

Alcohol Drug Association's
SUPPLEMENTARY SUBMISSION
To the
Law and Order Committee
On the
Sale of Liquor (Youth Alcohol Harm Reduction) Amendment Bill

This submission is supplementary to the submission sent on the 18 August 2005 to the Law and Order Committee on the Sale of Liquor (Youth Alcohol Harm Reduction) Amendment Bill and received by the Office of the Clerk of the House of Representatives on the 19 August.

This supplementary submission is from the Alcohol Drug Association New Zealand (ADA).

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As stated in the original submission, this supplementary submission expresses the views and opinions of ADA and takes a public health perspective, that is, it considers the issues at a population level rather than at a treatment level.

In this supplementary submission a discussion follows the first section which includes the introduction and statement of position which are the same as those in the original submission, hence this document can be read on its own without referring to the original submission.

The discussion is divided into two areas the first Not just Young People covers the culture and concern young peoples drinking behaviour must not be considered out of context; and Alcohol Use and the Harms, recommendations relevant to these topics. The second section of the discussion relates to advertising and is also followed by the recommendations that relate.

INTRODUCTION

Alcohol Drug Association New Zealand

ADA is a not for profit organisation and has been operating in the Canterbury region since 1982. ADA's statement of purpose is

'Providing information, challenging thinking and stimulating action on alcohol and other drug issues'

ADA brings people/professionals working in the South Island AOD sector together to network, share and disseminate the latest information. We provide leadership and an informed voice for the AOD sector. ADA also manages the national Alcohol&Drug Helpline.

ADA oversees the maintenance and development of the National Directory of Addiction Services, which is updated annually. Other activities include co-ordination and networking with the Alcohol and Drug field in the South Island, Liaison On Alcohol and Drug (LOAD) meetings; regional consumer advisors; and District Health Board liaison.

The Proposed amendments to the Sale of Liquor Act 1989

1. To raise the minimum purchase age for alcohol from 18 to 20 years
2. To strengthen provisions relating to the supply of liquor to minors
3. To make off-license bottle stores restricted or supervised areas
4. To provide a statutory restriction on Broadcasting Standards Authority
5. To include broadcast liquor advertising issues that are currently dealt with by the Advertising Standards Authority

STATEMENT OF POSITION

The following statements are made in response to the proposed amendments to the Sale of Liquor Act 1989 outlined above.

1) Raising the Minimum Legal Purchase Age

ADA acknowledges that many young people who do drink alcohol do so in a responsible and safe way. Like other groups of people, young people are capable of making sound decisions if given clear information, signals and when they have healthy models to imitate.

ADA agrees that returning the purchase age to 20 is required to reduce the harm related to young people and their use of alcohol. ADA also notes that focusing on the age of purchase highlights the lack of restriction on the minimum age of consumption of alcohol.

This is not a punitive step towards youth but an effort to address overall liberal attitudes to risky drinking, easy access to alcohol and supply of alcohol by older adolescents and adults.

2) Supply

ADA supports the move to 'prohibit the supply of alcohol by anyone other than parents or guardians to those under the legal age of 20 years at private social gatherings'. These restrictions must be enforced to be effective so consideration and planning will be required if this is to happen. It is noted that for private social functions it will be difficult to prove who actually supplies alcohol to the young people attending.

3) Access

ADA supports the proposed amendment to make bottle store off-licence premises restricted rather than supervised areas. Surveys¹ show that most young people access/purchase alcohol from off licence bottle stores and 47% of those surveyed said they had not been asked for evidence of their age because of the liberal attitudes demonstrated by this lack of enforcement. It is strongly recommend that once in place these restrictions must be enforced if they are to change broader cultural attitudes and effectively influence young peoples drinking to the use of alcohol.

4 & 5) Advertising

ADA takes the position that changes to advertising legislation must be broader ranging than the broadcast media in the proposed amendment to 'provide a statutory restriction on broadcast liquor advertising before 10pm on any day' and 'to extend the jurisdiction of the Broadcasting Standards Authority to include broadcast liquor advertising issues that are currently dealt with by the Advertising Standards Authority'.

The promotion of alcohol is now far more insidious with the use of the internet, cell phone and similar technology, music, movies and the arts in general as well as sports connections.

The Government recently released a decision to explore the options for a government-led review of the voluntary regime that regulates alcohol advertising. It is ADA's view that a more informed change to the legislation would be possible once the advertising review has been carried out.

However, ADA will support this amendment, although it is recommended that gaining a better knowledge and understanding of what alcohol advertising/promotion and exposure reaches and appeals to young people, will inform changes that will be much farther reaching and useful than concentrating efforts and resources in the limited area of broadcasting.

¹ BRC (2003) Youth Drinking Monitor Report to ALAC August 2003, <http://www.alac.org.nz>

DISCUSSION

Not just Young People

The generally accepted New Zealand culture surrounding alcohol means that drinking enough to be drunk is acceptable². Our society models liberal and excessive use of alcohol and young people seek to imitate these practices.

The availability, accessibility and acceptance of alcohol along with the acceptance of drunkenness, makes alcohol a far more dangerous drug to young people than many other illicit drugs that are less accessible and whose use is not so generally condoned.

Many parents, sports and other role models use alcohol in hazardous ways³, it is likely then, that young people will use it in a similar way as they get older. Also people in our society say it is alright that young people get drunk 'because they do at that age' so added to the fact that it is legal to 'drink' alcohol, it is more likely that they will drink in excess of what is safe^{4&3}.

It is important that returning the legal purchase age to 20 years be supported by other interventions including policing and enforcement of the age restrictions and the sales and supply of alcohol to young people.

Understanding why people start to drink in the first place is useful. It is identified in Sarafino's *Health Psychology*⁵ text that children and adolescents perceive through watching others, that drinking is "fun"; usually people who are drinking are boisterous, laughing and often celebrating. These people are usually family members, friends and celebrities on television, in movies and advertisements and children acquire certain expectancies regarding the positive effects of alcohol. Teenagers can also perceive that drinking is sociable and grown up – exactly how young teenagers want to be seen.

In social drinking, modelling processes affect behaviour, that is, people tend to adjust their drinking rates to match those of their companions. Also, drinking socially creates a subjective

² Connor, J., Broad, J., Jackson, R., Vander Hoorn, S., Rehm, J. (2004). The burden of death, disease and disability due to alcohol in New Zealand, September 2004

³ BRC report March 2004, The Way We Drink: The current attitudes & behaviours of New Zealanders (aged 12plus) towards drinking alcohol (ALAC)

⁴ Lash B (2005). Young People and Alcohol: Some statistics to 2003 and 2004 on possible effects of lowering the purchase age. Ministry of Justice

⁵ Sarafino E P (1998). Health psychology: biopsychosocial interactions. Third Ed John Wiley & sons, Inc. NY

norm in individuals that the behaviour is appropriate and desirable. These observations are illustrated by research commissioned by the ALAC⁶ to determine 'how' New Zealanders drink i.e. New Zealand's drinking culture.

Although many parents will state that young people under the legal purchase age should not drink alcohol it has been shown that most of the alcohol that is available to young people 18 and younger, has been supplied by siblings, parents or guardians⁷.

Alcohol Use and the Harms

There is international evidence⁸ that a legal purchase age/drinking age is linked to alcohol related harm such as death, injury, crime, accidents and suicides. Deaths and injury to young people from alcohol related motor accidents increased when the legal drinking age was reduced to 18 and decreased when the drinking age was raised in both the United States and Australia.

In New Zealand there has been an increase in media reports of young people in their early teens being drunk in many towns and cities. There has also been an increase in the measurable harms that are associated to and caused directly by, young people's use of alcohol and include the following⁹

- Death and injury due to drunk driving
- Prosecutions for driving with excess breath or blood alcohol and crashes
- Hospital admissions where the primary diagnosis was alcohol related
- Drinking or possessing alcohol in public places
- An increase in disorderly behaviour and violence
- Increased quantities of alcohol being consumed per occasion
- Unplanned and unprotected sex

Since the Sale of Liquor Act 1989 an increase in the amount of alcohol consumed by young people, the hazardous way in which it is consumed and the resulting harms to both young people and society in general, has been attributed to the following^{10&11}

⁶ See ² and ³

⁷ See ¹

⁸ National Highway and Traffic Safety Administration/Fars, 1997. Compiled by The Council Washington DC. In ICAP

⁹ See ⁴ & ⁸

¹⁰ APHRU. Auckland Pseudo Patrons Survey 2002, 2003, 2004

¹¹ Alcohol advertising appeared during all 15 of the top teen television shows in 2002. Alcohol advertisers spent 60% more to advertise on these shows in 2002, including *Survivor*, *Fear Factor*, and *That '70s Show*, than in 2001. Twenty-two percent of the alcohol ads aired on TV in 2002 were more likely to be seen by youth 12-20 years of age than adults. These 66,218 ads were also more likely to be

- increased access to alcohol through more outlets and types of outlets as well as longer opening hours of licensed premises
- an increase in focused national and international exposure of young people to the promotion of alcohol specifically marketed to appeal to younger women and young people in general
- lowering of the purchase age in 1999 from 20 to 18 years
- a lack of enforcement of the regulations surrounding the supply of alcohol to young people under the age of 18
- the availability and supply of alcohol to young people and children by their parents, guardians and siblings
- the culture surrounding alcohol and its use, that is, the general attitudes, acceptance of drinking alcohol and being drunk by New Zealanders

There is such a complex array of contributing factors to how young people access and use alcohol, making isolated changes to legislation is likely to bring about limited change.

Recommendations

Because there are so many factors that affect young peoples purchasing and drinking behaviour, ADA believes that there must be a synergistic relationship between legislation, policy and the various programmes that aim to change the national drinking culture and behaviour in New Zealand and hence reduce the associated harms.

To do this ADA recommends,

- Constant consultation with young people from all social cultures and ethnic groups
- Policy structures and funding must be in place so that the law changes are able to be enforced efficiently and consistently with a focus on the supply to and access of alcohol by young people.
- Requirements for liquor licence holders and their staff to be trained so that functional processes involved in applying any restrictions and legislation can be applied, also that management and staff have full understanding of the legislation and the consequences of not complying. Further to this that people within the hospitality industry have some knowledge and understanding of the concept of harm minimisation so there is a level of buy in.
- That the consequences i.e. the amount of fines and the period of lose of license for infringing restrictions are increased and infringements or non-compliance result in maximum fines or other appropriate penalties applied.

seen by youth ages 12-20 than by young adults ages 21-34. (Center on Alcohol Marketing and Youth, Youth Exposure to Alcohol Ads On TV 2002, April 30, 2004)

- That culture change programmes to continue at a public health level with information and tools for people to manage their own drinking and to have some knowledge and understanding of the concept of harm minimisation. Also acknowledging the ability of young people to make healthy decisions based on sound information

Advertising

Advertising that encourages harmful use of alcohol must be understood and restricted, with rigorous impartial monitoring and enforcement; using the same technology and media to make unbiased information and programmes available to young people so they may can make more informed decisions.

Advertising is used not only to inform and offer choice but can be a mechanism to push or pull people to purchase and consume, in this case alcohol. Advertising also sells ideas with or without products and influences culture and the behaviour of people¹². The outcome of empirical research provides evidence that alcohol advertising does influence the positive emotional responses to and beliefs about alcohol particularly in young people¹³.

The use of alcohol is enhanced in the various ways to appeal to young people and is then presented repeatedly via various media and technology used specifically by young people; this information is often validated by peers and role models in sport and the arts.

New Zealand and international research has shown that older children, teenagers and young adults are often the most susceptible to the persuasive and on going effects of liquor advertising¹⁴. Further studies by Wyllie et al. (1998) have shown that children, who have seen advertisements that they liked for alcohol, were more likely to drink weekly by the time they are aged 20. Also, teenagers who were drinking already and who reported liking advertisements for alcohol were more likely to be heavier drinkers than those who were not¹⁵. Young people who consume alcohol are more likely to take risks and to be involved in car accidents, violent assaults, crime and unplanned sexual activity¹⁶.

With the changes to advertising restrictions people and especially young children are more exposed to alcohol so alcohol becomes part of their culture whether chosen or not. More

¹² Ohmann, R. in Munns, J. & Rajan G. Eds. (1996). Doublespeak and ideology in ads: a kit for teachers 303-315. *A Cultural Studies Reader: History, Theory, Practice*. Longman, NY

¹³ see 1

¹⁴ Wyllie, A., Casswell, S. & Stewart, J. (1998). The Response of New Zealand Boys to Corporate and Sponsorship Advertising on Television. *British Journal of Addiction*, 84:639-646.

¹⁵ Wyllie, A., Zhang, J.F. & Casswell, S. (1998). Response to televised alcohol advertisements associated with drinking behaviour of 10-17 year olds, *Addiction*, 93: 361-371.

¹⁶ Room R., & Rossow, I. (2001). The share of violence attributable to drinking. *Journal of Substance Use*, vol. 6(4): 218-228

lenient restrictions and monitoring of advertising and marketing of alcoholic brands means there is much more promotion of alcohol 'in our faces'.

Although anecdotal, callers to the Alcohol&Drug Helpline have stated they find advertising imposed on them everywhere they turn; it is an added and constant pressure in their efforts to avoid cues in the environment that challenge their abstinence and efforts to reduce their alcohol use.

Because of the impact that brands and advertising have on young people in particular, it is ADA's view that changes to advertising legislation must be broader ranging than the broadcast media in the proposed amendment.

The alcohol industry identifies the right to advertise from a powerful position and financial advantage, so too, the rights of individuals and families to not have alcohol or its image and branding brought into their homes should also be considered and advocated for as the power difference is significant.

The alcohol industry representatives use the average reduction in consumption of alcohol to support their call for more lenient restrictions regarding advertising of alcohol brands. These figures may suggest that the amount of alcohol consumed by the over all population is less, however it does not contend with those individuals or groups of people who are likely to have increased their consumption because of the exposure of alcohol in the media and sports coverage.

ADA supports the proposed amendment to 'provide a statutory restriction on broadcast liquor advertising before 10pm on any day' and 'to extend the jurisdiction of the Broadcasting Standards Authority to include broadcast liquor advertising issues that are currently dealt with by the Advertising Standards Authority' but is of the firm view that changes to advertising legislation must be much broader ranging than the broadcast media.

Recommendations

- To stop all promotion of alcohol brands
- To stop reinforcing the unbalanced positive perception of young people drinking alcohol by allowing subliminal exposure of or reference to alcohol brands in any public context or medium
- That the government's decision to look at options for a review of the voluntary regime that regulates alcohol as per the response to a recent alcohol advertising petition, go ahead

- That research continues to be funded into the effects of and what advertising and marketing induces young people to increase or maintain their alcohol use; that such research is used to inform effective restrictions on advertising
- Rigorous and impartial monitoring and enforcement of advertising and promotional restrictions.

Conclusion

This submission aims to reduce the harms that are associated with the use of alcohol; this is only possible if it is understood why and how the harms occur in the first place.

To change the patterns of youth drinking it is most important to intervene at a population level in our culturally normative overuse of alcohol in New Zealand society. For change at a fundamental level, the national “Changing the drinking culture” project is the best approach.

Focusing resources and attention on changing the way adults use alcohol will in turn influence how young people use alcohol. This approach combined with well informed restrictions and rigorous enforcement is more likely to reduce alcohol related harms for all people and in particular young people.

Given the broader issues that underpin alcohol use and abuse in our society, it remains our opinion that returning the purchase age to 20 years, enforcing the bylaws around purchase and restrictions on advertising and promotion will be of benefit to young people and the community.

Finally ADA would like to thank the Law and Order Committee for the opportunity to make this submission.