

Law Commission Review – Have your say

The Law Commission released its Issues Paper - *Alcohol in Our Lives* in July this year as part of its review into alcohol laws, and called for public submissions. The work by the Law Commission is the most fundamental and comprehensive review of our alcohol laws and policies in 20 years.

The opportunity for the public to provide feedback to the Law Commission therefore represents the best chance to have your say on the impact of liberalised alcohol laws, and to state what policy and legislation you believe is needed now to reduce the harm burden.

In Part 1 of the paper the Commission looks back and summarises the outcomes of two decades of liberalized approach to alcohol, and concludes that *'liquor has become a serious source of social problems in New Zealand'*. It points out that the number of licensed premises has more than doubled, beer and wine is now sold from supermarkets and grocery stores, the lower purchase age has resulted in more young people drinking more heavily at a younger age and experiencing the harmful consequences, and overall alcohol consumption is on the increase. It also recognises the huge burden alcohol places on our Police, and other emergency and health services.

Part 2 sets out the options for change, summarised under headings of Supply Control, Demand Reduction and Problem Limitation. It also sets out a new framework for regulating liquor and a range of options.

Public submissions are due by Friday 30th October 2009.

Following the public consultation, the Law Commission will present a report and make recommendations to Parliament in March 2010.

The Justice and Electoral Committee, who were to report to Parliament on the Sale of Liquor and Liquor Enforcement Bill, have been granted an extension until 30th June 2010 for their report. This is so that the Bill can be considered in conjunction with the Law Commission report and recommendations.

We understand from Justice Minister Simon Power, who is taking a lead role on this issue, he wishes to do it once and do it well.

Key Issues in *Alcohol in Our Lives*

The Law Commission believes that a new law should be drafted, this being the *'best way to secure a clear and coherent statute and minimise complexity'*.

Alcohol Healthwatch agrees and supports the object of this Act as proposed by the Commission.

Sale and Supply of Alcohol

Should the legal age for purchase of alcohol be returned to 20? Or should there be a split age - 18 years for on-licences and 20 years for off-licences?

Based on harm-reduction evidence, Alcohol Healthwatch supports a return to 20 years and that it be an offense for any person other than a parent or legal guardian to supply to anyone under 20 years.

In addition, we favour nationwide standardised trading hours with off-licenses being closed between 10pm and 10am and on-licences required to close at 1am with possible extension to 3am, if an acceptable risk management plan is in place.

Alcohol Advertising

Advertising normalises alcohol and portrays drinking as glamorous, sexy and socially desirable. Repeated exposure to advertising promotes pro-drinking attitudes, increases the likelihood of heavier drinking and earlier drinking by young people.

However the Law Commission is concerned about compliance costs and breaches of commercial free speech if legal restrictions on advertising are introduced. Alcohol Healthwatch wants all alcohol advertising, sponsorship and promotion banned or at least restricted to the level imposed in France (Loi Evin).

Blood Alcohol Levels

Around 30% of fatal crashes in New Zealand are alcohol-related, compared to 21% in Australia. The Law Commission favours reducing the legal blood alcohol level from .08 to .05mg per millilitre of blood for all drivers, and a zero level for drivers under 20 years. Alcohol Healthwatch strongly supports this proposal and would extend the zero level to include all those on learner or restricted licenses.

The Law Commission has opted not to report further on this, rather leaving this to the Ministry of Transport to address.

Tax on Alcohol

Research shows that an increase in the price of alcohol effectively reduces problem drinking and the harms associated with this. Young people and heavy drinkers are particularly responsive. Moderate drinkers are least affected by this policy option.

The Law Commission supports an increase in the excise tax on alcohol and is considering minimum pricing schemes that would stop bottomless discounting, particularly on products favoured by young people.

Alcohol Healthwatch supports both proposals and would like to see a significant tax increase

to reduce risky drinking and better reflect the cost to society of alcohol-related harm.

In addition, excise tax should be based on actual alcohol content, and a larger proportion of the excise tax revenue allocated to addressing the harm caused by alcohol.

Warning Labels

Alcohol is a drug that is also regulated as a food (beverage) product. While the Law Commission has included alcohol warning labeling as an option for consideration, it has largely deferred the issue to Food Standards Australia New Zealand which is currently considering proposals on the matter.

Alcohol Healthwatch has long advocated for the introduction of health advisory labeling on alcohol products. In addition we would like to see the introduction of nutritional and ingredient panels and would like to see a restriction on alcohol content and size of packaged beverages.

A copy of the Law Commission's paper can be found on its website www.lawcom.govt.nz

A toolkit to help you have your say

To assist you with making your submission, Alcohol Healthwatch has developed a comprehensive toolkit which is available to view or download from our website www.ahw.org.nz

Included in the toolkit are:

- Summary of Alcohol Healthwatch Positions
- Questions and Answers
- Summary of Harms Caused by Alcohol
- Series of Information Sheets on:
 - Alcohol and Advertising
 - Sale and Supply of Liquor
 - Tax on Alcohol
 - Blood Alcohol Concentration Limits
 - Alcohol Warning Labels
- How to Make a Submission
- Submission Template

Launch of Alcohol Action NZ

Alcohol Action NZ is a new national group responding to the excessive presence of alcohol and the enormous social, medical and personal damage alcohol misuse is inflicting on our society. Led by specialists in the alcohol field, the group includes people from a range of health and medical services, social services, councils, churches, iwi, schools and other groups and individuals.

Alcohol Action NZ believes there is a national alcohol crisis and this is being driven by excessive commercialization. Excessive marketing by large multinational corporations is a key driver while information about alcohol for the consumer is being kept quiet.

A presentation called **“Ten Things the Alcohol Industry Won’t Tell You About Alcohol”**, is currently being delivered around the country by Alcohol Action NZ spokesperson Professor Doug Sellman, a psychiatrist and addictions specialist from Christchurch School of Medicine.

For more information on the group, the “The 5+ Solution” and Dr Sellman’s speaking itinerary see www.alcoholaction.co.nz

Global Action

WHO galvanises European action

The World Health Organisation Regional Office for Europe has released a paper on the cost-effectiveness of policies to minimise the health and social harm that arise from the use of alcohol. Current policies are failing to deter children from using alcohol, are failing to protect people from the harm and failing to provide consumers with information about alcohol’s effects.

Their recent document states that there is substantial evidence to show that population-

based interventions are a highly cost-effective use of resources.

While information and education programmes do not reduce alcohol-related harm, they have a role to play in providing information, reframing alcohol-related problems and increasing attention to alcohol on the political and public agendas.

Brief interventions are also cost-effective for high risk drinkers but require associated training and manpower. An additional goal is to reduce health inequalities related to alcohol since better health is associated with greater well-being and productivity. Political and public support is needed to institute policy measures and this needs fine-tuning. However as pointed out by the Deputy Regional Director Dr Nata Menabde “Fortunately, behaviour is an important determinant of attitudes, and support for alcohol policies tends to increase after they are implemented and harmful alcohol consumption decreases.”

To view the WHO document go to www.euro.who.int

Research Update

New paper on alcohol marketing released

The Science Group of the European Alcohol and Health Forum, based on a meta-analysis of studies have concluded that, “... *alcohol marketing increases the likelihood that adolescents will start to use alcohol and to drink more if they are already using alcohol.*”

Does marketing communication impact on the volume and patterns of consumption of alcoholic beverages, especially by young people? - a review of longitudinal studies, (2009)

http://ec.europa.eu/health/ph_determinants/life_style/alcohol/Forum/docs/science_o01_en.pdf

Scottish Appraisal of Alcohol Minimum Pricing and Off-licence Trade Discount Bans

This model-based appraisal identifies harm reductions in relation to the establishment of a minimum price and/or introducing

discounting bans. As the minimum price increases so do reductions in consumption and health, crime and workplace harms.

The greatest impact is on those who drink the most alcohol. Trade discount bans were also effective at reducing consumption and harms.

<http://www.scotland.gov.uk/Publications/2009/09/24131201/4>

10th Anniversary of FASDay



Pregnant Pause Queen Street Auckland

(Photo taken by Trevor Lewis)

A decade ago at 9.09am on 9th of the 9th 1999, Alcohol Healthwatch supported the community to mark the inaugural International FASD Awareness Day. Ten years later on 09/09/09, communities across the country continued to mark the occasion and promote the key messages – alcohol can harm an unborn baby; the effects can last a lifetime; the harm is preventable; and more can and needs be done to improve the lives of those affected.

Thanks to local support displays in libraries, school and hospitals were up during the week and media was mobilised. Seven of Timaru's churches rang their bells in concordance @ 9.09am. Manaaki Oranga in New Plymouth held a family day with butterflies as their FASDAY theme. The butterfly is the symbol of FASWorld, the initiators of the FASDAY.

Other places in the world (that we know of) marking the day following New Zealand were Australia, Reunion Island, Mauritius, Madagascar, South Africa, Paris, London,

Northern Ireland, Holland, Germany, Sweden, Canada and the USA.

A new event, the "Pregnant Pause" flash mob has joined the host of ways to mark the day. The first was held at London's Victoria Station last year and when the call went out for other places to join in for the 10th Anniversary, Auckland responded. At 9.09am in down town Queen Street, a group of 'pregnant' people, including the men, stood in freeze-mode among passers by. This can be viewed on 'You Tube'.

This year the TV One Close-up programme ran an insightful item on the topic which can be viewed at <http://tvnz.co.nz/close-up/would-you-stop-pregnant-woman-drinking-2982899/video>

A seminar entitled 'Fetal Alcohol Spectrum Disorder in Aotearoa – 10 Years On' was also held in Auckland to mark the 10th Anniversary of International FASD Awareness Day.

Hosted by Alcohol Healthwatch, the seminar brought together policy, research and community representatives to discuss what had been learned and applied in the past 10 years of activity.

A copy of the seminar presentations can be accessed on the Alcohol Healthwatch website. www.ahw.org.nz



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