

11 November 2019

Mr Noel Bamford
Assistant Commissioner
South Australia Police
GPO Box 1539
Adelaide SA 5001

By e-mail: SAPOL.EMES@police.sa.gov.au

User Pays Scheme for Police presence at commercial events

Live Performance Australia (LPA) welcomes the opportunity to provide feedback on the development of a ‘user pays scheme’ model by South Australia Police (SAPOL) to apply at certain commercial events.

1. ABOUT LPA

LPA is the peak body for Australia’s \$2.5 billion live performance industry. Established over 100 years ago in 1917 and registered as an employers’ organisation under the *Fair Work (Registered Organisations) Act 2009*, LPA has over 400 Members nationally. We represent commercial and independent producers, music promoters, performing arts companies, venues (performing arts centres, commercial theatres, stadiums and arenas), arts festivals, music festivals and service providers (such as ticketing companies and technical suppliers). Our membership spans from small-medium and not-for-profit organisations to large commercial entities. LPA has a clear mandate to advocate for and support policy decisions that benefit the sustainability and growth of the live performance industry in Australia.

Several of our Members operate high-profile, for-profit commercial events in South Australia and, therefore, will be directly affected by any changes to the SAPOL model. Some of these Members oversee large community-based events. Other Members manage events, such as music festivals, that operate within extremely slim margins, or on shoestring budgets, within tight timeframes.

2. BACKGROUND

Live performance is an integral part of South Australia’s cultural DNA and a key driver of a healthy, safe and thriving cultural economy. In 2017, the live performance industry generated over \$123 million in revenue and more than 2 million attendances in South Australia, primarily through Contemporary Music and Festivals (Multi-Category). In 2017, South Australia generated 44% of nationwide Festivals (Multi-Category) revenue and 49% of nationwide attendance. Key events, such as Adelaide Festival, Adelaide Fringe Festival and WOMADelaide, are intrinsic to South Australia’s identity as the nation’s “festival state” and also have global reputations.

LPA wants to ensure South Australia continues to host and establish sustainable events that thrive and attract local, interstate and international audiences to help stimulate the local economy and benefit the state of South Australia.

3. KEY ISSUES

Given the limited information available about the proposed user pays scheme, it is difficult to provide comprehensive feedback about how this will affect our Members who operate commercial events. The key feedback we received from our Members is that there needs to be an appropriate level of consultation with the industry prior to implementing a user pays scheme in South Australia. LPA would like to remain engaged in the consultation process.

LPA has three key points for SAPOL to consider in the initial stages of development of a user pays scheme:

Lead-time for implementation of a ‘user pays scheme’

LPA notes that presenting events involves high cost and high risk, and event organisers are highly exposed to financial hardship or failure. Business models for events, particularly festivals, are typically project-based and reliant on enough lead-time to set ticket prices and pay deposits for artists and production services. Budgets for such events, inclusive of ticket prices, are generally finalised 12-18 months in advance.

LPA recommends SAPOL keep event organisers informed about implementation of a user pays scheme as early as practicable. Uncertainty about operating costs (especially if these costs are imposed on event organisers), such as policing fees, can drive up ticket prices and make a commercial event unviable. Event organisers cannot easily recoup last minute cost increases from tickets that have already been sold nor renegotiate artist performance fees. They are also exposed to supplier costs and contracts. Failure to be transparent about requirements and quotes attached to a user pays scheme may result in an event being cancelled, or its quality compromised, due to time and budgetary constraints being compromised.

Transparent fee calculation for a ‘user pays scheme’

LPA urges SAPOL to note the importance of a cost-effective scheme, which will not disincentivise organisations utilising SAPOL services. In order to best facilitate this process, a user pays scheme needs to be fit-for-purpose and provide adequate clarity and certainty to event organisers about resourcing requirements and associated budgetary implications. This includes an indication of the decision-making process and framework in terms of when, how and by whom decisions are made.

Event organisers also want transparency and consistency in the pricing structure for a user pays scheme. This includes a clear definition of what are deemed commercial events and rationale for extra police presence when it is not otherwise requested by the event organisers. An indication of the scale of SAPOL involvement and how fees will be calculated – whether they are determined based on attendee numbers, a risk-assessment or a separate, discretionary model – also needs to be made clear. Given greater community reach and lower commercial gain, LPA supports exemptions for any not-for-profit organisation that presents state-funded events, not-for-profit events and community-based events.

Appropriate training for SAPOL officers

LPA acknowledges the benefits of a SAPOL presence at commercial events. Events that are safe and inclusive, rather than punitive, are more enjoyable for everyone. LPA supports a community policing model, where police are a positive presence at commercial events, and work collaboratively with event organisers to promote a safe environment for patrons.

LPA notes that SAPOL officers may not be familiar with festival environments. For festivals, a welcome police presence will be partly achieved through appropriate training for SAPOL in how to police at commercial events and safely handle patrons, including those who may be affected by substances. Consistency and efficacy in addressing any safety concerns at commercial events will also result in better management of valuable police resources. This could potentially be managed through a central major events unit to oversee operations.

4. SUMMARY

LPA strongly recommends a user pays scheme takes into account the following factors:

- There is adequate lead-time for organisations that operate commercial events to plan for additional costs and allowances
- It is reasonably priced and an easy-to-understand option for organisations
- It is transparent in its decision-making process, rationale and fee calculations
- Appropriate training for SAPOL is provided
- It improves safety for patrons at commercial events.

LPA strongly urges SAPOL to consult with the live performance industry in a timely manner and be transparent about the development and implementation of a user pays scheme. LPA suggests that the user pays scheme has a review period and that SAPOL hold regular, ongoing consultation with the live performance industry. LPA would like to work collaboratively with SAPOL to help build key stakeholder relationships and support continued growth of the live performance industry in South Australia.

If you have any queries in relation to any matters raised in this letter, please do not hesitate to contact us.

Yours sincerely



Evelyn Richardson

Chief Executive

T (03) 8614 2000

E erichardson@liveperformance.com.au



Kim Tran

Director, Policy & Governance

T (03) 8614 2000

E ktran@liveperformance.com.au

ABOUT LPA

LPA is the peak body for Australia's live performance industry. Established over 100 years ago in 1917 and registered as an employers' organisation under the *Fair Work (Registered Organisations) Act 2009*, LPA has over 400 Members nationally. We represent commercial and independent producers, music promoters, performing arts companies, venues (performing arts centres, commercial theatres, stadiums and arenas), arts festivals, music festivals and service providers (such as ticketing companies and technical suppliers). Our membership spans from small-medium and not-for-profit organisations to large commercial entities. LPA has a clear mandate to advocate for and support policy decisions that benefit the sustainability and growth of the live performance industry in Australia.

LPA EXECUTIVE COUNCIL

Richard Evans (President)

Australian Chamber
Orchestra

John Kotzas (Vice- President)

Queensland Performing
Arts Centre

Maria O'Connor (Vice- President)

Ticketmaster Australia &
New Zealand

Torben Brookman

GWB Entertainment

Alex Budd

Opera Australia

Lisa Campbell

Luckiest Productions

Michael Coppel AM

Live Nation Australasia

Sue Donnelly

Belvoir St Theatre

Douglas Gautier AM

Adelaide Festival Centre

Shirley McGrath

Gordon Frost
Organisation

Patrick McIntyre

Sydney Theatre
Company

Liza McLean

Tinderbox Productions

Rod Pilbeam

AEG Ogden

Melanie Smith

Arts Centre Melbourne

Fiona Winning

Sydney Opera House

Louise Withers

Louise Withers &
Associates

Judy Vince

Crown Perth

Observers

Cameron Hoy Ticketek

Tim McGregor TEG Live

Paula McKinnon The
Walt Disney Company