

# News Views

The Newsletter of Alcohol Healthwatch

## Matt Robson's Bill - What's it all about?

As readers will be aware, Progressive MP Matt Robson's Sale of Liquor (Youth Alcohol Harm Reduction) Amendment Bill passed its first hurdle last month with a very healthy majority. Seventy-eight MPs voted for the Bill to go to select committee, 41 against and one abstained. A breakdown of how MPs voted on the Bill can be found on the New Zealand Drug Foundation website [www.20years.co.nz](http://www.20years.co.nz).

The ayes included a significant number of MPs who, while expressing reservations about raising the purchase age, supported voting the Bill through to select committee so that alcohol policies could be subject to broader debate.

Alcohol Healthwatch congratulates Matt Robson for steering the Bill to such a resounding first stage victory and opening up a much needed debate around our alcohol legislation, particularly issues of youth access and marketing.

Most of the debate around the Bill both in the media and in the House has focused on the purchase age – the most contentious part of the Bill – which would return the purchase age to 20 years for on and off-licensed premises, no exemptions.

“We have heard a number of arguments against the Bill saying that raising the purchase age to 20 won't solve the problems – of course it won't as a single measure,” says Alcohol Healthwatch Director Rebecca Williams. “The problems associated with alcohol are immensely complex and require a comprehensive solution, however, determining legal access must be an important part of the considerations.”

She says that while a “hard 18” may be a preferred option in an ideal world, the reality is there will always be a trickle down to younger ages. She believes an 18 year age not only allows easier access to alcohol by younger teens, but helps to create norms and expectations about young people drinking – among parents and other adults as well as the young people themselves.

She agrees we need a culture change and believes that in order to achieve this we first need a strong legal framework around alcohol, and the supply and marketing issues addressed in Matt Robson's Bill are a good place to start. She says that if the select committee can initiate a process to look beyond the Sale of Liquor Act to other needed policy changes, such as pricing and marketing, then we would be on the right track to achieving culture change.

Along with the purchase age, other amendments in the Bill are as follows.

- The Bill removes the exemption (section 160 3(d)) allowing adults other than parents or guardians to supply alcohol at private social functions.

Currently the SOL Act doesn't control the supply of liquor to minors on private premises, which means any legal age person can supply to underage teens at a private function without their parents' knowledge or consent. This section has proved confusing for parents as well as difficult for law enforcement agencies. Police have suggested the amendment would strengthen their powers to deal with out of control teenage parties. Repealing this clause would remove any doubt that the only people who can legally supply minors are their parents or legal guardian, whether the purchase age was 18 or 20 years.



Progressive MP Matt Robson

- Rather than needing to prove liquor was purchased with the “intention” to supply to minors, the Bill makes it an offence for any person “to purchase or acquire liquor and supply it to any person who is under the age of 20 years”. It does, however, retain the exemption that allows supply by parents or guardians to their children – they would be the only persons who could legally supply alcohol to underage persons.
- The Bill designates “all bottle store off-licence premises” as restricted or supervised areas, clearly indicating that there is no reason for minors to be present in stores whose main purpose is the sale of liquor.
- The Bill restricts broadcast liquor advertising before 10pm on any day. It also extends the current jurisdiction of the Broadcasting Standards Authority to include the broadcast liquor advertising, which is currently overseen by the Advertising Standards Authority, a self-regulating industry body. It therefore brings alcohol advertising into the Sale of Liquor Act, amending the object of the Act to become “...to establish a reasonable system of control over the sale, supply, and broadcasting promotion of liquor to the public...”.

It is true that the first two changes together, raising the purchase age and removing the exemption for supplying minors at private social functions, restricts young people's access to liquor to a greater extent than existed prior to the 1999 amendments to the Act, when there were many exemptions.

Williams says that perhaps this is more restrictive than society wants at this stage, and that some combination of amendments which tighten access, for example ensuring parents have the sole right to supply under 18 year olds

and raising off-licence purchase to 20 years, may be more acceptable. She adds that the optimal mix of amendments controlling supply to minors can be ironed out in the select committee deliberations.

The Alcohol Healthwatch briefing paper *The Sale of Liquor in New Zealand: Recommended Changes to the Act* released last year discusses many of the issues covered by Matt Robson's Bill more fully. Other papers in their Action on Liquor Campaign outline other recommended policy changes. The briefing papers can be found on [www.ahw.co.nz](http://www.ahw.co.nz).

## **Alcohol marketing on the agenda**

It's a hot year for alcohol policy. In addition to Matt Robson's Bill, the Ministerial Committee on Drug Policy last month approved the go ahead for a review of alcohol advertising regulation, although details of how, what or when are as yet unknown. This is in response to the Group Against Liquor Advertising's petition calling for an inquiry into the effects of alcohol promotion, especially advertising and sponsorship.

Recent debate indicates that addressing the way alcohol is marketed and promoted is a priority for many concerned about alcohol problems, and support for increased restrictions on marketing could be high.

Alcohol Healthwatch is of the view that while Matt Robson's Bill does not consider the impact of contemporary marketing outside of the broadcast media, it raises the debate on advertising and has correctly identified that there are serious issues to having regulation of alcohol advertising under voluntary codes.

"Debate around this part of the Bill will contribute to a wider discussion of alcohol marketing regulation which we very much hope will be picked up in the broader review," says Director Rebecca Williams.

### **New AHW paper on alcohol marketing**

Alcohol Healthwatch has released a new paper on marketing issues. *Alcohol Marketing – an update* builds on Alcohol

Healthwatch's 2003 briefing paper *The advertising of alcohol: in support of increased restrictions*. It briefly looks at some recent research on the effects of alcohol advertising as well as some of the more recent marketing practices, both internationally and within New Zealand, that fall outside of traditional broadcast advertising.

The examples illustrate that the complete range of contemporary marketing strategies are common practice in New Zealand, particularly in youth environments.

One newer medium for promotion that the paper draws attention to is the internet. Prominent brands in New Zealand are making huge use of its interactive potential, particularly for competitions. For example readers may want to check out [www.getssponsoredbycoruba.co.nz](http://www.getssponsoredbycoruba.co.nz), a two month promotional competition advertised through youth popular media such as C4, The Rock, NZ Surfing magazine, Ralph magazine and billboards; or [www.tui.co.nz](http://www.tui.co.nz) ; or [www.lionred.co.nz](http://www.lionred.co.nz), which features surfing games, images of "Lion Red surf babes", a personal advice posting with strong masculine themes and competitions.

The paper also suggests key considerations for the proposed review of the regulatory regime for alcohol advertising, and looks at some of the recent changes in relation to the regulation of alcohol marketing in similar countries.

The new briefing paper can be found on the Alcohol Healthwatch website: [www.ahw.co.nz](http://www.ahw.co.nz).

### **The Law and Order Committee has called for submissions on the Sale of Liquor (Youth Alcohol Harm Reduction) Amendment Bill**

Please forward 20 copies of your submission by Friday, 12 August 2005. If you wish to appear before the committee, state this clearly with your submission, providing a contact name and daytime phone number.

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Law and Order Committee Secretariat, Bowen House, Parliament Buildings, WELLINGTON

A pdf on how to make submissions can be found at: <http://www.clerk.parliament.govt.nz/publications/other.html>

# Exit Breath Survey 2005

A study assessing intoxication levels of young people exiting bars, hotels and nightclubs has provided an interesting snapshot of young people's "out on the town" behaviour in the Auckland region.

Breath test readings of people under the age of 25 years exiting on-licence premises in the Auckland Region were measured. Nearly 75% of the breath test readings of survey participants aged 18 or 19 years and nearly half (42 %) of those aged 20-24 years were over their respective legal limit for driving (150mcg/l for people aged under 20 years and 400mcg/l for those 20 years and over).

The survey also reported self and field worker assessments of intoxication. Over 40% of survey participants reported that they were moderately intoxicated and approximately 8% reported that they were extremely intoxicated. Approximately 34% of participants were rated by interviewers to be moderately intoxicated; approximately 8% of participants were rated as extremely intoxicated.

The average number of standard drinks that participants reported consuming over the night was around nine. Almost half of the participants intended to go to another bar.

The survey was carried out for the Regional Alcohol Project – a group of public health agencies working to reduce alcohol-related harm in Auckland. Project spokesperson Rebecca Williams says these results suggest that licensees and staff may not be complying with the Sale of Liquor Act

provisions that require them to refuse entry to intoxicated people and refuse them service. She says the findings of the survey give support to the current efforts of police, health and district licensing agencies to target intoxication issues and clearly indicate that reducing drink-driving must also remain a high priority.

The survey also found that patrons tested between 1- 4am had significantly higher breath alcohol levels than those tested between 9pm and midnight. "That's the obvious flow on," comments Williams, "Longer licensing hours give people more time to drink and therefore greater exposure to the alcohol-related risks like traffic crashes, injuries and violent offending."

Ms Williams says that the survey reinforces the need for good host responsibility practices and enforcement of the Sale of Liquor Act on licensed premises, and points to the need for good planning around licensing hours. "Training of serving and door staff can help, but it needs to be backed up by rigorous enforcement by police and licensing authorities," she says.

The survey took breath alcohol readings and interviewed 350 people under 25 as they left 111 bars, pubs and nightclubs in the Auckland region. It was funded by the Ministry of Health and carried out by the Centre for Social and Health Outcomes Research and Evaluation (SHORE) and Te Ropu Whariki in Auckland.

## UK moves to prevent Fetal Alcohol Spectrum Disorder

Auckland has just had a visit from a VIP – a Very Industrious Person. Susan Fleisher used to produce shows for television (the Ophra Winfrey Show for example) but when her adopted daughter was diagnosed with Fetal Alcohol Syndrome (FAS), Susan turned her considerable talent and tenacity to a different kind of challenge – to make a difference for families affected by FAS in the United Kingdom and to prevent FASD (Fetal Alcohol Spectrum Disorder).

In the past two years Susan has:

- Set up NOFAS-UK (National Organisation for Fetal Alcohol Syndrome UK) a charitable trust affiliated to NOFAS in the USA
- Formed a panel of international medical experts on FASD
- Gained high level political support for action on FASD
- Secured a corporate sponsor and patrons for the Trust, Lord and Lady Mitchell
- Produced and directed an educational video, 'A Child for Life'
- Set up a helpline and parent support groups

- Produced and distributed pamphlets
- Secured commitment to FASD from the Dept of Health Chief Medical Officer.

The top level action on FASD in the UK will likely include scrutiny of the current UK guidelines that advise pregnant women that one to two units of alcohol once or twice a week is within a safe limit. Britain has been slower to respond to FASD prevention and intervention than other countries and reluctant to advise abstinence during pregnancy, despite evidence that there is no known safe level of alcohol consumption. This has had negative implications for commonwealth countries such as Australia and New Zealand, which have strong ties to British institutions. There are signs that this is already changing. Scotland's Chief Medical Officer has already moved to scrap current guidelines. From next year the advice in Scotland will be to restrict any drinking during pregnancy to no more than one to two units very occasionally.

For further information about NOFAS-UK go to <http://www.nofas.org/resource/nofasuk.aspx>

## **Successful host responsibility expo**

A different approach to promoting host responsibility to licensees and staff, trialled last month for the Rodney, North Shore and Waitakere areas, proved to be very successful. The North West Host Responsibility and Safer Environments Expo, a day long event, featured a range of agencies, companies and presenters with roles in promoting good host responsibility on licensed premises.

Visitors were able to chat with stall holders including host responsibility trainers, Hospitality Association of NZ, Land Transport New Zealand, Maori Wardens, liquor licensing consultants, security companies and food and transport companies as well as sample non-alcoholic cocktails and visit the Police "Booze Bus".

The Expo was also a mini conference, with a range of presentations on topics including drink spiking, ALAC's latest activities aimed at reducing intoxication on licensed premises, Smokefree enforcement, the New Zealand Police Alcolink project and results from the Auckland Regional Alcohol Project's Exit Breath Survey. Comedian and Waitakere City Councillor Ewan Gilmour started the day off with his special brand of 'Westie' humour before the agenda settled down to the serious business of host responsibility in the region.

Debbie Broughton from Alcohol Healthwatch, who led the organising team, said that about 175 people attended the Expo.

"It was an ambitious project but feedback showed that the hard work paid off. Many people reported in the evaluation that they had learnt a lot," she said. The organising team included District Licensing Inspectors from Rodney District and North Shore and Waitakere City Councils, New Zealand Police, Auckland Regional Public Health, New Zealand Fire Service, and Alcohol Healthwatch.

## **Auckland City Council back to the drawing board on hours**

Concerns raised about the Auckland City draft alcohol strategy's proposed hours of operation for licensed premises has prompted the Council to reopen public consultation on the section relating to trading hours.

In the previous draft, licensed premises would be able to apply for 24/7 licences, relying on applications made by statutory agents to pull the hours back in response to problems. The new proposal is that licensed premises apply for a 3am closing and may apply to have hours extended if certain conditions are met.

Public consultation is likely to commence in August – keep an eye on Auckland City's website for updates on making submissions.

## **FASD Awareness Day, 09/09/05**

International Fetal Alcohol Spectrum Disorder Awareness Day will once again be held on 9th September in New Zealand and around the world.

This year the Auckland Region Fetal Alcohol Network (ARFAN) will be holding an event to coincide with a minute of quiet reflection at 9:09am. Begun in 1999, the date and time for this awareness day event was chosen to symbolise the nine months of pregnancy. This special moment is marked in each time zone around the world, beginning in New Zealand. A guest speaker this year will be Elizabeth Russell from Queensland, a birth mother who has just published a book about her family's FASD journey. Details will be announced through various networks and on the Alcohol Healthwatch website shortly.

Elizabeth will also, as part of FASD Awareness Day, be presenting a workshop on this topic at the Cutting Edge Conference being held on 8-10th September in Dunedin.

If you would like to know more about International FASD Awareness Day or wish to participate by holding an event to raise awareness, you can find information at [www.fasday.com/](http://www.fasday.com/) or contact Christine Rogan (09) 520 7037 or [christine@ahw.co.nz](mailto:christine@ahw.co.nz)

## **New on the web [www.ahw.co.nz](http://www.ahw.co.nz)**

Alcohol Healthwatch has released two new papers which are available in pdf format:

**Alcohol Marketing – an update** – see page 2

### **Developing Local Government Approaches to Reducing Alcohol Related Harm**

This paper provides practical suggestions and points for consideration in the development of city-wide alcohol strategies and, more specifically, liquor licensing policies.



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**Disclaimer:** The views expressed in this newsletter do not necessarily reflect those of Alcohol Healthwatch Trust.

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