

Reducing Alcohol Harm: Nanny State or Individual Responsibility?

Recently some interesting points have emerged in the alcohol debate.

First, the 2025 Taskforce noted that among the good things of life that Australians enjoy with their higher incomes is alcohol. They consume about 10% more alcohol a year than we do.

Alcohol consumption per head actually fell in New Zealand after liquor laws were liberalised in the late 1980s, increased more recently with rising incomes, but is still significantly lower today than 30 years ago.

Moreover, the Ministry of Social Development's recent Social Report notes that New Zealand had the 13th lowest level of alcohol consumption out of 30 OECD countries in 2003-07.

Seeking to cut overall alcohol consumption by increasing prices or restricting supply, as some anti-alcohol crusaders do, makes no public policy sense. What matters is alcohol abuse.

So has so-called 'binge drinking' increased in recent years, creating what Doug Sellman of the National Addiction Centre calls 'a national alcohol crisis'?

Well no, according to the latest Social Report. It states that the proportion of adult drinkers with a 'potentially hazardous drinking pattern' has not changed since at least 1996/97. Nor has it increased in the younger (15-24) age group.

Another interesting development was a recent case in the High Court of Australia.

It involved a motor cyclist in Tasmania who had agreed that his motor cycle and its key should be held by a pub owner and that his wife would be called to collect him when he wanted to leave. But when the time came he

became belligerent, refused the publican's offer to call his wife, demanded the key, and rode off into a fatal sunset.

The High Court overturned the Tasmanian Supreme Court's finding that the pub owner was negligent. It wrote that 'it is a matter of personal decision and individual responsibility how each particular drinker deals with [the difficulties and dangers of alcohol consumption]. Balancing the pleasures of drinking with the importance of minimising the harm that may flow to a drinker is also a matter of personal decision and individual responsibility. It is a matter more fairly to be placed on the drinker than the seller of drink.'

Contrast that approach with that of Sellman (*The Press*, 25 November) who criticises individual responsibility (one of the core tenets of any liberal society) as a 'tired old mantra' and proposes the usual raft of nanny state approaches: raising alcohol prices, increasing the purchase age, regulating trading and restricting advertising.

Sellman goes on to rage against spokespersons for profit-seeking representatives of the 'alcohol industry' and their 'allies'.

You can always tell someone has a weak argument when they play the man rather than the ball.

Abuse of alcohol is a serious social problem. The debate should be focused on effective remedies. The problem with Sellman's nanny state approach is that we have been there and done that and it doesn't work.

In its submission to the Law Commission, the Business Roundtable argued that instead of penalising the vast majority of responsible drinkers, the emphasis should be on individual and parental responsibility, disincentives and penalties for abusive behaviour, making abusers face the consequences of their actions, the responsibility of institutions such as the media and universities, better enforcement and social sanctions.

For example, as Dr Paul Quigley of Wellington Hospital has suggested, why should someone who starts an alcohol-fuelled fight and injures themselves be eligible for ACC earnings-related benefits?

The Law Commission's terms of reference require it to examine 'the effects of alcohol use on the level of offending in the community *and consideration of measures to minimise such offending*' (emphasis added). Yet it has refused to examine this obvious 'actions have consequences' reform of ACC.

Or consider welfare, which is associated with much alcohol abuse. The Australian government has introduced an 'income management' approach whereby recipients get only 50% of a benefit in cash with the balance being a voucher that can only be spent on necessities.

There is ample scope for other targeted approaches such as penalties for drunken and disorderly behaviour, instant fines, 'minor in possession' offences, media sanctions such as naming and shaming, and university suspensions.

The Law Commission review was initiated by the previous government and its Issues Paper reflects its nanny state thinking.

The present government has stated that it stands for individual responsibility and personal freedom, and for less and better regulation.

It's hard to see ministers like Simon Power and Chris Finlayson accepting the argument that 18 and 19 year-olds should be free to vote, marry and have children but not to buy wine in a supermarket.

Let's hope that, like the High Court of Australia, the government recognises that the prime responsibility for avoiding harm should be placed on consumers of alcohol, not those who produce and distribute a product that most New Zealanders responsibly enjoy.

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