Policing Nightlife

Nightlife is a place of both real and imagined risk, a 'frontier' (Melbin 1978) where apparent freedom and transgression are closely linked, and where regulation of leisure and collective intoxication has been diffused throughout an expanding network of state and private actors. This book explores Sydney's contemporary night-time economy as the product of an intersection of both local and global transformations, as policing comes to incorporate more and more 'private' personnel empowered to regulate 'public' drinking and nightlife.

Policing Nightlife focuses on the historical and social conditions, cultural meanings and regulatory controls that have shaped both public and private forms of policing and security in contemporary urban nightlife. In so doing, it reflects more broadly on global changes in the nature of contemporary policing and how aspects of neoliberalism and the ideal of the '24-hour city' have shaped policing, security and night-time leisure. Based on a decade of research and interviews with both police and doorstaff working in nightlife settings, it explores the effectiveness of policies governing policing and private security in the night-time economy in the context of media, political and public debates about regulation, and the gendered and highly masculine aspects of much of this work.

An accessible and compelling read, this book will appeal to students and scholars of criminology, policing, sociology and those interested in understanding the debates surrounding security, policing and contemporary urban nightlife.

Dr Phillip Wadds is Senior Lecturer in Criminology at UNSW, Sydney. His research is situated at the intersection of four interrelated themes: policing; nightlife and related leisure; alcohol and other drugs; and violence. He has spent the last decade undertaking ethnographic and field-based research examining various features of nightlife in Sydney with an enduring focus on its policing and regulation.

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Policing Nightlife

Security, Transgression
and Urban Order

Phillip Wadds

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Abbreviations

A&E	accident and emergency
ABS	Australian Bureau of Statistics
AHA	Australian Hotels Association
AOD	alcohol and other drugs
CBD	central business district
CCTV	closed-circuit television
CEO	chief executive officer
CIB	Criminal Investigation Branch
CoS	City of Sydney Council
DPP	Director of Public Prosecutions
DT	Daily Telegraph (NSW)
GD	general duties
LGA	local government area
NRL	National Rugby League
NSW	NSW
NSW BOCSAR	NSW Bureau of Crime Statistics and Research
NTE	night-time economy
OLGR	Office of Liquor Gaming and Racing
RSA	Responsible Service of Alcohol
RSL	Returned and Services League
SMH	<i>Sydney Morning Herald</i>
UK	The United Kingdom
US	The United States

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Introduction

Summer 2009

11.30 pm. Atop the escalator is your first glimpse of the neon highway that is Darlinghurst Road, the main artery of the notorious Kings Cross entertainment precinct. Two large billboards at the exit to the train station warn night-goers of the potential harms associated with binge drinking and drug consumption, a sentiment almost entirely lost on a crowd of consumers converging on the most popular site of mass intoxication Sydney has to offer....

It's 4 am. Throngs of inebriated revellers litter the gutters of Darlinghurst Road, their faces portraying a mix of confusion, exhaustion and discomfort. It's been a long night, and for all the wrong reasons. I have just finished being interrogated by police officers after a female patron at the bar I was drinking at was king-hit by a bouncer the size of a small car. The ensuing melee between the now hospitalised female patron's male friends and venue security didn't last long before Kings Cross police officers intervened, but what it lacked in length it made up for in ferocity. As an eye-witness to the whole affair you would think the police would be interested in my account of the incident; instead I was met with contempt by a series of officers who considered me just another drunken lout.

(excerpt from field notes – Wadds)

As the above fieldnote highlights, nightlife is a site of intense conflict and tension. In this urban space, there is sharp contradiction between hedonistic consumerism and state regulation that frequently results in clashes between revellers and both police and security staff. The situation in Sydney's night-time economy (NTE) has been a mirror of a global urban problem (see Hobbs *et al.* 2003; Roberts *et al.* 2006; Winlow and Hall 2006; Hadfield 2009; Rigakos 2008; Calafat *et al.* 2010; Van Liempt and van Aalst 2012; Tomsen and Wadds 2016; Wadds 2019). Indeed, much has been written about the transgressive, violent and disorderly character of nightlife in the post-industrial city (Shepherd and Brickley 1996; Tomsen 1997, 2005, 2014a,

2014b; Presdee 2000; Chatterton 2002; Monaghan 2002; Hobbs *et al.* 2003, 2005a, 2005b; Measham and Brain 2005; Jayne, Holloway and Valentine 2006; Hayward and Hobbs 2007; Eldridge and Roberts 2008; Fileborn 2016; Jayne, Valentine and Holloway 2016; Wadds 2019). Illicit drug consumption, binge drinking, interpersonal violence and social disorder feature frequently in nightlife hotspots and often shape public perceptions of safety and security in the city after dark (Wadds 2015). The politicisation of law and order has ensured that these offences have become issues of increasing electoral significance in contemporary developed nations. Accordingly, news media often engage in political agenda-setting around issues of transgression and urban order, while also acting as a facility through which politicians focus public attention towards matters of political importance and promote the efficacy of party policies (McCombs and Shaw 1972; Page, Shapiro and Dempsey 1987; Jewkes 2004; Greer 2007; Graber 2011). In Sydney, as around the world, such media campaigning has played a critical and central role in the development of inconsistent and often contradictory policy concerning the regulation, governance and policing of nightlife. Indeed, it will be an argument of this book that concern about nightlife often seems close to a form of a ‘moral panic’ (Cohen 1972), where distorted and negative impressions replicate and promote simplistic, ‘commonsense’ discussions of nightlife, safety and security.

In this context, police officers and an increasing number of private security staff combine to form a largely dysfunctional policing alliance. Public ambivalence about the role of doorstaff in nightlife settings, however, is tempered by the acknowledgement that public policing organisations lack the resources and operational capacity to provide an adequate and sustained presence in the NTE. As a result, public police have been increasingly dedicated to ‘image work’ (Mawby 2002), a strategy that seeks to placate community anxieties through large-scale and highly publicised ‘blitzes’ against a range of real and perceived social problems. In nightlife settings, these operations have been largely symbolic and have failed to provide adequate long-term solutions to issues of safety and security. It is the relationship between the two most prominent policing ‘segments’ (see Reich, Gordon and Edwards 1973) in Sydney’s city after dark that is the focus of much of this book.

Nightlife, transgression and security

Nightlife has always been associated with danger, risk and concerns for personal safety. The absence of light and the recession of normative rhythms of day-time social activity has meant that night-time has often had ascribed to it an atmosphere of transgression – a ‘frontier’ (Melbin 1978, 1987) occupied by questionable characters engaged in disreputable activities. With the decline of industrial production, however, the role and structure of nightlife has been

fundamentally altered by technological, socio-political and economic forces. These forces have transformed not only the context of social interaction and leisure in the post-industrial city, but also the nature of the state's role in key service provision and governance (Jessop 1997, 2002). This book focuses on changes in the character of contemporary policing at night that have been rooted in shifting modes of governance centrally driven by neoliberalism and new urban political structures.

Historically, routines of behaviour after dark were restricted by the absence of light (Melbin 1978, 1987). Technological developments in mass-produced public lighting at the beginning of the 19th century, however, led to a reimagining of the city and an expansion of possibilities. Hours that were previously inaccessible to industrial production were made available by the development of lighting technology, greatly increasing the utility of the night. Melbin (1978: 14–15) stressed this point when he stated:

Night's riches [was] time itself. This form of natural wealth lured entrepreneurs to exploit the region for the profit opportunities it offered, and much of the dark's organized activity was evoked because of access to more time.... It is like an additive to the engine of production. As entrepreneurs were earlier drawn to newly accessible wealth in the land, they were now attracted to the promise of fortunes in the night.

With the advent of effective public lighting, night-time could feasibly be viewed as a promising if undeveloped resource or even a new economic 'frontier' that was ripe for exploitation by industrialism and capitalism. The economic potential of the night began to be realised in the early 19th century through the extended operating hours of factories, wharfs, packing and store-houses, leading to the evolution of multiple work 'shifts' (Melbin 1978).

Stable and efficient lighting enabled greater production, which in turn increased demand for working populations in rapidly expanding cities. These developments further fuelled the industrial revolution in many nations and fundamentally altered the condition of cities at night throughout the developed world. As time progressed, lighting also made the night available as a setting for more widespread leisure and consumption, a process that would transform the landscape of the city. Most importantly, the extension of permanent 'red-light', heavy drinking and vice-prone entertainment districts with a veiling semi-darkness extended old links between morally unconstrained leisure and the urban night (Mackey 1987; Hubbard 1998). Issues of public safety, security, criminal leisure and police corruption followed on from these changes and will be discussed in Chapter 3. In the 19th and 20th centuries, these concerns were most dramatically signalled by the mixed anxiety and allure of 'sin cities' such as Paris, New York, and pre-war Berlin and Shanghai, with a flourishing 'immoral' night-time sphere (De Leeuw 1934, 1943). Problems relating to night-time leisure, security and policing

have again resurfaced in a new historical phase in urban development at the tail-end of industrial capitalism.

In the last four to five decades, with many nations restructuring as post-industrial societies, there has been another reimagining of the night based on economic, socio-political and cultural reform. With the decline of heavy industry, many states have focused on the potential of expanded leisure as a means of driving economic growth and social change (Lovatt and O'Connor 1995; Zukin 1991, 1995; Hannigan 1998; Hobbs *et al.* 2003). Central to these transformations has been the emergence and popularisation of neoliberal modes of governance and the construction of what is now known as the 'night-time economy'. Both these developments have shaped the planning, imaging and form of many post-industrial cities that increasingly compete for 'global' cosmopolitan or culturally significant status (Roberts and Eldridge 2012). Sydney is the Australian city where this title has been most fervently pursued.

The NTE refers to the range of leisure activities and experiences associated with collective night-time sociability and entertainment (Bianchini 1994; Lovatt and O'Connor 1995; Hannigan 1998; Rowe *et al.* 2008). The construction of the city at night as a 'night-time economy' emerged in Western Europe in the late 1980s and early 1990s against the backdrop of an emerging neoliberal discourse that was driven by the advance of market logic. This was a time when many cities in developed economies were suffering from the decline of heavy industry (Lovatt and O'Connor 1995; Hobbs *et al.* 2003). Without industrial production, many city spaces were left derelict and, subsequently, provided little economic utility to local, state and national governments. A new and innovative approach was required to reactivate and reinvigorate the local economies of these depressed city centres, factory districts and waterfronts.

The dissolution of highly structured routines of work and leisure towards the end of the 20th century provided urban planners with an opportunity to create more fluid and liberal urban spaces (Lash and Urry 1987, 1994). The increasing socio-economic importance of the leisure, tourism and service sectors also encouraged the idea that night-time leisure represented an under-utilised resource. Indeed, it was believed that changing employment patterns, combined with increasing disposable income, would facilitate economic transition from production to consumption-based economies that would be driven by entrepreneurial private enterprise (Heath and Stickland 1997; Winlow and Hall 2006). This structural shift, combined with the desire to overcome negative perceptions of public safety and security in depressed city centres, and to encourage forms of night-time sociability modelled on continental Europe's ostensibly 'cosmopolitan' nightlife, led a range of British and European cities to foster the NTE as central to their urban revitalisation programs (Lovatt 1994; Lovatt and O'Connor 1995; Bianchini 1995; Hobbs *et al.* 2003; Tierney 2006; Roberts 2009). Conceptions of the '24-hour city'

provoked more inclusive and expansive consideration of the entire city centre, developing the city after dark into a 'brand' that could improve city image and attract significant inward investment (Lovatt and O'Connor 1995; Heath and Stickland 1997; Roberts and Eldridge 2012). As a result of these transformative forces, nightlife was again reconceived, reimaged and promoted as central to the experience and value of the modern city. In this regard, contemporary nightlife is a product, commodified and advertised as a site of liminal freedoms removed from restrictive day-centric routines. Cities now openly compete for status as 'nightlife destinations' and 'global cities' with elaborate night 'culture', competition which has often had marked repercussions for urban governance and even greater implications for state revenue. Many changes in nightlife policy and governance have also had significant and ongoing effects on levels of safety, access, inclusion and, consequently, diversity in city many spaces, serving to homogenise and sanitise the urban night-time experience while marginalising specific populations deemed less desirable or profitable (Talbot 2016; Wolifson and Drozdewski 2017).

These changes have been consistent with the emergent neoliberal discourse that was driven from the late 1970s by the policies of Thatcher and Reagan and became prominent around the same time as post-industrial decline began to affect many Western nations (see Harvey 2007 for an overview). Indeed, these policies played a central role in accelerating the decline in manufacturing and industrial production that had been the economic backbone of many industrial nations since the early 1800s. Neoliberalism advocates a central focus on free-markets, marketisation, individual self-reliance, privatisation and cuts to welfare and service provision by the state (Amin and Malmberg 1994; Jessop 1997, 2002; Fourcade-Gourinchas and Babb 2002; Harvey 2007). Under the direction of neoliberalism, state institutions have been 'hollowed out' (Newburn 2001; Jessop 1997, 2002) and have assumed greater audit and regulatory capacities at the expense of public service and welfare delivery (Harvey 2007). Neoliberal governance has placed considerable focus on shoring up revenue sources and is frequently typified by short-term and inconsistent policy-making in which considerations of social wellbeing are subordinated to fundamental guarantees of private profit (Jessop 1997, 2002; Fourcade-Gourinchas and Babb 2002; Harvey 2007). In retrospect, the planning and implementation of strategies and policies concerning night-time revitalisation, certainly in Sydney, have followed this neoliberal pathway, often at the expense of coherent public policy. Under these circumstances, it has been vital to reconcile the needs of public safety and security with the limited resources and capabilities of state and private policing bodies in dealing with collective drinking and the associated threat of public disorder and violence.

In Sydney and elsewhere, until recently, utopian conceptions of 'cosmopolitan' NTEs based on 'civilised', 'inclusive' and 'culturally diverse' sociality have run in tandem with deregulation of liquor licensing and a major expansion of

public night-time drinking. Subsequently, many deliberately stimulated urban NTEs have come to be dominated by problematic alco-leisure (Hadfield *et al.* 2001; Hadfield 2009; Measham and Brain 2005; Hayward and Hobbs 2007; Eldridge and Roberts 2008). Hadfield *et al.* (2001: 1) reflected upon the failures of the NTE concept in achieving its ‘civilising’ process when they bluntly stated that the 24-hour city has come to be dominated by the violent and unruly “mass volume vertical drinker” whose belligerent behaviour has left urban nightlife precincts awash with litter, vomit and urine, a sight that is far from the vision imagined by early NTE advocates and city planners. Complicating issues of nightlife disorder is the fact that tax revenue from alcohol and gambling has rested behind the expansion of the NTE in many cities. In both the United Kingdom and Australia, policy-makers and planners have often been attracted to liberalised alcohol licensing and policy due to the liquor industry’s ability to generate considerable revenue streams (Chatterton 2002; Hobbs *et al.* 2003; Hayward and Hobbs 2007; Tomsen and Wadds 2016). This reality has had both public and private impacts. Most notably, it has led to an increase in the number and density of licensed venues in nightlife hotspots.

The impact of market liberalisation and poor regulatory management on city safety and amenity has been stark, and the situation in Sydney and many other major cities in the early 2000s often seemed to reflect this. Indeed, research has frequently demonstrated the link between liberalisation of alcohol licensing and sharp rises in assaultive crime and disorder (Homel and Tomsen 1993; Briscoe and Donnelly 2001; Gorman *et al.* 2001; Chikritzhs and Stockwell 2002; Hall and Winlow 2005; Donnelly *et al.* 2006; Hayward and Hobbs 2007; Livingston 2008; Campbell *et al.* 2009) and commensurate increases in night-time accident and emergency admissions (Tatlow, Clapp and Hohman 2000; Miller *et al.* 2011, 2015; Cherpitel *et al.* 2015; Liu *et al.* 2016). The presence and growth of illicit markets in booming nightlife spaces should also be noted when discussing the crime/violence nexus and is discussed throughout this book.

Further perpetuating a sense of patron vulnerability to harm in nightlife settings, media coverage of nightlife violence and disorder belies statistical evidence as to the true likelihood of victimisation (Wadds 2015, 2019), particularly in relation to crimes of a very violent and sexual character (Lundman 2003; Jewkes 2004; Ditton 2005; Potter and Kappeler 2006; Greer and Reiner 2015; Jewkes and Linneman 2017). Noting this does not deny that violence is a real issue in nightlife settings – of course it is – but that the level and type of media reporting has often undermined the development of reasoned, evidence-based policy.

Despite frequent media exaggeration, good evidence does confirm that the after-dark hours host a significant volume of criminal activity including interpersonal and violent crime (Laslett *et al.* 2010; Miller *et al.* 2013; Fileborn 2016; Pedersen *et al.* 2016; Tomsen 2018) and that alcohol and other drug (AOD) use has a central place in this (for an overview of issues relating to

AOD consumption, incivility, violence and disorder see Graham and Homel 2008). In fact, according to a study conducted by Collins and Lapsley (in 2008), the estimated cost of alcohol to the community in Australia was approximately \$15 billion *per annum*, which included costs associated with crime, violence, treatment costs, loss of productivity and premature death. Sydney, as Australia's largest and most populous city, has long been positioned at the epicentre of public anxiety and political debate concerning the regulation of this highly contentious commodity.

While the consumption of alcohol has different individual, collective and situational effects, there is strong evidence of its generally frequent 'criminogenic' character in night leisure (Wells and Graham 2003; Miller *et al.* 2013). High alcohol consumption has been shown to reduce an individual's cognitive and verbal capacity to resolve conflict, thereby increasing the likelihood of involvement in aggravated verbal exchange and physical violence (Buss, Abdu and Walker 1995; Borges *et al.* 2006; Australian Bureau of Statistics 2007; National Health and Medical Research Council 2009). Further, AOD consumption has been identified as a major factor in three-quarters of assaults and offensive behaviour at street level (Buss, Abdu and Walker 1995), around a third of all violent crime (Laslett *et al.* 2010), and as a significant contributor to homicides (Tomsen 2018), assaults (BOCSAR 2018) and sexual violence in commercial leisure settings in Australia (Fileborn 2016; Fileborn, Wadds and Barnes 2019; Fileborn, Wadds and Tomsen 2019).

Contradictions between liquor industry demands, public planning needs, the expansion of night-time drinking leisure and policing and safety requirements have all surfaced as a result of the competing pressures that exist within the NTE. In New South Wales (NSW), all these pressures are apparent when analysing the condition of local nightlife. Accordingly, growth of night-time drinking-related leisure has occurred against a backdrop of very uneven and divided planning, frequently without adequate policing, security, regulatory and governance frameworks.

Compounding these issues is the fact that public policing institutions alone do not have the capacity or resources to properly regulate this social sphere (Tomsen and Wadds 2016; Wadds 2019). In line with neoliberal policies of minimising state-based service provision, public policing is increasingly supplemented or assumed by private actors in an attempt to moderate governmental expenditure and more easily regulate this risky terrain. The dramatic growth in the private security sector in relation to the NTE has meant that doorstaff and venue security are now the primary security providers in most cities at night (Hobbs *et al.* 2003; Prenzler, Sarre and Earle 2008; Rigakos 2008; Wadds 2015). In fact, Rigakos (2008) suggested that in nightlife settings in Halifax, Canada, private security personnel outnumbered police by ten to one. A similar estimate was given by Hobbs *et al.* (2003) for the situation of night-time policing in Manchester and other British cities in the early 2000s. This process of expanding private security has been one of the most

significant developments for contemporary research on urban crime and safety, and debates about the surveillance and regulation of city space. Australian developments have also signalled the importance of this transition, although many aspects of the local changes are still yet to be examined in detail.

The role of private security has undergone profound change and reform in the post-industrial city, alongside significant changes in the nature of policing (Shearing and Stenning 1983; Johnston 1992, 1999, 2003; Bayley and Shearing 1996; Loader 1997, 2000; Newburn 2001; Jones and Newburn 2002; Crawford *et al.* 2005; Crawford 2012; Wakefield 2012; Rogers 2016; Bradley 2017). From its origins as a largely unsupervised and poorly trained group of men engaged in private guard duties, the private security industry has developed into a complex, diversified and unevenly regulated industry. This occupational transformation has occurred within a relatively brief period of time and has been rife with difficulties. Many problems have (re)surfaced throughout the industry's new expansion into the urban night realm, with involvement in criminal activity and a lack of sufficient regulation governing the use of force by industry employees. These flaws have often been the catalyst for occupational reform in the private security industry. In fact, 'bouncer' violence has often been a key negative marker of what critics of expanded NTEs see as exemplifying the new dangers of their further growth.

Most notable in Australia in this regard was the 2004 death of former Australian cricketer, David Hookes, who was fatally assaulted by a security guard at a Melbourne nightspot (Schwarz 2006; Wadds 2011). His death sparked widespread outrage concerning the lack of regulation governing private security and generated pressure in Victoria and other states to revise legislation and policy regarding the industry. Similar Sydney-based incidents involving doormen and venue controllers have contributed to significant public concern about poor regulation of nightlife and the transference of roles that traditionally fell with state-employed public police. High-profile incidents in Sydney have included the shooting of a guard involved in illicit drug dealing at the Blackmarket nightclub in 1997 (Brown and Kennedy 1997), the death of Peter Dalamangas at Sydney's Star City Casino in 1998 (Goodsir *et al.* 1998; Clennell 1998a, 1998b), the 2004 bashing of Rodrigo Grveno outside a popular Sydney nightclub (Wallace 2004) and the killing of Wilson Duque Castillo following an altercation with venue security in Kings Cross in 2010 (Coote 2011; Fife-Yeomans 2011; O'Malley 2011).

Over almost 20 years (between 1990 and 2009), a period of which the empirical core of this book covers, Sydney night revellers witnessed a significant deregulation of trading hours, an increase in the number of licensed venues and locations, and growing organised crime wars in popular nightlife precincts. Alongside, or perhaps because of, concerns about corruption, NSW Police were in part sidelined from the regulation of this domain (with the temporary abolition of (liquor) licensing officers) and then re-involved in

new ways to placate public anxieties about violence, organised crime and disorder associated with urban night leisure (Fleming 2008). Indeed, the public and media furore over the 2011 group security guard bashing of a young male patron in the very briefly closed ‘upmarket’ Ivy nightclub (Howden *et al.* 2011; Olding *et al.* 2011) underscored how full venue closure was a very unusual circumstance in a previous era of generally expanded access to drink and increased taxable consumption.

In more recent years, however, a number of high-profile alcohol-related deaths in major urban nightlife precincts have resulted in wide-ranging changes in the regulation of nightlife in Sydney. These changes, packaged and delivered by the NSW Government as the Plan of Management for the Sydney CBD Entertainment Precinct, included the introduction of 1.30am ‘lockouts’ (a one-way door policy) and 3.00am cessation of service in two designated nightlife ‘zones’ in the city (Kings Cross and Sydney CBD) alongside a series of other tenuously related and often poorly conceived legislative amendments that reflected an extraordinary shift in the political treatment of the NTE. Popularly known as the ‘lockout laws’, these policy interventions polarised locals and set off a longstanding debate about what ‘right’ people should have to access drinking leisure in the city at night (Lee 2016; Race 2016). Set within an historical frame, however, the lockout laws appear less exceptional as a mechanism for regulating ‘unruly’ nightlife, and, in fact, follow a relatively regular pattern of policy fluctuation in NSW – and indeed Australian – history. That said, they remain a remarkable case study of contemporary local politics and the competing ideological and economic forces that rest behind particular ways of governing.

It is suggested in this book that the policy contestation between local and state government, the liquor and music industries, licensees and venue owners, security providers, health officials and local planning authorities has created a patchwork of interests and objectives that has left Sydney’s public police in a situation where they must appear, but very often fail, to balance the mobilised interests of industry, night users, vulnerable groups and local residents. With limited resources to meet the pressures of this task, police have favoured the adoption of high-profile, media-directed and highly symbolic campaigns against night crime with often unproven effects on levels of offending and perceptions of public safety.

The empirical core of this book is based on a number of detailed and immersive studies of Sydney nightlife conducted since 2008 and the author’s more recent involvement in policy development and discussion concerning Sydney’s NTE. These research projects have focused on active nightlife sites across Australia’s largest city, Sydney, and included ethnographic fieldwork and in-depth interviews with revellers, police, security and other key stakeholders involved in the regulation and governance of these spaces. Mapping discourse from observations and in-depth interviews provides new insight into the impact of changes to regulation in nightlife settings, and sheds light

on various public and state inquiries and an ostensible ‘professionalisation’ of both the public police and private security. Interviews were aimed at uncovering subjective understandings of safety, security and regulation in nightlife and were juxtaposed with data from historical accounts of earlier policy debates, media reports, official evidence about the policing and governance of nightlife, and how each of these sources related to the lived experience and regulation of Sydney’s urban NTE in the long term.

Structure of the book

This book is divided into three parts. The first section details the complex and volatile histories concerning the regulation and policing of alcohol, drinking and nightlife since colonisation of Australia and how they have shaped the nature and governance of contemporary nightlife.

The second section examines the contemporary NTE, its local manifestation and the issues of law and order that have dominated recent debates about the urban night. It explores the emergence of the ‘night-time economy’ as a central framing concept in the organisation of the contemporary urban night and its failure in Sydney (and similar urban sites) to deliver on its promise of a culturally diverse, dynamic, inclusive and safe nightlife. In doing so, it examines the contradictory role that public debates, political comment and the media have played in shaping ‘city image’ and developments related to urban nightlife, crime and policing in the past two decades. Finally, this section discusses the way policing, in both public and private forms, has been represented in media discourse around nightlife, and the way in which state police have used the media as a facility to foster positive public imagery and legitimise a range of high-profile campaigns around the policing of alcohol-related violence and disorder.

The third, and final, section of this book introduces and analyses field interviews and observations involving private security staff and police working in Sydney’s key night-time leisure precincts.¹ It explores the changing character of policing and the impact this has had on broader issues of urban safety, conflict, violence and a public sense of (in)security after dark. It also unpacks the complex role that masculinities and masculine performance play in the persistence of an aggressive culture in policing and security operating in nightlife spaces. Moreover, it explores aspects of occupational change in relation to this work as it relates to masculinity and notions of bodies, danger, force and violence, as well the impact that the growth and regulation of the NTE have had on occupational practices and sentiment. The wider implications of these work practices for city surveillance and regulation are also considered. Finally, it discusses the working relationship between security and police in nightlife settings, including analysis of the status challenges inherent to the relationship and the impact these have on efforts to cooperate, coordinate and enhance ‘policing’ in the city after dark.

Note

- 1 Throughout this book, pseudonyms have been used for all participants and venues to ensure anonymity.

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alcohol-related industries and economies generated for the Australian states in a time of economic decline from manufacturing and heavy industry. Market deregulation and a liberalisation of alcohol-related policy was touted as a solution to the problems of disreputable leisure practices, as it was believed that increased options for nightlife recreation and leisure would allow for nightlife patrons to enjoy themselves, and thus drink in a more civilised manner in line with Eurocentric ideals of cosmopolitanism (Graham and Homel 2008).

Still more opportunities for drinking were provided by the Greiner government, which gained office in 1988. Nicholas Greiner was the first NSW premier to fully embrace neoliberalism and was thoroughly immersed in free-market ideology and ideas about reduced public regulation of economic life. A year after its election, the Greiner government secured passage of the *Liquor (Amendment) Act 1989* (Wilkinson 1997), which permitted hotels and bottle shops to trade between 5am and midnight, Monday to Saturday and between 10am and 10pm on Sundays. Furthermore, applications could also be made by larger ‘entertainment-orientated’ hotels to trade until 3am or, if located in “tourist” areas, until 5am (Maher, Flaherty and Saunders 1994). This new legislation marked the beginning of what later became known as the late NTE in Sydney.

Towards the end of the 20th century, economic changes were also made at a national level that bore significance to Sydney nightlife. Under the direction of Prime Minister John Howard, the Liberal government strongly pursued neoliberal policies promoting market competition. The National Competition Policy (NCP) had a particularly noteworthy effect on leisure markets in the way that it further naturalised the view that public regulation of alcohol restricted the economic potential of nightlife industries. Under Howard’s leadership, the concept of alcohol as an ‘ordinary commodity’ was officially stated in the NCP (Chikritzhs 2009). These changes preceded significant growth in numbers of licensed premises throughout NSW and the entire country. They also coincided with the emergence of the NTE concept, a detailed examination of which will be undertaken in Chapter 4.

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size between these two occupational segments is likely much larger. Such figures provide evidence to the re-constitution of policing in post-industrial society. In the search to provide increasingly anxious national populations with a more visible security presence, it seems that the private security industry is filling the gap where the largely restricted public sector is falling short. Consequently, “it is now almost impossible to identify any function or responsibility of the public police which is not, somewhere and under some circumstances, assumed and performed by private police in democratic societies” (Stenning 2000: 328).

Prenzler, Sarre and Earle (2008) also noted the dramatic increase in market demand for private security, insurance requirements, the increased liability and legal responsibilities placed on property owners for visitors and staff and improvements in security technology as catalysts for the rapid expansion of the private security industry. One of the most visible sites of this transformation, and the dual pursuit of further use of private security and situational crime prevention measures, is the NTE. While public policing in the NTE is present, the policing agenda favours intermittent and targeted strategies, leaving the private sector to provide the more constant vigil. The success of this approach is frequently lauded in the media, although its actual impact on addressing public needs is questionable. The resources required for operations beyond these high-visibility public policing blitzes are said to be beyond the capacity of the police to provide on a regular basis. Even as rates of assault and other offences relating to night-time leisure have fluctuated with different policies and policing practices, fear and insecurity are still widespread. The role of the police in relation to this community anxiety must, therefore, be further analysed, along with other factors impinging on the contemporary policing of public order and drinking in Sydney, such as the rapid expansion of the private security industry and the mixed gentrification of urban nightlife precincts.

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to which potential employees are subject before being granted a security license. These processes were put in place to attempt to limit the number of persons with recorded histories of violence from working in the industry. Alongside the increase in probity checks, more substantial training programs have been introduced to ensure that prospective workers have a more complete understanding of the demands, and limitations, of their roles. A probation period of one year has also been introduced to ensure that those with no experience in the industry are subjected to more rigorous 'on-the-job' supervision by experienced staff. However, training in physical intervention techniques are still not part of this training. This omission is a major flaw in current industry requirements that must be addressed if any attempts to 'professionalise' the industry are to be taken seriously.

While the security industry still battles with its negative image, the new regulations introduced under the *NSW Security Industry Regulation Act, 2007/2016* ostensibly restrict 'cowboys' from entering the occupation. The upgraded requirements of training and probity undoubtedly represent a significant and positive progression, but the low base of regulation from which the industry started means that there is clearly still a long way to go. Without clearly defined powers, backed up by appropriate levels of training, the industry cannot effectively undertake its expanded duties and will continue to be plagued by civil claims against operators who have exceeded vaguely defined workplace standards.

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While this dialogue was beneficial, it is still limited in its frequency and remains exceptional to high-profile cases.

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exists in parts of the security industry. In one conversation, Charlie noted a fear of retribution for any information given about other venue doorstaff and showed his reluctance in assisting police with matters that did not directly concern him:

I was there the night there was the shooting at [a nightclub] across the road [in Kings Cross]. I was actually in the laneway when the shooting happened, and it was more of a gunshot – you look up and people are coming towards you so you just sort of put your head down and look at the wall, because technically I didn't see anything, and that's how it was. The police came around the next day and we gave them footage from our cameras, and I was actually asked, "Why did you put your head down?" I said, "Look, I didn't see anything." Simple as that. I must say, I did not know the people who were involved, but it was more of a – you see something and you implicate yourself. From what I've learned, you really do just keep to yourself. It's better that way.

(Charlie)

This incident was an outstanding example of the failed communication and flawed rapport between police and security in a serious matter that was more isolated than the everyday interaction between the two groups. However, it signalled one of the major difficulties confronting the police and, more generally, those concerned with regulating and preventing criminal behaviour in Sydney's NTE. As two segments of the policing occupation, it is worrying that communication was limited due to fear of reprisal from within the security sector. While conscious efforts have been made to improve the working relationship between the two parties, Charlie's comments indicate that there is still a long way to go.

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sanctions by deliberately avoiding police attention and preferring creative in-house solutions that contrast sharply with the historical indifference towards victims:

Security guards are rectifying assaults and brawls themselves, sending people home in a taxi with vouchers, telling them to come back the next day, bribing them off with food, accommodation, drinks, so it doesn't go reported, and it doesn't come up on the stats.

(Stuart)

The regulatory mechanisms employed in NSW since 2008 have repeatedly been referred to as highly successful due to improvements of the measured performance of listed venues. Yet there were serious flaws in their grassroot effects and the contentious fixation with 'recorded' incidents that often limited the true effectiveness of them.

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The often brittle masculinities of both security and police were challenged by the unwanted public presence of the other, and frequently resulted in mistrust and animosity. This dysfunctional relationship has been and continues to be a major challenge to the effective policing of the city after dark. Furthermore, the tension between these views of public and private police are a mirror of the much wider contradiction between the contemporary state's guarantees of citizen safety, security and regulatory control, and private industry's desire for greater profits from expanded drinking and spending in a nocturnal city economy of directed and intensified consumer leisure. In the next phase of Sydney's NTE that began with the partial removal of lockout laws in early 2020, the promise of greater enjoyment and freedom must be balanced by due consideration of drinking-related harm and the rejection of any simple claim that nightlife, security and revellers can effectively self-regulate.

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