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POLICING PUBS: EVALUATION OF A LICENSING ENFORCEMENT STRATEGY

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144579

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National Institute of Justice**

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Conducted in collaboration with the NSW Police Service and the Drug and Alcohol Directorate of the NSW Department of Health

New South Wales Bureau of Crime Statistics and Research

PREFACE

Increasing attention is being paid by law enforcement authorities to the role of licensed premises in the management of street offences such as assault, malicious damage to property and offensive conduct. In part this is due to the results of studies which have consistently shown that a high proportion of these offences occur either in or around licensed premises. It is also partly due to a realization that police efforts to reduce the incidence of street offences are only likely to be successful if members of the community play an active role in limiting the opportunities and incentives for such offences.

A landmark study by Jeffs and Saunders in the United Kingdom in 1983 has given particular impetus to police efforts to try to limit excessive consumption of alcohol on licensed premises as a means of reducing the level of assault, malicious damage to property and offensive conduct. Jeffs and Saunders examined the impact of a policing strategy undertaken in Torquay, England, designed to enhance the enforcement of licensing legislation in that town. They found a significant drop in assault, malicious damage to property and offensive conduct after police officers began an enforcement regime involving regular but unpredictable visits to licensed premises to check for breaches of licensing laws.

The present study reports the results of an attempt by the Bureau of Crime Statistics and Research to replicate the results of the Jeffs and Saunders study in New South Wales. A similar intervention regime of licensing enforcement was introduced into a number of licensed premises in the Sydney metropolitan area. Trends in the number of offensive behaviour, assault and malicious damage offences were examined before, during and after the introduction of the regime in a number of suburban police patrols. They were also compared with trends in these offences in a number of 'control' patrols, matched on a number of relevant criteria.

The results of the study failed to confirm those of the Jeffs and Saunders study. In fact the total number of recorded offences and the total number of arrests were higher in the experimental patrols during the intervention regime than in the control patrols. The report considers a variety of possible explanations for these discordant results. They include the fact that there were differences in the socio-cultural context of the enforcement regime and the fact that the nature of the intervention regime itself may have increased the opportunities for observing offences and making arrests.

The fact that the study did not replicate the results of Jeffs and Saunders' study ought not to be taken as justification for abandoning active licensing enforcement as a strategy for reducing the incidence of offences such as assault, malicious damage to property and offensive behaviour. The intervention regime adopted in the current study is only one of several possibilities worth exploring. Active experimentation with and evaluation of different policing strategies ought to be a routine feature of all police policy and planning. 'Failures' are as important in this process as 'successes'.

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April 1993

ACKNOWLEDGEMENTS

This study would not have been possible without the generous assistance of numerous members of the NSW Police Service. In particular, we are indebted to the Patrol Commanders, Beat Sergeants and beat officers from the experimental patrols who organised, carried out and documented the enforcement of the licensing laws. Steve Ireland, Jennifer Thommeny and Doug McKenzie were involved in the planning of the project and assisted with monitoring the enforcement. We are also grateful for data supplied by Paul Guibin and Michael Conaghan.

Bruce Flaherty and Maureen Frances from the Drug and Alcohol Directorate also assisted with the planning of the project. Our thanks are also extended to Maureen Frances for organising and assisting with the collection of hospital data. The staff of Accident and Emergency Centres also deserve our thanks for collating these data for us despite the already heavy demands on their time.

Several members of the Bureau also contributed to this study. Jeanette Packer assisted with the organisation of the enforcement programs within patrols. Don Weatherburn, Bronwyn Lind and Jeanette Packer commented on earlier drafts of this report. Les Kery was responsible for desktop publishing.

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1. INTRODUCTION

It is widely accepted that a relationship exists between alcohol use and crime. Although a substantial number of the studies claiming a relationship between alcohol and crime have been criticized on methodological grounds, the consistency and extent of the findings are quite compelling.

Evidence for the alcohol-crime relationship comes from a variety of sources. Firstly, ecological studies indicate that, within populations, alcohol consumption rates are correlated with crime rates (Pernanen 1982). Secondly, studies examining the drinking histories of criminals generally report a high incidence or prevalence of alcoholism and problem drinking in criminal populations (e.g. Edwards, Hensman & Peto 1971; Nicol et al. 1973). Thirdly, studies examining reports of alcohol use at the time of arrest usually find that a substantial percentage of offenders were drinking prior to committing the offence (e.g. Jeffs & Saunders 1983). Finally, a number of studies show that many offences are committed in or near licensed premises (Bonney 1989; Devery 1992; Roncek & Bell 1981; Roncek & Maier 1991; Roncek & Pravatiner 1989).

Although alcohol has been linked to a myriad of offences, there is some evidence that alcohol is particularly linked to violent offences such as murder, rape, assault and domestic violence (Evans 1980; Mason & Wilson 1989; Murphy 1983; Tomsen, Homel & Thommeny 1991). However, there is also evidence that alcohol use is linked with a few offences that are not necessarily violent such as malicious property damage (or criminal damage) and offensive conduct (or breach of the peace) (Bonney 1989; Jeffs & Saunders 1983).

The association of alcohol with some of the above-listed offences becomes evident only in studies that have a large sample and a long time-frame, either because the frequency of occurrence of these offences is relatively low (e.g. murder, rape) or because the frequency of reporting these offences is relatively low (e.g. domestic violence). Consequently, it is easier to demonstrate a relationship between alcohol use and offences which both occur frequently and are reported frequently, such as assault, malicious property damage and offensive conduct. A case in point is a five-month 'arrest' study by Jeffs and Saunders (1983) which examined whether persons arrested between May and September in 1979 reported that they had been drinking in the four hours prior to committing the offence. Jeffs and Saunders found that the offences of criminal damage, breach of the peace and assault were particularly likely to be committed following consumption of alcohol. Seventy-eight to 88 per cent of persons charged with these offences had been drinking alcohol compared with only 26 to 41 per cent of persons charged with other offences. (As expected, all persons charged with an offence that has a necessary alcohol component, namely drunkenness or drink driving, also reported drinking alcohol before committing the offence.)

Even though the association between alcohol and crime does not prove causality, it nonetheless suggests that targeting alcohol use may have important implications for crime reduction.

To date, few studies have directly examined whether the rate of alcohol-related crime can be reduced by targeting alcohol use. Studies of server intervention training usually

report that appropriately training bar staff reduces the number of patrons with high blood alcohol levels, and the number of offences that necessarily have an alcohol component such as drink driving (e.g. Russ & Geller 1987; Saltz 1987). However, server intervention studies have usually not examined the effect on offences that are thought to be alcohol-related but do not involve an alcohol component by definition (e.g. assault, malicious property damage and offensive conduct).

A large number of studies that have attempted to isolate crime reduction strategies have involved proactive policing. Proactive policing refers to police efforts to prevent crime by maximizing police observations and interventions in the community. More traditional or reactive policing, on the other hand, refers to police responding to crimes once they have occurred. To date, most proactive policing studies have not been concerned specifically with the alcohol-crime link. The proactive policing strategies used have typically not targeted alcohol consumption but have been more general, for example increased patrols or increased field interrogations. Furthermore, the effect of proactive policing has usually been measured on crime generally rather than on alcohol-related crime specifically. Although many such proactive policing studies have shown a reduction in a variety of offences (e.g. Boydston 1975; Sampson & Cohen 1988; Sherman et al. 1986; Wilson & Boland 1978), a substantial number have failed to find a reduction (e.g. Kelling & Pate 1981; Kelling et al. 1974; Kleiman 1988; Reuter et al. 1988) or have produced mixed results (e.g. Schnelle et al. 1977).

A landmark 'enforcement' study by Jeffs and Saunders (1983) specifically examined whether alcohol-related crime could be reduced by a proactive policing strategy that targeted alcohol use. This strategy involved increasing police supervision of licensed premises to enhance the enforcement of the licensing legislation. The proactive police intervention took place in the summer of 1978 (May - September) in the resort town of Torquay, England, and targeted licensed premises in the harbourside area that were associated with public disorder.

Firstly, the full co-operation of the licensees was enlisted and the licensees were made aware of their responsibilities under the licensing laws, namely that they were prohibited from serving alcohol to under-age or intoxicated persons. Without adherence to a routine, each of the targeted licensed premises was visited about two to three times a week over the summer by two or three uniformed officers. On each visit, the officers very visibly entered the premises, spoke to bar staff amicably, and checked for under-age and intoxicated persons in a conspicuous and thorough manner.

The crime rates for Torquay and for a nearby control town were determined for the summer of the intervention (1978), and for the corresponding period in the previous year (1977) and in the following year (1979). The results showed that the proactive police intervention in 1978 reduced crime. The overall number of arrests in Torquay decreased significantly by 20.9 per cent from 1977 to 1978 and then increased significantly by 20.3 per cent from 1978 to 1979. In contrast, the number of arrests in the control town did not change significantly from 1977 to 1978 even though there was a significant increase of 25.7 per cent from 1978 to 1979.

Furthermore, using the 1979 'arrest' study data discussed earlier, Jeffs and Saunders compared highly alcohol-related offences with low alcohol-related offences. Highly alcohol-related offences were those where 83 to 100 per cent of the offenders had drunk alcohol in the four hours before committing the offence, namely, drunkenness, drink driving, criminal damage and breach of the peace. They found that a larger reduction in the number of arrests in Torquay in 1978 occurred for highly alcohol-related offences than

for low alcohol-related offences. It is important to note that assault was placed in the low alcohol-related group even though 78 per cent of the assault offenders had drunk alcohol, and a much smaller percentage (26 to 41%) of the persons charged with any of the other offences in the low alcohol-related group had drunk alcohol.

The effectiveness of the proactive policing strategy used by Jeffs and Saunders (1983) was presumably due to the police enforcement reducing the number of persons under the influence of alcohol, which in turn reduced the number of crimes committed by persons under the influence of alcohol.

The success of the Jeffs and Saunders (1983) study prompted two other studies in Sussex, England, which attempted to reduce alcohol-related crime by targeting drinking behaviour. Both studies produced a reduction in the raw percentage of alcohol-related crime (Sussex Police 1987).

Alcohol-related crime is well recognized as a law enforcement problem in New South Wales (NSW). In particular, frequently occurring alcohol-related crimes such as assault, malicious property damage and offensive conduct demand a large portion of police time and resources. The results of the Jeffs and Saunders enforcement study suggested that it may be useful to increase the enforcement of the NSW licensing laws in order to reduce such frequently occurring alcohol-related crime. However, given that the Jeffs and Saunders study had not been replicated in Australia, let alone in NSW, it was impossible to know whether the results would be generalizable to NSW. It is well known that cross-cultural differences often result in a failure to replicate. An additional variable pertaining to generalizability in the present instance is residential status. Because Jeffs and Saunders' study took place in a resort town, a large number of their sample were tourists. It is conceivable that the enforcement of licensing laws in such a 'resort' sample may not be relevant to everyday law enforcement practice in 'non-resort' populations.

Consequently, it was considered important to replicate the Jeffs and Saunders enforcement study in a NSW non-resort population, particularly because police resources are limited and cannot afford to be wasted on ineffective policing practices. The present study, conducted in conjunction with the NSW Police Service, aimed to replicate the Jeffs and Saunders enforcement study in a NSW sample by heightening the enforcement of the NSW licensing laws, namely the *Liquor Act 1982* and the *Registered Clubs Act 1976*, over a two-month period. These Acts prohibit the serving of alcohol to intoxicated persons and to persons younger than 18 years of age. The present study compared experimental police patrols that undertook a heightened enforcement intervention with control police patrols that did not, over three phases: pre-intervention, intervention and post-intervention.

Based on Jeffs and Saunders (1983), two hypotheses were generated concerning the effect of heightened enforcement of the NSW licensing laws over a two-month period:

- (i) A reduction in the total crime rate, as indicated by the number of recorded offences and the number of arrests, would occur for the experimental patrols over the intervention phase.
- (ii) A reduction, in particular, in the offences of assault, malicious property damage (criminal damage) and offensive conduct (breach of the peace) would occur for the experimental patrols over the intervention phase. Particular reductions were expected for these offences because they are highly alcohol-related and they have a relatively high frequency of occurrence and reporting to police.

2. METHODOLOGY

2.1 DESIGN

A 2 x 3 factorial design was used. The first factor, namely level of police enforcement of the licensing laws, had two levels, enforcement (experimental group) and no enforcement (control group). The second factor, namely time, had three levels, pre-intervention (pre-enforcement) phase, intervention (enforcement) phase and post-intervention (post-enforcement) phase.

The dependent variables were the total number of recorded offences; the total number of arrests for all offences; the number of recorded offences for each of assault, malicious property damage and offensive conduct; the number of arrests for each of assault, malicious property damage and offensive conduct; and the number of hospital admissions for assault-related injuries. Data on the number of hospital admissions were only collected for the pre-intervention and intervention phases.

2.2 MATERIALS

A written 'Guidelines' manual was prepared for the Patrol Commanders of the experimental patrols (see Appendix 1). This manual introduced the study, outlined the responsibilities and protocol for all police officers involved, and provided guidelines for a 'Licensing Education Manual' that the Patrol Commanders were required to produce and then distribute to all their participating beat police. The Licensing Education Manual contained the protocol for the police enforcement visits to licensed premises, and other relevant information such as current police circulars on licensing issues and notes on police powers under the Liquor Act and the Registered Clubs Act.

The schedule for the enforcement visits by each experimental patrol was recorded on specifically tailored sheets that outlined each premises to be visited, and the day and shift that each visit was to take place (see Appendix 2).

Records of the enforcement visits to licensed premises were kept on 'Record of Visitation to Licensed Premises' sheets (see Appendix 3). These sheets documented whether scheduled visits took place, the reason for any missed visits, the time of the visits, and any police action taken.

2.3 PROCEDURE

2.3.1 Enforcement factor

Selection of police patrols

The police patrols included in the study were selected on the basis of certain predesignated criteria. Firstly, each patrol had to have adequate numbers of beat police who would be able to undertake the enforcement intervention as a logical part of their existing roles. Secondly, for liaison purposes it was necessary that all patrols be located in the Sydney metropolitan area. Thirdly, to enable the attainment of meaningful statistical differences, it was necessary that the crime rates in the patrols were relatively high and stable. The frequency and stability of the recorded offences for each potential

patrol were examined on a month-to-month basis over the period of December-March for both 1989/90 and 1990/91.

In all, 10 patrols were found to meet all three criteria. These 10 patrols were paired off so that the patrols within each pair were matched on the population proportions of the following socioeconomic variables: age between 15 and 29 years; annual income of less than \$9000 per annum; unemployment; employment as a labourer; and Australian born. It was considered important to match on these socioeconomic variables because crime rate is inversely related to socioeconomic status (Devery 1991).

One patrol within each pair was randomly allocated to the experimental group, the other patrol in each pair being allocated to the control group.

Preparation for enforcement visits

To prevent possible confounding, all 10 police patrols agreed that, during the course of the study, no new initiatives additional to those of the study would be undertaken to target alcohol-related crime.

The Patrol Commanders of the control patrols were informed by the NSW State Commander of Police that the involvement of their patrols in the study would simply involve a continuation of normal duties without the introduction of any intervention. The beat police in the control patrols were appropriately kept 'blind' to their control status. No further contact was made with the control patrols during the course of the study.

A number of meetings were held with the experimental patrols to prepare them for their involvement in the study. A central meeting took place where the Commissioner of Police enlisted the support of the Patrol Commanders and the Beat Sergeants of the experimental patrols, and the project staff outlined the study. Subsequently, individual meetings were held with the police officers in each experimental patrol. Each experimental patrol, guided by the Patrol Commander, selected the licensed premises to be targeted during the intervention phase based on prior experience with 'troublespots' in the patrol.

For each experimental patrol, a meeting also took place with the police and the licensees of the targeted licensed premises. The aim of these meetings was to outline the study to the licensees, to remind the licensees of their obligations under the Liquor Act and the Registered Clubs Act, and to encourage the licensees to work together with the police to prevent excessive alcohol consumption. The licensees were advised that if they had trouble meeting their obligations at any time, the police could be called in for assistance (for example, with intoxicated or rowdy patrons).

During the pre-intervention phase, each Patrol Commander of the experimental patrols was visited and supplied with their 'Guidelines' manual (see Materials section). Any questions the commanders had about producing the Licensing Education Manual were answered and instructions about completing the schedule of visits sheets were given.

All of the participating beat police of the experimental patrols attended training sessions on the protocol for the enforcement. They were informed about the frequency, length, schedule and purpose of the visits, the friendly manner in which the visits should be conducted, and the availability of the protocol for the visits in the form of the Licensing Education Manual.

Enforcement visits

Visits to each nominated premises occurred about two to three times a week according to the predetermined schedule drawn up by the Beat Sergeant of each experimental patrol and project staff (see Materials section). Each visit was conducted by two uniformed beat police who visibly entered the premises, exchanged pleasantries with the bar staff and regular patrons, and checked for patrons who were intoxicated and/or under-aged. Each visit lasted no longer than 10 minutes unless breaches of the licensing laws were detected, in which case police spent additional time speaking to the bar staff and also to the licensee if the breach was serious.

Police recorded the details of each visit on a specifically tailored sheet (see Materials section). Completed sheets were collected at the end of each police shift and returned to the project staff.

2.3.2 Time factor

The study took place over the six-month period between January and June 1992. The first two months of this period served as the pre-intervention phase, the second two months as the intervention phase and the last two months as the post-intervention phase.

2.3.3 Dependent variables

All information on the number of recorded offences and the number of arrests (i.e. for all offences in total and for each of the offences of assault, malicious property damage and offensive conduct) were obtained from a database at Police Headquarters.

The number of hospital admissions for assault-related injuries were obtained from all hospitals servicing each police patrol, either by the project staff directly or by hospital personnel. It was considered important to obtain information on hospital admissions for assault-related injuries because many assaults are not reported to police (Australian Bureau of Statistics 1992) but medical attention is usually sought for serious assault-related injuries.

3. RESULTS

The results are presented in three sections. The first section presents data on the extent to which the enforcement was carried out according to plan. The second section presents the dependent variable data on all offences. The third section presents the dependent variable data on the specific offences of assault, malicious property damage and offensive conduct.

3.1 CARRYING OUT THE ENFORCEMENT

As can be seen from Table 1, a total of 49 premises were visited by the experimental patrols, with an average of about two visits per week to each premises. The experimental patrols kept fairly well to the predetermined schedule of visits, making 805 of the proposed 1025 visits (78.5%).

Table 1: Number of premises visited, number of proposed visits and number of actual visits for each experimental patrol

<i>Experimental patrol</i>	<i>No. of premises visited</i>	<i>Proposed no. of visits</i>	<i>Actual no. of visits</i>	<i>Average no. of visits per week to each premises</i>
Patrol 1	9	160	122	1.7
Patrol 2	4	153	115	3.6
Patrol 3	12	216	133	1.4
Patrol 4	16	288	249	1.9
Patrol 5	8	208	186	2.9
Total	49	1025	805	2.1

3.2 ALL OFFENCES

Table 2 presents the total number of recorded offences for each of the experimental and control groups over each phase of the study. Table 3 presents the total number of arrests for each group over each phase.

For both the total number of recorded offences ($X^2 = 10.6$, $df = 2$, $p < 0.05$) and the total number of arrests ($X^2 = 27.1$, $df = 2$, $p < 0.05$), there was a significant interaction between the enforcement factor and the time factor. Specifically, both the total number of recorded offences and the total number of arrests were highest during the intervention phase for the experimental group and lowest during the intervention phase for the control group.

Table 2: Total number of recorded offences in each phase for each group

<i>Phase</i>	<i>Experimental group</i>		<i>Control group</i>		<i>Total</i>	
	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>
Pre-intervention	3419	32.2	4188	32.6	7607	32.4
Intervention	3665	34.5	4177	32.5	7842	33.4
Post-intervention	3547	33.4	4472	34.8	8019	34.2
Total	10631	100	12837	100	23468	100

Table 3: Total number of arrests in each phase for each group

<i>Phase</i>	<i>Experimental group</i>		<i>Control group</i>		<i>Total</i>	
	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>
Pre-intervention	926	31.9	1179	37.5	2105	34.8
Intervention	1000	34.5	916	29.2	1916	31.7
Post-intervention	976	33.6	1047	33.3	2023	33.5
Total	2902	100	3142	100	6044	100

Table 4: Number of recorded offences for assault in each phase for each group

<i>Phase</i>	<i>Experimental group</i>		<i>Control group</i>		<i>Total</i>	
	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>
Pre-intervention	322	31.7	412	35.5	734	33.7
Intervention	357	35.2	351	30.3	708	32.6
Post-intervention	336	33.1	397	34.2	733	33.7
Total	1015	100	1160	100	2175	100

Table 5: Number of arrests for assault in each phase for each group

<i>Phase</i>	<i>Experimental group</i>		<i>Control group</i>		<i>Total</i>	
	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>
Pre-intervention	189	36.8	205	36.5	394	36.6
Intervention	167	32.5	146	26.0	313	29.1
Post-intervention	158	30.7	211	37.5	369	34.3
Total	514	100	562	100	1076	100

3.3 SPECIFIC OFFENCES

3.3.1 Assault

There was a significant interaction between the enforcement factor and the time factor both on the number of recorded offences for assault ($X^2 = 6.5$, $df = 2$, $p < 0.05$) and on the number of arrests for assault ($X^2 = 7.5$, $df = 2$, $p < 0.05$). The number of recorded offences for assault was highest during the intervention phase for the experimental patrols, and lowest during the intervention phase for the control patrols (see Table 4). The number of arrests for assault decreased over the period of the study for the experimental group, but, for the control group, although there was a decrease from pre-intervention to intervention, there was an increase at post-intervention (see Table 5). Table 6 shows a decrease in the number of assault-related hospital admissions from pre-intervention to intervention for both the experimental and control patrols. The number of assault-related hospital admissions was not collected for post-intervention. Contrary to the findings for assault from the number of recorded offences and the number of arrests, there was no significant interaction between the enforcement factor and the time factor on the number of assault-related hospital admissions ($X^2 = 0.7$, $df = 1$, $p > 0.05$).

Table 6: Number of assault-related hospital admissions in each of the pre-intervention and intervention phases for each group

<i>Phase</i>	<i>Experimental group</i>		<i>Control group</i>		<i>Total</i>	
	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>
Pre-intervention	389	52.5	374	54.7	763	53.5
Intervention	352	47.5	310	45.3	662	46.5
Total	741	100	684	100	1425	100

Table 7: Number of recorded offences for malicious property damage in each phase for each group

<i>Phase</i>	<i>Experimental group</i>		<i>Control group</i>		<i>Total</i>	
	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>
Pre-intervention	396	32.1	466	30.1	862	31.0
Intervention	414	33.6	523	33.8	937	33.7
Post-intervention	422	34.3	557	36.0	979	35.2
Total	1232	100	1546	100	2778	100

Table 8: Number of arrests for malicious property damage in each phase for each group

<i>Phase</i>	<i>Experimental group</i>		<i>Control group</i>		<i>Total</i>	
	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>
Pre-intervention	36	28.8	54	36.2	90	32.8
Intervention	45	36.0	55	36.9	100	36.5
Post-intervention	44	35.2	40	26.8	84	30.7
Total	125	100	149	100	274	100

Table 9: Number of recorded offences for offensive conduct in each phase for each group

<i>Phase</i>	<i>Experimental group</i>		<i>Control group</i>		<i>Total</i>	
	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>
Pre-intervention	58	34.3	66	35.7	124	35.0
Intervention	64	37.9	67	36.2	131	37.0
Post-intervention	47	27.8	52	28.1	99	28.0
Total	169	100	185	100	354	100

3.3.2 Malicious property damage

Tables 7 and 8 present the results for malicious property damage for each group and each phase. Table 7 presents the number of recorded offences and Table 8 presents the number of arrests. There was no significant interaction between the enforcement factor and the time factor either on the number of recorded offences for malicious damage ($X^2 = 1.5$, $df = 2$, $p > 0.05$) or on the number of arrests for malicious damage ($X^2 = 2.7$, $df = 2$, $p > 0.05$).

3.3.3 Offensive conduct

Tables 9 and 10 present the results for offensive conduct for each group and each phase. Table 9 presents the number of recorded offences and Table 10 presents the number of arrests. There was no significant interaction between the enforcement factor and the time factor either on the number of recorded offences for offensive conduct ($X^2 = 0.1$, $df = 2$, $p > 0.05$) or on the number of arrests for offensive conduct ($X^2 = 0.4$, $df = 2$, $p > 0.05$).

Table 10: Number of arrests for offensive conduct in each phase for each group

<i>Phase</i>	<i>Experimental group</i>		<i>Control group</i>		<i>Total</i>	
	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>
Pre-intervention	61	37.7	65	35.3	126	36.4
Intervention	58	35.8	72	39.1	130	37.6
Post-intervention	43	26.5	47	25.5	90	26.0
Total	162	100	184	100	346	100

4. DISCUSSION

The results did not support the hypotheses generated from the Jeffs and Saunders (1983) enforcement study. It was expected that crime rate indices would be lowest for the experimental group (who undertook the enforcement intervention) during the intervention phase. Contrary to the first hypothesis, the enforcement did not lead to a reduction in crime in general. The total number of recorded offences and the total number of arrests were highest for the experimental group during the intervention phase and lowest for the control group during the intervention phase.

The second hypothesis that the enforcement would lead in particular to a decrease in the alcohol-related offences of assault, malicious property damage and offensive conduct was also not supported. The expected significant interactions for malicious property damage and offensive conduct did not occur. Furthermore, the significant interactions on two of the three dependent variables for assault were not in the expected direction.

The present study was not the only study that failed to find a reduction in crime as a result of proactive policing strategies, even though the other studies in question did not specifically target alcohol use. For example, the Kansas City Experiment (Kelling et al. 1974) and the Newark Experiment (Kelling & Pate 1981), both of which involved increasing street patrols, did not find a decrease in the crime rate.

Although the present study was essentially a replication of the Jeffs and Saunders study, the two studies differed somewhat in a number of respects. Such differences may have contributed to the contrasting findings of the two studies. Firstly, it is possible that the different populations sampled by the present study and the Jeffs and Saunders (1983) study require different types of enforcement strategies to reduce crime rates. The present study examined the 'troublespot' licensed premises servicing a largely residential population in some of the geographic sections of a large Australian city whereas the Jeffs and Saunders study examined the 'troublespot' licensed premises servicing a largely tourist population in an entire, but smaller, British town. In order to be effective, law enforcement practices may need to be tailored to the specific population in question.

Secondly, in the Jeffs and Saunders article there is no mention of whether the offences and arrests that actually occurred during the enforcement visits were included in the analysis of the results. The present study included such offences and arrests, and it was deemed appropriate to do so because the intervention involved a redistribution of the on-duty time of the beat police rather than an increase in the on-duty time. (Obviously an increase in the on-duty time of beat police would, in and of itself, increase the opportunity to record offences and to make arrests.) Compared with the present study, the Jeffs and Saunders study would have been more likely to find a decrease in the number of recorded offences and in the number of arrests for the experimental group during the intervention phase if Jeffs and Saunders excluded the offences and arrests that occurred during the enforcement visits.

This issue of whether the offences and arrests that occurred during the enforcement visits were included in the analyses of the Jeffs and Saunders results becomes even more critical when it is remembered that licensed premises have been associated with high rates of crime (e.g. Bonney 1989; Devery 1992; Roncek & Bell 1981; Roncek & Maier 1991; Roncek

& Pravatiner 1989). By virtue of the intervention, police spent a greater proportion of their on-duty time in or near licensed premises, that is, in or near places where high rates of crime tend to occur. Thus, during the intervention, police would have had an increased opportunity to record offences and to make arrests if there had been no change in the actual crime rate. Given that the offences and arrests recorded during the enforcement visits were included in the analyses of the present results, any deterrent effects of the intervention on crime would only be evident if they were strong enough to counteract the increased opportunity of police to record offences and make arrests. Thus, the fact that the present study, unlike the Jeffs and Saunders study, found an increase rather than a decrease in the recorded offences and arrests during the intervention phase would be explicable if the Jeffs and Saunders study excluded recorded offences and arrests during the enforcement visits.

Thirdly, the different intervention durations in the present study and the Jeffs and Saunders study may also have contributed to the different results. The intervention in the present study was two months long whereas that in the Jeffs and Saunders study was five months long. There is reason to believe that the time frame of police interventions is important, although existing studies have cautioned against the use of strategies that occur over too long a period rather than over too short a period. For example, the review by Sherman (1990) on studies of police crackdowns concludes that crackdowns might be more effective if they are limited in duration, for example, shorter than one year. It seems reasonable that the optimal duration of a particular proactive policing strategy depends on the type of strategy used. The proactive policing strategy used in both the present study and the Jeffs and Saunders study may require more than two months in order to have an impact on the crime rate. If this is the case, then a decrease in the crime rate would not be expected at two months even though it would be expected at a later point in time (e.g. after five months). Furthermore, given that, as mentioned above, licensed premises have been shown to be associated with high rates of crime, it would not be unreasonable to expect an increase in the number of recorded offences and arrests over the first two months before the deterrent effects of the proactive policing strategy begin to take place.

Fourthly, it is possible that unmonitored variables contributed to the differences between the present findings and the Jeffs and Saunders findings. For example, neither study assessed the degree to which the police carried out the intervention in a friendly manner, according to plan. Any difference in the manner in which the intervention was conducted could have contributed to the different results. In addition, although assurances were given by the police that other interventions targeting alcohol use would not be undertaken during the course of the present study, it was impossible to monitor such other interventions.

It is relevant to note that, in the present study, there was a slightly greater variability in the results across the experimental patrols than there was across the control patrols. This greater variability across the experimental patrols suggests that, despite the identical training given to all the experimental patrols, there may have been differences in the specific ways in which the enforcement intervention was carried out between experimental patrols. For example, some Patrol Commanders of the experimental patrols may have shown a greater interest in the intervention. Any such inter-patrol differences may have reduced the likelihood of obtaining the expected significant differences.

The findings of the present study caution that the use of proactive policing strategies that target alcohol consumption may not always constitute the optimal use of police resources in NSW. Nonetheless, it should be stressed that the present findings should

not deter researchers from further evaluating such proactive policing strategies. Because the present study was the first study to evaluate the effect of a proactive policing strategy that specifically targeted alcohol use in NSW, it would be premature to conclude that such a proactive policing strategy would be ineffective usually in NSW. For example, it is possible that positive results would be gained by making changes to the present study that are more in keeping with the Jeffs and Saunders (1983) study, such as a five-month duration for the proactive policing intervention. Furthermore, it is important to note that the present study did not evaluate for positive effects other than a reduction in the crime rate, such as an increase in residents' satisfaction with the police or a decrease in residents' fear of crime. Such positive effects have been found in some studies that have failed to find a reduction in the crime rate (e.g. Kelling & Pate 1981; Ramsay 1991).

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APPENDIX 1: GUIDELINES FOR PATROL COMMANDERS

These guidelines contain information for Patrol Commanders regarding the study and police roles within it:

Section 1 gives an introduction to the study.

Section 2 gives an outline of the areas of responsibility for particular police personnel during the study.

Section 3 outlines the protocol to be followed by beat police when they visit licensed premises.

Section 4 gives some Guidelines for Patrol Commanders on what should be contained in the Licensing Education Manual which they will be required to put together.

Section 5 contains detailed information on the content of the Licensing Education Manual.

1. ENFORCEMENT OF THE LIQUOR AND REGISTERED CLUBS ACTS

Introduction to the study

In the past, a great many policies have been directed at decreasing the level of alcohol-related harm. For example, laws have been passed which prohibit publicans from serving alcohol to intoxicated persons and minors. Often, however, the effectiveness of this type of legislation depends on the degree to which it is enforced.

For this reason, in 1977 a project was undertaken by the British police within the Torquay area to assess the effect of enforcing the existing licensing legislation on recorded rates of crime. The project involved the frequent and random visitation by police to all licensed premises that were considered to be potential troublespots in the area. The visits were thorough, police checking all bars for underage drinkers and intoxicated persons. At the same time, however, these visits were of a friendly nature, police chatting briefly with regulars and bar staff as they passed through the hotel.

The outcome of the project was an overall decrease in crime. Over the summer of 1978 (when the enforcement was carried out) the number of recorded offences decreased by 20% in comparison with the number recorded in the previous summer. A similar town, where the enforcement did not take place, showed no such decrease.

This finding has become the subject of great interest within the New South Wales Police Service and for this reason a replication of the study is planned for New South Wales. The overall aim of the study will be similar to that of the British study: to assess whether enforcement of the current licensing laws will bring about a decrease in recorded crime rates. The enforcement will be aimed mainly at reducing the number of underage and intoxicated drinkers on licensed premises.

The present study is proposed to run for four months, from 1 January 1992 to 30 April 1992. For the first two months of the study (from 1/1/92 to 29/2/92) no extra action (other than that which normally takes place) will be taken by police in regard to the Liquor and Registered Clubs Acts.

APPENDIX 1 continued

In the second two months, however, (from 1/3/92 to 30/4/92) these Acts will be actively enforced by beat police currently working within the patrols selected to participate in the study.

Guidelines on the nature of the enforcement and how it should proceed and be monitored will be included in a 'Licensing Education Manual'. A copy of the manual will be given to all beat police in each participating patrol and any other relevant personnel.

2. AREAS OF RESPONSIBILITY FOR POLICE PERSONNEL DURING THE STUDY

Responsibilities for Patrol Commanders

2.1 Compilation of a list of licensed premises within patrol boundaries. A copy of this list will be required by the Project Managers.

2.2 Preparation of a 'Licensing Education Manual'. All necessary assistance in composing the manual will be provided by the Project Managers (for Guidelines on what should be contained in the manual see Section 4).

2.3 Responsibility for introducing the Licensing Education Manual to Beat Supervisors who will then conduct training sessions with the beat police within their patrols.

2.4 Select the premises to be visited during the study (all hotels, clubs and identified 'troublespots') and co-ordinate a meeting of the licensees or club secretaries of these premises. The object of this meeting will be to remind the licensees and club secretaries of their obligations under the Liquor and Registered Clubs Acts and to advise them that police will be enforcing these Acts commencing 1/3/92. The licensees should also be told that the aim of police in undertaking these visits is to provide them with assistance in dealing with unruly or under-age drinkers.

2.5 Overall co-ordination of beat police during the study, including scheduling of shifts during the enforcement phase. It is of particular importance that the beat police do nothing out of the ordinary in the way of enforcing the Liquor and Registered Clubs Acts in the two months before the enforcement (i.e. 1/1/92 to 29/2/92).

2.6 Monitoring of the enforcement to ensure that beat police visit licensed premises as per visitation schedule (see Section 2.7) and protocol (see Section 3).

Responsibilities for Beat Supervisors

2.7 Design a random schedule (i.e. one that has no consistent pattern to it) of visits to those premises identified in Section 2.4 for the period of the enforcement. Visits should take place at least twice a week to each of these premises or more often as required. The Project Managers will visit all patrols to assist in the formulation of this schedule.

2.8 To ensure that each beat officer is aware of the licensed premises they should be visiting on any particular shift during the enforcement, the name of the premises should

APPENDIX 1 continued

be entered on the Record of Visitation to Licensed Premises form in the column headed 'Premises' (see Appendix 3).

The names of the premises should be entered on the forms before the officers commence duty. All pairs of beat officers on duty will have one of these forms allocated to them each shift. They will be required to make a note of the time they visited the premises named in the 'Premises' column and note if any action was taken or if the visit did not take place give a reason as to why not (i.e. fill in the other columns on the Record of Visitation to Licensed Premises form). These forms will then be collected by the Beat Supervisor at the completion of each shift.

Any other visits made to these premises by beat police should also be noted on the Record of Visitation to Licensed Premises form (for example if police are called to a brawl). The only difference in record keeping for these visits is that the officers will be required to fill in the column marked 'Premises' as well as the details in the other columns.

2.9 Conduct training sessions with beat police. Guidelines for what should be contained in the training sessions are as follows:

- (a) Initially, each beat officer should be given a copy of the Licensing Education Manual.
- (b) The project should be outlined using details from the attached introduction to the study.
- (c) The enforcement protocol should be covered (contained in Section 3 of this document and which will also be contained in the manual).
- (d) Beat officers should be shown how to complete the Record of Visitation to Licensed Premises form.

Responsibilities for Beat Police

2.10 Perform the enforcement as per the protocol outlined in Section 3. Enforcement will take place between 1/3/92 and 30/4/92 inclusive.

2.11 Complete the Record of Visitation to Licensed Premises form each shift and return it to the Beat Supervisor at the completion of each shift during the enforcement.

3. PROTOCOL FOR VISITATION TO LICENSED PREMISES BY BEAT POLICE

During the enforcement (1/3/92 to 30/4/92) visits should be made by beat police to premises as outlined on the Record of Visitation to Licensed Premises form. These forms will be handed out by the Beat Supervisor at the commencement of each shift and returned to him/her at the completion of each shift.

The visits should be conducted in a friendly manner. For example, once inside the premises police should take off their hats (if appropriate). Attempts should always be made to exchange pleasantries with a member of the bar staff when entering the premises. Patrons should also be spoken to, especially if known as regulars.

APPENDIX 1 continued

However, police should not accept any hospitality (including drinks [alcoholic or otherwise]) and should spend only ten minutes in each premises unless breaches are detected. If breaches are detected officers should speak to the bar staff and if the breaches are serious they should also speak to the licensee. All bars on each of the premises should be visited.

4. LICENSING EDUCATION MANUAL GUIDELINES

The aim of the Licensing Education Manual is to inform beat police about the study and what will be required of them for its duration. It will be the responsibility of the Patrol Commanders to put this document together. Detailed guidelines on the content are contained in Section 5. The first section of the manual should contain the introduction to the study. The second section of the manual should contain details on how beat police should behave when conducting the enforcement. A copy of the Record of Visitation to Licensed Premises form should be appended. The third section of the manual should contain a list of the licensed premises to receive random and frequent visitation by beat police in the enforcement phase of the study. The fourth section of the manual should contain brief notes on the law pertaining to the Liquor and Registered Clubs Act and should be centred around under-age drinkers and intoxicated persons. This section should also contain notes on how to complete breaches and infringement notices. The fifth and final section should contain any current and relevant circulars.

5. CONTENT OF LICENSING EDUCATION MANUAL

Contained in this section are guidelines to assist Patrol Commanders in the production of the Licensing Education Manual. Some of the following sections may be included in the Manual in their current form if you consider them appropriate. Other sections must be compiled by you before inclusion in the Manual.

Section 5.1 should contain an introduction to the study. This section may be inserted in its present format.

Section 5.2 should contain details on how the enforcement should be conducted. This section may be inserted in its present format.

Section 5.3 should contain a list of licensed premises to be visited during the enforcement. This will need to be completed by the Patrol Commanders.

Section 5.4 should contain details on legal issues. Paragraph 1 (*laws*) may be inserted in its present format. Paragraphs 2 (*police powers*) and 3 (*relevant sections and interpretations of the various Acts*) will need to be completed by the Patrol Commanders.

Section 5.5 should contain current and relevant police circulars to be compiled by Patrol Commanders.

APPENDIX 1 continued

5.1 STUDY TO ASSESS THE IMPACT OF ENFORCEMENT OF THE LIQUOR AND REGISTERED CLUBS ACTS

Introduction to the study

In the past, a great many policies have been directed at decreasing the level of alcohol-related harm. For example, laws have been passed which prohibit publicans from serving alcohol to intoxicated persons and minors. Often, however, the effectiveness of this type of legislation depends on the degree to which it is enforced.

For this reason, in 1977 a project was undertaken by the British police within the Torquay area to assess the effect of enforcing the existing licensing legislation on recorded rates of crime. The project involved the frequent and random visitation by police to all licensed premises that were considered to be potential troublespots in the area. The visits were thorough, police checking all bars for underage drinkers and intoxicated persons. At the same time, however, these visits were of a friendly nature, police chatting briefly with regulars and bar staff as they passed through the hotel.

The outcome of the project was an overall decrease in crime. Over the summer of 1978 (when the enforcement was carried out) the number of recorded offences decreased by 20% in comparison with the number recorded in the previous summer. A similar town, where the enforcement did not take place, showed no such decrease.

This finding has become the subject of great interest within the New South Wales Police Service and for this reason a replication of the study is planned for New South Wales. The overall aim of the study will be similar to that of the British study: to assess whether enforcement of the current licensing laws will bring about a decrease in recorded crime rates. The enforcement will be aimed mainly at reducing the number of underage and intoxicated drinkers on licensed premises.

The present study is proposed to run for four months, from 1st January 1992 to 30th April 1992. For the first two months of the study (1/1/92 to 29/2/92) no extra action (other than that which normally takes place) will be taken by police in regard to the Liquor and Registered Clubs Acts. In the second two months, however, (from 1/3/92 to 30/4/92) these Acts will be actively enforced by beat police currently working within the patrols selected to participate in the study.

5.2 PROTOCOL FOR VISITATION TO LICENSED PREMISES BY BEAT POLICE

Role of beat police

During the enforcement portion of the study (1/3/92 to 30/4/92) your role will be to undertake visits to certain designated premises with the purpose of enforcing the Liquor and Registered Clubs Acts. The main focus of these visits will be to enforce these Acts in respect of minors and intoxicated persons (details of the relevant sections of the Acts are contained in Section 5.4).

APPENDIX 1 continued

Documenting visits

The premises to be visited each shift will be outlined on a Record of Visitation to Licensed Premises form. These forms will be handed out to you by your Beat Supervisor at the commencement of each shift and returned to him/her by you at the completion of each shift.

The names of the premises to be visited each shift will be entered on the forms by the Beat Supervisors before you commence duty. All pairs of beat officers on duty will have one of these forms allocated to them each shift. You will then be required to make a note of the time you visited the premises named in the 'Premises' column and note if any action was taken (i.e. fill in the other columns on the Record of Visitation to Licensed Premises form). If you are unable to visit the designated premises you should indicate why not. These forms will be collected by the Beat Supervisor at the completion of each shift.

Any other visits made to these premises by you should also be noted on the Record of Visitation to Licensed Premises form (for example, if you are called to a brawl). The only difference in record keeping for these visits is that you will be required to fill in the column marked 'Premises' as well as the details in the other columns.

Visitation protocol

The visits should be conducted in a friendly manner. For example, once inside the premises you should take off your hats (if appropriate). Attempts should always be made to exchange pleasantries with a member of the bar staff when entering the premises. Patrons should also be spoken to, especially if known as regulars.

However, you should not accept any hospitality (including drinks [alcoholic or otherwise]) and should spend only ten minutes in each premises unless breaches are detected. If breaches are detected you should speak to the bar staff and if the breaches are serious you should also speak to the licensee. All bars on each of the premises should be visited.

5.3 LIST OF LICENSED PREMISES TO RECEIVE RANDOM AND FREQUENT VISITS BY BEAT POLICE DURING THE STUDY

Patrol Commanders will be required to complete this section. The list of licensed premises can be modelled on previous manuals; there should be two parts.

(a) The first part should contain a full list of licensed premises to be visited, sorted by type of licence and containing addresses of the premises and names of the licensees.

APPENDIX 1 continued

(b) The second part of this section should contain further information on the hotels and clubs to be visited, for example:

- name of premises
- name of licensee
- address and phone
- ground plan
- serial number
- trading hours
- number and type of bars
- other licensed areas
- restricted areas
- authorised areas
- entertainment areas
- entertainment area conditions
- entertainment areas general conditions

5.4 NOTES ON THE LAW AND DETAILS OF HOW TO COMPLETE BREACHES AND INFRINGEMENT NOTICES

Laws

In order to perform the enforcement you will need to be familiar with particular sections of various Acts of Parliament. The most central of these Acts is the *Liquor Act 1982* which regulates the sale and supply of intoxicating liquor and the use of the premises upon which it is sold. The second Act you will need to be familiar with is the *Registered Clubs Act 1976* which provides for the registration of clubs and for their rules and management. Lastly, you will need to be familiar with certain sections of the *Summary Offences Act 1988* and the *Justices Act 1902* which are also relevant to the issues of intoxicated persons and minors. More detailed information is provided further on in this section.

Police powers

However, before detailing the relevant sections of these Acts it is necessary for you to be aware that under the Liquor and Registered Clubs Acts you have certain powers of entry. These powers will enable you to enforce these Acts. Details of these powers are listed below.

(This part of the manual should be detailed by the Patrol Commander and should contain information on police powers in respect of the Liquor and Registered Clubs Acts.)

APPENDIX 1 continued

Relevant sections and interpretations of the various Acts

(The second part of this section of the manual should be completed by the Patrol Commanders and should contain an outline of the most relevant sections of the Liquor Act, Registered Clubs Act, Summary Offences Act and Justices Act). Also relevant and to be included are the subsections of Section 125 of the Liquor Act pertaining to intoxicated persons. These are as follows:

Section 125 (1b) A licensee shall not permit intoxication, or any indecent, violent, quarrelsome conduct on his licensed premises.

Notes: To supply liquor to one already intoxicated is to permit intoxication. A licensee may be guilty of permitting intoxication even though liquor was not supplied to the person who was intoxicated on his premises. Intoxication means the state of apparently being seriously affected by imbibing intoxicating liquor (drugs or other substances).

Section 125 (3) A person (whether or not he is the licensee) shall not, on licensed premises, sell or supply liquor to any person who is at the time in a state of intoxication.

Notes: It has been held that supply includes the handing over to an intoxicated person of liquor previously bought by him when sober, but left with the licensee. The licensee may be convicted if he supplies liquor to an intoxicated person even if the liquor is bought by another. It has been suggested that intoxication refers to that state in which a person has lost the normal control of his body and mental faculties.

Section 125 (4) Where a person is intoxicated on licensed premises, the licensee shall be deemed to have permitted intoxication on the licensed premises unless he proves that he and his employees took all reasonable steps to prevent intoxication on the licensed premises.

Notes: Reasonable steps to prevent intoxication mean such steps as ought reasonably be taken by way of precaution against the occurrence of intoxication upon the licensed premises under any circumstances that may reasonably be anticipated, and to prevent the continuance of intoxication upon the premises once its existence is discovered: failure to stop an intoxicated person entering upon licensed premises and failure to eject such person within a reasonable time is failure to take reasonable steps unless either failure was justified by humanitarian reasons or some other obligation which the law can recognise. Where a licensee, for an intoxicated person's protection, allows him to remain on the premises, but promptly sends for the police, he has taken reasonable steps.

How to document breaches and complete infringement notices

Breaches of the Liquor Act and Registered Clubs Act are to be reported in statement form, containing all the relevant information, accompanied by a short covering report.

APPENDIX 1 continued

A breach involving a minor on licensed premises will require the submission of two files:

- one for the licensee, their servant or an adult, for use before the Licensing Court of New South Wales; and
- the second for the minor/s for use before a Children's Court.

Penalty notices may be issued to a person where it appears that they committed an offence under Section 11 of the Summary Offences Act, 1988, that is, where a minor who is not under the supervision of a responsible adult or does not have a reasonable excuse possesses or consumes liquor in a public place. Penalty notices will be served using Traffic Infringement Notices, with minor alterations to the notice being made by the issuing officer (an adjusted notice is attached). For further details on how to document breaches and infringement notices see Police Education Package Lecture No. 92/4.

APPENDIX 2: EXAMPLE OF SCHEDULE OF VISITS TO LICENSED PREMISES

List of places to visit	August						
	Sun. 16	Mon. 17	Tue. 18	Wed. 19	Thu. 20	Fri. 21	Sat. 22
	SHIFT 1 2 3	1 2 3	1 2 3	1 2 3	1 2 3	1 2 3	1 2 3
	SHIFT 1 2 3	1 2 3	1 2 3	1 2 3	1 2 3	1 2 3	1 2 3
	SHIFT 1 2 3	1 2 3	1 2 3	1 2 3	1 2 3	1 2 3	1 2 3
	SHIFT 1 2 3	1 2 3	1 2 3	1 2 3	1 2 3	1 2 3	1 2 3
	SHIFT 1 2 3	1 2 3	1 2 3	1 2 3	1 2 3	1 2 3	1 2 3
	SHIFT 1 2 3	1 2 3	1 2 3	1 2 3	1 2 3	1 2 3	1 2 3
	SHIFT 1 2 3	1 2 3	1 2 3	1 2 3	1 2 3	1 2 3	1 2 3
	SHIFT 1 2 3	1 2 3	1 2 3	1 2 3	1 2 3	1 2 3	1 2 3
	SHIFT 1 2 3	1 2 3	1 2 3	1 2 3	1 2 3	1 2 3	1 2 3
	SHIFT 1 2 3	1 2 3	1 2 3	1 2 3	1 2 3	1 2 3	1 2 3
	SHIFT 1 2 3	1 2 3	1 2 3	1 2 3	1 2 3	1 2 3	1 2 3
	SHIFT 1 2 3	1 2 3	1 2 3	1 2 3	1 2 3	1 2 3	1 2 3
	SHIFT 1 2 3	1 2 3	1 2 3	1 2 3	1 2 3	1 2 3	1 2 3

