

## **Splitting the alcohol purchase age: gambling with youth health**

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### *Background*

In July 1999, the New Zealand parliament voted 59-54 in favour of reducing the minimum purchase age for alcohol (often referred to as the “drinking age”) from 20 to 18 years. Prior to this vote, several submissions had been made by public health agencies[1] and researchers[2] advising the government not to lower the purchase age. This advice was based on research evidence from studies conducted in the USA, Canada and Australia, which indicated that an increase in traffic crashes involving young people would probably occur [3-6].

The new law came into effect on 1 December 1999. It subsequently became evident that inadequate thought had been given as to how this change in the law would be evaluated. This is well illustrated by a Ministry of Justice series of reports on the impact of the law [7-9]. Those reports were highly equivocal in their conclusions, partly because of the absence of adequate attitudinal, behavioural and outcome data relevant to the law change.

### *Research evidence on the effects of changing the purchase age*

Four studies examining data before and after the 1999 law change have been published in scientific peer-reviewed journals, and each suggests that it had detrimental effects. Everitt and Jones found increases in emergency department admissions for intoxication in 18-19 year-olds relative to persons aged 20 years and older [10]. Guria and colleagues contrasted traffic crash trends in 15-17 year-olds with those for the whole population, concluding that it was “highly likely that the law change resulted in an increase in the number of alcohol-involved crashes involving 15-17 year-old drivers” (p.188) [11]. Kypri and colleagues compared changes in traffic crash injury rates involving 18-19 year-olds (the target group), 15-17 year-olds (the ‘trickle-down’ group), and 20-24 year-olds (the control group), finding increases in both of the younger age groups relative to the controls [12]. Huckle and colleagues analysed trends in drink-driving prosecutions, traffic crashes, and disorder offences, in age groups below the minimum purchase age, contrasting them with older age groups. They found increases in drink-driving and alcohol-related crashes among 18-19 year-olds, relative to 20-24 year-olds, and increases in disorder offences among 14-15 year-olds [13].

It is notable that these studies were conducted independently, by separate groups of researchers, using different study designs, data sources and statistical methods. Taken together, the studies constitute a New Zealand evidence-base which complements the evidence-base from overseas [14].

A meta-analysis of 23 published studies on the effects of increasing the drinking/purchase age in the USA, showed there were median reductions of 12-16% in the incidence of various traffic crash outcomes [15], which are large effects, relative to those achieved with other policy interventions, e.g., 8% for graduated driver licensing [16]. Seldom do legislators and their advisors have such strong international and national evidence on which to base policy decisions.

### *The “split age” option*

In May 2005, the Sale of Liquor (Youth Alcohol Harm Reduction) Amendment Bill was introduced to the parliament, via the members ballot, by Progressive Coalition MP Matt Robson. This bill proposed a number of changes to the existing law, including a return of the minimum purchase age to 20 years. The Bill is subject to a conscience vote, which is problematic in itself. We have argued previously that important public health policy making, such as setting the minimum purchase age,

should not be left to the chance process of the ballot system or to a conscience vote, and ought to be part of the government's legislative agenda [17].

At its first reading in June 2005, the parliament voted 78-41 in favour of advancing the Bill to the Select Committee stage. After the general election of September 2005, in which Matt Robson lost his seat in the house, the Bill was reintroduced to the parliament by Labour MP Martin Gallagher (the Bill's *sponsor*), and submissions were heard by the Law and Order Select Committee, beginning in March 2006.

One of the authors (KK) made a submission to the committee in March, and was informed that the committee was considering a *split age* option, in which purchases from premises with an *off-license* (liquor stores, supermarkets) would be restricted to persons 20 years of age and older, while purchases and consumption in premises with an *on-license* (pubs, bars, clubs) would be permitted from age 18 years. There was extensive coverage of this idea in the news media in the days that followed, including an editorial in the New Zealand Herald which argued in favour of the proposal,[18] saying:

“The split-age option is a commendable piece of lateral thinking that stops short of trying to put the genie of the lower drinking age back into the bottle.”

In support of this claim, the editorial referred to comments made to the Select Committee by Liquor Licensing Authority Chairman, Judge Unwin, who they said was “adamant that very few licensees willingly sell to minors.”

Later on it asserted the following:

“New Zealand would not be breaking new ground here. Australia exercises the split-age option.”[18]

This assertion is incorrect. Australia has eight minimum purchase age laws (one in each state and territory), none of which are, or have been, in the last 35 years or more, “split” in the way proposed. Australia's purchase age laws vary somewhat across jurisdictions, but are on the whole, similar to the current law in New Zealand. Australia offers no precedent for the *split age* option.

We wondered how a manifestly false claim on an important policy matter was printed in the editorial of New Zealand's highest circulation newspaper, so we wrote to the paper and asked. We were informed that:

“Judge Edward Unwin, of the Liquor Licensing Authority, told Parliament's law and order select committee that Australia had differential purchasing and drinking ages. If he was wrong, we stand corrected. Regards. Kevin Hart. NZ Herald (11 April 2006)”

We asked Judge Unwin if he made the claim, and he said he did not. Close scrutiny of an audio recording of his evidence confirmed the Judge's answer, so the Herald's editorial appears to have been a case of extremely sloppy journalism.

We have presented the above account because we are concerned that a bad idea may be gathering momentum based on misinformation. We are not privy to the private deliberations of the Select Committee; and thus are unable to determine, at this stage, who or what prompted the idea of a split age provision. From our knowledge of the scientific literature, there is no evidence that a split age provision will **reduce alcohol-related harm**. In contrast, there is compelling evidence for an across-the-board age increase. Some may argue that the split age option nevertheless has merit as a compromise, and, besides, it represents lateral thinking. One significant difficulty is that such a minor change in the law relating to access to alcohol presents a major scientific challenge in terms of evaluation, given that modest effects (if they occur) are relatively hard to quantify. There is a high probability that in, say, five years following the passing of such a law that another series of reports would appear which concluded that it had not been possible to say one way or the other as to whether the law change had had a positive impact. Lateral thinking which amounts to gambling with youth health is totally unacceptable.

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