



Central Australian Aboriginal Congress Inc.

25 Gap Rd. PO Box 1604 Alice Springs NT 0871 PH (08) 8951 4400 FAX (08) 89530350

Position Paper April 2009 Aboriginal Social Clubs

An Aboriginal Community Social Clubs is a social club, generally on a remote Aboriginal community, with a license to sell alcohol. The purpose is often to provide a place where alcohol can be consumed safely by community residents.

Congress is aware of the published evidence to date which suggests that Aboriginal community social clubs lead to an increase in alcohol caused harms in the communities in which they are present and do not lead to a decrease in community members travelling to regional centres to drink alcohol. There was therefore a net increase in harms without evidence that they led to responsible drinking. This led Prof Peter D'Abbs to draw this conclusion:

“It is concluded that, while the rights of Aboriginal communities to establish community controlled clubs should be respected, the notion that they are under some sort of obligation to do so should be exposed as a measure likely to add to the health burdens of people already inadequately serviced by health, education and other services” (*Aust NZ J Public Health* 1998;22:679-84)

At present there appears to be at least one Aboriginal social club that is operating well and achieving the key objectives of providing a place where people can socialise together and drink responsibly with food without causing an increase in harm. Congress believes that a further independent evaluation of existing Aboriginal social clubs is required to assess whether the clubs running under more stringent rules than those evaluated previously by Prof D'Abbs are operating well and not leading to increased harm.

Until there is further evidence from such an evaluation, Congress remains concerned that any increase access to alcohol may have a negative impact on the community and its residents and that any Aboriginal social clubs agreed to by communities need to be evaluated to assess their impact in an ongoing way.

Congress supports the establishment of licensed clubs in communities on a trial basis under the following conditions:

All decision-making processes about the introduction of licensed clubs or canteens must satisfy the NT Liquor Licensing Commission that:

- The proposed license application has involved the local population and obtained their consent
- Proposals for community approval for a social club be voted on in secret ballot

- That the presence of the club will not lead to an increase to the total quantum of harms accruing to the members of the community, including to non-drinkers, and the wider public
- That the operation of the license is transparent and accountable and will be conducted independently of all community and liquor retailers
- If a local ownership model is proposed, provisions for addressing conflict of interest issues are clearly defined

Any licensed clubs must be:

- Governed by Rules and Directors committed to the principles of community well-being and public health
- Governed by a Management Committees where none of the committee members have an alcohol problem
- Governed and managed by people who have a range of expertise, including public health, public safety and financial planning
- Governed and managed according to protocols which ensure minimal conflicts of interest – with all applications for a liquor license demonstrating how they will address these issues
- Accompanied by a Local Alcohol Management Plan - with details of how Management will address individual behavioural issues (e.g. local rules for addressing issues where people are not attending work)
- Managed on a not-for-profit basis with all profits going back into the community for a public good.
- Supported by the existence of a permanent and adequate police presence, a functional women's safe house and a fully operational night patrol on the community

License Applications must also observe the following criteria:

- No takeaway alcohol to be served
- Food must be available for patrons during all opening hours
- Processes must be in place for ensuring no patron is served to intoxication including limiting the number of standard drinks that can be served to a person
- Processes to ensure that people prohibited from consuming alcohol are not served alcohol (e.g. consider the use of the IdEye system for selling alcohol over the counter)
- Established Rules on patrons making purchases on behalf of other customer(s) with penalties for supplying alcohol to someone who is prohibited from drinking (i.e. if on an alcohol court order)
- Intoxicated persons must be evicted from the licensed premises.
- Low alcohol products must be available at all times
- All purchases should be opened prior to being taken away from the bar
- Alcohol should not be served to people at high risk including pregnant woman and people with severe chronic diseases
- No credit or book up to be given for any purchases under any circumstances.
- Management must be capable of understanding and enforcing the licensed club's rules at all times, or else the licensed club must remain closed until it has the capability to do so
- Community must have access to transparent and responsive complaints process

- After 3 years there should be a review of the license including a further assessment as to whether the community wants the license to continue

Congress also believes that some of these criteria should be applied to all licensed on site premises in urban, rural and remote areas to limit the harmful effects of alcohol.

Footnote

The Liquor Licensing Commission has advised that the *licensee* can be an individual, incorporated body or any other legal entity. The *nominee* is the manager of the service and this is always a designated individual. Normally if the Licensing Commission has an issue with an outlet they will approach the nominee first depending on the seriousness and only go to the licensee as a second step.