

## 1. 2012 and the Alcohol Reform Bill

Perhaps the year began at a slow holiday pace, but it is now into a gallop - mid-February already!

We don't know when the Alcohol Reform Bill will be moving through the Committee phase and back for the 3rd and final reading in Parliament, but it could be within the next month or two, although there seems to be an enormous amount on the government agenda at present. We see the Alcohol Reform Bill is 16th on the Order List of Bills before Parliament at present.

The only significant strengthening that seems possible at this stage in the Bill is Mr Tim Macindoe leading an increase in the purchase age to 20 years for on-licences (pubs, clubs, restaurants) to add to the already existing increase in the purchase age for off-licences (bottle stores, supermarkets). If Mr Macindoe, National MP for Hamilton West, is successful this would make it the "Alcohol one and a bit-Reforms Bill". The one would be the R20 purchase age up from R18; the "bit" is local alcohol plans - see below.

Those on this list who know Mr Macindoe or are in his electorate, but actually anyone who has a few spare moments to invest in effective alcohol law reform, would do well to send him an email congratulating him on making a stand on this point of purchase age (one of the 5+ Solutions) and wish him the best for the upcoming debates -

[tim.macindoe@parliament.govt.nz](mailto:tim.macindoe@parliament.govt.nz) and/or <http://www.timmacindoe.co.nz/contact.php>

This is how effective politics works.

We will be formulating strategy soon on the following things, which remain on the government's agenda and relate to other necessary reforms to see a significant dampening of the heavy drinking culture.

(i) The research on driver's alcohol blood levels is, as we know, a total red herring and delay tactic, asking the wrong research question anyway, but nevertheless it exists. By being there it maintains the issue of reducing the blood alcohol level from 0.08 to 0.05 on the Government's own agenda for us to continue to monitor and comment on and encourage reform.

(ii) Government-led research on minimum price and the collection of supermarket sales data is potentially a big one, because it could lead naturally to the establishment of minimum pricing.

(iii) The Government has promised a new expert committee to investigate alcohol marketing. We haven't seen any detail about this as yet and will be asking questions soon if nothing appears. This is another big one and was part of the concessions offered by the government in the face of the terrific numbers (~8000) of positive submissions to the Select

Committee.

2.

## **2. Green Paper for Vulnerable Children**

Everything about this widely talked about government initiated so-called Green Paper can be found at: <http://www.childrensactionplan.govt.nz/> including how to make a short submission.

What you won't find in the Green Paper though is anything convincing about how alcohol is a major factor in making ordinary children vulnerable and making disadvantaged children more vulnerable and even more disadvantaged. Alcohol is currently making the lives of so many children in NZ miserable at best and frankly dangerous in far too many cases. And yet alcohol is probably the easiest one factor the government could intervene with to improve the lives of children in NZ.

Proper alcohol law reform based on the things that work (5+ Solution) contained in the Law Commission's final recommendations, would see us on our way to a brighter future as a country - no doubt! But tragically the government appears captured by vested interests whose alcohol profits are viewed as higher priority than the health and safety of our most vulnerable citizens.

Please, please write a submission on the Green Paper. It only needs to be a few lines if time is a major issue. Tell the government they need to do something much more substantial than the tinkering in the present Alcohol Reform Bill to do something for vulnerable children. Feel free to use any of the words above as a starting point for your submission, or indeed use any of the material in the DRAFT Alcohol Action NZ Submission which is attached.

The clock is ticking on this one - submissions close on 28 February.

## **3. "Babies, children and alcohol" conference, March 22, 2012**

Attached is the draft programme for this upcoming 3rd Annual Alcohol Action NZ conference, which once again is being held at Te Papa, Wellington. The theme is "Babies, children and alcohol", which follows up on the failure of the Green Paper to properly acknowledge alcohol as a major factor in the disrupted abusive life of too many NZ children.

You'll see that the morning sets the scene beginning the Commissioner for Children and the afternoon is devoted to action and solutions.

The day will end as has become the tradition with a political panel. We have National, Labour, Green, Maori and NZ First confirmed at this stage. Pam Corkery will be chairing this section of the conference.

You'll also see a one hour slot devoted to a Conference Soap Box where any delegate will be invited to give a 2-3 minute presentation on an action or solution to the damage being done to children and babies by alcohol.

The Registration Form for the conference is also attached. Feel free to circulate widely in your networks.

#### **4. Local Alcohol Plans**

A good many of the people on this email list are involved in fighting new liquor licences in their own neighbourhoods and communities. The numbers of objectors at new Liquor Licence Hearings are growing and recently reached a new record of 20, at the Hearing of a new Henry's bottle store in Avonhead Christchurch (there are usually two or three at the most).

In fact 86 people put in a written submission on this one, which itself was a remarkable number given the applicant first put up the notice on the building twenty metres away from the footpath and so was illegible from the footpath, and secondly, there were only 10 working days between first public notice and the end of submissions. Unsuspecting neighbourhoods are really on the back foot from the start to mobilize any serious formal objection.

Added to this initial barrier is the fact that unless people actually turn up on the day their written submission is virtually ignored by the Authority - not that they communicate this to objectors! How many people can afford to take a whole day off work to go to a Liquor Licencing Hearing, let alone be confident enough to be put under oath and cross-examined by a top lawyer who is there on behalf of the applicant. This was the case in Avonhead where the Henry's lawyer is a very experienced lawyer working for Foodstuffs, who has been working against community wishes like this for the last five years and knows all the tricks on how to undermine community folk who are there in good faith.

Soon, hopefully, things are going to change. It is clear the current Sale of Liquor Act 1989 is an antiquated piece of legislation whose purpose was to liberalise and normalise alcohol sale so is now totally out of synch with public opinion. In the recently publicised Health Sponsorship Council survey of public attitudes towards various alcohol policies only 2% were found to think there are too few liquor outlets. Public opinion is virtually totally against further proliferation of liquor outlets and the science is also strong about the link between more outlets and more harm to the community. All that is needed is a government that is not captured by the alcohol industry, especially supermarkets, such as Foodstuffs' Pak 'n Save and New World..

The "bit" in the Alcohol Reform Bill potentially allows more power to local communities to determine the number of liquor outlets and the hours when they can operate. However, this is likely to be only a voluntary recommendation to City Councils and District Councils. And then there will be all the politics of the community versus the alcohol industry replicated

across the various regions of New Zealand. But it does provide a mechanism for real change at a local level. We will just have to get on our bikes in our own regions and lobby hard. The next local body elections could be an excellent new opportunity to advance the cause.

## 5. TPPA - Lisa Er

The Trans Pacific Partnership Agreement - the new free trade agreement with the US, which the US appears to be viewing as the way to curb the growing economic power of China - is heating up. Alcohol is likely to be an integral part of the agreement and the worst outcome is not an unlikelihood; ie that our government will trade away our country's ability to bring in alcohol reforms which would have any negative influence on the commercial opportunities for alcohol business. Curbing the excessive commercialisation of alcohol of course is what effective alcohol reform is all about, outlined in the 5+ Solution.

Here is a short, easy to read, piece that was published recently in the Waiheke Gulf News by Lisa Er, an informed food activist, if you don't fully understand what is going on with the TPPA...

### Do We Need A Trans-Pacific Partnership Trade Agreement?

Hiding in our corridors of power, under negotiation, is an insidious international 'free trade' treaty that goes against everything that democracy stands for. This TPPA threatens the future of New Zealand as an independent nation, and yet we are not allowed to know what is on the table for discussion. That is correct; the text of the agreement will only be released after it is done and dusted. We are not allowed to know what our government is doing in our name until it is too late to change it. What is more, the background papers will not be released until four years after the signing, so it will be difficult to hold the government accountable for the resulting mess!

The agreement is forever, unless we withdraw, so it will be very difficult to change. The rules and obligations are enforceable by the TPPA states. The Americans are also insisting that foreign private corporations should be able to sue our government, including all future governments, if they think investor rights are not being adhered to. This clearly intrudes into core areas of government policy.

An example of this is already occurring in Australia where tobacco giant Philip Morris has launched legal action against the Australian government for introducing a law that requires plain packaging of cigarettes, using an investor agreement between Australia and Hong Kong. Philip Morris wants billions of dollars of tax payer's money in compensation. So already agreements are making it difficult for governments to operate as sovereign entities, and the TPPA would seriously compound this.

Here money already talks above the will of the people, as we saw in the influence of the alcohol lobby's on the new alcohol reform bill, rendering it ineffectual.

The TPPA is being negotiated between nine member countries: The US, Australia, Brunei, Chile, Malaysia, New Zealand, Peru, Singapore, and Vietnam. Three more countries want to join. They are Japan, Canada, and Mexico. Whether they reach a deal depends on satisfying the US, given its prominent position. Why then would New Zealand want to join? Does our

government really think that the US will open its doors to our dairy products when the US farming industry objects?

While there has been little about the TPPA in the media, there have been news items referring to the TPPA causing the possible demise of Pharmac, which exists to keep drug costs down in this country. The large US pharmaceutical companies want more influence over Pharmac which would clearly be to their advantage. There are many more similar issues. The biggest of these is our own Kiwi sovereignty and right to self governance. The concept of democracy has to be called into question when large corporations and other countries have more right to affect what goes on in our country than we, the voters do. We have voted in a government that is about to give away our decision making rights not only for us but for our children, our grandchildren and so forth.

The Food Bill has been an issue that has captured people's hearts all over New Zealand. This interference in our food by the creation of global HARMonisation laws is only the beginning. If the US has its way the TPPA will affect our ability to decide our food labelling regime. How then can we know if our food is genetically modified, or the country of origin of the food we are eating. Our right to the latter is already being eroded. Our food quarantine laws could also be attacked for being too strict. What biosecurity risks will we be open to?

Buying NZ and local contracting, the tangata whenua rights under Te Tiriti o Waitangi, foreign investment and control of privatised assets, mining, health policies, internet access and liability, are all areas that could be affected by the TPPA, as will labour laws. We all saw how our neoliberal government crumbled to the blackmail of the international film industry rather than supporting the employment rights of those working in that industry, during the Hobbit saga. We can expect more of that level of interference.

The next round of TPPA negotiations will be in Melbourne during March, and there will be a New Zealand round later in the year. Do we as New Zealanders sit by and watch our sovereignty turn to custard, or are we going to stand together and challenge what is clearly an agreement created to promote the interests of the U.S.?

Written by Lisa Er [http://www.theawarenessparty.com/?page\\_id=2764](http://www.theawarenessparty.com/?page_id=2764)

Acknowledgements: Dr Jane Kelsey, professor of law Auckland

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3. Well that's enough for the first newsletter of 2012. We hope you're feeling refreshed and ready to get into plenty of alcohol action in 2012. There are going to be numerous opportunities to build on the considerable gains that have already been made, particularly in raising the public profile of the need for effective alcohol reform and how the current Alcohol Reform Bill is so poor in this regard.

Sincerely

Doug, Jennie and Geoff - Medical Spokespeople

Alcohol Action NZ