

Liquor Bans in New Zealand

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Prepared for ALAC by Denise Bijoux

ALCOHOL ADVISORY COUNCIL OF NEW ZEALAND

Kaunihera Whakatupato Waipiro o Aotearoa

PO Box 5023

Wellington

New Zealand

www.alac.org.nz and www.waipiro.org.nz

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EXECUTIVE SUMMARY

This report provides an overview of liquor bans in New Zealand using local literature, formal liquor ban evaluations and media (press) reports. It also details the permanent and seasonal liquor bans operating in New Zealand as at November 2004 and the territorial authorities (TAs) that are considering implementing them.

The report highlights the complexity of liquor bans. Despite the limited information available, it is clear that far from being simple strategies, their potential impacts, causes for concern and measures of success and effectiveness warrant careful scrutiny. There are also a number of concerns about the way some bans are operated and how they are portrayed and understood by the public.

Liquor bans are a valid regulatory tool, but they have limitations and consequences that are often not widely discussed or understood. More research could help to address issues like this, as could reliable and robust measures of success and effectiveness that are agreed to by stakeholders and understood by a wider audience.

From the information used for this review, it seems 'trouble' is more the focus for liquor bans than drinking in public, with both intoxication and the drinking location being contributing factors. That is, the main goal appears to be to eliminate public drinking where it contributes to trouble, rather than to reduce the use of public places as uncontrolled drinking environments. This appears to work in reducing crime and improving perceptions of safety, but is an important limit to reducing intoxication – which is a major contributing factor to criminal activity, perceptions of safety and alcohol-related harm.

It is justifiable and reasonable to implement liquor bans as a proactive strategy to improve public spaces in terms of safety, nuisance, litter and noise as well as reducing criminal offending. However, transforming them into valuable tools for reducing wider alcohol-related harms over the medium to long term will require a constructive response to the challenges, and an openness to learning from experience. The ideal is a sustainable, multifaceted approach that incorporates liquor bans as one of a number of strategies.

SUMMARY OF FINDINGS

The review revealed a number of findings:

- Liquor bans are increasing in number. Of the 72 TAs, 25 had permanent ongoing liquor bans as at September 2003. By November 2004, at least 40 TA areas had bylaws for permanent ongoing liquor bans, while 60 TAs either had or were considering liquor bans of some sort.
- Bans are expanding in reach. Through the bylaw process many existing weekend liquor bans have increased to cover every hour of every day and have expanded their coverage areas and created new areas. There is still a significant variation between locations, especially in ban timeframes.

- Bans have similar rationales, aims and expectations across the country, with the primary purpose being to reduce criminal activity while positively influencing public perceptions of safety in an area. Other reasons and objectives include reducing litter, vandalism and broken glass.
- Bans have similar structures and operations. They are usually a partnership between TAs and the Police, with the involvement of other parties differing from location to location. TAs enact the legislation, and in some areas liquor bans are part of initiatives to improve community safety that may include community watches, liquor policies and safety strategies. In many areas the Police initiate the idea of a liquor ban and are the sole enforcers. With the Police having a high profile at the operational level, liquor bans are commonly seen as a policing strategy.
- Differences in awareness and support. Liquor bans are generally popular among the wider community. However, they appear to be little understood, with details such as hours of operation recalled accurately by only a few. Support from the wider community tends to increase with age.

- Achievements reported

Reduced crime and improved perspectives of safety

Liquor bans have been recorded as reducing criminal activity and increasing perceptions of safety. In several places offences such as disorderly behaviour, theft and violence have reduced following the introduction of a liquor ban. However, it is difficult to separate the impact of an increased Police presence and targeted Police operations from the implementation of a liquor ban itself. In one location, a survey (Hart, 2004) showed that simply enacting a liquor ban was enough to improve perceptions of safety among some people.

Environmental improvements

Several areas have reported that liquor bans have had a positive impact on environmental harm, such as reduced litter and broken glass and less vandalism. Reports also comment on improved behaviour and fewer congregations of groups of 'intimidating', intoxicated people. Other alcohol-related activities, such as 'car boot parties' (where groups of, often young, people gather around the open car boot of a car to drink and party), have stopped in some areas after the introduction of a liquor ban.

- Concerns reported

Role of the Police

At the time of writing there was no nationally consistent policing approach, and the style of liquor ban enforcement appears to differ markedly throughout the country. Five main issues have been raised:

1. The use of different enforcement procedures in different areas, such as a 'zero tolerance' approach in one area and a warning system in another.
2. A lack of enforcement in some areas, leading to a 'disregard' for the law, as public drinkers believe there is limited likelihood of their being apprehended.
3. The Police use of discretion, potentially turning a 'blind eye' to wine and beer at a family picnic but not to the same beverages being consumed by a group of young people.
4. The use of targeted operations within a liquor ban area affecting 'results'.

5. The use of Police statistics, which are highly sensitive to policing priorities, numbers, practices and reporting. These may be supplied from a variety of Police databases and are used both to prove the need for a ban and to evaluate its success.

While actual numbers vary across the country, most liquor ban breaches appear to be resolved without arrest.

Targeting

While liquor bans are said to apply to everyone, they are often perceived as primarily interested in eliminating public drinking where it contributes to 'trouble'. Alongside this, and intertwined with it, are reports of liquor ban expectations, such as:

“The days of drunken troublemaking teens ended yesterday with Tauranga’s new liquor ban coming into force.”

(*The Daily Post*, 27 June 2003)

Notwithstanding that most public drinking is done by young people, numerous press articles indicate that liquor bans are used to disperse groups of young people congregating in public, regardless of whether they are consuming alcohol in public. Liquor bans seem only to have encouraged more subversive drinking habits among the few young people quoted in the source material, but there is room for more research on the issues surrounding this group and liquor bans.

Intoxication and alcohol misuse

There appears to be a limited understanding, especially among the wider public, that liquor bans cannot directly address intoxication or alcohol misuse.

Displacement

Displacement is acknowledged in the evaluations and reported in several locations across the country. Issues of displacement have been key reasons for applying to extend liquor ban boundaries, although the effectiveness has been also questioned in some areas.

Induction into the legal system

The Police acknowledge that liquor bans have been responsible for introducing otherwise law-abiding people into the formal justice system. The number of convictions more than tripled between 2000 and 2002, and by 2002 more than half of these were first convictions.

Measures of effectiveness

There is little international evidence on the effectiveness of alcohol bans.

In New Zealand, Police data is the most commonly used measure of effectiveness, but there are issues relating to the data source, what is and is not included, and Police discretion. Data can also be skewed by the use of targeted operations, the style of policing and the increased Police presence following the implementation of most liquor bans. These limitations do not appear to be well documented or publicised.

Other data-gathering methods used in the evaluations included interviews, surveys and observations. These achieved varying success, so it may be worth developing a guide to these methods to promote best evaluation practice and ensure reliable, accurate and comparable data.

Sustainability

Despite positive indications from the Police about the validity of enforcing liquor bans, the sustainability of concentrating Police resources in liquor ban areas is uncertain.

Apart from in Wellington, there is no evidence of future planning, although that does not mean it has not happened. However, sustainability is an issue in areas that support others considered to be higher priorities. For example, it is not uncommon for Police from adjacent areas to help enforce liquor bans; this can be expected to increase with the increasing scope and number of bans.

CONCLUSION

The literature is not vast and (with a few cautions) is dominated by a Police perspective of the potential of liquor bans to reduce crime and improve safety. However, there are numerous gaps in the rationale and operation, suggesting that this confidence in the liquor ban regime may not be as well placed as the literature suggests.

The evaluations done to date are an important resource, with findings that can be applied positively. They make a valuable contribution to our knowledge on liquor bans.

This review underlines the importance of understanding the complexity of liquor bans. Promoting them as simple, straightforward measures undersells them as a potentially powerful tool in a broader strategy.

OVERVIEW OF LIQUOR BANS IN NEW ZEALAND

1.0 INTRODUCTION

A prolific number of liquor bans were implemented in New Zealand between September 2003 and November 2004.

Out of a total 72 territorial authorities (TAs), 25 had permanent ongoing bans in September 2003 (Akins, 2003). By the end of November 2004, this had increased to at least 40 TA areas operating bylaws for permanent ongoing liquor bans. In addition, 28 TAs had seasonal bans (sometimes in addition to an ongoing ban) and a further 15 TAs were investigating the possibility of implementing liquor bans of some kind. Sixty TAs either had or were considering a liquor ban of some sort (see Chapter 5 for details).

It is important to note that some of these bans were implemented under the Local Government Act (LGA) 1974, while others were developed under the 2002 LGA. Under the new legislation, all liquor bans were required to become bylaws in order to remain in force after 1 July 2004. This research deals with the period before and after this date, so it is important to note there are limitations in comparing liquor bans introduced under the two legislative contexts. For example, from 1 July 2004, the maximum penalty for breaching a bylaw rose from \$500 under the 1974 Act to \$20,000 under the 2002 Act.

This proliferation happened despite a lack of research on and understanding of the causal connection between drinking in public and adverse social consequences. There is very little published on liquor bans in New Zealand or internationally, and what is available has often been written for a specific audience or as a small part of a wider focus (such as Hill, 2004). However, international research indicates that the most effective way to influence drinking practices and reduce alcohol-related harm is by using a combination of strategies related to the physical, social, economic and policy and regulatory environments. Several local researchers (Akins, 2003; Hill, 2004; Kypri, 2003) agree. Liquor bans can be seen as a strategy that impacts primarily at a regulatory level but that can also have a preventive or early intervention role.

As at June 2004, there were only four known evaluations of liquor bans in New Zealand, covering bans in Christchurch (MacGibbon, 2003), Wellington (Wellington City Council (WCC), 2004 Jun), Havelock North (Hart, 2004) and Auckland City (Boerson, 2003a; 2003b). All were essentially outcome/impact evaluations with some assessment of the process included.

Each evaluation covered a different period in the early life of the liquor ban, but all were completed in either 2003 or 2004 (in some cases only to draft form). This means the findings reported are against short-term outcomes, and in the case of Wellington are seen as only the first phase of a longer and larger evaluation process.

Despite starting out with essentially the same objectives, the four evaluations offer a widely differing amount of information about different aspects of liquor bans and to different levels of comprehensiveness. They also used different combinations of methods and different report structures, with some quite difficult to follow.

However, there is a considerable amount of press coverage of liquor bans, at various stages of development and implementation and from several perspectives. While most of this material supports the concept of implementing liquor bans, it includes a limited discussion of some contentious issues. This has resulted in some interesting characteristics, including an unofficial but open targeting of young people as well as operational and philosophical concerns with Police enforcement and practice. While the predominance of young people may not be surprising (they are the most likely sector of the population to be drinking in public places), the media's concern is how bans applied in some areas seem to target young people.

This report draws on each of these sources to develop a picture of the liquor ban situation in New Zealand as at the end of June 2004. However, it is important to note that there are always ongoing developments in liquor bans, and this report is constrained to information from a limited set of source material.

1.1 HISTORY

TAs have been able to impose liquor bans since 1974, but most have been developed since amendments to the LGA in 2002.

Historically, the bans were developed in response to community concerns about alcohol-related disorder (for example, see Conway, 1998). These concerns increased in some communities with the liberalisation of drinking laws from the early 1980s, including the lowering of the purchase age to 18 in late 1999 and the growing incidence of drinking in public places (especially by young people).

Responses to these concerns tended to involve a team approach, including the TA, the Police, residents, business people and sometimes health agencies and various sector groups. Under the 1974 LGA, evidence that liquor was contributing to offences in a proposed ban area was a prerequisite, so the Police were always key stakeholders. Conway (2002) also describes how the Police credited these early bans with reducing alcohol-related disorders, violence and other crime, contributing to legislative changes to the LGA in 2002. This has enabled TAs to implement permanent ongoing liquor bans in specified areas and implement further bans simply by giving 14 days' notice to the public.

Changes to the LGA in 2002 have also seen a shift in the drive for liquor bans from communities to TAs and the Police. Although still described as a partnership in most areas, the roles are more prescribed as a bylaw. Ban operations are solely a policing issue and therefore reflect policing priorities, with the Police often requesting and driving the development process.

Although there are exceptions, other stakeholders appear much less actively involved. However, some areas have developed a broader approach including community watches, liquor policies and safety strategies (in Auckland, Hamilton and Wellington for example, see Webb et al 2004; *Waikato Times*, 6 October 2003; WCC, 2004 Jun).

1.2 STRUCTURE AND OPERATION

Largely owing to legal requirements, the procedures for implementing liquor bans appear similar across the country, although there may have been initial differences in bans developed under the LGA 1974 as opposed to those under the LGA 2002. Today, all TAs must follow the same procedures to establish liquor ban bylaws, with the development process often including:

- the formation of a partnership or stakeholder group to develop the content (although this is sometimes developed within the TA and sent to stakeholders for comment)
- publicity and awareness raising exercises (TA)
- signage (TA)
- various levels of agreement by the Police to enforce the ban (implied, expected and formal).

The LGA 2002 provides for a great deal of flexibility in the detailed structure of each local ban. This has resulted in broad similarities in the rationales and roles of participants but wide variations in applicable ban times and enforcement procedures. The areas with significant differences are highlighted below.

1.2.1 Geographic and temporal boundaries

Liquor bans are commonly in the central area of a town or city, but also include other popular gathering places such as beaches and parks. In some areas the liquor ban bylaw continues a ban initially imposed for seasonal or event-related reasons.

Some areas have never had a liquor ban but, owing to the apparent success of those in other areas, members of the public have lobbied for bylaws in their areas as well. In some cases the bylaw process has acted as a review of an existing liquor ban, and resulted in extended geographical areas and changed hours of operation. The information reviewed had no evidence of liquor bans being removed or consolidated as part of the bylaw process, although several areas where members of the public requested bans (for example, see *Manukau Courier*, 27 February 2004) were not included in the final specified liquor ban areas. Many areas also have provisions to cover public holidays or for imposing additional bans by giving the public 14 days' notice.

Most liquor bans focused initially on 'peak' (weekend) times of the week. However, reflecting local conditions, the timing of liquor bans across the country differs widely. Some apply from Wednesday while others start on Thursday or even Friday. Many finish on Sunday morning but others last until Monday. Some areas have no exceptions during that time (for example, Otara: Friday 9am to Sunday 7am), while many cover a specific time each day for several days. This might be for Wednesday to Sunday from 8pm to 6am the following day (Napier) or for Thursday to Saturday from 7pm to 7am the following day (Nelson) or for Friday and Saturday from 10pm to 7am the following day (Mangere Town Centre). In Wellington the hours change with the season and this is proposed in Nelson (see Chapter 5).

'Blanket' liquor bans are increasingly being applied '24/7' (that is, for every hour of every day) but numerous 'weekend' bans with widely differing time periods still operate. In extending its ban to 24/7, Mount Maunganui (*Bay of Plenty Times*, 18 February 2004) cited ongoing limited compliance among young people, but consistency and certainty, along with ease of understanding and enforcement, are

the more commonly cited reasons. Requests for extensions are often at the behest of the Police, despite acknowledgement that there will be times when they are 'redundant' (*Otago Daily Times*, 2 March 2004).

“Councils across the country seem to be adopting the 24/7 approach to give certainty to both the police and the public.”

(*Wanganui Chronicle*, 13 March 2004)

In Hamilton however, a city official felt that a 24/7 ban “would not meet requirements that a bylaw must focus on the specific problem it addresses” (*Waikato This Week*, 18 September 2003).

1.2.2 Complementary strategies

Hommel et al (2001) believe that the greatest gains in reducing alcohol harm are most likely to be achieved if prevention strategies are combined with active Police enforcement (cited in Webb et al, 2004). However, despite stakeholder recognition that liquor bans are no 'silver bullet', the evaluations and much of the press tend to portray liquor bans as a simple, lone strategy.

In fact, liquor bans are linked with a number of other strategies in several parts of the country, but whether this is part of a planned approach is unclear. Reported supporting strategies include:

- monitoring and enforcing the operation of licensed premises
- instigating private or community security patrols including closed-circuit television (CCTV)
- increasing commercial activity
- improved lighting
- a higher Police presence, as well as targeted Police operations.

In other initiatives, a curfew for young people was suggested in Feilding (*Feilding Herald*, 15 April 2004) and a drinking permit was considered in Nelson (*The Nelson Mail*, 24 September 2003). A number of areas have attempted to work with parents of trouble-making youths.

The source material only occasionally mentioned other potentially complementary strategies. These included:

- improving the management of the surrounding area, including the number, density, concentration and type of licensed premises in the vicinity
- limits to the trading hours and locations of outlets
- limits to the advertising of alcohol and sponsorship by alcohol products
- incorporating 'safety by design' principles.

For example, the Havelock North evaluation acknowledged that an increase in licensed premises and limited enforcement of the ban had encouraged migratory drinking habits and drawn people in from throughout the nearby region, including from Napier and Hastings (Hart, 2004). However, the only areas where liquor bans are reported as part of a wider safety strategy appear to be Auckland, Hamilton and Wellington (see Webb et al, 2004; WCC, 2004 Jun and *Waikato Times*, 6 October 2004). This does not mean other such strategies are not implemented in other areas (some potentially

supportive strategies will be applied under different policies, such as those relating to the sale of liquor), but it does indicate the limited scope under which liquor bans are reported and applied.

In the only media report of the idea of a liquor ban being rejected (in Hanmer Springs, where there are only two Police officers), the TA “sidelined” a liquor ban in preference to “beefing up security and a community watch” (*The Northern Outlook*, 2 August 2003). There were no reports describing how, or if, this strategy had worked.

Generally, liquor bans are reported as a relatively simple strategy relying only on Police enforcement to have a positive effect. Even in areas where they work alongside other strategies, these attract little attention from the press and were not included in any of the evaluations. Complementary strategies tend to be those that enable the liquor ban to be implemented as smoothly as possible or that complement the goals of crime reduction and improved perceptions of safety.

1.2.3 Partnership approach

While liquor bans are necessarily (under the LGA 2002) a partnership between Police and the TA, other stakeholders (such as business people, local residents, health workers and members of a local alcohol accord) are often actively involved. The level and stage of their involvement vary between regions and are often unclear. For example, public involvement via submissions saw more than 300 submissions made in Manukau City and 18 in Invercargill but only one in Waimakariri (*Howick and Pakuranga Times*, 19 February 2004; *The Southland Times*, 24 March 2004; *The Northern Outlook*, 8 May 2004).

Although TAs enact the bylaw legislation, liquor bans clearly depend on policing commitment and are more commonly portrayed, and understood, as a Police strategy than a TA strategy. This is most likely because the Police are the visible implementation force, but TAs retain a level of control over how the bylaws are implemented through their relationships with the Police as well as having the power to ultimately revoke the bylaw. It is also a legal requirement for liquor ban bylaws to be reviewed every five years.

1.3 RATIONALE

Controls over drinking in public places stem from an understanding that poorly controlled drinking environments are one of many factors that can influence exposure to alcohol-related harm (Webb et al, 2004).

TAs and the Police have embraced the notion of alcohol bans as a “response to problematic drinking behaviour”, to “maintain a safe environment” and “because the police were concerned at the high number of disorder/assault offences” (Webb et al, 2004). Liquor bans are therefore interpreted as one of the tools in alcohol harm reduction in that they address one of the factors that can contribute to increased risk of alcohol-related harm: the uncontrolled drinking environment, in this case the public place.

The reported rationale for liquor bans is largely consistent across the country and includes addressing issues of inappropriate, annoying and offensive behaviour, noise, vandalism and littering as well as reducing disorder, property damage, assaults and other crime and being seen to take measurable steps

to improve safety. Other reasons and aims include issues with the image of the area, quality of life, managing groups of young people, and the community making a stand together. Still more are increasing the effectiveness of the Police, supporting Police efforts, sending a message about standards of behaviour and appropriate activities and targeting the sector of the population that is most responsible for the “loutish behaviour and vandalism” (*The Press*, 17 February 2004).

Intoxication is sometimes the primary issue, but there appears to be a limited understanding in the source material that liquor bans cannot directly address this issue. For example, it is not uncommon for a press article to imply or even state that implementing a liquor ban will have a dramatic positive effect in the applicable area:

“The days of drunken troublemaking teens ended yesterday with Tauranga’s new liquor ban coming into force.”

(*The Daily Post*, 27 June 2003)

In fact, the media’s most commonly stated reason for a liquor ban is targeting resources to manage alcohol and young people (see 4.2.1) and creating a “proactive approach” to controlling youth behaviour (*Gulf News*, 31 October 2003). Most key stakeholders endorse using liquor bans in a proactive way, whereby the Police gain “extra leverage” (Webb, 23 August 2004, personal communication) to “nip trouble in the bud” (Webb et al, 2004) as well as reducing public drinking through publicity about the bans. Although predominantly a regulatory strategy, in this way liquor bans can be seen as a harm-prevention or early-intervention measure, even though they do not have a mandate to work towards reducing alcohol-related harm beyond that of crime and nuisance.

“It’s a harm prevention measure. It stops crime before the damage is done.”

(City councillor, *The Press*, 24 March 2004)

1.4 AWARENESS AND SUPPORT

The Police are vocal supporters of liquor bans, crediting them as “a significant tool in ongoing efforts to prevent and reduce alcohol related problems” (Webb et al, 2004). From a Police perspective, liquor bans have a number of positive aspects:

- Liquor ban bylaws have the advantage of simplicity, as they apply to everybody, with no exceptions.
- Liquor bans provide the Police with the power to intervene in a situation before there is trouble.
- Liquor bans introduce a sense of fairness. Previously a person aged 17 or younger consuming alcohol in a public place could be issued with an infringement notice (LIN), whereas an 18-year-old engaged in the same behaviour could not be.
- Proactively enforcing liquor ban bylaws gives the Police a useful way to minimise the serious impact of alcohol-related co-offending and can disrupt “offender convergence settings” (where, in particular, young offenders meet, spend time and identify potential co-offenders).

(see Webb et al, 2004)

Support for liquor bans extends beyond the Police and elected and salaried TA representatives. While there are a few dissenting or questioning voices, business people, property owners, local residents and the general public appear broadly to support liquor bans, even where they have little experience of

them beyond knowing they are in place. In Whakatane, where the liquor ban effectiveness appears to be inconsistent (see *Whakatane Beacon*, 8 October 2003 and 16 April 2004), the mayor is reported as suggesting there were very few things the public and the Police had supported as much as the liquor ban (*Bay of Plenty Times*, 17 October 2003).

The situation is similar in other areas. The Wellington Residents' Satisfaction Survey (WCC, 2004 Jun) reported a 78% awareness of the ban and in Auckland, the principal reasons for supporting the liquor ban were that:

- people need to feel safe (25.9%)
- people do not like drunks/people drinking (25%)
- people lose control when they are drinking (19.4%).

(Boerson, 2003a:16)

Arguably, however, this representative group of Auckland city residents (from a telephone survey) was more concerned about drinking and the consequences of intoxication for public safety than they were about criminal activity.

Other communities have similar reasons for support, such as:

- the ideal of a safer community at night
- reinforcing a moral message that drunken behaviour in the street is not tolerated
- keeping underage drinkers off the street
- reducing alcohol-related disorderly behaviour and noise
- reducing loitering outside liquor outlets and pubs
- reducing vandalism
- reducing litter.

However, when surveyed, young people tend not to support liquor bans and to report feeling no safer once a ban is in place than before. Support for liquor bans appears to increase with age and, in some cases, local surveys have allegedly been heavily weighted towards those aged over 40 years (for example, see *The Northern Advocate*, 13 October 2003).

Generally, there appears to be a limited understanding of liquor bans and their potential impact. Although all areas develop signage, advertising and at least the legally required media coverage, there does not appear to be a high awareness of the bans' detail among the wider community or even the businesses and residents located within the affected areas. In some areas there have been calls for bans where there is no evidence of the issues the bans aim to reduce, while others have aims to extend existing bans "across the whole district" or "city-wide" (*The Observer*, 29 February 2004; *The Press*, 8 May 2004), with little thought for either resourcing or effectiveness.

Other frequently cited reasons for supporting liquor bans include dealing with disorderly behaviour in and around bars, reducing congregations of young people and reducing or preventing intoxication, even though liquor bans cannot deal directly with these issues. Calls for a liquor ban are also not uncommon

immediately after an incident, particularly events, in a public place where drinking alcohol or intoxication was a factor (for example, *The Greymouth Evening Star*, 10 February 2004).

The idea of a liquor ban as a 'silver bullet' appears to have taken hold among members of the public in various locations. This is perhaps not surprising given that much of the reporting quotes high-profile and respected members of the community, and is often supported by data from Police sources. However, this support often appears relatively uninformed.

1.5 KEY ISSUES

Most the concerns in the source material focused on the operation or implementation of liquor bans. Other issues raised related to the legislation itself, such as its potential for contravening the Bill of Rights (*The Oamaru Mail*, 3 September 2003; *The Nelson Mail*, 24 September 2003; *The Northland Age*, 15 April 2004; *The Press*, 5 May 2004), and several sources noted concerns that 'blanket bans' on public drinking avoided the underlying issues of excessive drinking and/or unruly behaviour (partly at least because of the legislative focus).

1.5.1 Young people and target groups

Alcohol consumption in New Zealand, as elsewhere, is disproportionately concentrated in the young, with drinking to the point of intoxication most common in the younger age groups.

Research also indicates that problematic behaviour may be most common among young people, and that young people favour public areas as drinking locations. This appears to have increased since the purchase age was lowered to 18 in 1999 (Akins, 2003). It is not surprising that the data for breaches of liquor bans shows a predominance of young people; what is surprising is the regularity of press reports where liquor ban bylaws are justified as a tool to "target youths who are drinking to excess" (*Porirua News*, 15 October 2003) or "to overcome a problem with teenage drinking in the town" (*Katikati Advertiser*, 30 March 2004).

In many places, both the TAs and the Police make it clear that the target group for liquor bans is not those having a "quiet picnic with a glass of wine" (for example, *Manukau Courier*, 10 July 2003; *Capital Times*, 27 August 2003; *Horowhenua-Kapiti Chronicle*, 19 September 2003; *Hawke's Bay Today*, 20 November 2003; *Porirua News*, 15 October 2003; *Kapi-Mana News*, 6 January 2004; *Eastern Bay News*, 15 April 2004).

Even when liquor ban proponents are not as public about targeting young people, the target population, as characterised in the media, are those public drinkers who cause trouble or are likely victims. In many press articles there is an implicit or linked connection between young people and 'undesirables'.

"The liquor ban is to combat hooliganism and kids getting out of control."

(Kapiti Mana police area controller, *Kapi-Mana News*, 1 July 2003)

In fact, 'trouble' often seems to be more of an issue than drinking in public, although intoxication and its location are frequently identified contributing factors. While 'reducing trouble' is a fair and reasonable aim of any strategy, the issue is more whether liquor bans are the most appropriate or even effective way of achieving it. While liquor bans can potentially stop drinking in public places, they cannot stop

intoxication. Is it intoxication or public drinking that spurs the 'hooliganism'? Can they be separated? Can liquor bans be successful without strategies that address intoxication, particularly among young people?

The few young people reported in clippings and evaluations say that liquor bans won't stop them drinking in public anyway. Although they might choose other areas in which to drink, they also have strategies to conceal their alcohol and intend to continue drinking to get drunk (*West Coast Times*, 28 July 2003; *The Northern Advocate*, 13 October 2003; MacGibbon, 2003).

As mentioned previously, young people tend not to feel any safer after a liquor ban implementation and also believe that bans do not address the real issue, which, to some of them at least, is "violent youths in town" (*The Northern Advocate*, 13 October 2003). However, information from young people in the source material is extremely limited and cannot be used to make generalised statements. There is room for more research among young people on issues related to liquor bans and their potential impact on drinking behaviour among youth.

1.5.2 Role of the Police

Liquor bans are designed by law to be enforced by the Police, and the Police play an integral part in their operation and perceived success.

The Police do not have a mandate to seek to address the underlying causes of alcohol-related harm; they focus on reducing crime and undesirable alcohol-related behaviours. This means liquor bans have a similar focus, although they are also seen as a proactive Police tool so can be interpreted as an early intervention.

At the time of writing there was no nationally consistent policing approach and the enforcement style appears to vary throughout the country. This is understandable given that ban enforcement is affected by local conditions as well as the ban's nature, how long it has been operational and the amount of Police resources available. However, it makes it difficult to compare locations and can influence the outcomes or 'success'.

The source material raises five main issues in relation to the role of the Police:

1. The use of different enforcement procedures in different areas, causing confusion among members of the public.
2. A lack of enforcement leading to a 'disregard' for the law, as public drinkers feel there is limited likelihood of their being apprehended (perhaps not dissimilar to speeding laws).
3. The Police use of discretion, potentially turning a 'blind eye' to the wine and beer at a family picnic but not to the same beverages being consumed by a group of young people.
4. The use of targeted operations within a liquor ban area affecting 'results'.
5. The use of Police-supplied statistics to both prove the need for a ban and evaluate its success.

In some areas the presence of Police in the liquor ban areas was felt to be lacking (see 4.5.2). In others the mode of policing, such as by vehicle rather than on foot, or the use of Police discretion raised questions and affected the perceived effectiveness of the liquor ban (for example, see Hart, 2004). At

times it appears the partners did not always clarify effectively the roles, procedures and resource commitment necessary for adequate enforcement.

Each location of the evaluated bans had an introductory period where the policing was more informative than enforcement oriented. However, this 'educational' approach varied significantly between areas. In Auckland the Police role in "the first weeks" of the ban was primarily educational (Boerson, 2003a:17), while Christchurch's "educational" period was the first three months (MacGibbon, 2003:3). In Havelock North the entire pre-evaluation period (of more than a year) is considered to have involved an "educative approach" by the Police (Hart, 2004:vii-viii).

Under the LGA 2002, the Police must give people breaching a liquor ban 'reasonable opportunity' to comply with the ban before they can be searched or arrested. Even so, the Police have a 'zero tolerance' attitude in several locations, including Whakatane, Tauranga, Mount Maunganui, Gisborne and Rotorua (*Bay of Plenty Times*, 17 October 2003 and 18 February 2004; *Gisborne Herald*, 27 February 2004; *The Daily Post*, 17 February 2004). This usually follows an educational period but often seems more a response to continued non-compliance. In several areas people have been arrested despite having allegedly complied with Police requests to dispose of their alcohol (for example, see *The Daily Post*, 17 February 2004).

The use of existing Police powers is also raised in other contexts, as several pieces of legislation enable them to deal with alcohol-related behaviour and crime. However, liquor bans enable them to stop, and potentially prevent, alcohol consumption in public places. This is seen as proactive policing and is, in turn, linked to a reduction in criminal and nuisance activity and an increased sense of safety, as well as an improved physical environment. However, it is arguable that existing powers could do this equally well, if well resourced and strategically applied.

1.5.3 Sustainability

Despite positive indications from the Police about the validity of enforcing liquor bans, sustaining their resources in liquor ban areas is uncertain.

Apart from in Wellington, the evaluations do not include future planning and implementation issues, so do not address the issue of sustaining such a resource-intensive regime. There is also little evidence of capacity building, in the Police or elsewhere, to plan for sustainability into the future, although that may be addressed in other contexts.

Issues of sustainability, or the lack of it, are already apparent in some areas. For example, the Havelock North Police provide the most immediate support for the Hastings Police, who are considered under-resourced and in a higher-priority area. This has been the chief reason for under-enforcing the Havelock North liquor ban (Hart, 2004). Under-resourcing issues have also been reported in the media in Christchurch, Whakatane, Whangarei and Manukau (for example, see *Bay of Plenty Times*, 17 October 2003; *Manukau Courier*, 27 February 2004; *The Northern Advocate*, 20 March 2004; *The Observer*, 25 April 2004; and 4.5.2). It is not uncommon for Police from adjacent districts to be called upon to help enforce liquor bans in many other areas (see Webb et al, 2004, and 4.5.2), and this can only be expected to increase as more locations impose 24/7 liquor bans and the coverage areas increase.

1.5.4 Displacement

In some places potential displacement, particularly of intoxicated young people but also of other street drinkers, is a concern. Although stakeholders often refute or downplay it, displacement is acknowledged in each of the evaluations (for example, see WCC, 2004 Jun). Press reports also describe displacement, in some form, in Christchurch, Wellington, Whangarei, Hamilton, Invercargill, Waimakariri and to areas outside Greymouth (*West Coast Times*, 28 July 2003; *Waikato This Week*, 18 September 2003; *The Northern Advocate*, 6 November 2003; *The Dominion Post*, 31 October 2003; *The Southland Times*, 3 December 2003; *The Press*, 8 May 2004).

While the same issues that prompted liquor bans in one area now appear to bother those in others – and that is cause for concern – there is also concern for the public drinkers and their potentially increased risks of gathering in less safe areas, such as unlit parks and reserves, and/or developing less safe drinking practices, such as secretive or speed drinking habits. If liquor bans are indeed prompting such behaviour, it can be argued that, in some contexts, they are working against efforts to reduce and prevent alcohol-related harm in a particularly high-risk sector of the population. While there is hope of some displacement into licensed premises, it is unclear if this is happening or if public drinkers are simply shifting to different, public, locations and then, perhaps, travelling intoxicated to liquor ban areas.

The issue of displacement appears to have been a key reason in applications to extend liquor ban areas, although the effectiveness of this was questioned in several areas (see for example, *The Daily Post*, 19 February 2004).

1.5.5 Democracy of public places and civil liberties

This issue can be related to displacement and involves liquor bans potentially disenfranchising particular segments of society.

For example, adult street drinkers and young people may be forced into surrounding areas where they can legally drink in public but where they may cause other disruptions (for example if they move to a residential neighbourhood) or further compromise their own safety (see 1.5.4).

A further sensitivity relates to the Police being potentially discriminatory in their use of discretion. This extends to the reported intention of 'positive' discrimination towards those drinking quietly in a family situation (for example, *Manukau Courier*, 10 July 2003; *Capital Times*, 27 August 2003; *Horowhenua-Kapiti Chronicle*, 19 September 2003; *Hawke's Bay Today*, 20 November 2003; *Porirua News*, 15 October 2003; *Kapi-Mana News*, 6 January 2004; *Eastern Bay News*, 15 April 2004).

According to the Police, however, those caught breaching a liquor ban tend to be more concerned with the loss of their alcohol than any infringement of civil liberties (Boerson, 2003a).

1.5.6 Induction into the legal system

Liquor bans are acknowledged to have been responsible for introducing otherwise law-abiding people (and predominantly young people) to the formal justice system.

The number of convictions for breaching liquor bans more than tripled between 2000 and 2002 (from 307 in 2000 to 1036 in 2002 and, provisionally, 3915 in 2003) and by 2002 over half were as first

offences. Most people convicted for breaching liquor bans were aged between 18 and 24 and most were male. 'NZ European' and 'Maori' were the most common ethnic groups, with Maori featuring at a higher rate than their representation in the wider population. This is a recognised concern in the Police and is being monitored by the Officer of the Commissioner (Webb et al, 2004).

1.5.7 Intoxication and alcohol abuse

The media feature many examples of intoxication being a primary reason for enacting a liquor ban bylaw.

“They’re fine when they are not drunk, but when they get out of it they just want to smash things up.”

(Business owner, *The Observer*, 29 February 2004)

It is commonly accepted that bans are a coercive strategy and can reduce the incidence of drunkenness. However, there is little acknowledgement in the press, or in the literature or evaluations, of bans’ limitations in dealing with the issue of intoxication. Likewise, strategies for reducing intoxication are not explored and are seemingly not connected to liquor ban regimes.

1.6 EFFECTIVENESS MEASURES

Despite alcohol bans being widespread internationally, there is very little scientific evidence for their effectiveness in successfully achieving their goals, partly because there is very little research.¹

Even so, Akins (2003) believes there is international support through numerous studies that “a directed alcohol regulation plan” can be effective in reducing alcohol-related crime and disorder in a confined public area, when backed sufficiently by Police. However, he also states that it is important to have realistic expectations of alcohol bans – that is, that some rowdy or aggressive drunken behaviour will be moderated or possibly eliminated, while consumption in public might simply be done more discreetly or even be displaced.

1.6.1 Police data

Police data is the most commonly used measure of liquor ban effectiveness. This raises several concerns and the Police advise that, to avoid comparing apples with oranges, anyone evaluating the effectiveness of a liquor ban bylaw should seek their guidance on the uses and interpretation of data sets they manage. This is because:

- the several data sources available from the Police are used for different policing purposes, so all return significantly different results. The sources include communications centres (CARD), calls for service, the Police Unit Log, the National Intelligence Application (NIA) and recorded offences and arrests
- evaluators can count offences reported to the Police, recorded offences, arrests (where an offender is identified, but of course not all offences are solved), incidents and infringements. It is not always clear which system is being used or what is, or is not, being counted

¹ Akins (2003) is a comprehensive literature search where every effort has been made to ensure it is “exhaustive”, yet he still describes “the paucity of information on this topic worldwide” as “pronounced” (p26).

- it may be unclear which specific 'offence' codes are being used for categories such as disorder. The offence levels range from group level to specific offences and several offence types could be regarded as forms of disorder, as could events recorded as incidents
- whether an event is an offence, an incident or an infringement can at times depend on Police discretion. Attending officers also have several options when dealing with an offender, some of which depend on the age of the individual apprehended. These range from not taking any official action to arresting a person using one of several applicable pieces of legislation, including the liquor ban bylaw.

Policing area boundaries are not always aligned to those of liquor bans and the priorities and practice of policing, such as taking an 'educational' or 'zero tolerance' approach or simply having a higher Police presence in the area, can significantly influence the data. Some area commanders have used liquor bans to target areas in the vicinity of licensed premises, especially in the early morning hours, which are traditionally hot-spots for alcohol-related crime and disorder, including violent crime (see Webb et al, 2004). This makes Police data for the area highly sensitive to policing priorities, practices and reporting, so it should be used for planning and measurement with caution. Webb et al (2004) acknowledge that Police discretion can have a "profound effect on the success or otherwise" of a liquor ban.

Without consistently using the same Police data source (with limitations explained), its accuracy and usefulness for measuring the effectiveness or 'success' of liquor bans can be misleading. With a wide range of Police data available, those using it for this purpose should be clear in identifying the type of data being used and ensure they only compare data from the same source. An 'alcohol module' designed to keep tabs on alcohol-related crime is incorporated in the NIA, the system that replaced the older Law Enforcement System (LES) from June 2005.

The press reports viewed do not acknowledge any limitations in using Police data. However, the Wellington evaluation does and the Havelock North evaluation does not present any data relating to liquor ban offences owing to a lack of availability (see Chapter 3; WCC, 2004 Jun; Hart, 2004).

1.6.2 Interviews, surveys and observations

The evaluations included one-on-one interviews and surveys to provide further descriptive information and to complement the statistical data. However, with no discussion guide appended, the interview structure is not known. Those interviewed varied between locations and not all were in a liquor ban area during the interview. In addition, not all had even been to the area during ban hours since the ban had begun. This data therefore should be interpreted with caution.

A number of newspapers conducted opinion polls, perhaps reflecting the perceived importance of a potential bylaw and always yielding more supportive than cautionary or negative responses (*Waikato This Week*, 21 August 2003; *Bay of Plenty Times*, 5 January 2004; *The Northern Outlook* 12 May 2004).

Observations were included in the Christchurch, Wellington and Havelock North evaluations, although to varying levels owing to sometimes significant shortcomings in collection methods. However, they provide a potentially valuable assessment method that could be developed further. For example, observers in Havelock North often felt unsafe, in contrast to the majority of general population survey

responses; this suggests that many of those surveyed may have had little or no experience of the area during liquor ban hours (see MacGibbon, 2003; Hart, 2004; WCC, 2004 Mar).

1.7 FINDINGS

“If this project is successful it should reduce the incidence of trouble and provide information to answer the two key questions. Is there a visible difference? Is the community happy?”

(Chair, Waitakere City Council Safer Communities Project and Piha Behaviour Working Party member, cited in Conway, 2002:173)

This quotation highlights ‘trouble’ as a key issue and is supported by numerous articles and quotes from high-level stakeholders throughout the country (see 4.2.1).

Drinking in public is an identified contributing factor, but liquor bans are predominantly interested in eliminating public drinking where it contributes to trouble. This includes criminal and nuisance activity as well as property damage, litter and broken glass. While crime reduction and improved perceptions of safety within liquor ban areas are commonly reported as measures of success or effectiveness, environmental improvements (such as less vomit and urine in business doorways, less property damage and vandalism, and a ‘real improvement in behaviour’ from those in the area at the time of the ban) can also make a real difference in a community.

Partly because of how liquor bans are established and enforced, the source material has little or no evidence that, in most locations, liquor bans are conceived to contribute to a wider goal of reducing alcohol-related harm beyond trouble and its consequences.

1.7.1 Behaviour

It is not uncommon to see reported improvements in behaviour in liquor ban areas.

Specific activities such as car boot parties appear to have stopped in many areas where they were previously a problem, and intoxication levels appear to have reduced. This is regularly described as a change in culture and attitude, although concerns continue to be voiced about people arriving in liquor ban areas already drunk, as well as leaving licensed premises in the area in an intoxicated state.

An increased Police presence, other security patrols and improved lighting are most often credited with reducing alcohol related harms. As described in 1.6.1, it is impossible to separate these from the coercive effect or enforcement of the liquor ban itself.

1.7.2 Crime and disorder

With Police data being the most popular measure of crime and disorder levels, it requires careful interpretation and can raise more questions than it provides answers. Both increases and decreases in crime and disorder have been reported throughout the country, but Police data continues to be used inconsistently (particularly in terms of source), and there is no consistency in the results demonstrated for improvements in crime and disorder.

1.7.3 Breaches of liquor bans

Judging from the reported arrests for liquor ban breaches, enforcement patterns differ.

In Auckland, breaches resulted in 477 arrests between September 2002 (before the ban began) and July 2003 (Boerson, 2003a), whereas Wellington reported 70 from 21 November 2002 until 23 May 2004 (WCC, 2004 Jun) and Christchurch reported only four arrests in the first three months of its ban (MacGibbon, 2003).

According to Webb et al (2004), Police believe the “overwhelming number” of liquor ban breaches are resolved with a warning or caution. This means the number of prosecutions does not reflect the number of breaches. In many locations, the ratio of warnings to arrests for liquor ban breaches is largely in favour of warnings. Peaks in the data for breaches correlate to other, simultaneous, public events, such as the America’s Cup or the Cuba Street Carnival, and when there were more Police in the area.

1.7.4 Perceptions of safety

The four evaluations are the only sources of this information and all report improved perceptions of safety, from the public as well as most Police and retailers. The reasons focused on a more visible Police presence, personal avoidance of unsafe areas and a stronger security presence. However, it was not always clear if recorded comments were positive or negative, or changes from previous behaviour or not.

In terms of population sector, there were usually little or no reported changes in perceptions of safety among the 18- to 25-year-old-age group, except in Auckland city (for example, see Boerson, 2003a; Hart, 2004). Older people were more likely to report improvements since the ban had been in place, although they may have been less likely to witness the drinking culture in the central business district (CBD) liquor ban area late at night. Younger people often spoke from experience, with their views often reflecting observations of non-compliance (for example, see Hart, 2004). In Auckland, there were also significant differences in perceptions of safety for different areas of the CBD as well as between day and night (Boerson, 2003a).

Despite the reported improvements, it appears there is little public recognition of the connection between liquor bans, or alcohol, and perceptions of safety. In Havelock North, observers frequently reported feeling unsafe at “instances... where alcohol was being consumed” (Hart, 2004:26), suggesting that any improved perception of safety was simply because the ban was in place rather than because of any tangible effect it might be having (Hart, 2004).

1.7.5 Environmental impact

The media and the Auckland and Christchurch evaluations reported a reduction in bottles, cans and broken glass (Boerson, 2003a; MacGibbon, 2003). This is considered a major factor in reducing the severity of fighting in the areas and may also correlate to a reduction in alcohol-related injuries deriving from the liquor ban areas (MacGibbon, 2003; Webb et al, 2004). Litter contractors and Police also believe that vandalism and property damage have reduced (for example, see *Hawke’s Bay Today*, 3 September 2003; Hart, 2004; MacGibbon, 2003).

This is not the case with Havelock North. Surveys and interviews conducted as part of the evaluation showed that cleaning contractors were removing large and increasing amounts of litter, including alcohol beverage bottles, every Saturday and Sunday morning. Vandalism and property damage were also reported as a “common occurrence” with no indication of a reduction since the ban was implemented. However, the liquor ban enforcement was limited at this time (Hart, 2004:33-39).

1.7.6 Costs

The *New Zealand Herald* (2 January 2004) made the only media reference to costs, referring to “expensive”. The CBD liquor ban cost Auckland City Council \$80,000 to implement and maintain for the first nine months, excluding policing costs. Requests for liquor bans have been received for a further 28 locations, although only nine have been prioritised (www.auckland.city.govt.nz, accessed 29 June 2004).

The costs of Havelock North’s ban are “conservatively estimated at over \$60,000” for an unspecified period, with ongoing costs expected to be between \$10,000 and \$15,000 per year plus any review/research expenses (Hart, 2004). The Wellington evaluation states that “there are no financial implications” for Wellington City Council as costs (for publicity and signage) were met from the operating budget (WCC, 2004 Jun). The cost implications for Christchurch are not discussed.

1.8 DISCUSSION

This overview highlights the complexity of liquor bans. Although there is limited information to draw on, it is clear that far from being a simple strategy, the potential impacts of bans, causes for concern and measures of success raise questions that deserve to be taken seriously. While liquor bans are a valid regulatory tool, they have limitations and consequences that are not widely discussed or understood.

More research may begin to address this, and there is room for encouragement and guidance on evaluation methodologies, structure and content as well as broader independent research. There is also a need for reliable and robust measures of success and effectiveness that are agreed to by stakeholders and understood by a wider audience.

The information available to this review suggests that ‘trouble’ is more predominant an issue than drinking in public, with both intoxication and drinking location contributing factors. Liquor bans appear to focus on eliminating public drinking where it contributes to trouble, including criminal and nuisance activity as well as property damage, litter and broken glass. While crime reductions and improved perceptions of safety within liquor ban areas are commonly reported as measures of success or effectiveness, the environmental improvements (such as less vomit and urine in business doorways, less property damage and vandalism, and a “real improvement in behaviour” from those in the area at the time of the ban) can also make a real difference in a community.

Partly because of how liquor bans are established and enforced, the source material had little or no evidence that, in most locations, liquor bans are conceived to contribute to a wider goal of reducing alcohol-related harm beyond trouble and its consequences. The key aims are a reduction in crime and an improvement in safety, and reducing public drinking is one strategy to achieve them.

Indeed, the issue of public drinking appears to be less of a concern in itself than the aims liquor bans are established to achieve. While they are clearly effective for nipping potentially volatile situations in the bud, intoxication appears to be a major factor. How liquor bans deal with this issue may have implications for their longer-term success.

A number of concerns about enforcement have been raised, particularly around Police discretion and how bans are implemented differently in different locations. However, the sustainability of focusing Police resources on liquor bans is not widely discussed: there is no evidence of capacity building, either community or institutional, despite the increased number of bans across the country, increasing coverage areas and longer time periods. However, the issue of resourcing may be addressed elsewhere.

Studies of the licensed premise environment and community action initiatives may offer some lessons. For example, with regard to the licensed premise environment, Kypri (2003:33) writes:

“The research evidence shows impressive effects in relation to improved management of licensed premises, via increases in surveillance by regulatory bodies and police, but these effects dissipate once the intervention ends.”

Where the community is actively involved, Conway (1998 and 2002) shows Police do not have to have an active enforcement role to create safer environments and Homel et al (2001:721) describe formal enforcement as “necessary but not sufficient” for creating a culture of compliance. It has also been shown that community action, with support from regulatory bodies including the Police and TAs, can be effective in reducing alcohol-related harm in and around licensed premises – but that this is complex and often difficult (Homel et al, 2001). In their current form, liquor bans do not seem to reflect this. Equally, there is only isolated evidence of liquor bans being part of any wider strategy. These factors may be just as important for TAs, especially the smaller or more far flung ones, as they are for the Police or communities.

However, while the ideal may be a sustainable, multifaceted approach that incorporates liquor bans as one of a number of strategies, it may not be attainable. It is justifiable and reasonable to implement liquor bans as a proactive strategy to improve public spaces in terms of safety, nuisance, litter and noise as well as reducing criminal offending – but it is important to recognise their limitations, as the structure of bans and bylaws focuses attention onto Police goals and priorities.

These goals and priorities are more attuned to dealing with the results of excessive alcohol consumption than addressing the underlying causes of alcohol-related harm, and therefore focus on reducing symptoms of a much larger issue. There are also very real concerns with the measures used to gauge effectiveness, the operation of some bans and the way bans are portrayed and understood by the public. Transforming liquor bans into valuable tools for reducing wider alcohol-related harms over the medium to long term will require constructive and honest reactions to a variety of challenges as well as an openness to learning from experience.

LITERATURE REVIEW

2.0 INTRODUCTION

This section summarises and analyses the known and available New Zealand literature on alcohol bans, with evaluations analysed separately in Chapter 3. Note there is very little published on alcohol bans in New Zealand, so this literature inevitably draws on international research that is cited where applicable. The literature has also often been written for a specific audience or from a particular perspective, such as the Police, and not all perspectives are represented. Even so, what is available covers a wide range of aspects of liquor bans and highlights some interesting points for discussion.

2.1 BACKGROUND

Policies that limit where alcohol consumption can take place are fairly common throughout the world, including in North America, Western Europe and in cities and towns throughout Australia (see Webb et al, 2004; Akins, 2003 for comprehensive references). This kind of strategy has only become widespread in New Zealand since the LGA 2002, despite TAs having been able to implement liquor bans since 1974.

ALAC (2002) and Conway (2002) describe the liberalisation of drinking laws since the early 1980s, including the lowering of the purchase age to 18 in late 1999, the growing incidence of drinking in public places, alcohol-fuelled street violence, disorder and anti-social behaviour, property damage and noise issues along with an associated diminished sense of personal safety in some areas as an increasing concern in many New Zealand communities. In many places it seemed that a high percentage of these incidents could be geographically bounded, so liquor bans began as a TA response to calls from within the community for bylaws prohibiting the consumption or possession of liquor in defined areas and for defined periods, to prevent or minimise the possibility of troublesome incidents occurring.

These bylaws necessarily involved a team that included the TA and the Police, often with others. Initially they only legally applied for non-consecutive 12-hour periods, but many TAs “ignored or liberally interpreted” the legislation and declared ‘blanket bans’ on alcohol in public places over extended holiday periods (Conway, 2002:172-173 and 176).

Since the legislative change in 2002, TAs have been able to implement permanent ongoing bans in specified areas and have embraced the notion of alcohol bans as a “response to problematic drinking behaviour”, to “maintain a safe environment” and “because the police were concerned at the high number of disorder/assault offences” (Webb et al, 2004). Bylaws have the advantage of simplicity as they apply to everybody, with no exceptions. However, their application or operation is open to interpretation and ‘discretion’, by the Police at least, is actively encouraged.

Since the 2002 legislation, there has been a shift in the drive for liquor bans from communities to TAs and the Police. It seems local communities are now rarely involved beyond the consultation phase; the literature only refers to local community involvement in passing, often as participants in surveys assessing the perceived safety of the area.

2.2 APPROACHES AND GOALS

Homel et al. (2001) believe that the greatest gains in alcohol harm reduction are most likely when prevention strategies are combined with active Police enforcement (cited in Webb et al, 2004). Controls over drinking in public places stem from an understanding that poorly controlled drinking environments are one of many factors that can influence exposure to alcohol-related harm.

The Police are particularly supportive of the liquor ban concept, seeing liquor bans as introducing a sense of fairness regardless of age. Previously a person aged 17 or younger consuming alcohol in a public place could be issued with an infringement notice (LIN), but an 18-year-old engaged in exactly the same behaviour could not. A liquor ban, and any consequence of breaching it, applies to everyone in the area at the time. Of course in non-liquor ban areas, those aged 18 and older can drink in public, while those under 18 can not.

The Police also see that liquor bans can be useful to them because, in proactively enforcing liquor ban bylaws, they can minimise the serious impact of alcohol-related co-offending and can disrupt what Webb et al (2004) describe as “offender convergence settings” (where, in particular young, offenders meet, spend time and identify potential co-offenders). The Police have been extremely proactive in some locations, proposing alcohol bans with supporting Police data from other regions and a promise of enforcement resource. This has gone a long way towards the perceived success of alcohol bans as well as to explaining, to some degree, their proliferation.

However, there is a danger in attempting to ‘import’ a ‘successful’ model without carefully considering the specific local issues and circumstances. The community consultation process involved in passing such a bylaw is designed to underline the fact that liquor bans develop into local solutions to local problems (Webb et al, 2004), but it is unclear if this is in fact the case.

In New Zealand, as elsewhere, liquor bans are usually some sort of a partnership involving the Police and TAs, sometimes with health agencies, the liquor industry and other local businesses involved as well. Other groups, such as Maori Wardens and liquor liaison groups, are also sometimes enrolled. However, it is not common to have members of the wider community involved. In Piha, in Waitakere City where there was significant community involvement, the alcohol ban was described as the “pivot” around which all other strategies revolved (Conway, 1998 and 2002). The ban was a symbol of community control and a statement about community norms and expectations. At Piha, the Police did not have the resources to process offenders so their high-profile presence was largely educational, yet it still had the desired effect (Conway, 2002).

Liquor bans developed under the LGA 2002 have been mainly joint TA and Police enterprises. This may explain their focus on crime reduction and improved perceptions of safety, as well as the use of Police data to primarily plan and measure outcomes. As expressed in Webb et al (2004):

“Largely uncontrolled and unregulated use of alcohol in public places (especially main public thoroughfares and inner city parks) can frustrate local police goals of crime reduction and inner city safety.”

While there is some discussion in the literature of alcohol bans contributing to the prevention and reduction of alcohol-related harm beyond crime, there is little evidence of any attempt to deal with the underlying issues. While crime reduction and community safety are important and valid goals to have, it is important to recognise that liquor bans are largely not attempting to reduce alcohol-related harm on any wider level.

2.3 PLANNING AND APPLICATION

2.3.1 Supporting strategies

The literature is careful to stress that liquor bans are no ‘silver bullet’ (Webb et al, 2004:13):

“... even where liquor bans are seen to be very successful tools in the crime prevention and community safety tool kit they are only that – one piece... in a much larger jigsaw puzzle.”
(Webb et al, 2004:10)

Reinforcing this view are supporting strategies such as:

- patrols by Maori Wardens, ‘Safer City Officers’ or other community groups
- enhanced CCTV coverage
- a car park safety accreditation scheme
- alcohol accords
- several other Police initiatives focusing on improving the analysis and delivery of intelligence and removing ‘at-risk’ young people from the streets
- various Police operations targeting particular hours, or locations, or groups of people (such as young people)
- publicity, promotion and media advocacy.

Little is written about these supporting strategies; they appear largely to enable liquor bans to be implemented as smoothly as possible. That is, they focus on improving safety and reducing criminal activity rather than contributing to addressing alcohol-related harm per se.

Hill (2004:5-6) describes research showing how concentrations of alcohol outlets are linked to increased levels of drink driving and violent crime as well as attracting “socially disinhibited people” (thus creating conditions for other drug use and crime). Likewise, an unkempt area with intoxicated people and signs of drinking such as empty bottles, high levels of local availability and visibility of alcohol have been shown to influence what local people perceive to be ‘norms’ of drinking, and behaviour in the area tends to reflect that (Hill, 2004). However, these factors are not discussed in relation to liquor bans and there is little evidence of supporting strategies that promote moderation, discourage binge drinking or provide alternative activities.

2.3.2. Liquor ban breaches

Police believe the “overwhelming number” of liquor ban breaches are resolved with a warning or caution (Webb et al, 2004:5). This means the number of prosecutions does not reflect the number of breaches. The ratio of warnings to arrests for liquor ban breaches in the Nelson-Bays area has been calculated at 20:1, and only 2% of interactions with the Police and members of the public in the Wellington liquor ban area (from 21 November 2003 to 13 January 2004) resulted in an arrest (Webb et

al, 2004). However, an analysis of the arrest data for breaches nationally highlights a number of patterns:

- The number of convictions is increasing (from 307 in 2000 to 1036 in 2002 and 3915 in 2003) with over half of these as first convictions in 2002.
- Most people convicted for breaching liquor bans were aged between 18 and 24 and most were male.
- 'NZ European' and 'Maori' were the most common ethnic groups, with Maori featuring at a higher rate than their representation in the wider population (Webb et al, 2004).

On the other hand, some area commanders have used liquor bans to target areas in the vicinity of licensed premises, especially in the early morning hours, which are traditionally hot-spots for alcohol-related crime and disorder, including violent crime. This means Police data for the area is highly sensitive to policing priorities, practices and reporting, so should be used with caution for planning and measurement.

2.4 AREAS FOR CONSIDERATION

2.4.1 Young people

As identified in section 1.5.1, drinking to the point of intoxication is most common among the younger age groups and appears to have increased since the purchase age was lowered to 18 in 1999. Public areas are a favoured location (Akins, 2003).

So, to the extent that high levels of alcohol consumption and intoxication are linked to crime and disorder, a public liquor ban may go some way towards attenuating the relationship between alcohol, crime and disorder, or at least tempering problematic behaviour while under the influence (Akins, 2003). However, it may also test the relationship some young people have with the Police, particularly if the Police use of 'discretion' is seen to be prejudiced against young people. Liquor bans have also been implicated in promoting a more secretive, and arguably less healthy, way of drinking among young people and causing the displacement of groups such as young people, who have limited choices of where to spend their free time whether they are drinking or not (for example, see MacGibbon, 2003).

2.4.2 Population or targeted strategies?

In reducing the disease burden of acute alcohol-related harm and its associated costs, including alcohol-related crime and associated safety issues, international research argues that public health interventions should focus more on reducing drinking to intoxication (and binge drinking) than on consumption reductions per se (Stockwell et al, 1996, cited in Kypri, 2003). Akins (2003) questions the validity of implementing a population-wide strategy such as an alcohol ban, when international research also shows that people who drink harmfully or hazardously, or those who have a weekly 'binge' drinking session² are much more likely to engage in criminal or disorderly behaviour than other drinkers,

² Makkai (1998) classified respondents into groups: harmful/hazardous drinkers included those males who consumed five or more drinks on seven days a week, or seven or more drinks on four to six days a week, or more than 12 drinks on two to three days a week. Harmful drinking for women required slightly lower consumption levels, with three or more drinks at least four days a week, or five or more drinks two to three days a week, or more than six drinks twice a week or more. Binge drinkers were defined as males who drank more than seven drinks but once a week at most, and females who drank more than five drinks but once a week at most. Heavy drinkers were those males who drank five or more drinks a week and females who drank more than three drinks a week. Moderate drinkers drank at levels below these and non-drinkers were those that had drunk alcohol at some point but who no longer drink.

including heavy drinkers. As most people do not commit acts of crime or disorder, policy focusing on these drinkers might therefore be more useful than one focusing on the drinking population in general.

2.4.3 Complementary strategies

If liquor ban regimes are incorporated into planning to reduce alcohol-related harm beyond crime and nuisance behaviour, strategies may develop that focus on reducing binge drinking and/or increasing entertainment and activity options in the area. Likewise, if liquor ban regimes become more integrated with licensing and community action strategies, the need to vigorously enforce the ban may diminish.

2.4.4 Policing

As covered in section 1.5.2, enforcement is integral to the role of Police, who focus necessarily on reducing crime and undesirable behaviours associated with alcohol.

At the same time, the Police see the power of arrest as a 'critical feature' of the liquor ban regime, because it allows 'troublemakers' to be removed and alcohol-related problems to be 'nipped in the bud' before they escalate. The power of arrest is also seen as an important tool for controlling crowds at large-scale events, with this aspect of a liquor ban recognised as a strong disincentive to "irresponsible alcohol related behaviour" (Webb et al, 2004).

"Where liquor bans have been most successful there has been high productivity from staff in making offenders accountable for breaches... Where liquor bans have been not so successful, resources have not been available from local staff to back up the intent of the ban. In these cases, the messages the liquor ban are meant to give are not so strong."

(District policing development manager, quoted in Webb et al, 2004:7)

The Police involved with the Piha alcohol ban did not have this power – yet it appears their high visibility, along with other strategies such as promotion and publicity, was enough to enforce the ban there (Conway, 2002). An increase or decrease in offence or incident statistics may simply represent an increase in Police in the area or reflect the style of policing being practised.

2.4.5 Sustainability

It is increasingly accepted that it is advantageous to focus Police resources on high-risk environments, and econometric analyses indicate that the benefits of increased alcohol-related enforcement greatly exceed the costs (Webb et al, 2004). There also appear to be some positive synergies or flow-on effects from liquor bans, such as a reduction in alcohol-related vehicle crashes and injuries. Even so, there is a question about the sustainability of concentrating Police resources in liquor ban areas, along with concerns about displacement and how the 'enforcement net' is concentrated, or not.

There is no evidence in the literature of capacity building, either in the Police or elsewhere, to plan for sustainability into the future. In Piha, sustainability while the problems remained was achieved owing to strong collaborative investment and commitment from all partners (including the local business and residential communities) but even this dwindled as the issues became less prevalent (Conway, 2002).

2.4.6 Displacement

The only New Zealand study exploring displacement centres on the ban at Piha, which was in place before the 2002 legislation and was technically a 12-hour ban but was promoted and perceived as longer term.

The limited survey data “tentatively indicated that the alcohol ban and police presence were not necessarily likely to make young people shun Piha or stop bringing alcohol” but did indicate that people might be more careful where they drank and were less likely to drink in public (Conway, 1998:97-97). Interviews with community leaders concluded there had been no displacement of the alcohol-related problems, but that they had “evaporated or at least come to a temporary halt...” (ibid). While the situation at Piha is very different from that where a liquor ban is an ongoing restriction, the information is important to consider.

2.4.7 Democracy of public places

This can be related to displacement, with arguments that some people, such as adult street drinkers and young people, are more likely than others to be disenfranchised by liquor bans. Liquor bans may force them to move into surrounding areas where they can legally drink in public but may cause other disruptions, for example if they move into a residential neighbourhood.

Another issue may be the way Police exercise their powers of discretion. As Webb et al (2004) write, this has the potential to be turned against, for example, people of particular ethnicities, presentation or age. This has reportedly not been the case in New Zealand, where discretion has been in favour of issuing cautions rather than invoking arrest or removal powers. Webb et al (2004) acknowledge, however, that discretion can have a profound effect on the success or otherwise of an alcohol-free zone.

2.4.8 Induction into the legal system

Liquor bans are acknowledged to have been responsible for introducing otherwise law-abiding people (and predominantly young people) to the formal justice system. With increasing numbers of convictions for liquor ban breaches, it is possible that non-court-based options will be explored in future (Webb et al, 2004)

2.5 EVIDENCE OF EFFECTIVENESS

According to Webb et al (2004) international research shows that limiting the availability of alcohol in public places has been effective in preventing or reducing the prevalence of alcohol-related problems. However, Akins (2003:26) describes this research as extremely limited, noting that in 2000 Wagenaar and Toomey found “no research evaluations at all” for the restriction of public alcohol consumption. The limited information that does exist is often site-specific, such as that within Aboriginal communities in Australia or between college campuses in the United States and, as such, is not always comparable with situations in New Zealand.

Even so, Akins (2003:24) believes there is international support through numerous studies that “a directed alcohol regulation plan” can be effective in reducing alcohol-related crime and disorder in a confined public area, when backed sufficiently by Police. However, he also states that it is important to have realistic expectations of alcohol bans – that is, that some rowdy or aggressive drunken behaviour

may be moderated or possibly eliminated, while consumption in public might simply be done more discreetly or even be 'displaced'.

How 'success' is measured is also important. The literature commonly uses Police statistics as the primary measure of success, but this raises several concerns:

- There are different sources of data; some include duplicates, not all distinguish between reported offences (which include reports where, on investigation, it was decided no offence had actually happened) and recorded offences or incidents and infringements, and not all are comparable.³
- Police discretion once again plays a part; an event with a person who is drunk might be recorded as an incident (drunk taken into custody) or an offence (disorderly behaviour).
- Things change over time; for example, what was once an offence can become an infringement. It is therefore difficult to ensure Police data is consistent and comparable over time and between districts.

The priorities and practice of policing can also significantly influence the primary measurement of the success and effectiveness of liquor bans. In any assessment of a liquor ban, Police data should be considered in the context of an increase in Police resources in the area and the direction Police staff may have had, such as taking more of an 'educational' or 'proactive' role than providing regulatory enforcement.

Police numbers will affect offence numbers, as will their handling of an event and their discretion. Inappropriate conduct could result in a charge of disorderly behaviour, an offence, or a journey to the cells to sleep off intoxication, an incident. Someone in breach may be charged with another offence, depending on their behaviour or the activity in which they are engaged – for example, a person breaching a liquor ban may be charged with a more serious offence, such as assault, without mention of the breach.

While reducing crime and improving perceptions of safety within liquor ban areas are commonly reported measures of success or effectiveness, environmental improvements can be just as important, such as less vomit and urine in business doorways and less property damage and vandalism, and a real improvement in behaviour from those in the area at the time of the ban.

"If this project is successful it should reduce the incidence of trouble and provide information to answer the two key questions. Is there a visible difference? Is the community happy?"

(Chair, Waitakere City Council Safer Communities Project and Piha Behaviour Working Party member, cited in Conway, 2002:173)

³ Provisional Police statistics are up to date but they are cumulative and offences are entered retrospectively for the month in which they occurred, not the month in which they were reported. Consequently, the number of offences increases with passing time, so a comparison of one time period with an earlier one from this source is not a valid measure. Official Police statistics are 'snapshots' taken at identical times each year, so months in an official year can be usefully compared with similar months in previous official years, but there is a delay in statistics becoming available, and offences reported after the cut-off date are not captured.

2.6 DISCUSSION

For all the (limited) research on effectiveness, liquor bans may or may not reduce the number of people under the influence of alcohol in the inner city. However, they do allow the Police to stop people drinking in public places and thus circumvent unruly behaviour.

Although liquor bans are often implemented in conjunction with complementary strategies, their primary focus is reducing crime and improving safety; on eliminating public drinking only where it contributes to 'trouble'.

This raises several questions. Why impose a population-wide strategy if just a sector is being targeted? If 'trouble' is the issue, are liquor bans the most appropriate solution? Is the issue of public drinking really the concern, or is it simply an issue that can appear to be relatively easily addressed?

The literature does not discuss how liquor bans might complement existing Police powers, nor does it address the sustainability of the regime, particularly in the application of Police resources. Apart from Conway (1998 and 2002), there appears to be no discussion in the New Zealand literature on the potential for inter-sectoral community approaches.

While this may be a symptom of the early stage of liquor ban development, it also highlights the need for more local research and understanding. An assessment of the impacts of liquor bans would be useful in identifying consistencies and anomalies between locations and Akins (2003) includes a suggested evaluation structure. There are also emerging demographic patterns in those convicted of breaching liquor bans, and research of the 'target group' might be useful in ascertaining effectiveness and impact. It might also be worth comparing the various alcohol strategies TAs are developing to see how liquor bans fit into the management of alcohol-related issues in different areas. It would also be valuable to develop consistency in the use of effectiveness measures, particularly Police data.

The literature is not vast and is primarily from a Police perspective, which (although including a few cautions) covers liquor bans' potential to reduce crime and improve safety. There are numerous gaps in rationale and operation, suggesting that such confidence in a liquor ban regime may not be as well placed as suggested.

COLLATION OF LIQUOR BAN EVALUATIONS

3.0 INTRODUCTION

This collation is only concerned with evaluations of permanent liquor bans, not those that are seasonal or event-oriented.

There have been few formal evaluations of liquor bans in New Zealand. Those included here are all those known and completed as at June 2004 – relating to liquor bans in Christchurch (MacGibbon, 2003), Wellington (WCC, 2004 Mar and 2004 Jun), Havelock North (Hart, 2004) and Auckland City (three documents: Auckland City Council, undated; Auckland City Council, 2003; and Boerson, 2003a). Three of these liquor bans were enacted under the LGA 1974 and one (Wellington) was enacted under the 2002 legislation. Each evaluation covers a different period in the early life of the liquor ban, but all were completed in either 2003 or 2004. This means the findings reported are against short-term outcomes.

3.1 EVALUATION METHODOLOGIES

3.1.1 Purpose of the evaluations

The purpose for evaluating each liquor ban was to assess its effectiveness. The evaluations are therefore largely outcome or impact oriented, although each contains detail on the process of developing, implementing and enforcing the ban. They also examine the appropriateness of liquor bans, but this is most often related to expanding the concept to other areas, and include outlines and analyses of the progress of the various bans to date.

Each area was also looking for indicators to determine whether the liquor ban was an appropriate tool for managing public alcohol consumption there.

3.1.2 Aims of the evaluations

Although not every report states the evaluation aims, the main aims appear to be consistently related to ascertaining the bans' effectiveness in achieving a reduction in crime within the area and an increase in perceptions of safety. The evaluations also sought to address or explore some or all of seven issues:

- Managing alcohol-related behaviour.
- Public awareness of and support for the use of liquor bans.
- The 'reasonableness' of the ban and of Police enforcement.
- 'Displacement' and limitations of the ban.
- The 'social impacts' of the ban.
- Whether other initiatives have also had an impact.
- The cost of implementing the ban.

The report from Wellington also attempted "to identify any early problems or issues with implementation and enforcement of the bylaw for use by the Council and Police to improve the bylaw programme" (WCC, 2004 Jun:5). Havelock North (Hart, 2004) expected the evaluation to help with decisions relating to continuing the ban beyond June 2004, extending its boundaries and whether bans should apply to

other communities within the Hastings district. Auckland (Boerson, 2003a) was also interested in advice on extending the boundaries of the existing ban and applying bans in other areas of the city.

3.1.3 Approaches for the evaluations

Of the four bans evaluated, it is only clear that Havelock North and Christchurch were evaluated externally, which creates a potential concern about objectivity. It is also clear that the reports were prepared for the TAs' use and consider particularly the local body perspective. That is, there is no real attempt to evaluate the potential impacts of the liquor ban on alcohol-related harm beyond the implication of alcohol as a factor in criminal activity and affecting public perceptions of safety.

There is no consistent approach among the evaluations, although there are similarities. All used some kind of a multi-method approach, including both qualitative and quantitative information, with strategies including:

- literature reviews, including searches of media reports, and analysis (Havelock North, Wellington)
- key informant interviews (all)
- focus groups and public meetings to discuss the ban (Havelock North)
- some or all of: questionnaires via the newspaper, cold-call street interviews and/or telephone or online surveys (Havelock North, to a lesser degree Auckland, Christchurch)
- examination of Police statistics on offending and, where applicable, use of Last Drink Survey (LDS) data (all)
- observational surveys both within and outside the liquor ban area (Christchurch) and observations made by a contracted security firm in Havelock North
- a review of security patrol incidents and CCTV footage (Havelock North).

Each area's evaluation involved at least some of: members of the public, residents, retailers, businesses, Police and stakeholders in the liquor ban as well as people working in related areas, such as youth workers and street cleaners. Both Wellington (WCC, 2004 Jun) and Havelock North (Hart, 2004) included detailed document reviews and Havelock North appears to have the most comprehensive mix of methodological strategies and measures.

The evaluations were all completed at different stages in the life of the local liquor ban. In Wellington, the evaluation process was planned in two phases. The report included here involves the first phase, a 'progress report' covering the first six months. Phase two will involve monitoring the short- and intermediate-term outcomes identified in the framework, with an interim report in November 2004 and a final report in December 2005. This strategic framework makes the focus of the Wellington report significantly different from those of the others, as can be seen in the key findings and recommendations (WCC, 2004 Jun).

Havelock North appears to have also recognised the need for ongoing monitoring and review, but it is unclear if there is any planned strategy for this. Its evaluation was conducted approximately 14 months after the ban's inception and covers about three months until February 2004 (Hart, 2004).

The Auckland evaluation was concerned with the first nine months of implementation, until May 2003. Christchurch's evaluation period is not clear: the report states that "This evaluation was carried out

three months after the liquor ban was introduced...” (MacGibbon, 2003:16). However, statistical data is for January to March 2003 (inclusive) and interviews were carried out in May and June 2003, so it appears to cover the first six months.

3.1.4 Measures

Each of the evaluated bans assessed effectiveness using Police data in some form. Wellington’s was the only report to supply detailed information on the Police data source.

Wellington used the CARD database because it was the only one to distinguish the locations of offences. However, this database uses broader codes that make it impossible to factor out offences unlikely to be related to public alcohol consumption. Information about liquor ban bylaw arrests is collected from the Police electronic charge sheets in Wellington on a monthly basis, and liquor ban warnings are collated from the Police ‘Comms’ database through monthly Police Business Objectives downloads. If an arrest is made, any warning is not counted (WCC 2004 Jun). It is unclear whether the other areas used the same Police databases and sources of information.

Some evaluations acknowledge that Police statistics have limitations, are highly sensitive to changes in Police procedures and practice and are open to interpretation. Interestingly, difficulties with the Police data are highlighted in the Auckland evaluation, but not mentioned in the report to the Law and Order Committee of the City Council (Boerson, 2003a; Auckland City Council, 2003).

Each evaluation included interviews and surveys to provide further descriptive information and complement the statistical data. However, the interview structures are unknown as there are no discussion guides appended to any of the evaluation reports. Those interviewed included stakeholders in the ban process, such as the Police and TA officers, and those surveyed included residents, business owners or operators and members of the public. Not all were actually in the ban area at the time and not all had even been to the area since the ban had begun. This data therefore should be interpreted with caution.

In Christchurch, observations and interviews took place on one Friday evening between 7:30pm and 11:30pm to create a ‘snapshot’ of the inner city. They included informal interviews with 18 individuals, of whom 10 were either security guards or Police volunteers, and three groups of young people. The timing does not, however, correlate to the midnight-to-7am period when Police statistics show that people under the influence of alcohol are “a major problem” in the inner city (MacGibbon, 2003:13).

The Wellington report also includes observations, where Walkwise staff (employed by the TA) collected observations of people drinking in public. This data is included in the report as an indication only, recognising shortcomings in the collection method and the need for longer-term data to identify any trends (WCC 2004 Jun).

Havelock North’s research included a detailed observational survey (Hart, 2004) to provide “evidential information for comparison with experiences and information reported by informants”. This took place over four consecutive weekends (Thursday, Friday and Saturday nights) from midnight to 5am in February 2004, with observations of many instances of drinking in the liquor ban area as well as licensed premises trading outside their permitted hours. Havelock North also included a ‘morning after’

survey on three consecutive Saturday and Sunday mornings after 5:45am in November and December 2003. Its purpose was to record any evidence suggesting alcohol consumption away from licensed premises. This included litter and property damage, and the data can be compared with information from street cleaning contractors (Hart, 2004).

3.2 LIQUOR BANS

3.2.1 Rationale for liquor bans

The areas share a lot of common ground in their rationale for implementing these evaluated liquor bans, despite their being in very different parts of the country. The dominant reason was the increasing level of inappropriate, disorderly and criminal behaviour and associated concerns for safety in the area. These behaviours and activities were linked to alcohol consumption and, for all of the areas evaluated, it is understood that alcohol was being consumed in public places in the area.

The Havelock North liquor ban was requested by the Havelock North Alcohol Accord and supported by the Police, who highlighted the role of alcohol in the growing levels of crime and disorder in the CBD. Other businesses and private residents also supported the concept of a liquor ban in the CBD (Hart, 2004).

In Christchurch, the liquor ban was presented to Christchurch City Council as one of several layers of policing initiatives targeting crime reduction and the perceived risk of crime in the area. According to the evaluation, the Police request to Council included claims that both the Auckland city and New Plymouth alcohol bans had resulted in significant reductions in “disorder assaults” (35% and 28% respectively) and the liquor ban in Christchurch was expected to achieve similar results (MacGibbon, 2003:9). The Police also presented the reports and/or submissions to Auckland City Council and Wellington City Council (see Boerson 2003a and Trappit, 2003).

Each of the bans concentrated on times and areas where problems of disorderly and criminal behaviour were known to be most prevalent. The periods they covered at the time they were evaluated are:

Table One. Times, Days and Locations of Evaluated Liquor Bans

Location	Days	Hours
Christchurch (began late December 2002)	Thursday, Friday and Saturday evenings	7:00pm to 7:00am the following day
Wellington (began late November 2003)	Friday and Saturday evenings	8:00pm to 6:00am the following day in summer (from 5:00pm in winter)
Havelock North (began in October 2002)	Friday and Saturday	10:00pm to 7:00am the following day
Auckland (began in September 2002, extended geographically in November 2002)	Thursday, Friday and Saturday evenings	9:00pm to 6:00am the following day

Since the evaluations were completed, both Christchurch and Auckland have extended their CBD bans to 24 hours, every day of the week. Auckland has also extended the geographic area of its CBD ban and both cities have added bans in other parts of the cities, for varying times (see Chapter 5 for details). Wellington’s and Havelock North’s bans remain the same.

During the hours of the ban, it is unlawful to consume alcohol in public spaces, such as on the streets, in parks or in motor vehicles. It is also unlawful to carry opened alcohol through the area. However, liquor bans have no power over intoxication or misuse of alcohol, although the Police can use other legislation to address this in many circumstances.

3.2.2 Structure and implementation

Three of the evaluated liquor bans had been drafted and implemented under sections 709B and 709C of the LGA 1974. Only the Wellington liquor ban was drafted under the 2002 legislation. All liquor bans must follow the processes of the 2002 legislation and had to have become bylaws by 1 July 2004 to remain legal.

Beyond the legal requirements, the areas used similar but also different procedures to implement their bans. The common factors are fewer, reflecting the basic requirements to have a functional bylaw. They included:

- the formation of a partnership or stakeholder group to develop the content
- publicity- and awareness-raising exercises
- signage
- various levels of agreement by the Police to enforce the ban (implied, expected and formal).

Although each area introduced its ban with more 'informative' than 'enforcing' policing, the duration of such 'educational' approaches varied significantly. In Auckland the role of the Police in "the first weeks" of the ban was primarily educational (Boerson, 2003a:15 and 17). The 'educational' period in Christchurch was the first three months, while in Havelock North the Police consider the entire pre-evaluation period (of more than a year) to have been an "educative approach" (Hart, 2004; MacGibbon, 2003:3 and 5). Under sections 169 and 170 of the LGA 2002, the Police must give everyone an opportunity to remove alcohol before searching them in any liquor ban area.

The differences are many and varied, reflecting the background issues, the TAs' policy focus, the level of detailed planning (including 'success criteria'), and Police commitment and resourcing. For example, in Wellington, the key outcomes of reduced crime and improved safety are accompanied by an increase in "general central Wellington enjoyment" and a goal of addressing "a gap in measures aimed at managing alcohol related behaviour" (WCC, 2004 Jun:5-6, 34-35). Detailed planning is demonstrated in a diagram of "General Liquor Ban Logic" and a comprehensive evaluation framework (WCC, 2004 Jun:6-12).

Apart from Wellington's, no other reports portray liquor bans in this detailed, contextual way, and only Wellington describes the liquor ban as "one of a raft of safety initiatives being undertaken by Council" (WCC, 2004 Jun:5). None of the evaluations reports liquor bans being perceived as a tool for TAs, although they are commonly recognised as "only one tool in an extensive toolbox" by the Police (Webb et al, 2004:9).

The Havelock North evaluation is careful to note the limitations of a liquor ban in contributing to a "broader goal of encouraging more moderate drinking and reducing the number of people determined to drink to intoxication" (Hart, 2004:vi). In Wellington, some felt that the intended outcomes of the liquor

ban did not address the 'real' problems, which were perceived as the misuse of alcohol, and crime and disorder related to alcohol regardless of where it is consumed. It was suggested that, in addition to the liquor ban, Wellington City Council contribute to developing responsible attitudes to the sale and consumption of alcohol, as well as focus more on minimising alcohol-related harm than minimising public alcohol consumption. This could include alcohol-related disorder in outdoor areas of licensed premises under the Sale of Liquor Act (WCC, 2004 Mar).

While Havelock North recognised the ban as no "magic bullet or "panacea", there was an expectation that the ban would automatically be followed by "an adequate police enforcement programme" (Hart, 2004:vii). This was not its experience in the evaluated period, although the report indicates that this has since changed.

In Havelock North, Police patrolled largely by vehicle, whereas the other areas had a greater Police presence on foot. Both Christchurch and Havelock North report a level of dissatisfaction in the application of Police resources for enforcing the ban (MacGibbon, 2003; Hart, 2004). Recognising enforcement's fundamental contribution to ban effectiveness, respondents in both areas wanted to see it increased.

The Havelock North experience may reflect the availability of Police resources in smaller towns in rural areas, as well as the physical area Police have to cover. The Police in Havelock North provide the most immediate support for the Hastings Police, who are considered under-resourced, and indicate that Havelock North is a low policing priority compared with Hastings. It may also reflect a need to further build partnerships with the Police and other stakeholders so that roles, responsibilities and commitments can be articulated, understood and agreed rather than presumed. In WCC (2004 Mar:8) an unintended positive outcome was the development of relationships and a sense of partnership between the TA and the Police as well as with other stakeholders.

3.3 FINDINGS

Table Two. Key Findings of Liquor Ban Evaluations

Christchurch

- *an increase in incidents and arrests, particularly for 'disorder'
- *perceptions of safety appeared to be more positive, although this is not altogether clear in the report
- *displacement was reported in the surrounding areas of South City/Sydenham/Somerfield Park
- *an improvement in the environment – less dangerous litter

Wellington

- *a reduction in public alcohol consumption
- *a high level of compliance with the ban
- *a high level of awareness of the ban, but little knowledge of its detail
- *a fair and planned implementation and enforcement of the ban

Havelock North

- *improved perceptions of public safety derived from the ban simply being in place and not supported by field observations
- *a high awareness of and support for the ban
- *limited credibility for the ban owing to inadequate enforcement
- *possible 'drinker migration' from Napier owing to less rigorous enforcement in Havelock North

Auckland

- *a reduction in disorderly behaviour and criminal offending
- *an increase in public perceptions of safety
- *an improvement in the environment – less dangerous litter, vandalism and property damage
- *a high level of public awareness of the ban and considerable public support for the ban
- *little unprompted public recognition of the connection between the ban and perceptions of safety

3.3.1 Behaviour

In Auckland, interviews with the Police resulted in reports of “a marked decrease in levels of disorderly behaviour and offending in the CBD as a result of the introduction of the liquor ban” and an estimated 20-30% drop in the level of alcohol-related problems that came to their attention. They also felt the “intensity” of incidents had decreased, that people were no longer coming into the area “just to drink alcohol”, there had been a “change in attitude” among some young people and both Police and retailers noticed fewer groups of young drunk people and “roaming the streets” in the area (Boerson, 2003a).

While this was supported by retailers, the majority still felt that people were arriving in the CBD already drunk as well as leaving licensed premises in the area in an intoxicated state (Boerson, 2003a).

Some events, such as car boot parties had stopped and both Police and retailers reported a marked decrease in the presence of alcohol in the area. The Police felt that the liquor ban had provided “a clear indication of what behaviour was acceptable” (Boerson, 2003a:18) although they acknowledged that people were also being more discreet about their drinking in public. Retailers also pointed out that drinking in public outside the liquor ban hours continued to cause problems.

Car boot parties continued to be common in Havelock North and, even when Police were present in their vehicles, “consumption of alcohol generally continued unabated” (Hart, 2004:26). Observers also recorded numerous incidents of anti-social and criminal behaviour, along with associated litter, vandalism and property damage. Even so, most respondents noticed improvements in behaviour following the ban implementation (Hart, 2004).

In Christchurch there were still many young people drinking in motor vehicles, seemingly unaware that this was prohibited in the liquor ban area. The young people spoken to as part of the fieldwork in Christchurch, who were all drinking, said the ban would not stop them drinking. Aged between 14 and 17, it is an offence for them to be drinking in a public place whether or not there is a liquor ban. They were all drinking with the aim of getting “wasted” and had all developed strategies for hiding their alcohol from Police or security staff, but not from others such as cleaning staff (MacGibbon, 2003:14-15)

3.3.2 Crime and disorder

The draft Auckland report acknowledges “limitations” (Boerson, 2003b:5) with the Police data used and compares figures from previous years, showing a percentage change. The draft report also acknowledges problems with the use of percentages; the figures are described as for “recorded” offences and arrests but it is not clear from where, within the Police system, the data is sourced (Boerson, 2003b).

The Havelock North evaluation relied more on qualitative than quantitative data and included only limited “crime statistics” as official statistics were not available. These show no discernable pattern and there is no indication as to what sort of offences, incidences or warnings might be included (Hart, 2004).

In Wellington, Police data (warnings, arrests and offences) was analysed from November 2003 until the end of February 2004. LDS data was compared for each year from, and including, 2001. The report includes some acknowledgement of the limitations of the data (WCC, 2004 Jun).

The evaluation report of the Wellington City Council liquor control bylaw which was commissioned by New Zealand Police and completed in August 2005, is outside the timeframe of this collation. It considers awareness, promotion/publicity, the impact of enforcement, perceptions of safety, environmental impact, physical and social environment, the impact of the bylaw on crime and other problems associated with alcohol use, and the impact of the bylaw on alcohol-related public health problems. It uses an analysis of Police statistics, the perceptions of inner city users and observational methods, and includes a discussion of limitations confronting the evaluation (Sim et al, 2005).

The Christchurch evaluation compares Police data on incidents and offences recorded during January to March 2003 with the data on the previous three years and the three months immediately before the ban was implemented. It appears, however, that January to March 2003 was the ‘educative period’, so the data is of limited value as the ban was not being actively enforced. It is also not clear whether this includes incidents and offences, and the report does not state whether they were recorded or reported or both. The evaluation does, however, link the apparent increase in alcohol related incidents and offences to a targeted operation by the Police Beat Section, which patrols the streets in the early hours on Saturdays and Sundays expressly to deal with disorder and alcohol-related offences, and who made 15-17 arrests on each of the two nights they were active during this period (MacGibbon, 2003). The reasons for these arrests are unclear but it seems probable that they made a significant contribution to the arrest rate for disorder.

3.3.3 Breaches of liquor bans

Judging from the reported arrests for liquor ban breaches, enforcement patterns are quite different across the areas.

In Auckland, breaches resulted in 477 arrests between September 2002 and July 2003 (Boerson, 2003a). This was, however, before the ban began. Wellington reported 70 from the beginning of the ban (late November 2002) until 23 May 2004 (WCC, 2004 Jun), while Christchurch reported only four arrests for breaches in the first three months of its ban (MacGibbon, 2003). Havelock North could not identify arrests for breaches as they had not been separately coded. One prosecution was reported, although Police indicated that at least 20 people had been arrested for liquor ban breaches (Hart, 2004).

Much less than during the first three months, Auckland estimated a ratio of 4:1 warnings to arrests in May 2004 (Boerson, 2003a), while Wellington estimated an average 30:1 over the three-month initial period. Wellington interprets this as a high level of compliance because most people complied with the Police warning and either left the area or disposed of their alcohol (WCC, 2004 Jun). It is not known how many warnings were given in Havelock North or Christchurch.

In both Auckland and Wellington, the majority of those arrested were male and aged between 18 and 25 years, and Maori and Pacific people were overrepresented. In Wellington, most came from outside the city, particularly from the Kapiti Mana area, while in Auckland most lived in Auckland or one of the surrounding cities (Boerson, 2003a; WCC, 2004). This data was not available for Havelock North or Christchurch.

Peaks in the data for breaches of the bylaw correlate to other activities going on simultaneously, such as the America's Cup contest and the Cuba Street Carnival, and when there were more Police in the area, such as for New Year's Eve or as part of a targeted Police operation (Auckland and Christchurch) (WCC, 2004 Jun; Boerson, 2003a; MacGibbon, 2003).

3.3.4 Perceptions of safety

In Auckland, respondents indicated they felt safer in the liquor ban area because of a more visible Police presence, personal avoidance of unsafe areas and a stronger security presence. However, unprompted, only 2.1% of participants (who represented a random sample of residents who may not have been to the CBD during the liquor ban hours) felt the area was safer due to "less drinking or drunk people around" (Boerson, 2003a:12). It appears that there is little public recognition of the connection between the liquor ban, or alcohol, and perceptions of safety. Improved safety was more likely to be reported by non-New Zealand Europeans and people aged between 15 and 24 years, and there were significant differences in perceptions of safety for different areas of the CBD as well as between day and night (Boerson, 2003a:12-13).

Christchurch also recorded perceptions that the inner city had become safer, but the examples given were not always of issues that would be recorded as offences, such as abusive language. It is also unclear if some of the recorded comments are positive or negative, or changes from previous behaviour or not (MacGibbon, 2003).

Perceptions of safety in Havelock North also improved, although there was no change in the 18- to 25-year-old age group. Older people were more likely to report improvements since the ban had been in place, although they may have been less likely to witness the drinking culture in the CBD liquor ban area late at night. Younger people often spoke from experience, and their views tended to reflect their observations of limited compliance with and enforcement of the ban (Hart, 2004).

The Wellington report does not expressly cover this issue, although the liquor ban is described as "one of a raft of safety initiatives" and the report includes an "increase in general perceptions of safety" as one of its three key outcomes (WCC, 2004 Jun:5-6). However, measures of the level of public drinking show a perceived decrease (although seasonal factors may play a significant part in this); this is portrayed as a causal contributor to the outcomes, including perceptions of safety (WCC Jun, 2004:6).

Where recorded Police officers generally felt the areas were safer and that the "mood" of the area had changed for the better since the ban's introduction (Boerson, 2003a). However, Havelock North Police believed little had changed, except that there were five licensed premises (where until recently there had been one), which had encouraged migratory drinking habits and drawn people in from the nearby region (Hart, 2004).

In general, retailers thought the bans had had some sort of a “calming effect” and that they were positively enhancing public perceptions of safety in the CBDs (Boerson, 2003a:14).

3.3.5 Awareness of the liquor ban

Auckland City Council promoted the ban through public notices and signage, as well as through a marketing campaign on radio and in print. The Police also distributed some of the Council fliers. A telephone survey of residents found that almost 80% were aware of the ban, although over 50% were unclear of specific details (Boerson, 2003a).

In Wellington, a TA-driven communications plan included media releases, signage, leaflets and print media advertising. General awareness of the ban was quite high by May 2004, with 78% of city residents saying they knew about it, but few people could recall much detail. Awareness of the ban among the hospitality industry and city businesses was thought to be limited and most participants supported the idea of ‘education’ on the liquor ban for young people and the hospitality industry. Some of those asked about education thought the focus should be less on the details of the liquor ban and more about responsible drinking (WCC, 2004 Jun; WCC, 2004 Mar).

In Havelock North, street signs, newspapers, licensed premises’ staff and word of mouth promoted ban awareness, with 98% of respondents aware of the liquor ban and having a reasonable recollection of its details, apart from the hours of operation (Hart, 2004).

Interestingly, of all the interviewees in Christchurch, including those in the ‘fieldwork’, only the two Police volunteers were unaware of the ban (MacGibbon, 2003).

3.3.6 Support for the liquor ban

In Auckland, Police and retailers were supportive of the ban and reported positive feedback from members of the public, particularly when witnessing the ban being enforced (Boerson, 2003a). In addition, 82% of telephone survey participants and online survey respondents stated their support for the ban. The principal reasons for this were that:

1. People need to feel safe (25.9%).
2. People do not like drunks/people drinking (25%).
3. People lose control when they are drinking (19.4%).

(Boerson, 2003a:16)

Arguably, this representative group of residents is more concerned about drinking and the consequences of intoxication for public safety than about criminal activity.

Overall, 84% of the Havelock North respondents believed the liquor ban should continue. Their reasons included protecting an ideal of a safer community at night, reinforcement of a moral message that drunken behaviour in the street is not tolerated, keeping underage drinkers off the street, less alcohol-related disorderly behaviour and noise, less loitering outside liquor outlets and pubs, less vandalism and reduced litter. While less than 7% of all respondents did not support the ban, the level of opposition was higher among the 18- to 25-year age group (Hart, 2004).

3.3.7 Reasonableness of the liquor ban and Police enforcement

There were no complaints to Auckland City Council about Police use of discretion in enforcing the ban, but there were concerns that the Police could invoke the bylaw to arrest people when they would previously have had to charge them with an offence (Boerson, 2003a). In Christchurch, Police 'discretion' was commented on negatively with regard to ethnic prejudice (MacGibbon, 2003).

In Havelock North, while half of the respondents indicated that they were either "very satisfied" or "quite satisfied" with the Police enforcement of the ban, 30% did not know and 20% were dissatisfied. The reasons for dissatisfaction were primarily the lack of Police available to enforce the ban, and also underage drinkers and the ongoing 'disruption' associated with intoxicated people (Hart, 2004).

Police reported that people were more concerned with the loss of their alcohol than any infringement of civil liberties, but also stated a need for more timely and ongoing training (Boerson, 2003).

3.3.8 Displacement

Opinion was divided in the Auckland City Council research on whether the ban hours should be extended. 'Chronic' public drinking and associated disorder remained issues for some outside the liquor ban hours and this was echoed in Wellington to some degree (Boerson, 2003a; WCC, 2004 Mar).

Auckland City Council has received a "small number" of complaints from residents "just outside" the liquor ban area about people drinking in public places. This has been identified as 'displacement' from the ban area and Auckland City Council is reportedly working with the Police to address this. Suggestions for extending the liquor ban area concentrated on areas around Karangahape Rd. Police officers felt it was inappropriate to apply the liquor ban concept to public spaces throughout the whole of Auckland City (Boerson, 2003a).

In Christchurch, young people had become more visible among public place drinkers and were reported as drinking in more isolated, less safe areas. Somerfield Park had reportedly become a new 'hang-out' for some young people who formerly came into the inner city. Large amounts of alcohol were reportedly being consumed in the park and, as it has limited lighting and foot traffic, personal safety was considered an issue (MacGibbon, 2003). Other areas were also mentioned, including Rangiora and Brighton:

"I do not think that the inner city liquor ban will have any real effect. They will just shift venues and work around the barrier, like a river flowing around a rock, in order to preserve their rituals."

(Youth worker, Christchurch, in MacGibbon, 2003:15)

Some displacement was also reported in Havelock North, but of greater concern was the reporting of drinkers being attracted to Havelock North from other places, such as Napier, Hastings and Flaxmere. This was perceived to be due to an increase in the number of licensed premises in Havelock North, as well as a perceived 'softer' approach by Police in Havelock North than in Napier or Hastings, both to the liquor ban and to monitoring the operation of licensed premises (Hart, 2004).

In Wellington, no stakeholders interviewed for the 2004 report reported displacement or a reduction in visitors to the area. However, the undated Wellington report raises questions of whether there had been displacement to Newtown and whether street drinkers had been displaced to Glover Park. Street drinkers were noted to have become more discreet and had moved to a central city car park to socialise (WCC, 2004 Jun; WCC, 2004 Mar).

3.3.9 Environmental impact

In both Auckland and Christchurch, litter contractors reported that the ban had resulted in a reduction in bottles, cans and broken glass. They also believed that vandalism and property damage had reduced. The reduction in bottles is considered a major factor in reducing the severity of fighting in the areas and may also correlate to a reduction in alcohol-related injuries deriving from the liquor ban areas (MacGibbon, 2003).

This is not the case with Havelock North. Various surveys and interviews conducted as part of the evaluation showed that cleaning contractors were removing large and increasing amounts of litter, including alcohol beverage bottles, every Saturday and Sunday morning. Vandalism and property damage were also reported as a “common occurrence” with no indication of a reduction since the ban had been implemented (Hart, 2004).

3.3.10 Costs

The CBD liquor ban cost Auckland City Council \$80,000 to implement and maintain for the first nine months, excluding policing costs. Auckland City Council had received requests for liquor bans in a further 28 areas by June 2004 and nine of these were classified as “high priority” (Auckland City Council website, accessed 29 June 2004).

The costs of the liquor ban in Havelock North are “conservatively estimated at over \$60,000” for an unspecified period, with ongoing costs expected to be between \$10,000 and \$15,000 per year plus any review/research expenses (Hart, 2004:45).

Wellington states that “there are no financial implications” for Wellington City Council as costs (for publicity and signage) were met from the operating budget (WCC, 2004 Jun:41).

3.4 RECOMMENDATIONS OF THE EVALUATIONS

The evaluation recommendations are not always clearly linked to the body of the reports and it is not known whether they have been followed up. Where it is not mentioned as a recommendation, it is assumed that the liquor ban is expected to continue. Table Three lists the recommendations of each evaluation.

Table Three. Recommendations of Liquor Ban Evaluations

Christchurch:

- That the Christchurch City Council be requested to continue the inner city liquor ban.
- That the Police be encouraged to effect greater enforcement of the inner city liquor ban.
- That the Police statistics for incidents and arrests in the Christchurch inner city area be reviewed in January 2004, after the implementation of one full year of the inner city liquor ban.

- That Safer Christchurch, in conjunction with other relevant agencies, investigate ways of increasing the safety of young people in the South City/Sydenham/Somerfield Park area who are involved in risk-taking behaviour.

Havelock North:

- That a strict enforcement programme, that also regularly monitors licensed premises for compliance, be implemented if the liquor ban is to be maintained.
- That the TLA [territorial local authority] considers implementing security patrols to act as ‘eyes and ears’ for Police to assist with enforcement.
- That there is justification for extending the ban, but only if there is a commitment to ongoing enforcement.
- That the Hastings District Council adopt a ‘tool kit’ and agreed set of indicators, currently being developed by ALAC and National Police Headquarters, to assist the evaluation of liquor bans.
- That public toilet needs for Havelock North at night and during the early morning are reviewed as part of the assessments required by Part 7 Local Government Act 2002.

Wellington:

- Conduct more awareness raising work.
- Continue the evaluation of the Liquor Bylaw Bans as planned.

Auckland:

- Ensure Police receive sufficient information for the ongoing enforcement of the ban.
- Ensure appropriate data collection methods are established for future evaluations.
- Work to understand the spatial variations in the perceptions of safety across the CBD and develop further safety initiatives in these areas.
- Review the marketing and advertising material to further raise awareness of the details of the ban as well as among Maori and Pacific Islands people.

The recommendations differ between the areas, reflecting the evaluations’ orientation as much as specific local factors. This highlights:

- a need for more consistency in evaluating liquor bans
- that the concept of a liquor ban must be adapted to local circumstances and requirements.

3.5 DISCUSSION

Despite starting out with essentially the same objectives, the four evaluations:

- offer a widely differing amount of information about different aspects of liquor bans and to different levels of comprehensiveness
- used different combinations of methods and processes
- used different report structures, with some difficult to follow.

Reports like these need contextual information, including background and implementation details such as start dates, evaluation dates and sequences of events, including when supporting strategies were introduced and by whom. It is also useful to clarify and distinguish terms when describing specific details. For example, an ‘incident’ can refer to the Police recording of an event or to an event that took place. It is also important to understand Police terminology and processes, such as the difference between ‘reported’ and ‘recorded’. Some evaluation reports make for confusing reading owing to this lack of detail, although they may have been written for audiences who already had this information.

It may be useful for ALAC to develop a liquor ban evaluation framework, perhaps building on Waa et al (1998) as well as Akins' (2003) suggestions. This could include recommendations for choosing indicators, for example the Police statistics that are most reliable to analyse (see Akins, 2003), and considerations for their interpretation. This may help TAs and other stakeholders to learn how best to gather the information they require and what other information they could potentially gather.

The framework could also cover the concept of peer review of evaluations and a report writing template – so that those involved with liquor bans can adapt the basic structure confident of gaining insights and understandings that will help them to better use the liquor ban concept in their particular environments and contexts. It would be helpful if the expected scope of results could be related to the various methods, such as the information a telephone survey or focus group might yield.

The results of any evaluation will reflect the fact that liquor bans cannot be separated from their environment. However, it is important to have a consistent baseline level of quality to ensure evaluations serve their purpose to stakeholders and to enable comparisons throughout the country. That way different areas can understand the contributing variables and learn from each other.

It is also important to acknowledge that liquor bans are primarily efforts to reduce criminal behaviour and improve public perceptions of safety in an area. However, they could be combined with other prevention strategies to improve the regulation of alcohol and potentially contribute to a reduction in alcohol-related harm. TAs for each area could develop this concept as part of an alcohol policy or strategy; it would also be seen as acknowledging that liquor bans are just one tool of several, for TAs as well as for the Police.

Perhaps reflecting the early stages of these liquor ban regimes, no evaluation questioned the sustainability of the arrangement, although Christchurch noted a perception among other stakeholders of less active enforcement from the Police over time. In addition, no report commented on the influence or effectiveness of any supporting strategies, such as CCTV coverage, accredited 'safe car parks' or the involvement of Safe City Officers. For example, Webb et al (2004:10) write:

“It is difficult to disentangle the independent effects of police enforcement of a liquor ban from other initiatives which, in a comprehensive crime prevention and community safety strategy, are likely to have mutually-reinforcing effects on one another.”

Only the Wellington report showed any evidence of future planning for the current liquor ban, although all of the TAs were interested in using the evaluation for that purpose.

Despite this, the evaluations completed to date are an important resource that can be applied positively both locally and more widely. Acknowledgment must be given to those who had the foresight (and resource) to undertake the tasks; they make a valuable contribution to local knowledge on liquor bans.

MEDIA REVIEW

4.0 INTRODUCTION

The media review centres on press clippings provided to ALAC by Media Search Limited, covering 1 July 2003 to 30 June 2004. It particularly focuses on newspaper coverage, which tended to be in local, community-oriented newspapers rather than national or even regional newspapers. It includes articles, editorials and letters to the editor.

Liquor ban bylaws require advertising and 'special consultative procedures', so the media are an integral part of the process. Stakeholders employ them as part of awareness-raising campaigns, and articles on liquor ban processes, content and consequences have been printed, in varying degrees of detail, throughout the country.

This review aims to analyse the key themes and assess the extent of media coverage for liquor bans during this one-year timeframe. While each liquor ban is a response to local situations, there are great similarities between them that are reflected in common themes in the press coverage. Articles have covered:

- stages of the liquor ban bylaw process
- details of proposals (including areas, times, rationale)
- local authority meetings relating to liquor bans
- perspectives and supporting information from key stakeholders (usually local politicians or council staff, as well as Police representatives and occasionally others including residents, business people and health workers)
- issues of concern including displacement and civil rights
- liquor bans in other areas, largely on breaches but also aspects of 'effectiveness'.

Particular issues have attracted widespread coverage throughout the country, illustrating the level of interest in and extent of liquor bans. This includes reporting on their perceived success over the festive season, the Christchurch evaluation report, and procedural errors (such as in Invercargill and Tauranga) and their consequences. Prosecutions of people accused of breaching various liquor bans and the fines they receive have also received widespread attention.

The case for a liquor ban is often built up through the media over time. For example, early in the discussions about a liquor ban in Wellington, a senior policy advisor to Wellington City Council was reported as saying "Drunken loutish behaviour makes people feel unsafe..." (*Capital Times*, 27 August 2003). This was followed much closer to the ban's implementation by a mayoral statement that "the city must be a safe place where people can enjoy themselves without concern for their security" (*Cook Strait News*, 3 November 2003). A little later it was endorsed by the Police, who said "there was a direct correlation between disorderly behaviour, street violence and drinking" (*The Dominion Post*, 24 November 2003).

This shows the partners working together from their different perspectives and builds a picture in the public mind of why liquor bans are needed. Intentionally or not, it also begins to label those who drink in

public as loutish, disorderly and violent with little concern for the safety of others, and possibly with intentions that will compromise the safety of others. Most areas appear to incorporate a media strategy such as this as part of promoting a pending liquor ban.

While liquor bans in Christchurch, Manukau and Whangarei were probably the most heavily covered, almost all of the known liquor bans featured in the local press at some time during the study period. However, in some areas, such as the Tasman area and New Plymouth, there was very little press coverage of local bans, although those in other areas are included in local papers. Interestingly, in the middle of the festive season ban in Nelson, an article entitled “Alcohol and the Law” in *The Nelson Mail* (30 December 2003) did not mention the liquor ban.

4.1 STRUCTURE AND OPERATION OF LIQUOR BANS

4.1.1 Geographic and temporal boundaries

Liquor bans are commonly in the central area of a town or city, but also cover other popular gathering places such as beaches or parks. In some areas the liquor ban bylaw continues a ban initially imposed for seasonal or event-related reasons, but many appear to have no history prior to the LGA 2002. In some cases the bylaw process has acted as a sort of a review of an existing liquor ban, resulting in extended geographical areas and changed hours of operation. Many places also have provisions to cover public holidays or impose additional bans by giving the public 14 days’ notice.

Most liquor bans initially focused on ‘peak’ times of the week (largely the weekend), reflecting their rationale and aims. However, liquor ban timeframes across the country are far from consistent, with some applying from Wednesday and others from Thursday or Friday. Many finish on Sunday morning but others last until Monday. Some areas have no exceptions during that time (for example, Otara: Friday 9am to Sunday 7am) while many cover a specific time period each day for several days.

‘Blanket’ liquor bans are being increasingly applied ‘24/7’ (that is, for every hour of every day) but numerous ‘weekend’ bans with widely differing time periods are still operating. The commonly cited reasons for extending the hours to 24/7 are consistency and certainty along with ease of understanding and enforcement, often at the behest of the Police.

“Councils across the country seem to be adopting the 24/7 approach to give certainty to both the police and the public.”

(Wanganui Chronicle, 13 March 2004)

Reportedly, it was Police advice to Horowhenua District Council that “a ban would only work if it was constant” that led to a change from weekends to 24/7 in the area (*Wanganui Chronicle*, 13 March 2004). Police in Christchurch were reported as saying they “would appreciate having the ban in force week-long” (*The Press*, 13 February 2004) and in Whangarei, Police were reported to be “all for” the ban to be everyday (*Whangarei Leader*, 15 July 2003). According to the *Otago Daily Times* (2 March 2004), it was the Police who wanted Dunedin’s ban to be brought in line with those of other southern centres. This was to provide consistency and send a clear message about what was acceptable, although a Police inspector was quoted as saying, “there are a lot of times a ban would be redundant”. This however, did not sit well with some:

“I find a police desire for consistency hardly constitutes good reason.”

(City councillor, *Otago Daily Times* 2 March 2004)

“To make an activity illegal simply because it might lead to an offence is a bad principle.”

(Member of public, *The Dominion Post*, 17 October 2003)

For some, the extended bans raised issues of Police resourcing as well as questions about the validity of bans.

4.1.2 Complementary strategies

Much of the press coverage portrays the liquor ban as a simple lone strategy, but many articles also link it to other Police tools, such as CCTV and targeted operations. In Auckland, Hamilton and Wellington, liquor bans were reported as part of a wider safety strategy (see Webb et al, 2004; WCC, 2004 Jun; *Waikato Times*, 6 October 2003). In Hamilton, this included having six security guards patrol the CBD, monitoring a security camera network and working with parents of trouble-making youths found in the city.

Auckland City Council believed the bans could “proactively assist the police in managing alcohol-related problems” but added that they were strengthened by better education, advocating more Police for the city and the creation of the Council’s alcohol strategy (*Central Leader*, 1 August 2003). In Waitakere City the licensing inspector described a proposed liquor ban as a “last resort and not as a quick fix” (*Western Leader*, 22 July 2003) but no other strategies were described.

Various strategies have been linked to liquor bans throughout the country, but whether these are part of a planned approach is unclear. In Taupo, for example, off-licensed premises have been targeted (*Waikato Times*, 5 May 2004), while Palmerston North Police have focused on “the conduct of those working in the licensing industry” (*Manawatu Standard*, 12 February 2004). Ideas from the North Shore included the Council paying for private security patrols and CCTV as well as encouraging local community patrols (*North Shore Times Advertiser*, 13 April 2004). In Napier ‘safety watch officers’ were employed (*Hawke’s Bay Today*, 3 September 2003).

Several innovative approaches have been reported. For example, Nelson City Council considered a total alcohol ban in some areas as well as a ‘permit system’, where for \$30 a group of people could buy a permit to drink within the area. However, in the eventual bylaw both ideas were superseded by more practical aims of simplicity and ease of operation (*The Nelson Mail*, 11 November 2003). In Feilding a local businessman raised the idea of a youth curfew (*Feilding Herald*, 15 April 2004).

In the only media report of a liquor ban being rejected (in Hanmer Springs, where there are only two Police officers), the TA “sidelined” the ban in preference to “beefing up security and a community watch” (*The Northern Outlook*, 2 August 2003). There were no reports describing how, or if, this strategy had worked.

Generally, liquor bans have been reported as a relatively simple strategy relying only on Police enforcement to have a positive impact. The press has paid little attention to areas where other strategies are working alongside liquor bans, and have generally downplayed potentially negative impacts.

4.1.3 Partnership approach

Most articles make it clear that liquor bans are at least a partnership between the Police and the TA. This is appreciated by many of those quoted, including members of the public:

“It’s about time the council tackled issues like anti-social behaviour, drunkenness, graffiti, crime and the fear of crime. It is important that they come up with workable and sustainable solutions in partnership with police and other community organisations.”

(Letter to the editor, *The Northern Advocate*, 5 November 2003)

In many cases it is also clear that other stakeholders are actively involved, such as business people, local residents, health workers and members of a local alcohol accord. For example, affected locals and business people in Methven voted unanimously at a meeting to put the idea of a liquor ban to the Methven Community Board. However, many other business people had not heard about the idea and had varying opinions of it (*Ashburton Guardian*, 30 March 2004).

In Central Otago “affected groups” (*The Mirror*, 31 March 2004) were consulted on the liquor ban proposal and in Southland the Eastern Southland Chamber of Commerce lent its support to the proposed Gore liquor ban in a column in *Newslink* (22 April 2004). In Oamaru, input from youth members of Waitaki District Council was considered (*The Oamaru Mail*, 25 November 2003).

4.2 REPORTED RATIONALE

The reported rationale for liquor bans is largely consistent across the country: addressing issues of inappropriate, annoying and offensive behaviour, noise, vandalism and littering as well as reducing disorder, property damage, assaults and other crime and being seen to take measurable steps to improve safety.

“The object is to reduce disorder and make the CBD a safer place for the public, particularly during the evening hours.”

(Police senior sergeant, Rotorua, *Rotorua Review*, 3 February 2004)

“It is important that we take steps to ensure that the town is safe and seen to be safe.”

(Licensing inspector, *Stratford. Stratford Press*, 25 February 2004)

Residents and local business people describe the issues as urinating and vomiting in private property, property damage, smashing bottles, other litter (including used condoms), noise, fighting and intimidation (*Eastern Courier*, 5 March 2004; *The Nelson Mail*, 3 March 2004; *The Northern Advocate*, 20 March 2004). Other reported reasons for introducing liquor bans include:

- image

“Someone drinking from a whiskey bottle [in public] is a bad look, no one denies that.”

(Wellington deputy mayor, *Western News*, 20 August 2003)

- quality of life

“People hanging about drinking, sometimes being abusive, goes against a vibrant city life.”

(WCC senior policy advisor, *Independent Herald*, 26 August 2003)

- managing groups of young people
 “Police want the power to target groups of youths who specifically congregate in shopping areas along Colombo St late at night...”
 (*Shore News*, 1 February 2004)
- the community making a stand together
 “[A liquor ban] would make the police’s job easier and ‘give them more teeth... It’s a way of taking collective responsibility for what’s going on’.”
 (Retailer, Dannevirke, *Wanganui Chronicle*, 20 March 2004)
- increasing the effectiveness of Police
 “Police describe it as a much-needed tool to control and moderate behaviour.”
 (*The Dominion Post*, 2nd edition, 31 October 2003)
- supporting Police efforts
 “If the ban was not renewed it would undermine the hard work that police had done over the last twelve months.”
 (Police, *The Press*, 13 February 2004)
- sending a message about standards of behaviour
 “An alcohol ban would underline to youths going to Sumner what was acceptable.”
 (Police, *Shore News*, 1 February 2004)
- appropriate activities
 “If you’re not happy drinking in a controlled environment such as a licensed premises, then do not come to the central city.”
 (City councillor, *Waikato This Week*, 17 July 2003)
- targeting the sector of the population that is most responsible for the “loutish behaviour and vandalism” (*The Press*, 17 February 2004). Usually it is a combination of these
 “The same move has been initiated by police in Sydenham wanting more power to control vandalism and hooligans under the influence of booze...”
 (*The Press*, 17 February 2004)

Sometimes intoxication is the primary issue:

“We are sick and tired of outsiders and some locals filling themselves with booze.”
 (Eastern Beach resident, *Eastern Courier*, 5 March 2004)

but the media appear to have little understanding that liquor bans cannot directly address this issue. It is not uncommon for an article to imply or even state that implementing a liquor ban will have a dramatic positive effect in the applicable area:

“The days of drunken troublemaking teens ended yesterday with Tauranga’s new liquor ban coming into force.”
 (*The Daily Post*, 27 June 2003)

In fact the most commonly stated reason for a liquor ban is targeting resources to manage alcohol and young people and creating a “proactive approach” to controlling youth behaviour (*Gulf News*, 31 October 2003).

4.2.1 Young people and target populations

Although the media regularly refer to the objectives of reducing criminal offending and improving safety, they just as commonly report concerns about the numbers of young people consuming alcohol in public places and the 'threat' this poses.

For example, the Police in Marlborough were reportedly concerned at a significant increase in the number of younger people consuming alcohol in public places over the previous three years (since the lowering of the purchase age). They also highlighted an increase in alcohol-related offending, such as assaults, arson, sexual attacks and property damage and are lobbying for liquor bans in Blenheim and Picton. In support of the Police, the mayor was quoted as saying "...we want families to come out and enjoy public venues without feeling threatened" (*The Marlborough Express*, 9 December 2003).

More directly, stakeholders in other areas have stated that "youthful unruliness" (West Coast, *The Press*, 10 January 2004) and "... kids getting out of control" (*Kapi-Mana News*, 1 July 2003) are the source of the problem and will be targeted by Police as they enforce the liquor ban. The proposed ban in Katikati, for example, was needed "to overcome a problem with teenage drinking in the town" (*Katikati Advertiser*, 30 March 2004). Sometimes the number of young people present in an area is presented as part of the rationale for wanting a liquor ban:

"... residents were complaining of feeling intimidated and families who visited Sumner were now outnumbered by youths..."

(*Shore News*, 1 February 2004)

The Porirua liquor ban is perhaps the most overtly targeted at young people, although stakeholders' perspectives differ slightly. For example, one of the main concerns was "large groups gathering, getting drunk and fighting" (Porirua Healthlinks chairwoman, *The Dominion Post*, 4 October 2003). The mayor believed the liquor ban was "giving young people the message that this sort of behaviour is not tolerated", and a city councillor described it as helping to protect young people from themselves – "it's for their safety as much as anything" (*Porirua News*, 24 September 2003). Police in Porirua described the liquor ban bylaw as a tool to "target youths who are drinking to excess" (*Porirua News*, 15 October 2003), while the Healthy Safer City Trust had concerns about where young people will go (*The Dominion Post*, 4 October 2003).

Even when the bans were not as public about targeting young people, the portion of society they aim to prevent drinking were variously referred to as "hooligans", "hoons", "riff-raff", "bogans", "boy racers" and even "others out for a good time", especially if they were "upsetting the peace and quiet residents once enjoyed" (*Shore News*, 1 February 2004). In many places, both the TAs and the Police made it clear that the target group for liquor bans were not those having a "quiet picnic with a glass of wine" (for example, *Capital Times*, 27 August 2003; *Hawke's Bay Today*, 20 November 2003; *Porirua News*, 15 October 2003; *Kapi-Mana News*, 6 January 2004). The target population, as characterised in the media, were those public drinkers who bring or cause trouble:

"People walking around with a stubbie of beer in their hands are looking for trouble, or they will become victims later in the night... That's why the liquor ban is in place."

(Area commander Rotorua, *The Daily Post*, 15 January 2004)

“The type of people who drink in public places tend [to have] a lesser regard for public property or other person’s [sic] rights and therefore drinking becomes synonymous with anti-social behaviour.”

(Unattributed, *Horowhenua Mail*, 18 September 2003)

Many articles make an implicit or linked connection between young people and ‘undesirables’:

“The liquor ban is to combat hooliganism and kids getting out of control.”

(Kapiti Mana police area controller, *Kapi-Mana News*, 1 July 2003)

There is recognition that the number is small but persistent (*Katikati Advertiser*, 30 March 2004; *The Northern Advocate*, 17 October 2004), however many articles make it clear that drinking in public is a youth-dominated pastime:

“Teenagers with the aim of getting drunk and having a fight are ‘just the type of person we do not want in town’.”

(*The Dominion Post*, 2nd edition, 22 December 2003)

“Unfortunately, there are a lot of unsupervised youths who partake in far too much alcohol.”

(Police, *Waikato Times*, 8 January 2004)

And although “kids hanging around outside bars” (*Taupo Times*, 30 April 2004) are an identified problem, the issue is not just about under-18-year-olds. The reported arrests for breaches of the ban demonstrate that many of those arrested are in their 20s. Despite being legally able to drink in licensed premises, they are either choosing not to:

“They stand around a car drinking and getting drunk before going inside to the pub. It’s cheaper.”

(*Manukau Courier*, 10 July 2003)

or are drawing attention to themselves after spending the evening in licensed premises:

“Once bars close (3am) trouble escalates – ‘... a lot of people gather on the street and... it can be quite a tense situation’.”

(*Taupo Times*, 30 April 2004)

There are suggestions of some sort of correlation between public drinking and the lowered purchase age, as well as with the operation of licensed premises (*Eastern Courier*, 5 November 2003; *Northland Age*, 30 December 2003). However, while some elected members and Police would prefer national legislation “to stop drinking in public places” (*Franklin County News*, 6 November 2003), liquor bans are the favoured strategy and young people are identified most often in the press as their target population:

“Regretfully it is this section of the population (‘snotty-nosed little buggers’) who have ruined it for others – a bylaw controlling their conduct is long overdue.”

(Editorial, *The Daily Post*, 21 November 2003)

Even so, the targeting of young people is one of the more contentious issues in the media dialogue, with a variety of contrasting opinions printed:

“It’s like a police state – we live in New Zealand, not communist Russia... the kids have to go somewhere. You can’t lock them off the bloody planet.”

(Businessman, *The Daily Post*, 31 December 2003)

“It seems to me a very discriminating bylaw and one which is frustrating and costing the 18 year olds (and slightly older...) They can’t win!”

(Letter to the editor, *Whakatane Beacon*, 8 October 2003)

For their part, the few young people reported in the clippings said that liquor bans wouldn’t stop them drinking in public anyway, although they would have strategies to conceal their alcohol and they may have chosen other areas in which to drink (*West Coast Times*, 28 July 2003; *The Northern Advocate*, 13 October 2003). They also felt the bans did not address the real issue which, to them, was “violent youths in town” (*The Northern Advocate*, 13 October 2003).

Many perspectives contribute to the rationale behind liquor bans, but while the rationale might be detailed and complex it is not always clear that a liquor ban is the most effective way to achieve the various aims. Even so, the overwhelming majority of press articles on liquor bans are accepting, positive and supportive of the prospect.

4.3 POPULARITY

Liquors bans are often presented as straightforward measures with goals for the ‘common good’, which may account for the overwhelmingly positive reception to them. While highlighting issues and difficulties with various liquor bans, the media carry many more stories of support, and those that highlight the limitations of a liquor ban can cause a reaction among stakeholders and the general public:

“I hope this success of Whangarei’s liquor ban encourages others to stand up against the cotton-wool trendy liberals... [who] speak about liberty but not morality. Do-as-you-please libertarians say we should be more accepting... They say individuals should be responsible for the consequences of their actions... but they forget that society as a collective had the right to demand that we do not become victims in the first place.”

(Letter to the editor, *The Northern Advocate*, 4 July 2003)

Several newspaper opinion polls conducted on the issue showed the public response to be largely favourable. For example:

- “should stay in place to keep young people out of trouble”
- “to mix hoons and alcohol is trouble”
- “should remain to stop people drinking and driving”
- “if youth in particular can be responsible about drinking, take away some of their options”
- “it makes you feel safer at night and cuts down on the rubbish”
- “... so there’s less abuse on the streets”
- “... hopefully mean the town won’t get trashed”

- “liquor has too much room for abuse in society without the proper controls in place”
- “no place on street for drinking but law won’t work unless properly enforced”
- “there are plenty of other places for them to go”.

(*Waikato This Week*, 21 August 2003; *Bay of Plenty Times*, 5 January 2004; *The Northern Outlook*, 12 May 2004)

However, a small number of people offered less supportive opinions:

- “Good move but can be a hassle for young people...”
- “I think walking down the road with a bottle of drink should be ok. People should only get in trouble if they are wreaking havoc.”
- “If you’re going to have a picnic on the beach you can’t have any alcohol and it’s not as fun.”

(*Waikato This Week*, 21 August 2003; *Bay of Plenty Times*, 5 January 2004; *The Northern Outlook*, 12 May 2004)

It is common to read of a call for a liquor ban following an incident involving alcohol in a public place:

“Auckland’s inner city liquor restriction is emerging as a popular tool to maintain social order, with requests to extend the booze ban all over town.”

(*Central Leader*, 23 April 2004)

This includes Raglan in the North Island and Moana in the South following New Year’s Eve celebrations, as well as numerous small towns such as Dannevirke and Frasertown for reasons such as:

“These are the same problems [related to youths aged between 13 and 18] every little town’s got... It’s just to make [Dannevirke] a better place to live.”

(*Hawke’s Bay Today*, 20 March 2004)

In some areas, there were calls for bans where there was no evidence of the issues they aimed to address (*The Press*, 5 May 2004), while others aimed to extend existing bans “city-wide” or “across the whole district” (*The Observer*, 29 February 2004; *The Press*, 8 May 2004). In Taupo, disorderly behaviour in and around bars prompted a request from the Police for a permanent liquor ban (*Taupo Times*, 30 April 2004) and other areas cited intoxication and congregating young people as reasons for implementing liquor bans (*Shore News*, 1 February 2004; *The Dominion Post*, 4 October 2003; *The Daily Post*, 27 June 2003).

It is perhaps not surprising that liquor bans have a lot of support from within the community, as much of the reporting quotes high-profile and respected members of the community (local politicians, Police and business people), often supported with data from Police sources. Local surveys have also shown this, although a little investigative journalism from *The Northern Advocate* (13 October 2003) highlighted that the Whangarei District Council’s survey was heavily weighted towards the older section of the population. When 12- to 18-year-olds were questioned, only 12 out of 60 said it made them feel safer in the CBD. Forty-eight young people did not agree with the bylaw.

Public involvement varies considerably across the country, with more than 40 submissions made in Christchurch but only one in Waimakariri and none in Dunedin. This was interpreted by *The Northern Outlook* (8 May 2004) as "... maybe an indication that the public generally accept the ban was effective...".

4.4 REPORTED IMPACTS

Liquor bans are seen to be "an integral part of the police strategy" (*The Press*, 11 February 2004) and are credited with making a significant contribution to reducing violent crime as well as vandalism and disorder. Reports from Whangarei showed a dramatic reduction in shop window replacements, less vandalism and other property damage (*Whangarei Report*, 18 December 2003) while "curbing loutish behaviour and vandalism" was attributed to bans in Rangiora and Kaiapoi (*The Press*, 17 February 2004). In Waimakariri, Police said the ban had prevented the district's vandalism problem getting any worse (*The Northern Outlook*, 8 May 2004).

Behaviour change was also widely reported. In Mangere Town Centre, both the "uncontrolled drinking" and the numbers of people gathering to drink together had reduced (*Manukau Courier*, 30 January 2004), whereas central Christchurch was described as "far less intimidating" with fewer groups loitering in the city (*The Press*, 24 March 2004).

"The mindset of Christchurch drinkers is also starting to change... they're no longer drinking on the streets and in the open... there is more control and less drunkenness in public."

(Police, *The Press*, 24 March 2004)

Christchurch hoteliers and stallholders in Cathedral Square were reported as saying the liquor ban produced a "marked change" in behaviour on weekend nights. It was also credited for "a significant drop in inner city crime in the past year" and changing "...drinking attitudes in the inner city". A stallholder, however, attributed this, in part, to more commercial activity, improved lighting and a higher Police presence, which left fewer places for 'undesirables' to hang out (*The Press*, 24 March 2004).

Palmerston North reported a "dramatic decrease" in sexual assaults, along with decreases in other crime (*The Dominion Post*, 1st edition, 11 May 2004) and there were "significantly fewer problems with alcohol-impaired people" in Wanganui (*Wanganui Chronicle*, 19 November 2003). In both Whangarei and Palmerston North, a reduction in the number of deliberately lit fires was possibly linked to the liquor ban. This was also a possibility in Christchurch (*Whangarei Report*, 18 December 2003; *The Press*, 30 April 2004). Police in Whangarei said the streets were safer, quieter and cleaner since the ban (*The Northern Advocate*, 13 October 2003) and a reduction in public disorder, drunkenness and litter was attributed to the Auckland City CBD liquor ban (*Central Leader*, 3 March 2004).

However, while the ban in Orewa was described as working well – with not one prosecution since its December 2003 introduction (*Rodney Times*, 22 January 2004), the liquor bans in Ahuriri and Westshore had been ignored by members of the public and the Police until April 2004. Since then enforcement has been reported as a major factor in bringing things "back to normality" (*Hawke's Bay Today*, 11 May 2004).

Where a reduction in crime was minimal, policing practice was often called to account. The *Gisborne Herald* (27 February 2004) reported that the “warnings approach” had not made any difference to rates of disorderly behaviour, while in Christchurch, an increase in arrests was attributed to targeted Police operations using the liquor ban as one tool to address trouble in the area (*West Coast Times*, 28 July 2003). Since then, the Police have been reported as saying there had been a 60-70% drop in serious crime, a 40% drop in intentional damage and a halving of assaults over the past year. (*The Press*, 13 February 2004).

4.5 ISSUES

4.5.1 Legislation

Several letters to the editor took issue with the legislation itself, for example labelling ban bylaws as:

“... capricious attempts to use a blanket rule to control drunkenness and hooliganism. Neither the carrying of liquor nor drunkenness are crimes – they do not harm others... Lawmakers still have to learn to differentiate between what is undesirable and what is a crime... This is... warm and fuzzy, but lawmaking should be based on realism.”

(*Waikato Times*, 17 January 2004)

Others felt that ‘blanket bans’ on public drinking avoided the real issues:

“If there is a problem with excess drinking or unruly behaviour among park-goers, deal with that rather than impose a swag of regulations on the rest of us.”

(Letter to the editor, *The New Zealand Herald* (Regional Edition), 23 April 2004)

“After all, it is not alcohol that disturbs the peace at the weekend, it is people... The liquor ban is just an easy option that avoids the need to consider what real offences have been committed.”

(Editorial, *Hawke’s Bay Today*, 6 May 2004)

In Hamilton, a city official felt that a 24/7 ban “would not meet requirements that a bylaw must focus on the specific problem it addresses” (*Waikato This Week*, 18 September 2003).

4.5.2 Role of Police

One of the reported reasons for the Police supporting liquor bans was that they “... like this piece of legislation because it has a calming effect on the whole community and is not just a tool for police” (*The Nelson Mail*, 15 November 2003). Liquor bans are also widely reported to be “proactive” Police tools for managing alcohol-related problems (*Central Leader*, 1 August 2003; *Western News*, 20 August 2003). They can be used to “nip the problem in the butt” (*The Dominion Post*, 9 October 2003) before a situation escalates or give Police the “teeth to be able to pounce” on groups that are causing trouble (*East and Bays Courier*, 3 March 2004). However, they are also portrayed as the only way to tackle inappropriate alcohol-related behaviour:

“Because there is no consequential behaviour which could be addressed via the existing legislation the only practical means of stemming the problem is through the regular confiscation of alcohol and prosecution.”

(Horowhenua District Council councillor, *Horowhenua-Kapiti Chronicle*,
13 September 2003)

This is arguable because numerous pieces of legislation can be used to deal with alcohol-related behavioural and criminal issues, especially if some sort of ‘trouble’ has already been identified. In fact many articles raise the issue of more effectively applying existing Police powers rather than invoking a liquor ban (*The Dominion Post*, 17 October 2003; *Hawke’s Bay Today*, 6 May 2004; *The Press*, 17 February 2004).

“Why, oh why, wasn’t such a law passed earlier if this is all it took [to bring peace and civility... to our fair city]... I suggest... that an increased presence of police, along with the reasonable enforcement of existing laws would have more effect than passing another quite unnecessary law.”

(Letter to editor, *Christchurch Star*, 21 April 2004)

Evidence of the use of these existing powers is often put before TAs to ‘prove’ the need for a liquor ban (*Waikato Times*, 26 March 2004; *Wanganui Chronicle*, 20 March 2004; *Manawatu Standard*, 20 April 2004). In Auckland’s Parnell, for example (*East and Bays Courier*, 19 March 2004) the Police called for a liquor ban (which was subsequently enacted) based on arrests for “brawling and antisocial behaviour” on a Wednesday night between 10pm and 2am. They were mainly concerned with cheap alcohol promotions and drinking in car parks. However, when the car parks are privately owned, neither of these activities is covered by a liquor ban. Nor does a liquor ban have any impact on intoxication. An argument for Police using their existing powers earlier in the evening could probably have been validly made.

The media generally portray and accept liquor bans as Police driven. Those supporting bans often link them directly to policing and, where they print criticism, tend to level it at the Police rather than TAs. They convey the impression that liquor bans are mostly about policing, with TAs having no power apart from enacting the bylaw and potentially retracting it.

“Short of saturating the streets with police, at great cost, there is no easy answer to dealing with the destructive behaviour of a few. But a liquor ban is a start and... the council should swing in behind the police.”

(*The Press*, 8 May 2004)

While the true costs of liquor bans are not reported, they are said to be “expensive” (*The New Zealand Herald*, 2 January 2004). While arguably liquor bans are saturating the streets of defined areas with Police (when the Police are available to do so), Police resourcing for liquor ban enforcement remains a concern – even in areas where supporting strategies are reported.

For example, in Christchurch there were fears that a liquor ban in Sydenham “may be impossible to enforce”. It was recognised that the Police would not be able to enforce it all the time and there were

fears that such a situation could lead to people thinking they could drink and not get caught by the Police, leading to an “eventual disregard of the law” (*The Observer*, 25 April 2004). This sentiment was echoed in many other places, including Whakatane (*Bay of Plenty Times*, 17 October 2003), Whangarei (*The Northern Advocate*, 20 March 2004) and in Rotorua where *The Daily Post* (17 February 2004) reported that most of the 180 people charged with breaching the liquor ban there had been “surprised” to get caught. Judging by reports of the numbers defying various bans, the coercive effect of the bylaws is minimal for some (*Manawatu Standard*, 12 February 2004; *Waikato Times*, 26 March 2004).

Police resourcing and enforcement are widely reported concerns. In Manukau City, the council decision had “to be balanced with what resources police have” (*Manukau Courier*, 27 February 2004) and indeed Manukau Police were reportedly not enforcing the existing liquor bans until after an alcohol-related incident led to a death in Mangere (*Papatoetoe and Otahuhu Week*, 10 September 2003). Some Police officers were apparently unaware of the ban at the time, although the area commander said Police were committed to enforcing the ban after meeting with the mayor (*Wanganui Chronicle*, 3 September 2003).

In many areas extra Police were called in to deal with liquor ban breaches, causing some concern for the areas from which they were drawn. This is the case in larger cities such as Wellington, as well as in smaller towns like Alexandra and Havelock North. In Christchurch, Police resources for Sumner “...had been stretched and sometimes other incidents got priority”, however a realignment of boundaries to include Lyttelton “under the same umbrella” meant potentially more Police were available for Sumner (*Shore News*, 1 February 2004). Even so, Christchurch Police acknowledged the resourcing issue after a weekend when 30 people were arrested for breaching the liquor ban – “Often we are too busy to enforce it to this level” (*The Press*, City Edition, 2 September 2003).

Concerns about effective enforcement are growing as liquor bans become prolific and cover longer time periods. As a Whangarei city councillor was reported as saying:

“If you push it out (the area of the ban) all the police will be doing are liquor ban patrols, they can’t be everywhere... You are going to have a stretched police force and people will just go and drink outside that area – where do you stop?”

(*The Northern Advocate*, 6 November 2003)

A Nelson business owner expressed a similar opinion in March 2004 (*The Nelson Mail*, 3 March 2004), saying that little had changed since the introduction of the liquor ban and that the extent of the problem (vandalism, property damage, littering, vomiting and urine) was “unbelievable”.

Resourcing clearly plays a part in determining how a liquor ban is enforced. In Havelock North, for example, limited Police numbers, and their role in supporting Police in Hastings, led to the liquor ban not being enforced at all for the first year (*Hawke’s Bay Today*, 6 May 2004; *The Dominion Post*, 5 May 2004). In Manukau City Police were reported as relying on the community to tell them of problems (*Eastern Courier*, 5 November 2003) and in March 2004 a Whangarei city councillor blamed a “serious policing problem” for the limited enforcement of the liquor ban (*The Northern Advocate*, 20 March 2004). On the other hand, according to a licensee in Paihia, Police there were extra vigilant:

“You have three or four times more chance of being picked up by police in Paihia than you would in Auckland. They are really coming down on anything that moves.”

(*The Northland Age*, 23 October 2003)

Along with differences in liquor bans' structure and boundaries across the country, there are significant differences in enforcement approaches. While it is reported that the liquor ban bylaws give councils the power to prohibit public drinking, the power of enforcement lies with the Police – and the LGA 2002 does not give TAs powers to moderate the bylaw policing (*The Nelson Mail*, 24 September 2003). Many areas have developed agreed protocols tailored to the local situations, which has resulted in both similarities and significant differences.

For example, 'educational periods' are commonly favoured during the early stages of implementation. What these comprise, and their duration, vary considerably. In Havelock North the educational period equated to spending “some time advertising the ban rather than taking action against people breaking the ban” (*Hawke's Bay Today*, 5 May 2004), while in Hamilton “a period of grace” operated for the initial month of implementation (*Waikato Times*, 11 October 2003). In Wellington, breaches were “nullified” if the Police achieved compliance (*The Dominion Post*, 2nd edition, 22 December 2003) and in Auckland the Police had to “give someone the chance to take their alcohol out of the area before they can be searched” (*East and Bays Courier*, 3 March 2004). However, people complying with Police requests to dispose of alcohol were still arrested in Havelock North and Gisborne (*Hawke's Bay Today*, 6 May 2004; *Gisborne Herald*, 1 May 2004).

In Whakatane, “the days of warnings for breaking the liquor ban are long gone” (*Bay of Plenty Times*, 17 October 2003) and the situation was similar in Tauranga and Mount Maunganui (*Bay of Plenty Times*, 18 February 2004). In both Gisborne and Rotorua, a “zero tolerance” approach was enforced “in an attempt to change the culture away from uncontrolled drinking” in the CBD (*Gisborne Herald*, 1 May 2004; *The Daily Post*, 17 February 2004). These vastly different styles of policing the liquor bans allegedly led to some “over-zealous” and almost “oppressive” conduct by Police officers (*Drinksbiz*, February/March 2004; *Waikato Times*, 24 December 2003). Some also appeared to be contravening the LGA, which provides for a search without providing an opportunity to comply with the liquor ban only “on specified dates or in relation to specified events”, and not in a permanent ongoing liquor ban.

The media also highlight difficulties when people wish to have a celebratory glass of wine at a wedding in a public place within a liquor ban area, or have a picnic on the beach. In most cases people were assured the Police would use their powers of discretion to target those most likely to contribute to crime in the area or to be jeopardising safety (for example, *Manukau Courier*, 10 July 2003; *Capital Times*, 27 August 2003; *Horowhenua-Kapiti Chronicle*, 19 September 2003; *Hawke's Bay Today*, 20 November 2003; *Porirua News*, 15 October 2003; *Kapi-Mana News*, 6 January 2004; *Eastern Bay News*, 15 April 2004). In Kawerau, for instance, it was expected that the Police would “turn a blind eye” to such events (*Whakatane Beacon*, 16 April 2004) and other areas equally assured residents that unless “a complaint was received” (*Eastern Bay News*, 15 April 2004) their quiet drink would go undisturbed. Many residents were not easily reassured, however, and the issue of Police discretion remains.

4.5.3 Displacement

In many places the main concern about the impact of a liquor ban relates to potential displacement, particularly of intoxicated young people. Although the Police often refute it, there are articles describing displacement in Christchurch, Wellington and Auckland as well as in Whangarei, Hamilton, Invercargill, Waimakariri and to areas outside Greymouth (*West Coast Times*, 28 July 2003; *Waikato This Week*, 18 September 2003; *The Dominion Post*, 31 October 2003; *The Northern Advocate*, 6 November 2003; *The Southland Times*, 3 December 2003; *The Press*, 8 May 2004).

While some downplayed potential displacement:

“People who wanted to act up preferred a lit-up area with an audience, so displacement is usually minor...”

(*The Oamaru Mail*, 3 September 2003)

others described it in great detail. For example, the Northland Society of Arts was on the cusp of the liquor ban area in Whangarei and reported young drinkers in the grounds during the day as well as at night.

“The young drinkers urinate, and defecate there and used condoms have also been found. Dozens of beer cans, bottles, broken glass, beer and food cartons and scraps are collected every week by volunteers.”

(*Whangarei Report*, 25 March 2004)

In Invercargill, submissions reported that the ban came at the cost of those who lived and worked just outside its boundaries, with people having to deal with increased levels of vandalism, broken bottles and other litter as well as the “hooligans” responsible for it (*The Southland Times*, 3 December 2003). Similar problems were described in Auckland and Hamilton, with the CBD liquor ban in Auckland reported as intensifying the pushing of “drunken teenagers” into Parnell, Newmarket and Remuera where they were “causing havoc” (*East and Bays Courier*, 2 July 2003). In Hamilton, moteliers on the fringe of the ban area found it hard to let road-front units owing to the disturbances of people drinking on the street (*Waikato This Week*, 18 September 2003). The effect of a liquor ban in Greymouth was described as:

“Problem shifted, not solved... The council is now faced with finding a real solution.”

(*The Press*, 10 January 2004)

A councillor in Waimakariri believed “the effect of the ban has been to drive young drinkers out of the town and into the small settlements of Tuahiwi and Sefton” (*The Press*, 8 May 2004), and young people (aged 12-18) surveyed by Whangarei District Council concurred. They believed the CBD liquor ban “...causes problems in the outlying areas” (*The Northern Advocate*, 13 October 2003) and a Whangarei District councillor felt that the ban would only change the location of public drinking rather than any behaviour (*The Northern Advocate*, 28 June 2003).

The Hospitality Association hoped that this displacement was into restaurants and bars (*The Auckland – City*, 18 September 2003) but the youth centre manager in Nelson felt the CBD ban there

was “likely to drive youth use of alcohol further underground rather than relieve it in any way” (*The Nelson Mail*, 24 September 2003). In some cases, it was the Police who attributed a jump in alcohol-related offending to displacement from nearby alcohol bans, such as in New Brighton, Christchurch (*Christchurch Eastern Mail*, 25 June 2003):

“... a new pattern was beginning to emerge... New Brighton was picking up a displacement problem of central city troublemakers... property damage and tagging.”

(*Christchurch Mail*, 10 March 2004)

In Porirua, one submitter felt that where young people might go was “probably a greater risk” than not having a liquor ban in the town centre (*Porirua News*, 24 September 2003).

However, rather than limiting the number of liquor bans, the issue of displacement has prompted calls for wider geographical boundaries so “the youths do not just move a short distance away” (*Christchurch Star*, 11 February 2004). In Franklin District, “restrictions” in areas like Port Waikato and Kaiaua were described by a councillor as being necessary owing to unruly elements from the city looking for places without restrictions in which to drink and engage in anti-social behaviour (*Franklin County News*, 17 February 2004).

Displacement is a widespread issue and no strategies for a solution have been reported in any areas, beyond extending existing liquor bans. However, the *Christchurch Star* (13 February 2004) reported recognition from the city council of the need to monitor the progress of the various liquor bans “... especially if there is any suggestion that there are negative outcomes [including displacement]”.

4.5.4 Criminal record

The media report a small level of concern with the creation of criminal records for those breaching liquor bans. It appears that in many cases first-time offenders have been discharged without conviction but ordered to pay court costs, with subsequent appearances yielding convictions. A Rangiora lawyer believed it was wrong to turn “silly young people” into criminals, and that confiscation and an infringement fee could deal with any liquor ban breach (*The Press*, 17 February 2004). Several Wellington city councillors agreed that the liquor ban would turn “ordinary people into criminals” (*The Dominion Post*, 31 October 2003). In one case, a young man had been unable to take up an opportunity to go to Camp America because he had a criminal charge pending (*Gisborne Herald*, 1 May 2004).

4.5.5 Bill of Rights

In several areas the media report concerns about potential breaches of the Bill of Rights. Blanket bans are reported as inappropriate because “they imposed constraints on the public and would contravene the Bill of Rights” (*The Northland Age*, 15 April 2004).

The Waimakariri District Council debate acknowledged that liquor bans were a “regulatory process that impinged on people’s ability to go about their lives” (*The Press*, 5 May 2004). Civil rights issues were also raised by a Waitaki District Council councillor, but these were countered by arguments of the civil rights of the wider community (*The Oamaru Mail*, 3 September 2003). Similar issues were raised in

Nelson (*The Nelson Mail*, 24 September 2004). It is unclear if the Bill of Rights could be used to challenge a prosecution for breaching a liquor ban.

4.5.6 Young people and targeting

Following the massive amount of information about liquor ban bylaws targeting young people, there is a small amount of concern printed about it. In Tauranga a lawyer was quoted as saying there was too much “collateral damage” and “too many good kids” are being arrested for a minor offence.

“If there was a brawl, then sure I could understand. But it was being used to harass a lot of youth in Tauranga.”

(*Bay of Plenty Times*, 26 June 2004)

A councillor in Whangarei believed that many of the youth problems could perhaps be better targeted by directly working with the 5% of young people causing havoc (*The Northern Advocate*, 17 October 2003).

4.5.7 Intoxication and alcohol abuse

The media have many examples of intoxication being a primary reason for enacting a liquor ban bylaw.

“They’re fine when they are not drunk, but when they get out of it they just want to smash things up.”

(Business owner, *The Observer*, 29 February 2004)

As pointed out in the ‘Key issues’ section of the overview, it is commonly accepted that bans act as a coercive strategy and in this way reduce the incidence of drunkenness. The media provide very little acknowledgement that bans have any limitations in dealing with the issue of intoxication; only a small minority of articles highlight the fact that liquor bans cannot deal directly with intoxication.

For example, reports from Christchurch and Dunedin highlighted people “coming into the CBD with alcohol already in their systems” and “... early morning party buses discharging intoxicated people into the inner city” (*West Coast Times*, 28 July 2003; *Otago Daily Times* 2 March 2004). Licensed premises were also named as sources of intoxicated people, and the Police in Christchurch cited 24-hour weekend trading as preventing them “targeting intoxicated patrons leaving bars and clubs because there was no set closing time” (*The Press*, 11 February 2004).

Submitters in Whangarei believed the bylaw needed to be widened to include an overall strategy to help solve a “growing epidemic of alcohol abuse in Whangarei” (*The Northern Advocate*, 17 March 2004) and in Wellington, five city councillors argued that the ban did not address the real issues of drunkenness and alcohol abuse (*The Dominion Post*, 31 October 2003).

“By moving a handful of addictive and habitual drinkers into another area it was sweeping a serious social problem under the mat.”

(*The Dominion Post*, 2nd edition, 31 October 2003)

In Oamaru, Waitaki District Council councillors acknowledged that a liquor ban would not actually address the “base issue” (*The Oamaru Mail*, 3 September 2003) and a community board member in

Christchurch vehemently opposed the extension of the CBD liquor ban, saying, “it does nothing to address the real issue of alcohol abuse” (*Christchurch Star*, 13 February 2004).

“I am totally against it going seven days a week. It is overkill. It is not really addressing the problem as far as I am concerned. An alcohol ban is not addressing the concern of changing people’s attitudes. It is a band aid on the problem. Alcohol abuse is really bad but CHCH has more places to buy alcohol from than ever before. It is not a consistent approach.”

(Community board member, *Christchurch Star*, 13 February 2004)

Similar sentiments were echoed in Waimakariri, Methven and Whangarei. In Manukau and Auckland, as well as in Marlborough, links were made to the lowering of the drinking age, and the Police also mentioned the operation and management of licensed premises as coming under scrutiny in many areas. Letters to the editor also raised these issues and talked of parenting as well:

“It’s becoming evident that more and more drink-related incidents are taking place since the drop in the legal drinking age. A return to the former age seems warranted.”

(*The New Zealand Herald* (Regional Edition), 23 April 2004)

“On Christmas Eve,... I observed young people leaving the Kauri Arms with booze and drinking while walking towards town. The big eye-opener was outside the Kahuna Bar where a third of the road was occupied by young people drinking and socialising. We had to pass them on the wrong side of the road. One has to ask what’s happened to becoming a responsible host.... It’s about time these places were held to account... As parents we have the responsibility to take care of our youth, not leave it up to the police or the ambulance staff or the doctors and nurses, all for the sake of tills ringing.”

(*The Northland Age*, 30 December 2003)

In a limited way, the media show that a variety of strategies are required to effectively address the underlying and broader issues relating to alcohol-related harm. Even so, they give these issues far less attention than detail about ban rationale or operation, and certainly less than statements about their ‘success’ and popularity.

4.6 DISCUSSION

Generally, most of the articles analysed here support liquor bans. They often use emotional language to portray the seriousness of the issue as well as the success and effectiveness of liquor bans as a strategy. In many areas there are indications that the media are being used as part of a strategy to promote liquor bans.

The material supplied contains no investigative journalism on the subject and the information supplied to or collected by the media appears to have been accepted with little or no scrutiny. There is much less coverage of the potential disadvantages of the bylaw, although there is clearly at least one non-official dominant agenda in many areas: the targeting and moving on of young people.

The perception that there is a societal issue with young people drinking in public appears to be related to intoxication. However, another key influence appears to be the 'intimidation factor' of young people as a group, especially when they are being loud, unruly and seemingly unpredictable. Judging by the arrest data presented in the media, liquor bans are not working as a tool for behaviour change for large numbers of young people. Many simply drink elsewhere and then enter the liquor ban zones.

The few young people spoken to by the media described various strategies, but none mentioned a change in drinking habits towards drinking less or in a safe or controlled environment. Some of those prosecuted anticipated being prosecuted again. It appears that restricting drinking locations alone, rather than as part of a comprehensive strategy, is not going to encourage safer drinking habits among young people.

It is also clear from the media that alcohol-related trouble in the streets is not only related to the act of drinking in public. While intoxication appears to be a primary issue, it is not directly dealt with by a liquor ban despite many articles implying that it is. The only role liquor bans can play in moderating intoxication is reducing the opportunity (through restricting the location) to drink.

However, liquor bans can play a positive role in regulating alcohol consumption in public places. They could be a first step in developing more comprehensive, long-term strategies and partnerships and could encourage Tas to participate in behaviour change work in a variety of fields.

The proliferating liquor bans may also encourage more critique from the media and promote a more consistent approach to ban structures and operations around the country. It would be useful if the Police issued a national directive to mitigate the effects of individual discretion and interpretation so that ban policing is, and is seen to be, fair.

It is equally important that the complexity of liquor bans is understood. Promoting them as simple and straightforward measures is to undersell them as a potentially powerful tool in a broader strategy.

LIQUOR BAN STOCKTAKE: 30 NOVEMBER 2004

Table Four. Year-Round Liquor Bans

District/City council	On what days and during what times is the ban in effect?	Evaluation or review planned or completed?	Extensions or new liquor bans planned or reported?	Alcohol policy or strategy?
Auckland CC	CBD: area extended, every day, 24 hours. Otahuhu, Glen Innes, Parnell, Mission Bay, Panmure, Avondale, Newmarket, Blockhouse Bay and Onehunga: Thursday, Friday and Saturday 10pm to 6am the following day.	CBD liquor ban evaluation completed, 2004.		Yes, but not active yet.
Christchurch CC	CBD bounded by the four avenues - 24 hours, seven days a week. Colombo St South - 24 hours, seven days a week. On and around Sumner Esplanade from 7pm Thursday to 7pm Sunday. Spencer Park - New Year's Eve 8.30 pm 31 December to 6 am 1 January each year.	CBD liquor ban evaluated, 2004.		
Dunedin CC	24/7 in the city centre.	Yes.	Debate over whether it should be extended to the campus area.	Yes, under review.
Franklin DC	Between 10pm and 7am in central Tuakau, Pukekohe and Waiuku plus some reserves.	Police monitoring and aware of ALAC toolkit.		No.
Gisborne DC	Seven days a week, 24 hours.			
Gore DC	Proposed 24 hours, seven days a week in the central business areas of Gore and Mataura townships (aiming for implementation in March 2005).			Yes, Liquor Policy.
Grey DC	A ban is in place each Thursday to Saturday night from 7pm to 7am the following day, as well as on Christmas Eve and New Year's	No,		Yes, up for review.

	Eve. Some parks have 24/7 year-round liquor bans.			
Hamilton CC	CBD: from 6pm Thursday to 7am Sunday since 1 October 2003.	"An ongoing practice."	Beginning process to extend hours (Nov 2004).	Yes.
Hastings DC	In Havelock North there is a ban for Thursday, Friday and Saturday nights, 10pm to 7am the following day; and during public holidays for the same hours.	Havelock North evaluated 2004.		Liquor Licensing Policy.
Horowhenua DC	Liquor bylaw adopted 1 September 2004, effective 2 September 2004. Permanent 24/7 bans in defined CBD areas of Levin, Foxton, Shannon, and Jubilee Park (Levin).	Police are evaluating.		Sale of Liquor Policy (1 July 2002).
Hutt CC	Each Thursday-Saturday night from 6pm to 6am. There is also a 24-hour liquor ban over the Christmas period, from 25 December to 2 January. These are to be reassessed in a December 2004 council meeting.			Liquor Licensing Policy (May 2004).
Invercargill CC	A CBD ban is in place every Thursday (7pm) to Sunday (midday) according to liquor policy.			Liquor licensing policy.
Kaipara DC	A 24/7 ban exists in the Dargaville CBD.	Alcohol accord group discusses at meetings.		No.
Kapiti Coast DC	Thursday 8pm to Sunday 8am as well as public holidays in Otaki and Paraparaumu retail centres, plus 24/7 at the Waikanae Skate Park.			Yes.
Kawerau DC	A 24/7 ban exists in Kawerau that prohibits the consumption of liquor in specified public	No.	No.	No.

	places eg. CBD, the Recreation Centre, and other locations.			
Manukau CC	<p>Several areas around Manukau have bans including:</p> <ul style="list-style-type: none"> • Otara Town Centre - Monday to Thursday 7am to 7pm and Friday 9am to Sunday 7am • Cockle Bay and Eastern Beach - 7pm Friday night to 7am Saturday; midday Saturday to 7am Sunday; midday Sunday to midnight Monday • Mangere Town Centre - Thursday, Friday and Saturday night 7pm to 7am the following day • Bakerfield Place - Thursday, Friday, Saturday 8pm to 4am • Howick - 7pm Thursday to 7am Monday, public holidays and Guy Fawkes night • Eastern and Bucklands beaches - 24/7 • Beaches at Cockle Bay, Howick, Mellons Bay, Beachlands (incl Te Puru) and Maraetai - 7pm Thursday to 7am Monday, public holidays and Guy 	<p>Evaluation will be carried out by MCC policy department in 2005. Currently rely on Police feedback.</p>		<p>Alcohol Strategy since November 2002.</p>

	<p>Fawkes night</p> <ul style="list-style-type: none"> • 24/7 for all Council-owned playgrounds, skate parks and public reserve car parks. <p>More detail available in MCC bylaw.</p>			
Masterton DC	A ban exists for Thursday, Friday and Saturday nights, 9pm to 7am (Sun) in the CBD and Queen Elizabeth II Park and on the day prior to a public holiday and the day of a public holiday. There is also a 24/7 ban at the Skate Park. The coastal towns of Riversdale and Castlepoint also have limited holiday bans.			No.
Napier CC	Each Wednesday to Sunday from 8pm to 6am the following day.	Short review completed 2004.		No.
Nelson CC	CBD and a number of parks every day from 7pm to 7am.		Hours currently in the process of being extended to 9pm to 7am during daylight saving and 7pm to 7am for the rest of the year.	No.
New Plymouth DC	Each Thursday to Saturday night from 7pm to 7am (Sun), plus Christmas Eve 5pm to 7am and New Year's Eve 7pm to 7am where these fall outside a Thursday to Saturday.	Police statistics.	No.	No, although being considered for 2005-6.
Opotiki DC	Thursday night to Sunday night, which covers the CBD and certain streets leading out of town that have previously been problem areas.	Police report periodically to Council.	None.	No.
Palmerston North CC	CBD: 24/7 from 1 December 2003.	No.	No.	No.

Porirua CC	24/7 for CBD and Cannons Creek business district plus every day between 5pm and 7am in Titahi Bay beach, Paremata/Pauatahanui inlet (west), Ngatitua Domain, Plimmerton beaches, Pukerua Bay beach.			No.
Rodney DC	Orewa CBD, 24/7 since December 2003.			Liquor Policy.
Rotorua DC	CBD and some reserve areas bordering the city effective 24 hours a day, seven days a week.			Liquor Policy.
South Taranaki DC	24/7 in Hawera town centre.	Intended in near future,		Yes.
South Waikato DC	For the Tokoroa CBD a ban is in place from 7pm to 7am each Friday and Saturday night.	No.	No.	No.
Stratford DC	CBD, every day from 9pm to 9am (since 1 November 2004).			Yes, since 1996.
Tasman DC	Bans exist in the town centres of Richmond, Motueka and Takaka for each Thursday to Sunday inclusive plus public holidays from 9pm to 7am; however, from 1 November to 31 March the ban is expanded to seven days.			
Taupo DC	Taupo CBD permanent liquor ban comes into force on 17 November 2004 – commencing 4pm on every Thursday until 7am on Mondays and all public holidays. Mangakino 7pm to 7am Friday and Saturday night plus public holidays.	New Year's Eve liquor ban deemed very successful by Police (2003). Likewise the one in Mangakino.		No.

Tauranga DC	<p>Each Thursday to Saturday night, 12 noon to 6am (Sun), and a 24-hour ban from 26 December to 5 January. Area extended.</p> <p>Parts of Mount Maunganui CBD and Marine Parade at Mount Maunganui from Thursday, Friday, Saturday and Sunday from 12 midday to 6am the following day, year-round bylaw.</p> <p>Parts of Tauranga CBD from Thursdays to Sundays inclusive from 12 midday until 6am the following day (bylaw).</p>			Sale of Liquor policy (1998) and about to be reviewed.
Thames DC	24/7 in Thames town centre plus numerous seasonal bans (see below).			Yes.
Timaru DC	24/7 in the Timaru and Temuka CBDs.			Liquor policy.
Waimakariri DC	Kaiapoi and Rangiora town centres for Friday and Saturday night (7pm to 7am) as well as at Waikuku, Woodend and Pines Beach. Also includes New Year's Eve. Town centre areas extended in May 2004.			No.
Wairoa DC	Permanent and ongoing ban at Wairoa: 24/7.			
Waitaki DC	Oamaru liquor ban 24/7 year round from 1 December 2003.	Not yet.	No.	Yes, liquor policy.
Wanganui DC	24/7 for CBD.	Evaluated at regular Liquor Liaison Group meetings (no set criteria).		Liquor Policy.
Wellington CC	CBD: Friday and Saturday 8pm to 6am the following day during summer (November to April) and 5pm to 6am in winter (May to October).	Evaluation completed 2004.		

Whakatane DC	Bans exist in the CBD of Whakatane from Thursday to Saturday, 6pm to 6am the following day, and 12 noon to 12 midnight on Sunday. There is also a ban in all public places in Ohope and Coastlands, including reserves, roads and beaches from Thursday to Saturday, 9pm to 6am the following day, and 9pm to midnight on Sunday. There are also bans in Taneatua, Edgumbe, Te Teko and Murupara with the same hours as for Whakatane CBD.	No.	No.	No.
Whangarei DC	Each Thursday to Saturday night, 7pm to 7am (Sun) in the Whangarei CBD extended to include public holidays.		WDC survey of 200 households in August/September 2003 included in 50-page review. Website poll of 50 people showed no opposition to the ban in November 2003.	No.

Table Five: Seasonal Liquor Bans

District/City council	On what days and during what times is the ban in effect?	Liquor policy or strategy?
Banks Peninsula DC	New Year's Eve 5pm to 5am the following day.	
Central Otago DC	Central Otago District Council has a bylaw that allows for liquor bans to be introduced (Control of Liquor in Public Places Bylaw 2004). At the moment there are not any permanent bans, just temporary bans for events that are introduced as the need arises.	In the process of drafting a 'Sale of Liquor Policy' to cover the functions of the District Licensing Agency.
Far North DC	<u>Kaitia, Ahipara and Coopers Beach:</u> From 9pm to 6am on Thursday, Friday and Saturday nights throughout the period from 3 January to 24 December in every year, and from 9pm on Christmas Eve to 6am on Christmas Day, of every year, and from 6pm on 25 December, in every year, to 6am on 3 January the following year, and from 9am on Anzac Day Eve to 12 noon on Anzac Day, for every year. <u>Taupo Bay:</u> Between the hours of 6pm and 6am from 31 December to 1 January inclusive in every	Liquor Policy.

	<p>year.</p> <hr/> <p><u>Russell</u>: Between the hours of 6pm on 31 December and 6am on 1 January inclusive in every year.</p> <hr/> <p><u>Paihia/Haruru Falls</u>: From 9pm to 6am on Thursday, Friday and Saturday nights throughout the period from 3 January to 24 December of every year, and from 9pm on Christmas Eve to 6am on Christmas Day, for every year, and from 9pm on 25 December to 6am on 3 January in the following year, for every year, and also from 9pm on Anzac Day Eve to 12 noon on Anzac Day, for every year.</p> <hr/> <p><u>Kerikeri/Waipapa</u>: From 9pm to 6am on Thursday, Friday and Saturday nights throughout the period from 3 January to 24 December in every year, and from 9pm on Christmas Eve to 6am on Christmas Day, for every year, and from 9pm on 25 December to 6am on 3 January in the following year, for every year, and also from 9pm on Anzac Day eve to 12 noon on Anzac Day, for every year.</p> <p><u>Kaikohe</u>: From 6pm to 6am on Thursday, Friday and Saturday nights throughout the period from 1 January to 31 December in every year.</p>	
Hauraki DC	Applies to every public holiday throughout the year at Whiritoa Beach (from 7pm on the Thursday - if Friday is the public holiday - until 7am on the Monday.	Sale of Liquor Policy.
Horowhenua DC	Defined areas of Waiterere Beach, Foxton Beach, Hokio Beach and Waikawa Beach from 5pm Guy Fawkes evening to 7am next day, AND 5pm New Year's Eve until 7am New Year's Day annually.	Sale of Liquor Policy (2002).
Hurunui DC	Gore Bay, New Year's Eve only, 7pm to 3am.	Bylaw only.
Kaipara DC	Mangawhai for New Year's Eve on all reserves from 6pm to 8am.	No.
Kapiti Coast DC	New year's bans on beaches, reserves and car parks plus both the Otaki and Paraparaumu retail areas from 8pm on 24 December to 8am on 5 January in any year.	Sale of liquor policy.
Marlborough DC	There was a New Year's Eve ban in Blenheim from 6pm to 3am in 2001 and 2002.	
Masterton	Riversdale and Castlepoint have for the past few years had an alcohol ban on Labour Weekend and over New Year; these must be approved by council and advertised each year.	No.
New Plymouth DC	A New Year's Eve ban applies to two beach locations (Urenui and Oakura beaches).	Not yet.
North Shore CC	Bans apply to Devonport beaches around Guy Fawkes, the streets surrounding the Devonport	

	Wine and Food Festival over a two-day period in February, and a beach rock concert held on Waitangi Day at Browns Bay.	
Queenstown Lakes DC	Holiday bans in the Queenstown, Wanaka and Arrowtown town centres plus lake foreshores from 8pm on 27 December of any given year to 8pm on 5 January the following year.	No.
Rodney DC	Holiday bans have been implemented for Muriwai Beach and Omaha/Omaha Beach for the hours 6pm to 6am for the days 24 December to 1 January.	Liquor Policy.
Ruapehu DC	Parts of Ohakune from 5pm to 5am for the Mardi Gras festival in early August.	
Tasman DC	Kaiteriteri and Pohara from 1 November to 31 March every year from 9pm to 7am every day.	Unknown.
South Taranaki DC	New Year's Eve ban at Opunake Beach.	Yes.
South Waikato DC	24 December to 2 January; the Thursday, Friday, Saturday and Sunday of Easter; and the Friday, Saturday and Sunday of Labour Weekend. One-off ban on 22 December 2004 from 7pm to 7am on 23 December.	No.
Southland DC	A ban exists at the recreational reserve in Te Anau (Lions Park) and is in force only for New Year's Eve.	Alcohol Policy.
Taupo DC	New Year liquor ban for Taupo (includes CBD) commences 12 noon 27 December to 7am 4 January every New Year (since December 2003).	
Tauranga DC	24-hour bans for all of the Mount Maunganui peninsula and parts of Papamoa from 26 December until close of 5 January. A 24-hour ban comes into effect in those parts of the Tauranga CBD between 26 December and 5 January.	Sale of Liquor Policy.
Thames-Coromandel DC	There are bans at the district's beach towns for every public holiday period through the year, from 4pm to 4am for all nights concerned, including the Christmas period of 23 December to 6 January (or 9 if 6 is a Friday). The areas included are: Thames, Coromandel town, Mercury Bay, Tairua, Pauanui and Whangamata plus the gala day at Te Puru School.	Yes.
Timaru DC	New Year's Eve ban at Caroline Bay from 7pm to 7am next day.	Liquor Policy.
Waikato DC	Seasonal 24-hour ban in Raglan (first time this year: 2004-5) from 23 December to 6 January.	Alcohol strategy.
Wairoa DC	Permanent seasonal ban at Mahia: 24 hours a day from 20 December to 20 January every year.	
Waitakere CC	A ban exists at Piha from 5pm to 5am on all public holidays and the weekend immediately preceding as well as 20-24 December to second Sunday in January every year.	Liquor licensing policy, alcohol strategy being developed.
Western Bay of Plenty DC	A ban exists for New Year's Eve at Waihi Beach.	Liquor bylaw currently being reviewed.

Whakatane DC	Christmas/New Year ban in force between 12.01am on 24 December and midnight on 5 January in Whakatane, Ohope, Coastlands, Taneatua, Edgecumbe, Te Teko and Murupara.	
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Table Six. Under Investigation

District/City council	Description	Alcohol policy or strategy?
Ashburton DC	Bylaw under development.	DLA policy.
Banks Peninsula DC	There has been a liquor ban in Akaroa over New Year's Eve for the past decade from 5pm on 31 December to 5am on 1 January. A draft bylaw (LGA 2002) has recently been approved by council incorporating the same exclusion of areas but extending the hours to 5pm 31 December to 7am 1 January. Submissions closed 19 November. It should be approved at the 15 December 2004 council.	No - but under development.
Buller DC	Currently investigating putting a ban in place around the new skateboard park in Reefton but only some basic preparatory work done to date.	No.
Clutha DC	No liquor bans, although does have a seasonal glass ban at Kaka Beach.	Yes.
Kaikoura DC	No liquor bans.	Draft Liquor Licensing Policy.
MacKenzie DC	Early stage discussions about possible town centre liquor ban in Twizel.	No.
Manawatu DC	Council has publicly notified a proposed bylaw that will probably be put in place on 16 December. The bylaw does not actually put a ban in place anywhere in the district. It just gives Council the power to invoke a one-off ban for a particular event in a specific place if the Police and the event organisers consider one is warranted.	No.
Marlborough DC	Bylaw hearing 19 November. Recommendations will be presented to Council on 16 December 2004.	Yes.
North Shore CC	Bylaw passed but no specified public places.	
Otorohanga DC	No liquor bans. Being considered at a meeting in November 2004.	A liquor policy has been drafted and will be put out for public consultation once the new Council has had an opportunity to consider it.

Papakura DC	No liquor bans.	No policy – both to be considered next year (2005).
Rangitikei DC	No liquor bans.	Active alcohol policy.
Ruapehu DC	No Liquor Bans – will be considered in 2005.	No policy.
Tararua DC	No liquor bans.	Sale of Liquor policy.
Waipa DC	No liquor bans within Waipa District. Something that may be considered in line with the bylaw review required under the new LGA, but no firm plans either way.	District Licensing Agency Policy.

*NOTE. Monitoring is being discussed at a regional level for Auckland.

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