

**REPORT OF PROCEEDINGS BEFORE**

**STANDING COMMITTEE ON SOCIAL ISSUES**

**INQUIRY INTO STRATEGIES TO REDUCE ALCOHOL ABUSE  
AMONG YOUNG PEOPLE IN NSW**

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**At Sydney on Monday 6 May 2013**

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**The Committee met at 9.30 a.m.**

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**PRESENT**

The Hon. N. Blair (Chair)

The Hon. C. Cusack

The Hon. G. J. Donnelly

The Hon. J. Barham

The Hon. N. Maclaren-Jones

The Hon. H. M. Westwood (Deputy Chair)

**CHAIR:** Welcome to the second public hearing of the Standing Committee on Social Issues' inquiry into strategies to reduce alcohol abuse among young people in New South Wales. Before I commence, I acknowledge the Gadigal clan of the Eora nation who are the traditional custodians of this land. I also pay respect to the Elders, past and present of the Eora nations and extend that respect to other Aboriginal people present. As a Committee we welcome the opportunity to investigate social issues of significance to the New South Wales community and as such we look forward to developing recommendations to reduce the impact of alcohol abuse among young people. Community participation is an integral part of committee inquiries and I express my thanks, on behalf of the Committee, to all those who have taken the time to provide us with a written submission.

This morning we will hear from representatives of the Broken Hill Community Drug Action Team, Manly Council and Local Government NSW, the Illawarra Forum, the Centre for Health Initiatives at the University of Wollongong, the Australian Association of National Advertisers and the Alcohol Beverages Advertising (and Packaging) Code [ABAC] Scheme Limited, the Australian Hotels Association, and finally the Alcohol and other Drugs Council of Australia. We are pleased to hear from these stakeholders who have volunteered their time to assist the Committee, for which, on behalf of the Committee, I offer my thanks. Today's hearing is open to the public and a transcript of today's proceedings will be placed on the committee's website when it becomes available.

The Committee has previously resolved to authorise the media to broadcast sound and video excerpts of its public proceedings. Copies of guidelines governing broadcast of the proceedings are available from the table by the door. In accordance with Legislative Council guidelines for the broadcast of proceedings, a member of the Committee and witnesses may be filmed or recorded. People in the public gallery should not be the primary focus of any filming or photographs. In reporting the proceedings of this Committee, the media must take responsibility for what it publishes or what interpretation is placed on anything that is said before the Committee.

Witnesses, members and their staff are advised that any messages should be delivered through the attendants or the Committee clerks. I advise also that, under the standing orders of the Legislative Council, any documents presented to the Committee that have not yet been tabled in Parliament may not, except with the permission of the Committee, be disclosed or published by any member of such Committee or by any other person. If witnesses should consider at any stage during their evidence that certain evidence or documents they may wish to present should be heard or seen in private by the Committee, the Committee will consider their request. However, the Committee or the Legislative Council itself may subsequently publish evidence if they decide it is in the public interest to do so. Finally, I remind everyone to please turn off their mobile phones for the duration of the hearing.

**JASON SCOTT HAMMOND**, Vice President, Broken Hill Community Drug Action Team, before the Committee via teleconference, and

**KELLI SCHULTZ**, Secretary, Broken Hill Community Drug Action Team, before the Committee via teleconference, affirmed and examined:

**CHAIR:** I now welcome our first witnesses from the Broken Hill Community Drug Action Team, Mr Scott Hammond, vice-president, and Ms Kelli Schultz, secretary, who are joining us by teleconference. My name is Niall Blair and I am the Chair of the Standing Committee on Social Issues. I will set the scene for you. We are in the Macquarie Room at New South Wales Parliament and I have with me five other Committee members: the Hon. Catherine Cusack, the Hon. Natasha Maclaren-Jones, the Deputy Chair the Hon. Helen Westwood, the Hon. Greg Donnelly and the Hon. Jan Barham. When we commence questions each Committee member will state their name before they ask you a question. Throughout the morning members of the public and the media may also be present and the proceedings are being recorded by our Hansard reporters. All witnesses are sworn in prior to giving evidence, and I understand the secretariat has emailed both the oath and affirmation to you.

**Mr HAMMOND:** Yes.

**Ms SCHULTZ:** Yes.

**CHAIR:** Mr Scott Hammond, you are the vice president?

**Mr HAMMOND:** Yes.

**CHAIR:** Ms Schultz, you are the secretary?

**Ms SCHULTZ:** Yes.

**CHAIR:** Before we proceed to questions, do you have a short opening statement you would like to make to the Committee?

**Mr HAMMOND:** We certainly do.

**CHAIR:** Please proceed. Please keep it to approximately five minutes. There is no need to repeat what is in your submission.

**Mr HAMMOND:** A country town, outback isolation and mining, Broken Hill's uniqueness, abundance of art, and proud history and culture—a town that added wealth and support for the country—is drowning in drink and violence. The Broken Hill Community Drug Action Team implemented its Drink Safe Community Initiative 2009-2010 based on harm minimisation strategies aimed at youth aged 12 to 24. Over the two-year project true local collaboration focussed on working towards a drink safe town. Although aimed specifically at 15 to 17 years, the project reached all areas of the community and different aspects of citizens' life, including education, leisure, sport and social support. Representing the Broken Hill Community Drug Action Team, we are making recommendations on what we know works and what reduces binge drinking in young people. Our drink safe model is community driven around ownership of issues and establishing strong partnerships to develop targeted programs. The success of the project was a result of an extensive social marketing campaign aimed to address local issues using local people through messages, media, advertising and promotion to support a locally created drink safe brand.

Over the two years we were able to demonstrate a successful project that could be delivered at a cost-effective rate using existing resources, funding through innovative projects and project management whilst reducing the social impacts through reduced emergency presentations and alcohol-related crime. The drink safe project has demonstrated a successful cost-effective strategy to reduce binge drinking for those aged 12 to 25. In addition, unexpected positive outcomes were experienced in other age groups, including reductions in alcohol-related crime, ED presentations, community leadership and advocating an empowerment for communities to make informed decisions around alcohol consumption. The drink safe model consists of two phases. Funding received through a community level initiative in Broken Hill implemented phase one of the model over a two-year period. Broken Hill was unsuccessful in receiving funds to implement phase two,

although we were able to see continued reductions in emergency presentation, alcohol-related crime and positive change in drinking behaviours. To ensure continued success, the project needs funding to implement phase two to enable it to be managed through the appointment of a project manager and coordinator to ensure a collaborative approach. Change in social norms is a long, slow process, and needs sustained enthusiasm and effort. The model needs to be tailored to each community to consider community needs and trends. Only locally managed and implemented projects will succeed in local engagement and positive outcomes. Thank you.

**CHAIR:** We will now go to questions, starting with the Deputy Chair, the Hon. Helen Westwood.

**The Hon. HELEN WESTWOOD:** Thank you for joining us this morning by teleconference. I should declare an interest in Broken Hill. Having formerly been the mayor of Bankstown, Broken Hill was our sister city. I had wonderful times in Broken Hill with the exchange of sporting teams. I visited Broken Hill quite often. I am familiar with the town and community. Scott, one thing you mentioned was binge drinking. Do you have a view on what leads to binge drinking among young people?

**Mr HAMMOND:** We have found in Broken Hill—and this is from young people themselves—is the sense of their isolation. If you talk to young people you will always get that they believe there is the boredom factor: not enough things for them to do. Although we often hear this from young people, I think within ourselves and the work, we have begun to understand and see that that probably is not the case. We always use the example when young people say, "We've got no beaches" and all that sort of stuff in regional areas, that it has just become a culture. Binge drinking is led from the top by parents and the way young people are being educated by parents, and the way they see behaviours within the community. They start to see them as being normalised. In fact, when you start to talk about a beach and boredom, even if you did bring the beach to Broken Hill, the first thing young people would say is, "Oh, who's bringing the alcohol. Who's coming down? We're all going to the beach to drink alcohol" rather than look at just getting to the beach and enjoying what the beach has to offer.

**The Hon. HELEN WESTWOOD:** Do you work with the Indigenous and non-Indigenous community in Broken Hill?

**Mr HAMMOND:** Yes, we do.

**The Hon. HELEN WESTWOOD:** Are there any differences in terms of the level of the problem or the way it manifests?

**Mr HAMMOND:** We looked at pockets within communities, especially areas within the Broken Hill community, which have a high Aboriginal population. There are other areas that are satellite communities. Our project was very specific to Broken Hill and did not allow us to get out to the communities of Wilcannia and Menindee. The people involved in the community drug team do have outreach capacity so that it was done in an outreach capacity in a small way. Although we did see trends changing we did not have any evidence where we identified Aboriginal people within that data.

**The Hon. HELEN WESTWOOD:** I am wondering whether the fact that Broken Hill does attract visitors from places such as Wilcannia, Menindee, Lightning Ridge and Tipaburra makes a difference? What about tourists, do you find that there is an impact on young people's drinking practices and risk taking because of any of those factors that are unique to Broken Hill?

**Ms SCHULTZ:** There is a transient Aboriginal community. There are some locals that are permanent but there is a percentage that is transient between Broken Hill, Wilcannia, Menindee and maybe even the smaller town of Ivanhoe. It is hard to catch up with that community. We have a good working party and partners that we work with. Drink Safe does that a little bit but it could be explored a little more in order to have good outreach to those communities so you can reach them all. They do go between the different towns. With tourists it is a little harder. Tourists often come here, especially young people, because we have so many pubs and they see it as a drinking town.

**The Hon. HELEN WESTWOOD:** You talked about the success of the campaign and one of the factors you mentioned was the social marketing campaign. Could you give the Committee a little more detail about that, please?

**Ms SCHULTZ:** We tried to make the social marketing campaign multi-faceted so we looked at television, radio and print. We had brochures locally made up and it was locally run so we included local people in our advertising. We found out what the people wanted and the areas of need. We produced a television ad that focused on alcohol and related domestic violence. It was locally driven and owned and it was supported well by the media partners.

**Mr HAMMOND:** The importance was in establishing partnerships with our local government, liquor accords and businesses as well. The focus is really about that branding—so they took on the branding aspect as well. Whenever there was anything mentioned about alcohol in regard to education or in any form or promotion the words "the Drink Safe project" was always there. When we were out and about we had a visual presence and we had our marquees, information and brochures that were branded towards the Drink Safe model and had our colours and T-shirts. We were visual at many of the events. Wherever there were events where alcohol was being consumed we had a visual presence as well. Our marketing strategy is not about abstinence, it is about informed decisions. It is giving people the right information to make informed decisions themselves.

**Ms SCHULTZ:** Even at alcohol-free events we were present and our colours are bright orange. We all had our T-shirts on and we would give some T-shirts out, which we have seen appearing around the community on young people.

**Mr HAMMOND:** That was one of the areas where we were surprised: Year 12 students started to have Drink Safe parties, year 12 end-of-year celebrations. They were some of the outcomes. It becomes cool within our community to be part of the Drink Safe project.

**The Hon. HELEN WESTWOOD:** That is excellent. I will hand over to the Hon. Greg Donnelly.

**The Hon. GREG DONNELLY:** Good morning and thank you for joining us this morning. I have a few questions to direct to you and you can answer them together or individually as you see fit. I am wondering whether looking backwards and perhaps talking to people in the community who have been around for a while when you were putting together the strategy, were people saying that drinking by young people in Broken Hill was worse now than it once was, better or about the same? It will give us a sense of context about whether or not the drinking issue amongst young people was changing over time as people appreciated it?

**Mr HAMMOND:** I suppose we are looking at a 100-year culture in the community: You drink hard, you play hard and you fight hard. Young people were brought up under that belief. Alcohol played a very important part of the community whether or not people, especially the older generation, acknowledged that it may have a negative impact. As a community we were very reluctant to link that together. We have high rates of suicide, domestic violence, teenage pregnancy and obesity and as a community they were not willing to accept that maybe alcohol played a substantial role in all of that. At the time it was evident anecdotally that there was talk amongst young people. They started to see some national education campaigns that maybe there was a problem with alcohol.

That started back in 2006, which is three years prior to this model being introduced. We had already started to do some educational stuff and young people had put their toes into the water, so to speak, in regard to getting a sense of the impact that it was having on the community. We led them and nurtured them in a way that they were ready to take it on board. The young people were more ready than the actual community. It was more the young people saying that, hey, there is a problem and that drinking at 13 and 14 years of age may be affecting long-term brain development. We started to see young people looking at it externally and the social impact but also looking at the internal stuff and the health problems and all these sort of things that have never been looked at before. They started to realise and see the correlation between the smoking campaigns and the success it had over the years in sending that message. That is why we started to run some brain spectrum programs that were getting young people to understand what was happening internally to them as well. To answer your question: They were ready, but I think the community was still in denial. The older people were sort of saying: "There is nothing wrong with our children. There is nothing wrong with me. Look at me, I'm okay".

**Ms SCHULTZ:** It is a fairly ingrained culture here.

**The Hon. GREG DONNELLY:** From where you stand now with the benefit of hindsight, looking at the adult population of Broken Hill do you think they have they come to terms with this now and they are

supportive of the work that is being done to try and influence the thinking of young people? Have they got on board and are supportive of this cultural change in Broken Hill?

**Mr HAMMOND:** Most definitely. I will let Kelli answer it, but yes, it has been overwhelming how much support we have had from the older parents and the rest of the community.

**Ms SCHULTZ:** I totally agree. I think they are much more supportive, much more accepting. It does take a long time to change social norms though, I will say that. It was a fairly ingrained culture here and it does take quite a while. But they have opened to that.

**The Hon. JAN BARHAM:** I am from Byron Bay so I know about a tourism drinking culture as well. I am interested to know a few things about the CDAT. Who initiated the CDAT in 2006?

**Mr HAMMOND:** There was a CDAT back in 2000 and then it sort of fell apart and I suppose community drug action teams, there are so many different forms across New South Wales. We found that through good leadership, a few of our organisations—especially when we start to look at education, health and local government, really forming a strong network between them, and being the lead agencies, to ensure that CDAT has that support around it.

**The Hon. JAN BARHAM:** I am aware of how CDATs operate. I am just interested in who initiated it, who were the guiding drivers of that particular program.

**Mr HAMMOND:** Who was behind CDAT itself, not the funding, nothing to do with that, who were the drivers? That was local government, health, education.

**Ms SCHULTZ:** And there were also very strong community volunteers.

**The Hon. JAN BARHAM:** In relation to the funds, what sort of funds did you receive from the Commonwealth and what is the funding you are looking for with phase two?

**Mr HAMMOND:** With the original funding we were looking at \$236,000—that was received. Mind you, there was over a million dollars that was in kind. When you talk about the labour and all that sort of stuff, the hours and the commitment from other organisations, then you sort of have the support of other—

**The Hon. JAN BARHAM:** I do not mean to be rude but I have got limited time so I am just wanting some short, sharp answers if I can.

**Mr HAMMOND:** We costed it out that it was probably going to be about \$180,000 for phase two.

**The Hon. JAN BARHAM:** You mentioned suicides. Are you aware of young people and suicides that might be related in any way to mental health issues or alcohol problems?

**Mr HAMMOND:** There are a lot of issues around suicide and alcohol. We know that within young people within our community that the thought processes are completely different when they are under the influence of alcohol.

**The Hon. JAN BARHAM:** Therefore, mental health issues are strong issues out there too?

**Mr HAMMOND:** Yes, mental health, homelessness.

**The Hon. JAN BARHAM:** I am interested in the save-a-mate part of your program. How does that work and how successful has that been? Is that a mentoring or buddy system?

**Ms SCHULTZ:** Save-a-mate is a program through the Red Cross. We work through them out here. It is interesting you mention that; it was shown to be the most successful program with young people. That is the one that they all remember, that is the one that they said worked the most strongly. They felt it was the most helpful because it is a harm minimisation program. They go through the different drugs and alcohol aspects; they also focus on that harm minimisation. So if something goes wrong what do you do, or how can you drink safer?

**Mr HAMMOND:** It is really educating young people when they are out at parties how to support one another—so that peer support. We really think that there is a strong link between that and a reduction in emergency department presentations.

**Ms SCHULTZ:** We got the best feedback from that program.

**The Hon. JAN BARHAM:** Is information about that available on the website? Is it on the Red Cross website?

**Ms SCHULTZ:** Yes, it would be on the Red Cross website as well.

**The Hon. JAN BARHAM:** I will follow that up. Brain spectrum, who operated that and how successful was that?

**Mr HAMMOND:** That was operated by a local person who has been over to America—a psychologist. She has come back with all this information from America on brain spectrum imagery; just seeing what the impact of alcohol, drugs and all that sort of stuff has on people. That was very successful because that was implemented in years 5 and 6 and years 10 and 11. We thought it was really positive for young people in year 5 and year 6 that they were given the information prior to absorbing the beautiful colourful advertising that comes from alcohol companies. At the same time we were able to get in there and counteract that by giving them that actual information about the impact it has on their brain.

**The Hon. JAN BARHAM:** Is there information about that program available or are you able to make it available?

**Mr HAMMOND:** Yes, we can make that available.

**The Hon. JAN BARHAM:** It looks really interesting. You mention a couple of things you are interested in. The social media aspect, is that a big thing out there for young people connecting?

**Ms SCHULTZ:** I think things are changing with social media obviously. I think if we looked at it now, and we probably will in the future, it is looking at Facebook, looking at the automatic texting that goes out; we did start to look into that type of thing. But I think local-produced social marketing is more successful, yes.

**The Hon. JAN BARHAM:** Are the taxi vouchers funded through your CDAT program or have you got support from the liquor accord and the taxi industry for those?

**Mr HAMMOND:** It is self-funded.

**Ms SCHULTZ:** We changed that program a little bit. We were looking at producing a program for a facility for the taxis but once we went and visited the taxis they actually had the right facility. So you can get on line and order—it is almost like a wish card; the parents can get online, order it and give it to the child, and the taxis already had it. We used a minimal amount of funding to give out some taxi vouchers; I think that was a different program.

**The Hon. JAN BARHAM:** No courtesy buses from the venues or anything?

**Mr HAMMOND:** No, not at all.

**The Hon. JAN BARHAM:** We have heard a lot about pre-loading with young people. Is there a lot of drinking that happens at home before they go out?

**Mr HAMMOND:** Most definitely. That was one of the areas that when we did our surveys with young people that was the area of concern and where our focus has gone to about that, especially looking at phase two—we are starting to look at how we start to educate people on drinking behaviours at home because a lot of it is regulated within the pubs and clubs, but educating parents and young people at home around the drinking behaviours at home in particular was a focus.

**Ms SCHULTZ:** Because our research was showing that a high majority were getting it from their parents, so we started to focus on the parents as well.

**The Hon. JAN BARHAM:** That has come through in a lot of submissions, about the need for parent education. Out of interest, how many clubs, how many liquor outlets do you have?

**Mr HAMMOND:** I think at last count we had 42. We used to have 72, going back in the seventies, but we have had a reduction. I think the last time that we did a count there were 42—and that is not including restaurants.

**The Hon. JAN BARHAM:** That is pubs and bottle shops?

**Mr HAMMOND:** Yes.

**Ms SCHULTZ:** And clubs.

**The Hon. CATHERINE CUSACK:** Like the Hon. Jan Barham, I am a country MP, but I have visited Broken Hill many times. The mining industry operates dry workplaces, as I understand it, and so there has been this tradition of you get off work and come into town with male colleagues, I suppose, and just get drunk.

**Mr HAMMOND:** Yes.

**The Hon. CATHERINE CUSACK:** That is pretty unique to mining towns. Can I also suggest that Broken Hill has a very unbalanced population in terms of gender. It has a very male population.

**Ms SCHULTZ:** Yes.

**The Hon. CATHERINE CUSACK:** I want to ask you about those issues. If you could solve the problem for men would you solve the problem for the whole community?

**Mr HAMMOND:** No, because although we see that within a mining community, as you have mentioned, people come out and they are drinking a lot and the culture around that, but then throughout this whole process of implementing the model that we have also seen changes in that guys are being more responsive than actually the girls, especially in between that 15 to 17 age group. It is really hard to look at if you solve the problem with the male drinking does that solve the problem with the females. It tends to trend towards the same, which was interesting when we started to look at that. Margaret Lesjak, who did a lot of our research around it, was interested in how it trended the same as the smoking campaign as well. We started to see all of a sudden that males were reducing the amount of alcohol but then females were not as responsive.

**Ms SCHULTZ:** It really depends on what age groups you are looking at though. This program was focused on the younger group. It did have wider reaching outcomes, but it depends on what age group you are looking at.

**The Hon. CATHERINE CUSACK:** Of course there are some girls under the age of 16 who have major alcohol problems, but generally speaking they are not the norm and they tend to have multiple behaviour issues as well. Generally speaking, is it not fair to suggest that girls are copying male behaviours? I do not want them to do that, but I guess I am trying to talk about male risk-taking behaviours that are perhaps at the heart of this problem.

**Mr HAMMOND:** We are probably not in a position where we would be able to say that is conclusive. We are not too sure. We have not sort of looked at that at all.

**Ms SCHULTZ:** There is definitely a history of that, but I think for the last four to five years we are not too sure if that influence is still there. You are right about the mining and the shift work, that has happened over our history, but currently it is unclear if we could answer that.

**The Hon. CATHERINE CUSACK:** Have you had any support from the mining industry in this program?

**Mr HAMMOND:** No, not at all. It has been very community driven. It has been more so around, as I said, local government, health and education. When I say business, it has been sort of local business, the smaller business, rather than the larger mining companies.



**Ms SCHULTZ:** In our planning this year we have talked about actually going to the mines and seeing if we can take programs specifically there to reach their workers, but it was not part of the tiers that you are probably specifically looking at.

**The Hon. CATHERINE CUSACK:** I just find that the drinking behaviours of people coming home for the mines are unbelievable. It is like nothing else I have ever seen.

**Ms SCHULTZ:** That is true.

**The Hon. CATHERINE CUSACK:** Then they come into a community and now the young people in that community have got a drinking problem, what a surprise.

**Ms SCHULTZ:** You are right. It is in the culture that has been created from that.

**The Hon. CATHERINE CUSACK:** Can I also ask about mentoring and changing behaviours. If I went and had a chat to the young people of Broken Hill I am sure I would have zero impact, but if some football star went out there it could have a major impact. Have you considered incorporating people that they admire into the program?

**Ms SCHULTZ:** I think we have had success with both. We run a drug action forum every year and we have some experts come to town and the young people have really responded to that. But we have also had some local emergency department people and that has worked really well as well.

**The Hon. CATHERINE CUSACK:** Just going back into another century when I was a young person, there was a big campaign in the rock industry to try to get young people to moderate some of their drug-taking behaviour and to get people going to the gym and to value their bodies. I was stunned by how successful it was.

**Ms SCHULTZ:** I think mentoring is a large thing. Locally that has had success with one of the rugby teams and domestic violence. Yes, that is something worth looking at.

**The Hon. NATASHA MACLAREN-JONES:** Could you outline the Community Drink Safe festival that was held over the two days and the attendance?

**Mr HAMMOND:** It was very successful. In hindsight we think maybe we should have introduced it a lot earlier to the project. We had 7,000 people turn up to that. There was no alcohol consumed; it was all about families and families getting together and having fun over two days. It consolidated all the work that we have been doing, because of the amount of people that were so well informed by the time that they got there. People were talking about that you can actually enjoy a family activity without the alcohol, because we are so used to alcohol. Within Broken Hill, I do not know if you are aware, we have our St Patrick's and basically everything that we look at is all based around alcohol.

**The Hon. CATHERINE CUSACK:** There is a keg on every corner.

**Mr HAMMOND:** There is alcohol and then there is horseracing. We also are aware that you get 8,000 people attend a St Patrick's event and most of them come out saying that they did not actually know that there was horses racing at the event. There was that whole mindset there that was around alcohol, where our event was all about what was happening on the stage and people coming together and having some fun. It was a huge success.

**Ms SCHULTZ:** People spoke about it for a long time.

**Mr HAMMOND:** Even to the point where in the paper straight afterwards everyone was saying that this needs to be an annual event on the calendar, but it costs a lot of money.

**The Hon. NATASHA MACLAREN-JONES:** How much does it cost, and how did you obtain the funding?

**Mr HAMMOND:** It was based around \$46,000. We had \$20,000 of our funding that was put towards it and then the other \$26,000 was through community support and putting some pressure on sponsorships. Also

we had Justice Crew come out. They did us a favour as well with coming out and performing at a far lower price than what they would normally charge elsewhere.

**The Hon. NATASHA MACLAREN-JONES:** And it was a free event?

**Mr HAMMOND:** It was a free event.

**The Hon. NATASHA MACLAREN-JONES:** You mentioned families and the role of parents. In the programs did you have any targeted strategies to engage with and educate parents?

**Mr HAMMOND:** A lot of our social marketing was aimed at parents, parents' roles and responsibility. A lot of it was emphasised.

**The Hon. NATASHA MACLAREN-JONES:** Also you mentioned children having nothing to do and the isolation. Was there anything that you implemented or that you have found now that could be implemented to address that issue of boredom?

**Ms SCHULTZ:** We supported our local group that ran a couple of alcohol-free events a year. We supported those and made them a little bit bigger. We did plan on doing a year 12 celebration, but we had a lot of red tape there so that did not happen.

**Mr HAMMOND:** More so the focus was on looking at the wonderful things within our community. We used to go and do talks to the schools and especially to the older students and say: What did they do years ago when there was not your iPads, your iPhones and all this advanced technology and computer games and stuff? We started to really work closely with them. We also had Active Broken Hill and all those sorts of things that were looking at what can you do within your community that does not involve alcohol. We noticed that there were a lot of programs and activities and stuff out there that young people were not participating in.

It was sort of about getting that link between the responsible ways if you are going to go out and participate and you are going to drink alcohol, but then, for those people that want to get away from the alcohol and are so sick and tired of the alcohol side of things, that there are these fantastic events that are happening within our community. You really started to notice that there was more attendance towards the alcohol-free events that were being run by young people in our community. The people that were going along to those events were actually saying that it is great to be able to be at an event where they know that there is no alcohol being consumed.

**Ms SCHULTZ:** We are also planning in phase 2 to make stronger partnerships within the sporting clubs and try to push those activities and sports to young people a bit more.

**The Hon. NATASHA MACLAREN-JONES:** You said that you went into the schools. Did you find that overall the schools were all quite supportive, or were there any barriers to engaging with students?

**Ms SCHULTZ:** Very supportive. We have developed amazingly strongly with the schools. We have actually been in a pathway program with the schools to have a planned yearly calendar, not just on Drink Safe but on all different programs. They were very supportive of Drink Safe. They would take their students out for forums that we have run. Yes, it is a very good partnership.

**Mr HAMMOND:** Everything was identified in three stages. We went through the educational standards and steps as well. We looked at targeting certain programs for five and six, programs for year 7, programs for year 8 and so forth, right up until year 12 and right up until when we were talking to the year 12 as they were going into their final weeks of their exams and talking about what is going to happen during schoolies week and educating them on, "You want the best tool to be able to get the best out of your Higher School Certificate period but if you're going to drink alcohol, that's not an enabler." We are saying to them, "This next two weeks, there is an opportunity to choose not to drink", and we are putting the responsibility back on them or the decision back on them. By choosing not to drink, then you can have a drink, but if you are going to drink afterwards, we are going to give you the tools to be able to drink responsibly as well.

**The Hon. NATASHA MACLAREN-JONES:** You mentioned you wanted to organise a post-school event, but there were red tape problems. Could you outline what they were?

**Ms SCHULTZ:** Yes. It all seems so long ago. We were trying to organise a year 12 schoolies event at the end. There was just red tape about where to have it and about having the right identification [ID] process. I guess in hindsight we probably needed a bit more time and planning. In the end, with the risks, we just decided not to do it.

**Mr HAMMOND:** Because we were auspiced through local government, we were bound by our local government risk management. They found it really hard to be able to work with us on an event that was selling alcohol. It was completely a different message to what they were hoping that we would be sending out. It was all about regulating the amount of alcohol that was going to be consumed. Yes, they are going to drink, but we are going to put out there how you drink responsibly. It basically came down to a risk management issue.

**CHAIR:** It sounds like some of the success you have had is because you have targeted a wide range of areas and tried to look at the factors, not only the risk factors but some of the controls. If you were to give some feedback or lessons for the Committee or maybe another community that was looking to address this problem, what would be the greatest lessons that you think you have learnt from your process?

**Mr HAMMOND:** The greatest lesson, I think, or what we have come out of it with is that it had so much momentum, it was so strong and it was so visual within our community. Although we had the Community Drug Action team, you really needed one specific driver and somebody that can coordinate it. We have seen since the two years, and now that we are in 2013, that because services and the people who are working those services change so often, you have to have somebody who is willing to work with those organisations on the project itself.

**CHAIR:** Why did it work? Were the young people ready and this was just the first time that this was offered to them? Obviously there is success in the way that you have rolled it out, but getting into the minds of young people and trying to change that culture, why did it work?

**Ms SCHULTZ:** The program went across a broad range of someone's life. It went into schools, it went into sports, it went into leisure, so when you are looking at different aspects of people's lives, it was there. It was not just one, education at the school. It was not just one-off. It was around.

**Mr HAMMOND:** It was constantly in their face, so to speak. If they had to listen to radio, it was on the radio. Like Kelli said, if they were at a sporting event, it was at the sporting event. Every event that they went to that was in their social calendar, it was in their social calendar. We were there. We were present.

**Ms SCHULTZ:** It may not have always been flooded, but there might just been a trailer there with a message on in the background, or there may have been a sign on the fence. It was different, I think, all the time as well.

**Mr HAMMOND:** We had a variable message signs [VMS] trailer that was sending message. The VMS trailers are those "Slow down" signs that they use for traffic. We had one of those and we just kept on positioning that in very prominent locations around our community. That was giving messages to not only young people but also to parents and it was also updating them on the success we were having. We actually were putting on there how we were reducing the dangerous levels of alcohol consumption among young people as well.

The important thing was we were not saying, "Don't drink", we were saying, "If you're going to drink, drink responsibly." The success of it was that we actually informed young people of the impact of alcohol and that was empowering them to make the decisions. At the end of the day we were not saying, "We are going to make the decision for you." "You need to make the decision and we are giving you the information—information that we never had when we were younger people growing up. We didn't have this information. We weren't aware of it." As I said, we were using the same sort of strategies that they use in the smoking campaigns.

**CHAIR:** In a sense you were using the same strategy that I guess the alcohol industry uses to ingrain into all parts of the culture. We associate alcohol with sport, festivals and celebrations.

**The Hon. CATHERINE CUSACK:** And with having a good time.

**CHAIR:** And having a good time—all of those things. But you are saying that you were there as well, just reminding them that, "If you're going to do it, these are the tools which you should be using to do it responsibly." Is that it?

**Mr HAMMOND:** Yes. The angels were wherever the devil was.

**CHAIR:** That is a very good analogy.

**The Hon. CATHERINE CUSACK:** Just in relation to all the pubs in Broken Hill, we spend a lot of time trying to regulate pubs and on removing young people from them. I wonder is there an opportunity in Broken Hill to turn them back into family venues in the way that hotels in the United Kingdom are and other places around the world—

**The Hon. JAN BARHAM:** The Manly one we heard about.

**The Hon. CATHERINE CUSACK:** —rather than polarising them just into drinking barns?

**Ms SCHULTZ:** The Barrier Liquor Accord really came on board towards the end of the project and since then has taken a step up, so they are starting to really regulate the pubs and are moving young people on, and they are working with us to do some more proactive programs. As to the second question, any ideas?

**Mr HAMMOND:** Sorry, I missed the second question.

**Ms SCHULTZ:** The second question was about making them more family friendly. Is that right?

**The Hon. JAN BARHAM:** Yes.

**Mr HAMMOND:** Most definitely. One of the things that we have seen with working with the Barrier Liquor Accord was that it becomes a safer place. That is what we said. It is actually a safer place for young people and families to be—at a club or a pub, in particular the clubs—because of all the regulation and because of the environment and because they are starting to look within themselves. The liquor accord was very conscious of their responsible service of alcohol and those different types of things and educating their own workers. We started then to put it into place. We basically realised towards the end: Is it safe to be at home, drinking where it is unregulated, or is it actually safer to take a family to an area where it is regulated? We started to see that it is probably safer, or that the pubs and clubs were the safer option.

**The Hon. CATHERINE CUSACK:** You can have a situation if it is genuinely family based and people are having a nice mean, then most people in the pub actually are not drinking alcohol. All the kids are drinking soft drinks and those sorts of situations. I am just thinking that it is a much more balanced environment.

**Ms SCHULTZ:** Yes.

**Mr HAMMOND:** Yes.

**Ms SCHULTZ:** We also had a program of designated driver. We tried to implement that as well. We work with the pubs quite a lot.

**CHAIR:** Ms Schultz and Mr Hammond, thank you so much for your time this morning, not only for your evidence over the phone but also your submission to the inquiry. On behalf of the Committee, I would like to thank you.

**(The witnesses withdrew)**

**NICKY SLOAN**, Chief Executive Officer, Illawarra Forum, and

**MONIQUE FERGUSON**, Resource and Advocacy Officer, Illawarra Forum, affirmed and examined:

**CHAIR:** Would you like to give a short opening statement before we proceed to questions?

**Ms SLOAN:** Yes. The Illawarra Forum consulted with member organisations and other service providers to develop strategies included in our submission to the inquiry. It is fair to say that while there is a high degree of concern about the levels of alcohol misuse among young people. It was also recognised that any strategies to address alcohol abuse amongst this cohort should be developed within a more holistic community framework. There is much evidence to suggest that many Australians over the age of 18 are also abusing alcohol; in fact, one of the largest and growing cohorts is people over retirement age.

Children often grow up in circumstances where they are very exposed to alcohol in home and in social situations. Young people today may be more exposed to alcohol from a younger age because there has been a change in the way people use alcohol, perhaps because of the success of drink-driving campaigns. More parents are drinking at home or in social situations where their children are present, and even when adults are drinking in licensed venues there is an increasing push towards the family friendly licensed environments, with the rising facilities such as crèches and play areas as well as encouragement such as kids eat free or children's dance parties. Therefore, children are exposed to a constant reinforcement that socialising must include alcohol.

Children are also growing up in a time when alcohol promotion is more ubiquitous and connected to usual family activities such as the introduction of alcohol promotion under shopper dockets and alcohol promotions which may be disguised as games attached to social media and other Internet pages aimed at adolescents and children. So, while we have addressed the terms of reference for the inquiry and propose strategies to target alcohol abuse by young people, we would like to see these strategies incorporated into a broader framework which promotes safe drinking to the whole community and includes promotions of other ways to socialise, to celebrate and to destress.

**The Hon. HELEN WESTWOOD:** Thank you for being with us this morning and thank you for your submission. In your submission you suggest that legislation is lagging behind, particularly as it relates to advertising of alcohol and social media. I wonder whether you can elaborate a little on that? Also, you talk about the current complaints system. You think it is complicated and ineffectual. If you could elaborate on both those aspects of your submission, please?

**Ms SLOAN:** Sure. What we included in this submission came from the information we derived from the people in our consultations and from members who provided information in other ways. The feedback we got was that the way the media and marketing industry are growing so quickly these days it is a very difficult for legislation to keep on top of the way these promotions are being targeted. Certainly in advertising, people were talking broadly across the whole range, including point-of-sale advertising and particularly in that social media area where young people are being targeted with games that may have prizes or activities that are attractive to them but which are a form of advertising but in such a subtle way it is difficult. It was wanting an awareness that the legislation has to remain on top of these things at all times.

The other question was the complaints. We did have feedback from people who had been involved in the complaints system and they felt it was quite difficult to complain or to feel that their complaint was adequately addressed and, in some cases they felt that they had complained about a particular advertisement and just had a response that it had already been dealt with. They just felt their responses were inadequate.

**The Hon. HELEN WESTWOOD:** The other element of your submission I was interested in, and it had not occurred to me until I read this, you suggest their marketing strategies are purposely provocative in order to be banned. Have you any examples of that?

**Ms SLOAN:** I do not have one to hand but when we were having that discussion people were discussing particular ones. That is all about viral marketing and trying to create something that goes viral, which is far more attractive and far less expensive than having to do your advertising on regular media.

**The Hon. CATHERINE CUSACK:** Could you take that on notice and get us some more information?

**Ms SLOAN:** Absolutely, yes.

**Ms FERGUSON:** There is one I can think of. I cannot think of the actual beer name but it was a tongue that left the owner and went to a party to find a beer. That was banned, but everyone can remember it.

**The Hon. HELEN WESTWOOD:** The other aspect of your submission that you argue is that alcohol abuse is often correlated with recreational drug use. How much of a problem do you feel this is in the Illawarra region?

**Ms SLOAN:** That was something that came strongly to us from the youth services who were in attendance at the consultation. There was a strong feeling that the young people were using both alcohol and drugs. I do not think that would be surprising to anybody really. But one of the strong feedbacks we got when we were discussing strategies, when they were talking about perhaps increasing tax on alcohol to make it more expensive, the feedback we got strongly was that that would just induce more young people to use other recreational drugs because they are far more inexpensive.

**Ms FERGUSON:** And becoming cheaper. That is a significant problem. In the Illawarra it is fairly significant. Three drug and alcohol counsellors from the youth service were present at the consultation. They were alarmed at how significant this issue was, that young people were making a choice—an informed and educated choice in their opinion—to use drugs because the drugs were becoming cheaper. So, using crystal meth is a lot cheaper than getting drunk.

**The Hon. HELEN WESTWOOD:** Was there any involvement from the industry in your consultation, from either licensees or manufacturers?

**Ms SLOAN:** Yes. We were quite surprised because whenever we prepare a policy submission we put it to our members, but anybody can come to a consultation. We were surprised and really pleased to have somebody come from a licensed venue, who worked in security at a licensed venue. It was very useful to have a discussion with both sides taking part in that discussion, and I think we all learned something from that.

**The Hon. HELEN WESTWOOD:** Did they offer any insight that you think is worth the Committee knowing?

**Ms SLOAN:** Yes. I found his information really interesting. We certainly took on board the fact that although there can be issues, drinking at licensed venues is probably a much safer option—I know you just heard that from the last witnesses. The reality for people working in security in those venues though is that often young people are going drinking before they go out because they can drink at home or in a park or on a beach much cheaper than drinking in a licensed venue. Often they are dealing with young people who are already fairly intoxicated before they come into the licensed venue and that makes it really difficult for them. And also having young people who are taking other drugs makes it very hard for staff at licensed venues to assess their level of intoxication. So even if you are counting drinks, it is very difficult if you do not know what else they have been taking.

**The Hon. GREG DONNELLY:** On the first page of your submission you talk about the number of organisations that form part of the Illawarra Forum. In engaging with those organisations on this matter, which assisted you in putting together this submission, did you detect a particular concern, interest or anxiety about this issue compared, say, to other issues about which you surveyed them or was it just responding to another survey from the forum? I want to get a sense of the interest and perhaps even concern of the affiliated organisations when you surveyed them for the preparation of this report.

**Ms SLOAN:** We did not send out a formal survey. We just opened it up for comment. People can voluntarily respond. We actually held face-to-face consultation. I would say there was a lot of interest in this issue. I think that is because this issue spans a lot of the services we represent. That is from people like youth services, women's services and the health district, but also domestic violence services and those types.

**Ms FERGUSON:** Early intervention family support.

**Ms SLOAN:** Yes, absolutely. I think it is an issue that crosses such a range that we had a lot of interest and support in preparing the submission.

**The Hon. GREG DONNELLY:** Was the temperature of the meeting one of being anxious about this as a social problem or was it just seen as another matter that we have to deal with?

**Ms FERGUSON:** No. There was a level of anxiousness about this issue. There is a lot of violence happening in the Illawarra with young people, as there is probably across the State. A lot of the services that were present and gave us feedback after the consultation are very worried about the level of violence, how it is affecting school environments and what is happening for families as well.

**The Hon. GREG DONNELLY:** Did you get a sense that those who participated were identifying that we are on an upward trajectory—that is, the problem is growing and becoming bigger—or we are just going through a phase where it is constantly bad? Was there any sense of the issue?

**Ms SLOAN:** Certainly some people who have worked in youth services for a very long time seemed to think that the issue is definitely escalating. Certainly, things like house parties had really grown. There seems to be some sense that more drinking is parent condoned. There was a lot of talk about parents sending kids off or dropping kids off at parties with sixpacks and a lot of comment about that being quite naïve, that people think by doing that they are controlling their young people's drinking. But that was fairly naïve on their part and that young people were drinking far more than their parents were actually buying for them. Secondary supply is definitely a big issue.

**The Hon. GREG DONNELLY:** When we say "young people" are we talking about people you understand are below the legal drinking age?

**Ms FERGUSON:** Yes.

**Ms SLOAN:** The submission addresses all ages, but certainly when they were talking about house parties they were definitely talking more about people under the age of 18.

**Ms FERGUSON:** I also think some of the urgency in that consultation was about how much new research is coming out about the adolescent brain: the brain under construction as they are calling it. Definitely, for the psychologists in the room the levels of drinking and what is happening is really their concern.

**The Hon. JAN BARHAM:** I shall commence by declaring that I grew up in the Illawarra and it was pretty wild then! I saw a lot of alcohol and drug abuse growing up and was disturbed by it then. I am disturbed to think that it is increasing. Have you any indication about the psychology of the young people and their attitudes about getting written off and binge drinking? Do you or any of your organisations have an insight as to what is going on in their minds?

**Ms SLOAN:** Some of the services represented during the consultation have expressed concern about the type of promotion and advertising; that young people are being flooded with that type of advertising at the moment, which is normalising drinking, as not just a way to celebrate but also a way to cope.

**The Hon. JAN BARHAM:** I love the fact that regarding early intervention you mentioned the need for more counselling and more opportunities to try to give young people support, skills and tools before they get to that risk-taking behaviour.

**Ms SLOAN:** Yes.

**The Hon. JAN BARHAM:** Is importance of this early intervention work where you found a lack of funding or recognition?

**Ms FERGUSON:** It is really important. I have worked in the youth sector for 16 years and I think a program that everyone who works in the youth sector knows works well is programs like mental health first aid, which has a component for young people who are drinking and things like that or save-a-Mate and those kinds of programs that can be run really quickly and easily in schools. But they are slowly being wound down and there is not the funding there.

**The Hon. JAN BARHAM:** Has there been a reduction in funding available for those programs?

**Ms FERGUSON:** Yes.

**Ms SLOAN:** Certainly some of the service providers who were at the consultation had spoken about some success from counselling—really short-term counselling that had major impacts. Certainly in our region there is nowhere near enough.

**The Hon. JAN BARHAM:** Broken Hill said save-a-mate was probably the most successful one.

**Ms FERGUSON:** It is really good.

**The Hon. JAN BARHAM:** Is there a missing link between what people in the community feel is effective and what the funding bodies support?

**Ms SLOAN:** Yes. It is far more expensive to provide services at the palliative level than it is at the early intervention level. Definitely.

**The Hon. JAN BARHAM:** I did not know you could get vodka-flavoured lip gloss?

**Ms SLOAN:** Apparently you can.

**The Hon. JAN BARHAM:** It is news to me

**Ms SLOAN:** I did not try it.

**The Hon. JAN BARHAM:** You have made important points about the normalisation of drinking as part of a way of living it. Have lockouts, curfews, the last drinks type of campaign not been trialled in the Illawarra?

**Ms FERGUSON:** It has and it has been working really well in the Kiama region for a very long time. Evan, who was one of the consultants at the consultation, was talking about it, but I can talk about it from personal experience living there as well. The clubs share buses between venues.

**The Hon. JAN BARHAM:** You mentioned that transport is an issue.

**Ms FERGUSON:** Yes. Transport in the Illawarra is a massive issue. Working collaboratively between the pubs and clubs and getting people out of the area and not just relying on taxis has really worked well.

**The Hon. JAN BARHAM:** My nephew was attacked in Wollongong on Crown Street in that dark zone on the mall. Is there safe space and crime prevention planning done by the councils in that area? Are there reviews, do you have community safety plans and are those tools being used to look at the environmental issues around safety and violence?

**Ms SLOAN:** Yes, all of our local councils have crime prevention officers and Wollongong at the moment is being remodelled so the horrible dark birdcage will be gone, and crime prevention has been part of that planning. However, without transport it is so hard to get people out of that area. Where Kiama has had success with collaborative transport it is more difficult in more spread-out local government areas such as Wollongong, Shellharbour or Shoalhaven; which is very disparate.

**The Hon. JAN BARHAM:** What times do the venues close across the region? Have you got those late night venues to 5.00 a.m.?

**Ms FERGUSON:** Yes.

**Ms SLOAN:** Yes.

**The Hon. JAN BARHAM:** How do you think secondary supply can be addressed? Everyone is saying it needs to be addressed but how do you address it other than through education?

**Ms FERGUSON:** I will say education, but advertising and promotion to the family unit. I do not think that parents deliberately make a choice to hurt their children by letting them drink.



**The Hon. JAN BARHAM:** You are looking at targeting parents?

**Ms FERGUSON:** Yes, and the family as a whole: creating events and activities that do not include alcohol and having more advertising on television and social media that promotes healthy good living.

**Ms SLOAN:** Alerting parents to the effect of alcohol on adolescent brains. The MP4 that we included in our submission was done for the community drug action team [CDAT] by the TAFE students and is targeting parents and showing them the effects of sending your child off with a few drinks to a party where there is not any control over what is going on and what can happen.

**Ms FERGUSON:** Bringing it down to simple education. A lot of parents have taken on board that message "If I let them drink it is controlled drinking". But you are only controlling what they are drinking in front of you and you are not controlling what they are drinking away from you. It must be a short message that reinforces a healthy life and healthy drinking.

**Ms SLOAN:** Parental peer pressure is a factor. Having had two teenage children you hear, "Everybody else's parents are doing it." Being the only parent that will not supply your child with alcohol is really difficult. Having something where all parents feel it is okay to say no to your children would be a great form of advertising.

**Ms FERGUSON:** Advertising based on education.

**The Hon. CATHERINE CUSACK:** I want to keep going on the topic of parents. I am a parent of teenage boys. My son plays rugby and in his age group the competition is collapsing and we are down to three or four teams. It used to be very popular but at this age group of 15 and 16 they seem to drift away from sports leaving the kids left in a competition with not much of a competition. As a parent you feel powerless: You would like to think it will keep going but it cannot and you would like your son not to be exposed to alcohol but I believe many parents feel powerless. I have had parents come to me very angry at other parents and wanting to know if they can report them to police because they breached trust about undertakings given in relation to a party. In our inquiry we need to give some hard recommendations. Can you give some specific ideas about what should happen to parents, what penalties should apply to parents and whether that would be effective? I am looking for strong statements. It is your evidence that matters and not my feelings.

**Ms SLOAN:** I think that it is more about not being aware. I think parents believe they are allowed to give their children alcohol. They do not realise that you have to be supervising your child at all times.

**The Hon. CATHERINE CUSACK:** Do you really think they do not know that?

**Ms SLOAN:** I do.

**Ms FERGUSON:** There are parents who will cite laws to you that do not exist because that is what they have been told by another parent who got told that by another parent. There is a lot folk law around the law and there is folk law around children's rights that is not real. Parents will say the law is that I am allowed to give them alcohol as long as they are in the house with me.

**The Hon. CATHERINE CUSACK:** Do you have some specific strategies you think will be useful in engaging parents?

**Ms FERGUSON:** Personally I think there needs to be a flood of educational advertising around what the law is in a similar way to seatbelt laws and to drink-driving laws so that people actually know the platform from which they are starting.

**The Hon. CATHERINE CUSACK:** What do you think about peer groups getting together at schools and talking about the situation and getting a briefing?

**Ms FERGUSON:** It is really effective.

**The Hon. CATHERINE CUSACK:** The schools do not like more put on them but the peer group of your children is based around the school.

**Ms FERGUSON:** Absolutely. Any time peers get together to learn something the teaching and learning is more effective. There is a lot of evidence that says young people learn better off young people than they do from adults because it is more relevant.

**The Hon. CATHERINE CUSACK:** They pay more attention to each other than they do to us.

**Ms FERGUSON:** Yes. That is the same with parents. If there was more education that was not about judgement, so a parent did not have to hide that they gave their child alcohol and that was the wrong thing to have done.

**The Hon. CATHERINE CUSACK:** I am wondering if there could be an accord system for parents that is school based. I would love to go in with all the other parents of my son's class and agree that we will not serve alcohol at home.

**Ms FERGUSON:** That would be great.

**Ms SLOAN:** That would make it so much easier as a parent to say no because you know that everybody else has agreed to that. That would be a fabulous way forward. Before we start talking about penalties, it would be helpful to make sure that people have the right education about what the law is.

**The Hon. CATHERINE CUSACK:** Start pushing the pressure back the other way. Can I ask about all this advertising? I went down to the Deni ute muster and there was a Bundy tent and every car is plastered in alcohol stickers. All the T-shirts are alcohol T-shirts—the daggy eighties thing has all come back again, it is everywhere now: the link between you cannot be having a good time unless you drink alcohol and this level of promotion. Would you support a ban on it in the same way it was banned for cigarettes? The cigarette companies were taxed, the Cancer Council was set up and sports and other events that lost money because the sponsorship was banned were able to apply for funding from the tax that would replace that marketing cost.

**Ms SLOAN:** I do not think we would have any problem with banning the promotion of alcohol. I think when we talk about promotion it is such a broad thing. You can go to the local Woolies in Nowra, you walk to the milk section and you walk past the big alcohol section with the slabs of beer all stacked up and the alcohol promotion is everywhere. In banning those kinds of promotions it would have to be broad.

**The Hon. CATHERINE CUSACK:** Let us start with the direct events promotion. I do want to get to that sort of marketing in a moment but, first, the sponsorship of the events.

**Ms FERGUSON:** I think it should be banned.

**The Hon. CATHERINE CUSACK:** In relation to shopper dockets and two-for-one deals: It has been my observation in bottle shops that the only form of discounting is based on volume. I cannot find a discounted bottle of wine, it is only going to be cheaper if you buy two or six; and it is cheap. I also notice that you can get reward points, which you cannot for tobacco products. Would you support alcohol being treated the same way that tobacco is treated?

**Ms SLOAN:** Yes.

**Ms FERGUSON:** Yes.

**The Hon. CATHERINE CUSACK:** No frequent flyer points for buying alcohol?

**Ms FERGUSON:** No.

**The Hon. CATHERINE CUSACK:** How would you regulate this volume discounting business?

**Ms FERGUSON:** I do not know.

**Ms SLOAN:** I am sorry, that is just not an area that we would be experts in at all.

**The Hon. CATHERINE CUSACK:** I wanted to ask about life education. Do you have that service down in the Illawarra in your schools?

**Ms SLOAN:** Yes, we do.

**The Hon. CATHERINE CUSACK:** Are they part of your organisation?

**Ms SLOAN:** No, they are not. They are run by service clubs.

**The Hon. CATHERINE CUSACK:** Do you have any comment on their effectiveness, because we seem to have put a lot of eggs in that basket for a very long time and I wonder if what is happening would be worse if it was not for their efforts. I do not know if perhaps they need to modernise their service or if perhaps we need a whole new framework. I am just wondering if you could comment on that.

**Ms SLOAN:** I have not really had any experience of life education for many years. The last I heard it was more targeting smoking, so it is quite old, and I know it was quite effective with the anti-smoking message, but I cannot comment about alcohol and how effective it has been with the alcohol message. Certainly, educating children right through their life is a great way to start, and we have seen how effective those campaigns have been around smoking, so I think having similar campaigns around drinking would be excellent.

**The Hon. CATHERINE CUSACK:** Is there anyone who has done an audit of all the services available? There seems to be a very large youth industry, if I can call it that, of services and I suppose from a Government point of view the question is how well coordinated are those resources that we have already got in place and how can we better ensure that the framework is responsive to changing demands? This is absolutely not a criticism of any individual service; I am just talking about how we can make the most of what we have already put in.

**Ms FERGUSON:** I think each region has a very focused model of the way they are working. For example, in the Wollongong area district health works very well with the non-government agencies; they have people who go and position themselves in the services and they work really, really well in collaboration. The young people who service a lot of the youth-specific services in the Illawarra know of what each person does, and that is working well. I think the Shellharbour area has just grown so quickly that they are still trying to work out who is working and how to work with whom, and there are still services only just now coming in that specialise in areas to do with alcohol and drugs. The Shoalhaven area I have not really had a lot to do with.

**Ms SLOAN:** There are things like youth interagencies and specific interagencies where services come together and are able to talk about what services they are able to offer, which is great for referral. I think if we were going to make better use of services, being able to have wraparound services where people are able to come together and discuss cases together, and I think that is another level of collaboration and really involves setting up quite specific networks and MOUs to enable people to be discussing collaborative case management. I think that is just a fabulous model.

I think one of the real issues amongst agencies is competitive tendering. I think when people are competing for the same buckets of funding it tends to make people a little bit more discreet about what they are doing and what they are thinking of doing and I think that that is a bit of a shame. But collaborative case management, if we could be setting up more of that I think that would have marvellous benefits.

**Ms FERGUSON:** And I think that at the moment a lot of that work is being done but it is not recorded as formal partnerships or strategic partnerships; it is run from the relationships that people have between services and with each other.

**The Hon. CATHERINE CUSACK:** Can I suggest the Government needs to hop on with that a bit more than they do? In too many country towns I see multiple agencies delivering separate services to what are essentially three families in the community. Can I conclude by thanking you very much for your submission; I thought it was excellent.

**The Hon. NATASHA MACLAREN-JONES:** You mentioned that one of the issues is dance parties. Do you find that they are being properly regulated?

**Ms FERGUSON:** No.

**The Hon. NATASHA MACLAREN-JONES:** I am not too familiar with it, is it something that is run through the local government?

**Ms FERGUSON:** No, they are usually run through a promoter in our area.

**The Hon. CATHERINE CUSACK:** Can I just ask: Are you asking regulated or supervised?

**The Hon. NATASHA MACLAREN-JONES:** Both, because clubs and hotels are properly regulated as to who comes in and who goes out and they have proper records, whereas dance parties obviously they just book a venue or find a site and it goes from there.

**Ms FERGUSON:** Yes.

**The Hon. NATASHA MACLAREN-JONES:** I was just looking at the Kiama council website. Under the message to parents—and this goes on to the comments about secondary supply—it says, "Don't break the law. If you choose to provide your under 18-year-old with alcohol they must be under your direct and active supervision at that time". Then under a second heading "Supply of Alcohol to Minors" it says, "Before you supply alcohol to young people (under 18 years) stop and think about your level of responsibility". Do you think that is sending a mixed message to parents about their role? What level of responsibility do local governments have in this whole issue?

**Ms SLOAN:** I do not know that that is particularly their role. I think it is wonderful when they are taking on some responsibility but, once again, it is about making sure that the message that comes through is the same message every time. So we should not look just at local government in any way; it needs to be a whole-of-government initiative.

**The Hon. NATASHA MACLAREN-JONES:** But would you not think that that type of message is contradicting the message that it is illegal to give it to under-18s and therefore they would have a responsibility to put certain things on their sites?

**Ms FERGUSON:** Yes, and I believe that it should be just one message, that there should be a flooding of advertisements and promotion that give one message to parents so that everyone knows exactly where they stand.

**The Hon. NATASHA MACLAREN-JONES:** On the secondary supply, and this is not just limited to parents, do you think the penalties for anyone caught supplying alcohol to minors is adequate?

**Ms SLOAN:** I do not even know what the penalties are.

**The Hon. NATASHA MACLAREN-JONES:** I think it is a fine of about \$5,000 or thereabouts, up to imprisonment, I think, depending on what it is.

**Ms FERGUSON:** I would be interested to know how often it is enforced. You could make that penalty as high as you want, but I would be interested to know that.

**CHAIR:** Just following on that secondary supply/pre-loading issue, we have heard over and over that licensed venues are regulated, there are responsible service of alcohol-trained personnel there, there is security staff on the door, but a lot of this issue is this consuming of large amounts of cheap alcohol before someone heads out to an event. I was interested in your submission where you said that "technology could be developed which linked barcodes on alcohol with the credit card or loyalty cards of the purchaser, thereby making detection of secondary supplies more streamlined".

A lot of licensed venues are moving to a scanning situation where your drivers licence is scanned upon entry so that there is an accurate check of your age and address and that if there is an issue you can be easier to track down. Is that the type of thing you are suggesting at off-licences or something like that—linking the barcode or the alcohol with who bought it, to try and address that?

**Ms SLOAN:** Yes. That was a suggestion I think that came through from the representative from the clubs. He suggested that that would be a possibility. Of course that would only, I guess, catch out the people who were buying on the card, which is the issue that we raised, but he did seem to think that that would be a

viable way of detecting. I know certainly in Warilla some years ago there was quite a lot of suggestion that a lot of the underage drinking in that area was coming from one particular outlet. That outlet actually took it upon themselves to be stamping everything that they sold. That was so people were more aware that if someone young was caught drinking that alcohol and it went back to that outlet they would be able to recognise who bought that or have some idea about who bought that. I guess there has been some small precedent there.

**CHAIR:** But again, they took that upon themselves.

**Ms SLOAN:** Absolutely.

**CHAIR:** I just read that suggestion in your submission. That is where the idea of scanning came up, because it was raised the other day. But you still have to be 18 to buy alcohol from a bottle shop of an off-licence.

**Ms SLOAN:** Yes.

**CHAIR:** I am not suggesting that everyone needs to have their licence scanned when they purchase alcohol at a bottle shop, I want to clarify that, but in some problem areas it may be a way of detecting where the alcohol came from.

**The Hon. JAN BARHAM:** You raised the issue of the Drug Court. Is there any experience in the Illawarra of its success or is there interest in wanting to keep it going?

**Ms FERGUSON:** As I mentioned before, there were three psychologists from the district health youth drug and alcohol team there. They expressed their interest in the Drug Court continuing and felt that it is quite successful.

**The Hon. JAN BARHAM:** Have they done any reports or documentation of their experiences with young people?

**Ms FERGUSON:** I am not sure.

**The Hon. JAN BARHAM:** I will put something on notice about that. Thank you.

**CHAIR:** That is all the time we have for this morning. On behalf of the Committee I thank you for your submission and your evidence. I note that you took one question on notice. The Committee has resolved that the response to that question must be returned within 21 days. The secretariat will liaise with you for the facilitation of that response. Thank you very much.

**(The witnesses withdrew)**

**(Short adjournment)**

**JULIE HEGARTY**, Vice-President General, Local Government NSW, and

**LEANNE MARTIN**, Community Safety Coordinator, Manly Council, sworn and examined:

**CHAIR:** We have a submission from both of you, but would you like to make a short opening statement before we start questions? We will start with you, Councillor Hegarty.

**Ms HEGARTY:** On behalf of Local Government NSW I welcome the opportunity to be a witness today. As the peak association representing local government in New South Wales, we recognise that the abuse of alcohol among our young people, and in our communities more widely, is unacceptably high and is having far-reaching consequences. Councils are playing a key support role in reducing associated risks of alcohol abuse among young people through community engagement, partnerships and diverse approaches to service delivery. The views expressed here today are based on Local Government NSW policy statements and position, as well as the collective experiences of contributing councils. Recommendations in our submission also identify the necessary role of New South Wales and Australian governments.

We believe that a whole-of-government approach is needed. We recognise local government's limited capacity to effectively respond to alcohol abuse among young people across New South Wales due to historically inadequate resourcing and continued cost shifting, as recently acknowledged by the signing of the new intergovernmental agreement between Local Government NSW and the New South Wales Government. However, I would like to highlight the current role that councils are playing in addressing alcohol abuse among young people and treat these areas as opportunities for dealing with this issue, accompanied by adequate resourcing in the context of this inquiry.

Councils are effective in addressing alcohol abuse in young people through their role in social planning, crime prevention and health promotion and prevention; their business and community partnerships in local liquor accords; their policies to designate alcohol-free zones and alcohol-prohibited areas; the assessment of proposed liquor outlet developments and licensed venues; planning for public spaces, including malls, parks and beaches; community engagement via youth advisory councils and integrated planning and reporting; and community development via programs which provide education and recreation activities for young people.

The strength of local government is in its relationship with local services and its direct access to its community of residents. Much of the work that councils do is enhanced through partnerships with regulatory and enforcement agencies, other government agencies and of course the non-government sector. Councils' capacity to respond to the issues of alcohol abuse among young people differ significantly from one council to another and this needs to be considered in relation to any consultation process. Local government NSW also recommends that all spheres of government work together to address the competing factors at play in our attempts to minimise the risks that young people are exposed to as a result of alcohol advertising and event sponsorship. We also recommend that there is an increased focus by government-sponsored advertising agencies, including social media, to highlight the negative health and social impacts of alcohol abuse among young people and throughout the community.

There is an increased focus in rural and remote communities in New South Wales that are often overlooked. State and local government should work together to review accessibility to alcohol through development protocols and with the national government to address unlimited access, due to alcohol pricing. National and State approaches that address alcohol abuse should be linked to local initiatives and driven by the community, involving young people themselves in decisions that affect lives and the lives of their community. With those key points and recommendations in mind, I thank the Standing Committee on Social Issues for your time and for taking the views of local government NSW and our members into account.

**CHAIR:** Ms Martin, do you have an opening statement?

**Ms MARTIN:** Just briefly I wish to state that this paper is not a literature review or based on much empirical data, but the experience, knowledge and real observations of those of us who work in the field in Manly. Access to an abundance of cheap alcohol is of great concern and has impacted on the way in which young people socialised in our area. They drink to get drunk. I suggest it used to be incidental to going out, but it now seems to be the intention of going out. This change seems to strongly be linked to price factors.

Overall the Manly council area is a very privileged and safe community, but the fact that the overwhelming social concern evidenced in our current community strategic plan, which is on public exhibition at the moment, is alcohol binge-drinking and late night safety issues as well as the fact that the highest rate of alcohol-related hospitalisations come from the Manly local government area. All of that means that we do have a drinking problem.

**CHAIR:** We now will open the inquiry to questions. Members will have an individual amount of allocated time.

**The Hon. HELEN WESTWOOD:** Thank you, Councillor Hegarty and Ms Martin, for appearing before us this morning and for your submissions which I found to be very helpful. Councillor Hegarty, I know that you had involvement for a long time with what was previously the Local Government Association, which is now Local Government NSW.

**Ms HEGARTY:** Yes.

**The Hon. HELEN WESTWOOD:** Have you noticed whether the abuse of alcohol, particularly alcohol and young people, has become more of an issue that is raised by member councils? I know from my own experience that at each conference there were various motions that often reflected a trend of issues. I wonder if you have noticed any trend with regard to concerns from member councils about this issue.

**Ms HEGARTY:** I guess the short answer is yes. I can expand on that.

**The Hon. HELEN WESTWOOD:** Thank you.

**Ms HEGARTY:** I think it is more so because of the increasing range of activities that local government is expected to provide via our local community's expectations but also from other levels of government that expect local government to take on additional responsibilities. I think that definitely comes back to the fact that we are really local and we have an ability to connect really directly and very easily with our communities. Communities tend to look straight to local government to fix it. I think that has increased recently. I have a list of conference resolutions that list exactly the same, as you have mentioned, about the expectations of our local government members to the association to try to provide leadership and resourcing in order to address the increasing risks of young people and alcohol specifically, but alcohol more widely as well.

**The Hon. HELEN WESTWOOD:** In your submission you express concern with the Australian Hotels Association's attitude on that *Four Corners* program, "Punch Drunk", to which I have to say there was a huge response. You suggest that there was a distinct lack of engagement and recognition of the seriousness of alcohol abuse by this sector leader. In your submission you highlight a number of programs where you think there has been success at a local level. Is the association getting feedback from the member council that the sector is engaging differently? Are you finding in some areas there are better attitudes or approaches from licensees to resolving some of these problems, or even acknowledging that there is a problem?

**Ms HEGARTY:** Definitely. I think in our submission and in my opening address I absolutely indicated that each local government area faces slightly different issues and addresses it slightly differently. Clearly, Manly has the situation of having a number of significant venues that provide alcohol to young people, obviously over the age of 18, and in rural New South Wales and some of our smaller communities there may be only one pub or something. The issues that each community faces can be quite different. The response from the licensee to participating in liquor accords, and not only participating by being there but actually participating or engaging with the other providers, such as the police and the local council, and respond to requests, that is not consistent, I do not think, over all local government areas. I think that is quite different, depending on the venue and the engagement with the local council.

Our response to "Punch Drunk" or the feeling when you watched it very much was, "Somebody else needs to fix it", whereas the council is saying, "Ultimately the alcohol is being provided by these participants, so they need to take more responsibility and engage with those liquor accords to try to find solutions that are workable for their community" because there is an impact, not just on young people. My member councils tell me that the impact is quite wide—kids walking home from the pub and kicking over letterboxes and getting up to mischief in the local park and stumbling onto the road walking home, or trying to find a bus and causing fear within our community for older people, who are just trying to get home from the opera or something late night.

There is quite a wide impact of these venues. We did not feel, from watching "Punch Drunk", that they were actually were engaged enough and accepting enough responsibility.

**The Hon. HELEN WESTWOOD:** Ms Martin, we received evidence from earlier witnesses that Manly had been very successful in addressing alcohol abuse with a particular large outlet that has changed its focus to being more family friendly and about providing more than alcohol, such as meals and entertainment. Does the Manly Council recognise that as a factor that has changed anything in terms of the drinking culture and the abuse or the alcohol-related problems that you have experienced in Manly?

**Ms MARTIN:** I have put that in my submission as a good news story. There is a licensee at the Steyne Hotel at the moment who is doing a great job. He is very driven and he is shifting his business model. It has a 24-hour licence, the Steyne Hotel. You may be familiar with it. It is one of the largest pubs in New South Wales. At a certain point it had the second-highest alcohol-related problems in the State. I do not think it features on any lists of the Office of Liquor and Gaming anymore. That licensee has had a lot of backing and support from his owners, who have deep pockets, and he is being allowed to work. That will not necessarily happen in other places owned by other people. He has been allowed to engage with the community and the whole community functions, local charity organisations, all with the aim of ultimately building up his day business so he can shut early at night. He has done his numbers and he realises that the costs of opening after midnight are huge in many ways, and it is a high risk to your licence as well. His ultimate aim is to close early and I think he has got down to one o'clock or two o'clock at the latest. It is certainly one o'clock lockout and it has had a positive outcome on alcohol-related assaults definitely within the venue and to a degree, outside the venue.

There are issues with lockouts because it means a lot of people cannot get in and they are alienated and they are not ready to go home, so we still have a lot of issues in the public space. But his particular venue is doing a fantastic job. The flow on of that is that the neighbouring late-night venue is also trying to do the same. It is trying to shift back into the daytime business. We have another new business, the Ivanhoe Hotel. It is another large, 24-hour venue that has just reopened after a massive makeover. It has a food focus, so once again that licensee is targeting the daytime trade and the early evening trade and hopefully will not be reliant on that post-midnight trade. It is a good thing, but it is very reliant on the licensee and on the market.

**The Hon. JAN BARHAM:** You have raised the point that I think a lot of people do not understand about the old approval system of 24-hour licences, and there is an expectation that local government can do something or has approved it. Can you explain how that works or how many venues in your location are like that?

**Ms MARTIN:** I think we have four 24-hour licences in Manly. There are 100-odd liquor licences within a very small area but I think only four have 24-hour licences. It is important who the owners are of that venue. One of our pubs is owned by Woolworths, and they recently redeveloped and council spent a lot of money in the Land and Environment Court fighting that development. We lost. That venue will not be following what the Steyne has done. It is all about making profit, and it will fill that vacuum. That is the concern. Whilst the Steyne and the Ivanhoe—two other 24-hour venues—are trying to roll their hours back.

**The Hon. JAN BARHAM:** What time does it operate till, five?

**Ms MARTIN:** They have till five. They are all in agreement with this lockout at the moment so they are not necessarily trading till five, but they can.

**Ms HEGARTY:** I think you raised a very interesting issue and it comes back to the planning process and the development process. Because we are local, councils are often looked at to be able to fix things. It is often difficult for our community to know what things we are responsible for and what we do not have a lot of responsibility for. The planning and the development approvals process is vital to be left within the hands of local government to be able to control the possible impacts of licensed venues. We have Mona Vale Hotel in my particular local government area, and I imagine almost all local government areas will have one or two large venues. There is also the concern of a lot of small venues. While one or two might be okay, once you get three or four or five or 10, is the impact still minimal or is it much greater? The planning approvals process in that instance is important for local government to be able have some say directly for its community.

**The Hon. JAN BARHAM:** Your recommendation is about increasing the capacity of local government as the consent authority to be more involved. You are talking about the hours and the number of locations?



**Ms HEGARTY:** Yes, absolutely. Our submission points out the fact that local government—apart from any changes in the White Paper on planning—has a significant control in a shopping district, such as at Manly, the Corso, on how many licensed venues and what types of licensed venues they may be. It is imperative for our communities who, as ratepayers, are affected by the impact of a number of these venues, be it through noise amelioration, through parks, through lighting, through crime prevention, the provision of road safety officers—all these things the council provides so we should have the right to have a say in the development process.

**The Hon. JAN BARHAM:** I was interested that Manly provided information that is hard to do but you referred on page 4 to the fact that more than a million dollars per year is spent on meeting the demands. Is this about Manly being a tourist destination and you have people coming and they drink and they damage, and that includes a damage bill, does it?

**Ms MARTIN:** In the late 1990s I would suggest Manly Council spend nothing on the night-time economy. There was no recognition of it whatsoever. The general manager has indicated that now, 10-plus years later, he is spending more than a million dollars per annum particularly on the night-time clean-up, the night-time environment. That is direct costs and not indirect costs.

**The Hon. JAN BARHAM:** Would that include things like New Year's Eve and schoolies and those sorts of events and episodes?

**Ms MARTIN:** That is just per year all events. We are not impacted by schoolies much.

**The Hon. JAN BARHAM:** You have mentioned the night-time economy and the idea of there being a greater mix of the night-time economy. Is this where you are looking for local government to have a stronger role in determining that, and do you have a framework?

**Ms MARTIN:** Manly has huge visitation rates and a very low ratepayer base. So we have this big gap in trying to meet those demands for services. I work closely with the City of Sydney and the research it has done is very useful. That is where that comes from, activating spaces and trying to attract a different demographic into the area. We are going to trial some public space programs this springtime with the aim of attracting locals and people who are a bit older, perhaps, into the area, with the aim of influencing later behaviours.

**The Hon. JAN BARHAM:** Does that mean that council is willing to make the investment to try to turn around some of the negative impact?

**Ms MARTIN:** I cannot tell you how much, I do not think we have that commitment yet. It will be done on a shoestring, as you do. We have a little bit of funding from the crime prevention division which we are hoping to convert into that, but it is going to start at a very low cost.

**The Hon. JAN BARHAM:** Are all your licensed outlets members of the liquor accord?

**Ms MARTIN:** No.

**The Hon. JAN BARHAM:** And my interest here is do you think that membership of liquor accords should be mandatory?

**Ms HEGARTY:** I think you have to be very cautious. When we think of liquor accords we often think of the big suppliers, the big pubs and clubs, the big places like the RSLs, things like that. There is an enormous number of suppliers, be it BYO restaurants, be it liquor shops, things like that, and I think there would be a lot of value in having some sort of mandatory attendance. I do not know how easy or hard that would be to require and what sort of value there would be for the manager or the chair of that accord and the council, whether that would reflect onto a better and more positive outcome for the direct community.

We have to be mindful that while the impact of the large venues is significant, there is lots of other stuff around that young people, old people, anyone can purchase and be part of the liquor culture. I was listening before about the secondary supply. How do you capture that in a liquor accord? Obviously, you are not going to. Leanne was correct when she said the lockout is great, but then you have people that perhaps should be going home but are not quite ready to go home. A number of issues need to be managed and the issues that large

venues face are quite different to small venues. I do not know whether you can mandate it, but it would be great. I am not sure about regional and rural areas, but you would like to think there is some form of a chamber of commerce or something where there could be some take-up by some of the smaller venues and some discussion. I would be quite sure that most local councils would have an engagement with police, whether through the formal process of a liquor accord or some other venue, to be able to connect with some of those smaller suppliers.

**Ms MARTIN:** I would like to add that I would love to see liquor accords made compulsory. Although in saying that, OLGR has actually given us a list of local licensed venues that have on their liquor licence that they are to be a member of the liquor accord. However, the problem is trying to get OLGR to take any action to make them attend a liquor accord. You could mandate it, but is it going to be enforced and how do you comply?

**The Hon. JAN BARHAM:** It was a recommendation of the 2003 Alcohol Summit but did not happen.

**Ms HEGARTY:** It did not quite work.

**Ms MARTIN:** The liquor accord is all very well, but it is perceived to be the domain of the late-night venues. As Julie said, the bigger the venue the bigger the amount of trouble, therefore, they should be in the accord. The practical issue for the increase of small bars is that often they are just one or two owner/managers who simply do not have time, energy or motivation to be involved in the liquor accord. It is how you would make the small places take some responsibility and be a part of it.

**The Hon. GREG DONNELLY:** How do alcohol-free zones and alcohol-prohibited areas currently operate? From your consultation at council level, how can the framework be refined, improved or enhanced? Have you any thoughts additional to what is covered in your submission?

**Ms MARTIN:** The whole of the Manly CBD is an alcohol-free zone and an alcohol-prohibited area and reserve. That is very much monitored by the police and our rangers. That is monitored by our Community Safety Committee. It is one of the issues on which it likes to hear monthly feedback. We have issues with young people partying on beaches because, obviously, it is a very attractive place to go. There is the dilemma of the discretion. Often we have debates about discretion in alcohol-free zones. Are we going to stop people having a glass of wine with their picnic? Recently, there was debate about whether we should have discretion. I think having discretion is the biggest thing with alcohol-free zones.

**The Hon. GREG DONNELLY:** That is being exercised either by the police or by a ranger, is that right?

**Ms MARTIN:** Yes. I am not sure if this is true, but I have heard that rangers do not have discretion. Obviously, police do. How that plays out is a little bit of a concern. I think discretion is hugely important because you do not want to stop people responsibly having a—

**The Hon. GREG DONNELLY:** Tipple.

**Ms MARTIN:** We have zero tolerance on Australia Day, for example. On New Year's Eve we have a lot of discretion. As a community, those working in the area come together and we discuss how that is going to be approached.

**Ms HEGARTY:** From my understanding, alcohol-free zones allow the police the ability to stop. While often it is young people, the police can stop young people—under 18s anyway—because clearly that is not allowed. But from my understanding, it is the troublesome 18 to 25-year-olds getting up to mischief that then allows, if there is an alcohol-free zone, the police to act and say, "You can't do this here" confiscate the alcohol, tell them, "Go home" or whatever. From a local government perspective, it is a tool to protect the amenity of our community. That is the way, in my opinion, it should stay. There should be the ability to do that. On Australia Day we had an issue in Pittwater where there was a large group of young people on the beach. So the following Australia Day we enacted an alcohol-free zone, but it was just for that day. But then that is a cost to the community. The people out there drinking may or may not be from that particular local government area. My local government area and my ratepayers and community are forced to pay for the signage and monitoring of that.

But then I guess on the flip side, they expect us to do that as their representatives to protect their amenity so that the day after Australia Day they can go for a walk on the beach and not cut their feet on broken glass and things like that. I guess it is a two-edged sword. From a legislative position, it has to be maintained. Discretion is a very interesting point. I guess the issue with discretion is that an 18-year-old sees a 27-year-old being allowed to drink wine because he is just sitting there with his girlfriend and the 18-year-old is with 20 others. How do you monitor that? Discretion always is a dangerous position to take, while I absolutely concur that it should be allowed. I understand from speaking with some of my friends in quite small regional communities that quite often they do not have alcohol-free zones because in a lot of the pubs they sit outside on chairs and stuff and drink their wine, which, obviously, is on the road reserve, which is not their property. I guess we need to make sure that it is allowable but it is up to our local community to instigate, not a third party who does not understand the particular issues. While it may well be an issue for Manly to have it right through its town centre, it may not be in Brewarrina. It has to be a local issue that can be solved by local representative decisions.

**The Hon. GREG DONNELLY:** I compliment Manly Council on getting to where it is following its assiduous work on local liquor accords for quite a long time. We should acknowledge that. I am keen to quiz you on the following. Let us assume there was not an appetite to go down a mandating route requiring attendance by those who provide or supply liquor inside a local government area or part thereof. I merely pose this question: What if we go a step further than current provisions and somehow include in some other fashion those bottle shops or small restaurants with just a proprietor or partnership arrangement and very limited time to participate formally like bigger organisations? I use this trite example: put them on the group email list that provides information about the broad objectives and ambitions of the accord et cetera. In other words, cast the net wider but in a way that will not get off side those who, if they were formally included or their attendance was mandated, you would be pushing things up hill to get them to participate. Have you any thoughts about an interim way of getting interested participation?

**Ms HEGARTY:** It is essential to connect with the small suppliers as well as the large suppliers. I have been the chair of the Road Safety Committee and the Traffic Committee for some 10 years. I know that when drunk drivers are assessed, the question always asked is, "Where is the last place that you drank?" They might have been to a restaurant and had three bottles of wine and then gone to the pub and had a light beer, but the pub is the cause of the alcohol provision as far as drink driving. We need to include all the small suppliers in some format.

Ms Martin is completely accurate when she says that many of the small bars and restaurants are just owner operators. In some areas in Sydney there is quite a barrier as far as language goes, connecting with those people in some form and having them understand the obligations that they may or may not have. Is it about being good citizens? I do not know that they think about it like that. To them they need to pay the mortgage and to do that they run the business in whatever capacity they can to do that, I am guessing off the top of my head. I guess there are lots of differing factors in small business as opposed to the large suppliers. As far as being good corporate citizens you would think that they should, could and would participate.

**The Hon. GREG DONNELLY:** It is appealing to be part of what is a business community which has a conscience. How do you connect them with that: through the liquor accords, a council initiative appropriately funded or through a Chamber of commerce?

**Ms MARTIN:** I think that the Office of Liquor, Gaming and Racing [OLGR] should be the ones who are ensuring that the little venues are given the information. It is not necessary to come to meetings. It is for their own good because ultimately it is the little venues that come undone because they do not know what they should have been doing in terms of serving alcohol. Again and again it is the small bars that will slip up with compliance issues and alcohol because they did not have time to come to accord meeting and learn or research their responsibilities. In some way or form it is necessary but OLGR are the ones that should be responsible.

**The Hon. CATHERINE CUSACK:** I am worried about the Woolworths hotel you referred to earlier. I thank you for raising the issue of the guidelines to design out crime in environmental design. I think that was introduced when Andrew Refshauge was the planning Minister and it was one of the most useful things I have ever seen but it seems to have disappeared. I do not think my council is aware of it. The concept of managing space at the design point to not only detect crime but keep young people safer is brilliant. They feel safer as well.

**Ms HEGARTY:** Also we need to be aware that it is not just about the young people, it is about fear in the older people coming home late at night and the perception of crime.

**The Hon. CATHERINE CUSACK:** We are conscious of that but the reason I am focusing on young people is that is what the inquiry is about.

**Ms HEGARTY:** True.

**The Hon. CATHERINE CUSACK:** The young people can do themselves a disservice. Does Local Government NSW supports closed circuit television and believe it is effective in public areas?

**Ms HEGARTY:** It is definitely effective. Should local government be the one that has to provide that? Closed circuit television is a massive cost and is it worth having it for that night and two weeks later somebody comes back and says, "I was hit and bashed," but by then the tapes are no longer relevant or have been wiped or whatever.

**The Hon. CATHERINE CUSACK:** In terms of it being ruled a breach of privacy in the Illawarra region you would support efforts to restore the right to have closed circuit television?

**Ms HEGARTY:** Yes.

**The Hon. CATHERINE CUSACK:** You make the brilliant point that a lot of this binge drinking is publicly subsidised through the clean-up costs the next day, ambulances that have to take the passed out person to hospital, the nurses—this is all publically paid for. Thank you for that \$1 million costing. I would be astounded if it was not more. I know that Byron Bay has this problem. I believe they have to put in place something like \$4 million worth of measures for new year's eve in Byron Bay. The State subsidises that as well. Would you support more of a user-pays system through special taxes or levies on the businesses that are making so much money, given that taxpayers have to pick up the costs?

**Ms MARTIN:** I would love to see a levy introduced for the venues that are open and providing liquor after a certain time.

**The Hon. CATHERINE CUSACK:** I am going to ask something off the wall now: Would you support local government being handed responsibility for liquor licencing?

**Ms MARTIN:** Yes.

**The Hon. CATHERINE CUSACK:** That would save you the problem of people not coming to the accord meetings.

**Ms HEGARTY:** Yes and no. Our community expects us to take responsibility on their behalf for the drunken people, the young people in parks drinking or on beaches and things like that. Our community looks to us straight away to fix it. It would be great to actually have the responsibility of licencing that but that would only work if we also had the opportunity to revoke that licence.

**The Hon. CATHERINE CUSACK:** That is what I am saying: The licencing responsibility would be handed to local councils who have the design and planning responsibility for areas and are having to waste ratepayers' money fighting cases in court, losing and dealing with all the costs not only of losing but of a facility that does not fit in. What is the point of telling communities you can be in control of your own destiny if you do not have liquor licencing responsibilities?

**Ms HEGARTY:** I do not know what the cost implication of that would be to local government.

**The Hon. CATHERINE CUSACK:** If it came with the power to raise levies to meet the costs of these activities—in an ideal world.

**Ms HEGARTY:** The Local Government NSW community would like the opportunity to have a say in the whole process of liquor licencing and supply but I would have to say that I would be cautious about saying, "Yes, we will do it", without looking at what the cost implications are to individual communities.

**The Hon. CATHERINE CUSACK:** The cost and cost shifting message has been received. Does local government have a strong enough voice in the system at the moment?

**Ms HEGARTY:** No.

**The Hon. CATHERINE CUSACK:** Would you like to see that strengthened?

**Ms HEGARTY:** Yes.

**The Hon. CATHERINE CUSACK:** Is it possible for you to take on notice and come back to the Committee with specific recommendations as to how that could happen right down to a provision in the legislation that is a big hurdle so that the Committee can come back with specific recommendations?

**Ms HEGARTY:** I am happy to provide that to the Committee.

**The Hon. CATHERINE CUSACK:** Ms Martin, can you take on notice your reference to the fact that you have got licences issued by the State where the licensee is meant to be participating in an accord but they are not: Can you give us the list of people who are meant to be in the accord but are not?

**Ms MARTIN:** Yes, I can. Not right now.

**The Hon. CATHERINE CUSACK:** Will you take that on notice? Mr Chair, I ask that the Committee contact the department on this issue and ask what compliance activities are undertaken when a licence is conditional on participating in an accord and councils are reporting they are not participating. It would be good to get a fix on how big that problem is.

**CHAIR:** Raise that in the deliberative.

**The Hon. CATHERINE CUSACK:** Finally, I want to ask about Australia Day. What is happening on Australia Day is definitely new to me. Would you recommend specific measures be taken? Can I emphasise, because we are focused on young people, that there is a big young people problem on Australia Day.

**Ms HEGARTY:** There is definitely a big problem with young people on Australia Day. I think a lot of the issue may well start with councils having functions and events on Australia Day. It is a day that we should be celebrating but on the other hand a lot of those events are for breakfast. They are starting early and a lot of young people are coming for breakfast at seven, eight or nine o'clock and following that up with, "Let's go to the pub." One of the large pubs in my community has an Australia Day eve where if you are not in by four o'clock you cannot get in. That is young people. They are 18 and over but it is the culture of celebration.

**The Hon. CATHERINE CUSACK:** Specifically in relation to Australia Day alcohol is so ingrained in our culture that Australia Day means drinking. Alcohol and Australia Day have become synonymous.

**Ms HEGARTY:** Yes, and a sausage sizzle and a lamington maybe. How do we change the culture when we as adults celebrate with alcohol whenever we celebrate—your birthday, cheers; you did well at work, congratulations with a champagne—how do we change that whole culture?

**The Hon. CATHERINE CUSACK:** Would you like to see something specific for Australia Day?

**Ms HEGARTY:** I would like to see something for every day but if there is a specific issue—Ms Martin mentioned previously the issue with new year's eve and the different discretionary concerns with respect to new year's eve compared to other days and Australia Day may well be a day that they do not use that discretionary power. Any day where there are a number of young people drinking we should act upon.

**The Hon. NATASHA MACLAREN-JONES:** I am interested in the submission from Manly Council, particularly in relation to drink driving, because obviously, despite the statistics that say that drink-driving cases have fallen over the years, I have noticed in your submission you are saying that, particularly for Manly, it has risen and last year 60 per cent of crashes for that age group related to alcohol. Do you have any insight as to why that is occurring?

**Ms MARTIN:** That is possibly the only part of the paper I did not write myself. Our road safety officer contributed that part of the paper. Drink driving in Manly though has been a really prominent issue since the late nineties when Campbelltown was number one and Manly was number two for drink driving. So it has always been extremely high, despite the fact the police can almost pick people off and the message has got through that you are going to get busted very easily. But the fact is that despite years of working on late-night transport it is still not enough to stop people taking the risk of driving and they are obviously still getting caught in great numbers.

**The Hon. NATASHA MACLAREN-JONES:** Could you outline your street pastors program?

**Ms MARTIN:** I am not sure who kicked it off but it is a coalition of local churches, 13 of them I think. The Salvation Army initially started it and now it has moved to Saint Matthew's Anglican Church in The Corso. They coordinate a group of maybe four to six volunteers each Saturday night and they go off at about 11 o'clock until about four or so in the morning. There is a little team of them and they have got little jackets with "Street Pastor" written on them and caps and they essentially just wander around the CBD and speak to people and they identify any vulnerable often young women who are flaked out on the benches, or young men—just those little mini interventions—and make sure they are okay and get them to the taxi rank or ring up someone to help them. Then, which is a really helpful thing to us as council, they pick up things like bottles that are lying around the street because we do not have cleaning until five in the morning, just to remove them as a hazard. All the feedback through our community safety committee is that they have just introduced a really nice element into that night-time scene, which there is a lot of aggression—drunken young people versus the police. It is that nice sort of calming influence out there.

**The Hon. NATASHA MACLAREN-JONES:** Is it all self-funded by the churches or do they get any assistance??

**Ms MARTIN:** They get very little from us. I think we might have given them some seed funding for their uniforms and I have been helping them try to apply for grant funding. But it is very much grassroots volunteers. But it is based in the UK; they have to have accreditation to this UK organisation. It is a really positive initiative.

**The Hon. NATASHA MACLAREN-JONES:** In relation to parents you say that one of the major problems is the supply by parents of alcohol, but also they are confused with, you said, the Mediterranean model. Can you elaborate a little bit more on the impact of parents providing that alcohol? Are there programs to educate parents in the area?

**Ms MARTIN:** This is an opinion that I have come to over the years of working with our Manly Drug Education Centre that there is real confusion by parents as to how to approach young people and drinking. There is a tendency for a lot of parents, whether they are trying to be friends of their teenagers or whatever, to think that giving them the six-packs to go out with is safer than not giving them and kids finding their own alcohol, which really is crazy thinking when you cut it down. But that is a really common mindset, that you are better off giving your kids alcohol than someone else giving them alcohol. The thought that you are implicitly telling your kids that it is okay to drink does not seem to register.

I work on the Community Drug Action Team, which is a northern beaches initiative, and the supply campaign is a really big one that we are working on at the moment and there is some research going on right now with surveys and parents coming back saying, "I started drinking at 10 years old and it did not do me any harm". It is kind of a really weird attitude to drinking and their own children. That Mediterranean model I referred to, I think parents think they have read somewhere—and I think that might be where it comes from—that it is safer to give your own kids alcohol rather than anyone else doing it. But the fact is that the Mediterranean model is a whole way of life; it is a way of having lunch with your extended families and maybe giving the kids a little glass of wine with water or something through the years, but not just when they turn 16 you give them a six-pack. There are very mixed messages and a lot of confusion.

**The Hon. NATASHA MACLAREN-JONES:** You were saying you were doing an inquiry about supply?

**Ms MARTIN:** Yes, the Northern Beaches Community Drug Action Team has just kicked off a supply campaign, but we are still in the research stages, which has been looking at feedback from local parents and then we will be moving on from there.

**Ms HEGARTY:** It is a really interesting issue. With my mother hat on as opposed to my councillor hat, I have an 18-year-old and a 14-year-old and my 14-year-old did not want to have a party because everyone would be drunk—that is at 14. It is a really difficult position to be put in to not want to have friends over and not want to do this and not want to do that because all your friends will get alcohol. I said, "Where are they getting it from?" She said, "I don't know. Big sisters or friends or sometimes their parents give them UDL" or whatever they are. So there is a real issue to be able to overcome that.

I agree: I think there is a lot of confusion with parents as to how to best deal with that. It is like, "Her mum is buying her alcohol so why can't you?" Working parents that are always away from the kids want to be their friend when they are there and this is often the solution that they find: "If I buy them that they will like me". I guess this is very philosophical.

**The Hon. NATASHA MACLAREN-JONES:** Because they are working?

**Ms HEGARTY:** Because they are never there they often want to try and be the best mother they can when they are there. I see this with my friends that this is their solution to not being at home a lot of the time. I do not know what that solution is.

**Ms MARTIN:** I think there could be some more education about the young brain development, and I think that is new for me working in the area. In the last five years it has become apparent that there are real impacts on brain development and alcohol—up to the age of 23 or something. That is the kind of message I think parents could hear. Also, the law about supply I think would be very strong.

**The Hon. NATASHA MACLAREN-JONES:** Just one quick question. Do you find that you are doing research—obviously lots of councils are doing research—but is there a coordinated means to share that information across the councils so that there is not a duplication of all the various surveys and research?

**Ms HEGARTY:** I would like to think that Local Government NSW can be that conduit for councils that have done some really good research or have done some really good initiatives to be able to share that with other councils, and we do that particularly through some of our cultural work. So it would be lovely to see that some of our social parts of local government could be shared through Local Government NSW, and we would like to see that as a stronger role that we can play, because there is a lot of effort and a lot of cost and research put into that. If it works and there is a way forward then it would be really great to be able to share that with other local government areas, to save duplication.

**CHAIR:** When do you expect to have the results of your supply survey?

**Ms MARTIN:** The next meeting is in the next week or so. I will find out what the results are.

**CHAIR:** Would you be able to forward the findings of the survey to the Committee if that is available?

**Ms MARTIN:** Yes, certainly.

**CHAIR:** Just going back to licensing and approvals, you have both expressed an interest in local government having a greater role in that. At the last hearing we heard from the Office of Liquor, Gaming and Racing and they gave evidence that they are trialling a new environmental assessment tool to be applied to the development application and licensing process. I believe it has been trialled in the City of Sydney and Newcastle and it is designed to look at density, the assessment of harm mitigation strategies and will include local government.

**Ms HEGARTY:** I was not, no. I think you would have to be very cautious of any results of that without trialling it in some of our small regional towns, because they face completely different issues than something like the City of Sydney and Newcastle may well face. They have limited resources to be able to initiate some of the findings and just the whole culture in small regional towns is obviously going to be quite different.

**CHAIR:** Referring to the transcript of that evidence, it considers the type of licence application being applied for such as is it a non-premises, it is a restaurant or a hotel. It also looks at external factors, availability of transport, objective assessments by the owner of the licence and whether it may be a low, moderate or high

risk environment within which the decision-makers can look at the other submissions, including police, local government and the Director General of Trade and Investment. You said local government should have more input in that. Does that sound like the type of model that is heading in a better direction than the input you currently have?

**Ms MARTIN:** It certainly sounds better, yes. At the moment it is really complicated. Council gets a notification of a liquor licence, sometimes. We do not even always receive them. The information we get on that liquor licence is sometimes one page, so we get very little information. It then takes us a lot of effort to get further information. The effort required to really delve into a liquor licence is quite a lot for the resources we have.

Occasionally we have success and I mentioned in the report about a bottle shop that tried to open up in the middle of Manly. Often we try to address it through the development application [DA]. We cannot rely on the liquor licence process, so we try to address the issues that we anticipate through the DA conditions. On this occasion it was a change of use so there was a private certifier. We had no opportunity at all to change anything. From a bike shop to a bottle shop council did not get a say. There was a bit of community outrage, it all got directed then to Office of Liquor, Gaming and Racing [OLGA] for the liquor licence process. Fortunately they knocked it back through that. It can work, but it is not easy and it is complicated and it is not transparent. Anything to improve that would be welcome.

**Ms HEGARTY:** I concur with that. I think that the process up to date has been not very consistent with the way that it is advertised to councils and it often does not relate at all to the community directly. In our submission, and I know in our local government area, any DA that we get we always advertise to our local community. Like Ms Martin rightly said, a lot of the conditions of the DA we have an opportunity to impose. We had a big Woolworths expand and it included a Dan Murphy's that was not currently there. It was on a block with two different schools on two different sides. As part of that process, with the obvious community outrage about a liquor shop in between two schools, the only way that we had the opportunity to address it was via reduced signage and things like that. There has to be a way for our community to find out about these. Currently that is often lacking. That needs to be strengthened. Local government would be supportive of being able to have more of a say via its community on that.

**The Hon. HELEN WESTWOOD:** Have you had any involvement with or have you been consulted by the Office of Liquor, Gaming and Racing in the development of this assessment tool?

**Ms HEGARTY:** I am not aware of it personally.

**Ms MARTIN:** No, not specifically at all. I have some awareness that they are doing something, but I have certainly not been consulted.

**The Hon. HELEN WESTWOOD:** I asked the Independent Liquor and Gaming Authority witnesses about whether they had talked to local government about the issues. They had not. Would local government welcome the opportunity to talk with the authority about your concerns?

**Ms HEGARTY:** Absolutely. It is essential that we have a voice and we are happy to represent local government members on that if an opportunity arose.

**CHAIR:** We have been hearing evidence about alcohol in promotion of events and that particular brands or companies sponsor particular sporting, cultural or music events. If we are going down the path of regulating or restricting that, a lot of councils have food and wine festivals and other festivals where alcohol is promoted. In the case of locally produced alcohol from wineries, et cetera, some of them have specific wine tours. I know that in a lot of regional areas the council helps promote the cellar doors and things like that for the local areas. I do not know the answer; I am asking you. We obviously need to be cautious when we look at restriction and controls around promotion so that we do not stop things like that occurring. Is that fair to say?

**Ms HEGARTY:** That is funny; we actually had a food and wine fair yesterday. It is a difficult one to manage. A lot of councils have policies in place restricting alcohol and cigarette—for that matter—advertising in sports grounds and sports fields and things such as that. Then, on the other hand, and I actually noticed it yesterday because I walked to the festival, walking into this park there is the big what we call no fun signs—no drinking, no smoking, no dogs off leads, et cetera—and there was the alcohol prohibited sign still there. I thought that is a very interesting situation given that we are having a food and wine fair.



I guess on the other hand I thought it was very interesting that although it was a six-hour event—I got there about 10.30 and then went home and did some stuff and then came back at about around 3.30 to see the finalisation—a lot of the people I spoke to at the event were saying how well it was managed and how well behaved the people were. Clearly they were more from my age type of age group. The 18 to 25 year olds really were not represented there. So I do not know. I do not really have an answer either, Mr Chair.

**CHAIR:** We talk about culture and things like that. Again I am only thinking out loud, but the way that we are promoting the consuming of alcohol really is part of it. Promoting it with food and wine over a six-hour period in a festival type of atmosphere that encourages people to be in a park, is that better than promoting it at events attended by 18-year-olds? I do not know the answer; I am just asking whether it is one and the same.

**Ms MARTIN:** Unless we are going down the path of prohibition, we have to perhaps model events where people can have a responsible time with alcohol involved and it is not all about getting smashed.

**The Hon. CATHERINE CUSACK:** Drink till you drop.

**Ms MARTIN:** Yes. I suppose that is the way you can look at it and justify it. I know with our food and wine festival it does pose those dilemmas, because Manly Council is very strict on not having any signage or sponsorship of alcohol anywhere near the beach or the CBD or in the whole area actually. It does pose the dilemma each year, the food and wine festival. We obviously have to lift the alcohol-free zone for the period of time. But in saying that, people pay a lot of money for little sips of wine from these different wineries. I do not have an answer either.

**Ms HEGARTY:** Also I guess in one way it actually is modelling good behaviour, because we are sitting there and enjoying the sunshine and food and wine and we are not all getting smashed.

**The Hon. CATHERINE CUSACK:** And the tasting.

**Ms HEGARTY:** And the tasting.

**The Hon. GREG DONNELLY:** Eating food with the alcohol too.

**Ms HEGARTY:** Yes, which is quite different to young people.

**CHAIR:** On behalf of the Committee, thank you for your submissions and your evidence. It is greatly appreciated.

**(The witnesses withdrew)**

**SANDRA JONES**, Director, Centre for Health Initiatives, University of Wollongong, affirmed and examined:

**CHAIR:** Would you like to give an opening statement before we move on to questions?

**Professor JONES:** Yes, I would, thank you. I have been working in the area of alcohol consumption among young people and particularly the role of alcohol marketing for a little over 13 years. I would like to make three brief points to provide a context for my comments and to my answers to what I assume are going to be your questions. First of all, the focus of this inquiry is on alcohol abuse among young people, which is very important. It is also really important to note that harmful drinking needs to be addressed across society as a whole. Focusing on small groups will only bring about small changes and will continue to engender a culture in which our drinking is acceptable and their drinking is problematic. It is only when we address alcohol consumption at a population level that we will be able to provide an environment for young people that does not model excessive drinking as normative social behaviour. A good example of that is the number of school formals and parents-and-teacher nights where we now provide alcohol on the assumption that parents will not come to find how their children are doing at school unless we give them a glass of wine. I think that sends a fairly sad message to children.

Secondly, there have been several comprehensive reviews of the effectiveness and cost-effectiveness of interventions to reduce alcohol-related harm and they have all been quite consistent, including that the three most effective strategies are increasing the price of alcohol, reducing the availability of alcohol, and banning alcohol advertising. There are a number of other effective strategies, like drink-driving interventions and individual interventions with at-risk drinkers. The Australian National Preventive Health Taskforce concluded that the interventions for Australia that would comprise the optimal package approach in order of cost-effectiveness were volumetric taxation, advertising bans, increasing the minimum drinking age to 21, brief interventions in primary care, licensing controls, drink-driving mass media campaigns and random breath-testing. I believe the Committee probably has copies of those various review papers but I can provide them later if they are required.

Thirdly, the first term of reference and the one in which my expertise primarily lies is the effect of alcohol advertisements and promotions on young people. I noted from reading some of the submissions that a number of them have taken a fairly narrow focus in defining advertising as being mass media communications whereas others have included a much broader range of promotions. I think it is really important that we define advertising in the way that it is interpreted by academics and by lay people, and even defined by the advertising industry. The Australian Association of National Advertisers describes advertising as any material which is published or broadcast using any medium or any activity which is undertaken by or on behalf of an advertiser or marketer, and over which the advertiser or marker has a reasonable degree of control; that draws the attention of the public in a manner calculated to promote or oppose directly or indirectly a product, service, person, organisation or line of conduct.

The reason I think that is really important is it means that while advertising includes broadcast and print media, it also includes things like online advertising, social networking, point of sale promotions, sponsorship of sporting and events, packaging, and design of alcohol products, and things like being able to go in and buy my Easter eggs and there is a Bacardi and bourbon brand of Easter eggs next to the Bratz ones. That is really important in the context of rural areas, which often have higher rates of alcohol-related harm and may have less exposure to broadcast and print advertising, but in some cases much higher exposure to other forms of alcohol marketing. It also addresses some of the comments that were raised in some of the submissions around jurisdiction because while some forms of advertising are Federally regulated, there are a number of practises that can be regulated at the State level, and that I believe should be regulated at the State level, if we are going to protect children and young people.

**The Hon. HELEN WESTWOOD:** Thank you, Professor Jones, for being with us today and giving us the benefit of your expertise in this area. Can you explain what point of sale promotions are—I know you have touched on that in my introduction—and how they affect the behaviour of consumers with regard to alcohol sales?

**Professor JONES:** Yes. Point of sale promotions are advertising messages or other types of promotions at the point that people actually purchase alcohol. That includes venue promotions—so promotions in pubs and clubs like free drinks or discount drinks or games you can play to win alcohol—and also promotions in packaged alcohol outlets. The types of things we typically see are buy a bottle of wine and get a bottle of

wine free, or buy one of these and get one of those, or 20 per cent off six bottles of wine. Particularly in the context of young people, they are marketing quite desirable products in association with alcohol. You buy a six-pack of these and you get a really funky carry bag, or you can win tickets to *Splendour in the Grass*. It is really all of those types of promotions that I am talking about. In terms of effect, what we know from quite a lot of evidence is that they do increase the amount of alcohol that people purchase and often quite substantially, particularly when they are linked to some sort of desirable promotion or when there is bonus alcohol—you know, you spend the same amount of money, but you get more alcohol.

There is obviously a lot of debate as to exactly what then happens. The industry argument for a long time has been that people purchase those products, take them home and they store them, and it does not actually increase their consumption. There have been a few small-scale studies in Australia, predominantly ones we have done in our research centre, that are starting to show that, particularly with young people, that is not the outcome. If they get more alcohol, they drink more alcohol. Particularly with younger people under the age of 18 who report things like, "I'm not going to take it home because mum and dad are at home. Obviously I'm not going to try to take it and store it." There is also a perception that if somebody gave you something for free, that is a bonus. Once you start drinking, the alcohol is there. You might have had the best of intentions when you purchased it—that you were not going to drink it all at once—but once you start going, you keep going.

**The Hon. HELEN WESTWOOD:** This question is related and you have answered it to a degree, but in the submission we received from the Australian Association of National Advertisers, they claim that advertising drives brand choice and not consumption. Is there any evidence to support their claim that you are aware of, or is there any evidence to the contrary other than what you have just mentioned—recent research around this area.

**Professor JONES:** There is probably lots of evidence that advertising causes brand switching, but there is an enormous amount of evidence that it does actually affect alcohol consumption. Probably the most significant studies have been three longitudinal studies that came out of the United States that followed young people for a period of time, such as their equivalent to year 7 through to year 9 or year 10, using different measures and different populations in different regions. Consistently what they found was that the more that young people are exposed to alcohol advertising, the more they drink and the earlier they drink. For example, there was a study by Snyder and colleagues in 2006 that for each additional advertisement a young people saw, they drank 1 per cent more alcohol. For each additional dollar per capita of alcohol advertising in a local market, they drank 4 per cent more. It is a really direct relationship.

Another study showed that children who saw more alcohol advertisements in seventh grade were more likely to be drinking by the eighth grade, and in a follow-on study, more likely to be drinking by the ninth grade. The reason those longitudinal studies are important is that previously most of the research was cross-sectional. Young people who saw a lot of alcohol advertising drank a lot of alcohol. But then the argument was it could be that they noticed the advertising more because they are drinkers, whereas these three studies actually followed young people from well before they started drinking.

**The Hon. HELEN WESTWOOD:** Are point of sale promotions covered by the Alcohol Beverages Advertising Code?

**Professor JONES:** That is an interesting one. In theory, I would say yes because of the definition I read to you before about advertising, which means that under the Australian Association of National Advertisers code all forms of communications are advertising if they are directing somebody's attention to a brand, but I am not aware of them ever adjudicating. I could be wrong, but I am fairly familiar with their records. I think they are speaking later so they may be able to address that. I am not aware of them ever regulating any point of sale promotions. I also know that the pre-vetting system that exists for alcohol advertisements to ensure they comply with the code before they go out does not apply to retail outlets. The catalogues and things like that you get in your mailbox is where those things tend to be promoted. As far as I know I have never seen any evidence that the point of sale promotions are pre-vetted in any way.

**The Hon. HELEN WESTWOOD:** Your website explains that you currently have a project that aims to reduce alcohol consumption among adolescents by altering the current culture around alcohol. Can you explain more about the Illawarra Underage Drinking Project and what it aims to achieve?

**Professor JONES:** The project we have just started—it is a four-year project funded by the Australian Research Council. We are aiming to try to address some of the social norms. A good context for that, you were

asking the previous speakers about Supply Means Supply. We did an evaluation with NSW Police of Supply Means Supply in three of the local government areas a couple of years ago. We found that most people are aware that it is illegal to provide alcohol to people under 18. Quite consistently across-the-board they know that is illegal. They think it is more illegal than it is. A lot of parents think it is illegal to provide alcohol to their own children but they report that they do it anyway. The reasons they do it are, first, the perception that you are not going to get caught - one of the quotes that came up a lot from our interviewees was it is one of those laws that everybody knows about but does not worry about, like speeding. The other thing is the really strong norm that this is just what you do. That it is what other parents do. If I do not give alcohol to my child they will not fit in, nobody will come to their birthday party.

We want to go back prior to that and rather than focusing on the fact that it is illegal—which everybody knows—to focus more on trying to empower people. You have probably seen the National Drug Household Survey and the FARE Alcohol Poll, and consistently Australians are strongly in favour of increasing the regulation of alcohol, really doing something to address the problem. I do a lot of talks with community groups and with parents, and most of the parents I talk to are under as much peer pressure as the kids are. They do not want to provide their children with alcohol but nobody wants to be called a wower, nobody wants their kids to say Mum, nobody will come to my party. There is that real pressure. The aim of our project is, rather than go down an enforcement line, to empower parents to talk to each other and really address that social norm. Most people in our community do not want underage people drinking.

**The Hon. GREG DONNELLY:** In your opening comments you made some reference to potential at the State level as opposed to the Federal level to provide regulation with respect to advertising, specifically alcohol advertising. Can you elucidate on the point you are endeavouring to make?

**Professor JONES:** Yes. Currently, the Office of Liquor, Gaming and Racing can regulate point of sale promotions in venues—inappropriate practices that encourage excessive drinking. The way the Liquor Act is written, those can also be applied to off premises advertising. That would be a logical starting point. In their current form they can be applied to the types of promotions I was talking about before that are offered at packaged alcohol outlets. There are also other interventions that I think would be quite feasible to do at a State level. One of them is around things like schools. I imagine the Department of Education would have the power to say things like we are not going to provide alcohol at school formals, we are not going to promote alcohol through schools. Typically you would think alcohol is not promoted through schools, but there are things like football tipping competitions that come home with alcohol on the material, sporting equipment at schools that is alcohol branded.

I think given the current provisions we have and given the definition of advertising, things like the packaged outlets should be able to be regulated at a State level. Also, the thing that people typically do not think is alcohol promotion but is most visible to children, which is all of the alcohol marketing that happens in department stores, supermarkets. As I mentioned briefly, you go into Kmart or Woolworths at Easter and you have Hot Wheels Easter eggs, the Bratz Easter eggs and the Jim Beam Easter eggs. I went into a toy store the other day and bought Jim Beam racing toys. Kids see those things all the time and I think it is so ubiquitous that parents do not notice it. But that meets the definition of advertising. It would meet the definition under the Liquor Act, which says that promotions that appeal to children, there is power for the office to ban those and I think that would be a really reasonable place to start.

**The Hon. GREG DONNELLY:** As to what you just asserted, do you believe you are on reasonably firm ground to make the claim you just have that those sorts of examples would fall within the wider net of advertising? Or is that just the hope you have?

**Professor JONES:** I am going on the Australian Association of National Advertisers definition of advertising, which is very clear. It says any material that is published or broadcast in any way or any activity by or on behalf of an advertiser that is done to draw the public's attention to a product or a brand—and I would argue that Jim Beam chocolates and Bundaberg pyjama pants draw your attention to the brand.

**The Hon. GREG DONNELLY:** With respect to the effect of advertising on young people, do you believe or are you aware of the reverse? In other words, that we can, through advertising, or marketing, and/or marketing, effectively educate young people to defend themselves against the influence of alcohol advertising or marketing?

**Professor JONES:** I believe we can, but I do not believe we can by the way we currently do it. Most of the advertising, if we use that word, at the moment is based on a fear type message. You think of things like the Drinking Nightmare campaign, and prior to that the Drinking Choices campaign. Evaluations of those consistently show they do not have much impact, particularly in relation to behaviour.

**The Hon. GREG DONNELLY:** Is that with respect to people in general or young people particularly?

**Professor JONES:** Young people particularly. People in general, but even more so young people. The reason they do not work is because we are not telling them anything they do not already know. They know their friends go out and get drunk and they vomit and have sex with somebody they did not want to, that they get into fights. So to show them an advertisement that these bad things will happen—I am getting sidetracked a little bit—

**The Hon. GREG DONNELLY:** Please do.

**Professor JONES:** We did some research at New South Wales schoolies week up on the Gold Coast. We surveyed 250 young people at the beginning of schoolies and 250 at the end. We asked them what they thought would happen at schoolies and what did happen. The large proportion of them expected to get drunk, they expected to get into a fight, they expected to have sex and they expected all kinds of negative consequences.

**The Hon. GREG DONNELLY:** Is this 80 per cent or 90 per cent?

**Professor JONES:** I can give you a copy of the paper. It really varies depending on the consequences. If you look at things like drink more than five drinks in one night, it was the majority of them. If it was things like have sex with somebody you do not know very well, it was more like 40 per cent. But we are talking substantial numbers. They experience those things almost at the same level that they expected to experience them and it was interesting because at the time the release of that study got a lot of media coverage and it was all about how terrible young people are but the bit that did not get picked up, which was the message we were really pushing and presented at the conference, was we also asked them how good those things would be, and they did not think they were. A large proportion of those kids thought those were negative outcomes. It is not that our kids are going out saying "I want to get drunk", "I want to vomit in the street", "I want to have a fight", or "I want to have sex with a stranger." They are saying, "This is how we socialise", "This is how we celebrate the end of school and these are unfortunate consequences that come with that."

That is really important because as long as we keep having these messages, "Alcohol does bad things to you. It makes you do dumb things" they know that. They are really aware of that and they do not want that to happen. But what we are not doing is actually giving them other options. When you asked about education that would work, education that would work would really be about self-esteem, resilience skills, decision-making skills. The Florida Truth campaign about tobacco was around empowering young people to see how they are being manipulated by the tobacco industry. That was really effective. Those sorts of messages are far more likely to work for young people. If you look at the research we did into young people's current responses to alcohol advertising, they really believe and take on board those messages, "If I drink this brand of alcohol I'm going to be popular, I'm going to be attractive, I'm going to be more intelligent, I'm going to be more interesting, I'm going to have fun." That is what they believe.

**The Hon. GREG DONNELLY:** Do they actually believe that?

**Professor JONES:** They do actually believe that. I have a copy of the paper to give you if you like.

**The Hon. JAN BARHAM:** Yes thank you.

**Professor JONES:** It was actually quite scary. These were children aged 15 to 18. We also had people 18 to 24. We showed them 12 alcohol advertisements that we complained about. Ninety per cent of them said the ad told them this drink would help them have a good time; 74 per cent said that the ad told them it would make them more sociable and outgoing; 70 per cent said, "It told me that it would help me fit in"; 65 per cent said "It would help me feel more confident"; 59 per cent said "It would help me feel less nervous"; 47 per cent said "It would help me succeed with the opposite sex"; and 42 per cent said "It would help me feel more attractive." These are all things that the code says alcohol advertisements will not do. The reason we did that study is that we had done a number of research studies prior to that where expert judges said, "Yes, all those

messages are in there" but then industry argues that we are public health wowsers and that is our interpretation. The purpose of that study was to see what the kids believed. What is important is not what I or the advertising industry thinks is there; it is what the kids believe the ad is telling them. That is where we need to go with educating kids; not just to try to scare them but to make them see how unrealistic many of those messages are and empower them with other options.

I talked about our research we did at schoolies. We did some follow-up very informal work talking to kids at local high schools. What would you think if there were alternatives? If there was a package you could buy that was set up for you where you could go and watch movies and stay in a nice hotel or go on an adventure trip where you went kayaking and rafting. The kids were really keen. But what happens is that they go through school with the idea that you get to the end of year 12, you go to schoolies, the Gold Coast or Byron Bay or wherever and you get drunk because that is what everyone does. We talk about adult peer pressure to consume alcohol. Everybody has been in that situation at a work event. You say "No, I don't want one" and it will be, "Oh, go on. Go on. One won't do you any harm." If we cannot resist that as adults, it is crazy to expect our children and young people to be able to resist it. We really need to be saying, "How can we support them to find other ways of enjoying themselves and other safe ways of doing those things rather than, "We all left it to the last minute. We don't know what to do, so we'll just go to the Gold Coast because that's what everybody else does."

**The Hon. JAN BARHAM:** My question is about your work regarding life-changing things that happen when people are drunk: injuries, sexual assaults and those things that lead them to risk-taking situations. Have you done much work around understanding what is happening? You say it is about lack of options, but what else is there?

**Professor JONES:** For example, with schoolies it is lack of options, but the biggest thing is around social norms, and this goes back to that project I talked about that we are running in the Illawarra. The biggest predictors of how much young people drank at schoolies was how much they thought their friends would drink.

**The Hon. JAN BARHAM:** So keeping up?

**Professor JONES:** Fitting in. Not being very confident that they could say no, if their friends encouraged them to drink. The other thing that was really concerning, and this goes back to that issue of messages we give children about drinking, fewer than 10 per cent thought their parents would be upset that they were drunk at schoolies. I am sure that is not the case. I am sure far more parents would have been. But we give our kids these really mixed messages and tell them that this is just a normal thing to do. The social norms are huge—the pressure to fit in and be like everybody else.

**The Hon. JAN BARHAM:** This is the first full generation with advertising being ever present and without having the training or skills to understand the manipulative and commercially driven focus of advertising. Victoria used to have a media studies course that explained the psychological aspects. Unfortunately, that course was cut. I do not think New South Wales or any other State has a like thing that lets them know they are being manipulated and that a lot of money went into finding how to manipulate them.

**Professor JONES:** I think you are right and I think also the whole nature of alcohol marketing, particularly to young people, has changed. I think that as adults we have largely missed the boat on that. We think about advertising and advertising regulation and we typically are thinking about television, radio and magazines. Our kids are on the Internet. We did a study looking at alcohol advertising online—alcohol-brand websites. We were looking at the entry pages, the filters—the things that are supposed to stop children getting access. We tested 25 Australian-based alcohol-brand websites. Three of them had no entry requirement at all. You just got in. Seven of them had an entry page but did not actually ask you for your date of birth. It just said, "You have to be over 18. Are you?" and you clicked yes or no. Two of them asked for your full date of birth but let you in regardless of how old that made you. So you could be 12 and you still got in. And for 13 of them, if you typed in your age that you were under 18 it said, "Sorry, you're not old enough" but you could go straight back and try again. You could try as many times as you liked.

Many of them have associated Facebook pages. Most of the alcohol brands have Facebook pages. Kids can friend the alcohol brands. They can share. Our young people now are really co-creating alcohol marketing. It is not the passive reception of alcohol messages that we used to have. It is, "I got this from my friend." We all upload photos of ourselves drinking this brand of alcohol on to the Facebook page. We all like it. We all share it. We all send it to our friends. We can download the ads and screensavers on to our computers. We can play

games. We can go on there and interact. There are all these different types. There is the point of sale stuff I mentioned that is getting absolutely ubiquitous. We found an average of 30 point-of-sale promotions per outlet in an audit we did.

**The Hon. JAN BARHAM:** If I could just interrupt before my time expires. I would be happy if you could provide that information. In respect to risk taking, sexual attacks and those sorts of things, did you also look into issues people have when they are drunk? I have read about physical violent or sexual attacks of young people on young people and then uploading footage to the web and broadcasting what has been done to someone or the fight in which they were involved. Some strange behavioural stuff is going on where they are disrespecting people.

**Professor JONES:** We have not specifically looked at that. We have looked at unsafe and unwanted sexual encounters with university students. There is a direct association between how regularly people drink excessive amounts of alcohol and how likely they are to have been in a sexual assault or unwanted sex situation. One of the things that I found really disturbing about that—this is consistent with other research—is they do not complain to the police. They do not complain to anyone. When we did follow up interviews with the young women the view is: If I was really drunk and I cannot really remember exactly what happened then I cannot really call it assault; I did not want it to happen but I cannot remember exactly what I said; or I got so drunk I cannot remember anything. There are those sorts of things that make it really complicated. I think probably a lot of young women do not understand the definition of the word rape and the fact that you were too drunk to say no does not mean you said yes.

At the time we released those results the New South Wales Police Commissioner spoke publicly about that and he called for young women to look out for each other: If you are going out with your friends and it looks like your friend is about to do something that you think she would not do if she was sober look out for her. I was surprised at the backlash he got from young women, because of the culture that we are in, saying what right has that old man with his religious convictions got to come and tell me what to do, that is trampling on my rights as a young person. I think that is a really important cultural issue. That message was look out for your friends, protect your friends, but it was perceived—

**The Hon. JAN BARHAM:** —I have had experience with the Expect Respect program, do you know of programs that give young people the confidence to stand up for themselves against all the marketing and social situations?

**Professor JONES:** Not in Australia. We have been looking at trying to develop something and we have been talking to the Foundation for Alcohol Research and Education [FARE] about what that might look like. There have been some programs in the United States and preliminary data suggests they have been quite effective; but not in Australia.

**The Hon. CATHERINE CUSACK:** We have the advertising people coming in. Have they consulted with you in the development of their standards?

**Professor JONES:** No. They know what my views are of their standards.

**The Hon. CATHERINE CUSACK:** They say they have taken a collaborative approach.

**Professor JONES:** I have been researching in this area for 13 years and I first came into this area when I was doing my PhD on a completely different topic. I was driving home in my car and I heard the most appalling alcohol ad on the radio which was talking about a girl going out feeling nervous and self-conscious so she opened up her first UDL of the night—she was clear about that, her "first" UDL of the night—she talked as fast as I do so I blame her—"and then I thought who cares". As a mother of two young children at that stage I was absolutely appalled and have done a number of studies over a period of time looking at the apparent compliance with those standards and how rubbery the clauses are in terms of what appears to breach the code and what does not. I have published those results, publicised those results, lodged complaints with the Advertising Standards Board [ASB] and with the Alcohol Beverages Advertising (and Packaging) Code [ABAC]. They have not come to my office and said, "What do you think about our code?"

**The Hon. CATHERINE CUSACK:** They are aware of your activism in the area?

**Professor JONES:** Absolutely, yes.

**The Hon. CATHERINE CUSACK:** Industry collaboration: They say that they have always sought a collaborative approach. In 2012 they say they considered 497 complaints about advertisements. Only 15 were for alcohol advertisements and the argument being put here is that the low level of complaint about alcohol advertising demonstrates that the regulatory system is working well. Do you have any comment on that?

**Professor JONES:** I have a really strong view about that. I will preface that by saying several years ago when complaints went up they said that the fact that complaints went up demonstrated that the system works well because people knew how to complain. I have a problem with complaints going up means it works and complaints going down means it works. I notice in the submission from the Association for Data-driven Marketing and Advertising [ADMA] they said that 63 per cent of adults are aware of the ASB as the complaints mechanism. That is inconsistent with everything I have ever seen. If you look at the 2012 FARE alcohol poll 83 per cent of people said they had no idea who to complain to about alcohol advertising and only four per cent of people said you would complain to the Advertising Standards Board.

I think there are a number of reasons that complaints are not higher: One is that people do not how to complain; the second is the system for lodging a complaint—this is a personal opinion shared by many people I have spoken to who have experienced this—discourages complaint. When you go on to the website the first thing you are encouraged to do is to search to see if anyone has complained about that ad previously. You are told that if the ASB has made a decision on the ad that is the decision, so if you make a complaint it will not change anything. If I am a busy person why would I waste my time? When I talk to consumers they say, "I saw this ad and it was absolutely appalling but it was no more appalling than the last one I saw or the one before that and nobody does anything." Australians have reached the point where we had the 2003 Alcohol Summit—

**The Hon. CATHERINE CUSACK:** —to pin that down, you are saying that a lack of complaint does not indicate a high level of happiness with the standards?

**Professor JONES:** Absolutely not. If you go back to the 2005 Department of Health and Aging survey, 69 per cent of Australians said alcohol advertising encourages under age people to drink and 60 per cent said we should either restrict it more or prohibit it. The 2011 National Drug Household Strategy survey stated that 71 per cent of Australians said we should not have television advertising before 9.30 p.m. and almost half wanted to ban alcohol sponsorship of sporting events. The 2012 FARE survey showed that 69 per cent of people said alcohol advertising influences young people's drinking, 64 per cent said we need to ban alcohol advertising on weekends and weekdays. It is not consistent to say that for the last decade two thirds of the population have said we need to get rid of this, it is a problem, and then say no one is concerned about it.

**The Hon. CATHERINE CUSACK:** The document further states that of those 15 alcohol advertisements considered by the board only one advertisement complaint was upheld. The suggestion therefore is that the standards are being complied with, do you have any comment on that?

**Professor JONES:** This goes to what I was saying about the wording of those standards: They are extremely rubbery and hard to define. It is the same with advertising on the internet, which we have just finished looking at. If you say things like, "It should not appeal to children and young people", how do we actually define that? The industry argument is it is not aimed at them but more kids recognise the Bundy bear than just about any other cartoon character. The industry says, "That is not our fault. that is accidental. We are targeting adults". They may well be targeting adults but children are receptive.

**The Hon. CATHERINE CUSACK:** I find it difficult to understand how you could maintain that placing a Bundaberg logo on a toy car could be targeting anybody but a child but clearly that passes muster with the advertising industry?

**Professor JONES:** Yes. We have clauses such as: Must not suggest that consumption of alcohol contributes to social, sporting, sexual or other success. I am sure everyone can think of an ad that they have seen that more than just suggested that. One of the things that you see a lot in decisions is, "Well, it was humorous so most people realised that it was supposed to be funny." You see some appalling ads. A few years ago Carlton released an ad with the people from the funeral running out and dumping the coffin so they could have a beer and tipping the old people's furniture on the driveway—but it is humorous. How do you pin that down?

If you look at some of the clauses around alcohol advertising and sport you cannot show the consumption of alcohol while someone is playing sport or engaging in water sports unless it is low alcohol beer.



So you can have the XXXX ad where they are playing beach cricket standing in the ocean with a beer in one hand and cricket bat in the other hand, but that is okay because it is low alcohol beer. I am not sure that our average 10 or 12-year-old who is watching the cricket on TV and sees that ad really has the ability to work out "that is low-alcohol beer, so I can only go and stand in the ocean and play cricket with my mates if I am drinking low-alcohol beer and not regular alcohol beer".

**The Hon. NATASHA MACLAREN-JONES:** In addition to alcohol advertising and the impacts that has on consumption, are you aware of any other research that has looked at other factors, and I am mindful of looking at things like television programs like *Jersey Shore*, which promotes excessive drinking, *Sex and the City* and a few others that have been around for a very long time? Is there any research into the other influences in addition to advertising?

**Professor JONES:** It is interesting that that seems to have fallen off the radar for a long time. If you go back to the late 1990s, early 2000s, there were quite a number of studies. There have not been any particularly recent ones. We have an honours student who has just started one looking at *Gossip Girl*, which anyone who has got teenagers would be familiar with. Anecdotally, you see more and more alcohol on television, and whether that is just accidental or whether that is about brands trying to get their products into a program because everybody can fast forward through the ads I think is really complex. This is one of the areas where one of the options we could have is to sit on our hands and say, "We don't know what to do because we can't fix everything".

So when I talk about alcohol advertising it is absolutely just one factor. We know, because people have not changed that much from 10 years ago, that seeing alcohol in programs, seeing the people that we admire drink alcohol influences young people. We know that seeing their role models and the celebrities they look up to drinking influences them. We know that seeing all their friends and all their family drink alcohol influences them. It is impossible to grow up in this country without being exposed to positive messages about drinking, everywhere you go—it is on billboards, it is on the TV, it is in the shops that you go in, it is in the conversations that you overhear. So I think it is really, really complex.

There are any number of influences, but I think in terms of what is going to work, what we can do at a policy level, it is about starting with the things that we have some level of control over, like alcohol sponsorship of sport, alcohol advertising, the promotion of alcohol, the price of alcohol, the availability of alcohol, because those other things require changing social norms in order to change all those other positive influences on young people. You will not be able to change those norms in the environment that we currently have; it needs taking some really brave steps and saying, "Let's reduce some of this exposure", because then, as a parent, I have a choice. As a parent, if I do not want my kids to see alcohol portrayed as a really positive thing basically I have to become Amish—I have to stop them watching television, I have to stop them walking down the street and stop them talking to other kids.

I go back to what I was saying before about schools: When you have a school formal they put wristbands on the 18-year-olds and give them alcohol and seriously believe that those 18-year-olds are not going to give a drink to their 17-year-old friend. You talk to the school and they say, "If we didn't serve alcohol at the formal the kids wouldn't come". Seriously we believe that, that the most significant event in their schooling they would not come to. Then if that 18-year-old provides alcohol to their 17-year-old friend you know who broke the law? The 18-year-old—not the school, not the venue. When I talk about things we can do at a State level, those are things we can do. We can do the opposite of what Queensland has done—Queensland has just decided to go the other way and make it easier so now schools do not have to apply for a licence to serve alcohol at a function. I think we need to say that those are things we can do; let us take alcohol out of our schools for a start.

**CHAIR:** We have heard evidence around how there is more information now about the effect of alcohol on the young brain and we heard evidence this morning from Broken Hill where they were saying that by explaining the health impacts to young people about consuming that alcohol they found that to be a positive way to get them to think about their drinking habits. Do you have any evidence that backs that up or anything you would like to add to that?

**Professor JONES:** I suspect that the really instrumental word there is the word "think", and that is what has come out of the evaluations of the large national multimedia campaigns—absolute changes in knowledge, big changes in young people saying "Yes, it made me think about my drinking", and no changes in behaviour. As I said before, it is really, really hard in our current environment where alcohol is really cheap compared to my disposable income, and the comparison that I got given, which I thought was quite good, I was

at a high school the other day and the kids were saying, "If I go down to the local bottle shop and I give \$20 to my older brother he can go in there and buy me enough alcohol that I can get drunk and have a really good night. If I go to the movies and I buy a ticket and a tub of popcorn, two hours later I'm out and I'm broke and I've got to go home; there is nothing else to do".

So, we cannot fix the problem just by increasing kids' awareness that it is harmful; we need to make it harder for them to get alcohol and we need to find them other ways of enjoying their life and really engage them with why it is we do not want them to do this. They are being manipulated; they are being given really inappropriate messages about alcohol from all kinds of places. I look at the research we did with quite young children around alcohol advertising during sport and one of the young men—it still sticks in my head—he talked about how he watched the sport and he said, "Yeah VB, I know that one. That's what you drink when you play sport. Like when they are playing and they get really tired then they have a drink and it wakes them up". These small children believed that when the ad came on and they saw their sporting heroes having a drink they then came back and kept playing. Those are the things that we need to address at an early age—not just alcohol damages your brain but let us not convince them that in order to play sport, in order to be Australian, in order to have fun, you have got to be drinking.

**CHAIR:** Professor, thank you very much for your evidence this morning. Would you like to table some of those studies you mentioned, particularly around the schoolies and some of that other advertising data? Anything you would like to table please do that. I do not think there were any questions on notice but if there were we will make sure they get their way to you and you get the response back. On behalf of the Committee, thank you for your evidence today, it has been very interesting.

**(The witness withdrew)**

**(Luncheon adjournment)**

**ALINA BAIN**, Acting Chief Executive Officer, Australian Association of National Advertisers, sworn and examined:

**DENITA WAWN**, Chair, Alcohol Beverages Advertising (and Packaging) Code Scheme Limited, affirmed and examined:

**CHAIR:** Would you like to make a short opening statement before we proceed to questions?

**Ms WAWN:** Thank you for the opportunity to appear before the Committee today. I appear in the capacity of chair of the Alcohol Beverages Advertising (and Packaging) Code [ABAC] scheme that oversees the operations of alcohol advertisements. We look after things such as pre-vetting of alcohol advertisements against the Alcoholic Beverages Advertising (and Packaging) Code and also the consideration of public complaints against that code.

The code covers all aspects of the content of advertisements and works in tandem with other codes and regulations relating to alcohol advertisements such as placement rules and advertising codes in general. The ABAC scheme operates in a quasi-regulatory environment in that governments are also represented on our management committee as well as industry representatives. The ABAC management committee consists of a representative from each of the three alcohol producers groups, the Brewers Association, the Winemakers Federation of Australia and the Distilled Spirits Industry Council of Australia. They fund the scheme, but we also have a government representative and a representative from the communications council. The government's representative represents all Federal, State and Territory governments on the management committee and liaises with all governments through the Intergovernmental Council on Drugs [IGCD].

I also wish to place on the record that I am also the chief executive officer of the Brewers Association, but today I appear in my capacity as the ABAC chair. I will respond to your questions in accordance with the communication protocols established by the ABAC management committee.

**Ms BAIN:** Thank you for the opportunity to appear before you today and to provide this evidence. The Australian Association of National Advertisements [AANA] is a membership based organisation representing the major brands within Australia. The AANA established the advertising self-regulatory system, which its members have agreed to abide by. Our members who are in the alcohol advertising space also abide by the alcohol advertising codes themselves.

Alcohol advertisers appreciate that alcohol is a legally restricted product and that special care is required in relation to the advertising and marketing of alcohol. Alcohol advertisers are not opposed to regulation. As such, there are in place a range of regulatory restrictions for the advertising of alcohol. The AANA self-regulatory system, our codes, along with the advertising co-regulatory system apply to all alcohol advertising in Australia. These systems are platform and technology neutral and apply across all media. They include a range of messaging and scheduling restrictions in relation to alcohol advertising. The current self-regulatory system is effective and it is underpinned by a responsive and transparent complaints-handling system, which is overseen by the Advertising Standards Bureau. In addition, alcohol advertisements must be pre-vetted for compliance with the alcohol code.

There is a low level of complaint about alcohol advertising. In 2012 less than 1.47 per cent of all complaints were in relation to alcohol advertisers. The messaging restrictions within the code cover issues such as the age of the actors used, the images of people used within the advertisements, requirements restricting the use of appeal to children, et cetera. Also within our codes there are restrictions in relation to the use of sexual imagery, sexualisation, language, violence, and an additional restriction in relation to health and safety. As I noted, there are a number of restrictions that apply across media and I am happy to take questions in that regard.

**The Hon. HELEN WESTWOOD:** Thank you for being with us this afternoon. What impact does embedding alcohol brands in entertainment and sporting culture have on alcohol abuse among young people? I am talking about sponsorship and naming rights.

**Ms WAWN:** Just for the record, unfortunately I cannot answer that question as I only can talk about ABAC operational issues. I could take that question on notice and provide it in my capacity as the chief executive officer of the Brewers Association.

**Ms BAIN:** The AANA codes, as I noted in my opening remarks, do apply across the board to all media. To the extent that there is an advertising or marketing message on display at sporting fields, those messages insofar as they promote an alcohol product are caught by and subject to the restrictions within the AANA codes.

**The Hon. HELEN WESTWOOD:** Have either of the organisations you represent done any research into the impact of alcohol abuse amongst young people and whether advertising plays a role in their behaviour?

**Ms WAWN:** ABAC has recently nearly finalised research into community attitudes towards alcohol advertising and perceptions and also the way in which the code is operating and are we meeting community expectations. We are close to finalising that research and are more than happy, when it is finalised in the next week or two, to provide that to the Committee. Generally, the perceptions are that the code is slightly conservative in comparison to community expectations around alcohol advertising. While there are some that are concerned about alcohol advertising, the majority are not concerned as to alcohol advertising.

In terms of the operation of ABAC, we do focus on ensuring that the code is meeting community standards or, as we say in our test, the reasonable person test. There is a wealth of information that is provided to us, particularly government statistics, on what is occurring in relation to alcohol consumption by minors and also anything to do with binge drinking. But our focus is predominantly on whether or not the code is covering restrictions that the community is expecting of us as we are advertising an alcohol product.

**Ms BAIN:** Similarly in relation to the AANA codes, these codes in relation to uses of images around sexuality, nudity, language, violence and so on are underpinned by this concept of community standards. Community standards are in the first instance determined by the Advertising Standards Board, twenty representatives of the community, but the Advertising Standards Bureau also checks the decisions of the Advertising Standards Board against community standards more generally. I am quite happy to take it on notice and to provide the Committee with some copies of the most recent research that they have conducted. In general terms, the research showed that the decisions of the Advertising Standards Board are tracking along with community standards and so are reflective of the community standards piece.

**The Hon. HELEN WESTWOOD:** You spoke about the codes and I know that covers the area of promotion of alcohol to minors and to children. In earlier evidence we were given some examples of promotion of alcohol to children by way of toys, such as racing cars that are available in toy shops that are targeted to children and carry Jim Beam logo. Do you think that would meet community standards and would it comply with your code?

**Ms BAIN:** Within the AANA codes there is a specialised code in relation to advertising and marketing messages directed primarily at children. That code has within it an outright prohibition on marketing directly to children in relation to alcohol products, so there is a blanket restriction again to take into account that these products are legally restricted. The social responsibility for alcohol marketers is that they will not target children.

**Ms WAWN:** The ABAC code is likewise. Certainly if any of these marketing mediums are utilised then they can be subject to a complaint to ABAC. The case you are referring to I am not aware has been the subject of a complaint.

**The Hon. HELEN WESTWOOD:** If it was, what action would you take and what would the outcome be for the promoter of alcohol to children through this medium?

**Ms WAWN:** If someone makes a complaint we have a centralised system through ABAC and ASB that all complaints go through ASB. They then refer it to their board if it comes under the code of ethics, for example. Likewise they will refer it to the ABAC adjudication panel. The ABAC adjudication panel is headed by Michael Lavarch and he will also have a panel with a public health specialist with him, along with a marketing specialist, and they will then determine a complaint against the code. If the complaint is upheld by the complaints panel then we seek that the advertiser removes that advertisement or the package or whatever the subject of the complaint was.

We have in the last 12 months a full compliance of any upheld decisions by both signatories and non-signatories. ABAC, for example, will consider a complaint against someone who is a non-signatory and we have had full compliance. I think in the history of ABAC there has been only one product where it has been upheld

and that company did not comply with that upheld decision. Other than that, everyone else is compliant with decisions and withdraws that particular advertisement or packaging from the market.

**CHAIR:** Let us use this example that Jim Beam sponsors a racing team and that enables them to have their product labels put on a racing car. Someone then makes a replica of that racing car as a child's toy and places it in a toy shop. Who is the complaint made against? Is it made against the toy shop, Jim Beam, the racing team, or the person who made the toy car?

**Ms BAIN:** I am not aware of that particular scenario, but the complaint would be made against the advertiser or the marketer. It is the advertiser and/or marketer who is bound by the regulatory systems both generally in regards to the AANA codes and in relation to ABAC.

**CHAIR:** Is it the toy company, because they advertise it in a catalogue? I am looking to find the answer. Is it the promoter or the advertiser that signed the sponsorship deal, or is it the advertiser and promoter of the race team, or is the advertiser and promoter of the company selling the toy car? Or is this a grey area?

**Ms WAWN:** It is dependent on those commercial relationships. Generally, it is a company that signs a sponsorship arrangement with the racing, the cricket or the football. Then, in the scenario that you are raising, ultimately there may well be some commercial relationships as to subsequent merchandise. That is then dependent on who is actually producing that merchandise. Generally, if there is a bit of confusion over who is actually marketing a product, certainly the Alcohol Beverages Advertising (and Packaging) Code [ABAC] will identify anyone who could well be involved and notify all of them until we actually ascertain who is the most appropriate person to liaise with, in terms of who has ownership of a piece of advertisement, for example. It is dependent upon commercial relationships.

But say you look at sponsorship generally, the Alcohol Beverages Advertising (and Packaging) Code may not cover the commercial relationship of the sponsorship but the Alcohol Beverages Advertising (and Packaging) Code will cover any advertising that arises from that commercial relationship of that sponsorship. If you see the signage at the game or if you have seen television advertisements run on the live coverage of that game, then they are all covered by the Alcohol Beverages Advertising (and Packaging) Code and the code ensuring that you are compliant and that it is not going to appeal to children, for example.

**CHAIR:** Okay. I do not want to take up other members' time, but then the same racing car that is competing in the race and that then wins the race, which is then shown on the six o'clock news, that is a separate issue again, is it not, because that is actually not advertising the race or the product; it is just covering the race. Is that right?

**Ms BAIN:** That is correct.

**Ms WAWN:** Yes.

**The Hon. GREG DONNELLY:** Thank you very much for coming along this afternoon. I have just a couple of questions. Just so that we are all very clear, the definition that is specifically and precisely used to define what advertising is, can you tell the Committee what that definition says?

**Ms BAIN:** Yes. It is advertising or marketing communication which promotes either directly or indirectly a product or service, and which material is under the reasonable control of the advertiser or marketer.

**The Hon. GREG DONNELLY:** Where is that definition to be found?

**Ms BAIN:** In the Advertiser Code of Ethics, and it carries through to our other codes, such as the children's code and through the beverage code as well.

**The Hon. GREG DONNELLY:** In relation to the reasonable person test that you referred to in answering a question from the Committee's deputy chair, can you provide to the Committee the specific definition that is used in terms of defining what the reasonable person test is?

**Ms WAWN:** There is no definition of reasonable person within the code.

**The Hon. GREG DONNELLY:** No. I am asking you in regard to your organisation's working definition of what a reasonable person test means.

**Ms WAWN:** A reasonable person in terms of the Alcohol Beverages Advertising (and Packaging) Code is taken into account by the three adjudication panellists of what they believe a reasonable person would consider appropriate against the code, and that has been developed through precedent that has been established by the adjudication panel. The Alcohol Beverages Advertising (and Packaging) Code management committee believed it was important that we tested their views against public and community standards. As such, we have just undertaken this research to ensure that the decisions that were being made in fact reflected community standards.

**The Hon. GREG DONNELLY:** Can you tell me what your definition of the reasonable person test is?

**Ms WAWN:** A reasonable person would be, say, that you are meeting the expectations of the majority of the community.

**The Hon. GREG DONNELLY:** I am just trying to be quite precise here. I think you have just said there are three people who adjudicate or examine this. Have they been given a definition of what the reasonable person test is that they should use, or are they allowed to formulate their own consideration about what that means?

**Ms WAWN:** They form their own consideration, but obviously with someone such as Michael Lavarch heading up that panel, my understanding is that they have taken a fairly legalistic view of what a reasonable person would mean, looked at precedent of the panel and the way that other codes operate.

**The Hon. GREG DONNELLY:** Was it deliberate or accidental in linking reasonable person with community expectation? Are they one and the same in your mind?

**Ms WAWN:** To my mind they are. It is an interesting question you have raised. It is something that we, in developing the research, asked—the same question. We think it is. A reasonable person, as I said, is what is the general community feeling on a particular issue, or their views on a particular issue? As such, when we undertook the research we couched it in terms of: What are community expectations around alcohol advertising? We sought to test a number of cases that had been determined, both upheld and dismissed by the panel, to see whether or not the members of the community had a similar view. What we did was show a number of advertisements to the community, both in a blinded scenario when they do not know about the code, and then again once they have seen the code, and assessed their decisions against the decisions of the adjudication panel to see whether or not the adjudication panel is meeting what we believe is the reasonable person test or that community standard. Previous results show that the adjudication panel is perhaps slightly more conservative than the one and a half or 1,000 people that were surveyed in this particular piece of research.

**The Hon. GREG DONNELLY:** On the question of advertising as explained through that definition, does that include all advertising by a social medium?

**Ms WAWN:** From an Alcohol Beverages Advertising (and Packaging) Code perspective, yes it does. We have a number of cases that we can refer you to that show that it does cover all aspects of social media. The most recent one was in relation to the VB Facebook page. But, yes, there has been history for the last five years of covering social media.

**The Hon. GREG DONNELLY:** I take it from what you have just said that with respect to all alcohol advertising via social media, pursuant to the process you have described of vetting, that is all passed through a vetting process before it is sent or issued live?

**Ms WAWN:** Not all social media sites are pre-vetted, but a lot are. I need to take on notice any percentages.

**The Hon. GREG DONNELLY:** If it is considered to be advertising, why would it not form part of the process you have just outlined?

**Ms WAWN:** Pre-vetting is obviously very difficult for social media because it is something that is live and constantly changing every couple of minutes. While you might have general campaigns pre-vetted, it is very

difficult to have an independent assessment of the actual Facebook site, for example. Nevertheless, we recommend that companies undertake moderation of their sites on a daily basis.

**The Hon. GREG DONNELLY:** Are you aware of companies that in fact do not vet or have not vetted in the past in terms of using social media?

**Ms WAWN:** I would have to take that on notice in terms of pre-vetting.

**The Hon. GREG DONNELLY:** If you could, yes.

**Ms WAWN:** But there is a difference between pre-vetting and then of course moderation.

**The Hon. GREG DONNELLY:** Could you describe the difference between those so that we are very clear?

**Ms WAWN:** Certainly. The Alcohol Beverages Advertising (and Packaging) Code [ABAC] Scheme Limited provides a service called the pre-vetting service where we have independent assessors look at an advertisement and determine whether or not they think it complies with the code. It is a risk management tool for companies to ensure that they have, in consideration of their internal processes, actually complied with the code. If you get approved pre-vetting, that does not mean to say you cannot be considered for a complaint. We have had one or two examples where something has been pre-vetted and approved but subsequently has been upheld on a complaint. That is done by an independent panel.

Moderation of media sites is usually done in-house or a company has done it on behalf of the company. They are assessing the site on a daily basis to ensure that the posts put up by the users of that site are actually appropriate and comply with the code. If you look at a Facebook page, you may well have in some Facebook pages 100 or so posts a day. Obviously, you cannot get that constantly pre-vetted by an independent assessor. Nevertheless it is very important for the company to ensure that whatever is being posted on that site is consistent with the code. They have a number of moderation rules of staff or of service providers to ensure that whatever is put up on a site is appropriate and is in accordance with the code.

**The Hon. JAN BARHAM:** In your submission, you provided a list of your adjudications. Is that the total number of complaints that you have had in the period of operation?

**Ms WAWN:** No. That was just an example of the relevant sections of the code and decisions of the adjudication panel in terms of both upholding, or dismissing. We have around about 50 or 60 determinations a year at the Alcohol Beverages Advertising (and Packaging) Code.

**The Hon. JAN BARHAM:** When you refer to the reasonable person test and the independent assessment, do you determine that yourselves, or is there an arm's length independent body that does that—the 20 persons—who give you a sense of community standards?

**Ms BAIN:** The community standards requirement within the Australian Association of National Advertisers [AANA] codes is determined and informed in part by the view of the 20 who are representative of the community.

**The Hon. JAN BARHAM:** How are they representative? How are they selected?

**Ms BAIN:** They are selected based on age, social status, work within the community, job, et cetera. I can take that on notice and provide you with some further details.

**The Hon. JAN BARHAM:** Just in terms of whether it is totally and separate from you.

**Ms BAIN:** Independent from industry, that is right. There are no advertising or marketing representatives or industry people on that standards board.

**The Hon. JAN BARHAM:** No, no. I mean, who undertakes that process to determine the independence of those people? I would say that 20 people just seems like a very small group to be establishing a community view. I just know from having done something in local government and working with the university

when we were trying to get a citizen's jury and we had to have at least 50 people to get a cross-section that was broad enough to give an indication. If that could be taken on notice, I would appreciate that.

**Ms BAIN:** Yes. I am happy to take that on notice. I also to note for you that the decisions of those 20 are then tested by going out to the community more broadly through the Advertising Standards Bureau community standards research. I also am happy to provide you with a copy of their latest. That is where they test and see how the community standards decisions are tracking against the community more generally.

**Ms WAWN:** In terms of the Alcohol Beverages Advertising (and Packaging) Code adjudication panel, there are three members. The public health expert must be nominated by government. Then we also have a marketing representative that must be approved by consensus of the management committee, which includes the government representative. The chair—I must say, thankfully—Michael Lavarch has been the chair since the commencement of the Alcohol Beverages Advertising (and Packaging) Code, so we have not the consideration of a chair, but nevertheless any new appointment of a chair would also need to be considered by the management committee as a whole. Likewise, as with the Advertising Standards Bureau, we also have undertaken community standards research to ensure that that independent assessment adjudication panel is reflecting the community's views and their expectations relating to alcohol advertising.

**The Hon. JAN BARHAM:** When you referred to the fact that only one adjudication that was upheld was not complied with, are you able to tell us which product or which complaint that was?

**Ms WAWN:** It is on the public record. It was the hot Shot Buckets.

**The Hon. JAN BARHAM:** The Bacchus one?

**Ms WAWN:** The Bacchus product.

**The Hon. JAN BARHAM:** An obviously defiant producer of a product that they believe in, so what do you do when you have had a decision upheld that this is, as some say, an abhorrent bit of advertising, you have undertaken your assessment, and they are still going?

**Ms WAWN:** We have done what we can do. I note there is a capacity, I understand, at the Liquor Licensing Commissioner level to withdraw products from the market.

**The Hon. JAN BARHAM:** The Government needs to step in and take initiatives. As an industry, obviously with responsibility to the community and with the full knowledge of the cost of alcohol on society—and we have read the research and I am sure you have too and you know what is out there—is there no move to create some sort of stronger body?

**Ms WAWN:** I think if you have only one non-compliant in 30 years of history, the statistics are fairly good. Nevertheless it is always incumbent upon us as a management committee to evaluate our current systems and see whether or not there are additional things we can be doing. Certainly one of the key things we have been doing over the last 12 months or so is, first of all, looking at who our signatories are and who they are not and seeing if we can get non-signatories to sign up. So that is something we are currently conducting. Likewise, there are a number of things we could be doing such as awareness raising of ABAC and people being more aware of the decisions we make.

**The Hon. JAN BARHAM:** Many people, I think it is 83 per cent, do not know they can make a complaint.

**Ms WAWN:** That is right.

**The Hon. JAN BARHAM:** I have been interested in these issues for some time but frankly I was only marginally aware of your existence. It is not like you are out there telling everyone if you have a problem you can complain. People do not know they can and what they often do, I think, is complain to local government or to their local member.

**Ms WAWN:** Certainly there is no doubt we need to be doing more public relations, and that has been particularly evident since we have done the community research standard that there is a low level of awareness. Nevertheless, when I first started this job about 15 months ago I was not very aware of it and I Googled it and



the first thing you find is the way in which you can make a complaint about alcohol advertising. I am not saying that is the only way. We need to inform people, but nevertheless—

**The Hon. JAN BARHAM:** When you do that now, what comes up first is the Western Australia audit board.

**Ms WAWN:** Well, we came up first the other day, but I will be proven to be incorrect. No doubt we need to do more public relations. The two focuses that ABAC is undertaking presently, now that we have completed that community standard research to ensure that we are aware of where our baseline was, is two areas. One is public relations and awareness of what we do and how people can complain and the process that we undertake.

**The Hon. JAN BARHAM:** Point of sale acknowledgement that people can complain?

**Ms WAWN:** Yes, that is the sort of thing we are looking at, yes.

**The Hon. JAN BARHAM:** Have you considered a pre-vetting compulsory process?

**Ms WAWN:** Pre-vetting generally is compulsory at the moment for existing signatories. Existing signatories must pre-vet against uncertain criteria of the quote. Obviously, non-signatories do not have to but pre-existing signatories are required to pre-vet. We have an agreement with free TV, for example, whereby a signatory has not pre-vetted and they seek to advertise a TV advertisement, they are not allowed to show that TV advertisement until it is pre-vetted. There is a range of mechanisms in place to ensure that pre-vetting is compulsory and that it is upheld. The key now is to ensure that we get more signatories on so that pre-vetting continues to be compulsory.

**The Hon. JAN BARHAM:** Are all these people signatories?

**Ms WAWN:** Sorry, what list?

**The Hon. JAN BARHAM:** All your adjudications?

**Ms WAWN:** About 95 per cent of those who advertise alcohol in Australia are covered currently by the ABAC code. They are members of the three associations that I listed at the commencement of proceedings.

**The Hon. CATHERINE CUSACK:** With the pre-vetting, how many alcohol advertisements would have been knocked out in the last year?

**Ms WAWN:** Just over 100 were knocked out through pre-vetting. Over a thousand are pre-vetted each year. That number is growing, and just over 100 were knocked out.

**The Hon. CATHERINE CUSACK:** About 10 per cent?

**Ms WAWN:** About 10 per cent.

**The Hon. CATHERINE CUSACK:** They can go away and improve that?

**Ms WAWN:** That is right, yes. They can amend and bring it back and be reconsidered for assessment under the quote.

**The Hon. CATHERINE CUSACK:** I understand the advertising industry and marketing is worth \$30 billion to the Australian economy?

**Ms BAIN:** That is right.

**The Hon. CATHERINE CUSACK:** What proportion of that would be alcohol?

**Ms BAIN:** I do not have those figures on hand today but I can take it on notice and provide those to you.

**The Hon. CATHERINE CUSACK:** I appreciate that. The code says that alcohol should not be advertised on television before 8.30 p.m., as I understand it?

**Ms BAIN:** That is right but the commercial television code of practice contains restrictions in it related to advertising of alcohol. Advertising of alcohol on commercial free to air television is only permitted in live sport or after 8.30 at night.

**The Hon. CATHERINE CUSACK:** Do you support those restrictions?

**Ms BAIN:** Yes, we do, and we support them because those restrictions very much reflect the audience that is available at those times, and I have provided some figures to you in my submission that the audience percentages after 8.30 at night and in live sport are 90 per cent adults. Of course, it is the adults who are the target audience for alcohol advertisers given that it is a legally restricted product.

**CHAIR:** That is only for free TV, though?

**Ms BAIN:** Correct.

**The Hon. CATHERINE CUSACK:** Going back to those figures, you have said that only 2 per cent of those aged 0-to-17 years are watching television without the presence of an adult. The immediate question that springs to mind is how many 16-year-olds and 17-year-olds are watching television with or without an adult?

**Ms BAIN:** At what particular timeslot?

**The Hon. CATHERINE CUSACK:** After 8.30, from 8.30 to 9.30?

**Ms BAIN:** So just for 16- and 17-year-olds?

**The Hon. CATHERINE CUSACK:** Yes, with or without an adult

**Ms BAIN:** I do not have those figures particularly. The demographics are broken up as I indicated in the submission.

**The Hon. CATHERINE CUSACK:** Once you put the newborn babies into that group, we are not really worried about them; we are more concerned about the 16-to-17-year age group.

**Ms BAIN:** Yes.

**The Hon. CATHERINE CUSACK:** It would be more helpful to exclude those ones?

**Ms BAIN:** I have some figures, and again I can put them together for you.

**The Hon. CATHERINE CUSACK:** Perhaps you can take them on notice.

**Ms BAIN:** For example, I have a breakdown for 13- to 17-year-olds post 8.30, so that is where alcohol advertising is permitted. The 13-to-17 year olds account for 4.1 per cent of the viewing audience at that time.

**The Hon. CATHERINE CUSACK:** Are they without an adult?

**Ms BAIN:** That is a total figure.

**The Hon. CATHERINE CUSACK:** With or without an adult?

**Ms BAIN:** With or without, correct. Those viewing without an adult present at the same time slot, the same age group, 1.4 per cent, so 1.4 per cent unaccompanied viewing, and that is the figure I have in the submission. I have a range of figures I can provide to you.

**The Hon. CATHERINE CUSACK:** My 15-year-old must be one of the only children in Australia who watches television at 8.30. Anyway, that is a revelation.

**Ms BAIN:** It is predominantly an adult viewing time.

**The Hon. CATHERINE CUSACK:** It is a good idea not to have these alcohol ads before 8.30, because more children are watching? Is that the theory of it?

**Ms BAIN:** The theory is that is the alcohol advertisers agree and comply with the restrictions within the commercial television regulatory environment.

**The Hon. CATHERINE CUSACK:** Why did they agree with that restriction?

**Ms BAIN:** They agreed with that restriction because community concerns have told them they are the times of the day that have a high proportion of adults watching, and it is the adult audience they are looking for, and that is the most appropriate time of the day to advertise. Advertisers acknowledge and appreciate that it is a legally restricted product and that special care must be taken when advertising that product.

**The Hon. CATHERINE CUSACK:** Before 8.30? By not advertising before 8.30, that is the safer course?

**Ms BAIN:** Correct.

**The Hon. CATHERINE CUSACK:** Why, then, does that not apply on weekends and during sporting events?

**Ms BAIN:** The only exception is for live sport. Again, when you look at the audience composition figures for live sport you are looking at around a 90 per cent adult audience. What I would like to stress for you and the Committee today is that alcohol advertisers are not interested in paying money to reach a child audience because commercially that does not make sense. They will always seek out an adult audience but, more so, a portion of that adult audience. They may seek out men aged 45 to 60 and they will identify those television programs or, more often, the media, which has sufficient numbers of that target audience to ensure profitable placement of their advertisement.

**The Hon. CATHERINE CUSACK:** You referred to one of the trends in your submissions in relation to beer, which, back in the 1960s something like 70 per cent of alcohol consumed was beer and now it has spawned as a market share to about 80 per cent? You are probably the right person to ask that question. I guess the question arises, there must be a sense of competition within the industry for the newcomers, the ones who are about to turn 18, because they will be drinking for the rest of their lives, and would they not be a valuable customer to have when they are not established in their drinking patterns yet and they are going to be drinking for a long time? Why would they not be a valuable customer that the industry would want to attract, in the same way that banks want to attract them, in the same way that electricity companies want to attract them? Why does not the alcohol company want to attract them?

**Ms BAIN:** Because they are not legally able to buy that product until they are 18. It is not until a consumer reaches 18 and can legally purchase the product that an alcohol company may or may not be interested in marketing to them.

**The Hon. CATHERINE CUSACK:** Is the alcohol industry a little naive on that matter, do you think?

**Ms BAIN:** No, they are not. You also need to look at the way they are marketing to their target audience. They market in such a way as to get engagement, resonance and action from the people seeing the advertisement. The way you message an advertisement and marketing communication to a child or teenager is very different to the way you would market it to an adult—the way you speak, the images, the music, the language, et cetera, are very different. In marketing techniques, if you do not use the right language and messaging and imaging and pictures to your target audience, you will not get the engagement. The person might be sitting in front of a television when the advertisement comes on but if it is not a relevant product for them, if you are not speaking to them in a way marketers know you get the best engagement and awareness, you are not getting any cut through at all.

**The Hon. NATASHA MACLAREN-JONES:** Following on from that, I looked at one of your cases involving the skinny girl cocktails. I think the complaint was upheld that they were targeting adolescents with the image of the female bottom. What was the penalty from the findings?

**Ms WAWN:** It was upheld and the company acknowledged that it had been upheld and, as a consequence, developed new packaging.

**The Hon. NATASHA MACLAREN-JONES:** Does that mean they were not allowed to sell bottles?

**Ms WAWN:** There was no penalty to say they could not sell but they committed to withdrawing those products from the market and they provided a new labelling which, certainly in the bottle shops I have been in, I have seen the new labelling. I have not seen any of the old labelling available in the facilities. They did commit to take it out of the market and produce the new labelling. That new labelling was subject to a certification process under ABAC. Obviously labelling is far more expensive to change than, say, a quick advertisement. So with ABAC packaging provisions we have a situation which they can apply to have a new label certified and approved under the code which then cannot be the subject of a subsequent complaint. That is what was undertaken by that company.

**The Hon. NATASHA MACLAREN-JONES:** Are the restrictions for 8.30 p.m. only for free to air TV or are there any restrictions in relation to pay TV?

**Ms BAIN:** No. The pay television networks agreed to apply with the AANA codes around the use of images, et cetera, and, insofar as it touched upon advertising with the alcohol codes, they do not have the same scheduling restrictions. Pay TV is a different classification and time zone system from commercial free-to-air television. The post-8.30 and live sport requirements in the code hang off the classification time zone system.

**The Hon. NATASHA MACLAREN-JONES:** Can you outline the classification guidelines for alcohol advertising for the various classification levels?

**Ms BAIN:** There is not a direct link in relation to classification type. It is time zoned. Commercial free-to-air television at 8.30 becomes an "M" time zone, again reflecting the audience watching at the time.

**The Hon. NATASHA MACLAREN-JONES:** But is not "M" for 15 and above?

**Ms BAIN:** Yes. That is right.

**The Hon. NATASHA MACLAREN-JONES:** So you actually are advertising to 15-year-olds?

**Ms BAIN:** No. But the audience composition figures for 8.30 and beyond and also for live sport indicate 90 per cent adult audience.

**The Hon. CATHERINE CUSACK:** Could I clarify. What is "8.30 and beyond"? When does that timeslot end?

**Ms BAIN:** "M" starts at 8.30. At 9.30 "MA" type content is shown.

**The Hon. CATHERINE CUSACK:** Do those percentages relate to 8.30 to 9.30 or 8.30 to 2.00 a.m.?

**Ms BAIN:** They are averaged just post-8.30. I can check for you.

**The Hon. CATHERINE CUSACK:** My question is how long is that?

**Ms BAIN:** The "G" time zone kicks in again in the morning. Again, the time zones reflect the audience.

**The Hon. NATASHA MACLAREN-JONES:** Obviously, there is much debate and discussion about the role of advertising and the consumption of alcohol. Have you done any research or are you aware of any research that looks at other influencing factors? The previous witness said that maybe a decade ago there was evidence that looked at television programs and alcohol consumption, but she is not aware of any more recent research. Are you aware of any?

**Ms BAIN:** No I am not aware of any more recent research.

**Ms WAWN:** There is research I can refer to you on notice from a brewer's perspective.

**CHAIR:** What about other media platforms? We have spoken about restrictions on free-to-air television, which argues in its submission that those restrictions should be applied consistently to radio, pay television and online. Are there other restrictions for online or radio, for example?

**Ms BAIN:** No, there are not scheduling restrictions, but the messaging restrictions we have in our codes apply across the board. You might be aware that in the social media space and also on the Internet, more generally, alcohol advertisers will do what we call age gate their website and also the Facebook page. If you are not a registered Facebook user over 18, you cannot see, like or access that alcohol page at all.

**CHAIR:** Have they been tested?

**Ms BAIN:** Tested in what way?

**CHAIR:** To see whether the age gate works?

**Ms BAIN:** I do not have anything to hand that I could share with you today, but I could take that on notice. I understand that there is no evidence that Facebook users under 18 exaggerate their age to avail themselves of the ability to access over-18 Facebook pages. We do not have any evidence about that behaviour taking place.

**CHAIR:** I just asked if it was tested. If you set up to age gate it, the next question would be, Has that been tested to see whether it actually works or do I just calculate my age to be over 18 and just type that in anyway and away we go?

**Ms BAIN:** Again, there is no evidence from Facebook or other social media platforms that users exaggerate their age for that purpose.

**CHAIR:** Do you have a view on whether restrictions should be applied to other media, such as radio?

**Ms BAIN:** No, I do not have a view.

**CHAIR:** Free TV Australia obviously has a view that it is being unfairly limited in what it can do?

**Ms BAIN:** Again, the view of the alcohol advertisers and marketers is that commercially they seek out the adult audience. They will place their ads—whether it is outdoor media, magazines or social media—to get the greatest proportion of their targeted adult audience.

**CHAIR:** I understand that. Obviously, the need to do that is for market realities. For example, in a game of cricket where over the five days it would be finished by 6.00 p.m. before you enter any of those zones, the marketing has to be targeted towards the consumer market because everyone is available to watch it?

**Ms BAIN:** Although if it is live cricket, then that is permitted under the free television code of practice. I have some cricket figures here for you: 1.8 per cent are for children 13 to 17 in cricket generally. I do not have particular figures for, say, the Boxing Day Test. But I certainly can look for those.

**The Hon. CATHERINE CUSACK:** Is that again without an adult?

**Ms BAIN:** That is with an adult.

**CHAIR:** So 1.8 per cent of children in that age group are watching cricket?

**Ms BAIN:** Of the audience watching cricket, 1.8 per cent are children aged 13 to 17.

**CHAIR:** The ACB would not be pretty happy with those statistics. I am sure they would be targeting young cricketers.

**The Hon. CATHERINE CUSACK:** With respect, the figures in here are supervised and unsupervised. That is why I am confused about the figures now being given.

**Ms BAIN:** Those figures are supervised. I am happy to give you a further breakdown; to take those figures and break them down more clearly for you.

**The Hon. CATHERINE CUSACK:** The Committee would just like to know the overall percentage. That would be the more useful figure.

**Ms BAIN:** Again, I am quite happy to provide those figures for you.

**CHAIR:** My pet topic at the moment is beer. Maybe I have the right people in front of me. The Australian Association of National Advertisers' submission talked about the argument that one in four beer consumers now consume a light or mid-strength beer. Cited as a reason we should allow alcohol advertising is that we would like to steer those traditional full-strength beer drinkers across to some of our other products. In order to do that, we need to advertise them. Is that the argument you have put in your submission?

**Ms BAIN:** The benefits of advertising are that you can provide responsible drinking messages and communicate to the consumer the range of products available. Again, the range of products available very much reflects consumer demand for those products.

**CHAIR:** Did we not just see VB fall from the top of the tree from being a full-strength beer and the number one beer in Australia because the alcohol content was reduced? Then it went from the consumer saying "We want it back to where it was" and there was a big advertising campaign to put it back to number one because it again increased in strength? What does that tell us about consumer patterns?

**Ms WAWN:** Do you want me to put on my brewer's hat?

**CHAIR:** Sure.

**Ms WAWN:** This answer is as CEO of a brewer's association, not as Chair of ABAC. Advertising is all about brand. Obviously, companies make decisions to get brand traction in the market of beer drinkers. CUB made a decision on the decline of VB at its certain target audience that it needed to change the direction it had been taking over a number of years. Likewise, when we saw Four X Gold as a mid-strength beer, it also utilised advertising to promote its brand. Beer advertising or any type of alcohol advertising is about that brand and targeting your legal consumers and trying to attract them to a certain brand. Advertising has its place in getting your brand recognition, particularly when you are making changes to the brand. It is the way in which you can communicate that change to a particular brand.

**CHAIR:** You say that CUB made a decision because of the decline. Obviously, some market research would have been done. Is that research saying "We want to drink beer, but not as strong"? Our inquiry is about alcohol abuse, not about prohibition or getting rid of pubs and alcohol. Surely, that was done for a particular reason. Was the reason because the community was saying "Now one in four of us are drinking mid-strength beers" and we are heading down that path?

**Ms WAWN:** I cannot speak on behalf of CUB's marketing section, but we do know that people are looking for broader choices in their alcohol consumption. For example, as a female beer drinker, I want mid-strength low carb. Someone else wants a 4.6 per cent VB and someone else wants a Crown. We all have different tastes and attributes and companies need the capacity to actually market that to their audience. In providing that choice to consumers, they need to provide that information somehow. In terms of alcohol content, I am proud to say that the beer industry is a lower alcoholic beverage of choice from our perspective. We have light, mid and strong, but it is lighter generally than other alcoholic beverages. Coming back to the question about consumption of beer in the country, yes, it has trended down. Obviously, as an industry we are keen to ensure that we see that reversed or at least stabilised. Nevertheless, it has to be consistent with a responsible message that you drink any alcohol in moderation.

It is ensuring as an industry that we are advertising in an environment that recognises that there is alcohol misuse. We also have a responsibility to assist in ensuring that the alcohol misuse does not occur, but at the same time have the legitimate right to sell our brands to the audience that are allowed to consume our product. It is a matter of finding that balance as a community generally in ensuring we maintain that advertising capacity, but doing so in a responsible manner. We find it interesting as an industry and being part of these reviews that it really tests whether or not we think we have that balance right. It certainly opens our minds as to

what else could occur? Do we change things in some instances, such as PR? I think PR is an important and powerful thing we need to be doing that we subsequently recognised.

**CHAIR:** I am glad you put on your other hat for a minute.

**Ms WAWN:** I have been biting my tongue all day. So thank you.

**CHAIR:** I know you have. That was good. I am glad we drew you into it. We have heard a lot of information about point-of-sale advertising and promotions. Is that covered by the code?

**Ms WAWN:** It does not cover ABAC. It covers things such as posters and so forth. But there is certain point-of-sale material, such as gifts. Gifts are not covered.

**The Hon. CATHERINE CUSACK:** Bulk discounting?

**Ms WAWN:** Discounting is a price issue, not advertising.

**The Hon. CATHERINE CUSACK:** It is not marketing?

**Ms WAWN:** Not marketing.

**CHAIR:** What about promotions? If a marketing company sends you and three mates away to an island for four days, is that advertising covered?

**Ms WAWN:** The advertising would be covered.

**CHAIR:** The ads on the TV?

**Ms WAWN:** Yes.

**CHAIR:** What about the entry form, for example, at the point of sale?

**Ms WAWN:** The entry form itself would not be, but any advertising associated with the campaign would be covered.

**CHAIR:** What about the pictures of the logo and the pictures on the entry form?

**Ms WAWN:** I presume that would be, but I would have to take that on notice.

**CHAIR:** If the poster that hangs above the entry box is covered but not the same pictures, wording and information on the actual form you fill in to put in the entry box, surely there needs to be some review of that point of sale? This is what some academics are telling us is part of the problem.

**Ms WAWN:** Certainly, as I said, ABAC Management Committee has committed, now that we have this research, to undertake a review of the code later this year following reviews such as yours. Likewise, the National Preventative Health Agency is currently undertaking a review of alcohol advertising self-regulation. We will take all of those reports on board and incorporate those into a review we will conduct later in the year. Certainly, issues relating to the ones you just raised are included on the list that will be contemplated at that time.

**CHAIR:** Many promotions now ask you to go on to a website to register, is the website covered?

**Ms WAWN:** Yes, it is.

**CHAIR:** We have run out of time this afternoon. Thank you for appearing on behalf of your organisations and your submissions. I note you did take a number of questions on notice. The Committee has resolved that the response to those questions be returned within 21 days. The secretariat will liaise with you to facilitate that response.

**(The witnesses withdrew)**

**(Short adjournment)**



**DAVID CASS**, Australian Hotels Association, affirmed and examined:

**DEPUTY CHAIR:** Mr Cass, would you like to give an opening statement and if so would you keep it to no more than five minutes and there is no need to repeat anything in your submission?

**Mr CASS:** The first opening remark is that, contrary to the agenda paper, I am not the chief executive officer. Mr Nicolaou might be intrigued to hear that. I should put that on the record. I have been asked to appear today as the person who coordinated the submission on behalf of the Australian Hotels Association [AHA]. My other remark would be to direct your attention to the thrust of our submission, particularly where we have referred to alcohol misuse as a cultural issue that requires cultural change in our society. That cultural change can effectively be achieved by educating people of all ages about their legal responsibilities. In section 3.2 of our submission at pages eight and nine we concentrate on the issues that we believe the public need to be reminded of.

Some evidence given during your last hearing day related to risk-taking and the culture of getting well and truly primed even before going out. What we are saying and we have said in our submission is that people need to be told what is and what is not allowed under the law in New South Wales rather than simply relying on harm minimisation concepts. Harm minimisation concepts are perhaps those that are rarely heeded and certainly not heeded by the young. There was considerable emphasis in the previous day's evidence placed on reduced trading hours for licensed premises. That, we believe, is a simplistic and one dimensional approach and instead I would ask the Committee to look at that issue in a different way. Approximately 68, perhaps nearly 70 per cent, of the alcohol sold in New South Wales is purchased as takeaway sales. It is consumed away from licensed premises.

To reduce the trading hours of licensed premises would not reduce alcohol consumption. It would rather be like saying that car accidents kill people so as a response we will reduce the trading hours of service stations. In that instance people would still get petrol and we believe it would be the same with alcohol. The other point that we did not cover in our submission, but I think is worth mentioning for your benefit, is that the National Drug Law Enforcement Research Fund study, a body funded by the Commonwealth Department of Health and Ageing, has found through a study of 7,000 night-time patrons some very robust data: 65 per cent of those patrons reported pre-drinking before going out; 71 per cent of 18-24 year olds, which is perhaps within the range that your inquiry is looking at, reported pre-drinking an average of six drinks before going out—I suspect if any of us did that we would wonder about going out; 61 per cent preloaded because of the price differential between takeaways and on premises sales; and between 20-40 per cent, call it 30 per cent, of those surveyed admitted that they were also on illicit drugs.

We believe the mention of alcohol attributed antisocial behaviour has to be addressed in that context, not addressed as a statewide blanket one-size-fits-all policy. We submit to you that the issues and challenges are not so much on licensed premises where intoxicated people cannot get a drink and cannot even gain entry under the New South Wales liquor law. On licensed premises intoxicated people, again under New South Wales law, are required to be evicted. The problems with antisocial behaviour, whether or not it is attributed to alcohol, are out on the streets and not because of trading hours. I emphasise those comments because I believe they are particularly at odds with some of the evidence that has been given previously. I make those threshold remarks and I am open to your questions.

**The Hon. GREG DONNELLY:** Can I take you to point 1.0 on page 3 of your submission to gain some clarification? It is self-evident what you say there but to clarify: Would it be the case that all hotels are able and in a position to sell alcohol to a customer who walks in to take that bottle of beer or wine away? Would that statement be correct as a general proposition?

**Mr CASS:** Nearly.

**The Hon. GREG DONNELLY:** Could you give an example where that is not the case?

**Mr CASS:** There will be some hotel licences that do not provide for takeaway sales and in the old parlance they were referred to as taverns. Under current liquor law a hotel is a hotel but there will be some with licence provisions that preclude them selling takeaway alcohol.

**The Hon. GREG DONNELLY:** I am not talking about a bottle shop per say adjunct to the pub?

**Mr CASS:** No, across the bar.

**The Hon. GREG DONNELLY:** Some of your members may operate, associated with the licensed premises, a drive-through bottle shop. Do you have any idea, as a percentage of the total number of hotels, how many would have drive-through bottle shops?

**Mr CASS:** I can take it on notice but I think your question may be better answered if we eliminate the words "drive-through" and talk about bottle shops. There can be attached to hotel premises bottle shops but they are not necessarily specifically drive-through.

**The Hon. GREG DONNELLY:** Point taken. Does the Australian Hotels Association, as a leader and a major organisation in the industry, accept that in the community at large there does appear to be a problem with respect to young people and the abuse of alcohol? That is a general proposition. That is not accepting any responsibility for it per se but rather acknowledging that in 2013 in Australia there appears to be a problem with young people abusing alcohol?

**Mr CASS:** Yes, yes and yes. Our members are at the coalface. They see it night and day. They have to address it night and day to comply with liquor law and to comply with their licence conditions. Only last Saturday night I was walking along a fairly major thoroughfare in Sydney just behind a group of young people—mind you they are all young compared to me—in their early 20s who said one to the other, "Come on let us go and get", I will say inebriated but they did not. That is the culture we have to address every day but that is not the purpose of hotels and it is not the purpose of alcohol but it is particularly in young people's minds. That is how they think: We want to go out and get hammered. We recognise it and that is why we say there has to be cultural change and the association will be the first to admit that cultural change does take time. We believe that all the programs that have gone before have had some effect, they have their place, but what people need to be told is what is allowed and not allowed under the law. We have listed some of those things—I will not repeat them—in the submission.

**The Hon. GREG DONNELLY:** Do you think, Mr Cass, that what we are facing today in Australia with respect to this issue, we will call it a cultural issue, is worse than it has been in the past, the same or not as bad with respect to alcohol and young people? Through your members that provide you with information when you meet with from time to time are we facing something that has always been with us or does it appear to be worse?

**Mr CASS:** You have asked for a personal view and I best give it.

**The Hon. GREG DONNELLY:** On behalf of the organisation.

**Mr CASS:** On behalf of the organisation but I can only represent the way I see it at the present time: It is not much worse or much different than it has been when we were kids. I think kids these days appear to be more boisterous but maybe it is how we are looking at them. There has been this culture within Australian society and I see that it has not changed greatly. I think what has changed is the focus on it, perhaps the non-acceptance and perhaps Committees such as this that are examining it. But the behaviour and antisocial behaviour in Australian society we see at the doors of our premises all the time. It is very much different than it is in some overseas settings.

I have been lucky enough to have just returned to work a week ago after I spent just over three weeks in the US in what could be called some party cities—New Orleans and Las Vegas, amongst other places. I was also on a cruise ship that accommodated 4,000 passengers, and I suppose they were representative of middle America, but I did not see the same sort of antisocial behaviour in those party situations that I often see and have seen as a publican, as one who has owned a hotel in an entertainment precinct. So yes, we recognise it. We and our members are addressing it all the time.

**The Hon. JAN BARHAM:** Perhaps I am missing something. I am interested in what you are saying that you think that the culture has not changed, that this is part of who we are as Australians, this bingeing, drinking culture. If it has been the same for so long what is it that the association has been doing to address this problem? We have seen an extension of trading hours. The second part of my question is: When you talk about the pre-loading, is not one of the issues about pre-loading the extended hours of operation that means that people are at home drinking and then they go out at 11.00 p.m. or something? There are two parts to that question.

**Mr CASS:** Can you give me the first part and I will address that first?

**The Hon. JAN BARHAM:** What have you been doing if the problem has been here forever, for decades? Why is it not being addressed, or how do you think you have addressed it, and if you have been addressing it then I suppose you would have to say that you have failed—or society has failed?

**Mr CASS:** I think I prefer that the association cannot be held responsible for everyone. Going back into history, governments and industry did not have to address it; it was not an issue of great concern. But in more recent times, in recent decades, the AHA is the leading provider of training for all staff in the responsible service of alcohol. We run seminars for our members as to how to address various problems. We are working closely with the Kings Cross, Surry Hills, Byron Bay publicans, their liquor accords; we are working closely with police and other government agencies to address these concerns, and that is an ongoing collaboration between us as an association and the various authorities.

**The Hon. JAN BARHAM:** How does the move to extended hours fit in with any concept of trying to change culture?

**Mr CASS:** That is the second part of your question. I do not see extended hours as a problem. I ran a hotel that was licensed for 24 hours—ran and owned it. You get quite close to many of the regular customers and I found that a lot of them wanted the adventure, the excitement and the ability for social interaction well into the night at hours that you and I might feel a bit strange about. But a lot of them did not have responsible jobs and they left their jobs at 5 o'clock on a Friday night, or 6 o'clock, often went home and had a few hours' sleep or had dinner—we are not saying everyone pre-fuels—and then they took the opportunity to enjoy themselves in the wee small hours. With all the regulation we have got, extended hours are not the problem. It is not that every hotel or every club or every bottle shop or other liquor outlet has the ability to trade 24/7; it is rather rare.

**The Hon. JAN BARHAM:** If it is not the hours then is it because we now know that there is such a high level of alcohol-related incidents including violence? The National Drug Strategy Household Survey indicates that 28.5 per cent of Australians were victims of alcohol-related incidents in 2010. Is that something new or do you think that is still the culture and it is just known?

**Mr CASS:** Statistics are relatively new in this regard. Off the top of my head I think they only started some few years ago. When you talk about alcohol-related violence, everything is lumped under the one category but there are all types, and when you look at alcohol-related violence in or around licensed premises, particularly hotels, it has substantially decreased, and quite rapidly decreased, in the time that these statistics have been gathered. But there are alcohol-related violence statistics associated with domestic violence in the private home. According to the New South Wales Bureau of Crime Statistics and Research, alcohol-related violence in licensed premises is at the lowest levels in more than a decade—20 per cent lower than 2008, 25 per cent lower than 1975 and in the two years to September 2012, which is the latest BOCSAR data that I have available, assaults on licensed premises across the State fell again by another 11.5 per cent.

**The Hon. JAN BARHAM:** But in areas with an increasing density of alcohol outlets, like Byron, a 20 per cent increase in alcohol-related violence in the last few years.

**Mr CASS:** I would like to see the break-up of that 20 per cent statistic; I would like to see how it relates to on-the-street antisocial behaviour.

**The Hon. JAN BARHAM:** On-the-street, when you have high density are you not accepting that on-the-street violence—and I think Manly is probably a similar situation, Bondi maybe, Sydney—

**Mr CASS:** Kings Cross definitely.

**The Hon. JAN BARHAM:** —those high density areas where people are attracted to an area for a big night out, sometimes a biff is part of a night out, that it is those hubs and maybe there is a lot of responsible drinking but there are also the flare points, and they are the areas—you probably know that in my community there is unanimous support from the council for a trial of the Newcastle last drinks trial but a liquor accord that did not support that. So where is the problem where you have got a reluctant industry to recognise that there are community concerns and problems with those flare points?

**Mr CASS:** I do not think you could call the industry in Byron reluctant. I think a lot of people up there are doing a lot of things to try and address the issues up there.

**The Hon. JAN BARHAM:** After a 20 per cent increase in violence? In 2010 there was a unanimous vote in the council to request the liquor accord to undertake a trial—and in Byron it is pretty rare to get a unanimous vote. When you talk about community concern, then an industry that would not take that on board—and it is only in that preceding three years that a 20 per cent increase in crime brought ALGA in—

**Mr CASS:** Because I think you have got to look at it with a different helicopter view of the problem. Targeting or blaming the venues and expecting them to alter their business models and their trading hours and all those sorts of things I do not believe is the answer. The answer is to look at what is attracting people to an area, and there is a lot to attract people to Byron other than licensed cafes, restaurants, hotels and clubs.

**The Hon. JAN BARHAM:** Not that much after 11.00 p.m.

**Mr CASS:** No, but then you have got to look at the fact that obviously people want to be attracted after 11.00 p.m. to Byron. Then you have to look at where the problems are occurring, and in Byron the majority of the problems—not discounting there are other issues—but the majority of the problems as they are in Newcastle, as they are in Kings Cross, are occurring on the street.

**The Hon. CATHERINE CUSACK:** Do you think some of them happen on the street after they have come out of the pub?

**Mr CASS:** Yes, and, again I will put in brackets here, this is not to reflect on the inadequacies of current liquor law in New South Wales, but you have to remember that if someone has reached a level that staff believe they are intoxicated—and that can happen quite quickly; you can have four schooners and five schooners might tip you over—

**The Hon. CATHERINE CUSACK:** So then they go out onto the street and something happens.

**Mr CASS:** That is possibly where the difficulties occur. I am not suggesting that we should retain people on premises in an intoxicated state, other than perhaps for their own safety—and that is an issue that we are discussing with the Government—but the law turfs people out onto the street. But also do not forget that the problems start early in the night. You can go to Kings Cross well before midnight and see—

**The Hon. CATHERINE CUSACK:** I hear what you are saying but one could almost get the impression that people are just going to the hotels and not drinking at all, they are doing all their drinking beforehand. They are going into the hotel and coming out and—

**Mr CASS:** No. I do not think I have given that impression.

**The Hon. CATHERINE CUSACK:** Can I just go back to that BOCSAR report? The submission quotes those statistics and the table that you have quoted indicating the decline in the number of assaults on licensed premises. I have just called up Don Weatherburn and Steve Moffatt's report "Trends in assaults after midnight", which was issued in April 2011. It says, "Aim: To determine whether there has been a decline in assaults after midnight following changes to liquor licensing policy after March 2008. Results: The upward trend in assault between midnight and 5.00 a.m. in NSW 2004 and 2008 reversed following changes to liquor licensing policy after March 2008 and the NSW Liquor Act in October 2008. Assaults on licensed premises have fallen by about 1 per cent a month since March 2008.

The fall is not restricted to licensed premises but was found to affect all location categories other than non-licensed business/commercial premises. Conclusion: The imposition of new restrictions on licensed premises may have assisted in reducing the assault rate in NSW". That finding is completely consistent with those statistics. It seems to be drawing the opposite conclusion though to the conclusion being drawn by the AHA. They are suggesting that by imposing more restrictions on the licences that has been what has caused the drop in the assaults and, secondly, that when the assaults have fallen inside licensed premises they are not being pushed out into people's homes or into the street or elsewhere, they are falling overall.

**Mr CASS:** Statistics, statistics and more statistics. I suppose we could manipulate them and get the answers we want. I just make a couple of points. I do not believe that 2008 was where the change occurred. As I

said, I owned a hotel and I had a 24-hour licence and I owned it between 1992 and 1997—it remains that way. So there were late-trading premises long before 2008. The drop in statistics of alcohol-related assaults we all accept, and I think all the submissions point to that. The comments made by the Police Association in a previous hearing pointed to that as well. But there have been changes. There has been the 2007 Liquor Act, the greater emphasis on responsible service practices, there has been significant staff training and there has been more emphasis on security measures at licensed premises. There is the requirement, as I said before, to refuse people entry, those who are intoxicated and to evict—my word—those that have reached that level. CCTV has proved, we believe, to be a deterrent, because some people—not all, I know the situation in Byron—realise that CCTV will capture images of them doing wrong.

**The Hon. CATHERINE CUSACK:** A suite of measures?

**Mr CASS:** Yes.

**The Hon. CATHERINE CUSACK:** But the quote I read was Don Weatherburn's conclusion from that study. I thought it was worth mentioning that because you are using his statistics in your submission but you seem to be putting a different interpretation on them than the author of the study.

**Mr CASS:** The author of the study has consistently taken his view. We are looking at a—

**The Hon. CATHERINE CUSACK:** As is your right. The Police Association claimed that a range of measures including reduced trading hours, lockouts and restrictions on high alcohol content drinks have resulted in a 37 per cent decrease in late-night assaults in the Newcastle CBD. Do you agree with that statistic, and is that not some evidence that reduced trading hours can lead to a better outcome and a safer community?

**Mr CASS:** It is the only statistic that is available. We are not arguing it, we are not refuting it. But in Newcastle, as indeed in other entertainment precincts—and the Newcastle CBD area is an entertainment precinct, certainly on the weekend nights—we believe that there has to be a different approach. You have got to look at each individual situation. Newcastle is different to Kings Cross and the mindset of the patrons is different, which is different to Manly or Byron. We are saying that in each instance local solutions for local issues is the way to go. A one-size-fits-all blanket approach that our friends at the Police Association may be suggesting is not the panacea to all these ills.

**The Hon. CATHERINE CUSACK:** Is it fair to say that the hotel industry is experiencing considerable financial stress at the moment? I know that things will hopefully pick up in the next couple of years, but basically the industry was very over-g geared. Very high prices were paid for hotels a few years ago and a number of big players have gone belly up, basically. My concern would be that the financial stress that everybody is experiencing, which was really not due to a consumer issue, it was due to a market issue where too much money was being paid, is forcing people to perhaps stay open longer to try to maximise the money to service their debts. Trying to maximise their financial positions could be clouding some of their judgement in relation to the safety consequences.

**Mr CASS:** That is your assessment of the industry. Far be it from me to give a commentary on the economic state of industry, but you cannot force people to stay open. Licensing laws dictate the hours of trade. That is the first thing. But even if you gave people 24 hours ability to trade, the patrons dictate when they will come and what the trade will be like. Yes, there may be economic factors but the industry is not beholden to the philosophy that you have got to stay open forever to make a quid. That would not be a correct assessment at all. I am trying to not argue with you but just put it in a different light.

**The Hon. NATASHA MACLAREN-JONES:** You represent 1,700 pubs and clubs around New South Wales. Obviously they are all very different.

**Mr CASS:** And I think it is closer to 1,800 since we wrote this.

**The Hon. NATASHA MACLAREN-JONES:** That is quite a lot. This morning we heard from Manly Council about the Steyne and how that has changed over the years. A lot more of its focus is about day-time trading, which presumably then attracts families. Do you think it is fair to say that that type of trading has a direct impact on reducing excessive alcohol consumption?

**Mr CASS:** A changed business model can often change the type of patrons and the hours that people trade. The hotel that you mentioned in Manly has done just that. So it can, but there is still a desire amongst the community, young people and old people, to be out just for the purpose of socially enjoying the company of others over a drink.

**The Hon. NATASHA MACLAREN-JONES:** There is a difference between socially enjoying company and a drink and excessive or binge drinking.

**Mr CASS:** And that is where we get to the point of excessive equals intoxication and binge drinking obviously leads to intoxication. That is where we believe that the community needs to be educated as to what is allowed and not allowed under New South Wales law. I happened to also for my sins run the Surry Hills and Darlinghurst liquor accord. You know the area; it is an entertainment precinct. We had a difficulty over Mardi Gras in March. It was a very successful Mardi Gras, incident free apart from one well publicised event that had nothing to do with licensed premises or alcohol. We had the experience of having to explain to a ship full of American visitors about what is allowed and not allowed in New South Wales under liquor law. It was difficult to explain to them that our law says that you cannot stay on licensed premises when you have reached the level of being assessed by a responsible staff member as being intoxicated. This is just quite foreign to—

**The Hon. CATHERINE CUSACK:** Sailors still do get drunk, do they?

**Mr CASS:** Although we mentioned Oxford Street, it was not a shipload of sailors. It was a cruise liner of regular passengers who had come for that particular occasion. I am just showing that this is a way that we need to educate people, not only our own. For interstate people, some of them operate under totally different laws. Ours, we believe, are very strict. Again the thrust of our submission was that the community young and old, and old because parents influence their children, need to be told. We have also put this to the other inquiry that this Parliament is running in relation to alcohol and minors. We have put the view that education is now the way that the Government should be addressing this issue.

**The Hon. NATASHA MACLAREN-JONES:** In your submission you say it should be separate to health advertising. Do you believe they should be two separate messages or that one should not be addressed at all?

**Mr CASS:** No, there is an obvious health message and those messages should continue, but we are saying complementary to all those messages needs to be a clear understanding of what is and is not allowed.

**The Hon. NATASHA MACLAREN-JONES:** In addition to?

**Mr CASS:** In addition to.

**DEPUTY CHAIR:** Are you aware of the assessment tool that is being developed by the Office of Liquor, Gaming and Racing to assist councils in assessing development applications for licensed premises?

**Mr CASS:** Yes. I think the acronym is EVAT. It was definitely referred to in Ms Tidd's evidence and I think she is going to provide the Committee with more information relative to it. It has been developed and was developed in conjunction between the Office of Liquor, Gaming and Racing in New South Wales and Allen consulting services. It has been launched. I believe it is going to be trialled in areas within the Sydney local government area in regard to future liquor licence applications. It will effectively provide those who are assessing that application with a checklist of issues to be considered. I cannot comment on its effectiveness or otherwise, because I am not aware that it has been utilised against any particular application at this stage.

**DEPUTY CHAIR:** Did the Australian Hotels Association [AHA] have an opportunity to have input into that or were you consulted in any way about its development?

**Mr CASS:** AHA and the Office of Liquor, Gaming and Racing enjoy—probably enjoy is not the word. Well, yes, we do enjoy a very close collaboration on issues related to compliance, staff training education, and liquor law requirements. Whether we were consulted on the development of that particular tool I am not sure; however, we were consulted several times during the study that was conducted and that led to the development of this tool. We were able to put our views as to issues that should be addressed.

**DEPUTY CHAIR:** A number of local government representatives have raised the difficulty that they have in assessing development applications. Has the AHA had the opportunity to consult with or talk to local government about those issues, or indeed have they spoken to the AHA? Has there been any communication about the issues of concern to local government?

**Mr CASS:** We have consulted and discussed and compared one local government area to another. Again, we have close association in this area with the officers and elected officials at the City of Sydney council and also other councils, as do our members. In relation to the council difficulties with making assessments as to the appropriateness or otherwise of new liquor licence applications, we have a view that the process could be better handled by having a one-stop shop. That would be the Independent Liquor and Gaming Authority [ILGA], whose chairman I think has also appeared before this Committee.

**DEPUTY CHAIR:** He has, yes.

**Mr CASS:** That is not to say that we are saying that councils and residents should not have a particular point of view and not have a submission to make. In fact, it is the reverse. All these things should be brought together under the umbrella of the ILGA so as the final decision incorporates the views of residents, often reflected through the views of council, and those views are taken into consideration at the time of the granting of a liquor licence. We have put that submission of that process to the ILGA. We have put it to the New South Wales Government's review of the planning system, because it is part of the planning system. I think as an association we will continue to put it. Again I emphasise that there is no intention to reduce the effectiveness or the control that local government has over the grant of trading hours and the like, but to tie it all in together. At the moment, conceivably one could get approval from the Independent Liquor Gaming Authority to operate licensed premises and then find that that approval is diluted or altered by an approval of the council.

**The Hon. JAN BARHAM:** No. It is the other way round.

**Mr CASS:** In some instances, it is; but in other instances, it can be diluted through the imposition of trial provisions in certain local government areas, not all, and the like. We are saying that it would be better and would provide more commercial and community certainty if the various discrete processes were tied together and brought under the umbrella of the Independent Liquor Gaming Authority.

**The Hon. JAN BARHAM:** Like a part 3A? I am thinking out loud. It is another centralised instrument.

**Mr CASS:** I do not compare it to part 3A because it has some other overtones attached it, whether you like it or not. No, I would not compare it to part 3A.

**DEPUTY CHAIR:** Thank you very much, Mr Cass, for appearing before the Committee this afternoon. Regretfully, the time allocated for asking questions of you has expired. The Committee may place questions on notice to you. We have resolved that answers to those questions need to be returned within 21 days. If there are any questions on notice that members submit, the secretariat will be in contact with you about those.

**Mr CASS:** But I have one question from Mr Donnelly about which I will get back to you in relation to the number of bottle shops attached, and we can only give that to you in relation to hotels.

**The Hon. GREG DONNELLY:** Thank you very much.

**DEPUTY CHAIR:** It is noted that you have a question of notice from one member, but others may submit questions in the next couple of days. We will forward those on to you, if there are any.

**Mr CASS:** That is all sorted. Thank you very much.

**DEPUTY CHAIR:** Thank you very much, Mr Cass.

**(The witness withdrew)**

**DAVID TEMPLEMAN**, Chief Executive Officer, the Alcohol and other Drugs Council of Australia, and

**MEREDYTHE CRANE**, Manager, Policy and Strategic Communications, the Alcohol and other Drugs Council of Australia, sworn and examined:

**DEPUTY CHAIR:** Would you like to give an opening statement?

**Mr TEMPLEMAN:** Yes.

**DEPUTY CHAIR:** If so, could you contain it to approximately five minutes? There is no need to repeat anything that has been mentioned in the submission.

**Mr TEMPLEMAN:** Thank you very much for the opportunity for the Alcohol and other Drugs Council of Australia to appear before this inquiry. We know that alcohol is a problem, not just in New South Wales but for the whole country. It is not just a problem for young people but for all age groups in every town and in every community. We believe that the community wants action to be taken to reduce the overconsumption of alcohol. The 2013 annual alcohol poll conducted by the Foundation for Alcohol Research and Education shows that 74 per cent of those polled believe that more needs to be done to reduce alcohol-related harm. We hear calls regularly from the police, emergency services personnel and doctors to take some action. We see the devastating effect of alcohol on individuals and families in the news regularly. The February *Four Corners* episode entitled "Punch Drunk" is a very poignant example.

A week ago we heard our surgeons calling for action to change the country's drinking culture. They see the consequences of this behaviour week in and week out—all being preventable tragedies. At the New South Wales Alcohol Summit in March this year, Assistant Police Commissioner Mark Murdoch described the extent to which policing time is taken up with alcohol-related issues. Nearly half of everything the NSW Police do is related to alcohol—half of it. Offenders either are affected by alcohol or are doing something to profit from it. He addressed the worrying trend with domestic violence. While alcohol-related assaults have declined in the last five years, there has been an increase in alcohol-related domestic violence, especially homicide-related domestic violence, alcohol being a key contributor.

We know that across Australia there are roughly 20,000 alcohol-related incidents of domestic violence per year that involve children. The New South Wales has 350 violence domestic violence calls every day. As Commissioner Murdoch talked of the challenge of addressing alcohol sales through off-licensed premises, these sales represent approximately 70 per cent of all alcohol purchased in New South Wales. The problem is a lack of control. You can back up your truck and buy as much as you like as often as you like and no-one ever asks any questions. Will we see leadership in New South Wales around this? Evidence in New South Wales' own backyard has proven a way of reducing consumption and reducing harm at very little cost to the Government. Why is the successful Newcastle trial not being adopted elsewhere—in fact, across the whole State? Why is it that government does not build on the successes of the evidence-based strategy, which includes a 50 per cent reduction in crime, a 37 per cent reduction in assaults in that area and also a consequential reduction in presentations at emergency departments?

We often hear the argument that individuals have to take responsibility for their own behaviour and that parents need to take control of their children, or the unfortunate comments that other drugs are the problem, not alcohol. We believe this is done in an effort to divert attention away from those who are encouraging you and I to drink. We have lots of places from which to buy alcohol. We have long trading hours. We are offered incentives to buy, and alcohol advertising and promotion is everywhere. It is not just advertising in the traditional media and through sponsorship activities but increasingly through the internet and using social media through a tangled web of activities to attract people to their product, build relationships, and regularly connect with them, and to encourage them to share with their friends, and so their friends to share with their friends. We know how many friends that young people can have on Facebook.

Yes, the alcohol industry and the supermarket chains want to make money, but the impact on the community in the context of this inquiry on young lives cannot be ignored. These industry barons must take their fair share of responsibility for action that they take to encourage people to drink more, and drink often. For young people, the challenge is to get them to understand the gravity of the risks associated with consumption. It is an uphill battle, though, when two-thirds of Australians believe it is okay to get drunk. The crux of the matter is that to reduce alcohol abuse among young people we need to look at alcohol consumption across the whole of



the population and take decisive action that has proven to be effective. We just cannot tinker around the edges or will focus attention on one area. We need to tackle both supply and demand and take action to reduce alcohol-related harm. We need to address pricing and taxation, address access and availability, and address advertising and promotion. They don't cost a lot, and they are very effective.

We also need to invest money on prevention and treatment to discourage and delay consumption and to stop the problem from getting worse—no half-hearted investment, but real funding to do the work that is shown to be effective. There needs to be strong leadership without concern for how the industry might respond and the potential impact on revenue. In Opposition the current New South Wales Government shared these concerns. In particular, the current Deputy Premier did so in the 2003 Alcohol Summit when he acknowledged the impact of alcohol on communities and the need to back community-based solutions. In conclusion, the problem as far as we are concerned is bigger than it was in 2003. Communities and the police, emergency services and doctors want change. The Alcohol and other Drugs Council of Australia says: Where is the political leadership to put people first?

**DEPUTY CHAIR:** I will now invite my colleagues to put some questions to you.

**The Hon. GREG DONNELLY:** I thank both of you for coming along this afternoon. I have some general questions and you may answer them either together or separately, whatever suits. I think we should try to cast our minds back and look at our history in terms of the question of alcohol abuse. This inquiry is specifically looking at alcohol abuse in regard to young people.

**Mr TEMPLEMAN:** Correct.

**The Hon. GREG DONNELLY:** Are you able to make some statement or reflection upon the general position today and whether we find ourselves in a position where things are better, worse of the same? I note your comments about the public utterances of various people and comments that have been made. I accept all that, but we do not seem to have reached the tipping point yet where there is a public reaction pushing very hard—or at least that is my interpretation. If you have a different view, I would be happy to hear your comments. The question is in two parts. One is: Do we actually have a worse problem now than we have traditionally had in Australia with respect to drinking abuse, particularly with young people? Are we approaching or getting near a point where there is going to be some strong public reaction against the situation we find ourselves in?

**Mr TEMPLEMAN:** I would have to say that if we go back in history and look at my youth, we do not see a situation that we now have where we have people who want to drink to get drunk. This whole issue about pre-loading before going out and those sorts of issues—I do not think that we experienced that in the past. We certainly see a lot of that now. When you look at the figures, the regular drinking on the weekly basis we see the 14 to mid-20-year-olds drinking weekly on a regular basis, and not only drinking just beer and wine. Their drink of choice seems to be spirits based. I hark back to why the Federal Government moved so quickly in 2007 to put a harm levy in place with regard to the issue of alcopops. That was to try to eliminate the problem that those things were creating.

Fortunately, sure, there was a very minor reduction in overall alcohol consumption. There was a 30 per cent plus reduction in alcopop consumption as a result of that, but we had the industry and the other barons at play here offering to sell spirit-based drinks with free mixers—two for the price of one sort of thing. So that did not change that culture at all. There the problems lie, I think. It does relate to the way in which these things are marketed and advertised, and deliberately pushed down people's throats. Also, at the same time, it is so cheap. When you can buy alcohol, and wine in particular, when a cheap bottle of wine vis-à-vis the same volume of water and you are going to pay less for the bottle of wine, I think we have lost the plot. We have absolutely lost the plot. When you can walk into this company that came from Europe—a big supermarket chain—and you can buy six bottles of wine for \$9.67, that is absolutely ridiculous, and you will pay \$15, roughly, for the same volume of water.

Now we really have got to address these sorts of things if that sort of situation is in place. As Mark Murdoch said, you can rock up to one of these organisations and you can fill your six by four trailer up as many times as you like, and no-one is going to question the responsible sale of alcohol in that particular situation. Maybe that is a long way to solve your specific problems. The other issue you raised is, Are we heading for some form of crisis? And you also implied that the community may not be completely with us. In the recent alcohol poll, nearly 68 per cent of Australians believe we have a problem with alcohol. They believe the

Government and industry, and also the hotel organisations alike, are not doing enough about this. We have had senior police, police commissioners—particularly from New South Wales and Western Australia—all saying that significant amounts of their time, 60 per cent of their time, which ratchets up to about 80 per cent on Friday and Saturday nights, is consumed, and when you track it back, it has some relationship to alcohol. So it is a case where leadership has to listen to communities and has to listen to their police and try to do something to put things in place before it becomes a crisis. As I said in my introduction, the same issue was highlighted at the 2003 summit. The same issues have been highlighted again at the 2013 summit, and not a lot has changed. There has been a lot of noise about it and a lot of commitment about doing something about it but nothing has really been done.

**The Hon. GREG DONNELLY:** I was not implying anything whatsoever. I was just keen to hear your observation about where we were now and comparing that to the immediate past and perhaps the medium past.

**Mr TEMPLEMAN:** Before you go on, can I ask if Ms Crane wants to add anything?

**Ms CRANE:** Thank you. I think the only thing I would add to what Mr Templeman had to say was that we have other options around today with drinking as well. We had the alcopops situation a while ago. Now we have energy drinks that are being consumed with alcohol. In themselves they have their risk but what they do is help people to stay awake for longer, to drink for longer and while they are consuming other products they are still consuming lots of alcohol at the same time. That increases the risk of harm occurring for young people and for everybody else as well. Mr Templeman touched on the issue of marketing of these products. It has become very sophisticated.

We would describe the approach as very clever. It is the industry using the Internet and social media to the nth degree to what it is able to do, really taking advantage of what options are out there. It is very clever. It has some very negative potentials though: relationship building with young people, connecting with other events, music events, other cultural events. We talked about liking the page, uploading photos, competitions, a photo of me at this particular competition, sharing it with friends who share it with their friends who share it with their friends, and there are so many other layers that as a non-social media person I do not even begin to understand. But it is limited by your imagination, and that is a real concern as well and I think that will potentially be a problem for us.

Mr Templeman talked about the alcohol poll showing that 68 per cent of people think that we should be doing more. My sense is you hear people talking about it more. Can we stop advertising during football games? What can we do to change the culture? They are thinking of their own children, wanting to protect them from what is going on out in the world, what they see in the papers and hear about in the news. I think it is a big problem and I think people are really concerned about it.

**The Hon. JAN BARHAM:** I wanted to follow up whether or not the public really understands or knows what is going on? From my point of view it was not until the *Four Corners* show and the subsequent follow on with the media where they got to see what is happening while they are tucked away in bed from 11.00 o'clock onwards on the streets. Particularly with young people and particularly women, I find it difficult to accept that this country had a culture of women being out at night, being drunk like that and engaging in fist fighting. I do not recall it happening when I was a teenager. How do we address that? Do you think there is a wake-up call for everyone understanding what is going on?

**Mr TEMPLEMAN:** I think we are certainly heading towards a situation of a wake-up call. I think medically and also the fact that we have more information about linkages to cancer and brain impairment and chronic liver disease and how we know just by reducing consumption—Sir Ian Gilmore when he was out here visiting Australia last year from the United Kingdom said that if you reduce consumption, in three years you will see a significant reduction in liver disease—those sorts of things. It is getting those messages understood about what it means and what impact it might have on cognitive ability, on physical ability, on the situation of having more, and it is regularly six or eight drinks in a session on a regular basis. There is the long-term damage it will do and also the short-term damage and more of a risk to themselves.

You mentioned young women trying to keep up with young men, a situation probably putting it pretty candidly, but that is what we see happening, putting themselves at great risk to themselves and other sorts of consequences leading from that. The *Four Corners* program was fantastic and it really did put things in light. We do a lot of media in a variety of different areas such as trying to tap into the base of that NIMBY approach, not in my backyard, where people look at themselves in the situation. This is not a short-term fix. It will take a

long time. It really requires someone to kickstart it and those three things I talked about at the start. We know price—

**The Hon. JAN BARHAM:** They are the three things we keep hearing but some people believe this is who we are as a country, this is our culture—we drink. We go out, we get drunk, we are wild, we are larrikins and there seems to be a disconnect as to whether or not it is who we are as Australians that we accept this behaviour or whether there has been a change and whether or not we are able to recognise a change and something needs to be done.

**Mr TEMPLEMAN:** Not everybody is in the same bracket. A small population group makes it difficult for everybody. But the mere fact that we can continually tolerate the fact that 3,000 people in Australia die every year from some form of alcohol-related harm and it is costing us \$36 billion a year, that is quite significant. There are 70,000 hospitalisations as a result of this. When you start looking at the impact on young people, there are 60 people a week, that is, four people out of those under 25-year-olds, not realising with their habits at the moment that as they get a bit older they could be the next person down the rank who will die as a result of alcohol. I believe we have a serious issue to address. I do not think from a health perspective we are doing this justice at the moment. The long-term implications of this are very serious. I do not think we have seen the level of violence that the police and other people talk about. I do not think we have seen that until the last five years when we see some very significant problems occurring as a result of alcohol-related assaults and impacts as a result of behaviour. We see all sorts of other excuses being used to do with drugs and other sorts of things. We in Australia have made very significant progress in relation to drugs.

**The Hon. JAN BARHAM:** In all fairness you sound like you are denying it but there is an increasing problem with young people at the moment particularly doing polydrug use, misuse and mixing alcohol with things like prescription drugs and having shocking violent memory loss and harmful effects. If we do not recognise that as well, we will be doing them a disservice by not acknowledging that.

**Mr TEMPLEMAN:** I am certainly not underestimating the fact that we have a growing problem around prescription-based medication and things like Oxycontin and those sorts of issues. That is a problem and does require some further redress, particularly in relation to doctor shopping and those sorts of things. Using things like Project Stop which were used with pseudoephedrine and stuff like that to manage those sorts of prescriptions would go a long way to helping the medical community and the pharmaceutical community.

**The Hon. JAN BARHAM:** You also mentioned foetal alcohol spectrum disorder. Do you have any specific literature or analysis of that? Do you have much evidence of that being a problem in New South Wales?

**Ms CRANE:** Prevalence data. I think the data around foetal alcohol spectrum disorder is very difficult. A lot of the data is around foetal alcohol syndrome and not the broader spectrum of disorders that fall under the foetal alcohol spectrum disorder. Unfortunately, we do not have a lot of the data in New South Wales.

**The Hon. JAN BARHAM:** You recommend that New South Wales acknowledges it. Does that mean we need to start collecting some data and researching this issue?

**Ms CRANE:** Absolutely, but we need to have the facility to be able to do that. A tool has been developed and it needs to be trialled. Until we have the appropriate methodology in which to collect that data, it is problematic for that to occur in a consistent fashion. But certainly it is an issue across Australia in rural and metropolitan locations. It is not an issue that is just located in indigenous communities, for example. It is a problem that is probably more recognised in Indigenous communities but not restricted to those areas.

**Mr TEMPLEMAN:** I presume you are aware there is a Federal inquiry into this, and that report has not come out as yet. Just 61 per cent of Australians, as a result of that FARE poll, believe that we should have good labelling on alcohol and part of that is around foetal alcohol spectrum disorder and that is not just having a small label that you can hardly see. It has to be something that is reasonable and also plainly explains the issues that are addressed in the national drinking guidelines.

**MR TEMPLEMAN:** America has had it for 30 years.

**Mr TEMPLEMAN:** And we market and distribute alcohol that goes offshore with those labels that other countries require.

**The Hon. JAN BARHAM:** Is that right?

**Mr TEMPLEMAN:** Yes. To put that in place in Australia would not be all that difficult, given the fact that you can buy an Australian wine in America and you will find it has a label on it.

**Ms CRANE:** It is something the industry is doing already for its exports. It is just not doing it within Australia.

**The Hon. CATHERINE CUSACK:** You would be familiar with the work done by the Federal Government on binge drinking?

**Mr TEMPLEMAN:** Yes.

**The Hon. CATHERINE CUSACK:** I understand the funding for the program finished a year ago? I am not familiar with it. Can you assist us with it? Has that been evaluated?

**Mr TEMPLEMAN:** I do not believe it has been evaluated at this stage. It is a bit disappointing how that started in some respect. When the decisions were taken to increase the tax on alcopops by about 70 per cent, the projection figures of what would come back into government coffers were considerable. I am talking about millions of dollars. The amount of money that was allocated in the first tranche for binge drinking grants was \$150 million, and that was topped up by \$100 million to \$250 million out of what was being achieved through revenue raising was miniscule. Then there has been a whole range of particular grants that people have applied for.

The funding that has been allocated are amounts of \$50,000 right up to nearly \$500,000 in varieties of settings across the whole of Australia. Actual evaluation of the program, as far as I am aware, has not been completed or undertaken at this stage. That matter would have to be put to the Federal Department of Health in relation to where that project is at and what benefits might have been realised through those particular initiatives. Given that we still talk constantly about continual problems in various areas of Australia, both in urban and rural settings, means that we have a lot more work to do.

**The Hon. CATHERINE CUSACK:** I am sure some nice things were accomplished, but \$250 million is a substantial sum of money to not know what we have for it. But we will ask them. Do you have relatively up-to-date research about what has happened to the price of alcohol over, say, the past 20 or 30 years—beer relative to wine relative to spirits?

**Mr TEMPLEMAN:** I do not have it with me, but we certainly could take it on notice and get you some pattern of that for you.

**The Hon. CATHERINE CUSACK:** The market has changed substantially: beer consumption is down and wine is up?

**Mr TEMPLEMAN:** Yes.

**The Hon. CATHERINE CUSACK:** It seems to me that price is an issue across all age groups, obviously?

**Mr TEMPLEMAN:** Yes. You may be well aware that the Australian National Preventative Health Agency is undertaking an inquiry in relation to pricing.

**The Hon. CATHERINE CUSACK:** Yes.

**Mr TEMPLEMAN:** Our submission is actually available if you want to access it.

**The Hon. CATHERINE CUSACK:** On the website?

**Ms CRANE:** On the website.

**Mr TEMPLEMAN:** We could make that available to you as well.

**The Hon. CATHERINE CUSACK:** I was in a bottle shop the other day. I just wanted to get one nice bottle of wine and it struck me that everything was two for the price of one or \$3 off if you buy six. There was not a single bottle of wine on special. It was amazing. What do you mean when you say the problem is getting worse? We have received evidence from the Bureau of Crime Statistics and Research that alcohol-related assaults are coming down in New South Wales, which is evidence that increased regulation is having a positive effect.

**Mr TEMPLEMAN:** I said in my opening remarks that assaults were down, but I also alluded to the fact that domestic violence-related issues were quite significantly up, including domestic violence-related homicides and the like. The issues that concern the medical profession are the nature of injuries and the woeful state some people end up in, especially when pleas are made by significant doctors in this country about the sorts of things they have to deal with regularly that they did not have to deal with in the past. The carnage they have to deal with is very concerning to them. You would only have to talk to John Crosier from Liverpool Hospital who could give you absolute insight into what he sees just about every day of the week in the city.

**The Hon. CATHERINE CUSACK:** We have been discussing "alcohol is not a drug in isolation". For my generation heroin was the big drug that tended to knock people out or on which they would overdose. The drugs people are using today are ramping them up rather than dragging them down. Where does alcohol fit with all of this? Obviously, you would like to be tackling everything and I think we should, but it is difficult to tease out exactly alcohol's responsibility when the mix is so different, is it not?

**Mr TEMPLEMAN:** Yes and no. One of the best or most fortunate things that happened in February 2011 was when the new National Drug Strategy was released, which included alcohol, illicit drugs as well as pharmaceutical drugs, and wrapped them all up into that one national drug strategy philosophy and policy. We were doing them as quite separate items. From a drug perspective we now talk about the most harmful drug and the most serious problem is alcohol as a drug, followed by cannabis and then a lot of others fall into a category below that. You are quite right to talk about the historical perspective. In 2000-01 we used to compare the road toll with the heroin toll in Australia of about 1,000 people dying every year as a result.

That is why I made the point earlier that we have made incredible strides that have been looked at and valued internationally in relation to Australia's stand on drug policy, which has been significant. We still have a \$9 billion cost every year nationally, but it pales into insignificance when you talk about alcohol. On the point made earlier about prescription medication and off-the-shelf medication, we are talking at the moment of around about a \$5 billion annual cost. But that is also probably in the category of rising because they are so accessible. There probably needs to be more controls around that particular area of medication.

**The Hon. NATASHA MACLAREN-JONES:** What is your view regarding industry self-regulation? What changes are needed to improve self-regulation?

**Mr TEMPLEMAN:** Personally, if we are talking about leadership, there needs to be some guidance to industry. To be frank, the sorts of things we are dealing with at the moment require a stronger mantle over current arrangements. Devolution is fine in one certain thing, but we continue to have this carnage and these problems. As I said before, if we had a road toll in this country of 3,000 people dying every year, someone would want to do something about it. That is represented in a cost of \$36 billion a year. We should be doing something about it in relation to health and other related associated costs. They are the sorts of things I believe leadership needs to debate and discuss with industry. We made points before about the impact of social media and the marketing advertising. We brought some material today to leave with you about the long-term influence and implications this could have on our kids of today.

When you look at the advertisements and the marketing advertising and see Kermit the Frog with a bottle of gin in front of him, what does that leave with you? When we see other pictorial representations of young people—certainly when you look at some of the photos—under the age of 18 participating in these sorts of activities, we have to really question where we are going. For instance, why do we have the opportunity 24/7 to advertise, say, car races and things like that? Over a Bathurst weekend every car has Bottle-O or Jim Beam in front of it and kids are watching this all the time. The Manly football club display and stuff like are quite attractive to kids. They are the things about which we need to say, "Enough is enough". In terms of self-regulation, these are the sorts of things about which there needs to be a serious conversation to address why we have to put up with it.

**The Hon. NATASHA MACLAREN-JONES:** Is it fair to say that that could be addressed or we could have a ban on advertising, but programs run during peak times, which is before the 8.30 timeslot, that promote excessive alcohol, not brands, and excessive drinking. Does that not send mixed messages to young people? The culture of alcohol is that we cannot necessarily have one without addressing the other issue?

**Mr TEMPLEMAN:** I often liken it to the situation with what occurs in France where you do not see any of this. A bottle of whisky might be advertised. There is no colour and movement or anything like that about that. It might appear at any time of the day or night, but there is no need to advertise. You do not go to a rugby league game in France and see some Bundy Bear running around the football field and those sorts of those things. We have to have a really good hard look at all this stuff. Meredith may want to add something.

**Ms CRANE:** The L'oire Evin—my French is not very good—allows advertising but it is of a very technical nature. It is not lifestyle-type advertising that we see here: people out having a great time with the implication that this is what you need to have a good time. We would also question the 8.30 cut-off or start time for advertising alcohol. We all know that children over 12 years or even younger are watching TV after 8.30 at night. It is not like they are not being exposed to this sort of advertising. On the question about self-regulation, advertising and labelling has been a good example of perhaps why that is not the most effective route for us to take. Industry has resisted changes to labelling laws. It feels that the current regulations around advertising are effective. We question whether that is the case. There have been plenty of examples—you just need to look at these slides—to show you that there are ways to get around the code. These things are getting through, yet there are clear messages that are coming out that are not supposed to be allowed through the code. We need to have a look at that and see how we can do that a little bit better.

**The Hon. NATASHA MACLAREN-JONES:** But is not the problem more than just advertising? That was my point. Some television programs do not advertise a brand but they promote and encourage excessive drinking and drug taking?

**Ms CRANE:** Product placing. Absolutely, and that is a challenge for us to try to work out how to address. I do not pretend that we have the answers for product placement in films and programs, but it is something we need to look at. But we do not need to reinforce those messages by having additional advertising on our screens all the time.

**The Hon. CATHERINE CUSACK:** Or a program like *Cheers* that is about—

**Ms CRANE:** A bar, exactly. I want to make one other point. That was about what the industry is in business for. They are in the business of making money. If they are trying to self-regulate, then they are trying to prevent themselves from making money. They are in the business of making money. It is well documented that that is what they are in the business of doing. They are encouraging people to drink more and more often. Any system of self-regulation is going to be flawed on that basis alone.

**CHAIR:** A number of submissions we have received refer to the problem of making complaints. They believe that the complaint mechanism is ineffective and difficult to access. Do you have an opinion on that?

**Mr TEMPLEMAN:** We have not been actually formally involved in a specific complaint as such. That is not part of our level of responsibility. I cannot comment on the actual process. I can say though that there has been a voluntary setting up of a complaints mechanism, which has been adopted in Western Australia through the McCusker Centre. That has proven to be very effective in relation to panel observations, determinations, considerations and issues that have been brought through that process. So much so that there has been a very significant take-up and understanding by areas of industry that maybe it did need to actually redress issues that have been brought to their attention by members of the public or people within the sector and so forth. I think that has been an effective means of saying, "Let's have another view of another way of doing this." It has proven to be quite effective. I think the whole area of bureaucratic complaints and other things around that sort of stuff probably does need to be looked at and so forth.

**DEPUTY CHAIR:** I found very disturbing one piece of evidence we received today from Professor Sandra Jones from the University of Wollongong. Surveys were done with young people at schoolies and their expectations. They were asked questions around drinking behaviours such as whether or not they expected to consume more than five drinks per night and 77 per cent of males said yes to that and 72.3 per cent of females said yes to that. In answer to the question whether they expected to drink more than 10 drinks per night 69.1 per cent of males and 47 per cent of females responded positively to that. Did they expect to vomit from drinking:

44.6 per cent of males and 35.7 per cent of females said yes. Related to that they were asked about risky sexual behaviour including having sex with someone you have just met or do not know well and 39.3 per cent of males and 9.7 per cent of females said yes to that question. I have found that alarming.

I will not read out all of the results. I will return to the point the Hon. Jan Barham raised about whether our cultural attitudes to alcohol have changed. We have heard mainly from the producers of alcohol and their representatives that we have always had this culture. It has always been there and it was there when we were young. I concur with the Hon. Jan Barham's experience, that in my generation alcohol was certainly around but I do not recall young women becoming as inebriated as young men and fighting in the streets and being violent towards each other in the way we are seeing now. Is it just that we are getting older and we do not recall or has there been a cultural change in our attitudes towards alcohol?

**Mr TEMPLEMAN:** I believe we do have a significant problem at the moment and when you look at the comparisons there has to have been some change in attitude around that. The Brits have gone through the same problem as we have in this area. We are not alone. If you go across the channel they do not have the same problems in France. Yes, we do have a problem. I want to come back to the issue that we need to take on board and manage and I talked about education and far more understanding about health and risky behaviour that leads to other consequences, but at the same time we have to look at ourselves. We have to look at ourselves because when you look at the statistics in terms of the problem we have at the moment with that large death toll and the way people are behaving at the moment where that goes up and increases significantly it is an issue. Let us not put this down, as some people try to do, as a young person's problem or an Aboriginal problem.

I wrote to the Prime Minister about the issue concerning the comments made about rivers of grog flowing through Aboriginal communities in Australia: Nothing can be further from the truth. The rivers of grog are flowing in all of our communities and they are the issues that we need to tackle on a broader scale. There are issues with young people, education issues, high risk situations—the points you are raising—and they have been reinforced in terms of what the overall alcohol poll says about the age group starting at 14, drinking regularly on a weekly basis and drinking, when they have particular sessions, more than six to eight plus drinks as far as males are concerned and six plus as far as young women are concerned.

**Ms CRANE:** I will up be up front and say I do not have any evidence to support it but I would agree with what you are saying that certainly people went out and drank way too much 30-40 years ago but it is the decision before going out that I am going to go out and get drunk, I am going to go out and beat somebody up, I am going to carry on in a way that we see in the newspapers and on television and king hitting completely innocent bystanders, which is the sort of behaviour that has not always been there. It has not always been there to the extent to which we see it today.

There has always been an element of rabblers that have gone out and had lots to drink, been very loud, perhaps there has been some punch-ups in the alley but what we see today, my sense is that it is quite different. The point about young women deliberately going out to get drunk and not really caring or being concerned about the risks that are associated with that, I think that is quite a change. Preloading is a relatively new activity, certainly to the extent with which we see it today. I think we have seen a change and not a healthy change unfortunately.

**DEPUTY CHAIR:** Regretfully the time we had available to us has expired. I thank you for your evidence today and your submission as well. Members of the Committee may submit questions on notice and if they do that they will be forwarded to you by the secretariat. They will be in touch with you. What the Committee has resolved is that answers to those questions need to be returned within 21 days to the Committee.

**Mr TEMPLEMAN:** We have one question from Ms Cusack which relates to pricing. If you want an electronic copy of those slides we can send them to the Committee.

**DEPUTY CHAIR:** Thank you.

**The Hon. JAN BARHAM:** Do you have those with recognition of where they have been seen?

**The Hon. CATHERINE CUSACK:** I think the frog one is not clear.

**The Hon. JAN BARHAM:** The Kermit one, where did that appear?

**The Hon. CATHERINE CUSACK:** If you can source it?

**Mr TEMPLEMAN:** We can do that.

**(The witnesses withdrew)**

**(The Committee adjourned at 4.52 p.m.)**

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