Submission No 19

# **PROVISION OF ALCOHOL TO MINORS**

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Mr Benjamin Foxe Committee Officer NSW Legislative Assembly Parliament House Macquarie Street Sydney NSW 2000

Dear Mr Foxe

# Re: Submission to the NSW Legislative Assembly's Inquiry into the Provision of Alcohol to Minors

Thank you for the opportunity to provide input into the Legislative Assembly's inquiry.

Following is our submission to this important inquiry. Please note that the Victorian Health Promotion Foundation (VicHealth) is not requesting confidentiality, and that this submission replaces previous iterations.

If you would like to follow up on any of the information in our submission, we would be more than pleased to meet with your representatives, provide additional information or assist in any way we can.

Yours sincerely

Jerril Rechter

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# Submission from the Victorian Health Promotion Foundation to the Legislative Assembly, Parliament of NSW

# Inquiry into the provision of alcohol to minors

### **Executive Summary**

Reducing the harm from alcohol among young people is an important public health priority. The legislation under consideration is appropriately about the provision of alcohol to minors. This speaks to the availability of alcohol and sources of the alcohol that young people consume.

#### Why young people's alcohol use?

In 2010, 40.9% of 16-17 year olds had consumed quantities of alcohol that would put them at risk of an injury on a single occasion in the previous year, and of this group, 19.4% had done so on a monthly basis (most recent data available)(AIHW, 2011). Further, research indicates that young people are more likely to experience alcohol-related harm compared to older groups when an equivalent amount of alcohol has been consumed (Livingston & Room, 2009).

## Why provision of alcohol?

Reduction in the availability of alcohol has been found by research to be one of the most effective ways to reduce harmful alcohol use in all populations; especially for young people (NPHT, 2009), (Babor et al., 2004). It is logical and necessary to address factors that contribute to the apparent availability of alcohol to young people. While the NSW Liquor Act 2007 provides a legal framework for enforcement, this will not sufficiently curb all harmful alcohol use by young people. Rather, the legislation signals an important intent and works to provide support for parents, especially in their efforts to reduce young people's access to alcohol.

#### Sources of alcohol that young people consume

Young people usually obtain alcohol through friends, acquaintances or parents, and once they have done so tend to consume it in private settings, such as at a party or at a friend's house (AIHW, 2010).

Therefore most of the alcohol young people consume is sourced directly and indirectly from packaged liquor outlets (bottle shops). International and Australian research indicates that these outlets can be associated with an increased likelihood of risky alcohol consumption among young people and subsequent harm (Livingston, Laslett & Dietze, 2008).

#### Enhancing the effectiveness and intent of the NSW Liquor Act 2007

While various measures can influence availability including price, general density of liquor outlets, social and the cultural acceptability of alcohol consumption, it is likely that measures targeting alcohol accessibility and desirability would have the most impact on minors. To this end, measures that succeed in reducing alcohol related harm for the whole community will also be effective for young people; especially if these measures target the provision of alcohol sourced from packaged liquor outlets.

Further, efforts to support parents to better understand the direct and indirect influence they have on the patterns of their children's drinking could also be enhanced. Research clearly indicates that:

- Delaying a young person's initiation to alcohol will reduce the likelihood of them drinking frequently, and to excess.
- The drinking behaviours of parents can inform those of their children (Raitasalo et al, 2011).

Specific measures that could enhance the intent of the NSW Liquor Act 2007 and reduce alcohol uptake, consumption and harm among minors:

- 1. Investigate alcohol advertising exposure among young people aged 12-17 as research has shown that there are links between alcohol advertising and risky drinking among adolescents.
- 2. Improve parental knowledge regarding their social roles and legal responsibilities with regard to the provision of alcohol and the patterns of consumption of alcohol among young people.
- 3. Reduce the number and density of packaged liquor outlets.
- 4. Target enforcement activities toward packaged liquor outlets, with a focus on the supply of alcohol to minors.

## **Background**

Nationally, each year less young people seem to be taking up alcohol, with the proportion of 12-15 year olds abstaining from alcohol increasing from 69.6% in 2007 to 77.2% in 2010 (AIHW, 2011). A similar increase was recorded among 16-17 year olds from 24.4% in 2007 to 31.6% in 2010 abstaining (AIHW, 2011). Despite these encouraging signs, 40.9% of 16-17 year olds had consumed quantities of alcohol that would put them at risk of an injury on a single occasion in the previous year, and of this group, 19.4% had done so on a monthly basis (AIHW, 2011).

However, this data should be viewed with caution. In Victoria between 2004 and 2009 the proportion of young people reporting recent alcohol use had declined (VDAPC, 2010). From 2002 to 2009 the proportion of 16-17 year olds drinking 20 or more standard drinks (the equivalent of one full bottle of vodka) one or more times in the previous 12 months rose from 16% to 31% (VDAPC, 2010). During this period alcohol-related hospital admission were increasing among young people aged 16-24, with further research showing that young people are more likely to report problems for a given amount of drinking compared to older groups (Livingston, 2008);(Livingston & Room, 2009). It is likely that these trends are not unique to Victoria, but occur in other jurisdictions across Australia. For instance, research from NSW indicates that 50.7% of males and 37.0% of females aged 16-24 engaged in risky drinking behaviour in 2009 (Centre for Epidemiology and Research, 2009).

While more young people seem to be abstaining from alcohol, the jurisdictional data indicates that in Victoria and NSW, a significant proportion of young people drink at risky levels and that they may experience a disproportionate level of harm as a consequence. This may be evidence of a 'polarised drinking culture' where despite overall reductions in alcohol consumption among the population, some sub population groups continue to drink excessively (Livingston, 2008);(Hallgren et al., 2012).

#### What are the drivers of youth drinking?

The broader economic, geographic, cultural and legal context of alcohol promotion, availability and use is a significant driver of young people's drinking (NPHT, 2009). Efforts to control these factors more broadly could enhance the effectiveness of the NSW Liquor Act 2007. In particular, the following factors have a significant impact on the drinking practices of young people -

- The high profile of alcohol promotion including advertising and sponsorship of sporting and cultural events adds to the 'normalisation' of alcohol use in the lives of young people.
- The attitude of parents toward their own drinking, and providing their children with alcohol can inform the frequency and quantity of alcohol consumed by young people.

 The physical availability of alcohol via packaged liquor outlets has been associated with risky drinking among young people, and subsequently, alcohol-related harm.

These factors warrant attention if this Act is to maximise efforts to reduce alcohol use by young people and hence, alcohol related harm.

## **Alcohol advertising**

An increasing body of research has shown that exposure to alcohol-related advertising can lead to a greater susceptibility of young people consuming alcohol to excess. Anderson et al. (2009) have shown that alcohol advertising and promotion may increase the likelihood of adolescent alcohol and consumption and for those already drinking increase the quantities consumed. In 2007, advertising on commercial television by three top spending beer brands in Melbourne had equal or greater exposure with young people aged 13-17, compared with those aged 18-29 years, although this was not true for alcohol advertising in Sydney (Victorian Department of Human Services, 2009). A more recent study from NSW found that adolescent exposure was associated with drinking patterns. Among young people aged 12-17 alcohol consumption among young people (aged 12-17) was generally associated with online and magazine advertising, onsite advertising at pubs and bottle shops and promotional materials (Jones & Magee, 2011). Due to the links between alcohol advertising exposure and risky drinking among young people, the National Preventative Health Taskforce recommended a 'gradual phase out of alcohol promotions from times and placements that have a high exposure to young people aged up to 25 years' (NPHT, 2009).

#### Parental influence and attitudes

The earlier a young person starts drinking alcohol, the more likely they are to drink to excess and engage in risky behaviour. In Victoria, 25% of all 16-24 year olds had consumed alcohol before turning 15 (VDAPC, 2010). Compared to those who began using alcohol at a later age, those who drank prior to the age of 15 were more likely to:

- Have used illegal drugs (i.e. 72% cf. 37%)
- Report drinking 20+ standard drinks on one occasion per month (i.e. 31% cf. 12%)
- Have been unable to remember what happened while drinking alcohol (i.e. 66% cf. 47%)
- Feel that their drinking is having a negative impact upon their health (i.e. 37% cf. 22%) (VDAPC, 2010).

In addition to the problems associated with early alcohol use shown previously, alcohol can have a particularly profound impact upon brain development in young people, impairing development,

limiting recall and attention spans (NHMRC, 2009)(Anderson et al, 2009). Further, early alcohol initiation and use can elevate the risk of mental health and social problems (NHMRC, 2009).

Given this, delaying the age at which young people take up drinking is crucial in reducing rates of excessive alcohol consumption, and subsequent harm. Parents can play a strong role in determining when their child or children will drink alcohol, and how much they are likely to drink when they do so. Studies have shown that children with heavy drinking parents show an increased likelihood of heavy drinking in adolescence, and further into adulthood (Raitasalo et al, 2011). In Australia, 13% of children under the age of 12 were exposed to an adult who was a regular binge drinker (NPHT, 2009). An association has also been found between parents' drinking frequency and adolescent age at onset of alcohol consumption (Raitasalo et al, 2011). In Australia, 23.3% of 16-17 year olds nominated their parents as a source of alcohol (AlHW, 2011). Although this is a declining trend down from 34.3% in 2007, the fact remains that a fifth of young Australians aged 16-17 source alcohol from their parents (AlHW, 2011).

#### Physical availability

As there are legal restrictions on the sale of alcohol to under 18s, young people are more likely to source alcohol indirectly, through a friend, acquaintance or parent (AIHW, 2011). Correspondingly, the most popular sites for alcohol consumption among those aged 16-17 are private parties (72.4%), a friend's house (49.2%), their own home (36.1%), compared to licensed venues (7.7%)(AIHW, 2011). As the overwhelming majority of people aged 16-17 are unable to obtain alcohol from licensed venues, off-site premises (bottle shops) sales would be the primary, though indirect source of alcohol for this group. International and local research indicates that these outlets can be associated with an increased likelihood of alcohol-related harm among young people. A study conducted in Auckland, New Zealand found that packaged liquor outlet density was the biggest predictor of teenage alcohol consumption rates (Huckle et al., 2008). Despite the legal drinking age being 21 in the US, researchers found a strong association between packaged liquor outlets and accidents, traffic crashes and assault among young people aged 18-20 (Gruenewald et al., 2010). In a postcode with 200 young high-risk drinkers (from a population of 1,000 young people), an additional packaged liquor outlet would be expected to result in an additional six young people (aged 16-24) drinking at high-risk levels (Livingston, Laslett & Dietze, 2008). It is worth restating that young people are more likely to experience alcohol-related harm for a given amount of alcohol consumed, compared to older groups (Livingston & Room, 2009).

Lastly, in Victoria, enforcement activities concerning off site premises have not targeted the irresponsible supply of alcohol to minors, rather administrative compliance with the liquor licence

and individual offences for minors consuming alcohol (Victorian Auditor General, 2012). Currently, the NSW Bureau of Crime Statistics and Research collects data on young adults' experience of responsible service of alcohol, however this is based upon a survey of those aged over 18 drinking in on premise locations, such as hotels and bars (Donnelly, 2012). Using research and compliance activities to effectively target those responsible for alcohol supply to minors, be they individuals or businesses, may go some way in reducing alcohol accessibility among young people.

#### Recommendations

While the current legislative provisions provide a sufficient legal framework for enforcement it is the view of VicHealth that this should be supported by a coordinated and holistic approach to alcohol harm reduction that accounts for all of the determinants of alcohol consumption, particularly with regard to the provision of alcohol to minors. However, as a matter of priority, the following actions that address the accessibility and supply of alcohol to minors and support the intention of the NSW Liquor Act 2007 are recommended:

- Investigate alcohol advertising exposure among young people aged 12-17. Research
  evidence suggests that there are links between exposure to alcohol advertising and risky
  drinking among adolescents. Further investigation is warranted to ensure that the intent of
  the NSW Liquor Act 2007 is not being undermined by pervasive alcohol-related advertising.
- Improve parental knowledge regarding alcohol and young people. Increasing parental awareness of the role they can play in ensuring their children drink responsibly and at an appropriate age will reduce levels of alcohol consumption and associated harms among minors (DCPC, 2006). Further, evidence suggests that parenting strategies delivered when children attend pre-school, continuing through to secondary school are beneficial to child wellbeing and can be effective in preventing a range of negative outcomes (Toumbourou et al., 2005).
- Reduce the number and density of packaged liquor outlets. These outlets can be associated
  with an increased likelihood of alcohol-related harm among young people, limiting their
  numbers in neighbourhoods where there are likely to be families and young people residing
  is an important harm reduction priority.
- Targeted, intelligence led compliance and enforcement of packaged liquor outlets. In
  Victoria, compliance and enforcement activities regarding packaged liquor outlets have
  focused upon liquor licence compliance, or on minors with packaged liquor, rather than
  those supplying the alcohol. The NSW Bureau of Crime Statistics and Research (BOCSAR)
  have been monitoring the responsible service of alcohol in on premise locations (Donnelly,
  2012). Focusing compliance and enforcement on the irresponsible supply of alcohol, and

supporting this through research like that currently conducted by BOCSAR, but with a focus on packaged liquor outlets could underpin these activities.

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