

REVIEW OF THE REGULATION OF ALCOHOL ADVERTISING

MINUTES OF SEVENTH STEERING GROUP MEETING 11 DECEMBER 2006

Present:

Steering Group

Ashley Bloomfield, Ministry of Health (Chair)
Hilary Souter, Advertising Standards Authority (ASA)
Phil Knipe, Ministry of Justice
Tim Rochford
Tim Harding
Alison Taylor
Ruth Richards, Ministry of Social Development (MSD)
Nonnita Rees, Ministry of Culture and Heritage (MCH)
David Rea, Ministry of Youth Development (MYD)
Jane Wrightson, Broadcasting Standards Authority (BSA)

Working Group

Chris Laurensen, Ministry of Health
Megan Larken, ALAC
Jo Burgi, Ministry of Health
Wendy Moore, ALAC
Sara McFall, Ministry of Health

1. Previous minutes, and matters arising (13 November)

The previous minutes were approved with a minor correction. The action points from the previous minutes were reviewed. The Chair reported that he had replied to the letter from Bruce Wallace, Chair of the ASA Board. Tim Harding updated members on input from recovering alcoholics for feeding into the submissions analysis.

One of the action points from Item 5 included finding out what potential there is for sports bodies to develop codes of conduct in relation to alcohol sponsorship and club policies on alcohol. There was some discussion about this. It was noted that top-down structures are in place to at least develop policies, albeit with limited enforcement levers.

Actions:

- Chair to circulate copies of reply to Bruce Wallace to Steering Group members.
- Tim Harding and Wendy to meet to finalise findings from the recovery sector.

2. Chair's report back

The Chair and Phil Knipe briefed members about the new review of sale and supply to minors, which was recently announced by Ministers Burton and O'Connor. The

terms of reference for the review are expected to be finalised by Christmas. There may be potential for the findings from this Review to be picked up by the new review.

There are upcoming changes for members of the Steering Group. Jane Wrightson leaves the BSA to join NZ-On-Air in February. The BSA Board approves of her continuing on the Steering Group. Nonnita Rees is standing down from her position at MCH in January, and she on contract to MCH. She will then continue as a member of the Steering Group, if the Ministry for Culture and Heritage agree to this.

A new CEO for ALAC, Gerard Vaughan, takes up his position in February 2007. The Steering Group discussed the involvement of ALAC on the Steering Group for the remainder of the review. It was agreed that continuity was important at this stage of the review, so there will not be a replacement of Mike MacAvoy on the Steering Group. However, Gerard Vaughan will be consulted on the draft report.

Action: Chair to arrange for the membership matters to be formalised and the Minister briefed.
Nonnita Rees to clarify her ongoing role with the Ministry for Culture and Heritage

3. Hui

Tim Rochford briefed members on the hui for Māori that was held in Auckland on 14 November, and discussed the findings. Nine people attended the hui. They came from the health and social services sector, and their views seemed consistent with those of non-Maori health workers.

Participants commented that Māori found humorous adverts particularly appealing, as well as promotion through sports. There were some similarities with the views expressed in the Pacific fono, for example, concern about alcohol-related harm in families and communities, the need for Māori to take action to reduce the harms in their communities, and support for counter-advertising.

4. Sponsorship research

Members were updated on the progress of the research report by Research NZ. Comments by the Steering Group on the draft report had been analysed by the Working Group and were being addressed by Research NZ. The final report will be completed shortly.

Action: Working Group to circulate final report when completed.

5. Presentation by Litmus – submissions analysis

Liz Smith, Fleur Chauvel and Andrew Dodson, from the Litmus research agency, presented the key results of their analysis of the written submissions, followed by discussion. A draft report is due at the end of the year.

Action: Working group to gather feedback on the draft report from the Steering Group by 12 January 2007.

6. Discussion on working group paper - Responsive Regulation

The Chair initiated a discussion based on the information contained in a working group paper summarising the main points of the book *Responsive Regulation – Transcending the Deregulation Debate*, by Ayres and Braithwaite. This book expounds the theory that public regulation can promote private market governance through enlightened delegations of regulatory functions. The authors say that business actors are motivated to make money and are sometimes motivated by a sense of social responsibility. Responsive regulation harnesses these motivations in the public interest.

The discussion that followed identified perceived gaps in the current regulatory system and the implications for policy responses. Some of the key points raised during this discussion were as follows:

- A key contextual issue is that advertising (modes, content, etc) has changed considerably and continues to change
- Each of the "functions" of this system i.e. rule-setting, scope of jurisdiction, enforcement, monitoring, audit and review, should be looked at to see where and how they might need to be strengthened
- Whatever the regulatory process is, there needs to be a clear framework underpinning it
- Depending on what option is considered best, there may need to be a new role created for public agency to monitor, report and/or commission research
- The scope of the jurisdiction of the current New Zealand regulatory process needs to extend to a wider range of marketing. This may mean an extended role for alcohol producers, and an enforcement role for retailers.
- There is some evidence, and support, for increased social marketing efforts
- Reducing exposure of children and young people to alcohol advertising needs to be a key goal for the overall system.

7. Working group paper and draft report

The latest version of the Steering Group's draft report and points was noted. It was agreed that at the next meeting members would discuss recommendations, for which an options paper would be needed, including options that would apply across models.

A working group paper summarising possible policy positions was also discussed as an exercise to focus on issues impacting on the remainder of the draft report. Points made were noted.

Action:

- Comments on background section of draft report to Working Group.
- Working group to organise options paper for next meeting.

8. Interim report to Minister

An interim report on the Review's progress is due to Hon Damien O'Connor, Associate Minister of Health, in December. It was agreed that the report will outline the work completed so far and the remaining process. Minister O'Connor will be asked to forward a copy to the Ministerial Committee on Drug Policy.

Action: Working Group to draft interim report by end of the week, and Steering Group comments to be received by 20 December.

9. Next meeting

The next meeting will be held on 12 February. All meeting will be held at ALAC from now on.