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Key informant perspectives on 3 am last drinks legislation in Queensland, Australia

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Abstract

Introduction: The objective of this study was to explore key informant attitudes towards the 'Last Drinks at 3am' legislation in Safe Night Precincts in Queensland, Australia.

Method: Sixty-six interviews were conducted with a range of stakeholders including licensees, law enforcement and frontline health professionals. Interviews were semi-structured and analysed using thematic analysis. Key informants responded to questions regarding their experiences of, and opinions about, the last drinks legislation.

Results: Key informants reported a range of experiences around the impact of last drinks restrictions, including reduced staffing costs and patron-related problems within licensed venues. While some venues reported that their businesses lost money, others reported no change in income or that they changed their business model to compensate. Law enforcement and health professionals reported a range of benefits including reduced alcohol-related anti-social behaviour, drunkenness and injury.

Conclusions: The majority of key informants reported that the last drinks legislation reduced harm, while having minimal detrimental impact on business.

KEYWORDS
alcohol policy, key informants, last drinks, patrons, trading hours

1 | INTRODUCTION

The harms associated with alcohol consumption present challenges to all levels of government. The total estimated cost to victims of personal crime is $824.6 million (assaults account for 65% of the victims of crime costs, with sexual assault accounting for a further 31%) [1]. With inflation, in 2021 this figure is around $450 million; with each incident of alcohol-related violence yielding an overall cost estimate of $85,093 for New South Wales

based on the context of Central Sydney in 2018 [2]. Alcohol has also been identified as a factor in approximately three-quarters of assaults and incidents of offensive behaviour on the street [3]. The rates of reported verbal and physical abuse by a person affected by alcohol are more than twice the rate for other drug types [4]. A number of determinants contribute to the levels and likelihood of short-term harm associated with risky drinking, including the physical environment (i.e., where people drink) [5]. In larger towns and cities, licensed premises generally, and late-trading premises in particular, are often concentrated in small geographic areas (night-time entertainment precincts) [6]. Such precincts have a higher density of licensed venues; a factor that is associated with higher levels of alcohol-related harm [7–9]. In 2016, the Queensland Government implemented a multifaceted policy, Tackling Alcohol-Fuelled Violence (TAFV), which was based on the successful Newcastle intervention [10]. The TAFV policy had three broad aims: (i) a safer night-time environment, in particular in entertainment precincts; (ii) to achieve cultural change around alcohol consumption behaviour, including more responsible drinking practices within designated entertainment precincts in Queensland: known as Safe Night Precincts (SNP); and (iii) to provide a regulatory framework that balances the interests of the liquor industry with a reduction in alcohol-fuelled violence [11, 12]. This paper reports the experiences and attitudes of key informants, from a range of sectors, with respect to the 3.00 am last drinks measure.

Strategies reported as being effective in reducing alcohol-related harms in night-time entertainment precincts involve regulating the physical availability of alcohol and modifying the drinking environment [13, 14]. Further research suggests the most effective methods of regulating alcohol availability are restricting the hours and days of alcohol sales, limiting venue density and controlling the availability of drinks based on alcohol content [15, 16]. Governments in Australia have responded to alcohol-related concerns by implementing a variety of regulations, legislative amendments and practices to address alcohol-related violence and risky drinking practices [14, 17]. For example, in 2008, licensed venues in Newcastle, New South Wales, were required to close (as opposed to 'last drinks' where the venue only having to stop serving alcohol, but can continue to trade) at 3:30 am rather than 5:00 am. This resulted in steady reductions in harms over a 5-year period [10, 18]. These findings contribute to a strong evidence base for the effectiveness of reducing late night alcohol sales in decreasing the rate of alcohol-related injuries and assault, along with reduced impacts on community amenity (noise, property damage), less burden on courts, health service and community services [16, 19]. An evaluation of the TAFV policy was undertaken in 15 SNPs [20] and the full findings have been reported within a range of papers [11, 12, 21–23]. Ferris et al. reported that the TAFV policy did not result in any notable changes in trading patterns or the number of patrons attending SNPs.

This paper examines one key aspect of the TAFV policy: ceasing alcohol service at 3.00 am within SNPs (also referred to as 'last drinks'). It can be difficult to ascertain/evaluate which specific provisions are most effective at reducing alcohol-related harms for multi-component or complex policy interventions, such as Queensland's TAFV. However, there is value in understanding the perceptions of people directly affected by particular provisions. This paper draws from the rich source of qualitative data reported within the final evaluation of Queensland's TAFV policy [20]. It explores the experiences and attitudes of key informants, from a range of sectors, with respect to the 3.00 am last drinks measure. Introduction of this measure also coincided with the removal of the 3:00 am one-way door (also called a 'lockout') The paper builds on existing findings, which examined over 30 datasets and identified promising reductions in alcohol-related harms [12], with only limited impact on nightlife and business trade within SNPs [21, 22].

2 | METHOD

As a part of the broader evaluation of the Queensland government's TAFV policies [20], interviews were conducted by Peter Miller and Narelle Robertson with 66 individuals with the purpose of developing a comprehensive picture of perceptions and experiences of the TAFV legislative changes. This paper focuses on key informant responses to questions regarding the 'last drinks' provisions which ceased the serving of alcohol at 3.00 am. To ensure adequate representation, at least five people from each of the following sectors were invited to an interview: policy makers; hotel licensees (or the hotels association); police; licensing personnel; and relevant local council employees. Representatives from the health sector, SNPs, alcohol producers, security firms and transport (taxi drivers) were also interviewed. Between 1 February and 6 August 2018, we identified and contacted prospective interview participants. Individuals who had approached the research team or the Queensland Government to express interest in being interviewed were also invited. Following verbal consent, a mutually convenient interview time was agreed. Most interviews were conducted by telephone and recorded digitally. Six interviews were conducted face-to-face at a venue of the key informant's choosing. Interviews ranged from 30 to 70 min.

TABLE 1 Key informant sample

Key informant	*N*	%
Council	2	3%
Health (emergency department nurses, doctors and paramedics)	13	20%
Licensee	21	32%
Office of Liquor and Gaming Regulation	5	7%
SNP Support Service Representative	7	11%
Police	8	12%
Alcohol producers	3	4%
Other (security firms, transport)	7	11%
Total	66	100%

Note: SNP support services are charities paid by the Queensland government to provide support services.
Abbreviation: SNP, safe night precinct.

Semi-structured interview questioning allowed for consistent coverage of key themes and enabled any emergent issues to be further explored. Questions were developed by the research team, informed by relevant literature [7, 18, 24], and were presented across four domains: (i) understanding of the policy; (ii) awareness of and attitudes to the TAFV interventions (including the 'last drinks' provisions); (iii) current local issues (e.g., barriers to implementation of late-night alcohol restrictions, perceptions of impact, recommendations for improvement); and (iv) the effects of the policy change (licensees only). The attitudes towards and experiences of the last drinks provisions are the focus of this paper. Other aspects of the TAFV legislation are examined within separate papers.

The key informant interviews were de-identified, transcribed and uploaded into N-Vivo 11, a qualitative data analysis software program. Responses from key informants were analysed initially according to questionnaire structure to identify the sections of relevance, which were then examined using thematic analysis. Thematic analysis is an inductive reflexive design where, rather than approach a problem with a theory already in place, the researcher identifies and explores themes derived from analysis of the data [25]. This study used 'Template Analysis', which is a form of thematic analysis which emphasises the use of hierarchical coding but balances a relatively high degree of structure in the process of analysing textual data with the flexibility to adapt it to the needs of a particular study [26], which allows qualitative research to begin with a theoretically informed system of themes [27]. Where available, narratives offering opposing viewpoints are also presented [28].

The breakdown of key informants by type/sector is summarised in Table 1. The largest cohort were licensees, comprising 32% of the interviewees, followed by health workers (20%) and police (12%). In total, 437 people were contacted by the research team, of whom 332 were licensees located within Queensland's Safe Night Precincts. Seventy-six (23%) of the licensee emails were recorded as 'not received'. Of the remaining 256, 23 accepted and 21 licensee interviews were completed. Twenty-one of the interviewees came from regional areas, another 12 dealt with issues state-wide.

Ethical clearance was obtained from Deakin University Human Research Ethics Committee, approval number 2016-244.

3 | RESULTS

The researchers identified or generated a number of major themes from the interviews with key informants.

3.1 | Patron behaviours

Some key informants felt the provisions reduced behavioural problems and helped maintain a vibrant night life:

> "*So, our observation as an organisation is that prohibiting the sale of liquor after 3:00 has had a really positive impact on the Safe Night Precinct and it hasn't curtailed people's enjoyment of their night out ...*" (SNPSS Rep-02)

Other key informants reported that patrons should adapt:

> "*When we were open until 5:00 we found that between 3:00 and 5:00 we would lose a lot of people to the* [night] *clubs anyway ... I agree with the legislation in that respect that 3:00 am closing, great ... You educate your patrons and when somebody comes up to buy a drink, it might be at 11:40 or 12:40 or say 2:45, we will tell them this is last drinks before the time. Or, if you want one, you'd better get one straight away, now. So, we give them plenty of warning.*" (Licensee-08)

It is worth noting again that while alcohol sales have to stop at 3 am, venues could remain open—this was primarily for venues that also had 'pokies' (electronic gambling machines). From a health perspective, one key

informant felt that the last drinks legislation contributed to a decrease in ambulance call-outs:

> "... *it's* [last drinks legislation] *definitely reduced it especially in my region ... yeah so, it's just what jobs we get called to. You know, we do generally have a quiet period between 2:00 o'clock in the morning until 4:00 which is awesome and that never used to be quite as such due to alcohol.*" (Health-10)

From a policing perspective, this key informant noted behavioural improvements:

> "*Look from I suppose a law enforcement overview we're seeing improvements in the space ... and we're seeing that also that within the space type of thing getting people out of the city and or funnelled out of venues quicker has reduced alcohol fuelled violence.*" (Police-04)

One informant, who worked with the liquor and gaming industry, reported that the provisions were a reasonable compromise:

> "*I think it goes some way towards sort of adjusting the sort of balance of things.*" (Other-01)

> "*I was quite happy, personally, with the 3:00 am closing restrictions, as opposed to 5:00 am. I felt that was reasonable. I think that was not a bad policy...*" (Licensee-06)

Another had some concerns about patron behaviour in the streets if everyone was ejected from the venue at the same time, even though the legislation only required cessation of alcohol service at 3 am:

> "*3:00 is fine. We're quite happy—with our style of bar we're quite happy with it to have everybody close at 3:00, to put everybody on the street at 3:00, it's irresponsible.*" (Licensee-19)

However, the experience and observations of an SNPSS-Rep felt that at 3:00 am there were few problems:

> "*As people come out, there's a lovely party atmosphere where they go and get some food and—it's a really nice atmosphere that 3:00 o'clock time. Obviously right outside venues, there does need to be good management and there's plenty of police and security that are managing those areas really well, as we do, as we walk past and there are always problem makers and there probably always will be but I think that's had a positive effect.*" (SNPSS-Rep-02)

One police informant discussed how they modified their patrol behaviours to be on hand for potential issues:

> "*One of the side effects from that is that when venues are open till 5:00, people would drink until they've had their fill and then they would leave when they got tired, probably more intoxicated than they are at the moment but what we're seeing is that, because all of the venues close at the same time, we get a potential for conflict there with all of a sudden, we have 2-300 people who are moderately intoxicated, forced out onto the street. We have one McDonalds in town, we have one taxi rank in town which has room for four or five taxis so there's a potential for conflict at those spots and we actually do modify our patrol behaviours based on what those kinds of factors are.*" (Police-01)

Juxtaposing this, another police informant's experience in a different SNP:

> "*What we're seeing as a police work unit is people leaving the precinct earlier. Therefore; we have changed our policing model to what we roster police on ... and we always thought it was going to be a case that there was going to be this mass exodus on the same time. But we're seeing that not being the case. People are being a lot smarter now and leaving beforehand to probably not meet that rush when closing times happening.*" (Police-04)

And more broadly, some informants highlighted that less hour's trading meant people drank less:

> "*I think people are drinking less in these types of venues and late-night venues. We're seeing that people are only consuming up to four to five drinks per visit. I feel that the new laws have impacted on how people behave, or what they choose to drink and as I said a lot of people are more conscious of their health these days as well.*" (Licensee-07)

Despite some informants considering that patron behaviour had adjusted to the last drinks policy, many key informants felt that the poor advertising of the new policies lacked clarity for some patrons. The narratives also highlight that there are contextual differences to the experiences of the last drinks policy that may be unique to a particular location.

3.2 | Policy confusion

The Queensland Government was elected in 2016 with the TAFV policy clearly articulated and with intense media focus during the preceding year. Nevertheless, as seen in the preceding quotes, some key informants perceived that the policy had been implemented with limited public education regarding the specific changes, and that the ensuing confusion created problems:

> *"People would come out and not know what was going on. There were no TV ads … had they run an election style campaign and put it on an Ad in the Channel Nine news, and bought billboards at the footy, and stuff like that, then I think it would have run a lot more smoothly. People would have been ready to deal with it, and it would have cost businesses less money in the long run*." (Licensee-16)

> "*People don't understand it* [the policy]. *Coming from the country they don't understand it. They haven't been to a Safe Night Precinct. International, interstate*." (Licensee-15)

3.3 | Alcohol consumption

The perceived effects on alcohol consumption were mixed. Some key informants perceived that the last drinks provisions resulted in a reduction of alcohol consumed:

> "*We're seeing that people are only consuming up to four to five drinks per visit. I feel that the new laws have impacted on how people behave, or what they choose to drink and as I said a lot of people are more conscious of their health these days …*" (Licensee-07)

> "*Prohibiting the sale of alcohol after 3:00 am has had a positive impact on our Safe Night Precinct … the only stats I have is to show that after 3:00 now, the number of problems we have, or after 3:30 at least, they're dramatically reduced, where before those problems would continue right on until 5:00. So, in its most simplistic, I would say that by reducing the number of night-time hours of sale of alcohol, we've reduced the number of potential problem hours while we're still allowing patrons to get time to enjoy themselves.*" (SNPSS Rep-02)

Others felt that it had not changed the quantity of alcohol consumed because of the perceived effects of pre-drinking:

> "*I believe it* [last drinks legislation] *has reduced the consumption of alcohol of people out in the nightlife scene. And secondly, no, because the expense of the drinks over night-time, you still get a lot of people pre-loading before they go out into the night-time*." (Other-02)

From a policing perspective, the effect on consumption combined both points:

> *"There's still work to be done but definitely through the reduction in opening times we're seeing that the generally speaking intoxication levels aren't as high …* [but] *We're definitely seeing pre-loading being an issue …*" (Police-04)

As well:

> "*Significantly, less violence in our CBD and yeah, it tends to work it really does.*" (Police-08)

In general, police key informants felt that the last drink policy had probably reduced the amount of alcohol consumed:

> "*I think it has. Well, it has to have. Some of the places that were trading till four, they've got two hours extra of drinking so I don't know if it's reduced people drinking to excess but given the timeframes, they physically can't drink past 2 am so I'd say they would definitely have had to reduce the amount of alcohol consumed*." (Police-03)

From one informant's observation:

"*Possibly. You sit at the end of the pub you don't see maybe as many severely intoxicated people come out as you might once have.*" (Police-06)

3.4 | Venue-specific effects

Licensee informants noted that the benefits of the last drinks provisions included reduced costs from not having to employ staff between 3.00 and 5.00 am:

"*Because now we trade full bore until 3:00, they* [patrons] *leave, I'm not paying—you know, between 3:00 and 5:00 you're not turning over much money because you've got nothing coming through the door, you've got no—you're doing your RSA so you're not serving a great deal of alcoholic beverages anyway and a lot of water. You're paying penalty rates on penalty rates so your wage bills are very high and so from the financial perspective, it was better for us.*" (Licensee-09)

Despite initial misgivings, one licensee explained that the last drinks legislation was not as much of a problem as he had feared:

"*I fought quite hard against losing the 3:00 am to 5:00 am ... I think it just seems the general public have adopted that fairly well. You know, 3:00, on a normal Friday and Saturday night, I think, everyone's ready to go home then. So, it hasn't hurt us as much as I thought it would ... And now on some nights you think, well, I'm glad we don't have to stay open until 5:00. But we are seeing people in a bit earlier.*" (Licensee-15)

The type of venue often dictated the response to the 'last drinks' legislation:

"*Inevitably, because of the nature of our business—we're not a party venue, as such. We're not like a nightclub or a bar where people are really hanging on until the final drink. So, it's not a great issue for us.*" (Licensee-04)

And some chose not to trade to their 5:00 am licence:

"*I never bothered trading that way, even though I had a licence until 5:00 am. I never used it. No interest in that trade at that time, because the amount of people that are drinking is very minimal but what it did do was, it gave people an option, and it just meant that some people, who started drinking at midnight because they were still working, got five hours to enjoy themselves and socialise.*" (Licensee-05)

Not all licensee informants reported positive experiences of the last drinks legislation. Some felt that the last drinks legislation had a number of negative effects:

"*We made the decision not to immediately close and to get run out, which is at that time of night where it still at capacity. We feel it would* [not] *be good to have—to just kick 150 people out at the same time—So we keep the music playing, we keep the lights down. We let them finish their drinks ... So, it's a huge cost for us to do that.*" (Licensee-02)

"*I do not believe the 3:00 am closure's any good for any city or major city. I think the nightlife economy has its place, employs a lot of people and I feel that it works everything.*" (Licensee-07)

Or that its impact was negligible:

"*I don't really think it's a major factor in that the policy. Yeah, I don't think it's a factor it's all. Like it's last drinks so it's at the end of the night so what happens before then is not determined by the last drinks call.*" (Other-06)

Some key informants, particularly from industry associations and liquor producers, reported that the 'one-size fits all' 3:00 am closure was unsatisfactory. They advocated for provisions that were more nuanced and targeted:

"*I mean, number one you know some businesses have had to restructure their business models. You know and there has been some reduced work hours and reductions in staff. I think the legislation is a one size fits all approach where it shouldn't be. And I think, well I think in my opinion that each venue should be looked at separately because you know the, every venue is unique and the clientele is unique so I think it should be possibly more based on you know police statistics more*

> *than just a one size fits all approach from the government.*" (Other-06)

> "*So, it doesn't recognise that the different types of venues we have and the different types of drinking tempo and behaviours and everyone's kind of … tarred with the same brush rather than looking at both proportionality and specific risk profile of types of venues.*" (Alcohol Producer-02)

4 | DISCUSSION

There were diverse experiences of, and opinions about, the impact of the last drinks legislation within and between sectors of informants. It is inevitable that a 3:00 am cessation of drinks will affect some venues and key informants more than others and this may explain any disparity in informant perceptions, particularly given the wide range of locations and demographics covered by such a wide-ranging policy. For example, a Brisbane SNP may receive over 80,000 visitors from many different locations on a Saturday night, while smaller regional SNPs may only have two or three late-night venues serving far fewer, and probably more local, patrons.

4.1 | Benefits and drawbacks of last drinks

Identified benefits included reduced costs associated with not having to employ staff between 3:00 and 5:00 a reduced number of night-time hours of alcohol sales, and in turn a reduction in alcohol-related problems. However, there were licensees who did not agree with these sentiments, with one noting that it had a negative impact on their business, and another noting that it tends to negatively impact venues who previously traded later when compared to those venues who already closed earlier.

Smaller bars were mostly unaffected by last drinks restrictions, whereas some larger venues report reductions in profits (but did not indicate the magnitude). Some venues, however, reported that reductions in sales was completely offset (or even that they make more profit) by having reduced the cost of staff [22, 23]. Still, when considering impact on business, it seems that no consistent narrative emerged. While some licensees believed the TAFV policy had a negative impact on their business, there was evidence that those businesses were suffering financially long before the policy's introduction. A similar example was seen in media reports of the demise of one business owner who was selling Lefty's Old Time Music Hall on Caxton Street and blamed the TAFV legislation, specifically ID scanning, for the failure of his business [29]. However, another article reported that the bankruptcy administrator, Michael Dalloway, determined that there was more to it and that "the company may have been insolvent for up to 2 years" [29]. As seen in the previous cases of the Sydney and Newcastle opening-hours restrictions, often business people and others to attribute specific incidents to the introduction of alcohol restrictions, but that these attributions are mostly found to be incorrect once investigated [30].

While key informants report on their own experience or opinion developed from mass media, a recent report on the impact of the legislation on liquor business found no significant changes in the number of ID scans over time, no change in foot traffic counts from Fortitude Valley during high-alcohol hours (Friday and Saturday, 8:00 pm to 6:00 am) [31] and an increase in the number of commercial hotel licences in all three regions, and commercial other-bar licences increased in all regions except Surfers Paradise SNP where numbers remained stable [22]. Another paper which investigated the impact of legislation on live music performances found increases in the number of reported live music performances and venues in Fortitude Valley between 2000 and 2019 [23]. Finally, an ongoing monitoring study of nightlife across Australia reported that: "Queensland has the third largest core NTE [night-time economy] in Australia across all key metrics and is growing at faster pace than that of VIC and NSW" [32, p. 16]. None of the key informants reported benefits around domestic violence or drink driving, and the quantitative data did not show any changes in drink-driving or domestic violence [11, 12, 33, 34]. Given the intervention was focused only on trading hours in very localised precincts, and still only very late at night, this seems consistent with the evidence [35], possibly because patrons travel into and out of these areas from all around and any potential impact might be too diffuse across entire large metropolitan areas. As such we are unable to adequately capture any causal links between changes in trading hours in SNPs and domestic violence. It should be noted, however, that reduced trading hours of off-premise liquor stores has recently been reported as having been associated with a significant reduction in domestic violence [36].

These findings generally align with, and extend, existing research findings. Nepal et al. found in their review that extending trading hours at on-licence premises was typically followed by increases in the incidence of assault and unintentional injury, whereas restricting trading hours at on- and off-licence premises was typically followed by decreases in the incidence of assault and hospitalisation [35]. Other research has also found that a

decrease in on-premise trading hours also resulted in decreased ambulance attendances [37]. The current paper adds to this evidence base by explaining how venues were able to save more money than they lost and that many venues were simply unaffected because of their business models.

4.2 | Engaging the public with policy change

One licensee felt that the policy would have been better accepted by the general public, and less damaging on businesses, if it had been better advertised to the public. While the rise of the online environment means there are many more channels through which to communicate, it can mean that messaging from government may not reach all populations. On the other hand, the last drinks intervention was the topic of constant media attention [38–42], conflating lockout laws with last drinks legislation, which may have actually confused the issue through the industry and sympathetic media misusing the term 'lockout', which required venues to close at 3.30 am and disallow patrons from entering venues after 1.30 am. While such issues will always exist, it is properly a worthwhile footnote that a clear communication campaign reaching a range of relevant media would at least address industry concerns regarding communication of policy changes.

4.3 | Limitations

While we were successful in getting representatives from a range of services and liquor licenses, it was inevitable that some groups may have been less represented (despite every attempt to speak to a wide range of informants across Queensland, including raising awareness at SNP stakeholder meetings). The narratives presented in this paper represent the opinions/experiences of stakeholders, however, there was no requirement for them to provide supporting evidence for such. In at least two instances, evidence drawn from other sources directly contradicted the claims of a key informant. Further, it is possible that specific occupational or industry groups might provide briefing notes to stakeholders to control a narrative. However, in the context of this study, a diverse range of stakeholders were engaged and the interviews were conducted in a professional yet critical manner in which people were asked to provide examples and evidence where possible of the claims, providing some confidence regarding the evidence provided.

5 | CONCLUSION

Key informants reported a range of opinions around the impact of last drinks restrictions. While the majority of people reported that the intervention had substantial benefits, others felt it had no inherent benefit or some reported it had adversely affected their business. However, many narratives provided support for limiting trading hours, reporting reduced or stable harms in line with the findings of the broader research project [12]. They also reported that changes occurred without adversely affecting most (but not all) businesses as found in other quantitative findings [22], and indeed some businesses reported increased profits through reduced staff costs late at night.

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CONFLICT OF INTEREST

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