

Submission on ACT Preventive Health Action Plan 2023-2025

August 2023



About FARE

The Foundation for Alcohol Research and Education (FARE) is the leading not-for-profit organisation working towards an Australia free from alcohol harms.

We approach this through developing evidence-informed policy, enabling people-powered advocacy and delivering health promotion programs.

Working with local communities, values-aligned organisations, health professionals and researchers across the country, we strive to improve the health and wellbeing of everyone in Australia.

To learn more about us and our work visit www.fare.org.au.

You can get in touch via email at info@fare.org.au

FARE is a registered charity, and every dollar you give helps fund projects keeping our communities healthy and safe. You can make a tax-deductible donation at: www.fare.org.au/donate.

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Executive summary

The most important thing is the health, safety and wellbeing of our children, families and communities. Community safety and wellbeing includes people being protected by effective health policies from the increased risk of alcohol harm. Putting the health and wellbeing of people first also means empowering them to have a genuine say in the decisions that impact them.

Alcoholic products cause harm to far too many Australians. Alcohol causes more than 200 diseases and injuries and leads to preventable hospitalisations and deaths.¹ Concerningly, alcohol harm continues to increase, with alcohol-induced deaths in Australia at the highest rate in 10 years² and deaths from alcohol-related injuries having more than doubled over the past 10 years.³

Nearly 100 people die each year in the ACT from alcohol-attributable disease and injury, and more than 1,500 hospitalisations are attributable to alcohol.⁴ The 2019 National Drug Strategy Household Survey shows over a fifth (21.3 per cent) of people in the ACT exceeded single occasion alcohol risk guidelines and over a tenth (13.8 per cent) exceeded lifetime alcohol risk guidelines.⁵ People in the ACT are twice as likely to be a victim of an alcohol-related incident compared to other drug-related incidents (21 per cent compared to 9.1 per cent). Alcohol and other drug treatment episodes where alcohol was listed as a common drug of concern have increased by 27 per cent over the last 10 years (2012-13, 2,658 episodes, 2021-22, 3,367 episodes).⁶

FARE thanks the ACT Government for the opportunity to provide feedback on the *ACT Preventive Health Action Plan 2023-25* (hereafter referred to as 'the plan').

Our submission focuses on the objective of 'fewer people drinking at risky levels' listed under priority area 4 of 'reducing risky behaviours'. FARE strongly supports actions that contribute to the reduction and prevention of alcohol harms which negatively affect far too many people in the ACT. We support the objective of less alcohol use at high risk levels and the actions identified under this section of the plan. We have also provided recommendations which will further contribute to this objective and reduce alcohol harms in the ACT.

Summary of recommendations

FARE makes the following recommendations to the ACT Government:

1. Amend the action for addressing harm from the online sale and delivery of alcohol from ‘investigate options to address impacts of online alcohol orders and home delivery on health and wellbeing of Canberrans’ to ‘Introduce higher standards for online orders and home delivery of alcoholic products that prioritise the health and wellbeing of Canberrans.’
2. Amend the intermediate/short term outcomes for addressing harm from the online sale and delivery of alcohol from ‘Impacts and potential future actions identified’ to ‘legislation updated to prevent harm from the online sale and delivery of alcohol, including: limiting late night delivery of alcohol, introducing a two hour safety pause for alcohol deliveries, ensuring adequate identity verification is established at point of sale and delivery and ensuring that alcohol deliveries are not left unattended or delivered to people when intoxicated.’
3. Amend the action that focuses on delivering health promotion programs in community settings to specify that health promotion programs should be evidence-based and independent of alcohol companies and their lobby groups.
4. Include an action for preventing Fetal Alcohol Spectrum Disorder (FASD) in the community through primary (prevention of FASD in the community) and secondary (diagnosis and intervention of FASD in the community) prevention.
5. Include an action for reducing alcohol promotion in the ACT community.
6. Under the recommended action for reducing alcohol promotion in the ACT community, include the intermediate/short term outcome of modernising the regulation of alcohol promotion in the ACT Liquor Regulation 2010 to address alcohol promotion that occurs for alcoholic products sold by take-away or online retail.

FARE supports the following actions in *The Plan*

1. FARE supports the action that is focused on promoting the National Health and Medical Research Council (NHMRC) alcohol guidelines. This action aligns with the National Preventive Health Strategy, which aims for a 10 per cent reduction in harmful alcohol use for Australians above the age of 14 by 2025, with a 15 per cent reduction goal by 2030.⁷ This echoes the World Health Organization's Global Action Plan for the Prevention and Control of Non-communicable diseases (NCDs) 2013-2030, which aims for a 10 per cent reduction of harmful alcohol use that is appropriate within a given national context.⁸
2. FARE supports the action which looks at developing a better picture of alcohol harms through geospatial mapping. Evidence shows that geospatial mapping provides insight into the correlation between alcohol availability and the prevalence of alcohol harms.⁹ In Canberra, Canberra City and Braddon report the highest levels of alcohol-related crime and violence.¹⁰

FARE's recommendations

Introduce higher standards for the online sale and home delivery of alcohol

Recommendation 1: Amend the action for addressing harm from the online sale and delivery of alcohol from 'investigate options to address impacts of online alcohol orders and home delivery on health and wellbeing of Canberrans' to 'Introduce higher standards for online orders and home delivery of alcoholic products that prioritise the health and wellbeing of Canberrans.'

FARE is pleased to see that the plan has identified the need to address the impacts of online alcohol sales and home delivery on the health and wellbeing of Canberrans. Existing evidence demonstrates risks of increased harm that can occur with the online sale and delivery of alcohol into homes.¹¹ Specific risks include high risk alcohol use, delivering alcohol to people under 18 years or people who are intoxicated and inefficient identity verification at point of sale online and at point of home delivery.

Other states and territories are already beginning to introduce much needed reforms to reduce the harms from the sale and delivery of alcoholic products online. In September 2018, South Australia introduced changes to their Liquor Act¹² followed by New South Wales in November 2020,¹³ Victoria in October 2021¹⁴ and Western Australia in February 2022.¹⁵ The ACT Government has released a paper on the regulatory options for reducing harm from same day delivery of alcohol, with community consultation currently open.

Amending the action from 'investigating options' to 'introducing higher standards' for addressing the harms from the online sale and delivery of alcoholic products into homes will ensure the plan is current in terms of the existing evidence base, known policy options, actions in other jurisdictions and work currently being undertaken by the ACT Government.

Recommendation 2: Amend the intermediate/short term outcomes for addressing harm from the online sale and delivery of alcohol from ‘Impacts and potential future actions identified’ to ‘legislation updated to prevent harm from the online sale and delivery of alcohol, including: limiting late night delivery of alcohol, introducing a two hour safety pause for alcohol deliveries, ensuring adequate identity verification is established at point of sale and delivery and ensuring that alcohol deliveries are not left unattended or delivered to people when intoxicated.’

Following from the above, the intermediate/short term outcomes for addressing the harm from the online sale and delivery of alcohol should be amended to reflect ACT legislation being updated. Key updates to legislation under this section would include limiting late night deliveries, introducing a safety pause for rapid alcohol delivery, ensuring appropriate identification verification is conducted at point of sale online and home delivery and ensuring that alcohol deliveries are not left unattended or are delivered to people when intoxicated.

Limiting late-night deliveries to between 10am and 10pm will help reduce the risks of alcohol-related family violence and suicide, which peak late at night in the home. Alcohol-related assaults increase substantially between 6pm and 3am, over a third (37 per cent) of which occur in the home and over half (57 per cent) of those being family violence.¹⁶

Introducing a two-hour safety pause between when alcohol is ordered online and delivered into the home will help reduce high risk alcohol use. FARE’s 2020 nationally representative Alcohol Poll found that of people ordering alcohol for rapid delivery (i.e., within 2 hours), over a third (38 per cent) drank more than 11 standard drinks on that day.¹⁷ A 2021 survey of Victorians who were sold alcohol via rapid delivery showed that nearly half (46 per cent) of people experienced memory loss, a third (37 per cent) experienced a form of abuse and one in 10 (9 per cent) injured themselves at least once.¹⁸

Effective online point-of-sale age verification through digital ID checks and effective ID checks on delivery would help prevent the supply of alcohol to young people under the age of 18 years. Ensuring that alcohol deliveries are not left unattended or are delivered to people when intoxicated will further reduce high risk alcohol use. A 2022 study of Western Australians found that 22 per cent of people had an alcohol delivery left unattended and that a quarter of respondents had alcohol delivered while intoxicated, 75 per cent of whom were never or only sometimes refused delivery.¹⁹ The same study found that only quarter (24 per cent) of people aged 18 to 24 had their identity verified at point of delivery.

Support community organisations to deliver evidence-based health promotion programs

Recommendation 3: Amend the action that focuses on delivering health promotion programs in community settings to specify that health promotion programs should be evidence-based and independent of alcohol companies and their lobby groups.

FARE supports the action to support community and sporting organisations to deliver health promotion programs and initiatives that prevent and reduce the harms from alcohol. This action can be strengthened by ensuring that health promotion programs and initiatives are evidence-based and independent of the alcohol industry.

Actions by the alcohol industry to undermine public health objectives are well documented.²⁰ When it comes to health promotion, evidence shows that initiatives funded by alcohol companies and their lobby groups can encourage alcohol use at high risk levels.²¹ Hence, it is crucial that the ACT Government supports the delivery of evidence-based health promotion programs and initiatives that are independent of alcohol companies.

Prevent Fetal Alcohol Spectrum Disorder (FASD)

Recommendation 4: Include an action for preventing Fetal Alcohol Spectrum Disorder (FASD) in the community through primary (prevention of FASD in the community) and secondary (diagnosis and intervention of FASD in the community) prevention.

FARE believes that it is important to include an action for preventing FASD in the community through screening, assessment and support measures. FARE strongly urges that the ACT Government take action to develop accessible screening and adequate health support for people with FASD.

FASD is the leading preventable developmental disability in Australia. Due to inadequate FASD screening and diagnosis, the prevalence of FASD is not known. However, estimates suggest that FASD affects between two to nine per cent of babies born each year.²²

Primary prevention of FASD in the community involves developing community awareness through health promotion programs and initiatives. We acknowledge the ACT government's support of FARE's Pregnant Pause Project. FARE's nationally funded program, Every Moment Matters,²³ increases awareness and the proportion of Australians who are aware that alcohol should not be consumed during pregnancy and that it is safest not to drink when breastfeeding.

Secondary prevention of FASD involves appropriate screening, diagnosis, and support measures to reduce the prevalence of FASD in the community. Without diagnosis and appropriate intervention, people with FASD have a higher likelihood of secondary issues such as requiring greater education, health and mental health support, problems with parenting and employment, homelessness, and problematic alcohol and other drug use.²⁴ With the many comorbid conditions people with FASD experience,²⁵ the medical and social costs are great. In Australia, the annual cost of FASD in 2018 was estimated at \$1.18 billion.²⁶

Including this action in the plan will support the National Preventive Health Strategy 2021-2030 target of ensuring "less than 10 per cent of pregnant women aged 14 to 49 are consuming alcohol whilst pregnant, by 2030."²⁷ This action will also support the National Fetal Alcohol Spectrum Disorder (FASD) Strategic Action Plan 2018-2028,²⁸ that includes state and territory responsibilities that stretch across prevention, screening and diagnosis, support and management and developing strategies for priority groups.

Reduce alcohol advertising in the ACT community

Recommendation 5: Include an action for reducing alcohol promotion in the ACT community.

The ACT Preventive Health Action Plan 2020-2022²⁹ included a focus area to "investigate and implement approaches to limit promotion and reduce access to alcohol by young people" and a strategic action to "investigate options to reduce alcohol promotion (including sponsorship) in government premises, ACT sports and other community settings." This action plan should further this work by setting out an action to reduce alcohol advertising in the ACT community.

Evidence shows that children's exposure to alcohol marketing in public places increases the likelihood that they will start drinking alcohol earlier and go on to drink at high risk levels. For example, a study of young Victorians aged 12 to 17 years showed that young people were more likely to use alcohol at high risk levels if they were exposed to alcohol advertisements on billboards and newspapers or magazines.³⁰ Research

also shows that exposure to alcohol advertising can cause harm among people recovering from alcohol use disorders.³¹

FARE commends the ACT Government on banning alcohol advertisements on public transportation. In 2015, the government introduced a policy restricting alcohol advertisements on buses³² and extended this to the light rails in 2019.³³ Currently, this policy does not but should apply to bus and light rail stops.

FARE believes that it is important to further the strategic action listed in the ACT's previous Preventive Health Action Plan that aims to investigate and reduce alcohol promotion in public places, as this contributes to high risk alcohol use in the community.

Recommendation 6: Under the recommended action for reducing alcohol promotion in the ACT community, include the intermediate/short term outcome of modernising the regulation of alcohol promotion in the ACT Liquor Regulation 2010 to address alcohol promotion that occurs for alcoholic products sold by take-away or online retail.

Following from the above, FARE believes that it is important to modernise the ACT Liquor Regulation 2010 to mitigate ongoing and anticipated harms through alcohol promotion in online retail. The ACT currently does not have adequate regulation to minimise the harm people experience from being exposed to advertisements online.

Section 29, s137 of the ACT *Liquor Regulation 2010* (the Regulation) provides guidance on advertising and promotional activity that are prohibited. These activities refer to “advertising the sale of liquor in a way that provides incentives, or encourages, the irresponsible consumption of liquor (including the rapid excessive consumption of liquor.” This section of the legislation largely refers to prohibiting advertising and promotional activity on licensed premises and does not consider the risks of alcohol promotion through online retail settings.

Section 29(1)(f) of the Act is the only section that specifies alcohol promotion online. This section specifies that “advertising the supply of liquor on the internet without a statement, clearly displayed in the advertisement so that it can be seen and read easily by a person viewing the advertisement, that contains at least the following information, “It is an offence to supply alcohol to a person under the age of 18 years. Penalties apply.”

The ACT's current regulation is designed for pubs, clubs and bars. The existing list of prohibited advertising and promotional activities should be applied specifically to the digital marketing of online sales and delivery of alcohol. The legislation should also prevent predatory digital marketing by alcohol companies that offer or promote delayed payment to purchase alcohol online. Direct prompts or notifications that promote alcohol to a person's electronic device should be prevented. Incentives that offer minimum spend or minimum volume should not be allowed.

Millions of people across Australia are exposed to relentless advertising online that targets their vulnerabilities, emotions and attributes. An audit of online alcohol advertising in Australia³⁴ found that there were 39,820 distinct advertisements captured from 351 alcohol retailers on Meta platforms within a 12-month period. Most alcohol advertisements contained a call-to-action button (78 per cent), 66.7 per cent of which contained a ‘Shop Now’ button. Evidence shows that people who regularly use point of sale promotions typically purchase greater quantities of alcohol, including young people aged 16 to 25.³⁵

Modernising the ACT Liquor Regulation 2010 to address the way that alcohol is now promoted in online retail settings is important to prevent harms from alcohol promotion online.

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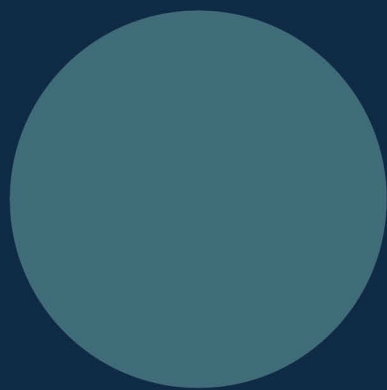
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