

‘The ones that turn up are the ones that are responsible’: Key stakeholders perspectives on liquor accords

ASHLEE CURTIS¹, PETER MILLER¹, NICOLAS DROSTE¹, EMMA McFARLANE¹,
FLORENTINE MARTINO¹ & DARREN PALMER²

¹School of Psychology, Deakin University, Geelong, Australia, and ²School of Humanities and Social Sciences, Deakin University, Geelong, Australia

Abstract

Introduction and Aims. Liquor accords were introduced as an intervention to reduce alcohol-related harm in and around licensed venues. There have been very few evaluations of the accords, made all the more difficult given the multitude of measures that are often implemented under their banner. This study provides perspectives on the effectiveness of the liquor accords from key stakeholders who were involved in the strategy. **Design and Methods.** In-depth interviews were conducted with 97 key stakeholders as part of a larger study, of which 46 spoke about the effectiveness of liquor accords. Responses were analysed using thematic analysis. **Results.** Stakeholders reported the greatest benefit of liquor accords to be their ability to improve communication. Many stakeholders recognised the need for mandatory attendance and discussed whether the accords are a waste of time or resources. Stakeholders did not generally view liquor accords as effective means of reducing alcohol-related harm. **Discussion.** There was a lack of positive feedback about liquor accords provided by stakeholders, indicating a clear need to better understand the role of liquor accords, and what they aim to achieve. Responsive regulation theory suggests that the dual roles of communication and intervention are confused, leading to some of the inherent problems with accords. **Conclusions.** The role and aims of liquor accords need to be clearly defined. The findings suggest that separating the communication and regulatory functions from accords will lead to a clearer role for accords, and interventions and regulation might be better placed in the hands of regulators and enforcement. [Curtis A, Miller P, Droste N, McFarlane E, Martino F, Palmer D. ‘The ones that turn up are the ones that are responsible’: Key stakeholders perspectives on liquor accords. *Drug Alcohol Rev* 2016;35:273–279]

Key words: liquor accord, qualitative, intervention, alcohol-related harm, alcohol.

Introduction

Many interventions have been developed and implemented in Australia with the intention of reducing alcohol-related harm. This is not surprising, given that alcohol-related harm costs the Australian community in excess of \$15 billion annually [1], and more than 70 000 people are injured in alcohol-fuelled assaults each year [2]. One such intervention that has been implemented across Australia is liquor accords. Indeed, behind the Responsible Service of Alcohol and liquor licensing in general, accords are one of the most ubiquitous responses to community concerns. Liquor accords are generally proposed as a way for venue operators, licensing officials, community stakeholders and police to communicate and work together in an attempt to address alcohol-

related harm [3]. Different states across Australia have different types of accords, each with their own structure in terms of who chairs and co-ordinates the accord, processes, such as whether there are fees and whether minutes are taken, and number of attendees. Tasmania and the Australian Capital Territory are the only states that do not have any liquor accords. A local liquor accord can be described as a voluntary agreement entered into by licensees and other stakeholders to find practical solutions [e.g. closed-circuit television (CCTV), Safe Taxi Ranks and Radio networks] to liquor-related problems [4]. A major stated objective of local liquor accords is to improve the operation of licensed venues to ensure they are safe, as are the surrounding precincts. In Victoria, a less formal version of an accord exists which allows licensees to attend a forum. The forum can then be

Ashlee Curtis, BAPsych (Hons), Research Fellow, Peter Miller PhD, Professor, Nicolas Droste BAPsych (Hons), PhD Candidate, Emma McFarlane BA Criminology (Hons), Research Assistant, Florentine Martino MSc, PhD Candidate Darren Palmer PhD, Associate Professor. Correspondence to Associate Professor Peter Miller, 1 Gheringhap Street, Geelong, Vic 3220, Australia. Tel: (03) 52278138. E-mail: petermiller.mail@gmail.com

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formalised and labelled a liquor accord, which involves members of the forum to sign an accord agreement [5]. The Office of Liquor and Gaming Regulation (OLGR) in Queensland [6] also provides a pro-forma liquor accord arrangement, which can be adopted by local liquor accords, and it assists members of the accord in placing restrictions on price and supply with the condition that such measures are directly addressing harm and are transparent and overseen by the OLGR. Precinct liquor accords, on the other hand, which have been implemented only in New South Wales, bring together a wide range of stakeholders in designated late-night entertainment precincts, with the intention of reducing alcohol related violence and creating a safer and more vibrant night-time economy [4]. Any venue which falls within the precinct liquor accords designated boundary is mandated to be a member of, and to actively participate in, the accord. There have not been any evaluations of the effectiveness of precinct liquor accords at achieving their objectives at the current time. In 2013 there were in excess of 200 liquor accords across Australia [3], despite there being little evidence for their effectiveness.

Liquor accords are best understood in the context of the regulatory framework through which they operate. In terms of the responsive regulation theory [7], liquor accords sit at the bottom of the regulatory pyramid, where compliance is secured through persuasion and informal rewards, such as praise, as opposed to sanctions. Responsive regulation centres on the idea that if there is non-compliance, then there will be progression up the regulatory pyramid. In terms of the pyramid, the middle mild administrative sanctions, and if the top of the pyramid is reached, then there are punitive sanctions for non-compliance.

Liquor accords began appearing in Australia in the early 1990s, and three early examples of these were the West End Forum Project in Melbourne, the Surfers Paradise Safety Action Project and the Geelong Local industry accord [3]. While the Melbourne and Surfers Paradise accords no longer existed after funding ran out, the Geelong accord continued to exist.

The Geelong local liquor accord was established in 1991, and the members included police, licensees, the Liquor Licensing Commission, local government and other relevant agencies [8]. This followed increases in alcohol-related violence and a belief that the then current structure was inadequate. The principles adopted by the licensees within the accord included the following: allowing individuals to enjoy drinking socially as long as they do not interfere with the rights and enjoyment of others; meeting 'duty of care' responsibilities to individuals and the community by holding up Responsible Service of Alcohol (including not serving intoxicated patrons or persons who are underage); providing and maintaining safe and secure environments for individuals, staff and the general community; committing to

improve and maintain the external environment to minimise unacceptable impacts on surrounding areas; and building partnerships with all stakeholder to actively promote the accord in order to implement local solutions and improve community safety. The Key Performance Indicators that the accord set for assessing effectiveness annually were as follows: a reduction in alcohol-related crime and anti-social behaviour, an increase in the number of people who perceive central Geelong to be safe and enhanced relationship between licensees, local government, local police and Liquor Licensing Commission [8]. While measuring perceived safety is often achieved through local council surveys, it is not clear whether other key performance indicators are being measured. For example, the key performance indicators do not tend to be discussed within meetings, and statistics gathered from the community (i.e. police data, emergency department data and complaints data) are not often used to assess whether they are being met.

An initial evaluation of the Geelong liquor accord found a 52% reduction in assaults compared with baseline rates [9]; however, the authors provided no comparison site, very limited assault data, and covered a 90 km radius around Geelong, meaning it is very difficult to determine the actual level of decrease in assault in the Geelong night-time economy [9–11]. In addition, several long-term studies investigating the effect of community interventions for reducing alcohol-related harm in Geelong demonstrated that between the years of 2005 and 2009, a time during which the liquor accord was in action, assaults and emergency department presentations for alcohol-related assaults consistently rose [12–14].

Evaluations have also been conducted on the Fremantle police licensee accord in Western Australia, and the Kings Cross accord in New South Wales. The evaluation of the Fremantle accord found no significant improvements in any of their intended outcomes, including assaults and server practices [15]. The Kings Cross accord similarly found no significant improvements on any harm reduction outcomes [10].

While evaluations of liquor accords have not shown promising results for reducing harm, the Victorian Commission for Gambling and Liquor Regulation [5] notes that there are other benefits of liquor forums for licensees. These include the following: facilitating positive working relationships and networking opportunities with other local stakeholders, sharing knowledge and tips about making venues feel welcoming, assisting to develop strategies for managing difficult patrons, providing information and updates about changes to liquor laws, providing information about licence conditions and how to improve compliance with liquor laws, implementing improvements to business standards and making entertainment districts a more enjoyable place for residents and visitors. The NSW Office of Liquor, Gaming and Racing [4] adds

to this the enhanced local reputations for concerned licensees: an improved business environment and improved compliance with liquor licensing laws. The current study was conducted to determine whether key stakeholders view liquor accords as useful and whether they are effective for reducing alcohol-related harm.

Method

In-depth interviews were conducted as part of a larger study [16] and included 46 local key stakeholders in both Geelong and Newcastle from November 2009 to March 2011. Ethics approval for this study was granted by the Deakin University Human Research Ethics Committee. The stakeholders included police, licensees, security workers, council workers and licensing authorities. Stakeholders were identified and directly contacted by the research team and invited to participate in the interviews or to refer others who may be useful informants (snowball sampling). The interviews were semi-structured and lasted between 30 and 90 min. All interviews were recorded, transcribed and returned to stakeholders for review to ensure that there were no errors in transcription and that they were happy with the content of the interview.

Thematic analysis of the interviews was conducted using the constant-comparison method (inductive coding). This involved the members of the research team identifying and exploring themes which arose through the initial data analysis process [17]. Once initial themes were established, transcripts were reanalysed, and each of the themes were compared with the rest of the data to establish clear and consistent categories [18].

Results

Twenty of the key stakeholders were from Newcastle, and 26 were from Geelong. Broken down by role, 27 participants were licensees, eight were members of council, three were members of the police (one from Victoria, two from NSW), three were security staff, two were ambulance members, one was from taxis, one from OLGR and one CCTV operator. The key stakeholders often reported similar positives and negatives of liquor accords, with several key themes being discussed including improved communication between stakeholders, voluntary versus mandatory membership, and whether accords are a waste of time and resources.

Improved communication between stakeholders

When asked about the benefits of being involved in a liquor accord, the majority of participants identified

improved communication and sharing of information between venues. It was acknowledged that venues can be quite different to each other, and it is important to be aware of what other venues are dealing with.

'The communication thing is the most essential thing' [Geelong Licensee].

Communication was considered especially important between licensees and the police, council and government. However, this was considered to be reliant on members of the accord having the ability to come to an agreement about strategies to implement.

'It's a great way to have a good working relationship with OLGR and the police if everyone is on the same page and council for that matter' [Newcastle licensee].

One member of the NSW police acknowledged the difficulties of working with accord members, given the inconsistencies in opinions about what works, and their hesitation to implement strategies that might negatively impact their business, which led to inaction.

'the [19] were a very hard group to work with at that time. They all had their own ideas. The accord, while it existed – they all turned up, but they were doing some minor things that they saw that didn't affect their bottom line too much' [NSW Police member].

Improved communication between stakeholders was the only positive that was discussed by stakeholders. Many negatives and drawbacks were noted, with an overwhelming majority of stakeholders identifying concerns with the voluntary nature of accords, and the amount of time and resources that are potentially wasted in their implementation.

Voluntary versus mandatory membership

The main problem identified by the key stakeholders with liquor accords was a lack of participation. As most accords are voluntary, venues cannot be forced to participate, and this means that those venues who are part of an accord may implement strategies to increase community safety and reduce harm, but this is pointless when it is not consistent across all venues within an area. Stakeholders particularly felt that restaurants and cafes were contributing to high levels of intoxication, and potential subsequent harm, and yet they did not attend liquor accords.

'The cause of the problem is the earlier part of the night. Where they go and have dinner or they go to the restaurant or they go on a booze cruise on the lake or the harbour or they go to a function centre, a wedding and they absolutely

get intoxicated and they hit fresh air and then all of a sudden it's the hotels [problem]' [Newcastle Licensee].

When asked whether they believe that membership of a liquor accord should be mandatory, over 80% of those asked agreed that it should and were not happy with the current voluntary system. Of interest, licensees were more likely to report this than others who were not directly affected by the accords, including council members from both Geelong and Newcastle, members of the OGLR and CCTV operators. The main reasons given were consistency between venues regarding rules and expectations, working as a team, communication between all venues and a sense of shared responsibility. It was noted that the venues who do not join are known as 'cow-boy operators' or 'rogue operators', and it was believed they did not join as they do not want to follow the same rules as everyone else, which may result in their venue being more profitable.

'The ones that turn up are the ones that are responsible. The ones that aren't responsible, you don't see them for dust. For the ones that don't want to toe the line, it means nothing to them' [Geelong Licensee].

Stakeholders also noted that becoming a member of the liquor accord should be a mandatory condition of obtaining a liquor licence.

'The Accord needs teeth and it's almost to me if you don't want to sign up to this Accord you're not going to get a liquor licence in this town, and that's where I think the authorities ... that's where they need to go to' [Geelong Licensee].

'The biggest downfall is it's got no teeth. You can't force anybody to do anything. It's just a gentlemen's or ladies agreement ... I would make it part of the person's license that you have to be active in it and live up to the Accord ... We've got a couple of places in Geelong that have nothing to do with the Accord and they're the ones that drag the town down' [Victoria Police member].

Others noted that accords should remain voluntary to ensure that everyone in attendance is there for the right reasons, not just because they have to be.

'The position of New South Wales government is that it will remain voluntary and the underlying reasons I guess for that if you have a room full of people who don't really want to be there is that going to create negativity and undermine the effectiveness of the accord and I would suggest that that's probably right ... My opinion would be that accords should remain voluntary to keep their proactive, good corporate citizenship nature of the accord where you have a room of people that actually want to make a difference rather than

having people there that don't want to be there or are just there for the sake of it' [NSW government employee].

However, the problems associated with voluntary membership are highlighted by one licensee's comment about the Newcastle council ceasing attendance to accord meetings.

'Now council haven't been actively involved in our accord. We were requesting that they do so and I think that hopefully they are wanting to come back and play with us again' [Newcastle licensee].

A waste of time and resources

In addition, there were stakeholders who explicitly noted that liquor accords were a waste of time and resources, noting that while accord meetings tend to cover content that is considered important and necessary, no changes seem to occur after the meeting and the same discussion are had at the next meeting with no outcome.

'it's such a waste of time. Such a waste of time. The meetings are the same BS every bloody time. Nothing ever seems to get done. It's great, we all go there, talk, stroke each other's egos, tell each other how good we are but really nothing happens. We talk about taxis, we talk about a lack of police, we talk about a lack of control, we talk about opening hours, closing hour's etcetera and I guarantee you in two months time we'll talk about the same stuff again I'm totally up for making this a better place and working for the community if we're actually doing something. I think it's a waste of time on a Monday morning once every two months for me and everybody else to go there and just regurgitate the same stuff that we talk about two months ago.' [Newcastle licensee].

One stakeholder also identified one of the major concerns regarding liquor accords, and that is a lack of evidence for their effectiveness for achieving positive outcomes in regard to community safety and reducing alcohol-related harm.

I'm aware that there has been no research evidence conducted that shows that accords are successful which is problematic for governments as well as accords. I think the challenge for accords is to evaluate their programs effectively and see if they've been successful. [NSW government employee].

Liquor accord meetings are usually held every few months (depending on the area), and anecdotally, stakeholders have reported spending on average 11 h per month on accord-related activities; however, this ranged

from 30 min per month, to 18 h per month depending on the persons role within the forum.

Discussion

The current study investigated key stakeholders perspectives on both the usefulness and effectiveness of liquor accords particularly in relation to reducing alcohol-related harm. Key stakeholders' responses were generally not supportive of the effectiveness of liquor accords for reducing alcohol-related harm.

Improved communication between stakeholders

The only positive thing key stakeholders proposed was that liquor accords facilitated communication and sharing information. This is consistent with Chikritzhs *et al.* [20], who found that liquor accords are more useful for the development of communication networks in local areas, which facilitates input and enhances a sense of local control, rather than for producing an actual reduction in alcohol-related harm.

The key issue raised from the current study is whether improved communication translates into action, as often communication can be used to avoid taking action, which in turn will reduce the ability of accords to be effective in reducing harm. In addition to being able to communicate and take action effectively, the accord members must be able to come to an agreement about the strategies and how these can be best implemented. This could be a difficult process, given the diverse opinions and backgrounds of those involved in accords, such as licensees, police and the council. It is also important to note that many stakeholders may have genuinely enjoyed the opportunity to engage with other members of the community through a liquor forum and may not have had other opportunities to partake in conversations about their business and the associated impacts on the community. The importance of communication from the stakeholders perspective in this context needs to be further investigated and better understood.

Importance of mandatory membership

One of the biggest concerns that stakeholders identified for liquor accords is that they are voluntary and lacked 'teeth', and they felt this resulted in inconsistency in venue operation, and rogue operators choosing not to be involved so they can continue to engage in behaviours that the liquor accord had placed restrictions on. While it is limited, some research has demonstrated the superiority of mandatory interventions over voluntary interventions. Miller *et al.* [16], for example, compared voluntary measures in Geelong to mandatory measures

in Newcastle, and observed that Responsible Service of Alcohol practise was significantly more likely in Newcastle, and patrons were more likely to report having been refused service in the past 12 months. Hawks *et al.* [15] noted that as a result of the competitiveness of the liquor industry, having accords which are voluntary means their effectiveness in reducing alcohol-related harm will always be limited. Miller *et al.* [16] also found that licensees failed their accord agreement to ID scan all entering patrons.

It is also important to note that even if all potential members joined their local accord, this does not automatically result in increasing effectiveness in reducing alcohol-related harm. To achieve reductions the accord would still need to implement strategies that have demonstrated effectiveness in reducing alcohol-related harm. Further, there would need to be strict enforcement of the mandatory condition, and this responsibility would likely fall with the Victorian Commission for Gambling and Liquor Regulation and the Office of Liquor and Gaming and Racing, given they are the relevant licensing compliance bodies in Victoria and New South Wales. It is unclear how supportive these organisations would be of undertaking this type of an enforcement role in liquor forums and accords, and this is an important area to explore.

A waste of time?

Without a requirement for mandatory participation by licensees, and concerns over funding and ability to achieve outcomes, it seems that liquor accords might not be a promising intervention to invest time and resources into if the goal is to reduce alcohol-related harm. While liquor accords may improve communication between licensees and venues, this does not necessarily translate into action and is limited by the voluntary nature of the accords. As such, accords have not demonstrated any real effect on reducing harm. While it may be useful to further evaluate the effectiveness of liquor accords in achieving reductions in alcohol-related harm, this is complicated by the fact that liquor accords are often implemented alongside other interventions, making it difficult to attribute any changes to the liquor accord alone [16].

Of interest is that the stakeholders reported liquor accords to be a 'waste of time', and yet they still attend meetings indicating they likely see some benefits in attending the accord meetings. Given the levels of support, it is likely that many also find benefit in having a forum to learn what others are up to, including regulators, and also to air issues they might be facing. On the other hand, attendance may be to placate the police or perhaps to avoid a higher level of regulation. This is important if considered in the context of responsive regulation, whereby

the failure to engage with the regulators and the mechanisms they introduce to enhance compliance – liquor accords being one such mechanisms – would invite the regulator to move up the regulatory pyramid.

This may involve greater frequency of inspections, or it might mean an increase in the level of regulation overall. To give one simple example discussed by licensees, the absence of a particular sign in a particular location could be observed through onsite inspection and although the sign might be nearby but not in the precise location required, the onsite inspection could lead to the imposition of penalties such as fines. In more general terms, the failure to engage in accord-based communications invites changes to policing practices that could lead to the greater use of sanctions.

Even if accords were to move to a mandatory membership model, it is unclear whether they would become more effective as the same underlying tensions will exist between a group of venue operators acting in the interests of profit ultimately being involved in trying to reduce harm for the public interest. This has sometimes been seen to work in other industries, but has, in general, just resulted in similar watered down measures that do not reduce industry profits or has delayed implementation of effective measures [21,22]

Limitations

This study contains some limitations. Firstly, the qualitative data utilised within the current study were obtained from lengthy interviews that were a part of a larger study [16], and as such liquor accords were not the focus of the interviews. While the issue was raised and discussed in many cases, it was not explored in depth because of the time constraints of an already lengthy interview schedule. As such the data included in this paper may only present an introduction into the issues associated with liquor accords and do not necessarily present the range of stakeholder views that would be ideal in obtaining a comprehensive view of the effectiveness of liquor accords. For example, more perspectives from police involved in liquor accords would have been useful to add a different perspective to the current paper, but at the time of the study, Victorian Police were extremely limited in their ability to comment on any policy matters, meaning an important point of view was silent.

Conclusions

Liquor accords were implemented in Geelong and New South Wales as an intervention for reducing alcohol-related harm, and there are hundreds that exist across Australia. The current paper demonstrated a lack of

confidence from key stakeholders in the ability of accords to achieve reductions in alcohol-related harm. Increased communication was identified as a benefit of accords, this in itself is not an effective strategy for reducing harm. Stakeholders identified the importance of mandatory membership of accords to improve consistency between operators and enforcement options, but also noted that simply mandating licensees to participate in an accord does not guarantee its effectiveness.

What is clear is that the role of liquor accords needs to be redefined to focus on communication between key stakeholders, rather than being considered a harm reduction intervention, or the body who is expected to implement such interventions. Liquor accords provide the opportunity for key stakeholders to discuss relevant issues and concerns within the night-time economy, which was consistently identified as a benefit by the stakeholders in the current study. As such, the accords should focus on education and information provision, and regulation and enforcement should be managed by the relevant bodies. Accords might also benefit from the introduction of mandatory membership enforced by the relevant licensing compliance body to ensure all licensees receive the most current information and education.

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Supporting Information

Newcastle CBD Liquor Accord Business Plan ‘Stay Cool’, enjoy the nightlife, and help keep Geelong a Safe City