

Submission to Ministerial Forum on Alcohol Advertising and Sponsorship

Submitters Names:	
Location	
email:	
This submission is NOT made on behalf of an organisation.	

This submission uses the form available on the Forum's web site. It is sent by e-mail addressed to: alcoholadvertisingforum@moh.govt.nz with 'Forum Submission' in the subject line.

Your submission may be requested under the Official Information Act 1982. If this happens, it will normally be released to the person who requested it. However, if you are submitting as an individual (rather than representing an organisation), your personal details will be removed from the submission if you check the following boxes:

- I do not give permission for my personal details to be released under the Official Information Act 1982.
- I do not give permission for my name to be listed in the published summary of submissions.

SUBMISSION

1. Did you/your group/your organisation make a submission on the 2010 Law Commission report *Alcohol in our Lives: Curbing the Harm* and/or to the Justice and Electoral select committee, on alcohol advertising and sponsorship issues? Yes or No. If yes, please specify whether you submitted to the Law Commission and/or Select Committee.

No. We weren't aware of that report and the opportunity to make submissions, at the time.

2. Do you support further restrictions on **alcohol advertising (over and above the measures currently undertaken) to reduce alcohol-related harm? **Yes or No.** [Tick box]**

- Yes No

3. What reasons do you have for your view? Please include details.

We support further restrictions (there are relatively few existing restrictions) on alcohol advertising, because of the adverse impacts of alcohol on our society and the lives of our people, particularly young people. Impacts of stupid and irresponsible behaviour that can lead to accidents or deaths, including drunk driving. The adverse affects of alcohol overuse on families, particularly low income families. In money being prioritised for alcohol before good food and the necessities' for children Also in alcohol use being a major factor in domestic violence. Plus the impacts on the health our society and the huge associated costs of those.

Alcohol advertising, by definition, seeks to maintain and increase the sale of alcohol. By portraying alcohol as being fun, an essential part of socialising and generally being cool and creating happiness. Objectively the facts are the opposite. So what alcohol advertising projects is in fact lies.

It's costly, to individuals and to society to just continue the present "ambulance at the bottom of the cliff" approach to alcohol, of cleaning up afterwards.

Alcohol advertising has two aims; to retain existing alcohol users and secondly to recruit new users; particularly young people. On the basis of "get them young and keep them for the whole life (potentially a foreshortened life).

New ways of presenting alcohol; like RTD's, pop-alcohol and "fun" fruit juice cocktails; paired with advertising depicted drinking alcohol as having fun, or being "cool", with such drinks, is the alcohol advertising industries' formula to get kids drinking alcohol at an ever earlier age. The sociological research (kids drinking at an ever younger age) and police statistics (drink fuelled irresponsible behaviour, accidents requiring Accident & Emergency treatment or hospitalisation, and drunk driving; all show that this industry strategy of getting kids onto alcohol early, is working.

4. What evidence is available to support your view (please cite references if available, or provide supporting information). Please focus on evidence since 2010 if this is available.

The increase in sales of the alcohol industry, sociological research (kids drinking at an ever younger age) and police, accident and hospital statistics. The NZ Drugs Foundation evidence that alcohol advertising

- Encourages people to start drinking at an earlier age
- Encourages people who already drink to drink more
- Makes it harder for problem drinkers to abstain

5. Do you think the available evidence is strong enough for changes to be made now? Explain your reasons.

The alcohol industry spends, at least \$150 million p.a. on marketing its' products. So as to maintain and increase alcohol sales. They aren't spending that much money, despite the fact that it doesn't work.

The available evidence is overwhelming; changes should be made now.

Cigarette sales have fallen since advertising was banned, and cigarette packaging changed to prominently display health warnings and graphic representations of smoking's impact on health

6. Do you support further restrictions on **alcohol sponsorship** to reduce alcohol-related harm? **Yes or No.** [Tick box]

Yes

No

7. What reasons do you have for your view? Please include details.

Alcohol sponsorship is an insidious and morally bankrupt mechanism to create a link between alcohol (particular forms and brands) with positive activities, and the sports and other clubs that organise them. It's just another form of advertising, but one that leverages the needs of such organisations and clubs, to get money to operate. The clubs are seen, by the public, as covertly endorsing the alcohol brand. Alcohol sales to followers of the sport, activity or club, are maintained or increase.

The parallel, restriction on cigarette sponsorship has worked world wide – no more cigarette ad's on Formula One sports cars. The rate of new adoption of cigarettes, in the developed world, is falling.

It's vital to break the implied relationship between these, mainly, healthy and socially desirable sports and recreational activities, and alcohol.

8. What evidence is available to support your view (please cite references if available, or provide supporting information). Please focus on evidence since 2010 if this is available.

The evidence that it has worked with tobacco and the logical relationship between alcohol advertising and maintaining / increasing alcohol sales.

If advertising doesn't maintain and increase alcohol sales, the alcohol industry should have no objection to ceasing advertising and save themselves the money. The alcohol industry may say that advertising is just done to differentiate their alcohol product and gain a larger share of the available market. But if all companies are under the same restriction their relative market share positions won't change because of this.

9. Do you think the available evidence is strong enough for changes to be made now? Explain your reasons.

The available evidence, is overwhelming; changes should be made now.

Types of possible restrictions (if supported)

10. If further restrictions to **alcohol advertising** are necessary, what do you think should be done?

Restrict and reduce the amount spent on TV advertising (by 40% initially and 20% each successive year – to allow the industry time to adjust), phasing it out entirely at the end of year 5. Plus limit TV advertising immediately to after 9.30 pm. Phase out radio advertising over 3 years, starting with a 40% reduction in year one. Phase out billboard advertising over 3 years, starting with a 40% reduction in year one.

11. How would these proposed restrictions work in practice to reduce alcohol-related harm (e.g. crime, disorder, negative public health outcomes)?

Alcohol-related harm will be reduced, because:

- * Less people will start drinking at an early age
- * People who already drink will not be encouraged to drink more, and
- * Problem drinkers will find it easier to adjust their behaviour and abstain

12. What evidence is available that your proposal(s) would work?

The evidence is that restrictions on alcohol advertising restriction working in the British Columbia province of Canada, and on that evidence has been voted into law in Scotland, where now about to be implemented. The fact that other countries; "considered" similar to New Zealand; haven't adopted this proposal, is NOT evidence against it. Despite the recent "politician speak" feeble justification for delaying minimum alcohol pricing, on the basis that Australia and the US haven't done it. Our small country has a proud and honourable history of "doing things that other countries haven't done". Like female emancipation.

13. What other interventions could potentially be tried in future?

Set a minimum price for alcohol. Specifically the proposition the government has just cynically and callously rejected, because of its' likely impact on the governments' popularity in an election year. The Dominion Post 2 April 2014 reports, on the alcohol pricing policy issue, that "the {Justice} ministry's calculations showed that during a decade, a minimum alcohol price of \$1.20 would reduce the country's crime costs by \$676m and healthcare costs by \$170m". The Justice Ministries' view of the healthcare savings are, in our view, wildly understated; as a result of the Health costs they have chosen to leave out. A conservative cost saving to our country; for crime and health; resulting from increasing the minimum alcohol price by the amount proposed (above), would be \$10m plus per annum. Governments' fatuous justification that "it was accepting the Justice ministry's advice" in doing so, is disingenuous. The minister's minders let the government department's liaison know what the Minister and the government expect, then the department delivers a report that is consistent with that requirement. The days of frank and independent advice to the minister, by the civil service, are long gone. Crushed out.

14. Why should these other interventions be considered?

Because the cost of alcohol; the cheapest forms of alcohol that are the greatest cause of the most destructive binge-drinking; will limit the quantity affordable to young people and binge drinkers. The case for this was set out clearly and persuasively by the NZ Drug Foundation in their submissions on alcohol pricing. "Lack of evidence" is not a proper of persuasive or any sort of case for deferring it. The fact that setting a minimum price for alcohol wasn't actually rejected, but rather deferred for a further 5 years, shows that the logic of setting a minimum alcohol price is unassailable. It's the right thing to do, but not now; that's inconvenient

15. If further restrictions to **alcohol sponsorship** are necessary, what do you think should be done?

Further restrictions to **alcohol sponsorship** are necessary; it should be prohibited. Phased out over 3 years, with a complimentary build-up of funding to replace the loss of funding to community sports and recreation clubs. Commercial sports like provincial and super rugby and rugby league and big time motor sports don't need it. They are businesses. It sends all the wrong messages for local sports clubs, bringing through young people, to be sponsored in any way by the alcohol or individual alcohol companies. As well as improving health and safety for our population, reduced alcohol sales brings a reduction in direct costs to government arising from excess alcohol use (accidents, deaths, health impact, regulation and policing), of more than one million dollars a year. The money saved can be reinvested in the community by creating a fund for sports and recreational clubs. In addition, new sponsors – local business, sporting goods manufacturers' etc.- can fill any gap and get local and national recognition for doing so. Difficult but doable.

16. How would these proposed restrictions work in practice to reduce alcohol-related harm (e.g. crime, disorder, negative public health outcomes)?

No alcohol sponsorship of clubs and community organisations, will reduce the pressure to drink. Especially on young people, who are a majority in most sports clubs. By reducing the direct identification of their club, and high profile players in their sport (who they look up to), with the alcohol sponsor.

The number of up and coming sports people (nearly all men) getting into trouble with their high profile clubs, though drink related incidents, is becoming a weekly occurrence. In rugby, rugby league, cricket etc. Changing the clubs' associations – with alcohol sponsors, is saying "this club isn't about alcohol, you don't have to drink to fit in here".

17. What evidence is available that your proposal(s) would work?

It has worked with the banning of cigarette sponsorship for national and international sports competitions; e.g. motor racing.

Impacts of proposals

18. Who would be affected by your proposals to restrict **alcohol advertising** and how?

Young people and heavy drinkers would be affected favourably.

Our national death rate, health and life expectancy, pressure on health services, our budget (reduced health and pricing costs) would also be very favourably affected. As would New Zealand's international image as a clean and green land. Our court statistics for alcohol induced offences are poor, by comparison with other similar developed countries.

Alcohol companies would experience a flattening out of their revenue growth.

Advertising companies would experience a reduction in their revenues' from alcohol advertising. Advertising has been around for more than 2000 years; ever since man has had goods surplus to their immediate personal and family needs, to sell or barter. It thrives on change. There are plenty of other products and services, and new ones, to advertise. I see no need to support the advertising industry; there isn't an "alcohol advertising industry" as such; beyond phasing down alcohol advertising.

19. How might these proposals to restrict **alcohol advertising** impact

These proposals would impact on the following sectors and groups as described hereafter:

- alcohol consumption, particularly among young drinkers and heavy drinkers; **REDUCED**
- the perception of alcohol as an everyday commodity, particularly among children and young people; *less favourable*
- alcohol-related harm; **REDUCED**
- businesses, such as the alcohol and advertising industries; static or reduced revenues, the need for advertising to find new products and services to market
- different populations – e.g. youth, children, Māori, Pasifika, lower socio-economic populations. *Very favourable for all these populations; because of better health and mortality, less family money prioritised to alcohol (more for food and essentials), reduced family violence, drinking less of a "role model" behaviour.*

20. Who would be affected by your proposals to restrict **alcohol sponsorship** and how?

The alcohol industry would be affected, in the form of reduced revenue-growth rates, with fewer "new recruit" drinkers revenues would decline longer term. That's the effect of a socially responsible policy. Governments' responsibility, supported by concerned citizens, is to put the public good before commercial interests.

For alcohol advertising companies: immediate short term reduction in revenues, but conversely the opportunity to replace these revenues by developing advertising and sponsorship for other product and service categories. Green and socially responsible categories. We envisage, some of the money the government save, being applied to increased promotion of moderation in drinking. We are in the 21 st. century, the age of innovation: there are many new products and services being created every day. The advertising industry is driven by the need to come up with new ideas. Go for it.

High profile semi commercial sports, and clubs and events; need to find new sources of sponsorship. The first are businesses, they will have to find new sponsors, ideally purveyors of products which don't have social downsides, products and services more consistent with the health and fitness ideals they exemplify. Community sports and recreations should be helped to transition – some financial support by central government primarily (possibly by establishing an investment fund, public donations welcome), with some contribution from local government.

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- the perception of alcohol as an everyday commodity, particularly among children and young people; less favourable
- alcohol-related harm; **REDUCED**
- businesses, such as the alcohol and advertising industries; static or reduced revenues, the need for advertising to find new products and services to market
- the recipients of alcohol sponsorship funds; getting new sources of sponsorship, ones more consistent with their aims objectives and priorities. It will require some hard work and inventiveness short term.
- different populations – e.g. youth, children, Māori, Pasifika, lower socio-economic populations. Very favourable for all these populations; because of better health and mortality, less family money prioritised to alcohol (more for food and essentials), reduced family violence, drinking less of a "role model" behaviour.

Ongoing and new challenges

22. What ongoing and emerging challenges does the Forum need to take into account when considering whether further restrictions on **alcohol advertising** are necessary to reduce alcohol-related harm?

The development and commercialisation of "powdered alcohol", microencapsulated alcohol in powdered form. Just add water to get an alcoholic drink.

The developer has just had his branded product "Palcohol" accepted for "label authorisation" in the US by the Alcohol and Tobacco Tax Bureau, then that was quickly rescinded. But on a label description technicality. They will reapply. The developer resides in Europe, and can get it made and sell it there, or anywhere. It will be easy and inexpensive to distribute and some countries will probably approve it.

The danger is that this product, packaged in a sachet, can be carried around in the pocket and reconstituted just by adding water. No bulky bottles to carry around. The stuff can be taken anywhere, in a pocket. Including places where carry on alcohol is prohibited (commercial flights and prisons for example). It is also easy to store, where it's difficult to find. In a car, for example. Alcohol in this form can easily be sold and traded to kids, who can more easily consume it covertly – no bulky bottles to hide.

The "Palcohol" branded form, apparently comes with a warning not to "snort" the powder. As this concentrated form gives an instant and powerful high and intoxication. That's a high health / mortality risk, like drugs.

Powdered alcohol should be prohibited in New Zealand. It should not be allowed to be made here or imported, nor promoted or advertised here.

23. What action, if any, could be taken to address these matters?

Ban powdered alcohol and its' derivative products and form. Likewise (out of scope but important) ban all psycho active substances, except for medical purposes and on prescription. We ban cannabis – these new substances are more dangerous.

24. What ongoing and emerging challenges does the Forum need to take into account when considering whether further restrictions on **alcohol sponsorship** (e.g. of sporting, cultural and other events) are necessary to reduce alcohol-related harm?

New forms of advertising, on the web and other electronic media, especially social media.

25. What action, if any, could be taken to address these matters?

The action required to address these matters, will be specific to the form of the alcohol sponsorship and the media used. Because the web site may be offshore, it will be extremely difficult to regulate.

Other comments

26. Other comments?

Given the proven adverse effects to NZ society from alcohol, the burden of proof to refute proposed alcohol advertising and sponsorship reduction, must be on the alcohol industry and alcohol advertising companies. Action against alcohol advertising must be taken now. Despite statistics of "two New Zealanders dying every day from alcohol related causes" (Alcohol Healthwatch director Rebecca Williams – Dom.Post 26Apr. 2014), we continue to apply "ambulance at the bottom of the cliff" policies and approaches, and let the alcohol industry dodge the true social and economic cost of the products they sell.

This would not be accepted in any other part of New Zealand life. Two people a day dying; on the roads, on our beaches, on the water, in aviation, in the Fire Service, our armed services, in forestry, on farms, other industrial activities; would be completely unacceptable and result in urgent action.

Yet alcohol causes many more deaths, accidents, health impacts and costs of all sorts to society and our economy, than any of those activities and occupations. Surely this can't be justified because there is money in it for the alcohol and advertising industries?

The only serious downside of increased alcohol advertising and sponsorship, is NOT increasing it now. Lives are being lost unnecessarily today, social and economic costs mounting unnecessarily every day.

In the very unlikely event that we over-regulate, that can be fine-tuned – no extra lives will be lost as a result of that outcome. Unlike, if we don't increase regulation.

This submission is not advocating against use of alcohol, where this is responsible drinking. It advocates for an environment where all reasonable steps are taken to promote responsible use of alcohol, rather than promoting it's over use.

The alcohol industry doesn't carry the full cost of its' business operations. Why is the New Zealand public effectively subsidizing the down-side impacts of the alcohol industry? Taxation on this industry should be at a level that recovers the full dollar cost to our country, of alcohol misuse. The sum of all of the major costs it gives rise to; health budget and DHB costs, medical, sickness, repatriation, pharmaceutical and mortality costs, accident costs, the cost of regulation, policing and imprisonment arising from alcohol overuse. And of advertising required to encourage moderation in drinking. Such a social cost recovery tax, would quickly cause some behaviour changes in the alcohol industry.

A less serious, but significant consequence of alcohol overuse resulting from alcohol advertising, is smashed alcohol bottles in public places; parks, side streets, tracks, car parks and secluded streets and squares. Of these broken bottles; mainly caused by younger people partying; beer bottles are by far the most frequent smashed and strewn around. This assertion is based on years of picking up broken bottles from the park / public golf course opposite our home, nearly every day. Focusing on the bottle which is overwhelmingly the most commonly smashed; the beer bottle. The solution is a requirement that all beer bottles have a plastic film or net "shroud" shrink wrapped over it, so that when smashed the glass splinters and shreds don't fly everywhere, but are contained, adhering to the plastic. This has work surprisingly well, in the plastic film "wrapped" broken bottles we have picked up.

For local brewer / bottlers, this would not be difficult; it involves a modest cost. Bottled beers which didn't have the plastic film or coating (be they imported or local bottled beers) would be taxed, so as to encourage compliance. The tax would increase the costs of those who don't comply. So that imported and local non-compliant bottled beers wouldn't have an advantage over local compliant bottled beers which carry the cost of this compliance requirement.

We wish the Forum representatives well in dealing with this difficult subject and hope you can come together, to put the public interest first.



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 tell 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.albe.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 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: _____
 Address: _____
 Email: _____
 Signature: _____
 Date: 28-04-2014

Note: This submission may be requested under the Official Information Act 1982. If this happens, it will normally be released to the person who requested it. However, your personal details will be removed from the submission if you mark the following boxes:

- I do not give permission for my personal details to be released under the Official Information Act 1982.*
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Once completed save this file and email to alcoholadvertisingforum@moh.govt.nz by 5pm, Monday 28th April, 2014.





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SEE WHAT
THEY SEE

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Alcohol Advertising and Sponsorship Forum Submission

to:
alcoholadvertisingforum@moh.govt.nz
28/04/2014 01:15 p.m.
Cc:

Hide Details

From:
To: "alcoholadvertisingforum@moh.govt.nz" <alcoholadvertisingforum@moh.govt.nz>,
Cc:

Dear Sir or Madam,
Submission to Ministerial Forum on Alcohol Advertising and Sponsorship

I fully support all of the recommendations made by the Law Commission on these issues.
I am happy to elaborate on the strong reasons I have for supporting these recommendations by making an oral submission.
My views have been formed in my roles as Chair of the Auckland District Council of Social Services, Chair of the Problem Gambling Foundation of New Zealand, and a National Councillor for Local Government New Zealand.

Yours sincerely

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:
 - no alcohol-related sponsorship of any cultural or sports events or activities
 - 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: 24. 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).

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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: 29/4/14

Note: This submission may be requested under the Official Information Act 1982. If this happens, it will normally be released to the person who requested it. However, your personal details will be removed from the submission if you check/tick the following boxes:

- I do not give permission for my personal details to be released under the Official Information Act 1982.
- I do not give permission for my name to be listed in the published summary of submissions.

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:

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Signed: _____

Date: 17/04/14

Note: This submission may be requested under the Official Information Act 1982. If this happens, it will normally be released to the person who requested it. However, your personal details will be removed from the submission if you check/tick the following boxes:

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Signed: _____

Date: 22-4-14

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I do not give permission for my personal details to be released under the Official Information Act 1982.

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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 a psychologist working in a DHB Child Development Service. As a team, we assess children who present with various developmental disorders, including FASD. It's saddening to meet young people who have a preventable brain injury due to prenatal alcohol exposure. Ensuing neurological deficits affect not only the child's life trajectory, but impact on their families and the wider community. Teachers are at a loss as how to teach these children and the justice system is only beginning to recognize the implications of FASD on the person's inability to think about consequences and to learn from previous mistakes (in which case incarceration is not 'fixing' the behaviour).

In New Zealand, we are only beginning to recognize and diagnose FASD and it is as yet not possible to estimate a prevalence rate for this diagnosis and the economic and social burden this places on our society. A lack of prevalence data does not mean we do not have to take a responsible stance on this subject. I therefore agree with the following comments and recommendations.

I/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.

I/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.

I/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.

I/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.

I/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.

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

I/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*".

I/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.

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

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

These include:

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.

- 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.

Conclusion

I/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.

I/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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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:

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Recommendations:

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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: 26.4.2014

Note: This submission may be requested under the Official Information Act 1982. If this happens, it will normally be released to the person who requested it. However, your personal details will be removed from the submission if you check/tick the following boxes:

- I do not give permission for my personal details to be released under the Official Information Act 1982.
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Protect our young people

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
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Our communities say:

Ban alcohol sponsorship and restrict advertising*

Our health agencies say:

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Signed: _____

_____ Date: April 26, 2014

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Protect our young people

Increase restrictions on alcohol advertising & sponsorship

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Signed: _____ Date: 22/07/2014

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Submission to the Ministerial Forum on Alcohol Advertising and Sponsorship

from

23/4/2014

To: Mr Graham Lowe ONZM, QSM

Chair

Ministerial Forum on Alcohol Advertising and Sponsorship

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

I am making this submission as a private individual who is currently employed in the primary health sector and who has previously worked in the addictions treatment field for nearly 30 years. I do not advocate the prohibition of alcohol-containing beverages, but I strongly support the marketing and consumption of such products being subject to regulation under law.

My principle submission is that the Government should take action now to develop and implement the recommendations of the 2010 Law Commission Review of the sale and supply of liquor, as pertaining to advertising and sponsorship.

The Law Commission Review acknowledged that alcohol is a commodity the consumption of which creates a significant burden of risk and actual harm to the populations who consume it. Young consumers are particularly at risk of a range of potentially serious harms. The Review also acknowledged that there are high levels of exposure to sophisticated alcohol marketing in New Zealand. There is strong evidence (e.g. Smith and Foxcroft, 2009; Gordon et.al., 2011; Lin et.al., 2012) to conclude that exposure to this marketing increases the uptake of drinking by young people and reduces the age of onset of drinking – both of which will increase the likelihood of harmful patterns of drinking and make it more difficult for those individuals wishing to quit or moderate their drinking.

The Law Commission Review concludes that greater controls are needed on advertising, sponsorship and other promotion of alcohol, in terms of the content of advertising, the levels of exposure to advertising and sponsorship messages, and inappropriate sales promotions. The Review also notes the strong argument that a self-regulatory body for alcohol advertising is inappropriate – a view supported by prior and subsequent evidence (e.g. Babor et.al., 2010; Babor et.al., 2013; Jernigan et.al., 2013; Ross et.al., 2014).

The Law Commission Review has recommended the introduction of legislative measures aimed at reducing exposure to advertising, particularly for young people, and the introduction of measures that aim to restrict the promotion of alcohol, including sponsorship, in all media. Under these measure no alcohol advertising would be allowed in any media other than advertising that communicates objective product information.

I submit that the implementation of these measures should commence without further delay.

References.

Babor et. al., 2010. Alcohol: No Ordinary Commodity. Oxford University Press.

Babor, Xuan and Noel; 2013. An empirical evaluation of the US Beer Institute's self-regulation code governing the content of beer advertising. American Journal of Public Health.

Gordon et. al., 2011. Assessing the cumulative impact of alcohol marketing on young people's drinking. Addiction Research and Theory. 19 (1).

Jernigan et. al., 2013. Youth exposure to alcohol advertising on television. Morbidity and Mortality Weekly Review. V62, N44.

Lin et. al., 2012. Engagement with alcohol marketing and early brand allegiance in relation to early years of drinking. Addiction Research and Theory. 20 (4).

Ross et. al., 2014. Evidence of underage targeting of alcohol advertising on television in the United States. Journal of Public Health Policy. V.35, N1.

Smith and Foxcroft, 2009. The effect of alcohol advertising, marketing and portrayal on drinking behaviour in young people. BMC Public Health. V9: 51.

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Submission to the Ministerial Forum on Alcohol Advertising and Sponsorship
Tuesday 22 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.

My name is _____ and I am a concerned citizen living in an alcohol drenched community within the South Auckland region. My voice on alcohol related harm issues went unheard until the recent formation of Manukau Alcohol Action Group was formed, now known as South Auckland Alcohol Action Group. As an individual I have expressed my written and verbal concerns on the devastating effect that alcohol related harm has within our communities. I believe it would be greatly helpful for changes to be made to Alcohol Advertising and Sponsorship as per this written submission.

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 **36% supported banning or restricting all advertising of all alcohol in all media.**

I 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 the *Sale and Supply of Alcohol Act 2012*. However, I am 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*. These being:

Stage 2: An interdepartmental committee to consider adopting legislated measures designed

to reduce exposure, particularly of young people.

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

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 this matter.
- Clearly setting out what is allowed (objective product information only), and ban all other advertising. This could be achieved by giving a lead in period of 3-6 months to allow existing marketing programmes to be completed but no new ones initiated. 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 a levy on alcohol 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: c/-

Contact phone numbers:

mob

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Increase restrictions on alcohol advertising & sponsorship

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 - 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: 17/4/2014

Note: This submission may be requested under the Official Information Act 1982. If this happens, it will normally be released to the person who requested it. However, your personal details will be removed from the submission if you check/tick the following boxes:

- I do not give permission for my personal details to be released under the Official Information Act 1982.
- I do not give permission for my name to be listed in the published summary of submissions.

Submission to the Ministerial Forum on Alcohol Advertising and Sponsorship

135

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.
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Signed: _____

Date: 17-4-14

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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).

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