

**Media Release**

**Sir Geoffrey Palmer  
President  
Law Commission**

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## **Alcohol in Our Lives: Curbing the Harm (NZLC R114)**

New Zealand has much to gain and little to lose from sweeping alcohol reforms proposed by the Law Commission today.

Launching the report, *Alcohol in Our Lives: Curbing the Harm*, Law Commission President Sir Geoffrey Palmer said the 153 recommendations contained in the report provided a blue print for reducing both the short and long term effects of alcohol misuse on society.

“Those who enjoy alcohol socially and drink in a low risk manner will be little affected by the Law Commission’s recommendations.

“Our reforms are firmly targeted at reducing the harms associated with heavy drinking and drinking to intoxication.

“To do this we need to ensure that alcohol is promoted, sold and supplied in a manner which better reflects the risks and responsibilities associated with its consumption.”

Recognising the importance of alcohol as a driver of crime, Justice Minister Hon Simon Power, expedited the Commission’s review, asking it to report a year earlier than originally intended.

The Commission undertook a three month public consultation and received 2,939 submissions on its original Issues paper, *Alcohol in Our Lives*, published in July 2009.

Sir Geoffrey said the size of the final report and number of recommendations reflected the very broad ranging terms of reference given to the Commission.

These required the Commission to examine not only the licensing system but also alcohol pricing and promotions, parental responsibilities, and how to ameliorate the adverse effects of alcohol on health and crime.

Key policy recommendations include:

- the introduction of a new Alcohol Harm Reduction Act;
- raising the price of alcohol by an average of 10% through excise tax increases;
- regulating irresponsible promotions that encourage the excessive consumption, or purchase, of alcohol;
- returning the minimum purchase age for alcohol to 20;
- strengthening the rights and responsibilities of parents for the supply of alcohol to minors;
- introducing national maximum closing hours for both on and off-licences; ( 4am and 10pm respectively )
- increasing the ability of local people to influence how and where alcohol is sold in their communities;
- increasing personal responsibility for unacceptable or harmful behaviours induced by alcohol, including a civil cost recovery regime for those picked up by the police when grossly intoxicated;
- moving over time to regulate alcohol advertising and sponsorship.

Sir Geoffrey said while there had been many benefits associated with the liberalisation of New Zealand's liquor laws in 1989, the resounding message the Commission had received from the public was that the pendulum had swung too far.

A saturated alcohol market had led to intense competition and the over commercialisation of alcohol.

“A can of beer or an RTD can be bought for one or two dollars in many retail outlets. This is less than we pay for bottled water.

“One of the consequences of alcohol being promoted and sold at pocket-money prices is that we risk losing sight of its status as a legal drug, capable of causing serious harm to others.”

Sir Geoffrey said there is growing research evidence of a causal link between alcohol intoxication and aggression. The Police were in no doubt that one of the key drivers behind the escalating levels of violent crime in this country was the abuse of alcohol.

While many New Zealanders drink in a low-risk manner and reap the benefits, the uncomfortable truth is that a very significant minority – as many as 25% of all drinkers – drink heavily when they drink.

And a much larger number engage in a persistent pattern of episodic binge drinking – the worst pattern of drinking for one's own health and for inflicting damage on others.

The Ministry of Health's latest Alcohol Use Survey reveals six in ten past-year drinkers had become intoxicated at least once in the past year. This equates to 1.3 million people, or half the total adult population.

- One in three, or 33% of men aged 18-24 reported drinking enough to feel drunk *at least weekly*. And among all drinkers, one in ten, the equivalent of

224,600 people, reported drinking enough to become intoxicated *at least once a week*.

- One in five past-year drinkers also reported driving while feeling under the influence of alcohol in the past year – this equates to 444,100 adults.
- One in six adults had experienced harm from someone else’s drinking in the past year. This equates to just under half a million New Zealanders.

“What these figures make clear, is that drinking to intoxication and drinking large quantities remain dominant features of our drinking culture and this behaviour is not confined to an aberrant minority.” Sir Geoffrey said.

While the law can not directly control how people drink, it can ensure the law governing how alcohol is promoted, sold and supplied, better recognises the risks associated with alcohol and discourages abuse.

The international evidence was clear that the most effective policies to reduce alcohol-related harm were those which targeted the availability, price and promotion of alcohol. Policies which targeted cheap alcohol were particularly important because research shows low cost alcohol is favoured by young and heavy drinkers.

A recommended 50% increase in excise tax would push alcohol prices up by an average of 10% but would differentially target low cost alcohol which is known to drive most acute harm.

“Expert advice we have received from Australian economic consultants Marsden Jacob Associates suggests an average 10 % increase in the price of alcohol will result in net benefits to the New Zealand economy from reductions in alcohol-related harm.”

Sir Geoffrey said the Commission was unapologetic about the fact that some policies specifically targeted young people and their parents.

“We were required to adopt an evidential approach to this review and the evidence, while unpopular, is clear: alcohol presents a particular risk to our young people – both in the short and long term – and too many of our young are drinking in a high risk manner and causing and experiencing high levels of harm as a result.”

New Zealand police statistics show that young people 17 – 19 comprise the highest proportion of offenders who have consumed alcohol prior to committing an offence.

Sir Geoffrey said there was overwhelming support from submitters for a return to 20 as the minimum purchase age.

“In the decade since the decision was made to lower the purchase age, the scientific understanding of the developing brain has advanced considerably.

“With this knowledge has come a greater understanding of the risks early onset of drinking poses to the adolescent both in terms of acute harms and the longer term risks of dependency.

“We would be negligent if we disregard this evidence in respect of alcohol legislation.”

Parents also had a vital role to play in managing how their children were introduced to alcohol. The Commission was recommending that New Zealand adopted the leads of several Australian states by introducing new legal provisions restricting who can supply alcohol to minors<sup>1</sup> and under what conditions.

Sir Geoffrey also emphasised the need for Parliament to treat the Commission’s recommendations as an integrated package rather than cherry picking the more politically palatable elements:

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<sup>1</sup> Queensland, New South Wales and Tasmania.

“There is little point in raising the minimum purchase age but doing nothing to stop selling alcohol to young people as the key to social and sexual success.

“Similarly, there is little to be gained from tighter controls on pubs and bars if retailers continue to be allowed to promote heavily discounted alcohol for home consumption.”

Sir Geoffrey said all New Zealanders were impacted to some degree by the harmful use of alcohol and all had a vested interest in addressing the problem.

“Every New Zealander has a social and an economic interest in ensuring future generations are not born impaired by their exposure to alcohol in the womb; we all have an interest in ensuring that our young people do not fail to reach their potential as a result of early exposure to alcohol; and we all have an interest in ensuring that the taxes we direct to hospitals, police cells and prisons are not squandered on preventable alcohol-related cases.”

“The subject of our report is a social battleground replete with both passions and prejudices. We have tried to steer a reasonable course around these policy whirlpools and fashion a report that will address the needs of society as a whole.”

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