

# Public Policy Proposal

## Safe Event\* Laws

A proposal for preventative measures to:

1. Create safer events.
2. Improve community safety.

**By Naomi Oakley, Managing Director, U-NOME Security Communication Services.**

\* In this document, an 'event' is a party, rave or other celebration for 20 or more guests, held on private property or in a public venue, in a rural or metropolitan area, where music is the primary attraction and noise is audible at a reasonable distance from its perimeter.

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# 1. Executive Summary

This proposal seeks to create a safer environment for hosting events in Victoria.

It recommends that:

1. Political parties (as part of their law and order and community safety policies) support event hosting regulation.
2. Data on events be collected and reported.
3. Political parties support a reform bill that includes the legislative framework outlined in this proposal.
4. A cost analysis be done for infrastructure support via a unit of Liquor Licensing Victoria. This unit would administer a new event permit system.
5. Community stakeholders be consulted prior to tabling a bill in Parliament.

# 2. Introduction

In 12 years with Victoria Police, I attended many out-of-control events. On-route to these call-outs, there was concern about standard operating procedures for complaints pertaining to events. With minimal information about the event, we didn't know:

- What kind of event it was.
- What sort of people were there.
- If they were intoxicated.
- If there were access to weapons (e.g. garden tools).
- If adults were present.

It was like responding to a domestic violence call. I became frustrated by the lack of planning and accountability for events.

On leaving the police, I saw in the media that events were getting more violent and out of control more often. I realised the community needed something else to curb alcohol abuse and violence at events.

On joining the private security industry, I continued to research this issue. I then formed a company to provide specialist advice, safety and crowd control for events (with guests aged up to 21) across Victoria.

This proposal is not a promotional exercise for my business. It stems from my deep concern about violence in our community. I have seen violence increase in the last few years and believe this proposal will reduce it.

I have 17 years first-hand experience of dangerous and volatile events. My answer is statewide uniformity and planning. I have identified an inconsistent approach to event regulation. Local and regional authorities use different guidelines. This creates confusion and incorrect procedures for planning safe events.

I believe it is our duty to do something before more young people are harmed or killed. Victoria could lead the development of safe event laws.

### 3. Background

We need statewide consistency. Currently, each municipality has different, non-enforceable guidelines for events.

Whether it's in Carlton, Frankston or Horsham, an event needs the same amount of planning.

Most events are organised by individuals and held in their homes. Yet there are no clear guidelines to tell if a home is safe for an event. For example, a home may:

- Be close to a railway station or shopping centre or in an area known for gatecrashers. All these factors produce unwanted guests.
- Not have a secure perimeter.
- Have accessible garden tools, an uncovered swimming pool, poor lighting, slippery footpaths or dangerous ledges or balconies.

Thus, even if an organiser registers an event with police, no patrol sent to that event will know the home's safety standards.

This dangerous situation is getting worse – for guests and attending emergency services.

Statistics show that violence is increasing in every municipality. Research shows that alcohol and drug-fuelled violence is also rising. According to Dr Gordon Fulde, Head of Emergency at Sydney's St Vincent's Hospital:

'We are becoming a much more violent, aggressive society. We are becoming intolerant of anything that annoys us ... and hence road rage, parking rage, trolley rage at the supermarket.'

Scientific and anecdotal evidence shows that community standards have fallen for several reasons:

- a. The parent role model is lost due to our busy lifestyle. Instead of traditional parenting, kids are left on their own when they are most vulnerable.
- b. Alcohol companies now package their product to attract young people.
- c. Energy drink companies also target youth. These drinks are 'time bombs' that contribute to violence.
- d. 'Party drugs' can be bought online and delivered by post. Also called 'herbal highs', 'pep pills', 'dance pills' and 'natural power', their main ingredient used to be benzylopipezazine (BZP). This has expanded to a wide range of compounds with various effects.

There are many examples of events that have turned bad:

- Corey Worthington created an event that went dramatically 'pear shaped'. Safe event laws would have held him accountable for his disregard for the community.
- A promoter knew a Box Hill venue wouldn't permit a rave, so he booked it as a 'youth event'. 750 kids came. No risk management plan or first aid. Inadequate water. Energy drinks for sale. It took 12 police units to end the event. Safe event laws would have prevented this.

I have sought to influence public debate via comment on radio and in newspapers. All have been very supportive.

I am well placed to champion policy change on this issue.

To influence change, we must consult political parties, elected community representatives and other stakeholders.

Drawing on my expertise and passion, I sent all Victorian MPs a proposal for training and legislative reform for events.

Mr. David Morris MP (Member for Mornington and Shadow Parliamentary Secretary for Local Government) asked me to meet him.

After our discussion, I was invited to present to the State Parliament All Party Drug and Crime Prevention Committee in November 2009.

Following a question and answer session, I was invited to submit a proposal on a regulatory framework for safer events in December 2009.

## **4. Proposal Outline**

This proposal seeks a strategic, proactive, preventative approach to make events and their surroundings safer.

I propose that any adult hosting an event should apply for a permit.

This permit would help prevent alcohol and drug-fuelled violence at and around events by mandating that events:

- a. Must be registered with Victoria Police 28 days in advance.
- b. Must be in a 'safe home' or 'preferred venue' (see definitions).
- c. Must nominate an end time reasonable to the surrounding community.
- d. For the age group up to 21, must provide at least one responsible adult per 20 guests.
- e. For the age group up to 21, must provide responsible serving of alcohol. This includes a no-glass policy, adults to serve drinks in clear plastic vessels, ice in drinks and water served frequently.
- f. Must engage a security firm. Two crowd controllers for the first 100 guests plus one for each additional 100 guests (per Occupational Health and Safety recommendations for Liquor Licensing venues). See WorkSafe Jan 2007 Health & Safety Guide.
- g. For over 300 guests, must engage a qualified first aid organisation such as St John's Ambulance.
- h. Must have a post-event transport plan. Taxis must be ordered at least 30 minutes prior to the event's end. (Altercations often occur among guests waiting for transport.)

The permit would also have guidelines to ensure a home is safe for an event.

Preferred public venues in each municipality could be used to host events. Such venues must be in a non-residential area (away from railway stations and shopping centres) and have good access.

Easy access includes a clear exit and entry point for all emergency services, adequate lighting and a secure perimeter fence. Some tennis clubs e.g. Heathmont, Vermont and Donvale are ideal.

Permits would give police and other emergency services power to enter and re-enter events, offences and powers of arrest.

A legislative framework would allow prevention and detection of offences pertaining to events. It could create a specific offence of 'gatecrashing'. At present, there is no deterrent for gatecrashers.

Gatecrashing would be an additional offence to trespass. At present, the only applicable legislation is the Summary Offences Act 1966, Number 7405, Part 1, Provision Applicable to Victoria, Section 9 Willful Damage property (Trespass), sub section D, E & G.

But the offence of trespass is only relevant to gatecrashing if the gatecrasher enters a property via another private property. There is no offence if a gatecrasher enters a property via public land (a far more common occurrence in my experience).

Another offence (possibly under the Privacy Act) could be the abuse of social media (e.g. Facebook) to facilitate gatecrashing by:

- Advertising other people's parties before or during the event.
- Concocting and promoting hoax parties at unsuspecting premises.

Legislation would allow data collection and reporting for strategic planning on alcohol and drug-fuelled violence – a major issue affecting every community.

### **Recommendation 1**

That political parties (as part of their law and order and community safety policies) support event hosting regulation.

### **Recommendation 2**

That data on events be collected and reported.

## **5. Legislative Framework**

There would be a need for legislative reform via a bill amending one or more of the:

1. Summary Offences Act.
2. Liquor Control Act.
3. Crimes Act.

Any reform would have to consider these definitions:

### **Prescribed venue**

Consideration must be given to location, perimeter fence and easy access.

### **Safe home**

A home located away from railway stations and shopping centres which is not in an area known for gatecrashers. The home must have a secure perimeter fence and safety requirements.

### **Event**

- 20 or more guests.

- Invitations sent via any form of communication. This includes verbal, written, online (e.g. Facebook), email, text or any other technology.
- Music is the primary attraction.
- Noise is audible at a reasonable distance from the perimeter.

Noise from the event could be deemed unreasonable after a certain time. (Could refer to EPA Regulations.)

Adding music to this definition excludes non-threatening gatherings such as family reunions, Christmas parties and 80<sup>th</sup> birthdays (where music is not the primary attraction).

### **Responsible Adult**

An adult who helps plan, organise or run an event who does not consume alcohol or illegal drugs before or during the event.

### **Gatecrasher**

A person who, with no invitation or reason to attend an event, tries to enter the event other than via the stipulated (or usual) entry point (e.g. the front door).

The Summary Offences Act 1996 Section 9 has no application to drug and alcohol-fuelled violence at events. We need legislative change to create a clear offence for gatecrashing.

### **Perimeter**

A prescribed area around an event. To be determined.

### **Unreasonable Music Volume**

To be determined.

A proposed bill would also need to address:

- Permit application and conditions.
- Police power of entry.
- Offences.
- Penalties.
- Accountability.

### **Recommendation 3**

[That political parties support a reform bill that includes the legislative framework outlined in this proposal.](#)

## **6. Financial Impact**

If this proposal is endorsed, we need to consider infrastructure support.

Permit applications could be handled by a new unit of Liquor Licensing Victoria (funded by the cost of permits and thus cost neutral).

### **Recommendation 4**

[That a cost analysis be done for infrastructure support via a unit of Liquor Licensing Victoria. This unit would administer a new event permit system.](#)

## **7. Risk**

The idea of permits for events in homes could be seen as intrusive.

Given escalating violence, however, community interest outweighs this concern.

Careful consultation can diffuse resistance to this idea.

### **Recommendation 5**

That community stakeholders be consulted prior to tabling a bill in Parliament.

## **8. Conclusion**

If adopted, the recommendations of this proposal will constitute a strategic approach to reducing violence at and around events and in our community.

## **9. Appendices**

1. Proposal to State Government Minister and delegates.
2. Summary Offences Act 1996, Section 9.
3. Work Safe Jan 2007 Health & Safety Guide. Crowd Control Risk Solutions, Work Safe Victoria / Crowd Control at Venues & Events 13.
4. Best Practice for Effective Management of Intoxicated Young People in the Entertainment Venues. Consultation with the Private Security Industry. Page 13, Alcohol Related Violence & Crime.

## **10. Acknowledgement**

The following contacts have been very supportive of this proposal:

- John Silvester, Crime Reporter, The Age newspaper.
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