

## **Sale and Supply of Alcohol (SSAA) (Exemption for Race Meetings) Amendment Bill Governance and Administration Committee**

### **Salvation Army Submission – 21 July 2022**

#### **Summary**

1. The Salvation Army opposes the passing of this Bill into law. This stance is based on the following reasons:
  - a. We believe the Bill goes against the purpose and objects of the SSAA 2012.
  - b. Race clubs *already* have a process to apply for alcohol licences that is operating well and BYO alcohol or extending the areas for alcohol consumption is unnecessary.
  - c. It is our view that this Bill is really another political attempt to prop up the racing industry.
  - d. The current Police guidance on section 235 is sufficient and clear.
  - e. Alcohol consumption, promotion, and sponsorship at sporting events in Aotearoa are being publicly challenged and it is unwise to pass this exemption.
2. Our positions and views on this Bill are based on our long history in providing both alcohol and other drug treatment services (through our nationwide Bridge programme) *and* through our gambling harm services (through our nationwide Oasis programme). Therefore, we are in a unique and privileged position to offer some likely different perspectives to this debate as we serve and journey alongside those facing harm and addictions to these legal, but often destructive, substances and activities.
3. The Salvation Army is committed to and endorses the 5+ Solution endorsed by Alcohol Action New Zealand which are to raise alcohol prices; raise the purchase age; reduce alcohol accessibility; reduce marketing and advertising; and increase drink-driving countermeasures. Additionally, we are supportive of many of the recommendations that have *not* been followed from the 2010 *Curbing The Harm* Law Commission report.

#### **Background of The Salvation Army**

4. The mission of The Salvation Army Te Ope Whakaora is to care for people, transform lives, and reform society by God's power. The Salvation Army is a Christian church and social services organisation that has worked in New Zealand for over one hundred and thirty years. It provides a wide range of practical social, community, and faith-based services, particularly for those who are suffering, facing injustice, or who have been forgotten and marginalised by mainstream society.
5. The Salvation Army's combined services provide support to around 140,000 people annually. These services included providing around 88,000 food parcels to more than 33,000 families, providing some 4,600 people with short-or long-term housing, and over 4,000 families and individuals supported with social work or counselling. The Salvation Army also provides almost 20,000 addiction services and counselling sessions through Bridge (Alcohol and other

drugs) and Oasis (gambling). Bridge and Oasis support over 2,000 Tangata Whaiora and their whanau annually across the country.

6. This submission has been prepared by the Social Policy and Parliamentary Unit (SPPU) of The Salvation Army. The SPPU works towards the eradication of poverty by advocating for policies and practices that strengthen the social framework of New Zealand. This submission has been approved by Commissioner Mark Campbell, Territorial Commander of The Salvation Army's Aotearoa New Zealand Fiji Tonga, and Samoa Territory.

### Specific Responses to the Bill

7. As stated above, we are opposed to the passing of this Bill into law. This position is based on the following reasons:
8. **The Bill contravenes purpose and object of the principal SSAA** - The purpose and object of the principal Act includes strong phrases such as the Act being *for the benefit of the community*<sup>1</sup> and the key objects of the sale, supply and consumption of alcohol should be undertaken *safely, responsibly*<sup>2</sup> and with a focus on harm minimisation<sup>3</sup>.
  - a. We contend that the exemption for race meetings proposed in this Bill does not meet the standards set out in sections 3 and 4 of the SSAA 2012 for community benefit, responsibility, and harm minimisation. We believe it is unnecessary to have a whole amendment of the SSAA 2012 just to accommodate potentially increasing alcohol consumption at these race events, particularly when the racing club already has a mechanism via an on-licence or special licence (we will highlight this below).
  - b. We cannot see how this exemption is for the wider benefit of the community. The member in charge of the Bill and his party have couched this Bill in obviously favourable terms, stating that *[t]his bill would encourage more families and communities to carry on the tradition of a chilli bin and a hamper at the races*<sup>4</sup>. While this argument might have some merit, The Salvation Army sees this as another mechanism to normalise alcohol consumption further in our society, expose more community members and young people to alcohol consumption, and prop up the horse racing industry.
  - c. Additionally, this Bill's exemption is unnecessary when racing clubs already have a clear and fairly robust process for licence application under section 22 (and other associated provisions) of the principal Act. If the club already has an appropriate licence for the race meeting, then we contend this licence should be adhered to without any additional action (or exemption) that would potentially extend the licence beyond it's already agreed upon conditions.
9. **Race clubs already have a process to apply for a special licence therefore a law change is not necessary** – As stated in paragraph 7, we cannot see why all of this bureaucratic effort and expense is necessary when there is already a good licensing process operating throughout the country that racing clubs can and do operate under.
  - a. In our reading of this Bill, under New Section 235A(1)(b) and (c), the exemption applies if the race club *already* has a licence operating and allows additional alcohol consumption takes place on a day when a race meeting is happening.
  - b. If the racing club has already applied and been granted an on-licence or on-site special licence under the SSAA 2012, then that means clearly there are defined

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<sup>1</sup> Section 3(1) SSAA 2012.

<sup>2</sup> Section 4(1)(a) SSAA 2012.

<sup>3</sup> Section 4(1)(b) SSAA 2012.

<sup>4</sup> *New BYO bill will bolster racing*. Retrieved from <https://www.national.org.nz/new-byo-bill-will-bolster-racing> (accessed 11 July 2022).

places to consumer alcohol as well as other important conditions (e.g. copy of manager's certificate, a complete list of all food, non-alcohol and low-alcohol beverages that are to be provided, and details for the provision of freely available drinking water) are listed in the licence conditions.

- c. The Salvation Army does not understand why an exemption is therefore needed that opens up alcohol consumption potentially anywhere on the premises in areas that are not included or mentioned on the licence conditions. As the Bill states, the intention is to *allow the rest of the course to be available for BYI alcohol*.<sup>5</sup>
- d. The General Policy Statement of this Bill highlights the objection from Police to BYO alcohol to these events. The Bill's intention to allow BYO for these events only is puzzling. Why would alcohol need to be BYO if alcohol is already being sold at the venue via the legal licence? Why should these race meetings be treated differently to other sporting events where BYO alcohol is generally not allowed? A quick survey of some popular venues shows that BYO alcohol is not a common condition for entry.
  - i. Eden Park – BYO not allowed<sup>6</sup>.
  - ii. Mt Smart Stadium (Auckland Stadiums) – BYO not allowed<sup>7</sup>.
  - iii. Alexander Park Raceway – alcohol sold on-site
  - iv. Sky Stadium (Wellington) – BYO not allowed<sup>8</sup>.
- e. We do not believe the reasons put forward in this Bill and the MP in charge warrant extending alcohol consumption at race meetings because clear and harm minimising licence conditions are needed for organisers. We understand that there are some racing venues that have allowed BYO alcohol. But if Police have felt the need to object to this and police this area closer in recent times, there must be good reasons to warrant this Police attention.
- f. Additionally, this push for an exemption, if passed, could set an unhelpful precedent for BYO alcohol to sporting events at a time where alcohol sponsorship and hazardous drinking are clearly in the national spotlight. For example, a recent Alcohol Health Watch report highlighted that 44.9 per cent of drinkers in Tairāwhiti/Gisborne were considered hazardous compared to the national average of 27.1 per cent.<sup>9</sup> With public debate heating up about hazardous drinking and the current Sale and Supply of Alcohol (Harm Minimisation) Amendment Bill coming before the House, we affirm it is an unwise move in many ways to give this unnecessary exemption just for horse racing.

**10. It is our view that this Bill is really another attempt to prop up the racing industry –** The Salvation Army has in previous submissions to Parliament in 2019<sup>10</sup> and 2020<sup>11</sup> challenged the ongoing expansion, propping up and seemingly preferential treatment the horse racing industry has been given in government. The crux of our challenge to this industry has been around limiting gambling opportunities and therefore minimising gambling-related harm. This current Bill is clearly framed by the National Party as a means to increase the number of people attending race meetings, with the Party's own press release stating the Bill *would*

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<sup>5</sup> Sale and Supply of Alcohol (Exemption for Race Meetings) Amendment Bill, Explanatory Note, page 1.

<sup>6</sup> *Conditions of Entry*. Retrieved from <https://edenpark.co.nz/conditions-of-entry/> (accessed 12 July 2022).

<sup>7</sup> *Conditions of Entry*. Retrieved from <https://www.aucklandstadiums.co.nz/visitor-info/conditions-of-entry> (accessed 12 July 2022).

<sup>8</sup> *Entry Conditions*. Retrieved from <https://www.skystadium.co.nz/entryconditions> (accessed 12 July 2022).

<sup>9</sup> *Tairāwhiti tops hazardous drinking list*. Retrieved from <https://www.nzherald.co.nz/nz/tairawhiti-tops-hazardous-drinking-list/DGHKTWMZNIQNQA4PSA5HBYRXIU/> (accessed 12 July 2022).

<sup>10</sup> *Salvation Army submission on Racing Reform Bill 2019*. Retrieved from [https://www.salvationarmy.org.nz/sites/default/files/files/%5Bfile\\_field%3Atype%5D/20190604sppusalvation\\_army\\_submission\\_racing\\_reform\\_bill\\_final.pdf](https://www.salvationarmy.org.nz/sites/default/files/files/%5Bfile_field%3Atype%5D/20190604sppusalvation_army_submission_racing_reform_bill_final.pdf) (accessed 12 July 2022).

<sup>11</sup> *Salvation Army submission on Racing Industry Bill 2020*. Retrieved from [https://www.salvationarmy.org.nz/sites/default/files/files/%5Bfile\\_field%3Atype%5D/racing\\_industry\\_bill\\_the\\_salvation\\_army\\_submission\\_final\\_110220.pdf](https://www.salvationarmy.org.nz/sites/default/files/files/%5Bfile_field%3Atype%5D/racing_industry_bill_the_salvation_army_submission_final_110220.pdf) (accessed 12 July 2022).

*increase attendance on race days, making the industry more attractive and successful.*<sup>12</sup> Again, this industry is being pushed by politicians through a favourable lens that these are family-friendly events and a Kiwi tradition that needs to be continued.<sup>13</sup> This in fact might be generally true on *most* occasions. Unfortunately we do not have the Police data to truly understand the impact of alcohol consumption and abuse related to horse racing and meetings. But we again affirm our reasons for opposing this Bill, particularly paragraphs 7 and 8 of this submission. This sector has had significant financial investment and a very favourable legislative environment in recent years to prop it up. This is in stark comparison to the ongoing struggles for NGOs and public health to adequately finance alcohol and gambling harm minimisation and addictions treatment. This is not a level playing field.

**11. Police guidance on section 235** – We have reviewed the Police guidance<sup>14</sup> on section 235. We fully support the Police’s focus on harm minimisation in this guidance. We also support the clear information in this guidance. There are difficult areas in the principal SSAA 2012, especially around what constitutes ‘places of resort’. Still, the inclusion of BYO alcohol as a factor in determining places of resort is telling. We contend that this guidance is sufficient, especially when read in conjunction with the licence conditions that the racing club will have for their designated area for alcohol consumption.

**12. Alcohol harm and sporting events** - This proposed amendment in our view increases alcohol prevalence at a time when alcohol consumption and sponsorship at sporting events is being strongly questioned in New Zealand and overseas.

- a. In their comprehensive 2013 report - *The culture of alcohol promotion and consumption at major sports events in New Zealand*<sup>15</sup> – the Health Promotion Agency (HPA) made several significant findings on alcohol promotion, broadcasting, and consumption. The HPA included concluded there was *an entrenched, naturalised culture of alcohol promotion and consumption at some sports events in New Zealand*. This report looked at four sporting events including rugby, cricket, and tennis events. There are useful lessons on the way sporting events facilitate increased alcohol consumption through the promotion and running of their events.
- b. If this Bill passes, the area legally allowed for alcohol consumption is extended to ‘rest of the course’, beyond the parameters of the licence conditions the club can apply for and secure. As much as the Bill’s sponsor paints a picture of family friendly environments, BBQs and chilled wine, The Salvation Army cannot in good conscience support this unnecessary extension of the area for alcohol consumption. Logically, extending the area for alcohol consumption will likely lead to increased consumption. This high probability of increased consumption, coupled with alcohol sponsorship and prevalence at sporting events, are in our view not a good mix for families and particularly children. We join the calls of Sir Graham Lowe and others<sup>16</sup> to end alcohol sponsorship because children are being targeted with this sponsorship and alcohol consumption, intoxication and all the other related consequences of this are damaging to people and whanau and should not be increasingly normalised at our sporting events.

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<sup>12</sup> *New BYO bill will bolster racing*. Retrieved from <https://www.national.org.nz/new-byo-bill-will-bolster-racing> (accessed 12 July 2022).

<sup>13</sup> *Ibid*.

<sup>14</sup> *'BYO' and 'place of resort' - Guidance on New Zealand Police's approach*. Retrieved from <https://www.police.govt.nz/advice-services/drugs-and-alcohol/byo-and-place-resort-guidance-new-zealand-polices-approach> (accessed 12 July 2022).

<sup>15</sup> *The culture of alcohol promotion and consumption at major sports events in New Zealand*. Retrieved from [https://www.hpa.org.nz/sites/default/files/the\\_culture\\_of\\_alcohol\\_promotion\\_and\\_consumption.pdf](https://www.hpa.org.nz/sites/default/files/the_culture_of_alcohol_promotion_and_consumption.pdf) (accessed 13 July 2022).

<sup>16</sup> *Sir Graham Lowe: Keep alcohol ads away from our kids*. Retrieved from <https://familyfirst.org.nz/2020/12/17/sir-graham-lowe-keep-alcohol-ads-away-from-our-kids/> (accessed 13 July 2022).