

Second Reading

Reverend the Hon. FRED NILE [2.47 p.m.]: I move:

That this bill be now read a second time.

This is a very straightforward piece of legislation, perhaps the most straightforward we have ever had in the New South Wales Parliament. The purpose of the Liquor Amendment (Drinking Age) Bill 2010 is straightforward: the bill would amend the New South Wales Liquor Act 2007 to increase the legal age of alcohol consumption in New South Wales from 18 years of age to 21. The bill would achieve this by amending the definition of "minor" to mean anyone under the age of 21 years. Needless to say, this bill is based on the best available science relating to the direct physiological impact that alcohol has on the adolescent brain and the subsequent social problems this facilitates. The bill seeks in section 4, definitions, to omit the term "18 years" from the definition of "adult" in section 4 (1) and to insert instead "21 years". In section 4 (1), the definition of "minor", the bill seeks to omit "18 years" and insert instead "21 years". In sections 38 (4) (g), 114 (3) (a) and (6) (a), 117 (3) (b), 124 (3) (a), 126 and 152 (2) the bill seeks to omit "18 years" wherever occurring and insert instead "21 years".

There have been numerous inquiries into the effect of alcohol in our society. For example, one Senate inquiry established that Australia's greatest social problem was alcohol. People could be forgiven for believing that our greatest social problem was marijuana, pornography or heroin, but that Senate inquiry confirmed that our greatest social problem was alcohol, which costs our nation well over \$7 billion a year. Members might well ask why I am introducing this bill now. Recently there has been a lot of agitation about the need to increase the legal drinking age. My bill has been greatly influenced by recent scientific research conducted by Professor Ian Hickie, an Australian Medical Research Fellow with the Brain and Mind Research Institute at the University of Sydney. Professor Hickie produced a research paper entitled, "Alcohol and The Teenage Brain: Safest to keep them apart."

That report contains valuable information which in the past has not been available either to this State Parliament or to the Federal Parliament. Information is available now because of the new highly sensitive brain imaging techniques that have been developed. In the past well-meaning scientists believed that brain development could be affected only before birth and in early childhood. Scientists assumed that the brain was fully developed after that stage and that there was no need to be concerned about any exposure to alcohol or to other substances. The view that was commonly held was that the critical period for the non-consumption of alcohol was before birth and early childhood. However, that view has been dramatically changed as a result of this research.

Even the most recent National Health and Medical Research Council guidelines published in 2009 are based on the traditional view that we need to be concerned only about what happens before birth and in early childhood. As a result of the development of sensitive brain imaging techniques—thoroughly developed by Professor Hickie—available studies suggest that the adolescent brain is particularly sensitive to the negative effects of excessive or prolonged alcohol exposure, including the adverse effects of binge drinking. Every day we see headlines in the newspapers relating to binge drinking—something that will only be exacerbated in the Christmas season. After sitting for their Higher School Certificates students go off to the Gold Coast and binge drink until they are unconscious. Professor Hickie states:

Additionally, one needs to consider the large body of evidence of the degree of direct harm due to injury (including significant head injuries) that results from excessive risk-taking in young people who consume alcohol. This degree of risk-taking while intoxicated is likely to reflect the combination of the disinhibitory effects of alcohol (which are present at all ages due to dampening down of frontal lobe function) and the relative lack of development of the frontal lobes in adolescents. From this perspective the risk of accidental injury due to excessive risk-taking and poor impulse control is particularly likely to be evident in younger teenagers who use alcohol.

Members will remember recent road tragedies in which P-plate drivers who had three or four passengers in their vehicles crashed and all occupants in those vehicles were killed. In most incidents alcohol is a major factor that leads to such accidents. Teenage drinkers are not aware of the impact of alcohol on their brains. Professor Hickie also states:

If one weighs up the available evidence concerning direct risks to brain development, short and long-term effects on cognitive and emotional development and risks of associated injury due to poor judgement and lack of inhibition, on balance, two conclusions now appear to be justified:

1. Alcohol should not be consumed by teenagers under the age of 18 years;

And

2. Alcohol use is best postponed for as long as possible in the late teenage and early adult years.

That is my logic for wanting to increase the age limit from 18 to 21. Professor Hickie continues in his report:

The key emerging scientific issues that support this view are:

The frontal lobes of the brain underpin those major adult functions related to complex thought and decision and inhibition of more childlike or impulsive behaviours.

All members would have witnessed that sort of behaviour in teenagers who often are childlike and impulsive as their brains are still developing. Professor Hickie continues:

These parts of the brain undergo their final critical phase of development throughout adolescence and the early adult period. While there is considerable individual variation in this process, it appears to continue well into the third decade of life (age 22-25 years) and may be particularly prolonged in young men ...

I am sure that the female members of Parliament would be proud of that fact. As indicated in the report, alcohol impacts more adversely on young men, which is evident every day—an issue that greatly concerns our society. Groups of young men aged 18 to 21 who are under the influence of alcohol prowl our streets at night, engage in gang fights, injure themselves and other people on the streets, and often injure police officers who try to break up the groups. The report goes on to state:

The final phase of frontal lobe development occurs at the same time as the onset of all of the common and serious mental health problems. Seventy-five per cent of adult-type anxiety, depressive psychotic and substance abuse related disorders commence before the age of 25 years;

Alcohol has significant toxic effects on the cells of the central nervous system, and depending on dose and duration of exposure, is likely to result in serious short-term and long-term harm. Those harmful effects are most likely to be evident in areas in which the brain is still undergoing rapid development (i.e. frontal and temporal lobe structures);

The report goes on to state:

Alcohol, even in small doses, is associated with reduction in activity of the normal inhibitory brain processes. Given that such processes are less developed in teenagers and young adults, alcohol use is likely to be associated with greater levels of risk-taking behaviour than that seen in adults;

Earlier I gave as an example car accidents involving young teenage drivers who, under the influence of alcohol, exhibit risk-taking behaviour. The report also states:

Alcohol normally results in sedative effects as the level of consumption rises. It appears that teenagers and young adults are less sensitive to these sedating effects (due to higher levels of arousal) and are, therefore, likely to continue with risk-taking behaviours. As they also experience loss of control of fine motor skills, the chances of sustaining serious injuries (including head injuries) are increased;

Finally, the report states:

Exposure to significant levels of alcohol during the early and mid-adolescent period appears to be associated with increased rates of alcohol-related problems as an adult as well as a higher rate of common mental health problems such as anxiety and depression;

Young people with first lifetime episodes of anxiety, depression or psychotic disorders who also consume significant amounts of alcohol are at increased risk of self-harm, attempted suicide, accidental injury as well as persistence or recurrence of their primary mental health problem.

I have a copy of that report which I will not read but which I seek leave to table.

Leave granted.

We all know that the debate about increasing the age at which people should be allowed to drink was stimulated by former Prime Minister Kevin Rudd. Members may remember that when he appeared on the ABC's Q&A program the studio was filled with young Australians, and when asked by the program's host, Tony Jones, whether the "legal drinking age should be upped from 18 to 21", Mr Rudd responded, "Of course." This comment stimulated debate across Australia. A number of surveys were conducted on the issue and more than 6,000 people voted in online polls on News Limited websites across the country. An alcohol ban for people under the age of 21 was supported by 51 per cent of those who voted. In Western Australia 64 per cent agreed that the age limit should be increased, with 36 per cent against the proposal. In New South Wales and Queensland more than 66 per cent of online voters agreed with Mr Rudd's comment, "Of course it should be increased to 21 years of age." Obviously, many other comments have been made on the subject by many individuals. A mother of seven sons, five of whom have convictions for driving under the influence of alcohol, blamed a broader cultural influence for the nation's drinking woes. She said:

Was it the slick advertising on TV they watched over the years? Was it the "blokey" commraderie? Was drinking a "rite

of passage"? Or were they too immature to understand the consequences of their actions?

My suggestion—they stop advertising (everywhere—not only on TV); have safe transport available (buses and trains) after closing time; increase the cost of alcohol; educate them at school via visits to re-hab centres.

Finally she said:

Why was the drinking age reduced in the first place? Alcohol adles the brain ...

Most members in this Chamber probably do not realise that the legal drinking age was 21 years.

The Hon. Catherine Cusack: What year was that?

Reverend the Hon. FRED NILE: I understand it was reduced to 18 in 1974. In historical and terms, 1974 is only yesterday. Up until then the legal age for drinking alcohol was 21 years. One comment justifying the change was that the Vietnam War and other events had caused some destabilisation in our society, and it was thought that the age at which people could drink alcohol legally should be lowered. We are no longer involved in the Vietnam Way but we do have our problems in Afghanistan, and bearing a number of factors in mind I believe that it is time that we reviewed the so-called legal drinking age. On average, one in four hospitalisations of 15- to 25-year-olds is the result of alcohol consumption. Further, in an average week 70 Australians aged under 25 will be hospitalised because of alcohol-caused assault, and in an average week 4 Australians aged under 25 will die as a result of alcohol-related injuries. I have many similar statistics.

Since 2000 the greatest increase in alcohol-related hospital admissions has been among the 18- to 24-year-olds, with an overall increase of 130 per cent. Some members may be reluctant to face this issue, but we must face it and deal with it. The problem is getting worse. In 2008 NSW Health revealed a 59 per cent increase in alcohol-related emergency department cases between 2000 and 2007. More than 40,000 people needing treatment for alcohol use were admitted to hospitals in each of those year, including a 200 per cent surge in the number of young women, who drink as much as their male friends. We also had a cry for help from the New South Wales State Commissioner of Police, Andrew Scipione, who called on the State Government to consider raising the legal drinking age. In a *Daily Telegraph* article on 20 November Mr Scipione was reported as saying:

It is a debate the country must have to address booze-fuelled violence.

His call came amid revelations that his tough approach to alcohol appears to be working, with more than half the problem venues in New South Wales having their restrictions removed after lifting their game. However, at the same time the number of so-called "prescribed hotels" had increased from 48 to 66, thanks to an influx of previously unregulated venues. The article reported:

Mr Scipione said that while it might be politically problematic for the Government to raise the drinking age, that was not his concern and it ought to be discussed.

"One of the real discussions we have to have is, at what age do we go down that legal sanction," he said.

"I think it's a debate that needs to be had. I'm all for anything that will reduce the level of incidents, particularly involving young men."

Alcohol researcher Professor Rob Moodie, former head of VicHealth, agreed and said that the age at which alcohol was consumed needed to be raised one way or another. He said:

The evidence is that higher drinking ages means lower risk for the population.

In New Zealand a decade ago the drinking age was lowered from 20 to 18 years—as is the case here in New South Wales. A poll taken last month in New Zealand found that three-quarters of the population believed that lowering the age had made alcohol-related violence worse. I agree with Commissioner Scipione. He is at the cutting edge of our society's problems with all the reports he receives daily from New South Wales police officers, many of whom deal with problems caused by alcohol. Paul Bibby, a journalist for *Urban Affairs*, has collated material on the subject from various sources, including from Professor Ross Homel of Griffith University. Professor Homel said something should be done regarding the legal age. He said:

It's a similar story [for age]. A number of countries have bitten the bullet and raised the drinking age, particularly for high-alcohol beverages, and seen a reduction [in] alcohol-related harm for that age group and in the tendency of younger people to become heavy drinkers.

A recent senate inquiry that examined many alcohol-related matters noted at paragraph 4.29 of its report:

The Committee also notes the research on behaviour cited in submissions ... which reported that when adolescents consume alcohol, most do so at risky levels with 85 per cent of alcohol consumption for females aged 14 to 17 years and 18 to 24 years at risky or high risk levels for acute harm. More recent data confirmed these findings in a number of studies and surveys all showing high rates of harmful drinking.

The committee noted further that recent surveys indicated "that 9.1 per cent of 14-to 19-year-olds (and a greater

proportion of girls than boys) drink at risky or high risk levels at least once a week". This is an important issue and, as I said in my opening remarks, because of new scientific evidence this Parliament must respond. Professor Jon Currie, director of addiction medicine and mental health at St Vincent's Hospital, Victoria, supports the concept of raising the drinking age, as does Professor John Toumbourou of Deakin University and the Murdoch Children's Institute, who said:

He went on to state:

In countries or states where it has been introduced there has been a 15% reduction in deaths and harm related to alcohol ... Where the reverse has occurred, such as in Australia where some states dropped the drinking age from 21 to 18 in the 1970s, there has been an equivalent rise in deaths and harm ...

This is a solution that has worked in United States ...

Drug Free Australia's spokesperson on alcohol issues, Wendy Herbert, stated:

In 1974 the legal age to consume alcohol was dropped to 18 in Australia. Since then we have seen a generation of young Australians who have grown up thinking that it's safe to drink to excess - that it's a 'right of passage'.

Raising the drinking age back up to 21 was a successful strategy in United States. This is a country that has a far greater population base and diverse legal system to contend with than we do in Australia. The research from the US (from its National Traffic Safety Administration) has revealed that by raising the drinking age back up to 21, 16,409 lives have been saved from road death in a sixteen year period. The estimates from the study show that the raised minimum age drinking laws in all states have reduced traffic fatalities in 18 to 20 year olds by 13%.

Obviously, we are all concerned to save the lives of our young people. Wendy Herbert went on to state:

Apart from reducing road carnage, raising the drinking age is one of the key issues to reducing overall alcohol and drug abuse. Alcohol is a main gateway drug. When people delay the start of alcohol use to 21 they are less likely to develop addiction to alcohol or any other drug.

Delaying the onset of alcohol use also falls in line with the latest research on the development of the adolescent brain.

Earlier I cited material on that topic. Citing similar evidence from the United States of America, Wendy Herbert stated:

The thirteen year long US National Institute of Mental Health study confirms research that shows a delay of drinking (and its likely gateway into other drugs) till 21 reduces the harm from these substances. This 13 year longitudinal study using MRI has produced no other counter research.

By allowing a substance-free maturity of the prefrontal cortex and the development of a fully functioning brain, capable of understanding consequences of decisions, the risk of dependence and addiction to drugs and alcohol for those who delay drug and alcohol experimentation till 21 is considerably minimised ...

This is backed by a recent international comparison of underage alcohol use, conducted by Australian and US researchers and involving 6000 children, which has found rates of binge drinking are up to three times higher among Australian Year 9 students compared with equivalent American teenagers. The study's authors, including Professor Toumbourou, said the findings of higher binge drinking rates in Australia showed the current approaches are not working. The rising rates of Australian teenagers being admitted to hospital for alcohol-related injuries made the findings of serious concern.

I have cited some reports that indicate it is time to give serious consideration to increasing the legal drinking age to 21. I know that some people have said previously that this is not a real proposition, but I believe that it is, and my belief is fortified by the evidence that I have cited. I am amazed by the results of my research on the topic. Many organisations, particularly medical organisations, support increasing the legal drinking age. In a newspaper interview the President of the Sunshine Coast Medical Association called for the legal drinking age to be increased to 21. He was reported as saying:

... after the recent spate of alcohol-fuelled violence on the Sunshine Coast and following reports of mayhem involving a pack of 100 teenagers in Coolool on Friday night ... [and] as a parent with two children in their 20s, [Dr Stevenson] would support any move to increase the legal drinking age from 18 to 21.

Dr Stevenson said the consequences of binge drinking were "devastating" not just for the drinker, but for their friends and family.

"(Parents) need to be very aware, and very afraid because in the medical world we see the consequences of alcohol devastating lives every day, whether it's in general practice or in a hospital environment - it ruins lives, it maims and kills.

It is very important for members to seriously consider this issue. A State member of the Queensland Parliament,

Mark McArdle, supports the proposition underpinning the bill. He said that a range of solutions to curb alcohol-fuelled violence need to be discussed and that raising the legal drinking age is one of them.

This is an issue of vital importance. The Queensland President of the Australian Medical Association issued a statement indicating that he wants the legal drinking age increased to 21. There is a nationwide move to increase the legal drinking age. It would be wonderful for New South Wales to take the lead on this issue. That would show the people of New South Wales what members of Parliament with courage can do—members who care about young men and women, who want to save our young people from road accidents and who want the neurological development of young people to be healthy and unimpeded by the harmful impacts of alcohol.

If young people consume alcohol, neurological damage will cause problems not only when they are teenagers but also, as reports indicate, when they become adults in terms of behaviour and long-term health. Even from the Government's self-interest perspective, questions such as "Will this save money? Will this be good for the State's budget?" can be answered 100 per cent in the affirmative. I urge all members to give serious consideration to the bill. I urge members not to adopt a closed mind to the purpose of the bill. I invite members to study the evidence independently and base their vote on new evidence provided by reports from the medical profession and universities. I urge members to vote in favour of the bill. I thank members for their attention.