

A night scene of a busy street. In the foreground, a person is lying on a curved wooden bench, appearing to be asleep or unconscious. The person is wearing a light-colored jacket and dark pants. In the background, a multi-story building with many windows is lit up. A sign for 'Happy' is visible on the building. There are several cars parked along the street, and a few people are standing near the cars. The overall atmosphere is one of a busy, urban environment at night.

Part 1

THE CASE FOR REDUCING ALCOHOL-RELATED HARM

Part 1

An introduction

The purpose of our Issues Paper, *Alcohol in Our Lives*,¹⁷ was to provide the platform for a national debate about alcohol. Specifically, the paper outlined the social and health harms associated with alcohol and offered tentative options for reform.

This report presents our final analysis and recommendations for a new statute. The package of reforms outlined in the report has been shaped by a large body of international and New Zealand research.

This report has also been influenced by the three-month long consultation and submission process we embarked upon following the publication of the Issues Paper in July 2009.

In Part 1 of this report we:

- provide a summary of what we learned from New Zealanders in the course of our consultation (chapter 1);
- outline the context of the review, including the major changes that have occurred since the introduction of the Sale of Liquor Act 1989 (chapter 2);
- revisit the social and health harms associated with the misuse of alcohol with a particular emphasis on new research on the effects of alcohol on third parties, including children (chapter 3); and
- set out the case for a new approach to the sale and supply of alcohol in New Zealand (chapter 4).

The elements of this new approach are set out in detail in Parts 2-4 of this report.

¹⁷ Law Commission *Alcohol in Our Lives: An Issues Paper on the Reform of New Zealand's Liquor Laws* (NZLC IP15, 2009).



Chapter 1

What New Zealanders told us

IN THIS CHAPTER, WE:

- Discuss what we learned during the three-month public consultation.
- Present the high-level findings from the public submissions.
- Highlight the importance of community action.

- THE PROCESS**
- 1.1 It began in a community hall in Cannon's Creek, Porirua where 60 people gathered on a Monday morning in August 2009 to give feedback on the Law Commission's options for reform of New Zealand's liquor laws. Accompanying the customary prayers and gracious Pacific hospitality was an urgent and unmistakable message: alcohol is inflicting too high a price on this community and the law needs to help us push back.
 - 1.2 From Whangarei to Invercargill, at venues as diverse as cathedrals and council chambers to youth clubs and converted gang pads, well over a thousand New Zealanders came to offer their views on the problems – and possible solutions – associated with New Zealand's drinking culture. Some came as concerned citizens, others with a vital community, professional or business interest in liquor reform: Black Power and Plunket; secondary school principals and publicans; grandmothers and students; doctors and economists.
 - 1.3 In Auckland, principals from secondary schools in neighbourhoods as diverse as Epsom and Otahuhu came to talk about their losing battle with parents who appeared to have capitulated to 15- and 16-year-olds' demands for routine access to alcohol. Plunket spoke of the difficulty new parents are having excluding alcohol from their lives; of the unequivocal evidence its nurses are seeing of alcohol's impact on child health and safety, and of the correlation between alcohol and family violence.

- 1.4 In public forums and private hearings, owners and managers of some of the country's 14,424 licensed clubs and businesses shared their views on what is driving our alcohol problems and how to address them.¹⁸ Many were as frustrated as their communities by the proliferation of alcohol outlets: yes, they had a vested interest in limiting competition but they also had first-hand knowledge of what can happen to “host responsibility” in a saturated market driven by fierce price competition.
- 1.5 Much of what we heard during these meetings would later be mirrored in the 2,939 written submissions on our Issues Paper, *Alcohol in Our Lives*.¹⁹ This was the largest number of submissions received by the Law Commission on any project, indicating a high level of public awareness and concern.
- 1.6 However, the terms of reference for the review of the Sale of Liquor Act 1989 required us to go further and to “engage in extensive public consultation”.²⁰ Consequently, in the three months from the Issue Paper's publication until the closing of public submissions on 30 October 2009, the Commission held 50 meetings in 16 different locations from Whangarei to Invercargill.²¹
- 1.7 The object of the consultation was twofold: to provide members of the public with an opportunity to give direct feedback on the issues and options outlined in our Issues Paper and, secondly, to undertake targeted consultation with those stakeholders most directly impacted by alcohol-related harm and the laws governing the sale of alcohol.
- 1.8 These stakeholders were by no means homogenous: on one side were the manufacturers, retailers and hospitality sector whose businesses depend on the estimated \$85 million New Zealanders spend on alcohol each week.²² On the other, were police, emergency workers, counsellors and addiction specialists who deal with the harms arising from the misuse of alcohol.
- 1.9 Throughout the process, we consulted extensively with the alcohol industry. In Auckland, we attended two pan-industry forums hosted by Thomas Chin, Chief Executive of the Distilled Spirits Association. These were attended by over 50 people representing a diverse range of liquor industry interests. Throughout the consultation, we maintained a dialogue with the key manufacturers, retailers and representatives of the hospitality sector, many of whom provided us with valuable assistance in our deliberations.
- 1.10 We also consulted widely with those who have first-hand experience of the harms associated with alcohol misuse. As explained in the Issues Paper, the young and Māori and Pacific peoples experience disproportionately high levels of alcohol-related harms. Wellington-based law reform bodies are not

18 Figures provided to the Law Commission by the Liquor Licensing Authority 11 February 2010. This total comprises 7,656 licences to sell liquor on-premises, 4,347 licences to sell liquor for consumption off-premises and 2,421 club licences. Some disused licences may be included in this total.

19 Law Commission *Alcohol in Our Lives: An Issues Paper on the Reform of New Zealand's Liquor Laws* (NZLC IP15, 2009) [*Alcohol in Our Lives*].

20 The full terms of reference for this review can be found at the beginning of this report.

21 A list of the locations where meetings were held can be found at the end of appendix 3.

22 Law Commission *Alcohol in Our Lives: An Issues Paper on the Reform of New Zealand's Liquor Laws* (NZLC IP15, 2009) at 18.

always best placed to engage with these groups, so we relied on the substantial assistance of the Alcohol Advisory Council of New Zealand (ALAC), Te Puni Kōkiri and Ministry of Youth Affairs to ensure the insights and views of these groups were well represented in our consultation process.

- 1.11 Some of the organisations and individuals with whom we met supplemented their oral presentations with written submissions: others relied on their parent bodies, such as the Hospitality Association of New Zealand (HANZ), which has 2,400 members nationwide, to represent their views.
- 1.12 As table 1.1 illustrates, more than two-thirds of the 2,939 written submissions were from individuals. Of these, over a thousand either wholly or partially endorsed the so-called “5 + solution” promoted by Alcohol Action New Zealand, a national lobby group formed by concerned clinicians and alcohol researchers in 2009.²³ While some submitters signed a standard form letter, others provided detailed rationales as to why they supported aspects of the “5 + ” package. Many of the remaining submissions from individuals limited their comments to a few key policy issues, sometimes drawing on deeply personal accounts of loved ones lost and lives ruined as a result of alcohol.

TABLE 1.1: NUMBER AND PROFILE OF SUBMITTERS (N = 2, 939)

Submitter groups	Number of submissions
Individuals	2,482
Non-government	212
Retailers	108
Local government/government	97
Industry	40

- 1.13 Several submitters conducted extensive research and/or consultation with their membership or sector before arriving at their policy positions. Among these were submissions from the New Zealand Police, primary health organisation Pegasus Health (Canterbury), and a submission from the Ministry of Youth Development that incorporated 171 individual views on key policy areas. Of particular significance was a submission from senior doctors and health practitioners around New Zealand calling for urgent reform of the liquor laws.²⁴ At the time this report went to print the doctors’ and nurses’ submission had been signed by over 400 medical personnel including representatives, heads or leaders of medical colleges, district health boards, universities, professional bodies and public health bodies.
- 1.14 Each of the 2,939 submissions was entered into a database, allowing researchers working on the review to quickly access and analyse submissions across a range of policy options. Given the large number of submissions, we also contracted specialist social research and evaluation company, Litmus, to assist with our analysis.

23 For details of the “5 + solution” see < www.alcoholaction.co.nz/FivePlusSolution.aspx > .

24 Submission of Doctors and Nurses of New Zealand (submission dated 9 November 2009).

- 1.15 Both the public consultation and submissions were shaped by the 30 questions posed in a summary document used to assist public debate. These questions were designed to elicit public reaction to the tentative policy options put forward in the Issues Paper, and revolved around the three core policy levers: alcohol supply controls, alcohol demand reduction and problem limitation.
- 1.16 In addition to our own analysis of the submissions, Litmus was commissioned to interrogate all 2,939 submissions to ascertain the strength of support or opposition to policies relating to seven key areas identified as being of particular importance to the public.²⁵ These were:
- the age at which young people should be able to purchase and drink alcohol;
 - the price of alcohol and whether there is a case for increased taxation or the introduction of a minimum price;
 - the marketing of alcohol (including advertising and sponsorship) and whether current restrictions are adequate;
 - the adequacy of laws prescribing when a licence to sell alcohol can be issued and grounds for refusal;
 - the adequacy of laws prescribing the types of retailer permitted to sell alcohol;
 - whether there should be restrictions on opening hours;
 - whether there should be restrictions on drinking in a public place and public intoxication.
- 1.17 We also wished to identify the key areas of agreement and divergence between the major stakeholder groups. Not surprisingly, the stakeholders tended to be polarised according to their own particular interests: the Police, for example, tended to favour policies designed to increase its powers to deal with alcohol-related crime while lessening the impact on its operations and budgets. On-licence businesses tended to oppose restrictions on their ability to trade but were largely supportive of policies designed to curb the sale of discount alcohol in the off-licence sector.
- 1.18 We identified 12 major stakeholder groups comprising: alcohol manufacturers; alcohol retailers; the hospitality sector; advertisers, marketers and media; local government; police and law enforcement; alcohol and public health researchers; medical experts and treatment providers; Māori; youth; individual submitters; and “other” organisations.²⁶ We then selected 158 submissions²⁷ that were

25 In our Issues Paper we also sought feedback on drink driving policies, and many submitters commented on these. However, because the Ministry of Transport was undertaking its own review of road safety strategy, the submissions relating to transport matters were forwarded to the Ministry of Transport for consideration.

26 Among these were organisations representing business, economic and political interests as well as organisations representing the interests of children and families.

27 Within these broad stakeholder groups, our criteria for selecting submissions included those that were broadly representative of the stakeholder group, such as the Hospitality Association of New Zealand, those that represented large interest or population groups, such as local government bodies, and those representing the full gamut of interests and perspectives, for example, the New Zealand Business Roundtable, family and community organisations, young people, media, business owners and medical and addiction specialists.

broadly representative of the 12 stakeholder groups and asked Litmus to provide a high-level analysis of their different positions across the full range of policy options.²⁸

- 1.19 Our researchers have drawn extensively on the submission database and Litmus analysis in preparing this final report. Although in no way bound by the views expressed in the submissions or during the public consultation, our final recommendations were nonetheless influenced and, in some instances, changed by the insights, experience and evidence made available to us during this process.
- 1.20 The following discussion does not pretend to be an exhaustive account of the consultation and submission process. Given the extraordinarily diverse nature of the consultation meetings and the sheer number of submissions it is impossible to capture all the viewpoints expressed. Rather, we attempt to distil the flavour and themes that emerged during the public consultation and provide a high-level synopsis of what submitters had to say about key policies.
- 1.21 It is also important to acknowledge at the outset that those who were motivated to attend consultation meetings and to send written submissions typically had a strong personal or professional interest in the issues. Their views do not necessarily reflect those of the wider New Zealand public.

What's the problem?

We need to look at the issues holistically. Alcohol is the backdrop to so many issues. Issues which New Zealand is not addressing very well, issues like obesity, suicide, sexual health, injuries and so on. – *Rotorua consultation*²⁹

- 1.22 Throughout history, debate about liquor laws in this country has often served as a proxy for a broad debate about the moral and physical wellbeing of the nation. Human nature, poor parenting, peer-group pressure, dysfunctional communities, inequalities in health, education, employment, housing, the erosion of social values, the legacy of colonialism, advertising and marketing, the ascendancy of Generation Y: throughout the consultation, all were nominated as possible causes of problem drinking in this country.
- 1.23 Irrespective of where people sat on this issue of causation, there seemed to be a general acknowledgement that drinking to excess is an intergenerational problem with deep roots in this country's colonial history. Alcohol has been used as a means of escape and an unquestioned adjunct to New Zealanders' social, cultural and sporting life for many generations.
- 1.24 However, running through both the public consultation and many submissions, was a perception that, for a significant number of young people today, drinking was not merely an adjunct to their social lives but the focal point; drunkenness not an occasional by-product of drinking, but an end in itself. And that the harms arising from these drinking patterns were increasing, both for the individual and society as a whole.

28 The full text of the Litmus report on the submissions is available online at www.lawcom.govt.nz.

29 ALAC community consultation, Rotorua, 7 September 2009.

- 1.25 Intoxication and the behaviours that have come to be associated with it in this country – violence, sexual assaults, unwanted or regretted sexual activity, offensive and anti-social behaviour – were highlighted again and again as among the most pressing social issues confronting communities. Some suggested alcohol alone was not responsible for these undesirable aspects of the drinking culture, but rather alcohol in concert with a general erosion of values, including a lack of self-respect and respect for others, and an absence of personal and parental responsibility.
- 1.26 Frequent reference was made to women’s rapid rise to equality in the drinking culture, with the “drunken score” becoming the typical way for young people to pair-up.³⁰ A student advocate in Hamilton explained how a trio of student-friendly pubs had been dubbed the “Chlamydia triangle” because of the number of young students who contracted sexually transmitted infections as a result of unprotected sex with people they had met at these premises.
- 1.27 In an oral submission delivered during the Wellington consultation, Dr Judith Aitken, a former chief executive of the Ministry of Women’s Affairs, and current member of the Capital and Coast District Health Board, remarked:³¹
- The weekly spectacle of drunk young women on Wellington streets, tragic evidence of this permissive environment, may demonstrate how far 21st century women have been freed from traditional social and behavioural constraints, but can hardly be regarded as a triumph for feminism.
- 1.28 Parents and law makers also came in for strong criticism for apparently failing to set clear boundaries and impose meaningful consequences for unacceptable behaviour. In respect of the harms caused by adult drinkers, there was widespread support for measures that reinforced a sense of personal responsibility and accountability.
- 1.29 While not all wished to see harsh penalties, this was an issue that attracted agreement across several stakeholder groups, many of which were in favour of legal measures to reassert social norms and expectations around drinking, which many felt had been lost since offences such as “being drunk in a public place” were removed from the statute book in 1981.

The environment

- 1.30 Not everyone, however, believed the solution lay solely in the hands of the individual drinker. People pointed out one of the primary effects of drinking was to impair judgement and decision making: for some, losing self-control and escaping personal responsibility was the very *point* of drinking. Restrictions on how alcohol was marketed and sold therefore made more sense than relying on alcohol-impaired individuals to make good decisions.
- 1.31 But how far the law should go in restricting the availability of alcohol was a contentious issue: those with a medical and health perspective argued the laws governing how alcohol is marketed and sold needed to better reflect the fact it is

30 ALAC community consultation, Masterton, 18 August 2009.

31 Oral submission of Dr Judith Aitken and Margaret Faulkner (submission delivered 10 September 2009, Wellington).

a toxic and addictive substance causally related to over 60 different diseases and disorders. Conversely, many of those involved in the sale and manufacture of alcohol argued the current laws, if properly enforced, were adequate and the majority of responsible drinkers should not be penalised because of a small minority of problem drinkers. They also questioned the extent to which alcohol laws could influence behaviours and warned against imposing onerous new regulations on an industry that contributed heavily to the country's economy.

- 1.32 This dichotomy between alcohol's status as a legal but potentially harmful drug and its role as an important ingredient in the lives of over a million New Zealanders surfaced repeatedly throughout the consultation.³² Many also referred to the powerful cultural associations that have been developed between alcohol, sport, mateship and even, for some, national identity in this country.
- 1.33 The contradictory messages surrounding alcohol were raised repeatedly in consultations around the country. In Cannon's Creek, Porirua, a young mother asked: "How can we tell our children that drinking can be harmful when the All Blacks have Steinlager on their chests?". In Napier, a community worker asked: "You tell us alcohol is causing all this harm and is carcinogenic but how can we expect young people to take this on board when they see that the whole adult world turns on it?".
- 1.34 In Masterton, a secondary school teacher commented: "The key message the industry delivers to our children is that alcohol is the gateway to babes and good times".
- 1.35 In an oral submission to the Wellington hearings, addiction specialist Roger Brooking argued the risks associated with alcohol use were largely obscured by the fact it is sold and marketed in a manner similar to any other commodity.³³

Alcohol is advertised on television and other media – indicating it's an ordinary consumer commodity just like any other. Alcohol is sold without a warning label – indicating it's totally harmless, even for pregnant women. Liquor companies sponsor sport – leisure activities symbolising health and vitality which are a fundamental component of Kiwi culture...The underlying message conveyed to the public is this – alcohol is a safe, harmless, health inducing product that helps people enjoy life and have fun. The more you drink the more fun you will have.

- 1.36 The fact of course is that, for many drinkers, alcohol *is* associated with fun and enjoyment – and, as several young people pointed out during the consultation process, binge drinking and getting drunk is, for some, a large part of that fun. The fact it carries risks to the drinker and others is therefore not a popular or easy message to sell.

OPTIONS FOR CHANGE

- 1.37 At each of the meetings held around the country we asked those attending to comment on the questions and tentative policy options outlined in *Alcohol in Our Lives*. Again, the following provides only a high-level summary of the views canvassed during the consultation and gleaned through submissions. A detailed analysis can be found in the Litmus report of submissions at www.lawcom.govt.nz.

32 Ministry of Health *Alcohol Use in New Zealand: Key Results of the 2007/08 New Zealand Alcohol and Drug Use Survey* (Wellington, 2009) at 28 [*Alcohol Use Survey 2007/08*].

33 Submission of Roger Brooking (submission dated 8 October 2009) at 2.

The availability of alcohol

- 1.38 Alcohol's availability and affordability have both increased during the past two decades. Since the Sale of Liquor Act 1989 was passed, the number of outlets licensed to sell alcohol has more than doubled; restrictions on the hours during which alcohol can be sold have been removed; alcohol has become more affordable relative to people's incomes – particularly alcohol purchased at off-licences – and the minimum purchase age has been reduced from 20 to 18 years.

Proliferation of outlets

- 1.39 Both the submissions and public consultation revealed strong support for halting the proliferation of licences – particularly off-licences – under any new legislative regime. The reasons most commonly cited for reducing licence numbers were:
- the effect of market saturation on the profitability and sustainability of existing business and the extent to which competition is driving irresponsible pricing and promotions;
 - the impact the proliferation of liquor stores has had on low socio-economic and vulnerable communities;
 - the extent to which the proliferation of small suburban outlets, including dairies and convenience stores, has facilitated supply to young people and, in particular, those of school age;
 - the negative impacts of alcohol outlets on the amenity values of neighbourhoods, including increased rates of offending, vandalism, disorderly and offensive behaviour;
 - the difficulty of adequately monitoring and enforcing liquor laws across such large numbers of outlets.
- 1.40 While researchers continue to probe the relationships between alcohol-related harms and liquor outlet density, those who actually *live* and work in communities battling high levels of crime and social deprivation, seemed in no doubt about the damaging effects of saturating their neighbourhoods with liquor.
- 1.41 One of the largest and most impassioned community meetings we attended took place in the Otara shopping centre and drew well over 100 people, including students, residents, business people, youth and community workers, local kaumatua and health workers.³⁴ Despite being the “subject” of numerous governmental and non-governmental research projects to quantify alcohol's impacts on their community, the unequivocal message from this group was the time for academic research, consultation and talking was over:

Alcohol is destroying our community. I work with families and we can see the damage to them, to their children and to the wider community. I see it in the courts, the hospitals, family violence. We have tried many ways to reduce the damage. My dream is to stop selling alcohol in our community altogether. – *Otara consultation meeting*

34 ALAC community consultation meeting, Otara, 26 August 2009.

- 1.42 In Otara, as elsewhere, people highlighted the difficulties they faced trying to tackle alcohol-related offending and victimisation when their communities were saturated with liquor outlets. A Hauraki iwi health provider, Whakamama te Tangata of Te Korowai Hauora O Hauraki, made this observation in its submission:³⁵

Alcohol outlets appear to be more prevalent in low socio-economic areas and we believe that this is deliberate targeting of low income and vulnerable families. We also feel that clever marketing is utilised to persuade consumers to purchase more alcohol. Our observation has been that, in low socio-economic areas, alcohol outlets either replace, or are factors in the disappearance of, neighbourhood food stores. Whanau in these areas often lack transport to supermarkets, so rely on local shops for fresh and day-to-day supplies so losing the local store is more of a problem for whanau than it would be in a higher socio-economic area. Aggressive marketing of “specials” which persuades consumers to purchase alcohol in larger amounts also impacts on tight budgets.

- 1.43 We also heard repeatedly of the frustration experienced by individuals, schools and community groups attempting to have their voice heard in relation to the granting of licences in neighbourhoods already saturated with alcohol outlets or in areas regarded as inappropriate because of their proximity to child care centres, schools or other public amenities frequented by young people.

- 1.44 While HANZ argued the current law already gave sufficient scope for impacts on communities to be taken into account in licensing decisions, many others argued the current criteria for objecting to a licence were too narrow. Others highlighted the failure of the district planning process to manage the often conflicting interests between those selling alcohol and other business and residential users. In the course of an oral submission, the Precinct Manager of the Karangahape Road Business Association provided us with a copy of the Association’s objection to the issuing of another off-licence in the precinct. There were already seven off-licences in the space of just over a kilometre and, in the Association’s view, adding another was likely to exacerbate the precinct’s problems as pointed out by local security guard David Korewha:³⁶

Drinking, urination, rubbish, fighting, broken windows, graffiti, begging, theft will happen related to the proposed new store. Wherever there are seats and a bottle store in K Road this happens.

35 Submission of Whakamama te Tangata of Te Korowai Hauora O Hauraki (submission dated 18 November 2009) at 2.

36 Karangahape Road Business Association Inc Liquor License Objection EMKAY Trading Company Limited (11 May 2009) at 3.

WHAT SUBMISSIONS SAID: LICENCE CRITERIA AND GROUNDS FOR REFUSAL

Litmus analysis of this policy question revealed 903 out of 2,939 submissions commented on the range of policy options presented regarding the adequacy of the current criteria for issuing licences and the sufficiency of grounds for objecting to licences. Of these 903 submissions:

- 46% supported in general changing the law to allow a refusal of licences on wider grounds;³⁷
- 39% explicitly supported allowing the licence decision maker to refuse licences on the grounds that the social impact of the licence would be detrimental to the wellbeing of the community.

Alcohol industry submissions noted the need for consistency and transparency in licence decision making.

Who can sell alcohol?

1.45 Alongside opposition to the proliferation of bottle stores there was also considerable public concern at the liberal interpretation of the licensing laws, which in recent years have seen some convenience stores and dairies licensed to sell alcohol.

1.46 However, several submitters pointed out that these small mixed-retail businesses accounted for only a fraction of the liquor sold in the country and their prices were seldom discounted. In a sworn submission, one retailer with 40 years' experience described how many small retailers had been forced into stocking liquor as a defensive move in the face of the growing market share of the supermarkets.³⁸

I was one of many who resisted as long as possible the selling of liquor in small shops (corner dairy's/supermarkets), but because of the high competitive nature and pressure from the combined food giant empires meant I had no economic alternative other than to start a small liquor stock. I always have a tight customer service focus and have never had any demands by youth for excess sales of liquor.

37 Percentages are based on the total number of submissions that commented on the range of policy options within a specific category (that is, 903 submissions commented on the range of policy options relating to licensing). Percentages noted represent submissions that have explicitly supported the policy option noted.

Percentages do not imply the level of disagreement with the proposed options. For example, 46% of submitters expressly support wide grounds to refuse a licence. This *does not* mean that 54% state a lack of support for this option. Rather, the submitters who make up the 54% have made a range of other comments or responded to other policy options related to licensing (for example, the role of medical officers of health). Percentages are not cumulative but are discrete (that is, the 46% and 39% cannot be added together).

38 Submission of Suresh Dayal (submission handed-up Wellington consultation, 9 September 2009) at 2.

- 1.47 This submission was accompanied by a copy of the supermarket retailers' in-house newsletter *Supermarket News*, which stated that within the supermarket retail sector, "wine and beer together bring in more revenue than any other category".³⁹
- 1.48 According to a New Zealand Retailers' Association report, the two supermarket chains (Australian-owned Progressive Enterprises and the New Zealand cooperative, Foodstuffs) sold just under 60% of all wine and just over 30% of all beer available for consumption in New Zealand in 2008.⁴⁰ The consultation revealed a surprisingly strong sentiment in favour of removing alcohol altogether from supermarkets and returning to the pre-1989 era when it was only sold by specialist liquor outlets.
- 1.49 The rationale behind this view varied between stakeholder groups: those concerned about the risks associated with alcohol consumption believe by displaying alcohol at multiple points throughout their stores and engaging in mass-market price promotions, supermarkets have played a major part in both driving down the price of alcohol and cementing the perception it is a daily commodity indistinguishable from bread and milk.
- 1.50 HANZ also argued removing all alcohol from supermarkets and grocery stores would be consistent with "the object of reducing alcohol-related harm".⁴¹ Many submitters from the hospitality sector expressed the view that supermarkets' aggressive promotion and pricing of cheap alcohol has played a major part in the acceleration of drinking away from licensed premises. One long-standing proprietor suggested that, in the past two years, the combination of the recession and deep discounting by large retailers had seen an intensification of the phenomenon of "pre-loading" (drinking before going out):⁴²
- In the past if someone was going to drink 10 beers in a night, the ratio used to be two at home and eight in a pub. That's reversed now and it's more like six to eight at home and two or four in the pub.
- 1.51 These comments illustrate the conflicting business interests of those in the on- and off-licence trade and how drinking behaviours can be influenced by price and affordability.

39 "Liquor: Big Retail Changes Coming?" *Supermarket News* (September 2009) Vol. No.2 Issue No 7, at 1.

40 New Zealand Retailers' Association Report *Alcohol in New Zealand* (ACNielsen, Wellington 21 April 2009) at 21–22.

41 Submission of the Hospitality Association of New Zealand (submission dated October 2009) at 13, [17].

42 Oral submission of licensee (submission delivered Wellington consultation, 9 September 2009).

WHAT SUBMISSIONS SAID: RESTRICTIONS ON TYPE OF OUTLET ALLOWED TO SELL ALCOHOL

Litmus analysis of this policy question revealed 1,931 out of 2,939 submissions commented on the range of policy options dealing with restrictions on outlets and the range of alcohol products they are able to sell. Most submissions focused on restricting the types of off-licence outlet. Of the 1,931:⁴³

- 69% supported specifying and further restricting the types of premises for which off-licences may be granted, in particular, restricting small grocery stores or dairies from selling alcohol. However, opinion was inconsistent on how small grocery stores or dairies were defined for licensing purposes.

Hours

- 1.52 With few exceptions, those attending the consultation were of the view that 24-hour trading had contributed to alcohol-related harms. Concerns ranged from the extent to which around-the-clock access to alcohol had exacerbated a drinking culture already inclined towards excess, to concerns about the impact of 24-hour trading on public amenity values and, in particular, on neighbouring businesses and residents.
- 1.53 While on-licence owners pointed out the benefits accruing to cities from the development of the late-night/early morning entertainment culture, there was also an acknowledgement from some that much of the anti-social behaviour was occurring in the streets after 3am when intoxication levels were high. Again, there was a strong connection drawn between the levels of intoxication and the ready availability of off-licence liquor to either pre-load or “top up” cheaply throughout the night.
- 1.54 The option of imposing national maximum trading hours for off-licences in an attempt to interrupt the supply of alcohol and reduce intoxication levels received wide support from the public. Perhaps unsurprisingly, this measure also received support from many in the on-licence trade, including HANZ. In nominating a midnight closing time for off-licences, Lion Nathan commented in its submission:⁴⁴

Our rationale is that there will be very few individuals exercising good judgement who wish to purchase alcohol after midnight.

43 Percentages are based on the total number of submissions that commented on the range of policy options within a specific category. Percentages noted represent submissions that have explicitly supported the policy option noted.

Percentages do not imply the level of disagreement with the proposed options. Percentages are not cumulative but are discrete.

44 Submission of Lion Nathan (submission dated 29 October 2009) at 16, [103].

- 1.55 Imposing similar national restrictions on the maximum trading hours of on-licence premises was more controversial – particularly among licensees running clubs whose clientele were accustomed to entering their establishments after 3 or 4am. Against this, several bar owners in urban areas spoke of the economic challenges they faced as a result of the “hollowing out” of the night-time trade as a result of extended trading. Business would peak after work and then effectively die between 9pm and midnight. Staff had to be rostered on and kitchens kept functioning despite the fact patrons may not reappear until after midnight.
- 1.56 Young people taking part in a Far North consultation suggested they would probably adapt to earlier closing hours by going into town earlier. However, unless the cost of drinking in bars was reduced, they told us they would still choose to pre-load at home before going out.

WHAT SUBMISSIONS SAID: RESTRICTIONS ON HOURS OF TRADING

Litmus analysis on this policy question showed 1,146 out of 2,939 submissions commented on the range of policy options relating to hours of trade. Of these 1,146:⁴⁵

- 78% supported restricting the opening hours of all off-licences on a nationwide basis;
- 52% supported restricting on-licence premises from selling alcohol after a specified time on a nationwide basis;
- 24% supported providing an extension to serve alcohol until 4am if the premises operated a one-way door policy preventing new customers from entering the premises after 2am.

The age and supply to minors

- 1.57 The consultation revealed strong support for increasing the age at which young people can purchase alcohol. This view was mirrored in submissions, with 78 % of the 2,272 submitters who commented on policy options relating to age and supply to minors supporting an increase in the minimum purchase age and 68 % stating a clear preference for an increase to 20 years. Several recent media polls indicate support for change is widespread.⁴⁶

45 Percentages are based on the total number of submissions that commented on the range of policy options within a specific category. Percentages noted represent submissions that have explicitly supported the policy option noted.

Percentages do not imply the level of disagreement with the proposed options. Percentages are not cumulative but are discrete.

46 Research New Zealand “Majority think lowering drinking age has been bad for New Zealand” (press release, 12 October 2009).

- 1.58 Not everyone was aware there is currently no legal restriction on when young people can drink. Rather, the law is framed around the age at which it is legal to purchase alcohol.
- 1.59 In both the consultation and submissions people grappled with how best to use the law to postpone and limit drinking by the young. At one end of the spectrum were those who argued for the introduction of a legal drinking age in place of the purchase age. This would make it illegal for anyone under a specified age to *consume* alcohol rather than merely purchase it.
- 1.60 This position tended to be favoured by licensees and those who believe the lack of consequences is one of the root causes of problem youth drinking, as illustrated in this extract from the HANZ submission:⁴⁷
- Changing the age of purchase of liquor does nothing to address New Zealand's drinking culture, making it illegal for those under the age of 18 to consume, except when supervised by their parent or guardian, could however send a strong signal against a youth drinking culture and promote better individual responsibility.
- 1.61 However, there was also strong opposition to the introduction of a drinking age, including from the Police, on the grounds it would be problematic to enforce, would shift the onus onto young people and may criminalise large numbers unnecessarily.
- 1.62 At the other end of the spectrum were those who argued for a more nuanced approach to youth drinking, reflecting the changing levels of risk associated with the maturing adolescent and providing some sort of progression towards responsible independent drinking similar to the graduated drivers' licence. In its submission, for example, New Zealand Winegrowers suggested "at least for a certain probationary period, say two years, the ability for young persons to purchase alcohol should be conditional on appropriate behaviours, and not a right".⁴⁸
- 1.63 Our tentative proposal to introduce a split purchase age, permitting 18 year olds to drink in licensed premises, but not to purchase takeaway alcohol until aged 20, was seen to have merit as an example of a graduated approach. But some were concerned it may send mixed messages to young people and was predicated on an assumption that drinking on licensed premises was safer when there was evidence these environments (not necessarily the premises themselves) were often the setting for alcohol-related violence and intoxication.
- 1.64 It was also recognised that laws designed to restrict the purchase of alcohol by young people addressed only part of the problem: the supply of alcohol to minors by parents and peers was of even greater concern and, in the view of many, not effectively addressed under the current law.

47 Submission of the Hospitality Association of New Zealand (submission dated October 2009) at 13, [16].

48 Submission of New Zealand Winegrowers (submission dated October 2009) at 4(b).

- 1.65 Several secondary school principals commented the lowering of the purchase age to 18 years had meant many senior students were legally able to purchase alcohol, which had facilitated easier supply to underage school peers and seen the “de facto” drinking age lower to 14 and 15 years in many cases. This view was echoed in the submission of the New Zealand Police.⁴⁹
- 1.66 We were told weekend parties involving large quantities of alcohol were as much if not more a feature of high decile school communities than low, because pupils had few if any financial constraints and were also often supplied by parents who “thought they were doing the right thing”. More often than not, the alcohol provided to teenagers by their parents went on to be consumed in unsupervised parties and was only a fraction of that available. Large parties with minimal or non-existent adult supervision and unlimited supplies of alcohol had become a routine feature of weekend socialising in some communities and while these activities occurred outside school hours, some principals felt the schools were often left to pick up the pieces.
- 1.67 In two cases, principals appearing before the Commission were currently dealing or had recently dealt with the potentially life-changing impacts of incidents that had occurred at such parties. Educationally, too, we were told the impacts of regular heavy weekend drinking meant students were tired, lethargic and disengaged.
- 1.68 While most believed parents should be able to supply alcohol to their own children, there was support for a change in the law requiring parents who *are* supplying alcohol to minors to also *supervise* its consumption. A significant number echoed the views of this parent at a meeting in Mount Roskill:⁵⁰
- It would have helped me as a parent to have the law behind me when I was trying to restrict their participation. It would have helped their studies too. Sometimes as parents it's nice to have some decisions made for you.
- 1.69 However, both the principals and many others participating in the consultation acknowledged the law and parental authority were often a poor match for the power and influence of the media and alcohol advertisers and marketers, as summed up by these comments from consultation meetings:⁵¹
- Rangatahi (children) can push their parents and find ways around it. Parenting is part of the picture, but regulations can support parents say “NO”. – *Whangarei*
- I don't buy into this whole parenting skills bit. Parents have a big enough job to do. How are parents supposed to work against such a big industry that makes such a lot of money? We are being hammered by a culture that doesn't acknowledge or support families. – *Otara*
- 1.70 At the same meeting in Otara, a mother commented how hard it was to take a stand against adolescent drinking when society was awash in it:

49 Submission of New Zealand Police (submission dated 31 October 2009) at 11, [3.4].

50 ALAC community consultation, Mount Roskill, Auckland, 26 August 2009.

51 ALAC community consultation, Whangarei, 24 August 2009; ALAC community consultation, Otara, 26 August 2009.

As a mum I am sick of it. Advertising all the time telling my kids to be cool and to drink. I am sick of food pamphlets showing us how cheap alcohol is in our supermarkets.

- 1.71 The extent to which spirit-based or ready-to-drink (RTD) drinks were providing a gate-way to adolescent drinking was also an issue that attracted heated debate. While acknowledging on the face of it these products were simply a convenient form in which to drink light spirits, many expressed the view their high sugar content, packaging and price were cynically designed to mimic that of popular non-alcoholic beverages, allowing for an easy transition from soft drinks to spirits.
- 1.72 So while the law relating to age was seen as something that could help limit early teen drinking, people were clear this measure needed to be backed by changes in other areas – including third party supply, price, advertising and sponsorship – if it were to be effective.

WHAT SUBMISSIONS SAID: PURCHASE/DRINKING AGE

Litmus analysis revealed that 2,272 out of 2,939 submissions commented on the range of policy options relating to a minimum purchase/drinking age. Of the 2,272:⁵²

- 78% supported an increase in the minimum purchase age, with 68% preferring 20 years;
- 12% supported a split purchase age;
- 4% supported a minimum age to drink.

Advertising and sponsorship

- 1.73 No single issue galvanised the public to such a degree as alcohol advertising and sponsorship. Our treatment of the issue in *Alcohol in Our Lives*, including the tentative suggestion the current system of self-regulation under the Advertising Standards Authority should be largely left alone, was strongly criticised.
- 1.74 In many of the larger public forums there was strong support for applying the tobacco “Smokefree” model to alcohol, with a ban on all advertising and a staged withdrawal of all alcohol sponsorship. Others wished to see the codes covering alcohol advertising overhauled; the hour at which alcohol can be advertised on television moved forward from the current threshold of 8.30pm to 9.30pm, and the responsibility for regulation and complaints handed to an independent statutory body.

52 Percentages are based on the total number of submissions that commented on the range of policy options within a specific category. Percentages noted represent submissions that have explicitly supported the policy option noted.

Percentages do not imply the level of disagreement with the proposed options. Percentages are not cumulative but are discrete.

- 1.75 Submissions revealed a similar level of appetite for change – except from industry and media stakeholders, all of whom strongly opposed changes to the current self-regulatory regime. These submitters highlighted that the current system was working well and the recommendations of the 2007 review of the regulation of alcohol advertising were currently being implemented.
- 1.76 The one exception to this related to price advertising. A significant number of on-licence owners and some manufacturers indicated support for restrictions on price advertising by off-licences on the grounds this was seen to be driving the high-volume/low-value alcohol market.
- 1.77 While industry stakeholders questioned the strength of evidence linking advertising to harmful drinking and consumption levels, the public concern tended to focus on the glamorisation of alcohol through advertising and the extent to which advertising helped shape a culture where drinking was seen to be the key to social and sexual success. Young adults taking part in the consultation were particularly incredulous when informed the current voluntary codes supposedly ban advertisements that have these effects: “Advertising makes drinking look flash. Tui ads create fantasy and appeals to the younger generation in particular. TV ads give you the impression that drinking will help you score a beautiful blonde or two. Steinlager influences kids to drink so they can be like the All Blacks”.⁵³ Certain branded beer campaigns were repeatedly highlighted as examples of the associations between drinking, “doing risky or dumb stuff” and being accepted as “one of the boys”.
- 1.78 Less visible, but of equal concern to many, were the aggressive promotions of both off- and on-licence alcohol, some of it specifically targeting young and price-sensitive drinkers. In Dunedin, the Commission was presented with a dossier of flyers and advertisements published or distributed during Orientation Week in 2009, all offering discounted alcohol and prizes.
- 1.79 In a first for a New Zealand university, Otago’s Vice-Chancellor Sir David Skegg and his council voted in October 2009 to ban alcohol advertising and sponsorship from all buildings and events hosted on university-owned property. In a memo to his fellow council members, the Vice-Chancellor outlined his concerns about the extent to which the industry was complicit in sending students the message that drinking was a primary aspect of campus life in Dunedin:⁵⁴

One issue that has concerned me and many other members of the University is the advertising of alcohol on campus and the sponsorship of events by the alcohol industry. For example, Orientation Week has been sponsored by a liquor company for several years. Even before they arrived at Otago, new students in the past have received packages containing promotional material about alcohol products. When they arrive, students are greeted by banners promoting the brewery concerned. This year the liquor company paid provocatively clad women to dispense trays of free beer to students in flats. Is it any wonder that some students gain the impression that our “scarfie culture” is more about beer-drinking than the numerous attractions of New Zealand’s leading university?

53 ALAC consultation, residential addiction treatment centre, Moana House, Dunedin, 24 August 2009.

54 University of Otago Vice-Chancellor Sir David Skegg, memorandum to council members Alcohol Advertising and Sponsorship, 5 October 2009.

- 1.80 Alcohol's association with sport was also viewed by many as inappropriate and there was a call for an immediate end to alcohol branding on primary and secondary school goal pads and other sports equipment. The irony was frequently noted that as New Zealand undertook this comprehensive review of its liquor laws it was also preparing to host the Heineken Rugby World Cup.
- 1.81 Many also questioned why, given the risks associated with alcohol consumption, there was no requirement for advertisers and manufacturers to include in advertisements and product packaging basic consumer information such as the number of standard drinks, recommended maximum intake and risks to pregnant women and the young.

WHAT THE SUBMISSIONS SAID: ADVERTISING AND MARKETING POLICIES

Litmus analysis revealed 2,281 out of 2,939 submissions commented on the range of policy options presented on alcohol advertising and marketing. Of the 2,281:⁵⁵

- 86% supported banning or restricting all advertising of all alcohol in all media.

In contrast, submissions from advertisers, the alcohol industry and retailers supported no change to self-regulation because the industry is currently implementing the recommendations of the 2007 review of alcohol advertising.

Tax and price

- 1.82 In several cities, members of the public arrived at consultation meetings armed with advertising circulars promoting the weeks' special offers, including a reputable label chardonnay at \$4.99; a litre of gin for \$23.99; 2 litres of "medium white wine" for \$9.99; an 18 pack of beer for \$19.99 and a range of RTDs with an alcoholic content ranging between 5 and 9% for between \$1.30 to \$2.00 a can.
- 1.83 Many believed the widespread availability of alcohol at prices lower than a lot of basic commodities was contributing to the culture of excessive drinking. Representatives of the hospitality industry, whose business costs typically prevent them from discounting alcohol, were particularly vocal about the role cheap off-licence alcohol is playing in the levels of intoxication and anti-social behaviour occurring in entertainment precincts.

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- 1.84 Submissions also showed support for policies aimed at dampening demand through price increases. However, there were differing views as to which mechanisms should be used – an increase in excise tax, which is borne by the producers and paid to the government, or the introduction of a minimum price for alcohol, which would have the effect of increasing the price of cheap alcohol. Additional revenue gained as a result of a minimum price would accrue to the industry.
- 1.85 Alcohol industry submitters were generally sceptical about the impact of price on harmful drinking and questioned the fairness of penalising all drinkers on account of the minority of harmful drinkers. Some, including New Zealand Winegrowers, argued if tax were to be used as a mechanism to reduce consumption it should be imposed at the retail end of the supply chain, rather than the producers, because retailers determined the final price consumers were paying.⁵⁶
- 1.86 On-licence businesses were similarly concerned excise increases would widen the price differential between on- and off-licence alcohol because retailers were in a better position to absorb the increases than restaurant and bar owners.
- 1.87 Industry stakeholders, and especially those in the on-licence trade, were less opposed to a minimum pricing regime because it was seen to better target problem drinkers by focusing on the cheapest alcohol. A minimum price also had the potential to narrow the gap between on- and off-licence prices, potentially stalling the trend towards drinking away from licensed premises and “pre-loading”.
- 1.88 The idea that alcohol taxes in general should be hypothecated (that is, earmarked for off-setting alcohol-related harm) received strong support throughout the country.
- 1.89 Notes of caution were sounded regarding the impacts of increasing the price of alcohol. For example, it was suggested those who are drinking to get drunk, including young binge drinkers and those with alcohol-use disorders, will strategise to purchase the product that delivers the “biggest bang for their buck”, therefore price and alcoholic volumes needed to be closely correlated.
- 1.90 Concern was also expressed about the effects of a price rise on low-income families, particularly in households with dependent children and adults with addiction problems. Groups working in vulnerable communities said it would be important to ensure the resources were in place to provide appropriate interventions and support at the time of any price increase.

⁵⁶ Submission of New Zealand Winegrowers (submission dated October 2009) at 10, [d].

WHAT THE SUBMISSIONS SAID: TAX AND PRICING POLICIES

Litmus analysis revealed 2,015 out of 2,939 submissions responded to questions about price and tax. Of these:⁵⁷

- 76% supported introducing a minimum pricing per unit of alcohol;
- 77% supported increasing levels of current excise tax on alcohol.

Personal responsibility and accountability

- 1.91 The need for increased personal responsibility in both the consumption and sale of alcohol was a clear theme to emerge from the public consultation in every centre. For example, many expressed a strong appetite for the reintroduction of the offence of “being drunk in a public place”.⁵⁸ (This offence was replaced with a welfare provision that allowed police to take a person who was intoxicated and posed a risk to themselves to their home or a place of safety – something police were required to do on 21,263 occasions in 2007/08.⁵⁹)
- 1.92 The rationales given for reintroducing a specific offence relating to drunkenness ranged from wanting to make those individuals who were obnoxious and disorderly accountable for their actions to wanting to assert the social unacceptability of drunkenness. This sense the public was looking to the law to shore-up or reassert social norms and mores that have eroded was a common sentiment. In its submission on behalf of 144 Canterbury doctors and nurses, Pegasus Health stated: “Making it an infringement (not a criminal offence) to be intoxicated in a public place sends a very powerful societal message about appropriate drinking”.⁶⁰
- 1.93 Members of the hospitality sector were often critical of the lack of measures aimed at increasing personal responsibility included in the Commission’s options for reform. Specifically, they highlighted that the current regulatory regime places all the legal responsibilities and penalties on the licensee and few if any on the individual drinker. For example, a licensee can be heavily fined for selling to a minor or serving an intoxicated person but there are no penalties for the person who becomes intoxicated on their premises.

57 Percentages are based on the total number of submissions that commented on the range of policy options within a specific category. Percentages noted represent submissions that have explicitly supported the policy option noted.

Percentages do not imply the level of disagreement with the proposed options. Percentages are not cumulative but are discrete.

58 The offence of being drunk in a public place was repealed in the Summary Offences Act 1981.

59 New Zealand Police *National Alcohol Assessment* (Wellington, 2009) at 26.

60 Submission of Pegasus Health (submission dated 30 October 2009) at 4, [1].

- 1.94 Some young people who participated in the consultation were also in favour of both the young person and publican having equal responsibility for outcomes, as illustrated by this comment from a participant in a Far North meeting:⁶¹

We have to have personal responsibility for the level of personal intoxication. The person serving is 50% responsible, but we are 50% responsible for accepting it, receiving it and requesting it.

- 1.95 Others, including the Police, were concerned such offences would be difficult to detect and enforce, and may unnecessarily criminalise or alienate the young. They believed the law should focus on curbing and punishing offensive or harmful *behaviours* resulting from intoxication, rather than the state of intoxication itself. It was pointed out numerous offences already existed to deal with many of the anti-social behaviours associated with intoxication, including disorderly behaviour, assault, breach of liquor bans and various property offences.
- 1.96 Other suggestions included requiring those who damaged property to work with council street cleaning teams and requiring those caught drink driving to work in spinal units. There was also a suggestion frequent offenders be required to complete brief alcohol interventions under the supervision of their doctor.

Empowering communities

- 1.97 Finally, while the consultation revealed a clear public conviction that law change is needed to address alcohol-related harm, there was also an acknowledgment that changing the drinking culture requires a whole of society approach.
- 1.98 Many have already risen to the challenge. The ability of local businesses, neighbourhoods, councils and iwi to take action to curb alcohol-related harms was evident in most consultations. In many areas, voluntary Alcohol Accords between licensees, police, public health and local bodies have given rise to several initiatives to curb harm. In Nelson, for example, a long-serving publican told us of the protocol he had devised to ensure patrons temporarily banned from one premise in the area for causing serious trouble, would also be banned from other licensed premises. To date, 42 licensees in the Nelson/Tasman area had adopted the protocol. In Rotorua, we heard from licensees who were issuing young people buying liquor from off-licences with dockets reminding them they were legally liable if they intended to supply the liquor they had just purchased to a minor. The commitment of licensees to the responsible sale of alcohol was evident in many meetings.
- 1.99 In Christchurch, a strong collaborative model between police, local bodies and licensees has resulted in various innovative schemes, including the voluntary trial of a one-way door policy in the central city aimed at reducing the disorder and assaults associated with intoxicated patrons migrating between bars in the early hours of the morning.

61 ALAC youth consultation meeting, Whangarei, 25 August 2009.

- 1.100 Alongside such initiatives from licensees and liquor law enforcers, we also heard numerous examples of actions taken by individuals, community organisations, non-governmental organisations, iwi, marae committees, youth groups, student bodies and churches, all targeted at reducing alcohol-related harms.
- 1.101 Here, we give just two examples of community initiatives we learned of in the course of the public consultation. The catalyst for one was the lack of resources available to young people in a rural mid-Canterbury community; for the other it was the slow awakening of a Mongrel Mob chapter to the devastating effects of drugs and alcohol on their members and children. Both cases illustrate the power of individuals and communities to effect change in drinking cultures.

Detoxing the Mob

- 1.102 In 2009, an improbable partnership was forged between leaders of the “Notorious” Chapter of the Mongrel Mob and the Salvation Army. At its heart was an ambitious contract to provide an intensive drug and alcohol treatment programme for Chapter members and their whānau. The project’s Salvation Army sponsor, Major Lynette Hutson, told us this initiative was the culmination of four or five years work within the gang as it attempted to address the devastating effects of methamphetamine (P) on its members: “there had already been significant movement to shut down the normalisation of drug-taking behaviour in relation to ‘P’, marijuana and alcohol. Notorious leaders had been making advances toward this and had reached the point where they were willing and ready to take this further using a more formal AOD [alcohol and other drug] treatment approach”.
- 1.103 And while P was the catalyst for change, Major Hutson said it was evident – and eventually acknowledged by the Chapter’s leadership – that this was against a background of entrenched alcohol abuse and associated violent offending, including family violence. “Despite the current limelight on P, we are under no illusion that alcohol is the most damaging of all drugs and the one having the most harmful and widespread impacts. This was no different for Notorious.”
- 1.104 Concern about the impact of drug and alcohol abuse on the Chapter’s whānau and, in particular, its children, coupled with a desire to improve their children’s future prospects were key motivators.
- 1.105 The Chapter leadership played a pivotal role in delivering the programme, which was based on the seven-week intensive residential Bridge programme run by the Salvation Army. The 12 Chapter members undertaking the programme were supported by whānau, including children, who took up residence at the camp, attending local kohanga reo and schools for the duration.
- 1.106 As well as the conventional alcohol and drug treatment elements, the programme contained strong cultural components designed to reconnect members with their whakapapa and Māori tikanga. It was also acknowledged that, alongside the drug and alcohol issues, it was essential to address housing, budgeting, employment and the physical, spiritual and mental wellbeing of Chapter members and their families.

- 1.107 At the time of writing, 9 of the 12 clients had graduated from the residential programme and had been drug and alcohol free for 18 weeks. Major Hutson told us the process of working in partnership with the Mob as distinct from their normal client/provider relationship had been both hugely challenging and rewarding. The whānau model had also brought unexpected benefits for the children, some of whose behaviours were transformed as a result of experiencing six weeks of stability and schooling.
- 1.108 Having completed the residential component of the programme, the Mob clients were moving into an 18-week aftercare programme involving a variety of individual and whānau supports tailored to meet the needs of each client. This was intended to complement a roopu-wide whānau development programme for all Notorious Chapter members across the North Island in the Auckland, Hamilton and Far North districts aimed at the reintegration of whānau into the community through mentoring and practical case management in relation to parenting, employment, training, education and life skills.
- 1.109 A rigorous evaluation of the programme would take place, but at the time of writing the Army was hopeful the model could be rolled out in other areas.

A rural township's response to alcohol-related harms

- 1.110 At the other end of the country, in a small mid-Canterbury rural community, the Oxford Community Trust is pioneering its own solutions to alcohol-related harm. Again, a key to the project's success has been that its roots were firmly planted in the local community, involving school, church and police. Again, critically, the project has been led by the target group – Oxford's young people.
- 1.111 The Oxford township had a population of 1,716 people at the time of the last census in 2006, an unusually high proportion of whom were under 15 years of age (21.7% compared with 19.6% for the wider Canterbury region). The area has the advantages that come with a small well-established farming community with strong community networks, and the disadvantages that come with geographic isolation and a lack of recreational facilities for its youth. In 2008, about two-dozen young people from the district joined with 50 adults at a public meeting to discuss police and community concerns over the level of alcohol-related vandalism and intimidation occurring in the township.
- 1.112 Oxford Community Trust Chair Ian Thurlow described this meeting as the first overt sign of the community's commitment to working with its young people to find solutions. With assistance from ALAC's Community Alcohol Action Fund, the Trust launched a youth-led project to improve the recreational opportunities available to local youth. Providing transport into Christchurch's skateboard parks and surf beaches was one of the project's early aims as was organising regular alcohol-free entertainment for young people in the township. Ian Thurlow credits a local youth worker and her team, working in close association with Oxford's two community police officers, with much of the project's success. The response of other Oxford groups including the churches, school and Lions and working men's clubs was also critical – as was the support of the Waimakariri District Council.

- 1.113 As an example of the project's success, Ian Thurlow said young people would now frequently consult the local police for advice when organising parties and had produced a party pack with key information for others. Most significantly the project had set in force a virtuous cycle of mutual support between Oxford youth and the older members of the community, something the project organisers noted in their application to ALAC for funding: "Three years ago the community was wary of youth. Now we notice that the community will do anything to help us with our activities and youth are involved in many community projects".

Conclusion

- 1.114 Many of the themes traversed in this summary are revisited in the first four chapters of this report in which we assess the level of harm associated with alcohol misuse in the present day.
- 1.115 Parts 2 of 4 of this report focus on the policies and legal mechanisms we believe will best combat alcohol-related harm. Irrespective of the policy package that is eventually adopted by Parliament, the commitment shown by ordinary New Zealanders who participated in this national consultation and who took time to make submissions provides a strong indication of the appetite for change.