



Sydney's 'lock-outs' laws lack evidence and popular support

I copped a headbutt to the face from a drunk bloke at a house-party a few years back.

It wasn't a pleasant experience. For three months afterward, I was as lucid as Major Tom.

It was unprovoked, unnecessary and unfortunate for all involved.

I share this anecdote, not in an attempt to elicit any sympathy, but because it's irrelevant.

Yet it is emotive anecdotes like this that politicians and media commentators wheel out to justify our current alcohol regulation.

An anecdote, no matter how tragic, is not a sound basis for policymaking.

A good policy response should address a well-defined problem, preferably with a solution that has been reliably proven to work elsewhere. If the solution is untested, then the government owes it to its constituents to test whether or not it has been effective.

The "lock-outs" appear to be seeking to tackle the abstract concept of 'alcohol-related violence' by declaring: no takeaway alcohol after 10.00pm, no entry after 1.30am, last drinks at 3.00am, no shots or double-shots after midnight.

It is a blunt policy instrument being used to solve a poorly defined and highly political problem. The act of being seen to do something is more important than doing the right thing.

As **Michael Pascoe** noted when they were first introduced, the "lock-outs" obey the two rules of NSW politics: "*appease the populist shock jocks and daily papers, and don't offend the pubs and clubs industry.*"

This is the same pubs and clubs industry that **achieved exemptions** to the "lock-outs" for venues with pokies. They also strongly opposed diversifying Sydney's night-time economy with 'small bars'. Former NSW president of the Australian Hotels Association, John Thorpe, **was quoted** as saying:

[Sydneyiders did not want to] "*...sit in a hole and drink chardonnay and read a book... People can sit down, talk about history, chew the fat and gaze into each other's eyes and all this sort of baloney but it's pie in the sky stuff... "that's not what Sydney wants."*

Meanwhile, the crude application of the "lock-outs" and the fact that it makes no distinction between venues that may not attract anti-social behaviour clearly rankles with Sydneyiders.

The hypocrisy of the **exemption of the casino** — the most violent venue in the state — has earned the Premier the sobriquet, "Casino Mike".

Cue, entrepreneur Matt Barrie who recently waded into the argument with his wide-ranging 8000 word polemic calling out the government for the negative economic and social impact the "lock-outs" have had on Sydney's nightlife.

Barrie clearly touched a nerve. His **post on LinkedIn** has been viewed almost 1,000,000 times and kick-started a conversation that Sydney was waiting to have.

In response the Premier Mike Baird was unapologetic. In a Facebook post he addressed the growing interest in the impact of the "lock-outs" by decrying the 'growing hysteria this week about nightlife'. The highhanded response went viral, earning Baird a torrent of negative comments.

Public health advocates, Foundation for Alcohol Research and Education (FARE), were quick to support the Premier **claiming a January poll** showed that 68 per cent of NSW residents support the continuation of the "lock-outs".

The poll suggested that 'a closing time for pubs and clubs of no later than 3.00am' (80 per cent), 'introducing a 1.00am lockout for pubs, clubs and bars' (66 per cent) and 'closing time for bottle shops of no later than 10.00pm' (63 per cent) all received strong support.

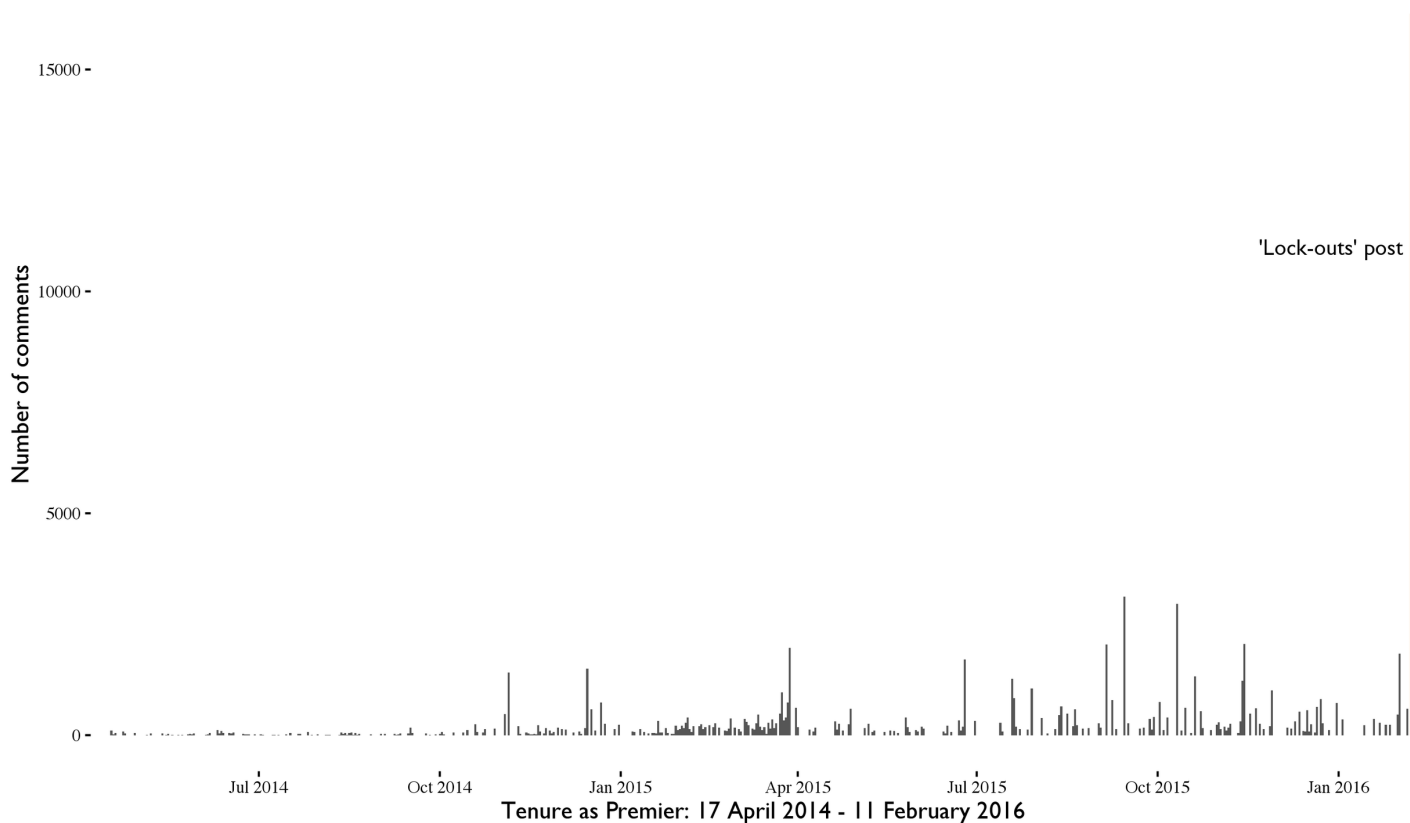
That a poll commissioned by an organisation that actively supports the “lock-outs” and tighter alcohol regulation — using a state-wide sample of 353 individuals — reached these conclusions is unsurprising.

What piqued my interest was that FARE’s results ran directly counter to the sentiment that I had observed in the last fortnight — particularly on social media.

I analysed the comments to both Matt Barrie and Mike Baird’s social media posts to take my own poll of public opinion toward the “lock-outs” and their impact on Sydney.

Mike Baird is an adept user of social media. As the figure below demonstrates, the number of comments he received to his post on the “lock-outs” dwarfs any of his previous posts. If the number of comments to each post is a fair proxy for how controversial it is, this issue has engaged Sydneysiders in a way that no other issue of his Premiership has.

Number of comments per post for Mike Baird's Facebook posts

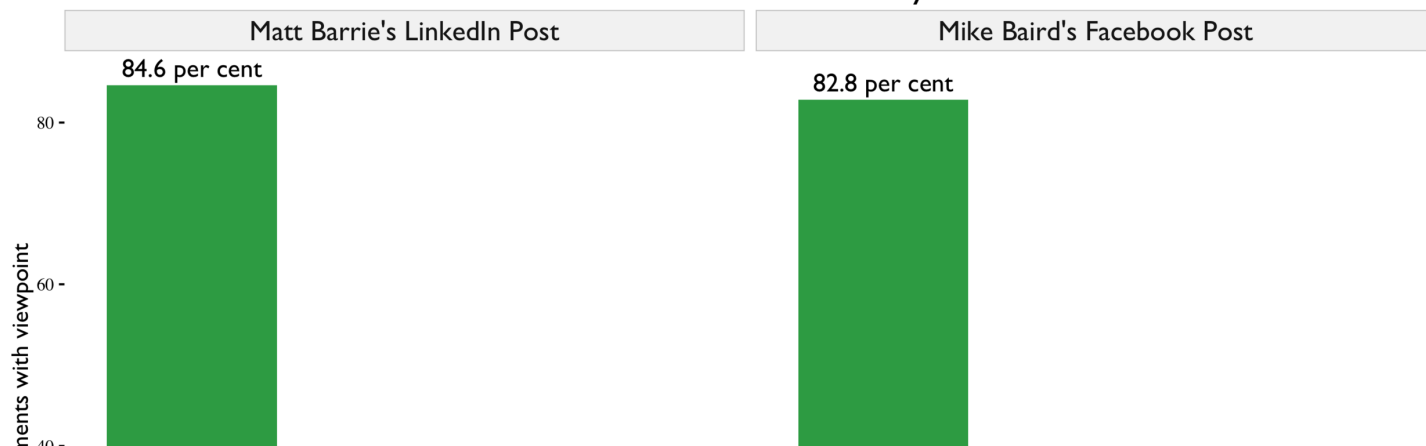


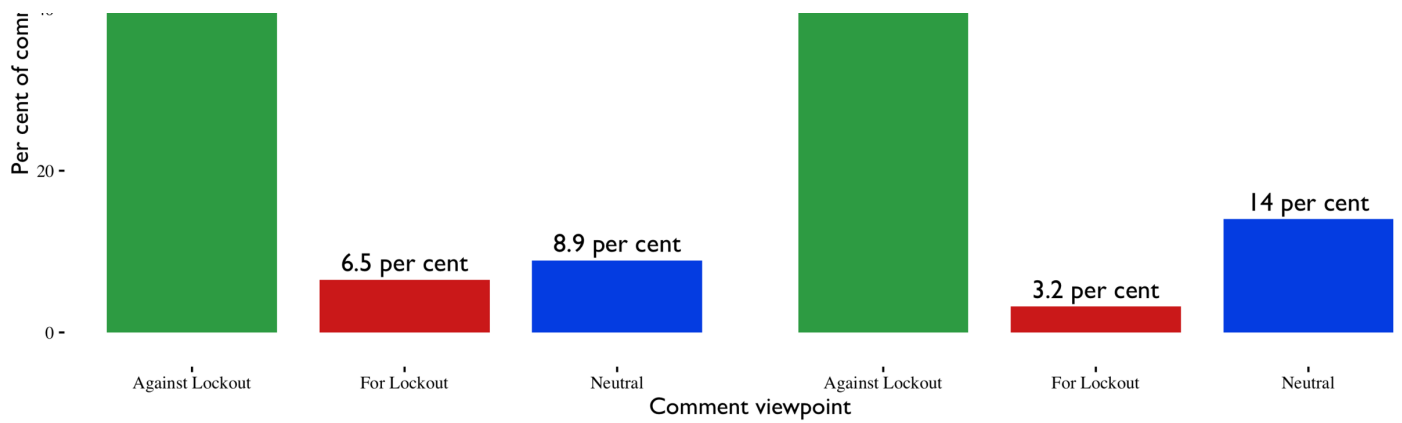
By February 14 Mike Baird’s post had attracted 22,314 comments and replies with Matt Barrie’s article on LinkedIn attracting 943.

I extracted the individual comments to both posts and had them coded, twice, by independent teams into the following categories: ‘For Lockout’, ‘Against Lockout’ or ‘Neutral’.

The results — depicted in the charts below — paint a conclusive picture: 83.8 per cent of comments to Mike Baird’s article and 84.6 per cent of comments to Matt Barrie’s were ‘Against Lockouts’. The polar opposite of FAREs findings.

Results of social media analysis





Advocates for the “lock-outs” — including the Premier — highlight the success of the laws in reducing the number of assaults and emergency room presentations.

However the data they cite does not prove causation. Nor does it account for changes that are occurring in other parts of the city — such as the 88 per cent increase in assaults in Pymont, where the casino is located.

Opponents of the “lock-outs” counter that the policy has had a devastating impact on local businesses and Sydney’s culture and amenity.

In situations such as this — where questions of politics and sentiment dominate the discussion — dispassionate analysis is required to separate fact from fiction, and hot air from evidence.

The Premier has promised a review of the “lock-out” legislation this year. If he is serious about determining the impact of this policy, a cost-benefit analysis of the known facts is required.

This sort of analysis can provide the answer by quantifying all of the policy relevant costs and benefits that are of importance to all Sydneysiders, and using them to assess whether or not the “lock-outs” laws are a good policy.

While we’re at it, it would be worthwhile looking at other global cities to see how they’ve created a vibrant, safe environment with a diverse night-time economy where we can go home when we want to, rather than we’re told too. There’s definitely a more effective, less punitive solution out there.

Dave Taylor is an economist with Archerfish, these views are his own.

Acknowledgements:

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