

Submission to the Ministerial Forum on Alcohol Advertising and Sponsorship

28 April 2014

Mr Graham Lowe ONZM, QSM
Chair
Ministerial Forum on Alcohol Advertising and Sponsorship
alcoholadvertisingforum@moh.govt.nz

Thank you for the opportunity to provide comment on the Alcohol Advertising and Sponsorship review.

The New Zealand Injury Prevention Strategy (NZIPS) identifies injury as "a serious and costly issue in New Zealand." Injury affects personal and family well-being as well as the local and national economies. The "social and economic cost of injury is estimated at 10.39 billion in 2010."¹

In my work as an Injury Prevention coordinator my priority areas are as follows:

- Falls
- Drowning
- Suicide and deliberate self-harm

A significant number of injuries in NZ are Alcohol-related injuries.

I have elected not to complete the submission form provided, rather we make the following comments and recommendations for your consideration.

The evidence gathered by 2010 concluded that **exposure of young people to alcohol marketing speeds up the onset of drinking and increases the amount consumed by those already drinking.**

In 2010 following its review of our alcohol laws the New Zealand Law Commission concluded *that having considered the recent research linking the advertising of alcohol and increased alcohol consumption by young people, and having heard the views of submitters and consultees greater controls are needed on advertising, sponsorship and other promotion of alcohol. These controls are in terms of the content of advertising, the levels of exposure to advertising and sponsorship messages, and inappropriate sales promotions. There is a strong argument that a self-regulatory body for alcohol advertising is inappropriate.*

I note that 2,281 out of 2,939 submissions to the Law Commission commented on the range of policy options presented on alcohol advertising and marketing. Of the 2,281 submissions 86% supported banning or restricting all advertising of all alcohol in all media.

We believe that more recent evidence that will be presented to you during the course of your review will only add weight to the Law Commission's findings and recommendations, and the urgency for action.

I note that **Stage 1:** of the Law Commission's recommendations has been implemented by the inclusion on a new clause making it an offence to promote the excessive consumption of alcohol in

¹ New Zealand Injury Prevention Outcomes Report – June 2012, p. 15

the *Sale and Supply of Alcohol Act 2012*. However, we are unaware of any test cases based on this new law.

I **recommend** that the Review Forum consider mechanisms to monitor the impact and effect of this legislation.

It has now been four years since the Law Commission's recommendations were made. In this time New Zealanders young and old have been continuously exposed to the harmful effects of alcohol advertising and sponsorship. This is no time for further review; rather it is time to act.

I **recommend** that the Review Forum support the immediate implementation of Stage 2 and 3 of the Law Commission recommendations on alcohol advertising and sponsorship as set out in their report *Alcohol in Our Lives – Curbing the Harm 2010*.² These being:

Stage 2: An interdepartmental committee to consider adopting legislated measures designed to reduce exposure, particularly of young people.

Stage 3: This stage would implement restrictions including:

- Messages and images may refer only to the qualities of products, such as origin, composition, means of production and patterns of consumption;
- The banning of images of drinkers or the depiction of a drinking atmosphere;
- Only allowing advertising in press with a majority readership over 20 years of age;
- No alcohol-related sponsorship of any cultural or sports events or activities.

I understand that this means a ban on all forms of alcohol advertising and sponsorship in all media, other than objective product information.

I **recommend** that any permitted alcohol advertising is accompanied by health advisory messages developed by public health experts.

At the recent Global Alcohol Policy Conference in Seoul Korea, internationally renowned alcohol policy researcher Professor Thomas Babor told delegates that self-regulation of advertising by those with a vested interest has shown to be "*spectacularly ineffective*".

I wholeheartedly agree. It serves no purpose but to maintain the unacceptable status quo and delay effective measures to curb the harm alcohol-advertising is shown to contribute to.

I **recommend** that the Review Forum ensure that self-regulation of alcohol advertising and sponsorship in New Zealand is ended immediately.

I consider that there are practical ways in which much of the existing alcohol advertising and sponsorship activities could be limited.

These include:

- The establishment of an independent body to take over the management and regulation of alcohol advertising and sponsorship, and ending self-regulation.

² Law Commission (2010). *Alcohol in our lives: Curbing the harm. A report on the review of the regulatory framework for the sale and supply of liquor*. Report 114. Wellington: New Zealand.

- Setting out what is alcohol advertising is allowed (i.e. objective product information only), and ban all other advertising. This would apply to ALL broadcast, bill-board and outdoor advertising, all print media, and all website and social media content that is generated by New Zealand based companies/individuals.
- New Zealand companies/individuals are prohibited for promoting or contributing to any overseas based promotions in New Zealand.
- A fund is established from alcohol excise tax to support alternative funding options for alcohol sponsorship, and this is phased out over the next 1-2 years.

Conclusion

I believe that this matter has been discussed and reviewed enough. The evidence available is strong enough to warrant immediate action, and there is strong public support for reducing the exposure of all New Zealanders to alcohol advertising in all of its forms.

I urge the forum to recommend an action plan which will implement the Law Commission's recommendations as put forward in their report in 2010. In particular our children and young people need to be protected from the negative impacts that alcohol advertising and sponsorship have on their lives. Your role must be one of creating an environment that promotes healthy choices, and not one where choices are influenced by the needs of the alcohol industry.

Signed

Name:

Address:

Email:

Contact phone number:

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Protect our young people

Increase restrictions on alcohol advertising & sponsorship

The research says:

- The more alcohol promotion young people see, the earlier they start to drink, and the more they drink
- The earlier they start to drink, the greater their risk of becoming a heavy drinker
- The more they drink, the greater the harm (to them and others)

Our communities say:

Ban alcohol sponsorship and restrict advertising*

Our health agencies say:

Implement the Law Commission's recommendations to restrict alcohol advertising and sponsorship

- Step 1- introduce laws to restrict young people's exposure to alcohol advertising
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 - ban most forms of alcohol advertising in all media
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Alcohol sponsorship of sports, music festivals and other cultural events normalise alcohol to young people and must end. We have done this in New Zealand for tobacco, and in Australia the government has recently completed a 'buy-out' (replacement) of alcohol sponsorship in community sports clubs.

Recommendations:

1. The Government should fully implement the recommendations on advertising and sponsorship made by the New Zealand Law Commission in *Alcohol In Our Lives* (Chapter 19) to ensure:
 - o no alcohol-related sponsorship of any cultural or sports events or activities
 - o no alcohol advertising or alcohol sponsorship in any media (television, radio, internet and so on), other than advertising of objective product information.
2. These changes should be enforced by law through amendments to the Sale and Supply of Alcohol Act, 2012.
3. The new law should restrict future forms of alcohol promotion by default, with penalties that will effectively discourage promoters from breaking the law.

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2. These changes should be enforced by law through amendments to the Sale and Supply of Alcohol Act, 2012.
3. The new law should restrict future forms of alcohol promotion by default, with penalties that will effectively discourage promoters from breaking the law.

Signed: _____

Date: 25/4/14

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Protect our young people

Increase restrictions on alcohol advertising & sponsorship

The research says:

- The more alcohol promotion young people see, the earlier they start to drink, and the more they drink
- The earlier they start to drink, the greater their risk of becoming a heavy drinker
- The more they drink, the greater the harm (to them and others)

Our communities say:

Ban alcohol sponsorship and restrict advertising*

Our health agencies say:

Implement the Law Commission's recommendations to restrict alcohol advertising and sponsorship

- Step 1- introduce laws to restrict young people's exposure to alcohol advertising
- Step 2
 - ban most forms of alcohol advertising in all media
 - ban alcohol sponsorship of sporting/cultural events

What do you say?

* View of most New Zealanders submitting to our alcohol law reform process *Alcohol in Our Lives: Curbing the Harm*. Law Commission, (2010).

Submission to the Ministerial Forum on Alcohol Advertising and Sponsorship

Post to: Nick Goodwin, Secretariat for Ministerial Forum on Alcohol Advertising & Sponsorship, PO Box 5013, Wellington 6145

Name: _____

Address/email: _____

Submission:

Introduction:

I strongly support greater restrictions on alcohol promotion/advertising and sponsorship to delay the age at which young people start to drink, to help de-normalise alcohol, and to reduce harmful drinking.

Alcohol sponsorship of sports, music festivals and other cultural events normalise alcohol to young people and must end. We have done this in New Zealand for tobacco, and in Australia the government has recently completed a 'buy-out' (replacement) of alcohol sponsorship in community sports clubs.

Recommendations:

1. The Government should fully implement the recommendations on advertising and sponsorship made by the New Zealand Law Commission in *Alcohol In Our Lives* (Chapter 19) to ensure:
 - o no alcohol-related sponsorship of any cultural or sports events or activities
 - o no alcohol advertising or alcohol sponsorship in any media (television, radio, internet and so on), other than advertising of objective product information.
2. These changes should be enforced by law through amendments to the Sale and Supply of Alcohol Act, 2012.
3. The new law should restrict future forms of alcohol promotion by default, with penalties that will effectively discourage promoters from breaking the law.

Signed: _____ Date: 28/4/14

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Signed: _____ Date: 28 / April / 2014,

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Alcohol marketing is recruiting our kids as the next generation of problem drinkers.

The NZ Government has recently established a Ministerial Forum on Alcohol Advertising and Sponsorship. Their purpose is to consider whether further restrictions on alcohol advertising and sponsorship are needed to reduce alcohol-related harm.

The forum is currently seeking submissions on this topic before reporting to the Ministers later this year. **Submissions close at 5pm on Monday 28th April 2014.**

Children see thousands of images of alcohol before they are old enough to drink. Alcohol advertising and sponsorship encourages children to drink younger and drink more. This means they are more likely to be victims of crime, have unprotected sex and under perform at school.

If you think it's wrong that children are exposed to all of this before the Forum that enough is enough. You have the power to bring change! Complete the form below in full. Remember that it has to be filled in correctly to be counted.

For further information visit www.ohw.org.nz



Dear Ministerial Forum on Alcohol Advertising and Sponsorship,

We need further restrictions on alcohol advertising and sponsorship in New Zealand. I would like to see the Law Commission's recommendations that were made in 2010 implemented now. This means that I support the following:

- ^ No alcohol advertising should be allowed in any media other than advertising that communicates only objective product information.
- ^ No alcohol sponsorship of of cultural or sport events should be allowed.
- I support a portion of the government alcohol levy should be ring-fenced to provide alternative sponsorship for sport and cultural activities e.g. similar to the Health Sponsorship Council model for Smokefree, or the RTD tax that provides alternative sponsorship for 12 leading sports in Australia (*mark the box if you agree*).

Yes I want to make an oral submission (*please mark the box*).

This submission was completed by:

Name: [Handwritten Name]
 Address: [Handwritten Address]
 Email: [Handwritten Email]
 Signature: [Handwritten Signature]
 Date: [Handwritten Date]

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Once completed save this file and email to alcoholadvertisingforum@moh.govt.nz by 5pm, Monday 28th April, 2014.





Responsibility and Alcohol advertising

to:
alcoholadvertisingforum
07/05/2014 05:49 p.m.
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From: '
To: <alcoholadvertisingforum@moh.govt.nz>,

5 Attachments



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Addiction.docx



Address to Open the World Health Organisation.docx



IMG_6783.JPG

To whom it may concern

In these attachments I question the assumption on the part of the Alcohol Industry and others that responsibility for safe drinking lies entirely with the drinker (Alcohol Promotion).

In fact the responsibility for the devastating effects on the health and safety of society as a whole belongs, at least equally, to the Alcohol Industry itself. I challenge its right to self-regulate, preaching responsibility to the customers on whom it relies for its vast profits while accepting no responsibility on its own part.

The nefarious role of politics and politicians in Alcohol advertising is illustrated by two contradictory statements by Peter Dunne, Associate Minister of Health, one in a word document (Address to Open the WHO) and the other a sound archive from Radio NZ.

Lastly I attach an example of the irresponsible manner in which certain elements of the liquor industry have responded to the call for containers to carry prominent warnings to pregnant women of the extreme dangers of Foetal Alcohol Syndrome, to both themselves and their offspring. The aggregate financial costs to society of those born with the affliction are almost incalculable, taken over the course of the victims' lifetime. They are far in excess of anything any government could save by budgeting for a current "lack of resources" (read no monetary recompense for caregivers).

(The box measures 10 x 5 mms)

The costs in human suffering are beyond description

!

GALA promotes a community free from alcohol advertising and sponsorship.

We recognise that alcohol is a permanent part of NZ society; we are not prohibitionists.

We support health warnings on alcohol containers and standard drinks labelling.

ALCOHOL PROMOTION: THE FACE BEHIND THE MASK

(written on behalf of Group Against Liquor Advertising, 23.09 2010)

A short but revealing exchange took place during parliamentary question time on 24 August, when Greens MP Sue Kedgley asked the Minister of Justice (represented by Minister of Revenue Peter Dunne) whether he could confirm that alcohol sponsorship of sports, clubs, rock concerts, and other events helped to embed alcohol brands and products into the everyday lives of young New Zealanders.

Mr Dunne's reply was brief: "No, I cannot confirm that." But then he added, "It is a matter for those who undertake such sponsorship to indicate what their motives are."

Ms Kedgley had raised an issue of serious national concern: the subtle infiltration of alcohol advertising by indirect means into the minds of our vulnerable youth. The Minister's reply amounted to a brush-off. By referring her to the very people whose activities she was questioning he confirmed the growing perception that the Government had abdicated its role of leadership, leaving the liquor industry to self-regulate, and thus ignoring one of the most important recommendations of the Law Commission on Alcohol: that tight restrictions be placed on alcohol advertising, including alcohol-related sponsorship.

It is significant that while Ms Kedgley had asked about the consequences of the industry's sponsorship activities, the Minister chose to refer to its motives. As every politician knows, there can be a vast gulf between declared motives and actual ones.

Nowhere is this better illustrated than in the alcohol industry's declared motives for its lavishly funded (\$300,000 a day) advertising campaigns. Allegations about their impact on the increase of alcohol abuse and its devastating consequences bring a flat denial of responsibility from the industry, amid claims that its advertising is aimed at increasing only brand awareness, and not the number of drinkers or the amount of liquor consumed.

Exactly how one designs advertising that is alluring enough to persuade people to switch brands without at the same time attracting more people to consume more of one's product is unclear. It is rather like saying you can make your sugar sweeten only the top half of your cup of tea.

The fact is that you can't.

Alcohol advertising may encourage people to switch brands. But it inevitably results in an increase in both the number of drinkers and the amount they consume, whether intentionally or not. The military have a name for this: collateral damage. And many of

those thus caught in the net – especially the young – will be enticed into the devastating progression to alcohol abuse, and eventually, addiction.

The industry's attitude is simple: it is not responsible. It is for the consumer to drink responsibly.

In other words, while bombarding the public with its seductive and powerful enticements to consume one of the most potent agents of irresponsibility we know, the liquor industry holds them solely responsible if they then succumb to its effects.

How responsible is that?

But that is not all. The industry depends on these “irresponsible” heavy drinkers - including those trapped in the prison of alcoholism – for a major source of its revenue. How then does it reconcile its exhortation to “drink responsibly” with the nose-dive its bottom line would take if too many people actually did so?

The Government's failure to deal more decisively with the alcohol problems that plague society seems strange, given its determined and successful crack-down on smoking. “Alcohol consumed in moderation has benefits; all smoking is harmful,” is the stock explanation, the conclusion being that it would be wrong to interfere with the enjoyment of reasonable, moderate drinkers.

The argument is spurious. How could limiting liquor advertising, printing health warning notices on alcohol containers, and removing alcohol from supermarket shelves – all measures recommended by the Law Commission – possibly affect these reasonable, moderate drinkers? Even raising the price of liquor would have little impact, given their modest intake of the product.

It is time the Government stopped being evasive, faced up to its responsibilities and reclaimed its leadership in a matter so critical to the welfare of our society.

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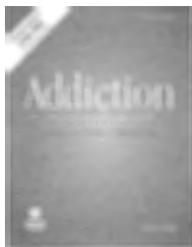
TV ADVERTISING OF ALCOHOL IS NOT IN THE INTERESTS OF PUBLIC HEALTH: COMMENTS ON ELLICKSON *ET AL.* (2005)

SALLY CASSWELL Director

Article first published online: 28 JAN 2005

DOI: 10.1111/j.1360-0443.2005.01010.x

Issue



Addiction

Volume 100, Issue 2, pages 258–259, February 2005

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Abstract

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This paper represents a welcome contribution from one of a number of NIAAA funded studies which have been eagerly awaited. It contributes to the already substantial literature on the impact of alcohol advertising on young people's drinking. This research provides the important finding that exposure of 12 and 13 year old non-drinkers to in-store beer displays predicted the likelihood of starting to drink alcohol during the next two years. The exposure was measured as the number of times in the past year that the 12–13 year olds reported seeing displays with stacks of beer and signs advertising prices and brands, the sorts of displays seen in supermarkets and other retail outlets during young people's every day lives. Furthermore, in a very unusual finding, participation in a school based education programme reduced this effect of exposure to the in-store displays on future drinking. The vast evaluation literature on education programmes aimed at reducing alcohol or alcohol related harm has failed to show any such impact (Babor *et al.* 2003). This education programme included media lessons which focused on different types of advertising (including in-store displays) and aimed to counter the persuasive appeals of alcohol advertisers and increase young people's understanding of how pricing, promotion and packaging are designed to affect use. Was it this part of the programme that made the difference?

Among the youngsters already drinking, greater exposure to magazine advertising and advertising at sports and music events increased subsequent frequency of drinking. Exposure to the alcohol education programme also reduced the frequency of drinking in the drinkers who participated in it.

The authors conclude, and I would think correctly, that the results show the impact of the many different kinds of advertising material to which young people are exposed in their everyday lives and also illustrate well the relative impact of different advertising types at different stages of development.

They are suitably cautious about their findings on the impact of television advertising. My caution about these findings (apart from the contrast with previously published research [Aitken *et al.* 1988a; Aitken *et al.* 1988b; Grube & Wallack 1994; Wyllie *et al.* 1998]) is that their measure of television advertising is deduced from television watching hours. This is problematic as television watching can also work as a time consuming antidote to being in the kind of social situations in which drinking by young people is most likely to occur. This is the 'babysitter' effect of television watching which is acknowledged in the paper (Ellickson *et al.* 2005). Unfortunately this is likely to have confounded the measure of exposure to television advertising making the finding of null impact unconvincing.

The measures of alcohol advertising which use recall, such as that of in-store beer displays in this paper, reflect the importance of the individual's response to alcohol marketing; they take into account both exposure and also the resonance of the advertising with the young person. They are no less valid for that reason; rather it reflects an understanding of the way in which marketing works—not as a blanket effect on everyone but interfacing with the needs of individuals and their lived experiences (Rubin 1986). Marketing works best with individuals whose lives have

predisposed them to this. However, this does not reduce the risk for the community of allowing such exposure, if anything it exacerbates it.

Overall the results from this study provide further evidence of the impact of advertising on the recruitment of young people to be drinkers, and to be more frequent drinkers, at an early age, something which the evidence suggests is not in the interests of public health.



References

Aitken, P. P., Eadie, D. R., Leather, D., McNeill, R. E. & Scott, A. C. (1988b) Television advertisements for alcoholic drinks do reinforce under-age drinking. *British Journal of Addiction*, **83**, 1399–1419.



Peter Dunne

Address to Open the World Health Organisation, Western Pacific Region Technical Meeting
24 MARCH, 2009

Address to Open the World Health Organisation, Western Pacific Region Technical Meeting

*Address to Open the World Health Organisation, Western Pacific Region Technical Meeting
on a Global Alcohol Strategy
Rendezvous Hotel, Auckland*

Thank you for your kind introduction and thanks to all of you for making your way from around the Western Pacific Region to attend this meeting.

I know that we have people from distant countries such as China, Mongolia, the republic of Korea and Japan, and also nearer countries such as Australia and the Pacific Islands.

However far you have travelled to be here today, I want to warmly welcome you all to New Zealand.

I would like to congratulate the Western Pacific Region member states particularly for the work they have done over the last several years in working to address the harmful consequences of the misuse of alcohol.

This culminated in the production of the Regional Strategy to Reduce Alcohol-Related Harm.

As it stated in this strategy, the harmful consequences of the misuse of alcohol are among the most significant risks to health globally.

As far back as 2002, the World Health Report stated that the harmful use of alcohol is responsible for 4 percent of total disease burden and over 3 percent of premature deaths.

This places alcohol in the same order as tobacco and so it is indeed timely that the World Health Organisation is working to develop global agreement on how to reduce alcohol-related harm.

Over the next three days you will be addressing issues such as the size and magnitude of alcohol-related health and social harms, defining what challenges require global attention and, given the diversity of member states, how a global strategy should address gaps and barriers at a national and regional level.

You will be looking at how a global strategy can contribute to increased political commitment, strengthened health sector response, and provide support to community based action.

As well as how this strategy will address availability, marketing and pricing policies.

The task will not be an easy one given the complex nature of the issues surrounding alcohol.

This is why it is so important that discussion is occurring at this global level, with so many countries represented at this regional consultation meeting, as well as at the other five regional meetings being organised by the World Health Organization.

In New Zealand the issue is no different than that faced by many other countries.

Over 80 percent of New Zealanders report that they have drunk alcohol in the last year and the volume of pure alcohol available per person aged 15 years is now the highest since 1994.

While most people drink without harming themselves or others, the misuse of alcohol by a minority results in considerable health, social and economic costs to those individuals, their families and the wider community.

No doubt as part of your discussions over the next few days you will be considering whether the problem is about alcohol consumption, or patterns of drinking, or both.

I was interested to see that the Australian National Health and Medical Research Council, a few weeks ago, released revised guidelines to reduce health risks from drinking alcohol.

These guidelines suggest that for healthy men and women, drinking no more than two standard drinks on any day reduces the lifetime risk of harm from alcohol-related disease or injury and that drinking no more than four standard drinks on a single occasion reduces the risk of alcohol-related injury.

The guidelines also suggested that some people in the community should not drink alcohol, including children under 15, and pregnant or breast-feeding women.

These guidelines further emphasise that while, overall, drinking is an issue, it is also important to consider drinking patterns - both in terms of the frequency and the amount of alcohol consumed.

In New Zealand, approximately 15 percent of drinkers drink alcohol seven or more times a week and 25 percent of drinkers report drinking large amounts of alcohol on a typical drinking session.

When considering drinking patterns and potential responses, it is also important to recognise the different drinking patterns displayed by different cultural and age groups.

For example, while youth, Maori and Pacific people are less likely to have consumed alcohol in the last 12 months than other groups, those that do drink are more likely to consume a large amount in a typical drinking session.

I have long been concerned that our approach to resolving alcohol-related problems in our society has been too broad brush.

While society as a whole does bear a responsibility, I think we need to be doing far more to target at-risk groups and to develop programmes specifically tailored to their needs and particular problems.

Over the last 20 years we have progressively liberalised the accessibility of alcohol in New Zealand.

The purchase age was reduced from 20 to 18, advertising of alcohol and was permitted, and the selling of alcohol expanded to a much wider range of premises.

For most people that was a welcome move to which they have responded positively and responsibly.

That has placed in stark relief the misuse of alcohol by a minority, in particular, binge drinking by groups of young people, and the consequent social and health problems that are emerging.

It is important that our legislation regarding the sale and supply of alcohol is informed by expert evidence and draws on local and international best practice, rather than relying on prejudice or ideas that have a "feel good" flavour to them.

Consequently the New Zealand Law Commission has been asked to review the regulatory framework under which alcohol is supplied and promoted.

This is a 'first principles' review which provides an opportunity to reflect on the frameworks in place to control alcohol.

It is taking into account contemporary use patterns, societal attitudes, new evidence and consistency with other legislative frameworks, all with a view to preventing and reducing harms from alcohol now and into the future.

The review will both assess and request public feedback on a wide range of issues that are problematical for alcohol policy - for example, whether there should be a minimum drinking age and if so what it should be; the responsibility of parents for controlling the drinking behaviour of young people; hours of opening for premises that sell alcohol and how many of these premises there should be; whether all types of alcohol product should be available from all outlets; the role of taxing and pricing on alcohol-related harm; and whether advertising should or should not be allowable.

The recommendations of this review will help inform the development of New Zealand's regulatory framework for alcohol in the future.

However, regulation is only one of a wide range of responses required to address alcohol-related harm.

As outlined in the World Health Organisation's discussion document, it is essential that communities are encouraged and empowered to identify and respond to issues at the local level.

The development of a global strategy will assist this to occur by providing recognition and support at an international level of the importance of community action.

This technical consultation meeting, while principally about the development of the World Health Organisation's strategy, is also an opportunity for our New Zealand delegation to extend the national conversation about how we deal with alcohol in this country.

It is an opportunity for further open discussion about both our achievements and our shortcomings.

The sharing of experience and ideas with colleagues from other jurisdictions is pivotal to the maintenance of healthy alcohol policies and legislative frameworks.

I am pleased that the growing awareness of the public health impact of the harmful use of alcohol is leading to the development of a Global Alcohol Strategy to address these issues.

I would like to take this opportunity to thank the World Health Organization for its continuing support in taking forward this agenda and wish you all a very successful three days of consultation on this important topic - reducing alcohol related harm.

And so it is with pleasure that I now declare your meeting open.

- Peter Dunne
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Submission to the Ministerial Forum on Alcohol Advertising and Sponsorship

28 April 2014

Mr Graham Lowe ONZM, QSM
Chair
Ministerial Forum on Alcohol Advertising and Sponsorship
alcoholadvertisingforum@moh.govt.nz

Thank you for the opportunity to provide comment on the Alcohol Advertising and Sponsorship review.

I am writing on behalf of the Hamilton Alcohol Action group. Our group is affiliated with Alcohol Action New Zealand. We support the Alcohol Action 5+ solution, which includes reducing all alcohol advertising and marketing, as an evidence-based approach to reducing alcohol misuse in New Zealand.

We have elected not to complete the submission form provided, rather we make the following comments and recommendations for your consideration.

The evidence gathered by 2010 concluded that exposure of young people to alcohol marketing speeds up the onset of drinking and increases the amount consumed by those already drinking.

In 2010 following its review of our alcohol laws the New Zealand Law Commission concluded that having considered the recent research linking the advertising of alcohol and increased alcohol consumption by young people, and having heard the views of submitters and consultees greater controls are needed on advertising, sponsorship and other promotion of alcohol. These controls are in terms of the content of advertising, the levels of exposure to advertising and sponsorship messages, and inappropriate sales promotions. There is a strong argument that a self-regulatory body for alcohol advertising is inappropriate.

We note that 2,281 out of 2,939 submissions to the Law Commission commented on the range of policy options presented on alcohol advertising and marketing. Of the 2,281 submissions **86% supported banning or restricting all advertising of all alcohol in all media.**

We believe that more recent evidence that will be presented to you during the course of your review will only add weight to the Law Commission's findings and recommendations, and the urgency for action.

We note that Stage 1: of the Law Commission's recommendations has been implemented by the inclusion on a new clause making it an offence to promote the excessive consumption of alcohol in the *Sale and Supply of Alcohol Act 2012*. However, we are unaware of any test cases based on this new law.

We recommend that the Review Forum consider mechanisms to monitor the impact and effect of this legislation.

It has now been four years since the Law Commission's recommendations were made. In this time New Zealanders young and old have been continuously exposed to the harmful effects of alcohol advertising and sponsorship. This is no time for further review; rather it is time to act.

We recommend that the Review Forum support the immediate implementation of Stage 2 and 3 of the Law Commission recommendations on alcohol advertising and sponsorship as set out in their report *Alcohol in Our Lives – Curbing the Harm 2010*.¹ These being:

Stage 2: An interdepartmental committee to consider adopting legislated measures designed to reduce exposure, particularly of young people.

Stage 3: This stage would implement restrictions including:

- Messages and images may refer only to the qualities of products, such as origin, composition, means of production and patterns of consumption;
- The banning of images of drinkers or the depiction of a drinking atmosphere;
- Only allowing advertising in press with a majority readership over 20 years of age;
- No alcohol-related sponsorship of any cultural or sports events or activities.

We understand that this means a ban on all forms of alcohol advertising and sponsorship in all media, other than objective product information.

We recommend that any permitted alcohol advertising is accompanied by health advisory messages developed by public health experts.

At the recent Global Alcohol Policy Conference in Seoul Korea, internationally renowned alcohol policy researcher Professor Thomas Babor told delegates that self-regulation of advertising by those with a vested interest has shown to be “*spectacularly ineffective*”.

We wholeheartedly agree. It serves no purpose but to maintain the unacceptable status quo and delay effective measures to curb the harm alcohol-advertising is shown to contribute to.

We recommend that the Review Forum ensure that self-regulation of alcohol advertising and sponsorship in New Zealand is ended immediately.

We consider that there are practical ways in which much of the existing alcohol advertising and sponsorship activities could be limited.

These include:

- The establishment of an independent body to take over the management and regulation of alcohol advertising and sponsorship, and ending self-regulation.
- Setting out what is alcohol advertising is allowed (i.e. objective product information only), and ban all other advertising. This would apply to ALL broadcast, bill-board and outdoor advertising, all print media, and all website and social media content that is generated by New Zealand based companies/individuals.
- New Zealand companies/individuals are prohibited for promoting or contributing to any overseas based promotions in New Zealand.
- A fund is established from alcohol excise tax to support alternative funding options for alcohol sponsorship, and this is phased out over the next 1-2 years.

¹ Law Commission (2010). *Alcohol in our lives: Curbing the harm. A report on the review of the regulatory framework for the sale and supply of liquor*. Report 114. Wellington: New Zealand.

Conclusion

We believe that this matter has been discussed and reviewed enough. The evidence available is strong enough to warrant immediate action, and there is strong public support for reducing the exposure of all New Zealanders to alcohol advertising in all of its forms.

We urge the forum to recommend an action plan which will implement the Law Commission's recommendations as put forward in their report in 2010. In particular our children and young people need to be protected from the negative impacts that alcohol advertising and sponsorship have on their lives. Your role must be one of creating an environment that promotes healthy choices, and not one where choices are influenced by the needs of the alcohol industry.

Signed

Name:

Address:

Email:

Contact phone number:

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