

Second Reading

Reverend the Hon. FRED NILE [3.34 p.m.]: I move:

That this bill be now read a second time.

The Alcoholic Beverages Advertising Prohibition Bill 2010 is a very straightforward bill. It almost deserves no debate, because there is now such widespread support for a prohibition on the advertising of alcoholic beverages across Australia. The object of the bill is to establish the Alcoholic Beverages Advertising Prohibition Act 2010 to limit the social and personal impact of alcohol abuse in New South Wales. The purposes of the Act, as set out in the bill, are:

- (a) to discourage alcohol consumption by:
 - (i) persuading young people not to drink and not to abuse alcoholic beverages,
 - (ii) limiting exposure of young people and children to persuasion to drink alcoholic beverages,
 - (iii) encouraging drinkers of other beverages not to start drinking alcoholic beverages, and
 - (iv) assisting those who wish to limit or give up alcohol consumption, and
- (b) to reduce alcohol-related:
 - (i) domestic violence,
 - (ii) deaths,
 - (iii) road accidents, and
 - (iv) crimes and violence, and
- (c) to prevent alcohol-related illness (such as cirrhosis of the liver), and
- (d) to reduce the harmful impact of alcohol in the workplace and in industry generally.

The Act will prohibit advertising and other promotional activities aimed at assisting the sale of alcoholic beverages; provide for the declaration of local option areas within which the purchase, sale or delivery, or the consumption in a public place, of alcoholic beverages will be an offence; establish the Alcohol Advertising Prohibition Committee, which will prepare a timetable for the removal of advertisements promoting alcoholic beverages and determination of sponsorships related to the promotion of any such beverages; and provide for limited exemption on the Minister's discretion.

As I said, the bill is straightforward. I was tempted to call it the John Della Bosca Bill, because when Mr Della Bosca was Minister for Health he led the discussion about the restriction on alcohol advertising. John Della Bosca called for a stronger stance on the restriction of alcohol advertising at the Australian Health Ministers Conference in Brisbane. He said:

The Garling Report into acute health services across NSW ... advises that we need to focus on prevention when dealing with the health and well-being of children and young people.

He went on to say:

We need to avoid creating a new generation of binge drinkers and to do that we need to use preventative strategies such as restricting alcohol advertising.

The cost of alcohol abuse to the community nationally is estimated to be more than \$15 billion which is mostly made up of sickies, road accidents and healthcare.

Nationally, it is estimated that a total advertising ban could reduce drinking by 25 per cent and road fatalities by 30 per cent. It could also reduce the social costs of alcohol abuse by \$3.86 billion, and the social costs of road accidents by at least \$960 million. Mr Della Bosca went on to say:

According to NSW Health, since 2000 the biggest increase in alcohol-related Emergency Department admissions has been among 18-24 year-olds—up 130 per cent—while female admissions within that group have risen by 200 per cent.

There is also a lot of community support for the restriction of alcohol advertising.

Mr Della Bosca referred to the 2007 National Drug Strategy household survey, which found that 72.2 per cent of people aged 14 or older supported a ban on all alcohol advertisements before 9.30 p.m. and that 48.5 per cent of people supported banning alcohol company sponsorship of sporting events. Mr Della Bosca went on to say:

There is no simple response to deal with alcohol abuse—it is a complex area.

He went on to make the following point:

Alcohol advertising is among the most sophisticated and persuasive I have seen and it is increasingly clear alcohol companies are not prepared to take a responsible approach on this matter.

Mr Della Bosca concluded:

It is time we took the influence that alcohol advertising can have on our younger people seriously.

I totally agree with that.

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As members know, I successfully moved the banning of cigarette advertising—legislation which was successfully passed through both Houses of Parliament and became law. This bill has the same principle. If we supported the banning of cigarette advertising, then we should support banning alcohol advertising. Professor Michael Good, director of the Queensland Institute of Medical Research and chair of the National Health and Medical Research Council has stated:

Australians currently enjoy near the best health in the world. Furthermore, our life expectancy continues to increase. Averaged over the last 100 years, our life expectancy is increasing at three months per year. This rate of increase is showing no signs of slowing and has come about in more recent times in large part because of the reduction in smoking rates for Australians, who are now near the lowest in the world. However, other risk factors for chronic diseases in Australia are not improving relative to the rest of the world and these will slow any further gains in life expectancy and improved health.

Chief among these are overweight, obesity and alcohol consumption for which Australia ranks in the lowest and middle third of OECD countries, respectively.

The lessons from the successful anti-smoking campaign can be applied to both of these lifestyle risk factors, but it is alcohol abuse that most closely resembles smoking and for which the lessons are most easily translated. Both are addictive drugs derived from cultivated crops. Both have well accepted health-risk profiles.

While deaths and morbidity attributed to alcohol are not as high as those attributed to cigarette smoking, data nevertheless show that acute and chronic alcohol abuse account for 45,000 hospitalisations in Australia per year.

Anyone concerned about the health of Australians and the pressure on our public health system, which is cracking under the strain, should support this legislation. This bill will reduce 45,000 hospitalisations in Australia per year if passed. Professor Good said further:

It can also contribute to fetal growth retardation and can cause fetal alcohol syndrome. It is estimated that alcohol abuse costs the Australian community in excess of \$15 billion per annum.

What could the Federal and State governments do with the money if they were to save \$15 billion per annum? Professor Good posed the question: How can we diminish risky alcohol consumption? And he concluded:

The factors that were most successful in reducing cigarette smoking included public education, "de-normalisation" of smoking, taxes on cigarette, graphic labelling and bans on smoking in public places. However, the policy that was most closely associated with the drop in smoking rates was the ban on smoking advertising.

This history of risk factors associated with the decline in cigarette smoking is instructive and may provide the way to improve Australia's position in alcohol consumption from the middle third of OECD countries and consequently deliver Australians further gains in life expectancy, further improvements in quality of life and significantly reduced health expenditure.

If we do not learn from the past we will squander a precious opportunity for the future.

He concluded his remarks with this question, which I pose to all members in this place:

Those who may disagree with the idea of a ban of advertising [on alcohol] should ask themselves if they would support a re- introduction of smoking advertising. No single positive thing comes from advertising either cigarettes or alcohol.

The obvious answer to Professor Good's rhetorical question about the reintroduction of smoking advertising would be no. That demonstrates how public opinion has changed, and even the opinions of members of Parliament have changed over the years. A submission from the Alcohol and other Drugs Council of Australia [ADCA] said, in part:

... (ADCA), the national peak body for the alcohol and other drugs sector, provides a voice for people working to reduce the harm caused by alcohol and other drugs.

Alcohol and Other Drugs Council of Australia member organisations employ approximately 2,500 people working directly within the alcohol and other drugs sector and include treatment and prevention agencies, law enforcement officers, research organisations and policy bodies. The submission continues:

It is estimated that in 1997-98 alone the misuse of alcohol resulted in 63,164 years of lost life (before 70 years), a total of approximately 3,290 premature deaths and over 400,000 hospital bed days ... Despite this, the alcohol industry has a privilege of almost complete self-regulation in regard to all forms of advertising and promotion. There is growing concern within both the health sector and the broader community about the sheer bulk of alcohol advertising around

today and its appeal and effect on young people.

That organisation has come out strongly calling for action. It is also very critical—and I believe the criticism is justified—of the Alcoholic Beverages Advertising Code. It said:

The only other advertising restrictions are through alcohol industry self-regulation—namely, the Alcoholic Beverages Advertising Code (ABAC)—and through the broad standards for all advertisements that are articulated in the Advertiser Code of Ethics. The voluntary ABAC stipulates (among other things) that alcohol advertisement must not appeal to those under the age of 18 or associate alcohol with social, sporting or sexual success.

Any member who has seen an alcohol advertisement would know that is exactly what they do. We cannot trust the liquor industry to regulate itself in advertising. The Alcohol and Other Drugs Council of Australia recommends that the New South Wales Government should support the development of a national regulatory framework for alcohol advertising. The framework should examine such issues as the televising of alcohol advertisements, the use of point-of-sale promotions, internet and radio advertisements, and the sponsorship of sporting events by the alcohol industry. I support those recommendations.

The Faculty of Health and Behavioural Sciences of the University of Wollongong conducted research into the question: What does alcohol advertising tell young people about drinking? And the research has proved that self-regulation does not work. The report on that research says:

Alcohol has long been known to be the cause of significant physical, emotional and social harm in our society. Given that the manufacture, distribution and sale of alcoholic products is big business all over the world, clearly the marketing, advertising and promotion of these products is essential. However, there is an ongoing debate regarding the relationship between advertising and alcohol consumption and, importantly, the influence of this advertising on harmful drinking patterns.

The report continues:

We found that the majority of adolescents believe alcohol advertisements often include several messages which breached the Alcohol Beverages Advertising Code (ABAC), highlighting the ineffective nature of the self-regulatory scheme.

The research included surveys of both adults and young people. From May 2004 until March 2005 television and advertising campaigns, national and regional, were monitored for alcohol products.

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The alcohol industry is achieving its aims through advertising, as is shown by the research. As to the results of the surveys, the research paper states:

Perceived messages in the alcohol advertisements

There were some strong indications that respondents see several social benefits of consuming alcohol in general ... 74% of responses indicated that the advertisement contained the message that drinking the advertised product would make them more sociable and outgoing; 89.9% that the advertisement suggested that the product would help them have a great time; 69.8% that it would help them fit in; 64.9% that it would help them feel more confident; 58.9% that it would help them feel less nervous; 46.5% that it would help them succeed with the opposite sex; and 42% that it would make them feel more attractive.

These subliminal messages are deliberately planned by the advertising agencies on behalf of the liquor industry to reach out to young people. These survey results provide further evidence to prohibit advertising. They show that the liquor industry's advertisements are achieving their objectives. We must step in to protect the youth of our society from this manipulation by the liquor industry. The University of Wollongong Faculty of Health and Behavioural Sciences report stated:

Results regarding the clearly demonstrated perceived social outcomes of consumption of alcoholic products are of particular importance. It must be noted that the respondents did not necessarily *believe* that consuming the product would lead to such social benefits, but rather (in most cases) the majority believed that the advertisement *contained messages* which inferred that such social benefits are likely. However, this is a very concerning finding, given that the ABAC [Alcohol Beverages Advertising Code] states that alcohol advertisements must not suggest that consumption or presence of alcohol may create or contribute to a significant change in mood or environment.

The advertisements are breaking the industry's own Alcohol Beverages Advertising Code. The intention of the advertisements is to suggest that alcohol may create or contribute to a significant change and the liquor industry would not spend money on advertising if it did not produce the desired results. I commend the faculty's research paper to all members of the House. Many other organisations have called for a ban on alcohol advertising. The Alcohol Policy Coalition, a group of health agencies that include the Australian Drug Foundation and the Cancer Council of Victoria, has demanded tougher rules for sponsorship of sporting events and teams in Australia. I am pleased that so many authoritative organisations have taken a strong stand. The Alcohol Policy Coalition, in a paper, praised the previous Federal Rudd Government for many of its positive initiatives, but went on to say that there were serious key gaps. The Alcohol Policy Coalition criticised the Federal Government for failing to address the impact of alcohol advertising by continuing to trust the liquor industry to voluntarily protect young Australians from alcohol advertising. I could spend a great deal more time going through all the evidence I have

collated on this issue, but I believe I have presented sufficient reasons for the House to support the bill. It is a simple, straightforward bill similar to the legislation prohibiting cigarette advertising. All members would acknowledge that the legislation prohibiting cigarette advertising has been successful and has dramatically reduced cigarette smoking rates in our State and Australia. This bill will have the same response and result in a far healthier society. I commend the bill to the House.