

**Submission
No 11**

**INQUIRY INTO ALCOHOLIC BEVERAGES ADVERTISING
PROHIBITION BILL 2015**

Organisation: Alcohol Beverages Australia

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Inquiry into the Alcoholic Beverages Advertising Prohibition Bill 2015

Submission from Alcohol Beverages Australia

Executive Summary

Millions of NSW residents enjoy the responsible and moderate consumption of alcohol beverages each week as part of a healthy, happy and socially engaged lifestyle.

Misuse certainly occurs but NSW Government and industry initiatives have made great strides in targeting and reducing alcohol related harm. The key indicators for alcohol related harm and underage drinking have been headed in the right direction for well over a decade, at the same time the strictly regulated advertising and promotion of alcohol beverages has increased exponentially, clearly demonstrating industry marketing is not the problem.

The Alcoholic Beverages Advertising Prohibition Bill 2015 (the Bill), would impose on NSW communities one of the most restrictive approaches to alcohol advertising in the world, despite research and international examples that show population wide measures, as proposed in the Bill, do not provide the targeted and evidence based approach required to reduce alcohol related harm.

Many international examples support the case that restrictions on alcohol advertising do not lead to decreases in alcohol related harm outcomes. In Germany, where the majority of alcohol advertising is covered by self-regulation, there has been a decline in total alcohol consumption. In Sweden, a downward trend in youth alcohol consumption has been observed despite relaxation of regulation or alcohol advertisement.

The alcohol beverages industry has been proactive and determined when it comes to reducing alcohol related harm. Through DrinkWise, the industry has delivered numerous major campaigns promoting responsible drinking and targeting what the evidence continues to identify as the two key drivers of underage drinking – parental drinking behaviour and peer group norms. These targeted measures have produced tangible outcomes which impact on alcohol misuse where it occurs.

Liquor retailers across NSW have taken proactive measures when it comes to alcohol related harm introducing effective voluntary measures such as ID25 and Don't Buy it For Them.

The combination of the ongoing investment in and effectiveness of these initiatives and the tightly controlled marketing of alcohol beverages demonstrates the industry's commitment to promoting responsible alcohol consumption and minimising alcohol harms.

To continue to reduce alcohol related harm and underage alcohol consumption, Alcohol Beverages Australia (ABA) recommends the NSW government partner with industry to explore targeted measures where misuse occurs across NSW. A targeted approach will allow the objectives of the Bill to be achieved without the need for ineffective and punitive population wide measures.

Alcohol Beverages Australia

ABA is the peak body representing the many industry manufacturers, distributors and retailers that operate legally and responsibly across Australia. Our role is to help organise a balanced management of alcohol regulation to provide the stability and certainty we need to drive growth and investment across our industry-while at the same time acknowledging and working with all stakeholders to minimise the harms associated with alcohol misuse.

The alcohol beverages industry has been a historically significant contributor to New South Wales' employment, economy and tax revenue. This growing and sustainable industry provides tens of thousands of jobs, and much needed economic investment and community support throughout the state's country towns, city suburbs and everywhere in between.

The industry also plays a key role underpinning the NSW entertainment, food and tourism sectors and helps raise national and international awareness of the state as a destination, courtesy of its multi-award-winning wines, beers and spirits. The export value of our alcoholic beverages has been steadily increasing in recent years, particularly in wine exports as Australia is the world's fifth biggest exporter of wine.

International tourists identify 'great food, wine, local cuisine and produce' as a major reason for visiting Australia. Tourism Research Australia estimated that in 2014-15 there were 15.8 million domestic visits and 44.2 million international visits associated with Australian wineries. Overall wine related visitor expenditure totalled \$9.2 billion. The vast majority of these visitors spend at least a portion of their visit in NSW with many of them beginning or ending the trips in Sydney.

ABA advocates for evidence based regulation and policies which target specific at-risk groups, not total alcohol consumption as they are ineffective at curbing underage consumption and binge drinking.

Setting the Scene – Alcohol Consumption in Modern Australia

Trends in Alcohol Consumption in Australia

Australia's drinking behaviour is improving dramatically.

The results from most recent National Drug Strategy Household Survey (NDSHS) show that Australians are drinking less often and when they do drink, are doing so in moderation¹.

The Australian Institute of Health and Welfare's (AIHW), a federal government agency, undertakes the NDSHS once every three years. The NDSHS is a comprehensive report on nearly 24,000 Australians' use of – and attitudes toward – alcohol, tobacco, and illicit drugs.

The most recent iteration of the NDSHS in 2016 showed that 83% of Australians are either drinking in moderation or abstaining from alcohol altogether. The NDSHS also found that the proportion of Australians exceeding the National Health and Medical Research Council's drinking guidelines decreased. In fact, the proportion exceeding the lifetime risk guidelines declined between 2013 and 2016 from 18.2% to 17.1%.

The NDSHS has also shown a continual decline in the frequency of alcohol consumption amongst Australians. In 2001 8.3% of Australians consumed alcohol daily. This figure has steadily declined over the last 15 years, with only 5.9% of Australians consuming alcohol daily in 2016.

¹ Australian Institute of Health and Welfare 2017. National Drug Strategy Household Survey 2016: detailed findings. Drug Statistics series no. 31. Cat. no. PHE 214. Canberra: AIHW.

The NDSHS data showing both a decline in the frequency of alcohol consumption coupled with a decrease in the number of people who exceed the lifetime risk guidelines indicates that Australians are aware the issues associated with excessive alcohol consumption. They are actively changing their behaviour resulting in the clear majority of Australians consuming alcohol in moderation. This is supported by the fact that according to the 2016 NDSHS, one in two recent drinkers has undertaken moderating behaviour such as reducing the number of days they drank.

Young People and Alcohol

NDSHS also provides a comprehensive insight into young people and alcohol and the news is very good. For over a decade the NDSHS has demonstrated consistent improvements in key indicators when it comes to young people and alcohol consumption in Australia. The evidence shows that Australia has established a significant shift in attitudes when it comes to young people and alcohol.

Fewer young people aged 12–17 years old are drinking– a consistent trend for more than a decade – with 82 per cent of this age group not drinking at all, constituting a 10 per cent rise in just three years.

In addition, Australians aged 14–24 have continued to delay starting drinking. The average age of their first drink is now 16.1 years, up from 14.7 years in 2001. Young adults are also drinking less, with a substantially lower proportion of that age group engaging in harmful drinking behaviours.

The table below provides a summary of the significant improvements in the key indicators when it comes to alcohol and young people in Australia since 2004.

Key Indicator	2004	2007	2010	2013	2016
12-17 Year-olds abstaining	54.3%	56.5%	63.6%	72.3%	81.5%
Percentage of those aged 12-17 drinking at lifetime risky drinking patterns	6.4%	5.4%	4.2%	2.6%	1.3%
Percentage of those aged 12-17 drinking risk of harm on that occasion	17.2%	16.6%	14.1%	8.7%	5.4%
Average age of first drink	14.7	14.9	15.2	15.7	16.1

Source: National Drug Strategy Household Survey 2016.

These consistent long term positive trends during a period where alcohol beverages advertising has increased and expanded onto new platforms, like online, prove conclusively that advertising is neither causing nor driving the commencement of underage drinking or the binge drinking in NSW that the Bill seeks to redress. It also shows the industry’s work in identifying and tackling harmful consumption is working and helping to improve the way our products are consumed.

Industry's Commitment to Responsible Alcohol Consumption

The alcohol industry in Australia is committed to the responsible consumption of alcohol. We focus on supporting effective programs that focus on education, awareness and changing behaviours relating to alcohol consumption. The alcohol industry works closely with stakeholders such as government, consumer groups and health professionals to implement solutions to excessive drinking.

DrinkWise

The alcohol industry established and continues to fund DrinkWise Australia, an independent, not for profit organisation to help build a healthier and safer drinking culture in Australia. DrinkWise's board of directors is made of up both industry and community members such as:

- Prof Richard Smallwood AO – Chief Medical Officer of Australia and pas Chair of the National Health and Medical Research Council.
- Hon Rob Knowles AO – Former Victorian Health Minister.
- Neil Comrie AO APM – Former Chief Commissioner of the Victoria Police.
- Prof Niki Ellis OAM –Former President of the Australasian Faculty of Occupational and Environmental Medicine.
- Terry Slater AM MAICD – Former Head of the Health Advancement Division in the Federal Department of Health.
- Hon Amanda Vanstone – Former Federal Minister.

Since its inception DrinkWise has delivered numerous major campaigns promoting responsible drinking and targeting what the evidence continues to identify as the two key drivers of underage drinking – parental drinking behaviour and peer group norms.

As highlighted in its recently released Research Report², DrinkWise recognises that Australians are changing both the frequency of consumption and the amount we're consuming when we do have a drink. The outcomes of the NDSHS (see information under Setting the Scene – Alcohol Consumption in Modern Australia) that show positive trends in alcohol consumption in Australia reinforce DrinkWise's beliefs that its targeted social marketing campaigns and education activities are resonating with the broader community and particularly with those audiences at risk from excessive consumption.

Some of DrinkWise's initiative include the focus on the following:

The role of parents

- DrinkWise has placed a major focus on parents' roles as influencers and role models in their children's lives when it comes to their future consumption of alcohol.
- Launched in 2008, Kids Absorb Your Drinking marked DrinkWise's first generational change campaign(for further information see case study under heading *Achieving the Objectives of the Bill*).
- Kids and Alcohol Don't Mix was developed in 2009 to encourage parents to delay their child's introduction to alcohol. DrinkWise recognised that for many parents talking to their kids about alcohol and setting clear boundaries and expectations was a daunting task.

² DrinkWise Australia. (2017). Australian drinking habits: 2007 vs 2017. Melbourne, Australia. Retrieved from [<https://drinkwise.org.au/our-work/australian-drinking-habits-2007-vs-2017/#>] on 31 October 2017.

- Our approach with parents has continued to evolve through a partnership with parents site MamaMia where we provide parents with a forum to discuss their views and share their experiences.

How to Drink Properly (18-24 year olds)

- In 2014, DrinkWise launched an Australian-first social marketing campaign designed to influence young adults (18-24 years) to drink responsibly - by moderating the intensity and frequency of binge drinking occasions. Built around a series of animated online videos, the campaign features a suave, classy and confident character who bestows cheeky words of wisdom upon 'amateur' drinkers.
- Ongoing tracking research and an independent evaluation by a University consortium has indicated significant attitudinal and behaviour change among those who have seen the campaign, with the target audience indicating drinking less on a night out and utilising the various message platforms to communicate with their social group about the pitfalls of poor drinking behaviour.
- How to Drink Properly has been recognised through numerous international and Australian advertising, creativity and effectiveness awards.

You won't miss a moment if you DrinkWise

- You Won't Miss a Moment if you DrinkWise is an industry first - a collaborative approach to conveying a unified moderation message which encourages sports fans, music lovers and festival-goers to drink responsibly and ensure they don't miss the most memorable moments of an event.
- The initiative, targeting event attendees and those watching telecasts, has been seen and heard across AFL and NRL finals as well as the Spring Racing Carnival, Australian Open Tennis, Surfing Australia events and the 2015 World Cup of Cricket.

Labelling Initiative

- In 2010, DrinkWise developed consumer information messages for voluntary inclusion on alcohol labels to allow Australian consumers to better understand the facts around alcohol consumption.
- Pregnancy health information labels indicating "It's safest not to drink whilst pregnant" and an accompanying pregnancy pictogram – were taken up by industry as key message on labels (at the request of Government).
- The adoption of consumer information messages on product and packaging is voluntary and represents a significant commitment by industry.

Australian Liquor Store Association

Since 1983, the Australian Liquor Stores Association (ALSA) has been the consistent voice of the national retail liquor industry, and is a united body, representing all off-licence retail liquor stores across Australia.

ALSA has a demonstrated commitment to the responsible supply and promotion of alcohol beverage products. Some of the self-regulatory initiatives of ALSA and its members have included:

ID-25

ID-25 is a program to educate customers, dissuade attempted purchase by minors and to reinforce staff awareness and confidence to refuse service to minors with point-of-sale material. Under this program, if a customer looks under the age of 25, staff members are encouraged to ask to see proof of age ID prior to selling alcohol to that customer, under an inoffensive promotional line "if you look under 25, take it as a compliment, as we will ask for ID".

Don't Buy it For Them

Don't Buy It For Them is a program designed to discourage secondary supply and to educate the community on their shared responsibility not to supply to under age and highlights the penalties for doing so. It also reinforces staff awareness and confidence to refuse service when in doubt, with back-up point-of-sale material.

Liquor Accords

Liquor accords are partnerships in local communities that aim to develop practical solutions to alcohol related problems in those areas. They are voluntary and local members of the industry enter into liquor accords with the aim of finding local solutions to local problems. Liquor accord groups are representative of industry, government and communities with members from each. Further information on Liquor Accords, including case studies can be found below under the heading *Introduction of Local Options*.

The work of the industry are testament to the alcohol industry's commitment to responsible drinking. Considering that the alcohol industry has been a leader in driving real and positive changes in drinking behaviour, and the data on drinking patterns in the community continues to improve, careful consideration should be given to any further population wide alcohol harm reduction policies.

Regulation of Alcohol Advertising in Australia

From a regulatory perspective, alcohol advertising in Australia is already thoroughly and effectively controlled through the Alcohol Beverages Advertising Code (ABAC) scheme – a robust independent system with a Commonwealth Government representative on its five-person management committee. The ABAC scheme covers the content of all marketing, in both traditional and digital media, and any marketing activity associated with sponsorships outside of the use of brand names and logos.

The ABAC standards ensure the content of advertising does not have strong or evident appeal to minors or encourage irresponsible consumption of alcohol. The ABAC system complements the Australian Association of National Advertisers' system and codes by providing specific and significant restrictions on the content of alcohol advertising, including:

- Only portraying responsible and moderate use of alcohol beverages;
- responsibility towards minors (under the age of 18) including that advertisements must not have strong or evident appeal to minors or use actors that may appear to be underage (actors are required to be 25 year or older);
- responsible depiction of the effects of alcohol by not portraying alcohol as a means to sexual or social success, or change in mood;
- not depicting the use of alcohol where it may reduce safety.

Further important facets to this comprehensive system include: All governments are represented by the Commonwealth Government on the ABAC Management Committee that oversees the Code's operation;

- The Commonwealth Government nominates public health experts for the independent Adjudication Panel that judges the public's complaints on alcohol marketing advertisements;
- ABAC has almost full compliance with its adjudicated decisions on complaints about advertisements; only once has a company refused to comply with an adjudication decision.
- Independent pre-vetting of marketing communications and advertisements assesses the compliance of television, radio and billboard advertisements before they are broadcast;
- TV commercials for alcohol also have to be approved by the CAD of Free TV Australia;
- State and territories' liquor licensing authorities have the capacity to ban alcohol products if they breach a range of conditions, including inappropriate marketing or appeal to children;
- The Commercial Television Industry Code of Practice, which covers placement of alcohol advertisements, has to be approved by the Australian Communications and Media Authority.
- The significant and ongoing cost of establishing, administering and operating the scheme is entirely borne by the alcohol beverages industry.

ABAC's decision when it comes to complaints about advertisements are undertaken through a transparent and open process. The decisions are well balanced and independent. A full listing of decisions can be accessed by the public through the ABAC website. ABA encourages the Committee to access the decisions that further illustrate the high calibre of ABAC's work. Decisions can be accessed at www.abac.org.au.

Improvements to the ABAC Responsible Alcohol Marketing Code, designed to provide stronger protection for minors and ensure all marketing of alcohol in Australia continues to reflect community expectations, were recently announced.

The changes to the Code, which came into effect on 1 November 2017, extend to the regulation of placement and complying with partner industry codes including the Outdoor Media Association Alcohol Guidelines, which prohibit alcohol advertising on fixed signs within a 150-metre sight line of a school.

The new standards will also stipulate that wherever media platforms have age restriction controls available, these must be utilised to exclude minors from the audience, and when not available, advertising must only be placed where the audience is reasonably expected to comprise a minimum 75% adults, corresponding favourably with widely accepted international standards

These additional regulations mean that the community can be confident that alcohol advertising and marketing in Australia will continue to be vigorously and successfully regulated by the strict, independent ABAC system.

Importantly, the public agrees. In May, Colmar Brunton Social Research surveyed 1,225 Australians regarding alcohol marketing considered by the ABAC Complaints Panel, and found that rulings under the ABAC Responsible Alcohol Marketing Code over the past three years were more conservative than general community standards³. A significant majority of survey respondents had no concern about advertising standards in general.

³ The ABAC Scheme Limited. (18 May 2017). Summary and ABAC response to the ABAC Community Standards Research. South Australia. Retrieved from [<http://www.abac.org.au/wp-content/uploads/2017/05/Executive-Summary-of-Community-Research-18-May-2017-.pdf>] on 1 Nov 2017.

Case Study: ABAC 75% Adult Audience Placement Rule

Australian Placement Rules

This year the ABAC code underwent significant changes to include rules regarding placement of alcohol advertisements. The most notable of these changes is that alcohol advertisement in Australia can only be used on media platforms where there is at least a 75% adult audience. The significance of this is that there is now a tangible and measurable placement rules when it comes to ensuring that alcohol advertisement is not aimed at people under the legal drinking age as opposed to motherhood statements such as “advertising will not target children.”

International Placement Rules

The table below provides a summary of culturally and economically comparable countries to Australia in terms of their minimum adult audience and placement rules. Australia is amongst a handful of countries that has not only implements a specific ratio when it comes to alcohol advertising audiences but as also has the highest ratio of adult audience in its code.

Country	Percentage of Adult Audience	Regulation
Australia	75%	Self-regulatory
New Zealand	75%	Self-regulatory
UK	75%	Self-regulatory
Ireland	75%	Self-regulatory
Netherlands	75%	Self-regulatory
Czech Republic	75%	Self-regulatory
USA	71.6%	Self-regulatory
Sweden	70% (age 25 years and above)	Self-regulatory
Denmark	70%	Self-regulatory
France	70%	Self-regulatory
South Africa	70%	Self-regulatory
Canada	No ratio specified	Self-regulatory
Belgium	No ratio specified.	Self-regulatory
Germany	No ratio specified.	Self-regulatory
Italy	No ratio specified.	Self-regulatory
Finland	No ratio specified.	Statutory
Switzerland	No ratio specified.	Statutory
Iceland	No ratio specified.	Statutory
Portugal	No ratio specified.	Statutory
Romania	No ratio specified.	Self-regulatory
Brazil	No ratio specified.	Self-regulatory
Peru	No ratio specified.	Statutory
Japan	No ratio specified.	Self-regulatory
Singapore	No ratio specified.	Self-regulatory

For ease of reference please see Attachment A for list of references.

Conclusion

Australia is already an established world leader when it comes to ensuring alcohol advertising is not targeting young people. Being one of the first countries in the world to adopt minimum 75% adult audience placement rule shows that the Australian alcohol beverages industry takes its responsible consumption commitments seriously. This case study also shows the agility and flexibility of self-regulation. The industry was able to quickly respond to an issue as a world leader as opposed to being tied down by red tape with the community having to wait for changes in regulations or legislation.

Advertising and Alcohol Consumption

Advertising and Alcohol Consumption

There is substantial evidence to demonstrate that alcohol advertising does not lead to an increase in either total or underage alcohol consumption. This has been established by peer-reviewed research and in addition, international examples such as Germany provide even more important real life examples of the relationship between alcohol advertising and consumption.

The *International Journal of Advertising* published a peer reviewed research paper titled 'Do advertising bans work? An international comparison' which considered the effects of advertising bans in seventeen OECD countries⁴. The paper made clear findings:

- The empirical results did not support the notion that bans of broadcast advertising of alcoholic beverages reduces consumption or alcohol abuse.
- The evidence indicated that a complete ban of broadcast advertising of all alcoholic beverages has no effect on consumption relative to countries that do not ban broadcast advertising.
- The results failed to provide evidence that advertising bans have significant negative effects on alcohol abuse outcomes, including cirrhosis mortality and motor vehicle accidents (this is very pertinent and these are two outcomes the Bill specifically seeks to address).

In 2015 the *International Journal of Advertising* published a study title 'Beer, wine, or spirits? Advertising's impact on four decades of category sales'⁵. The study analysed the relationship between annual advertising expenditures and liquor sales in the United States from 1971 to 2012.

Alcohol advertising expenditure increased almost 400% between 1971 and 2012. However, per capita consumption did not fluctuate to any significant degree during this period, indicating that alcohol advertisement does not equate to an increase in alcohol consumption.

These are two examples of a broader body of evidence indicating that there is no link between increased alcohol advertising and alcohol harm. For ease of reference a cross section of research is provided at **Attachment A**.

⁴ Nelson, J. P., & Young, D. J. (2001). Do advertising bans work? An international comparison. *International Journal of Advertising*, 20(3), 273-296.

⁵ Wilcox, G. B., Kang, E. Y., & Chilek, L. A. (2015). Beer, wine, or spirits? Advertising's impact on four decades of category sales. *International Journal of Advertising*, 34(4), 641-657.

Case Study: Germany – Minimal advertising regulation and declining alcohol consumption

Self-Regulation of Alcohol Advertising

With respect to alcohol advertising, Germany has been identified by the World Health Organisation as one of the least regulated countries in the European Union⁶. While there is some codified regulation regarding alcohol promotion and minors, the regulation of alcohol advertising in Germany primarily works on a self-regulation basis by industry.

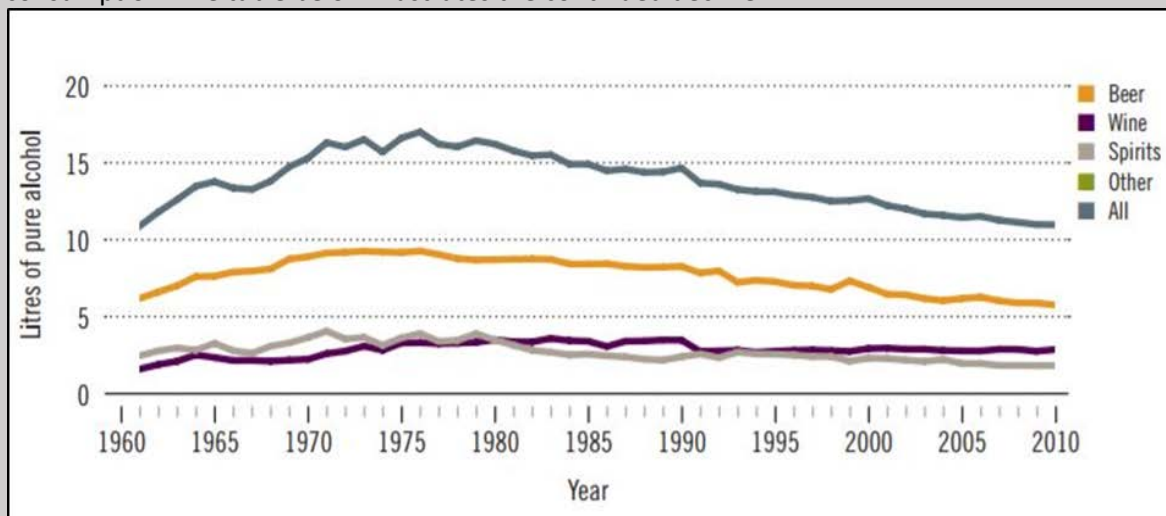
The self-regulation body for advertising, including alcohol advertising, Deutscher Weberat, performs two functions:

- Establishment of voluntary codes of conduct for advertising, including the alcohol specific *Code of Conduct on Commercial Communication for Alcoholic Beverages*.
- Consideration and adjudication on complaints arising from any member of the public relating to commercial advertising.

This mirrors closely the work of ABAC in Australia (for further information on ABAC see Regulation of Alcohol Advertising in Australia above.). The major difference being that ABAC is alcoholic beverages specific whereas Deutscher Weberat is wider in its scope of general commercial communication.

Declining Alcohol Consumption

For several decades Germany has seen a steady downward trend in per capita alcohol consumption. The table below illustrates the continued decline.



Source: World Health Organisation.

Conclusion

Germany has limited regulation when it comes to alcohol advertisement and instead primarily uses a self-regulation model. The self-regulation model allows for positive outcomes through voluntary measures, without the costs and burden of regulatory red tape on either government or industry. At the same time alcohol consumption has decreased in Germany, again strongly indicating that alcohol advertising does not lead to increased alcohol consumption.

⁶ World Health Organization, & World Health Organization. Management of Substance Abuse Unit. (2014). Global status report on alcohol and health, 2014. World Health Organization.

If alcohol advertising does not lead to an increase in the market for alcohol, then the question must be asked: why does the alcohol industry advertise?

Essentially, the industry advertises because advertising alters the market share between different types of beverages. That is, alcohol advertising does not increase the total market demand for alcohol, instead it influences consumers who already make up the market to swap beverages/brands⁷.

Alcohol beverage companies operate in a fiercely competitive marketplace and must be allowed the freedom to promote their legal and already heavily regulated products to their adult customers.

Young People and Alcohol Advertising

Research shows that there is no compelling evidence of an unequivocal correlation between advertising and drinking patterns amongst young people.⁸

When it comes to the research in this area, different methodological approaches have resulted in varying results when considering the effect of alcohol advertising on young people's drinking behaviours.

Ultimately the challenge in being able to compare and understand longitudinal and cross-sectional studies is the variability of measures used to assess exposure as well as the variability of the key indicators used to measure outcomes. This variation amongst studies means that it is difficult for researchers to accurately collate and combine the results of existing studies and quantify the effects of marketing on young people through meta-analysis.

However, there have been real life examples where countries have made changes to alcohol advertisement regulation which has allowed us to better understand how these changes actually affect drinking behaviours of young people. One such example is Sweden which is considered in the case study below.

There is no compelling evidence to suggest that alcohol advertising effects alcohol consumption patterns amongst young people and real life examples have indicated that there is no impact. With this understood, for the NSW government to be able to make an impact on the remaining young people who drink alcohol it is important to carefully consider the evidence-based factors which influence young people and create targeted measures with these in mind.

⁷ Duffy M. Advertising and the consumption of tobacco and alcoholic drink: a system-wide analysis. *Scot J Political Econ.* 1991;38:369–385.

⁸ Young, D.J. (1993). Alcohol advertising bans and alcohol abuse [Comment]. *Journal of Health Economics*, 12(2): 213-228.

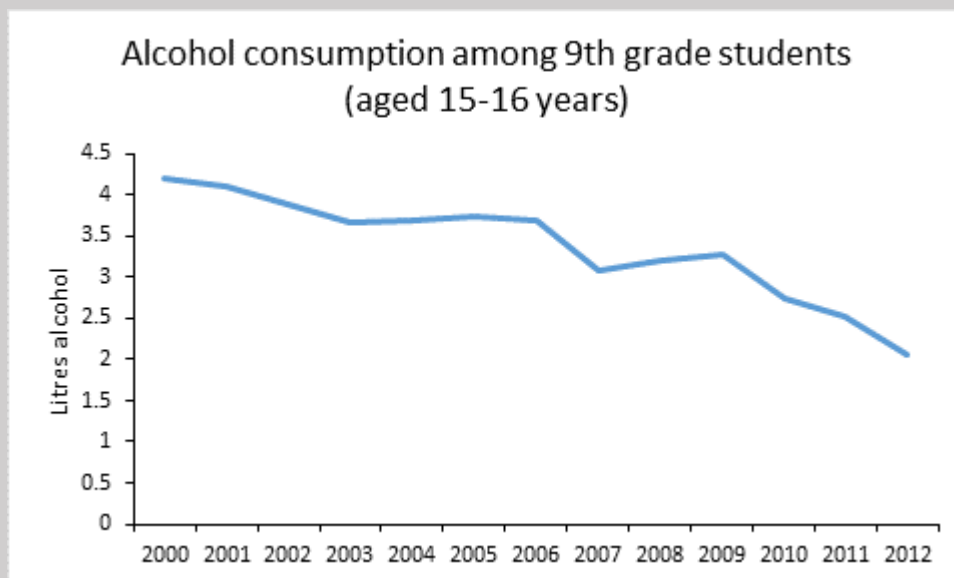
Case Study: Sweden's Relaxation of Advertising Regulation and the Effect of Young People

Swedish Advertising Bans

Sweden had an extremely strict ban on the advertisement of liquor up until 2004. Due to the strict ban on advertisement going against EU laws as established in the *Gourmet Case*, Sweden was forced to relax its advertising bans in 2004.

Lifting of the Advertising Bans and Young People's Drinking Patterns

For some time the key indicators amongst Swedish youth when it came to alcohol consumption were on a positive trajectory. Post 2004, when the alcohol advertising bans were lifted, the trend remained positive amongst young people. The table below presents the data regarding youth alcohol consumption in Sweden.



Source: *The Swedish Council for Information on Alcohol and Other Drugs*⁹.

Conclusion

Despite the lift of alcohol advertising bans in Sweden, the downward trajectory of youth alcohol consumption continued. This real life example shows that easing alcohol advertising regulation did not impact on key indicators when it comes to alcohol consumption and young people.

Factors influencing underage alcohol consumption

The following section will consider the factors influencing young people when it comes to alcohol consumption and further information on the targeted ways in which these factors can be addressed will be discussed under the section *Achieving the Objectives of the Bill*.

Several factors have been identified as having an important effect when it comes to underage alcohol consumption. These factors include:

- Family environment, including parent and sibling behaviour.

⁹ Norström, T., & Svensson, J. (2014). The declining trend in Swedish youth drinking: collectivity or polarization?. *Addiction*, 109(9), 1437-1446.

- Studies have shown that the drinking behaviours of family members (and/or perceptions of these) impact on the drinking behaviours of young people.
- Data from cross-sectional and longitudinal studies have demonstrated young people with parents who permit, or are accepting, of underage drinking are more likely to drink and experience negative consequences.
- Similarly, individuals with siblings who consume alcohol are also more likely to drink at a young age.
- Peer drinking behaviour.
 - Alcohol use during adolescence typically occurs in the context of peers and the role of peer influence on adolescent drinking is prominent in research.
 - Delinquent peer groups are characterized by rebellion against adult authority, rule breaking, and premature adoption of adult roles, all of which are compatible with alcohol use.
 - Adolescents affiliating with deviant peers observe and imitate problem behaviours, receive social reinforcement for these behaviours, and develop positive expectancies about problem behaviours, including irresponsible alcohol use.
- Socioeconomic status.
 - Socioeconomic status (SES) is recognized as an important social determinant of health that plays a role in shaping adolescence and subsequent substance use in early adulthood.
 - Financial status may also limit an individual's choice of and selection into a peer group or subculture.
 - Studies have shown that adolescents with low family SES and larger family size were associated with increased probability of substance abuse disorders in early adulthood. On the other end of the spectrum, there is also growing evidence that adolescents with higher SES may also be at risk for developing substance use disorders as they tend to have more spending money.
- Individual characteristics and personal attitudes towards drinking.
 - Problematic alcohol use does not occur in isolation. Research has established that heavy alcohol consumption have the highest degree of co-morbidity with other substance use disorders, disruptive behaviour disorders, personality disorders (especially antisocial and borderline), and habitual cigarette smoking.
 - Research on personality and alcohol misuse is usually organized based on three personality constructs: impulsivity/disinhibition, extraversion/sociability and neuroticism/emotionality.
 - Heavier drinkers have been described as pleasure seeking, extraverted, impulsive, rebellious and non-conforming. This relationship has been consistently replicated for both men and women.

The research establishing these factors have been well developed and comprehensive. For ease of reference we have collated a cross section of some of the available research at **Attachment A**.

Achieving the Objectives of the Bill

Ineffectiveness of Population Wide Measures

ABA encourages governments to invest in evidence-based targeted measures to reduce alcohol related harms because a blanket approach to alcohol policy does not provide the solutions or support needed at a localised or individual level.

ABA understands the simplicity of population wide measures. However, the evidence shows that they are ineffective in reducing alcohol-related harm and so can never be cost or policy effective.

In 2016 the journal *Alcohol and Alcoholism* published an article titled 'The weakness of stern alcohol control policies'¹⁰ sought to understand if there was a relationship between population wide alcohol policy measures and a reduction in alcohol-related harm. The study did so by looking at the relationship between three variables namely:

- Index of severity of alcohol policy,
- Total alcohol consumption, and
- Number of disability adjusted life years (DALYs) lost due to alcohol consumption.

Data relating to these variables were studied across 30 OECD countries which included Australia, New Zealand, UK, Germany, France, USA, Canada and Denmark.

The study found that there was no significant partial correlation between the severity of alcohol policy and total consumption. There was also no significant correlation between total alcohol consumption and the number of DALYs lost due to alcohol use. Most significantly, the study also found that there was no meaningful correlation between strict alcohol policies and DALYs lost due to alcohol use. These findings demonstrate the weakness of strict population wide alcohol control policies. Instead, the study suggested that finding ways to reduce alcohol dependence and to promote moderate drinking are of essence when it comes to alcohol policy.

Further, in August 2017 the journal *Alcohol and Alcoholism* published a commentary on the evidence and effectiveness of population wide policy¹¹. The commentary highlighted a wide range of the latest research to explore the confidence placed in effectiveness of preventative policy measures advocated at the global level.

The authors demonstrated that providing one set of policy measures for all countries or across all groups within a single country was not evidence-based. Population wide policies neglect contextual and cultural determinants – social, economic, demographic and political – which are diverse and should not be treated as if they are a single, homogenous entity when it comes to alcohol related harms.

Instead, when an alcoholic beverage prevention program is being planned, policy-makers and stakeholders are recommended to consider targeted policies in order to:

- focus on delineated population sectors or subgroups (like youth, women, older people, or lower socio-economic groups);

¹⁰ Poikolainen, K. (2015). The weakness of stern alcohol control policies. *Alcohol and alcoholism*, 51(1), 93-97.

¹¹ Allamani, A., Beccaria, F., & Einstein, S. (2017). A Commentary on the Limits of Alcoholic Beverage Policies. *Alcohol and Alcoholism*, 1-9.

- address targeted problems (like heavy drinking and heavy episodic drinking) and harm (such as liver cirrhosis, underage consumption or binge drinking), rather than total consumption;
- collect information about relevant contextual determinants in each country and community, listen to the population's needs, and tailor the proposed policy to the different contexts;
- plan an evaluation program, so that successful interventions can be measured and replicated.

When it comes to alcohol-related harm, population wide measures do not provide the targeted tools needed to appropriately address issues. Instead of turning to population wide measures, we urge NSW to invest in measures targeted sub groups of the population where alcohol-related harm is present.

Addressing the Objectives of the Bill - Targeted Measures with Proven Success

Broadly there are two aims of the Bill:

1. Combat underage alcohol consumption.
2. Reduce alcohol related harms.

These objectives have and can continue to be addressed by the NSW government without needing to rely on prohibitions in the Bill. The following sections provide further details on suggested targeted measures that may be used to achieve the objectives of the Bill.

Combating underage alcohol consumption

Government and industry efforts to reducing underage alcohol consumption has had significant results over the past decade in reducing the harms of underage alcohol consumption. As detailed under the heading *Young People and Alcohol* youth abstinence levels have increased to 82% and the average age of initiation has increased to 16.1 years.

Industry has made combating underage alcohol consumption a priority.

Case Study: DrinkWise Campaign *Kids Absorb Your Drinking*

DrinkWise

Established in 2005 by the alcohol industry, DrinkWise Australia is an independent, not-for-profit organisation. DrinkWise's primary focus is to help bring about a healthier and safer drinking culture in Australia.

DrinkWise aims to:

- Promote a generational change in the way Australians consume alcohol.
- Increase the age that young Australians are introduced to alcohol, as evidence has shown that alcohol can impact the development of the adolescent brain.

To promote such significant behavioural changes, DrinkWise develops and implements a range of national information and education campaigns, as well as providing practical resources to help inform and support the community about alcohol use.

Kids Absorb Your Drinking Campaign

Kids Absorb Your Drinking marked DrinkWise's first generational change campaign. It took the form of national wide television advertisements. It was supported by online material for parents. The advertisements showed a father asking his son to fetch a beer for his father. The son morphs into an adult while fetching the beer and in turn asks his son to fetch him a beer. The eighteen month campaign represented a total investment of \$8 million.

The key to this campaign was 'holding up a mirror' to parents' drinking, to increase awareness of their impact as role models in positively influencing their children's future drinking behaviour. This represented a targeted message to those who can have a significant impact on underage drinking.



Results of the Campaign

Raising awareness of this was the major aim of *Kids Absorb Your Drinking*. The campaign sought to start conversations about this issue among spouses, family and friends – well before their own children started experimenting with alcohol.

The campaign has generated positive results, with parents indicating that they subsequently¹²:

- Discussed how they drank with their partner (34%)
- Thought more about how they drank around their kids (33%)
- Talked with friends or colleagues about drinking in front of the kids (18%); and
- Discussed their consumption of alcohol with their children (24%)

Additionally, almost three in ten (28%) parents reported reducing their consumption of alcohol in front of their children. The primary reason cited for wanting to reduce consumption in front of their children was because they wanted to be a good role model (33%).

Kids Absorb Your Drinking received very high awareness and cut through with the general public. A study undertaken by Colmar Brunton Social Marketing Research indicated that it was the most recalled advertisement among all government marketing and communications in that year.

Recommendation

As parental influence is a significant factor in underage drinking, it's recommended the NSW government explore options relating to involving and educating parents when it comes to reducing underage alcohol consumption in conjunction with industry.

Alcohol Related Harm

In adults, alcohol related harm generally occurs at consumption levels far beyond moderate alcohol consumption. So it follows that alcohol related harm will be lowered when there are effective and targeted measures for those who drink at excessive levels as opposed to measures targeting the general population who consume alcohol in moderation.

There is a strong body of evidence to suggest that brief interventions by healthcare professionals yield positive results when it comes to reducing excessive alcohol consumption. However, the key to success with brief interventions for those who have dependence or heavy drinking issues is that ongoing intervention is necessary. For ease of reference, we have provided a cross section of research that supports this at **Attachment A**.

The Royal Australian College of General Practitioners (RACGPs) provides guidance for GPs on the issue of brief interventions and also guidance on ongoing intervention¹³. As GPs are often the first point of call in the lifecycle of patient treatment, ABA welcomes the approach of the RACGP and acknowledges the important role that GPs play in assisting those who experience dependence or heavy drinking issues.

This approach should be expanded beyond GPs to other medical practitioners including specialist doctors (e.g. gastroenterologists), discharging doctors from hospitals, nursing staff and mental health professionals. However, it is not simply a matter of providing written guidance to the medical profession. Instead, face to face training is needed to ensure medical professionals have the capacity

¹² DrinkWise Australia. (2017). Kids Absorb Your Drinking. Melbourne, Australia. Retrieved from [<https://drinkwise.org.au/wp-content/uploads/Kids-Absorb-Your-Drinking-campaign-summary.pdf>] on 1 Nov 2017.

¹³ The Royal Australian College of General Practitioners. (n.d.). Guidelines for preventive activities in general practice (9th edition): Early detection of at-risk drinking. East Melbourne, Victoria. Retrieved from [<https://www.racgp.org.au/your-practice/guidelines/redbook/7-prevention-of-chronic-disease/74-early-detection-of-at-risk-drinking/>] on 1 Nov 2017.

and confidence to intervene in what is often a delicate situation that requires sensitivity and empathy. According to the WHO, this early detection of risky drinking allows for brief interventions to be delivered, and subsequently reduces the burden of alcohol-related disease and injury in the population¹⁴.

Consideration should also be given to the way in which the NSW health and community sectors are able to provide ongoing support after a brief intervention, or when someone seeks treatment for alcohol dependence. As individuals, each responds differently to interventions and have different needs, the ongoing interventions should also come in a variety of forms and utilise technologies such as social media and smart phone applications.

Recommendation

It is recommended that the NSW government work with industry and medical practitioners to improve the identification, interception and treatment of people who are experiencing issues with alcohol with the aim of better identifying individuals with or at risk of problem consumption.

Introduction of Local Options

The Bill proposes the introduction of local options. Essentially, a local option represents the potential for the prohibition of the sale and delivery of alcohol in an area as well as the consumption of alcohol in public areas. This is proposed to occur with the consensus of only ten percent of residents, the support of the Local Council and agreement of the Minister.

While the Bill refers to the re-introduction of Local Options, the Local Option model has not been in place in NSW since the early 1900s. This is because Local Options introduce prohibition and prohibition has not provided any value for reducing alcohol related harm¹⁵.

As outlined under the heading *Setting the Scene – Alcohol Consumption in Modern Australia*, the key indicators relating to alcohol consumption in Australia have been consistently improving over a considerable period of time. As such, the introduction of what is essentially prohibition is an unacceptably disproportionate reaction to the reality of alcohol related harm in NSW.

The model of Local Options has some considerable consequences for communities, small businesses and industry. A legitimate business, operating lawfully could face closure overnight if a Local Option is declared in that area. Such a level of uncertainty is not conducive to establishing an environment where small business can thrive and in turn provide job opportunities for local residents.

It is unclear the exact nature of the issues that Local Options is aiming to tackle. If the aim is to reduce harms associated with alcohol consumption, then a more effective approach would be to provide targeted solutions to individuals and greater support to medical professionals. The details of our recommendations to this end are presented under the heading *Alcohol Related Harm* above.

If the aim is to provide local solutions to local alcohol-related issues, then there are far more effective and proven measures in place. In the case of alcohol related-harm and individuals it would be considerably more effective for the NSW government to consider the recommendations under

¹⁴ Saunders JB, Aasland OG, Babor TF, de la Fuente JR, Grant M. Development of the Alcohol Use Disorders Identification Test (AUDIT): WHO Collaborative Project on early detection of persons with harmful alcohol consumption – II. *Addiction* 1993;88(6):791–804.

¹⁵ Miron, J. A. (1999). Violence and the US Prohibitions of Drugs and Alcohol. *American Law and Economics Review*, 1(1), 78-114.

the heading *Alcohol Related Harms* above. These measures providing targeted assistance to those who have dependence issues or who consume excessive amounts of alcohol. A blanket ban on alcohol will not achieve the results offered by the targeted measures suggested.

If the issue that the Local Option model is attempting to address is with a particular venue, then the liquor licensing framework provides numerous and vigorous means through which the matter may be addressed. In addition, there is already a system of Liquor Accords in place in NSW which provide local solutions to local problems of alcohol-related harm or behaviour. Liquor Accords and their success will be further discussed in the section below.

Liquor Accords

Liquor accords are partnerships in local communities that aim to develop practical solutions to alcohol related problems in those areas. Liquor accord groups are representative of industry, government and communities with members from each.

The Office of Liquor, Gaming and Racing acknowledges the contributions of successful liquor accords in generating benefits for the whole community¹⁶, including:

- Fewer alcohol-related assaults and less anti-social behaviour
- Local neighbourhoods that are safer and more welcoming
- Better reputations for licensees
- Improved business environments
- Constructive relationships between licensees, councils, patrons, residents and police
- Stronger compliance
- Less under-age drinking
- More awareness about responsible consumption of alcohol.

Essentially, liquor accords provide an opportunity for industry, government and community to work together in bringing about positive change and implement local solutions for local issues. Liquor accords have been widely successful as the example of the Hastings Liquor Accord shows below.

Case study: Hastings Liquor Accord and the Reduction of Alcohol Related Harm

Hastings Liquor Accord

The Hastings Liquor Accord has over 100 members from across industry in the Port Macquarie Hastings local area. The members include licensed hotels, clubs, liquor stores, cafes, sporting clubs and brewers. The accord is supported by the NSW Police, the Office of Liquor and Gaming and Racing, Council and local health and government authorities.

Some of the initiatives of the Hastings Liquor Accord include:

Barred From One, Barred From All

In February 2017, the Hastings Liquor Accord introduced a multi-barring policy to promote and enforce alcohol-related responsibility. The initiative is based around zero tolerance to anti-social behaviour or signs of aggression in or around a venue. Once an aggressor has been barred from one venue, they will be subsequently barred from multiple venues within the Hastings Liquor Accord. The policy has been credited as being highly effective and has increased patron safety.

¹⁶ Liquor & Gaming NSW. (n.d.). Liquor Accords. Sydney, New South Wales. Retrieved from <http://www.liquorandgaming.nsw.gov.au/Pages/liquor/liquor-accords/what-is-a-liquor-accord.aspx> on 1 Nov 2017.

Plan B (in partnership with Port Macquarie Taxis)

The Hastings Liquor Accord has partnered with Port Macquarie Taxis in an anti-drink driving campaign to encourage patrons to leave their car at home. Credited drivers will pick up patrons from licensed premises across the Hastings region after a night out and provide patrons with safe and reliable transport to their destination. For ease of convenience, patrons can book the taxi service online or tap and track with a smartphone app.

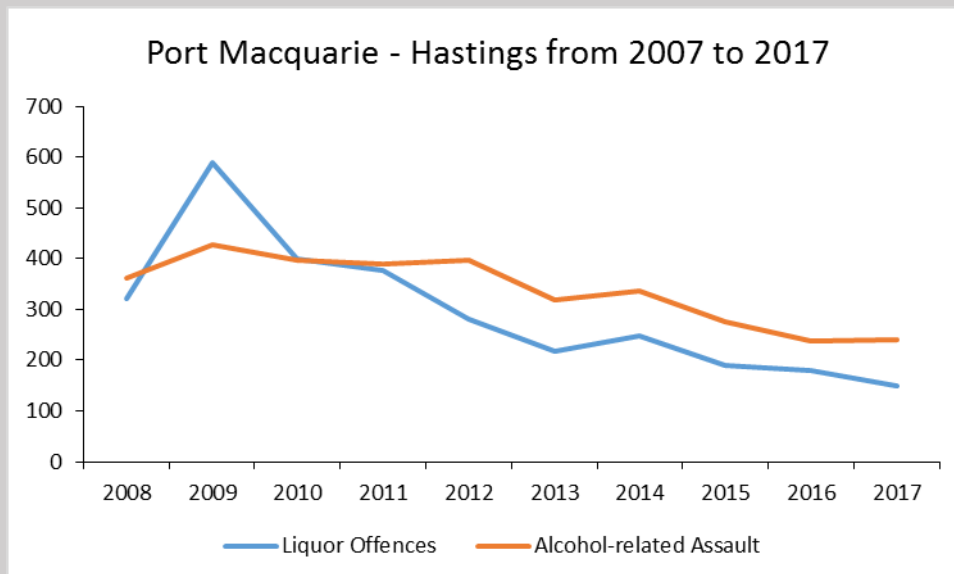
RSA for Frontline Staff

RSA for Frontline Staff is a collaborative initiative of the mid north coast liquor accords, including the Hastings Liquor Accord, to provide a series of free education for Responsible Service of Alcohol (RSA) Competency Card holders. The program provides rules and strategies to minimise alcohol-related problems, such as intoxication, violence and vandalism.

Results of the Hastings Liquor Accord

By bringing together local solutions for local issues, the Hasting Liquor Accord has been successful in reducing alcohol related harms. Statistics from the NSW Bureau of Crime Statistics and Research (BOCSAR) have shown a drastic reduction in alcohol-related offences in both NSW and the Hastings region over the past decade. Alcohol-related offences in the Hastings region have reduced most notably by 9.0% per year over ten years, compared to overall NSW's 6.5% decline per year. In total, liquor offences have almost halved over the decade. Similarly, alcohol-related assaults have mirrored a similar decreasing trend and are down 34% from a decade ago.

The graph below shows the excellent outcomes of the Hastings Liquor Accord based on BOSCAR statistics.



Source: NSW Bureau of Statistics and Crime Research (BOCSAR).

Conclusion

Bringing together industry, government and community in order to establish a practical approach to alcohol-related harm achieves tangible results for community. The success of the Hastings Liquor Accord relates directly to the aims of the Bill in aiming to reduce alcohol-related harm, including violence and as such Liquor Accords provide a real-life example of the potential for success when industry, government and community work together.

Recommendation

Given the achievements of successful liquor accords in NSW, consideration should be given to working with industry to review successful liquor accords across NSW. The learnings from these successful liquor accords can be used to inform best practice, planning and implementation for other areas.

Conclusion

The NSW Government, in partnership with alcohol industry has made great strides in reducing alcohol related harm. The key indicators for alcohol related harm and underage drinking have been headed in the right direction for well over a decade.

The sweeping measures contained in the Bill do not provide the targeted policy positions and programs needed to tackle alcohol related harm. They lack the evidence base to be considered effective and instead will produce additional red tape and administrative burden on an already heavily regulated industry.

With this in mind, we call on the NSW Government to address alcohol related harm with policies proportionate to the issues faced in NSW. ABA recommends that the NSW government continue to work in partnership with the alcohol beverages industry to design and implement targeted programs addressing the root issues of alcohol related harm so we can together continue to improve the attitudes and behaviour of the minority without impacting unfairly on the millions of people in NSW that enjoy alcohol beverages responsibly.

Attachment A – References and Research

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