous evaluations, there was some evidence of displacement resulting from public drinking bans, with drinkers moving to more covert areas to evade police, such as public housing estates, alleys and railway tracks, or private homes. Drinking on public housing estates warrants some attention because there remains ambiguity about the legalities of this and whether it constitutes public or private land for the purposes of the law. Drinking at home was anecdotally reported to be related to increased harms, such as drinking more and having fewer people around to moderate antisocial behaviour. Finally, there were some reports that displacement has led to the formation of new social networks, in particular, drinkers being more likely to congregate with illicit drug users.

A minority of residents reported a small reduction in positive experiences relating to public drinking after the introduction of a public drinking law. This reduction was only evident in Yarra and Darebin and was apparent across all domains (ie have you enjoyed drinking on the street during the day and at night, enjoyed drinking in parks during the day and at night and had positive interaction with street drinkers during the day and night?). However, despite the small reduction in positive experiences, residents were generally satisfied with the effects of the law.

The future of public drinking laws

It is not possible to make a definitive judgement as to whether public drinking laws are effective or ineffective, particularly given that there are numerous ways that 'effectiveness' can be measured. The findings are mixed as to whether public drinking laws reduce congregations of drinkers and there is no evidence that they reduce alcohol-related crime or harm, but they do make residents feel safer and improve the amenity of an area (from the perspective of residents and traders). Given the high level of public support for public drinking laws, their continued application is inevitable; however, given the negative impacts to drinkers that occur as a consequence of public drinking laws, it is important that they are carefully considered, implemented and enforced, and are coupled with community-specific social inclusion strategies.

While moving the law to the state level was recommended by some informants (and has also been recommended in previous research (Pennay 2012)), most stakeholder groups consulted in this evaluation (including police, traders, council and residents) believe that public drinking laws should remain the discretion of local councils, rather than becoming state government legislation in Victoria. This approach allows local councils and police to work together to design and enforce public drinking laws specific to the needs of the individual community. In particular, residents of Darebin and Maribyrnong did not want the law expanded outside of the current 'hotspots' and Yarra residents approved of the current provisions whereby it is legal to consume alcohol in parks during daylight hours.

While increasing or decreasing the amount of fines and increasing police presence were all suggested options, the approach used by most police in relation to warning drinkers appears to be the best approach in terms of fostering a good relationship between police and drinkers, and ensuring that disadvantaged groups are not further marginalised. It was generally recognised by all members of the community that punitive measures are not an appropriate way to deal with a social problem. It is important that there is no discriminatory application of public drinking laws and it is recommended that police pay more attention to enforcing public drinking laws near and around licensed venues at night, including people drinking outside designated licensed areas on the footpath of venues, so that different types of drinkers are subjected to the law equally.

The option of a 'wet-house' or 'wet-zone' was raised but only in a tentative way. Some residents and most police were opposed to the idea of a wet zone and council officers, while recognising its appeal, did not see it as politically palatable. More realistic options and those that had the most vocal support, were measures such as reducing access to alcohol (fewer liquor licenses, shorter trading hours, raising the cost of alcohol etc.) and more health care services for drinkers, particularly culturally specific outreach and detoxification programs.

Limitations

There are a number of limitations of this evaluation that must be considered when interpreting the findings. First and foremost, the household survey had a very low response rate (12.3%), meaning that the findings are limited in their generalisability. In addition, a random white pages sample is not representative of the population given that this method does not selectively target people of all ages, gender and other characteristics. As such, the household sample overrepresents females (61.3%), older people (mean age 49.9) and people with university qualifications (64.2%). The sample also generously represents retirees (19.4%). The household survey was only distributed in English, meaning that the sample is also missing non-English speaking residents.

Second, with the exception of police and ambulance data, no pre-law data were available to compare the results with. For example, survey questions investigating changes 'before the law' and 'after the law' relied on memory and this is subject to limitations of recall bias. While there were a number of previous evaluations to compare themes with, these often used different data collection methods and different survey questions.

Third, a time series analysis on police data was unable to be run, given that only annual data was available for assault offences that were flagged as being associated with alcohol (due to confidentiality issues associated with accessing police data with a small number of cases). In addition, 'behaviour in public' offences flagged for alcohol were not able to be used because the numbers of cases were too small and it was suggested to us by police that alcohol is not often cross-recorded with 'behaviour in public' offences. It is also important to note that with both ambulance and police data, analyses were run at the LGA level rather than by postcode (due to a small number of cases and confidentiality issues) and in Darebin and Maribyrnong the public drinking laws only applied to small areas in the LGA. Therefore, it is important to consider that our analysis may not have been sensitive enough to pick up small changes.

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