

## INTOXICATED PERSONS – A PROBLEM FOR POLICE

### A Police Perspective

As you all know well, **excessive** alcohol consumption has a major negative impact on the health, safety and general well being of our community. From a policing perspective it contributes to a major proportion of operational police time and services which could be better spent on proactive programs. People of all ages commit a variety of criminal and antisocial acts when affected by alcohol. Most would not get involved in such activity if sober.

Alcohol abuse often influences:

- Assaults
- Property Damage
- Antisocial Behaviour
- Family Violence
- Drink driving and Motor vehicle accidents

The overall financial and personal cost to the community would be horrific. Incidents such as assaults, family violence and motor vehicle accidents can take many months for police to investigate or resolve. In many assault cases the truth can never be determined due to all parties, including witnesses, being heavily intoxicated and police are often criticized for not getting to the bottom of such incidents. The criticism often comes from parents of young people involved. Many parents find it difficult to accept that good young people often turn into something else at 3 o'clock in the morning with a "belly full of booze".

**(Booze and bravado can be a dangerous mix).** Anecdotally, there has been a noticeable increase in violence amongst females as well.

### Alcohol Abuse amongst those Under-age

During recent years there has been an emerging issue of persons under 18 years organizing and attending under-aged parties. These can take the form of "after parties" organized by students following school events, birthday parties arranged by parents and their children that often get gate crashed, and parties' organized by young people while their parents are absent. Many of these parties end up out of control as the organizers have little or no

knowledge on how to plan such parties. The Party Safe Program adopted by the Victoria Police has been very successful in making these types of parties much safer.

These types of parties are a major problem for police as they are usually conducted on private property and if the organizers are uncooperative they can make it very difficult for police. Once again this brings criticism from neighbours as they do not have an understanding of what police can legally do. It is particularly difficult if the persons involved are under-age.

These parties are often a source of serious assaults, property damage, antisocial behavior, drug taking and sexual assault. Police have no powers regarding alcohol possession, supply or consumption amongst young people in a residential premise as it is not an offence. Often these parties spill out onto the streets and when police arrive they take refuge back in the premise or adjoining private areas. Police are often called to the same place on a number of occasions on the one night. Even if the young people remain on the streets police are often faced with large numbers of drunken young people and taking effective **legal** action can be very difficult. Most police are quite practical in dealing with these situations but it is only a short term fix as they do not have the resources or time to follow up with parents etc. Minor breaches of the law are often ignored by police for this reason. This then creates a problem with young people thinking that they can continue to get away with it.

Many young people give false names etc. when spoken to by police which creates other administration problems. I have known these parties to expand to several hundred in number and most have never been planned for.

I believe that parents and young persons need to be better educated regarding the law relating to possession of alcohol. As I stated earlier, a young person can possess alcohol on residential property, but many are not aware that possession of alcohol in the street on their way to a party is an offence. Better powers for Police to search backpacks would also reduce the problems encountered later in the night. Many young persons at or outside parties often say that the alcohol was supplied to them by a parent.

**The follow up can be very effective if adopted (Explain).**

When police are called the community quite rightly has an expectation that they will act to resolve the situation. In many cases police can do very little.

Police have far more powers to deal with alcohol related problems on licensed premises than they do elsewhere. It is also worth noting that properly managed licensed venues are much safer than the streets in many areas.

Personal experience has shown that professionally organized under-age, alcohol free disco's or similar, reduce the number of private youth parties and the problems associated with them.

### **Public Drunkenness**

There is a strong push to remove public drunkenness from the statutes. If this occurs it may well mean that police will have no power to remove drunk and disorderly persons from public areas. Police often use these powers to remove drunken problem people from incidents on the street and other public areas. This is usually for their own and others well being. This will severely restrict police ability to deal with street level anti-social behavior.

Police often contact relatives or friends and release persons in this situation into their care as they are often better off at home than in police cells, particularly young persons.

### **Intoxication on Licensed Premises**

#### **Liquor Control Reform Act definition:**

*“a person is in a state of intoxication if his or her speech, balance, coordination or behavior is noticeably affected and there are reasonable grounds for believing that this is the result of the consumption of liquor”.*

Explain:

- Intoxicated patron can be on licensed premises as long as they are not supplied alcohol.

- However, a drunk or disorderly person cannot be on the licensed premises.

This can be a very confusing and difficult area for inexperienced police.

The Liquor Licensing Laws can be very complex and many operational police lack the necessary knowledge and confidence to take action on licensed venues. This raises the question of whether we need specialist police to place more emphasis on the alcohol issues impacting on community safety.

I also believe that many police do not see breaches of the liquor laws as serious and this tends to reflect community attitudes.

Community culture can be very difficult to deal with. Explain my own community (Sporting Clubs, local pub, deb balls of the past and what they are now – positive and more responsible trend).

### **Causes of Intoxication**

- Lack of parental controls/supervision/education
- Peer pressure
- Family culture
- Lack of education for young and old on the real truth of alcohol abuse
- Low self esteem
- In your face advertising, particularly aimed at young people
- Alcohol now comes in Soft Drinks, Chocolate Drinks, Shots (How do we normally drink soft drink and milk drinks?)
- High alcohol content
- No real control of alcohol abuse outside licensed venues
- Promotions and Sponsorships through sporting clubs etc. with a strong focus on alcohol consumption
- 24 Hour availability
- Insufficient targeted policing where the laws are strongly enforced and under-aged person issues are followed up with parents and other support services.
- Licensed venues (particularly the nightclub scene) heavily promoting discounted alcohol over the mobile phones of young people and throughout some of the universities.

## Potential Solutions

- a stronger partnership focus on entertaining young people without alcohol and smoking. Get the young people involved in the organizing and more funding needed. It pays off in the end. Blue Light discos and others organised through local councils can be very effective if the right people are involved. Young people need entertainment.
- Improved training of crowd controllers and bar staff within licensed venues, particularly in relation to dealing with difficult persons affected by alcohol. Verbal Judo is better than the physical type.
- More school-based education on life skills and penalties re possession and use of alcohol/other drugs etc.(Some teachers are against this)
- More parental education on the affects of alcohol abuse and the liquor laws. TV – and other media – nothing too complicated just something simple but effective.
- More specialist police with LCRA and **Local** knowledge. Good street skills in areas of High Risk. Follow up on problem areas. (Not Flying Squads). I would like to see this trialled somewhere (Ballarat – Bendigo-Geelong) in conjunction with other Community Safety Strategies associated with alcohol abuse.
- Streamlined access to Support Agencies/groups re alcohol abuse. Compulsory attendance in certain circumstances where youth is involved and the parents are required to attend with them. Non-attendance could result in some type of sanction or penalty.
- A less tolerant approach to alcohol related anti-social behaviour and street level crimes. I have reservations about a “zero tolerance” approach as I believe police should always show some tolerance and use discretion. The best results often come from an approach which is practical and well thought through. I have always endeavoured to have families involved when I detect young people offending. Even those in their early twenties. There is often the problem of the parents being worse than their kids which makes it very difficult to come up with a solution.
- A major change in the way alcohol is advertised in order to rid our community of the “in your face” advertising which is often directed at young people.
- Introduce legislation to penalise licensees who offer heavily discounted drinks or extended “happy hours” to get people through their doors. Let’s set some standards and introduce them into legislation so that this issue can be dealt with once and for all.

\*\* Some good news on the horizon is the fact that the Victoria Police are currently in the process of adopting an intelligence program called “ADRIFT” which enables police to record information on alcohol and drugs used by offenders. This information will enable statistics to be gathered about particular “Hotspots”, substances and alcohol products used.

I envisage that the information will greatly assist police and other agencies in their efforts to curb alcohol and drug-related health and safety issues in the future.