

The Coordinating Officer
Liquor Promotion Guidelines review
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6 August 2018

Northern Sydney Local Health District Health Promotion submission regarding the Review of the NSW Liquor Promotion Guidelines

Thank you for providing the opportunity to comment on the review of the NSW Liquor Promotion Guidelines 2013.

Background and context

Northern Sydney Local Health District (NSLHD) Health Promotion has an active interest in measures to prevent or reduce alcohol-related harms such as malicious damage, interpersonal violence, accidental injury and long-term health impacts. We also have a history of working to reduce the potential of liquor outlets to be a source of alcohol for minors, either by direct purchase attempts or secondary supply avenues, through high-profile projects such as the “Stop the Supply” campaign.

In this regard, we are concerned with several elements of the Liquor Promotion Guidelines which significantly favour the liquor industry and pose unacceptable risks to the community.

General comments

This review presents an opportunity for the NSW government to implement strong, evidence-based measures that prioritise the health, wellbeing and long-term success of NSW above short-term profits for a single industry.

The economic cost of alcohol related abuse in NSW is an estimated \$1.029 billion per annum¹. More needs to be done to combat this issue, and with this in mind we recommend the following changes to the NSW Liquor Promotion Guidelines that prioritise health over industry profits:

1. Strengthen language and reduce freedom for interpretation

Key objective one of the current Guidelines is to “*provide clarity on unacceptable liquor promotions and activities*”. It is our belief that the current Guidelines do not meet this objective, and allow too much freedom for interpretation by industry and licensees. Further direction needs to be given as to what is and is not acceptable promotion of liquor.

While it is understood that the Guidelines “*are not intended to be a definitive list of what can and cannot be done*”, without clear indicators of unacceptable behaviour, licensees are able to self-regulate and judge their own liquor promotions for appropriateness. We recommend removal of vague statements such as “*where liquor is offered as a prize the process should be conducted in a responsible manner*” and “*in undertaking a promotion, consideration should be given to how this principle applies to your venue*”.

¹ NSW Auditor-General’s Report to Parliament, 2013, *Cost of alcohol abuse to the NSW Government*. Retrieved from www.audit.nsw.gov.au

Within the discussion paper it is noted that over time there has been a decline in *identified* undesirable liquor promotions and notices issued. Liquor and Gaming NSW suggests that this apparent improvement in practices is due to greater industry awareness of the Guidelines and new approaches to enforcement. We contend that this apparent improvement in industry practices is more likely to be a result of selective interpretation of what constitutes ‘undesirable’ liquor promotions rather than actual improvement in industry practices. This selective interpretation is enabled by the relaxed language and lack of clear definitions within the Guidelines, which must be addressed.

2. Reclassify items “which require harm minimisation measures” as “unacceptable practices”

Key objective four of the Guidelines is to “*assist in the development of a sustainable and responsible liquor industry, by defining clear expectations for the conduct of liquor promotions*”. Despite this objective there are a number of items within the Guidelines that do not reflect and promote a responsible liquor industry and have not been classified appropriately. For this reason we recommend changing the following items from “examples of promotions which require harm minimisation measures” to “examples of unacceptable practices”:

Under Principle 3: Non-standard measures:

- “Promotions where the service of alcohol is in non-standard measures such as teapots or jam jars, where the alcohol content of the drink is not apparent or easily discernible”

Principle 3 is intended to eliminate the use of non-standard measures. The above example of alcohol being promoted in non-standard measures is clearly an “unacceptable practice” and should be classified as-such.

Under Principle 5: Extreme discounts:

- “‘Buy one, get one free’ offers promoted through discount vouchers, cards or ‘shopper docket’ offers without purchase limits or other suitable controls in place”
- “Promotions linked to unpredictable events (eg. free drinks until the first points scored).”
- “All you can drink offers for a set price or excessive periods of free drinks”
- “Promotions involving discounts of greater than 50% off the normal retail price”

An independent expert report prepared for Liquor and Gaming NSW noted the powerful association between discounted alcohol and increased consumption, especially by young people. The report called for regulators to take this into consideration and limit promotions centred on price reduction². The impact of discounted alcohol is reflected in FARE’s 2017 Annual Alcohol Poll. The poll found that 54% of individuals bought alcohol because it was discounted, 35% had bought more liquor than they originally planned due to a discount promotion, and 24% made purchases because of a discount on a shopper docket³. Given the direct and strong influence of price promotion on young people in-particular, we recommend clearer, stronger descriptions of the above items as “unacceptable”, along with specific examples of time duration and unacceptable pricing.

Many of the above changes will align the NSW Liquor Promotion Guidelines with those of other states and territories. Alignment towards a ‘National standard’ will minimise confusion for licensees and contribute to a reduction in alcohol-related harm in Australia.

² Jones, S.C. (2013). Expert report on “shopper docket” alcohol promotions. Report prepared for the New South Wales Office of Liquor, Gaming and Racing. Retrieved from www.drinktank.org.au

³ Foundation for Alcohol Research Education (2017). Annual Alcohol Poll: Attitudes and behaviours. FARE: Canberra

3. Introduce positive actions for licensees to reduce risk associated with liquor promotions

Key objective three of the Guidelines is “to provide guidance on harm mitigation measures”. The current Guidelines provide examples of situations believed to require harm mitigation measures, however they do not provide clear guidance to licensees on how to mitigate harm. In order to meet this objective we recommend the inclusion of information and actions to assist licensees in assessing the risk of their alcohol promotions. Examples of these can be found within the Victorian guidelines for liquor promotion⁴.

4. Ban Alcohol Promotions and Advertising on NSW State Property

A strong association exists between exposure to alcohol advertising, such as television, magazines, outdoor advertising, sports venues and in-store displays, and young people’s early initiation to alcohol use and increased consumption⁵.

Exposure to alcohol advertising and promotions is more prolific than ever, with the industry using various platforms to increase sales and consumption, including television, supermarket promotions, public transport stops and the sponsorship of sporting and cultural events. For example, audits of alcohol marketing in Sydney found that 27 per cent of train station advertising was for alcohol products^{6 7}. Whilst the liquor industry may argue that their advertising does not intentionally target the underage population, a growing body of evidence indicates that this vast array of alcohol advertising reaches and influences children and adolescents¹.

The consumption of alcohol is illegal on all metro bus and rail services in NSW. However, this legislation is undermined with alcohol promotions and advertising currently permitted on state owned property including buses, trains, bus shelters and train stations (transit advertising); sports stadiums including ANZ Stadium, Allianz Stadium and the Sydney Cricket Ground (SCG), the Royal Randwick Racecourse and Sydney Motor Park; Sydney’s Luna Park as well as various buildings throughout the state.

This oversaturation of alcohol promotions and advertising in public areas normalises the problematic drinking culture that exists in NSW and generates an unacceptable level of alcohol-related harm among young people. We therefore strongly recommend that all alcohol promotions and advertising be banned from state owned property.

Thank you again for the opportunity to comment and if you have any questions about this submission, please do not hesitate to contact Kara McDonnell, NSLHD Health Promotion (Ryde Hornsby) on 02 8877 5122 or kara.mcdonnell@health.nsw.gov.au

Yours Sincerely

Paul Klarenaar
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⁴ Victorian Commission for Gambling and Liquor Regulation, 2013 Guidelines For Responsible Liquor Advertising and Promotions

⁵ Roche, A.M., Bywood, P.T., Borlagdan, J., Lunnay, B., Freeman, T., Lawton, L., Tovell, A., Nicholas, R., Young People and Alcohol: The Role of Cultural Influences. National Centre for Education and Training on Addiction, Adelaide, 2008

⁶ Jones S.C., Barrie L., Robinson, L., Allsop, S. & Chikritz T. (2012). Point-of-sale promotions in the Perth and Sydney metropolitan areas. *Drug and Alcohol Review* (31):803-808.

⁷ Kelly B, Flood VM, Bicego C, Yeatman H. Derailing healthy choices: an audit of vending machines at train stations in NSW. *Health Promot J Aust.* 2012; 23:73-75.