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XX February 2023

Commissioner Dini Soulio
Attorney General's Department
GPO Box 1815
ADELAIDE SA 5001

By email: CBSReforms@sa.gov.au

Dear Commissioner Soulio,

City of Adelaide's Submission – Review of SA's Liquor Licensing Late Night Trading Code of Practice (Late Night Code)

Thank you for the opportunity to provide a submission on the Review of South Australia's Liquor Licensing Late Night Trading Code of Practice (Late Night Code).

Council considered the Late Night Code at its meeting on 31 January 2023 and continues to support the Code as an effective policy instrument to reduce alcohol-related harm in and around licensed venues.

A summary of feedback under relevant sections of the Late Night Code is provided below.

Part 2, Section 7 – Required training and practices

City of Adelaide supports amendment to the Code to require mandatory employee training in Bystander Intervention training; and provision of information about late night transport options.

Training of relevant venue staff in Bystander Intervention seeks to reduce opportunities for sexual assault and gender inequality. This can be implemented through existing training options such as Responsible Service of Alcohol. The training should also reference broader discrimination including racism, ageism, and ableism.

The Code could require venues to provide patron information about late night transport in relevant formats at a relevant time. For example, including information about the Home Zone, After Midnight Bus and Managed Taxi Ranks on screens around the venue after midnight on Saturday nights.

Part 2, Section 7 – Drink marshal

City of Adelaide supports amendment to the Code to require drink marshals to undertake specialist training in Bystander Intervention; and be informed of services available to support patrons leaving venues late at night and returning home.

Drink marshals play an important role in moderating behaviours in venues and there is opportunity to support positive bystander intervention to prevent sexism, sexual assault and harassment and increase gender equality in venues. Such training could be modelled on the City of Adelaide's Project Night Light Gender Equality Training

Drink marshals should be provided with information about safer dispersal options to ensure that they can effectively direct patrons leaving the venue to late night public transport, ride share collection points and Managed Taxi Ranks.

Part 2, Section 10 – Footpaths and other outdoor areas

City of Adelaide supports existing policy to cease alcohol service and consumption to outdoor areas with public access from 2:01am. To support this, Council Outdoor Dining permits require furniture to be removed from the footpath from 3am. This supports dispersal from the area and reduces the potential for congregation of persons who were unable to gain entry to the venue after 3am. Note that this does not apply to existing fixed furniture.

Part 3, Section 11 – Entry onto licensed premises and use of metal detectors

City of Adelaide supports consideration of amendments to the Code to exclude restaurants and small venues from the requirement to purchase and operate a metal detector. The existing policy may act as a disincentive for restaurants and small venues to remain open after midnight.

Part 4, Section 13 – Late night restricted entry

City of Adelaide supports existing policy to restrict entry to venues between 3:01am and 7:00am at all times when open for trade. The practice of Late-Night Restricted Entry (or lockout) enables venues to continue trading until their approved closing time by providing a well-managed environment within the venue) and supports safety outcomes for all patrons by:

- Reducing movement between venues by intoxicated persons
- Removing the opportunity for severely intoxicated persons to repeatedly seek entry to venues after being refused entry by other venues after 3am
- Requiring security within each venue to manage their patrons and reduce opportunities for anti-social or criminal behaviour within venues
- Leading to less eviction that can often result in unmanaged violence between intoxicated people in the public realm
- Encouraging venues to manage intoxication of patrons by encouraging them to drink steadily rather than excessively.

I trust this information assists with the review of the Late Night Code and the City of Adelaide looks forward to hearing the outcome of your review.

Please contact Sarah Gilmour, Associate Director Park Lands, Policy & Sustainability on 8203 7033 or s.gilmour@cityofadelaide.com.au to discuss this submission further.

Kind regards

Clare Mockler
Chief Executive Officer