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ALAC's position on the use and purchase of alcohol by young people

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Current situation - young people's access to alcohol today

The debate about young people's use of alcohol, and the best minimum age for the use and purchase of alcohol, has strengthened in recent months. This has been prompted by evidence of increased binge drinking by some young people as well as suggestions of increased alcohol-related harm to young people being incurred by those aged between 14 to 17.

New Zealand currently sets a minimum age for the purchase of alcohol. We have no minimum legal "drinking age". It is legal for anyone in New Zealand to drink alcohol, regardless of his or her age. This means New Zealand parents can choose when and how they introduce their children to alcohol.

The age at which alcohol can be purchased in New Zealand was lowered from 20 to 18 in 1999. It is illegal for anyone under the age of 18 years to purchase alcohol, and it is illegal for anyone other than a parent or guardian to supply alcohol to those under 18, unless it is in a private setting.

There has been concern expressed by parents, agencies and the community, that the lowering of the minimum age at which alcohol can be purchased has led to greater access to alcohol for younger people under 18, and made binge drinking easier.

There is evidence that, while the number of young people drinking may not be increasing, those who do appear to be drinking more frequently and consuming higher volumes of alcohol on each drinking occasion.

While research is yet to establish any link between a binge drinking culture and any legislated minimum age of purchase (or drinking) there is research that confirms younger drinkers consume in the same way adult New Zealanders do and that there has been an increasing trend towards binge drinking for some time in this country.

Further, the main sources of supply of alcohol to young people under the legal minimum purchase age are parents and friends. Raising the minimum purchase age will not address this issue.

While increasing the legal minimum purchase age to 20 may provide part of the solution by reducing access to alcohol by young people under 20, it will not necessarily encourage young people to drink in a more moderate way as long as adult New Zealanders continue to model and support a binge drinking culture.

This culture needs to be addressed by a wider range of initiatives, including encouraging parents to make responsible decisions about the supply of alcohol to their children, and helping parents improve supervision of young people in environments in which they are drinking.

Proposed amendment to the Sale of Liquor Act

A private members bill to amend the Sale of Liquor Act of 1989 has been introduced to Parliament by Progressive MP Matt Robson.

The proposed amendments include:

- Raising the minimum legal purchase age to 20 years
- Prohibiting the supply of alcohol to those under 20 at private social gatherings
- Making off-licence bottle store premises restricted or supervised areas (*a person under 20 could only visit these premises with a parent or guardian*)
- Prohibiting broadcast liquor advertising programmes before 10pm on any day
- Placing responsibility for regulating broadcast liquor advertising programme with the Broadcasting Standards Authority and removing jurisdiction for broadcast liquor advertising programmes from the Advertising Standards Authority

ALAC's position on minimum legal purchase age and the proposed amendments to the Sale of Liquor Act

Minimum legal purchase age

ALAC's view is that the minimum legal purchase age in New Zealand should be 20. This position has been unchanged for some years. We support an amendment to the Sale of

Liquor Act to move the age at which a person can purchase liquor from 18 back up to 20.

While we recognise that this move alone will not address the problems associated with New Zealanders' use of alcohol, it does send a necessary signal to adults that they need to change their attitudes to selling and supplying alcohol to young people, and supervising its use.

Our position on the provisions in the proposed amendment is;

**Make bottle store off-licence premises restricted
or supervised areas**

- *A **restricted area** is one to which people under the legal minimum purchase age could not enter.*
- *A **supervised area** would be one that a person under the legal minimum purchase age could visit only with a parent or guardian.*

ALAC supports this change. Off-licence retailers seem to be the main outlets for the purchase of liquor by 14 to 17 year olds, and 47% of those purchasing report that they are hardly ever, or never asked for age verification.

We prefer a 'restricted' designation for stand-alone bottle stores, as this would ensure anyone under the legal minimum purchase age would be unable to enter off-licence premises.

**Prohibit the supply of alcohol to those under 20 at
private social gatherings**

This would move New Zealand closer to having a legal drinking age, as it would mean only parents or guardians would be able to supply alcohol to minors. ALAC considers this would be difficult to enforce. Proving that the person in charge of a private social function actually supplied liquor, that the person was not acting in place of a parent, or that 'guardianship' did not apply to an older family member or friend, may be hard to establish. This could make it hard for the courts to apply this section.

Advertising

Three provisions in the proposed amendment deal with liquor advertising:

- *Prohibit broadcast liquor advertising programmes before 10pm on any day*
- *Place responsibility for regulating broadcast liquor advertising programme with the Broadcasting Standards Authority*
- *Remove jurisdiction for broadcast liquor advertising programmes from the Advertising Standards Authority.*

Advertising restrictions are strongly supported by public health lobby groups. It is unclear that the level of public support for this is equal to the level of support for raising the legal minimum purchase age back up to 20.

There is some evidence that marketing does influence drinking behaviour and culture. The Ministerial Committee on Drug Policy is currently considering a paper from the Interdepartmental Committee on Drug Policy on whether a government-led review of the current approach to regulating alcohol promotion is required.

This amendment only deals with broadcast advertising and not with all alcohol promotion. There is strong evidence that other sorts of promotion have greater impact on young people's drinking behaviour and the overall culture of drinking and these are not addressed in the amendment.

A comprehensive approach to young people and the New Zealand drinking culture

The proposed amendments to the Sale of Liquor Act have merit, but addressing the issues of young people and alcohol in isolation from the issues of the wider New Zealand drinking culture can only achieve a partial solution.

However, ALAC believes that raising the purchase age will only be effective if this is done as part of a comprehensive programme designed to address the wider drinking culture within which young New Zealanders learn to drink.

This culture needs to be addressed by a wide range of initiatives, including encouraging parents to make responsible decisions about the supply of alcohol to their children, and helping parents improve supervision of young people in environments in which they are drinking.

More active enforcement of existing laws relating to the sale of liquor to minors and appropriate penalties would also help address the issue of supply to young people below the minimum purchase age by those operating licensed premises.

Questions and answers on young people and liquor

Does New Zealand have a minimum legal drinking age?

There is no minimum legal drinking age in New Zealand. Anyone, whatever their age, can legally drink alcohol. New Zealand does, however, have a minimum age at which it is legal to purchase alcohol, set out in the Sale of Liquor Act 1989.

The legal minimum purchase age was reduced from 20 to 18 in 1999.

What problems are occurring in young people's use of alcohol?

Binge drinking is a source of community concern, as is the sale of liquor to people under the age of 18. Poor choices relating to the supply of liquor to young people by parents and friends, and the supervision of drinking, are also a concern.

However, binge drinking is not exclusive to young drinkers. Binge drinking is an established part of the New Zealand drinking culture across all age groups and sectors of our society. The problem of binge drinking by young people cannot be addressed in isolation from the binge drinking of adults.

Have these problems got worse since the minimum legal purchase age was lowered?

There is some evidence that while the number of young people drinking has not increased since 1999, those who do drink are drinking more frequently and consuming more when they do drink. However, the most recent research released by the Ministry of Justice concludes that it is not clear to what extent these changes can be attributed to the reduction in the minimum legal purchase age. Binge drinking in younger drinkers was increasing prior to the law change.

Where are young people under the minimum legal purchase age getting their supplies of alcohol?

Parents and friends supply most of the alcohol consumed by young people under the minimum legal purchase age. The next most common place of access by 14 to 17 year olds is off-licence retailers.

Does ALAC support the raising of the minimum legal purchase age to 20?

Yes, we support raising the minimum age to signal to New Zealanders that they need to change their attitudes to selling and supplying alcohol to young people, and supervising its use. However, we believe that raising the age will only be effective if this is done as part of a programme of initiatives designed to address the wider drinking culture within which young New Zealanders learn to drink.

Does ALAC support restricting access by people under the legal minimum purchase age to off-licence retailers (bottle stores)?

ALAC supports this change. Off-licence retailers seem to be the main outlets for the purchase of liquor by 14 to 17 year olds, and 47% of those purchasing report that they are hardly ever, or never asked for age verification. ALAC supports restriction, which would prohibit young people from these premises, rather than supervision, which would allow young people to visit these premises with an adult.

What does ALAC think will develop good approaches to the use of alcohol by young people?

There are practical steps that parents can take. Most importantly, they can model responsible drinking behaviour from the time their children are very young. Parents can also moderate the amount of alcohol they provide to their children, and the amount of money they provide to buy alcohol.

Other adults should never supply young people alcohol outside of a social setting where they are actively supervising. It is certainly unacceptable to supply young people they don't know, for example, if asked to do so outside a retail outlet.

Retailers must take a more active role in ensuring that liquor is not sold to minors, simply by asking for identification. This has improved in some quarters, but has a long way to go.

Government, public health groups and the industry need to collaborate to address the drinking culture and support culture change.

A glossary of terms

Drinking age This is the age at which it is legal to drink alcohol. New Zealand has no minimum legal drinking age. It is legal in New Zealand to drink alcohol at any age.

Minimum legal purchase age This is the age at which a person can purchase liquor. In New Zealand, the minimum legal purchase age is set by the Sale of Liquor Act 1989. The age was reduced from 20 to 18 in 1999.

Off licence bottle stores A "stand alone bottle store" i.e. a liquor outlet not connected to a licensed premises.

Restricted area If an off-licence bottle store was designated a restricted area, people under the legal minimum purchase age could not enter.

Supervised area If an off-licence bottle store was designated a supervised area, a person under the legal minimum purchase age could visit only with a parent or guardian.

Media resources

Media are able to use any of the material in these sections to explain issues relating to the use of alcohol by young people, and ALAC's position on the provisions of the proposed amendments to the Sale of Liquor Act 1989.

Earlier media releases on this subject are available [here](#).

Media release – for general use

Parents and retailers can support responsible alcohol use by young New Zealanders

ALAC said today that parents and retailers should not sit back and wait for changes to the Sale of Liquor Act that would raise the minimum legal purchase age for liquor from 18 to 20 if they want to see a change in young people's drinking.

"ALAC supports raising the minimum legal age, as it sends an important signal that we need to change our attitudes to selling and supplying alcohol to young people, and supervising its use," ALAC chief executive officer Dr Mike MacAvoy said today. "But there is plenty that can be done now to address the issues of binge drinking by young people."

Dr MacAvoy said parents should moderate the amount of alcohol they provide to their children, actively supervise them when they do, and should not provide substantial amounts of money for drinks to young people going out with their friends.

"Parents can also model the sort of behaviour they would like to see in their children, by ensuring that their own use of alcohol is moderate and responsible and that they do not condone, either deliberately or inadvertently, drunkenness in any way."

Dr MacAvoy said that the actions of retailers could also make a substantial difference.

"Retailers can play a major role in restricting access to alcohol by minors. If the purchaser looks young and has no identification, retailers should not sell them alcohol."

The proposed amendments to the Sale of Liquor Act are in a private members bill put forward by Progressive MP, Dr Matt Robson.