

The Justice Select Committee

New Zealand Parliament

Tēnā koutou

Submission on the Sale and Supply of Alcohol (Community Participation) Amendment Bill

Thank you for the opportunity to submit on this Bill. I have been a General Practitioner for 30 years, and currently hold a Fellowship of Addiction Medicine. I have over the years tended to many people who have suffered difficulties with alcohol. I am also an executive member of Alcohol Action NZ and am a strong proponent for evidence-based alcohol policy.

It is particularly challenging to practice addiction medicine in an environment that actively promotes addiction. Exposure to drugs including alcohol during teenage years increase the risk of abuse and addiction, and in my view the current commercial environment around alcohol inflicts harm on our population due to advertising and excessive availability of relatively cheap alcohol. Alcohol causes pernicious and insidious harm including cancer, dementia, heart disease and over 200 medical conditions. There is a lot to be gained from a public health approach to alcohol including reduction in family violence.

The following measures have been recommended by the Law Commission after an extensive review of alcohol policy in 2010.

1. Dismantle marketing
2. Increase the price
3. Reduce accessibility
4. Raise the purchase age
5. Strengthen drink-driving counter-measures

This Bill deals with aspects of reducing accessibility of alcohol, hence my support of the following key amendments:

Who can object to license applications

Under the Sale and Supply of Alcohol Act 2012 it was envisaged that the community would have input and influence over Local Alcohol Policies. Unfortunately, this has not happened, as community members have tried to object to new licences only to find that they are excluded from the process due to arbitrary criteria such as place of residence or standing within the community. This has effectively silenced those voices and has allowed the alcohol industry to proliferate new alcohol outlets in communities that have high vulnerability and an already high number of outlets. This has been especially true for Māori who suffer a disproportionate amount of harm from alcohol. The hearings should consider cultural processes and tikanga to facilitate Māori to come forward and have their views heard. I am very much in support of any community member being able to oppose an alcohol licence.

How license hearings are run

At present license hearings are intimidating processes, very legalistic and challenging for community members to be able to present their views and experiences. I do not believe it is necessary to “cross examine” someone who submits their position on an alcohol licence. This is especially important for vulnerable communities with greater challenges and less resources than say, a supermarket chain. I support any measures that facilitate the community’s views being heard, including providing options such as telephone or audio-visual presentation to participate in a licence hearing. It is important in a democracy that people feel heard without processes that invalidate them.

The ability to adopt and apply local alcohol policies (LAPs)

Provisional LAP’s have been persistently appealed by the alcohol industry. This has effectively allowed the alcohol industry to wage a war of attrition on the autonomy of democratically elected councils. Due to the large amount of time and money required to persist, the ability to appeal LAPs has meant that few LAPs have been adopted by local councils in Aotearoa New Zealand. This was not the intention of Sale and Supply of Alcohol Act 2012 and leaves the community with very limited control over how much and where alcohol is sold.

Therefore, I am in support of this change.

Other considerations

Whilst these amendments if ratified are a positive step forward, there is still a lot to do to reduce alcohol harm in New Zealand. Increased taxation and cessation of marketing of alcohol are key levers that policy makers should use in addition to any measures that reduce accessibility of alcohol in New Zealand.

Given the disproportionate harm to Māori from alcohol, it is essential that principles of Te Tiriti o Waitangi be incorporated into processes that regulate alcohol, in order to achieve equity of outcome for all New Zealanders when it comes to this high-risk drug.

I also welcome the intended review of the Sale and Supply of Alcohol Act 2012- it is well overdue.

Nga mihi nui

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