AMA Victoria’s submission to the Liquor Control Reform Act 1988 (Victoria) review

21 December 2016

The Australian Medical Association (Victoria)
Introduction

AMA Victoria is the peak body representing the Victorian medical profession.

It is widely agreed among medical professionals that Victorians are consuming alcohol at unacceptably high levels and that the pattern of excessive consumption has become a part of the Australian way of life. Strategies must be implemented to limit the flow-on effects of this culture – the benefits from doing so would be both socially and economically powerful.

Alcohol is associated with diseases of the nervous system, heart, liver and other organs, and contributes to many common medical problems, such as obesity. The Liquor Control Reform Act (LCRA) review’s consultation paper noted the Royal Commission into Family Violence findings, that “although alcohol use is associated with a relatively small proportion of family incidents, it is widely regarded as increasing the severity and incidence of family violence".¹

A 2011 review of homicides over 53 years found many were strongly linked to alcohol, and especially beer consumption. This review found that every one-litre increase per capita in alcohol consumers was followed by an 8% rise in the rate of male deaths by homicide and a 6% rise in female deaths by homicide.²

The estimated cost of harm caused by alcohol on the Australian community – ranging from street violence, car accidents, and domestic violence through to poor health, absenteeism and premature deaths – is $36 billion a year.³ This clearly highlights that Australia has a serious problem with alcohol, and State and Commonwealth Government action is needed.

AMA Victoria’s submission to the LCRA review focuses on the role of the Act in harm minimisation.

Reducing the widespread availability of alcohol

A major problem in Victoria is the rising number of liquor outlets, which has made alcohol increasingly available and cheaper to buy though competition. Alcohol manufacturing, sales and purchasing should be heavily regulated, monitored and far more stringently policed.

The LCRA review’s consultation paper confirms that, as at 30 June 2016, there were 21,607 renewable liquor licences and 9,552 temporary liquor licences in Victoria. To help understand these numbers, research undertaken by the Foundation for Alcohol Research and Education (FARE) in 2015 found that Victoria has:

- Seen the most dramatic change in the number of liquor licences, with the most deregulated alcohol market across Australia.
- From 1998 to 2013 licensed premises in Victoria more than doubled, from 8,965 to 19,978.
- From 2003 to 2012 alcohol harms have increased in Victoria with:
  - A 44% increase in alcohol-related hospital admissions (or 33% per capita real increase)
  - A doubling of ambulance attendances from 3,395 to 8,349 (representing a 112% per capita real increase)
  - A 28% increase (or a 10% per capita real increase) in alcohol treatment episodes.⁴

³ Foundation for Alcohol Research and Education (FARE) website, viewed December 2016.
⁴ Foundation for Alcohol Research and Education (FARE), Submission to Treasury on the Competition Policy Review, May 2015.
A VicHealth / VicLANES project analysed data collected across 49 census collector districts (CCD) in Melbourne regarding respondents’ alcohol consumption. The study also conducted an audit on all outlets selling liquor for off-premise consumption. The study found that:

Having access to a greater number of outlets increased the risk of drinking at levels associated with short-term harm. Having eight or more stores within a one-kilometre network distance of respondents’ home more than doubled the odds of consuming alcohol at levels associated with short-term harm at least weekly.5

These studies and statistics confirm the extraordinary high number of liquor licences for Victoria’s population of 5.74 million people6 and the harm this is having on the community. AMA Victoria does not support the expansion of liquor licences and recommends the Victorian Government examines reducing the number of liquor licences across the state.

Stronger penalties for licence holders

AMA Victoria supports improving the enforcement of existing regulations and stronger penalties for licence holders who are found to be in breach of their licence conditions. It is our view that the current penalties are not strong enough to act as a deterrent, especially in regard to selling alcohol to intoxicated people and to minors.

The widespread sale of alcohol to intoxicated people is evident by the significant number of alcohol-related injuries and accidents. A 2014 snapshot study by the Australasian College of Emergency Medicine (ACEM) found that during peak alcohol drinking times, such as the weekend, one in eight presentations to emergency departments (EDs) were alcohol-related. The study noted that the sheer volume of alcohol-affected patients created more disruption to emergency departments than those patients who were affected by ice.7

AMA Victoria recommends improving the enforcement of existing regulations and stronger penalties for in breach licence holders, as this will help promote the responsible service of alcohol and minimise harm.

RSA training for all licences

The Victorian Government recognises the importance of Responsible Service of Alcohol (RSA) training, noting on its website that “undertaking an approved RSA program gives participants the skills and knowledge necessary to contribute to a safe, enjoyable environment in licensed premises... The RSA program covers a range of topics including:

- problems associated with excessive consumption
- alcohol and the law
- the question of who is responsible for RSA
- facts about alcohol
- improving the atmosphere of your premises
- handling difficult customers.”8

The LCRA review’s consultation paper confirms that mandatory RSA training applies to “holders of a general, packaged liquor, on premises and late night licence but not to the holder of a limited, wine and beer producers, major event and restaurant and café licence”. This is unacceptable – RSA training must apply to all liquor licences.

7 Australasian College of Emergency Medicine (ACEM), Seven-day continuous survey of alcohol-related presentations, December 2014.
8 Victorian Commission for Gambling and Liquor Regulation, Responsible Service of Alcohol, Victorian Government.
School events and liquor licences

There has been a growing trend for alcohol to be sold at school fetes / fairs, working bees and other activities as a fundraiser for schools, kindergartens and childcare centres.

Schools should be discouraged from selling alcohol at functions where children are present, as this attributes to the normalisation of alcohol consumption to young people. These activities should be encouraged to be alcohol free. The Victorian Government should fund schools, kindergartens and childcare centres appropriately so that they are not reliant on alcohol fundraisers.

Lock-out laws

The Victorian Government should review and consider all policies that have been effective in reducing the harm of alcohol. AMA Victoria was extremely disappointed by the LCRA’s review consultation paper which declared that this review would not “consider or recommend introducing lock-outs for late-trading licensed premises.”

AMA Victoria views such a refusal to even consider lock-out laws to be at odds with the objectives of the LCRA, which states:

It is the intention of Parliament that every power, authority, discretion, jurisdiction and duty conferred or imposed by this Act must be exercised and performed with due regard to harm minimisation and the risks associated with the misuse and abuse of alcohol.10

Lock-out laws successfully led to a 33% reduction in violence in Newcastle and a 40% reduction in assaults in Sydney’s CBD.11 The ACEM study previously referenced in this submission acknowledged the importance of lock-out laws. At the time of the study’s release, Associate Professor Diana Egerton-Warburton, Chair of ACEM’s Public Health Committee and clinical lead for ACEM’s Alcohol Harm program, said that “for every additional late trading hour, there’s a 20% increase in serious assaults and injuries. States like NSW and Queensland are already taking a lead on introducing early last drinks to help address this tide of human tragedy that arrives in our EDs.”12

These statistics warrant that the Victorian Government considers and reviews lock-out laws as a harm minimisation policy.

The Queensland Government confirms that their state’s “lock-out is in place to protect patrons, the community and hospitality workers from alcohol-related harm in and around licensed venues.”13 AMA Victoria supports a trial introduction of lock-out laws in Victoria, and praises the Queensland Government for its unwavering leadership in this area.

Education on responsible drinking, alcohol harms

It is essential that Victorians have a greater understanding of the health risks and dangers that are associated with alcohol consumption. AMA Victoria recommends that the Victorian Government funds an ongoing and comprehensive campaign targeting the public health problems of alcohol in society. This may include:

- TV, radio and print advertisements on alcohol harms and responsible drinking

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12 Australasian College of Emergency Medicine (ACEM), Seven-day continuous survey of alcohol-related presentations, December 2014.
• Enhanced and regular training for all licence holders on the health harms associated with alcohol
• Licensed venues to have visible signs, posters and warning messages. For example, educational messages on responsible drinking on drinks coasters, in the venue’s bathrooms and at the bar/points of sale etc.
• Public education pamphlets to be available at GP clinics, pharmacies and also at all liquor outlets/bottle shops regarding the health risks of excessive alcohol consumption, alcohol-related risk taking behaviour, and the health risks of consuming alcohol while pregnant.

Connected to this, liquor licence venues such as pubs, bars and nightclubs should promote and make it known that water is available and free for all patrons.

Marketing and promotion

As a final point, AMA Victoria urges the Victorian Government to monitor and regulate the new frontier of alcohol promotion which has arisen through social media advertising and PR events.

Social media channels popular with young people, such as Facebook and Instagram, are awash with alcohol advertisements that promote alcohol to all, including young people. This is achieved through straight advertisements (sponsored posts) or through celebrity endorsements (also often sponsored posts).

As the LCRA is responsible for providing adequate controls over the supply and consumption of liquor, it is necessary that appropriate action is taken to control traditional and social media advertising of alcohol in Victoria.
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