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14 September 2023

Submission to the ACT Government consultation on ‘Same day delivery of alcohol in Canberra’

Thank you for the opportunity to provide feedback to the ACT Government’s consultation on the ‘*Regulation of same day liquor delivery providers*’ Discussion Paper (Discussion Paper).

The ACT Council of Social Service (ACTCOSS) advocates for social justice in the ACT and is the peak body for not-for-profit community organisations in Canberra. Our vision is for an inclusive ACT where no one lives in poverty and where there is fair and just access to the goods and services required to live a decent life. Our submission endorses the recommendations made by the Alcohol, Tobacco and Other Drug Association ACT (ATODA), and we urge the ACT Government to take heed of the specialist expertise that ATODA and its members bring to this consultation.

Alcohol consumption is a significant driver of health and social inequities in the ACT, with alcohol harms directly and indirectly effecting health, justice, social and economic outcomes. On average, a person dies every five days in the ACT because of alcohol, and a further 32 people are hospitalised every week.¹ 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.² Alcohol is the most common drug for which people in the ACT seek treatment (43 per cent).³

It is clear that many of the harms caused or exacerbated by alcohol affect not only drinkers themselves but also children, families, and the wider ACT community. Alcohol consumption does not cause family and domestic violence, however it contributes to the severity of harms that result.⁴ While alcohol-related health and social

¹ National Drug Research Institute, *Australian alcohol-attributable harm visualisation tool*, 2023, <https://www.alcoholharmtool.info/index.php>

² Australia Institute of Health and Welfare, *National Drug Strategy Household Survey 2019 – ACT*, 2020, <https://www.aihw.gov.au/getmedia/ecbff00a-7d71-47fb-bcd3-714eae2fc51e/aihw-phe-270-fact-sheet-ACT.pdf.aspx>

³ Australian Institute of Health and Welfare, *Alcohol and other drug treatment services in Australia annual report*, Canberra: Australian Institute of Health and Welfare, 2023, <https://www.aihw.gov.au/reports/alcohol-other-drug-treatment-services/alcohol-other-drug-treatment-services-australia>

⁴ P Noonan, A Taylor, J Burke; *Links between alcohol consumption and domestic and sexual violence against women: Key findings and future directions*. Sydney: Australia’s National Research Organisation for Women’s Safety Limited, 2017.

problems cut across social and economic groups, alcohol harms reinforce other social determinants of health and contribute to and exacerbate social and economic inequities.⁵

Evidence shows that these alcohol-related harms increase when there is greater availability and accessibility of alcohol. The rapid expansion of online alcohol delivery services has made alcohol products more available and is placing Canberrans at increased risk of harm. Young people, families, and people who experience or are at risk of alcohol dependence or other harms are especially vulnerable.⁶

To date, regulation has not kept pace with the rapid proliferation of online alcohol sales and delivery services. Companies are currently delivering alcohol in the ACT without effective ID checks, or delivery-specific responsible service of alcohol training. Recent research undertaken in NSW shows alcohol purchased and delivered via online platforms is often left unattended, delivered to people under 18 years old⁷, and to people who are intoxicated.⁸ Alcohol is also being delivered into homes rapidly, which in turn increases the risk of harm by enabling impulsive purchases and the continuation of existing alcohol sessions.⁹

The proliferation of online, on-demand alcohol sales and delivery has also been accompanied by aggressive, data-driven marketing strategies. Alcohol companies can collect and use people's personal data to target them with alcohol marketing, including young people and people experiencing alcohol dependence or other harms.¹⁰ Many online retailers offer promotions and discounts to tempt customers to purchase larger amounts of alcohol.^{10,11} Some online services are also promoting 'Buy Now Pay Later' options, allowing customers to make a purchase but delay the full payment.¹² This significantly reduces the upfront cost, which not only risks increasing the amount of alcohol purchased, but can also push financially vulnerable people into debt and hardship.

In this context, we commend the ACT Government's commitment to reviewing the regulation of online sales and delivery of alcohol in the ACT. Reform is urgently needed, and we welcome a number of the measures proposed by the Government in the Discussion Paper, including:

⁵ A Roche, V Kostadinov, J Fischer, R Nicholas, K O'Rourke, K Pidd, A Trifonoff; Addressing inequities in alcohol consumption and related harms, *Health Promotion International*, 30(20): ii20–ii35, <https://doi.org/10.1093/heapro/dav030>

⁶ S Colbert, C Wilkinson, L Thornton, X Feng, A Campaign, R Richmond; Cross-sectional survey of a convenience sample of Australians who use alcohol home delivery services. *Drug and Alcohol Review*, 2023;42(5):986-995.

⁷ K Coomber, R Baldwin, C Wilson, et al., *Western Australia alcohol home delivery project: Test purchasing final report*. Deakin University. 2023. https://cancerwa.asn.au/wp-content/uploads/2023/03/Deakin-University_WA-alcohol-home-delivery-project_Test-purchasing_final-report.pdf

⁸ Coomber et al., *Western Australia alcohol home delivery project: Online survey final report*, 2023.

⁹ Colbert et al., *Cross-sectional survey of a convenience sample of Australians who use alcohol home delivery services*, 2023.

¹⁰ S Colbert, L Thornton, R Richmond, Content analysis of websites selling alcohol online in Australia. *Drug and Alcohol Review*, 2020, 39(2):162-169.

¹¹ S Colbert, C Wilkinson, X Feng, L Thornton, R Richmond, You've got mail: drinks are on sale! A study to assess volume and content of direct marketing received from online alcohol retailers in Australia. *International Journal of Drug Policy*, 2022, 105.

¹² Colbert et al., 2020, Content analysis of websites selling alcohol online in Australia.

- the introduction of effective age verification through digital ID checks and pre-authorisation for online sales of alcohol;
- requiring ID checks (matched to order) on alcohol delivery;
- requiring delivery staff to ensure alcohol is not delivered to children and people who are intoxicated;
- supporting delivery staff to implement harm reduction measures by requiring the provision of delivery-specific training, ensuring delivery staff are not penalised for non-delivery, and making delivery companies liable for non-compliance; and
- improved data collection, including collecting data on refused deliveries and the volume of online alcohol sales and deliveries.

While these measures are a step in the right direction, we believe more can and should be done to prevent the escalation of harms associated with online alcohol sales and delivery. To further strengthen the proposed regulatory framework, we recommend the ACT Government adopt additional measures, including:

- establishing a specific license category for online liquor licenses;
- limiting deliveries to between 10am and 10pm to reduce the risks of alcohol-related family violence and suicide, which peak later at night in the home;
- introducing a two-hour safety pause (noting that the two-hour order delay proposed in the Discussion Paper can be readily circumvented and will not prevent rapid delivery);
- introducing further measures to prevent the use of predatory data-driven marketing and the promotion of Buy Now Pay Later schemes and inducements;
- extending compliance testing (e.g. test purchasing) to ensure regulators enforce the measures that are put in place, and
- ensuring local communities can have a say in licensing decisions for high-risk, same-day alcohol home delivery, and require prospective licensees to undertake a community impact assessment.

ACTCOSS believes these additional measures would contribute to a regulatory framework that is grounded in evidence and better prioritises the health and human rights of the ACT community by preventing alcohol-related harms.

Yours sincerely



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