

## Is the decrease in assaults at licensed premises being driven by changes in staff reporting rates?

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**Aim:** To determine whether changes to legislation and regulation of licensed premises have affected the willingness of staff in both Top 100 and unranked premises to report assaults on licensed premises.

**Method:** A random sample of 1600 assaults over the period from January 2008 and December 2011, half from Top 100 premises and half from unranked premises. Kendall's test for trend was used to determine whether there had been a change in behaviour over the period.

**Results:** No change was detected in either series.

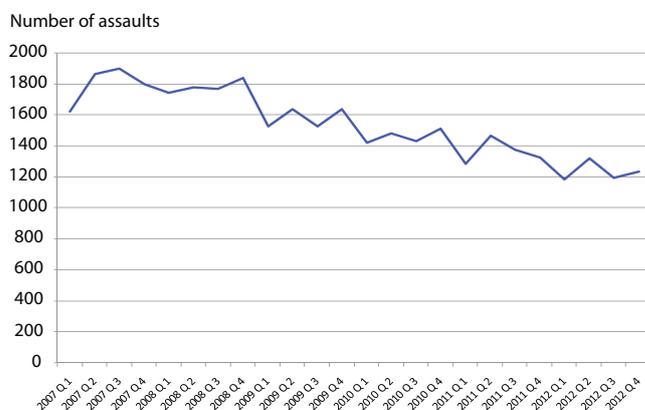
**Conclusion:** The changes to legislation and regulation do not appear to have affected staff reporting rates in either Top 100 or unranked licensed premises overall. However changes in the behaviour of individual licensed premises cannot be ruled out.

### Background

The most recent Recorded Crime Statistics report released by the NSW Bureau of Crime Statistics and Research (BOCSAR) showed a significant downward trend in the number of assaults occurring on licensed premises. Figure 1 shows that over the period from January 2007 to the end of December 2012 the number of assault incidents (including domestic violence related assault) recorded by police as occurring at licensed premises fell from 1,620 to 1,236 (or 23.7 per cent).

Over the same period that assaults at licensed premises have declined, there has been a number of significant changes to liquor licensing regulation in NSW. They can be grouped into two interventions: the changes made to the *Liquor Act 2007*; and the introduction of the '3 strikes' legislation in 2011. Additionally, in March 2008 BOCSAR published a ranked list of the top 100 licensed premises for assaults occurring between January and September 2007. This enabled easy identification of licensed premises which recorded a higher than average number of assault incidents.

**Figure 1. Number of assaults on licensed premises, 2007 - 2012**



Changes to the *Liquor Act 2007*, which came into effect in July 2008, increased the powers of the Director the Office of Liquor, Gaming and Racing (OLGR; previously the Department of Gaming and Racing). These enhanced powers included the

Director of OLGR having the authority to impose additional conditions on liquor licenses, such as lockouts and curfews, and to determine disturbance complaints. OLGR had already taken enforcement action against premises identified by BOCSAR as having high assault rates in May 2008.

The '3 strikes' disciplinary scheme was introduced to target licensed premises that repeatedly breach the *Liquor Act 2007*. 'Strikes' could be incurred when a licensee or approved manager is convicted of a one of a number different serious offence under the *Liquor Act 2007*. These serious offences include allowing intoxication or violent behaviour on the premises, selling alcohol to an intoxicated person, selling alcohol outside of trading hours and selling alcohol to a minor. After the third 'strike', licensed premises could have new license conditions imposed, their license suspended for 12 months or their license cancelled by the Director of OLGR. Additionally there could be a moratorium placed on a new liquor license being granted for the same business operators at the venue for 12 months or the disqualification of a licensee for a set period of time.

Under this new legislative regime, particular focus is given to licensed premises where the number of assaults is high in relation to other premises across NSW. One concern with this new approach of linking licensing restrictions to the number of recorded assaults at licensed venues is that it could affect the likelihood that staff at these premises will report an incident of assault to police. This, it might be argued, could account for the recent drop in police recorded assault incidents occurring at licensed premises.

As such, the aim of this brief is to examine whether there has been a change in staff reporting rates which could account for the recent drop in rates of assault at licensed premises. To achieve this aim, changes in staff reporting rates (as a percentage of all reports of assault) were compared over time. Reporting rates at unranked premises were also analysed in order to assess whether the trends were limited to Top 100 premises or were industry wide.

## Method

A random sample of (n=1,600) records of assault incidents at licensed premises occurring between January 2008 and December 2011, was extracted from the NSW Police Force Computerised Operational Policing System (COPS). Half of these incidents (n=800) were drawn from records of assaults which occurred at licensed premises ranked in the top 100 premises in NSW for assault and the other half (n=800) were drawn from records of assaults which occurred at unranked licensed premises. The rankings were based on the number of assaults recorded by police in 2007 and may have changed over the period examined.

The number of assault incidents recorded in each quarter between January 2008 and December 2011 was tabulated. Police narratives of each incident were then examined to determine who reported the assault to police. Incidents were classified into one of seven reporter categories:

- The licensee or a staff member of the licensed premises (including owner, manager, bar staff, security, receptionists, and hired musical acts such as DJs)<sup>1</sup>
- The victim of the assault (except where the victim was a member of staff)
- A witness to the assault
- A member of the public not involved in the assault (e.g., a concerned family member, unless the family member witnessed the assault in which case the reporter was coded as a witness).
- A police officer who was present at the time of the assault or came across the immediate aftermath of the violence whilst patrolling or conducting a licensed premises check. However, if Police were approached whilst patrolling or conducting a check, the reporter was coded as the person who approached Police.
- Any other person (including ambulance officers, hospital staff or the perpetrator of the assault)
- Unknown reporter

After tabulation, a Kendall's test of trend was applied to both the Top 100 and to the unranked series to determine whether there was any significant change in the person/agency reporting the assault. The null hypothesis is that the data has no trend. The level of significance used in this analysis was 0.05.

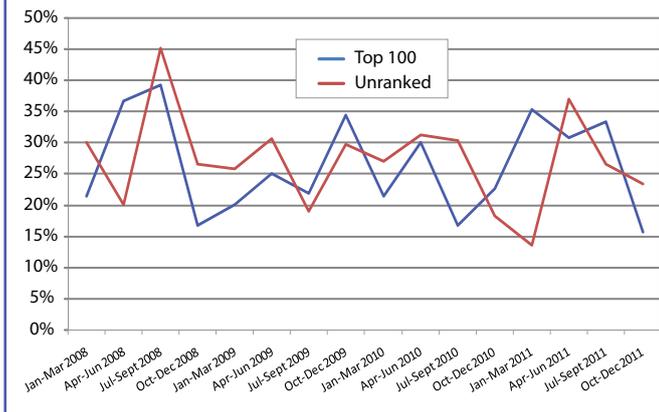
## Results

The graph below shows the percentage of all assaults at licensed premises which were reported by a staff member of the licensed premises, broken down by whether or not the venue where the assault occurred was in the Top 100 BOCSAR ranking for 2007. The blue line represents the percentage of assaults occurring in the Top 100 premises which were reported by a licensed premises staff member. The red line represents the percentage of assaults occurring in the unranked premises which were reported by a licensed premises staff member.

Both series are highly volatile, with sharp increases and decreases over the period. However looking at the two series it is difficult to detect a significant change in the proportion of assault incidents reported by staff; either in the top 100 premises or in the unranked premises. This is supported by the Kendall's test statistic for trend. No significant upward or downward trend was evident for either series over the period examined ( $p$ -value = 0.617 for Top 100 and  $p$ -value = 0.360 for Unranked).

Although not shown here, there were a large number of assault incidents where there was no information on who reported the incident. This 'unknown' group made up as much as 52 per cent of the top 100 premises and 46 per cent of the unranked premises. The average for 'unknown' over the 16 quarters was 40.5 and 33.9 for the Top 100 and Unranked, respectively. As with the above series the 'unknown' series is highly volatile. There was also no significant upward or downward trend apparent in the 'unknown' series for either the Top 100 or the unranked group ( $p$ -value = 0.066 and 0.464).

**Figure 2. Reporting of assault by licensed premises staff for top 100 and unranked licensed premises**



## Discussion

This study sought to determine whether changes in the reporting behaviour of licensed premises staff could account for the fall in assaults on licensed premises recorded by NSW Police. In order to determine whether such a reduction had occurred, staff reporting rates (as a percentage of all reports) of assaults at licensed premises were compared over time. Licensed premises were grouped according to whether or not they were ranked by BOCSAR as being in the Top 100 licensed premises in NSW for assault in 2007.

The evidence presented here suggests that there was no significant upward or downward trend in the percentage of staff reporting assault incidents over the period examined. This was true for both assault incidents occurring at venues identified in the Top 100 and for assault incidents occurring at unranked premises. From the period that trading restrictions commenced (December 2008) both series also showed no clear trend. This suggests that the fall in assault rates at licensed premises over the period from mid 2008 cannot be attributed to a change in staff reporting behaviour. Instead it is likely that the trend in assaults at licensed premises reflects a broader decreasing trend in non-domestic assaults across NSW. This analysis does not rule out the possibility that individual licensed premises have changed their reporting tendencies due to the changes in liquor licensing regulation; rather the evidence presented here suggests there has been no change in the overall trend.

## Note

1. If the narrative does not explicitly say who reported the incident to Police, but the perpetrator of violence was restrained by security staff until Police arrived, then the reporter was coded as staff.