

**Young People and Alcohol:
Some Statistics to 2003 and 2004
on Possible Effects
of Lowering the Purchase Age**

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First published in April 2005 by the
Research and Evaluation Unit
Ministry of Justice
PO Box 180
Wellington
New Zealand

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ISBN 0-478-29003-9

Foreword

In 1999 Parliament lowered the minimum age at which people may legally purchase or drink alcohol on licensed premises to 18 years with one exemption, from 20 years with a number of exemptions.

This report – the fourth in a series – continues the Ministry's presentation of key statistics on the possible effects of lowering the legal minimum age at which a person may purchase or consume alcohol on licensed premises.

As in earlier reports the statistics show a mixed and partial picture of the possible impact, with no clear picture of whether the change has had a detrimental effect on young people's drinking behaviour.

A further insight into the attitudes of young people towards drinking alcohol is provided by the BRC Marketing & Social Research report, "The Way We Drink", commissioned in 2003 and published by the Alcohol Advisory Council in 2004.

The BRC survey provides the following picture for young persons aged 12 to 17 years:

- 50% were current non-drinkers;
- 14% drank a few times per year, generally under the supervision of their family or whānau;
- 22% were social binge drinkers, who drink at least once every two weeks and binge (i.e. drink more than five standard drinks per occasion); and
- 14% were uncontrolled binge drinkers.

The Ministry's report provides statistics to inform further public discussion. As noted in this report, some of the recorded changes reflect associated changes in Police enforcement practices or changes in measurement practices.

Belinda Clark
Secretary for Justice

Acknowledgements

I want to thank the people who have made various contributions to this report. In the Ministry of Justice, Elizabeth Bartlett, Alison Chetwin, Trish Knaggs, Pat McCabe, Alby Rean, and Alison Stephens reviewed the draft of this report and made many helpful suggestions. Judy Paulin and Julie Nind provided invaluable assistance with the initial report on this topic, which has continued to contribute to the quality of the current report. Michael Webb of the New Zealand Police, Rachael McLaren and Wayne Jones of the Ministry of Transport provided information from their agencies and help with the interpretation of the information. Ian Galley of NZHIS also provided information from his agency. Wendy Moore of the Alcohol Advisory Council of New Zealand provided comments on the draft of the report.

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Executive Summary

Legal background

The Sale of Liquor Amendment Act 1999 introduced a number of major changes that came into effect on 1 December 1999 concerning the minimum age that people may legally purchase and drink alcohol. Firstly, the legal minimum purchase age was lowered from 20 years to 18 years with one exception. Secondly, some offences involving minors became infringement offences where the person may either be prosecuted through the court system, or an infringement notice may be issued. A definition of 'evidence of age documents' was also introduced.

Scope of the report

This report (the fourth in a series) presents some statistics on the possible effects of the Sale of Liquor Amendment Act 1999, and focuses on the lowering of the purchase age. Most of the statistics presented are updates of those presented in the earlier reports, however, statistics included in the earlier reports are not included in this report if updated information was not available. A new statistical series of the number of liquor licences has been added in this report. The statistics presented are mostly limited to those statistics routinely collected on a national basis for various purposes, with information being available for up to five years following the law change. The statistics do not explicitly measure the impact of lowering the minimum legal purchase age. Rather, they are indicators, which, when assessed together, give some insight into the possible impact of lowering the purchase age. Changes in indicator levels over time may be due to factors other than lowering the purchase age, such as changes in Police practices or recording practices. For these reasons, these statistics represent only a partial picture of the likely impact of lowering the purchase age.

Alcohol availability

- The three indicators - the amount of alcohol available for consumption per person, the volume of alcohol beverage of various types available for consumption, and the number of liquor licences - show a trend of increased amounts of alcohol available and more places to drink and purchase alcohol.

Indicators of alcohol-related offending by minors

- Police dealt with more minors drinking or possessing alcohol in a public place in each year after the purchase age was lowered than in previous years. The increase in the amount of this type of offending dealt with by the Police after the law change was more than would have been expected based on the trend in apprehensions from 1995 to 1999. Part of the increase may have occurred because of changes in Police practice.
- The number of minors in restricted or supervised areas of licensed premises who were dealt with by the Police has shown a decreasing trend, with the figures between 2001 and 2004 being lower than those in all previous years. The numbers of such offenders who were dealt with by the Police each year between 2001 and 2004 were less than half the numbers each year between 1995 and 1996. The Police indicated that the decrease may be related to changes in Police practice.

- In each of the five years between 2000 and 2004 Police dealt with fewer minors purchasing liquor from licensed premises than they apprehended in previous years (1995 to 1999). Police identified some difficulties associated with the enforcement of this section of the Act. However, they noted that the difficulties were not new, and had not changed as a result of the 1999 Amendment Act.
- The number of managers, licensees or employees convicted for offences related to minors under the Sale of Liquor Act 1989 tended to decrease from 31 in 1995 to 10 in 2001. The numbers have fluctuated at a higher level than previously in the last three years (24 in 2004 – slightly less than the 1995 number). However, convictions provide only a partial picture of this type of offending as Police in different districts may use different practices to proceed against licensed premises.

Indicators of alcohol-related offending by minors and all ages - disorderly behaviour

Disorderly behaviour is used as an indicator because people committing disorderly behaviour offences may be likely to be under the influence of alcohol when the offence was committed.

- The upward trend in the number of apprehensions of under 18 year olds for disorderly behaviour shown prior to the law change continued between 2000 and 2003. The trend reflects an increase over the same time period for apprehensions of people of all ages for disorderly behaviour offences.
- The number of convictions of 18–19 year olds for disorderly behaviour continued to increase following the law change, although in the last four years the rate of increase has declined relative to other age groups. The trend reflects an increase over the same time period for convictions of people of all age groups for disorderly behaviour offences.
- The general increase in apprehensions and convictions for disorderly behaviour may be due to changes in Police practice.

Indicators of alcohol-related traffic offending by those under 20 years old and all ages

The three traffic indicators – percentage of drivers under 20 exceeding their legal breath alcohol limit, prosecutions for driving with excess alcohol, and numbers of drivers involved in crashes who had alcohol recorded as a factor – show different trends. One of the indicators shows no increase in young drink-drivers after the purchase age was lowered. But the other two indicators show increases in young drink-drivers after the purchase age was lowered.

- Between 1997 and 2004, 1% to 3% of those under 20 years old who were stopped at the roadside had excess alcohol readings. Because of the relatively small numbers of those under 20 years old in the sample each year, there can be quite large fluctuations from year to year.
- The number of those between 14 and 17 years old prosecuted for driving with excess breath or blood alcohol showed an increasing trend from 1997 to 1999. The upward trend continued in the five years following the law change.
- Between 1995 and 1999, the number of people 18 or 19 years old prosecuted for driving with excess breath or blood alcohol fluctuated. In each of the years after the law change the number of such prosecutions increased, and in 2004 was the highest recorded in the decade.

- The increase in prosecutions of young people for driving with excess breath or blood alcohol may have been influenced by changes other than lowering the purchase age, which may have made it easier to prosecute young people for this offence. It is not possible to quantify how much of the increase can be attributed to lowering the purchase age; however, it is likely that some of the increase can be attributed to young people having increased access to alcohol after the purchase age was lowered.
- Both the number and the percentage of 15–19 year old drivers involved in crashes who had alcohol recorded as a factor that contributed to the crash decreased between 1994 and 1999. Following the law change, the number and percentage continued to decrease in 2000. The numbers increased slightly each year between 2001 and 2003, although the 2003 figures were still much lower than the figures in 1994 and 1995. Between 2001 and 2003 the percentages fluctuated at a lower level than the level between 1994 and 1995. The decrease may have been influenced by activities designed to target drink-drivers. The increase in the numbers between 2001 and 2003 may have occurred because young people had increased access to alcohol after the purchase age was lowered.

Health indicators of alcohol-related harm for minors and all ages

- After the minimum legal purchase age was lowered, publicly funded hospitalisations of young people where the primary diagnosis was alcohol related continued the increasing trend since 1997 until 2002. (The proportion of all alcohol-related hospitalisations for young people also increased in the same period.) In 2003, these trends continued for those between 18 and 19 years old, but for those between 15 and 17 both the number and proportion decreased. (Some of the increase may be due to some hospitals including Emergency Department patients from 2000.)

Educational indicators of alcohol-related harm to minors

- Although there was no statistical information available on schools and alcohol before the law change, the available statistics suggest that alcohol does not appear to be a major reason for students being suspended or stood-down from school in the five years following the law change.

Indicators of age-verification practices

- Results from the three Auckland Pseudo Patrons Projects show that in 2004 just over half of the off-licensed premises surveyed sold alcohol to the pseudo patrons without ID, a significant increase from 2003 where the proportion was just under half. Between the previous surveys (2002 and 2003) there had been a significant decrease in the proportion.
- In each year staff at grocery shops were the most likely to sell alcohol to 18 year olds without ID, as 80% of the visits in 2002 and 71% of the visits in 2003 and 2004 resulted in sales.
- In 2004, the use of signage that alcohol cannot be sold to those under 18 years old, and signage that ID may be requested from those who look under 25 years old, was approximately the same as in 2003. The proportion in 2003 was a significant increase from the proportion in 2002.

Conclusions

The statistics presented in this report show a mixed picture of the possible impact of lowering the purchase age. Some of the indicators, for example minors drinking or possessing alcohol in public places, prosecutions of young people for driving with excess breath or blood alcohol, and crashes where alcohol was recorded as a factor, indicate that the change in legislation may have had a detrimental effect on young people's drinking behaviour. Other indicators, for example apprehensions and convictions for disorderly behaviour, show an increasing trend after the change in legislation, but the changes are a continuation of trends established before the law changed. Some of the changes in the indicators have been influenced by other factors, e.g. changes in Police practice or traffic enforcement, which are difficult to quantify. Overall, it is not clear to what extent any of these changes can be attributed to the changes in the legislation.

1 Introduction

1.1 Legal background

The Sale of Liquor Amendment Act 1999 introduced a number of major changes concerning the minimum age that people may legally purchase and drink alcohol. Two of these changes came into effect on 1 December 1999. First, the legal minimum age was lowered from 20 years to 18 years with one exception. Previously there had been a number of exceptions to the legal minimum age of 20 years.

Secondly, some alcohol-related offences involving minors became infringement offences where the person may either be prosecuted through the court system, or an infringement notice may be issued. (Those issued with an infringement notice must pay an infringement fee or request a court hearing.) The infringement offences are those involving minors under 18 years old who:

- purchase liquor on or from licensed premises;
- are found in a restricted area on licensed premises;
- are found in any supervised area on licensed premises unless accompanied by a parent or guardian;
- drink alcohol in a public place while not accompanied by a parent or guardian; or
- possess alcoholic drink for consumption in a public place while not accompanied by a parent or guardian.

The 1999 amendment introduced a definition of 'evidence of age documents'. A person who is charged with selling or supplying liquor to a person under 18 years or permitting a person under 18 to be in restricted or supervised areas of licensed premises has a defence if, at the time of the offence, they sighted a recognised 'evidence of age document' that indicated that the person was at least 18 years old. The three recognised 'evidence of age documents' are a passport, a photo driver licence, or a Hospitality Association of New Zealand 18+ card.

1.2 Scope of the report

This report (the fourth in a series¹) presents some statistics on the possible effects of the Sale of Liquor Amendment Act 1999, and focuses on the lowering of the purchase age². Most of the statistics presented are updates of those presented in the earlier reports, however, statistics included in the earlier reports are not included in this report if updated information was not

¹ Previous reports are: Lash 2002a, Lash 2002b, and Lash 2004.

² The previous reports referred to the "drinking age". This report has changed the term to "purchase age" as the main restriction imposed by the legislation is on purchasing alcohol.

available. A new statistical series of the number of liquor licences has been added in this report.

In the third report of this series, the 2002 statistics were set in context by feedback provided on the perceived effects of lowering the purchase age by Police districts (New Zealand Police, Office of the Commissioner 2003). This information has not been updated or included in this report (except for a comment on the new statistical series of the number of liquor licences).

The statistics presented are mostly limited to those statistics routinely collected on a national basis for various purposes, with information being available for up to five years following the law change. The statistics presented do not explicitly measure the impact of lowering the minimum legal purchase age. Rather, they are indicators, which, when assessed together, give some insight into the possible impact of lowering the purchase age. Changes in indicator levels over time may be due to factors other than lowering the purchase age, such as changes in Police practices or recording practices. For these reasons, these statistics represent only a partial picture of the likely impact of lowering the purchase age.

1.3 Sources of information

The sources of the statistical information presented in this report, and the years for which the information was available and presented, are listed below:

| Information | Source | Years |
|---|--|--------------|
| Alcohol available for consumption | Statistics New Zealand | 1995–2004 |
| Number of liquor licences | Liquor Licensing Authority | 1995–2004 |
| Apprehensions for various types of offences (except disorderly behaviour) | New Zealand Police | 1995–2004 |
| Apprehensions for disorderly behaviour | New Zealand Police | 1994–2003 |
| Infringement notices for various types of offences | New Zealand Police | 2000–2004 |
| Convictions for various types of offences | Ministry of Justice | 1995–2004 |
| Random roadside breath testing | Land Transport Safety Authority, and Ministry of Transport | 1997–2004 |
| Prosecutions for various types of offences | Ministry of Justice | 1995–2004 |
| Drivers involved in crashes | Land Transport Safety Authority, and Ministry of Transport | 1994–2003 |
| Alcohol-related hospitalisations | New Zealand Health Information Service | 1996–2003 |
| Stand-downs and suspensions from schools | Ministry of Education | 2000–2004 |
| Auckland Pseudo Patrons Project | Alcohol and Public Health Research Unit, and Centre for Social and Health Outcomes Research and Evaluation | 2002–2004 |

2 Alcohol availability

This chapter analyses three indicators which provide background information on alcohol availability in New Zealand. Trends are examined for two indicators of the amount of alcohol available for consumption, and the number of liquor licences.

2.1 Alcohol available for consumption

Two key indicators of the amount of alcohol available for consumption are reported:

- The volume of pure alcohol available for consumption per person aged 15 years and over; and
- The volume of alcohol beverage of various types available for consumption.

2.1.1 The volume of pure alcohol available for consumption per person aged 15 years and over

This indicator takes in to account the alcohol content of different types of beverages, and the changing size of the population which is responsible for most consumption of alcohol.

The amount of pure alcohol available for consumption per person 15 years and over decreased from 9.3 litres per person in 1995 to a low of 8.7 litres per person in 1998. Since then the volume has tended to increase to 9.2 litres per person in 2004, almost the same as the 1995 figure.

Table 2.1 Pure alcohol available for consumption per person aged 15 years or more, 1995–2004⁽¹⁾

| Year ended December | Available consumption per person 15 years and over (litres per person) |
|---------------------|--|
| 1995 | 9.287 |
| 1996 | 8.806 |
| 1997 | 8.684 |
| 1998 | 8.672 |
| 1999 | 8.872 |
| 2000 | 8.906 |
| 2001 | 8.833 |
| 2002 | 9.165 |
| 2003 | 8.945 |
| 2004 | 9.199 |

Notes: (1) Alcohol available for consumption is calculated from production for domestic consumption plus imports less re-exports.

(2) Source: Statistics New Zealand 2005.

2.1.2 The volume of alcohol beverage of various types available for consumption

Table 2.2 shows that the total volume of alcoholic beverage available for consumption in the year ended December 2004 was 1.9 percent higher than in 2003. The volume of spirit-based drinks available for consumption increased by 7.3% in the December 2004 year. This increase

followed a 9.8% increase in the previous year, an 11.0% increase 2002, and a 15.4% increase in 2001.

Table 2.2 Alcohol available for consumption, 1995–2004⁽¹⁾

| Year ended December | Volume of Available Beverage | | | | | | | |
|---|------------------------------|----------------------------------|------------|---------|---------------------------------------|------------------------|--|---------|
| | Table Wine ⁽²⁾ | Fortified Wine ⁽³⁾ | Total Wine | Beer | Spirit-based Drinks ⁽⁴⁾ | Spirits ⁽⁵⁾ | Total Spirits and Spirit- based Drinks | Total |
| | Million Litres | | | | | | | |
| 1995 | 60.063 | 3.482 | 63.545 | 349.724 | 1.999 | 9.556 | 11.555 | 424.825 |
| 1996 | 62.891 | 3.196 | 66.087 | 337.248 | 3.889 | 8.800 | 12.688 | 416.023 |
| 1997 | 64.366 | 3.119 | 67.485 | 315.598 | 9.185 | 9.653 | 18.838 | 401.921 |
| 1998 | 64.353 | 2.580 | 66.933 | 315.395 | 18.329 | 8.986 | 27.314 | 409.642 |
| 1999 | 69.884 | 2.427 | 72.312 | 316.906 | 20.096 | 8.715 | 28.811 | 418.029 |
| 2000 | 69.697 | 2.150 | 71.847 | 305.611 | 24.509 | 9.705 | 34.214 | 411.672 |
| 2001 | 69.071 | 1.796 | 70.867 | 306.342 | 28.288 | 9.327 | 37.614 | 414.824 |
| 2002 | 76.606 | 1.747 | 78.353 | 314.462 | 31.410 | 9.829 | 41.239 | 434.054 |
| 2003 | 77.831 | 1.310 | 79.141 | 313.459 | 34.479 | 9.431 | 43.909 | 436.509 |
| 2004 | 82.732 | 1.083 | 83.815 | 312.888 | 37.008 | 11.022 | 48.030 | 444.733 |
| Percentage change from previous December year | | | | | | | | |
| 1996 | 4.7 | -8.2 | 4.0 | -3.6 | 94.5 | -7.9 | 9.8 | -2.1 |
| 1997 | 2.3 | -2.4 | 2.1 | -6.4 | 136.2 | 9.7 | 48.5 | -3.4 |
| 1998 | 0.0 | -17.3 | -0.8 | -0.1 | 99.6 | -6.9 | 45.0 | 1.9 |
| 1999 | 8.6 | -5.9 | 8.0 | 0.5 | 9.6 | -3.0 | 5.5 | 2.0 |
| 2000 | -0.3 | -11.4 | -0.6 | -3.6 | 22.0 | 11.4 | 18.8 | -1.5 |
| 2001 | -0.9 | -16.5 | -1.4 | 0.2 | 15.4 | -3.9 | 9.9 | 0.8 |
| 2002 | 10.9 | -2.7 | 10.6 | 2.7 | 11.0 | 5.4 | 9.6 | 4.6 |
| 2003 | 1.6 | -25.0 | 1.0 | -0.3 | 9.8 | -4.0 | 6.5 | 0.6 |
| 2004 | 6.3 | -17.3 | 5.9 | -0.2 | 7.3 | 16.9 | 9.4 | 1.9 |

Notes: (1) Alcohol available for consumption is calculated from production for domestic consumption plus imports less re-exports. The above table does not include alcoholic beverages produced by households.

(2) Table wine has an alcohol content less than or equal to 14 percent.

(3) Fortified wine has an alcohol content greater than 14 percent.

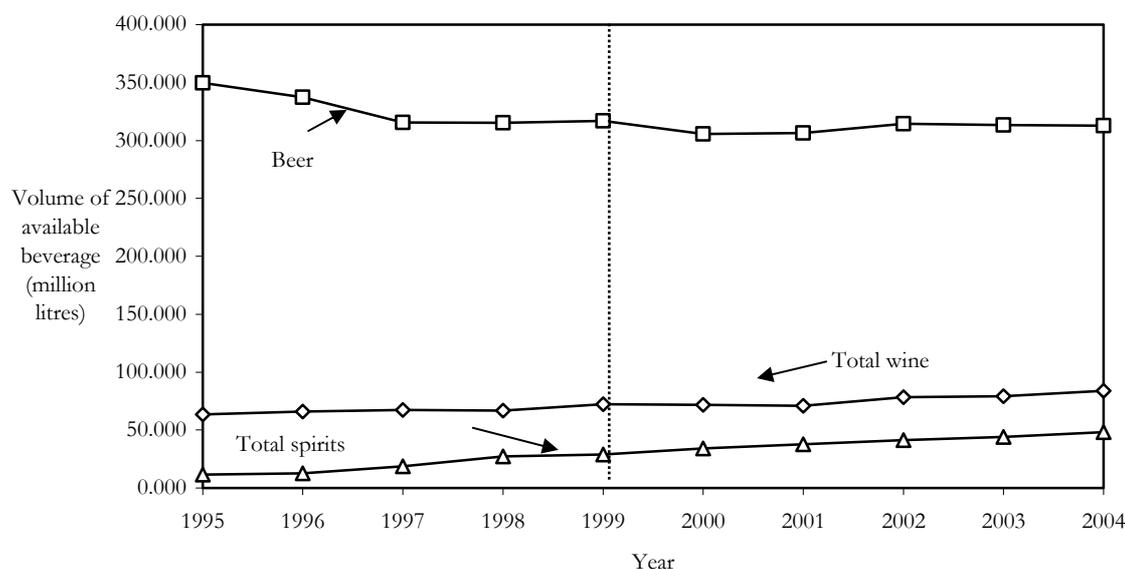
(4) Spirit-based drinks have an alcohol content less than or equal to 23 percent. They include RTDs (ready-to-drink beverages), beer, and wine, that are spirit-based.

(5) Spirits have an alcohol content greater than 23 percent.

(6) Source: Statistics New Zealand 2005.

Figure 2.1 shows the trends in the volume of alcohol available for consumption for the three main beverage types in the decade from 1995 to 2004. In this period beer was the alcoholic beverage with the largest volume available for consumption. Wine and spirits respectively had the next largest volume available. The volume of beer available decreased in the first two years, but since then has fluctuated at about the same level. The volume of wine fluctuated in the earlier years, but has increased in the last three years. The volume of spirit-based drinks has increased markedly by more than 1750% in the ten year period, so that by 2004 these drinks comprise just over three-quarters of the volume of total spirits.³

³ Spirit-based drinks have only been available since 1995. The volume of these drinks increased markedly between 1995 and 1998, but the increase has slowed since then.

Figure 2.1 Alcohol available for consumption, 1995–2004

2.2 Liquor licences

This section presents information on the number of licences (by type of licence) at 30 June each year from 1995 to 2004.

The Sale of Liquor Act 1989 lists four types of licences: on-licences, off-licences, club licences and special licences, which are described below.

- An on-licence authorises the holder of the licence to sell and supply liquor, to any person present on the premises or conveyance described in the licence, for consumption on the premises or conveyance; and to allow the consumption of liquor on the premises or conveyance described in the licence.
- An off-licence authorises the holder of the licence to sell or deliver liquor on or from the premises described in the licence to any person for consumption off the premises.
- A club licence authorises the holder of the licence to sell and supply liquor, on the premises described in the licence, for consumption on the premises, to any member of the club; or any person who is a guest of, and is accompanied by, a member of the club; or any member of any other club with which the holder of the licence has an arrangement for reciprocal visiting rights for members of the clubs.
- A special licence authorises the holder of the licence to sell and supply liquor, on the premises or conveyance described in the licence, to any person attending any occasion or event or series of occasions or events described in the licence.

The number of special licences at 30 June each year is not available, and is therefore excluded from the total shown in Table 2.2.

While the total number of liquor licences increased by 35% in the decade between 1995 and 2004, the different types of licences showed different trends over the decade. The number of on-licences was the largest contributor to the increase, increasing by 56% from 5067 to 7918

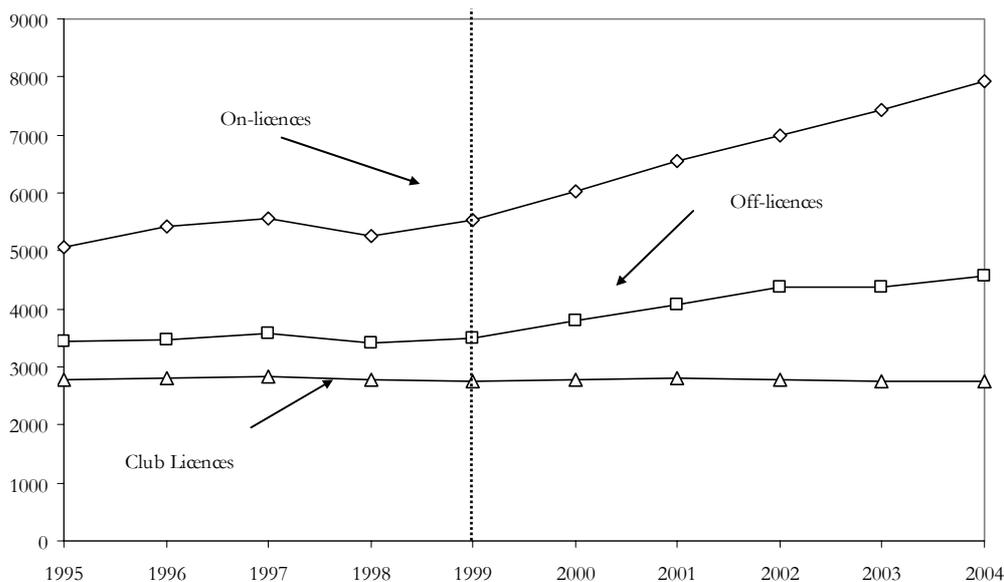
over the decade. The number of off-licences also increased across the decade, but at 33% (from 3436 to 4568) the increase was less than for on-licences. The number of club licences showed little change during the decade, fluctuating around an average of 2784.

Table 2.3 Number of liquor licences by type of licence at 30 June 1995–2004

| Year | On-licence | Off-licence | Club licence | Total |
|------|------------|-------------|--------------|-------|
| 1995 | 5067 | 3436 | 2777 | 11280 |
| 1996 | 5422 | 3461 | 2815 | 11698 |
| 1997 | 5551 | 3578 | 2844 | 11973 |
| 1998 | 5264 | 3404 | 2793 | 11461 |
| 1999 | 5533 | 3509 | 2745 | 11787 |
| 2000 | 6039 | 3785 | 2772 | 12596 |
| 2001 | 6546 | 4062 | 2800 | 13408 |
| 2002 | 6988 | 4364 | 2779 | 14131 |
| 2003 | 7438 | 4364 | 2755 | 14557 |
| 2004 | 7918 | 4568 | 2756 | 15242 |

Source: Liquor Licensing Authority

Figure 2.2 Number of liquor licences by type of licence at 30 June 1995–2004



In 2003, some Police districts commented that there were more licensed premises in their districts, which meant that alcohol is generally easier to access for people of all ages. One district felt that there had been a trend of increased numbers of licensed premises prior to the purchase age being lowered, and this was continuing. The figures in Table 2.2 tend to support these perceptions.

2.3 Summary

The three indicators of alcohol availability show that, in general, over the last decade there were increased amounts of alcohol available and more places to drink and purchase alcohol.

3 Indicators of alcohol-related offending by minors

Before the Sale of Liquor Act 1989 was amended in December 1999 the term 'minor' would have included all people under 20 years old. Where this section analyses offending by minors, the term 'minor' is used to refer to those who were under 18 years old. However, when the offending by managers, licensees and employees related to minors was analysed, it was not possible to provide analysis for offences relating only to minors under 18 years old.

For the analysis of offending by minors, Police apprehensions, rather than prosecutions or convictions, are used as a measure of offending. Because of the provisions of the Children, Young Persons and Their Families Act 1989 most young offenders (those between 14 and 16 years old) are not prosecuted in formal court proceedings. For this reason, Police apprehensions give a more accurate indication of the amount of offending by 14–16 year olds.

3.1 Minors drinking or possessing alcohol for consumption in a public place

The offence of a minor drinking or possessing alcohol for consumption in a public place is defined in section 38 of the Summary Offences Act 1981. As well as lowering the definition of the minimum age from 20 to 18 years, the Sale of Liquor Amendment Act 1999 made this offence an infringement offence from 1 December 1999.⁴

3.1.1 Police statistics

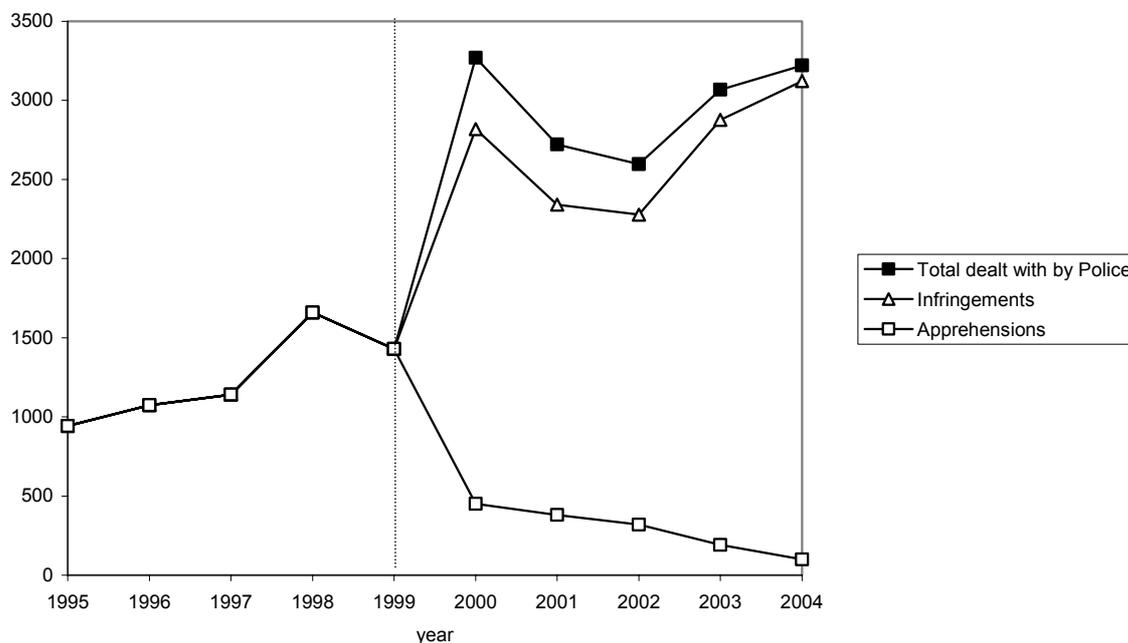
Table 3.1 Number of apprehensions and infringement notices for minors under 18 years old drinking or possessing alcohol for consumption in public places, 1995–2004

| Year | Apprehensions | Infringement notices | Total dealt with by Police |
|------|---------------|----------------------|----------------------------|
| 1995 | 943 | - | 943 |
| 1996 | 1074 | - | 1074 |
| 1997 | 1141 | - | 1141 |
| 1998 | 1660 | - | 1660 |
| 1999 | 1430 | * | 1430 |
| 2000 | 451 | 2818 | 3269 |
| 2001 | 380 | 2341 | 2721 |
| 2002 | 319 | 2278 | 2597 |
| 2003 | 191 | 2876 | 3067 |
| 2004 | 100 | 3121 | 3221 |

Notes: (1) * = 'not available'.
 (2) - = 'not applicable'.
 (3) Source: New Zealand Police.

⁴ For infringement offences analysed in the Chapter, the person may either be prosecuted through the court system, or an infringement notice may be issued.

Figure 3.1 Number of apprehensions and infringement notices for minors under 18 years old drinking or possessing alcohol for consumption in public places, 1995–2004



Between 1995 and 1999, apprehensions of minors (those under 18) for drinking or possessing alcohol for consumption in a public place increased from 943 to 1430. However, after the 1999 legislative changes, the number of such apprehensions decreased to 451 in 2000, and continued to decrease to 100 in 2004. Much of the decrease from 2000 is due to a change in Police practice to a preference for the issuing of an infringement notice rather than apprehending an offender.⁵ In 2000, Police issued 2818 infringement notices for minors drinking or possessing alcohol for consumption in a public place. The number of infringement notices issued decreased to 2341 in 2001 and continued at the lower level in 2002, before increasing to 2876 in 2003, and 3121 in 2004.

The increase in the amount of this type of offending dealt with by the Police, especially in the first year after the legislation changed, was more than would have been expected based on the trend in apprehensions from 1994 to 1999. However, part of the increase may have occurred because it is easier to issue an infringement notice than apprehend an offender. Thus, some offenders who may not have been apprehended in the past had an infringement notice issued against them.

3.1.2 Summary

Up to 2004, Police dealt with more minors drinking or possessing alcohol in a public place in each year after the purchase age was lowered than in previous years. Part of the increase may have occurred because of changes in Police practice.

⁵ Infringement notices are not included in Police apprehension statistics.

3.2 Minors in restricted or supervised areas of licensed premises

The offences of minors being found in a restricted or supervised area of licensed premises are defined in section 163 of the Sale of Liquor Act 1989. The Act defines a restricted area to mean any part of licensed premises to which persons who are under the age of 18 years shall not be admitted. Supervised areas are any part of licensed premises to which a person under the age of 18 years may not be admitted unless accompanied by the person's parent or guardian.

Prior to the 1999 changes to the Sale of Liquor Act 1989 that lowered the legal minimum purchase age from 20 years to 18 years (with one exception) there had been a number of exceptions to the legal minimum age of 20 years. The exemptions that applied to restricted and supervised areas were:

Restricted Areas: A person who was of 18 years or over and who was accompanied by an adult spouse, a parent, or a guardian could be present in a restricted area.

Supervised Areas: Any person could be present in a supervised area if under 20 and accompanied by an adult spouse, a parent, a guardian, or any other adult family member properly responsible for him or her. A person of 18 years or over could be present in the supervised area by himself or herself for the purpose of having a meal.

The exemption that now applies to supervised areas is:

Supervised Areas: A person under 18 may be present in a supervised area if accompanied by a parent or guardian.

The Sale of Liquor Amendment Act 1999 also made these offences infringement offences from 1 December 1999.

Police have a range of options for dealing with minors in restricted or supervised areas of licensed premises:

- Issue an infringement notice to the minor; and/or
- Apprehend the minor for prosecution or other action by the Youth Aid section; and/or
- Take action against the licensed premises.

3.2.1 Police statistics

Between 1995 and 1999 apprehensions of minors (those under 18 years old) in restricted or supervised areas on licensed premises decreased from 468 to 235. However, after the 1999 legislative changes, the number of such apprehensions decreased markedly to 51 in 2000, and continued to decrease slightly each year to 17 in 2004.

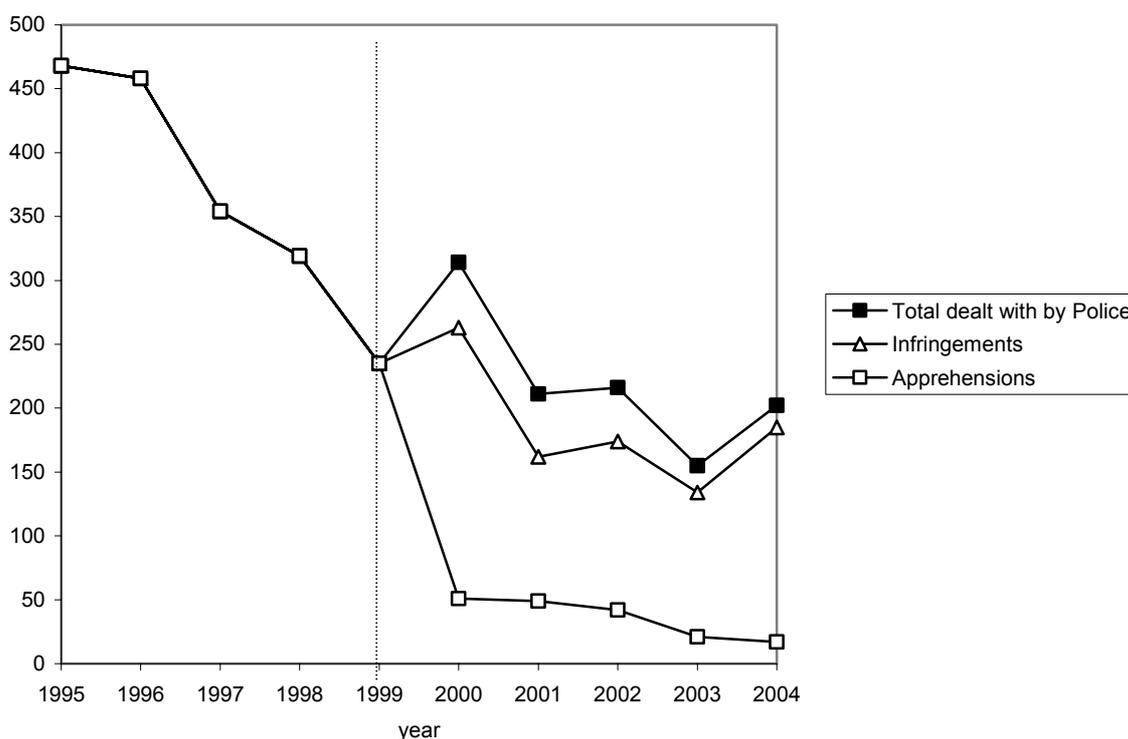
Police issued 263 infringement notices for minors in restricted or supervised areas of licensed premises in 2000, the first year after the law change. Since then the number has fluctuated at a lower level between 134 and 185, with no clear pattern.

Table 3.2 Number of apprehensions and infringement notices for minors under 18 years old in restricted or supervised areas of licensed premises, 1995–2004

| Year | Apprehensions | Infringement notices | Total dealt with by Police |
|------|---------------|----------------------|----------------------------|
| 1995 | 468 | - | 468 |
| 1996 | 458 | - | 458 |
| 1997 | 354 | - | 354 |
| 1998 | 319 | - | 319 |
| 1999 | 235 | * | 235 |
| 2000 | 51 | 263 | 314 |
| 2001 | 49 | 162 | 211 |
| 2002 | 42 | 174 | 216 |
| 2003 | 21 | 134 | 155 |
| 2004 | 17 | 185 | 202 |

Notes: (1) * = 'not available'.
 (2) - = 'not applicable'.
 (3) Source: New Zealand Police.

Figure 3.2 Number of apprehensions and infringement notices for minors under 18 years old in restricted or supervised areas of licensed premises, 1995–2004



The total number of minors in restricted or supervised areas of licensed premises dealt with by the Police showed a decreasing trend each year between 1995 and 1999, but initially increased in 2000 (after the law change). In 2001, the number returned to the lower level at slightly less than the 1999 number, and then fluctuated at the lower level until 2004.

In 2001 (New Zealand Police, Office of the Commissioner 2001), Police suggested that the reduction in apprehensions for minors in restricted or supervised areas of licensed premises

may be due to improved age identification, greater compliance from licensed premises, or Police preference for issuing an infringement notice to young people.

3.2.2 Summary

The number of minors in restricted or supervised areas of licensed premises who were dealt with by the Police has shown a decreasing trend with the figures between 2001 and 2004 being lower than those in all previous years. The numbers of such offenders who were dealt with by the Police each year between 2001 and 2004 were less than half the numbers each year between 1995 and 1996. The decrease may be related to changes in Police practice.

3.3 Purchasing of liquor from licensed premises by minors

The offence of minors purchasing liquor from licensed premises⁶ is defined in section 162 of the Sale of Liquor Act 1989. Prior to the 1999 changes to the Act there had been a number of exceptions to the legal minimum purchase age of 20 years. The exemptions that applied to purchasing in areas other than restricted and supervised areas were:

Liquor could be purchased by a person of 18 years or over who was accompanied by an adult spouse, or a parent, or a guardian. Liquor could be purchased in other than a restricted area by a person who was 18 years or over, or is accompanied by an adult spouse, or a parent or guardian, for consumption as part of a meal.

There are now no exemptions for this offence.

The Sale of Liquor Amendment Act 1999 also made this offence an infringement offence. From 1 December 1999 a person may either be prosecuted through the court system, or an infringement notice may be issued.

3.3.1 Police statistics

Police apprehended between 76 and 99 minors (those under 18 years old) for purchasing liquor from licensed premises each year between 1995 and 1999. However, after the 1999 changes, the number of such apprehensions decreased markedly and then fluctuated between 10 and 33 each year between 2000 and 2004. Some of this decrease in 2000 will be because of a Police preference for the issuing of an infringement notice. In 2000, Police dealt with 41 offences for minors purchasing liquor, 46% less than the 76 apprehensions in 1999. The total number dealt with by the Police then continued to fluctuate at a lower level than the level before the law change with between 39 and 57 each year between 2000 and 2004.

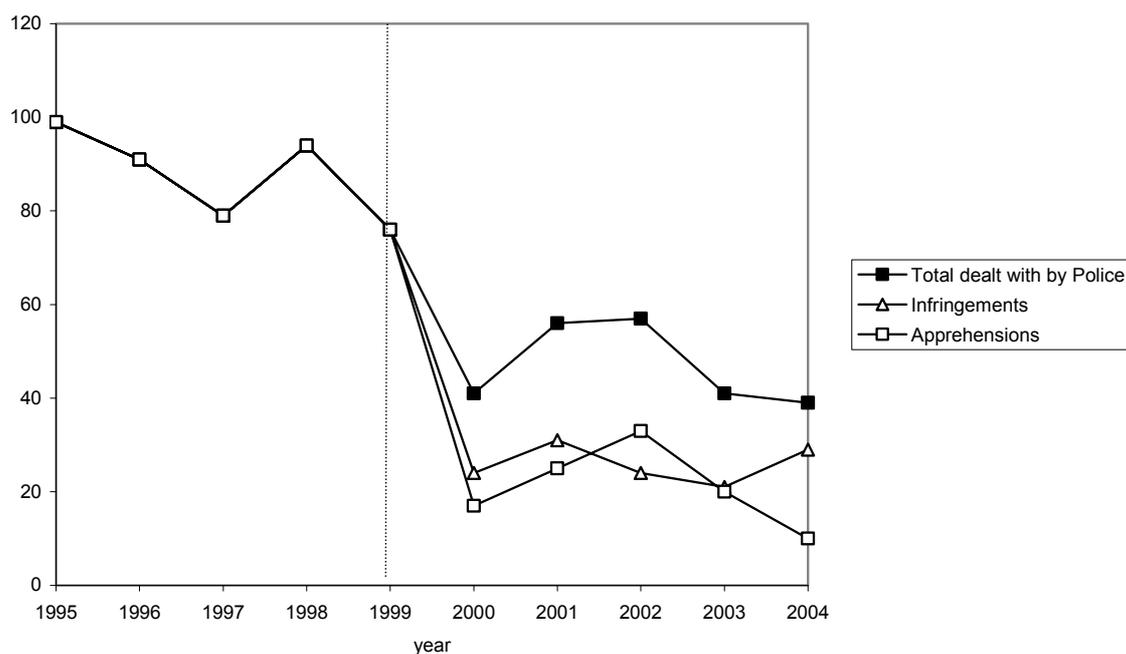
⁶ Licensed premises include all premises which are licensed to sell liquor. The Sale of Liquor Act 1989 lists four types of licences: on-licences, off-licences, club licences and special licences, which are described in detail in section 2.2.

Table 3.3 Number of apprehensions and infringement notices for minors under 18 years old purchasing liquor from licensed premises, 1995–2004

| Year | Apprehensions | Infringement notices | Total dealt with by Police |
|------|---------------|----------------------|----------------------------|
| 1995 | 99 | - | 99 |
| 1996 | 91 | - | 91 |
| 1997 | 79 | - | 79 |
| 1998 | 94 | - | 94 |
| 1999 | 76 | * | 76 |
| 2000 | 17 | 24 | 41 |
| 2001 | 25 | 31 | 56 |
| 2002 | 33 | 24 | 57 |
| 2003 | 20 | 21 | 41 |
| 2004 | 10 | 29 | 39 |

Notes: (1) * = 'not available'.
 (2) - = 'not applicable'.
 (3) Source: New Zealand Police.

Figure 3.3 Number of apprehensions and infringement notices for minors under 18 years old purchasing liquor from licensed premises, 1995–2004



In 2001, Police identified some difficulties associated with the enforcement of this section of the Act. Many of the problems centre on off-licensed premises where the purchase of alcohol by a minor may take only a matter of minutes, meaning that there is little recourse unless Police were present at the time the offence was committed. However, Police note that this situation is not new, and has not changed as the result of the 1999 Amendment Act.

3.3.2 Summary

In each of the five years between 2000 and 2004 Police dealt with fewer minors purchasing liquor from licensed premises than they apprehended in previous years (1995 to 1999). Police identified some difficulties associated with the enforcement of this section of the Act. However, they noted that the difficulties were not new, and had not changed as the result of the 1999 Amendment Act.

3.4 Offences related to minors committed by managers, licensees or employees under the Sale of Liquor Act 1989

Offences analysed in this section are those in Sections 155 and 164 of the Sale of Liquor Act 1989. These offences relate to selling or supplying liquor to minors, and permitting minors to be in restricted or supervised areas. The Sale of Liquor Amendment Act 1999 changed the definition of minor from those under 20 to those under 18 years old from 1 December 1999.

Police have a range of options for dealing with offences relating to minors committed by managers, licensees or employees under the Sale of Liquor Act 1989:

- Prosecution in the District Court; and/or
- Make an application to the Liquor Licensing Authority to vary or revoke any condition of a licence; or to suspend or cancel the licence.

3.4.1 Police and court statistics

In this section, convictions are used as the main measure of offending, although apprehensions are also reported.⁷

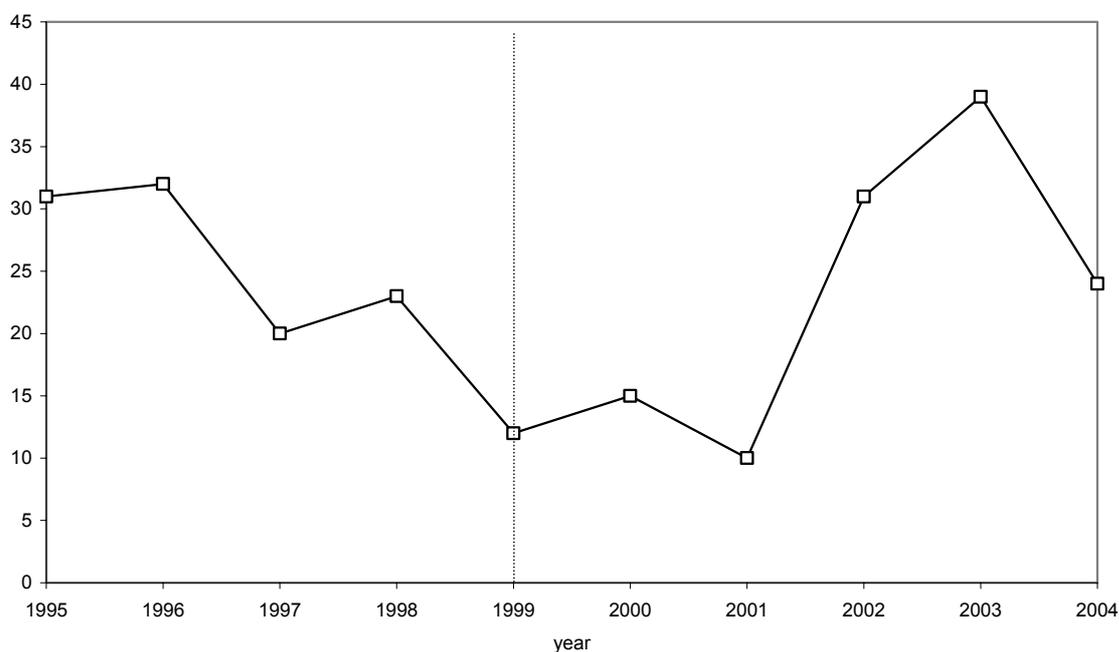
Table 3.4 Convictions and apprehensions for offences related to minors committed by managers, licensees or employees under the Sale of Liquor Act 1989, 1995–2004

| Year | Convictions ⁽¹⁾ | Apprehensions ⁽²⁾ |
|------|----------------------------|------------------------------|
| 1995 | 31 | 257 |
| 1996 | 32 | 257 |
| 1997 | 20 | 231 |
| 1998 | 23 | 212 |
| 1999 | 12 | 173 |
| 2000 | 15 | 119 |
| 2001 | 10 | 86 |
| 2002 | 30 | 195 |
| 2003 | 39 | 87 |
| 2004 | 24 | 108 |

Notes: (1) Source: Ministry of Justice.
(2) Source: New Zealand Police.

⁷ Convictions are the best measure of offending, however, apprehensions were used to measure offending by minors. Because of the provisions of the Children, Young Persons and Their Families Act 1989, most young offenders, those between 14 and 16 years old, are not prosecuted in formal court proceedings. These provisions generally do not apply to managers, licensees or employees, so convictions may be used.

Figure 3.4 Convictions for offences related to minors committed by managers, licensees or employees under the Sale of Liquor Act 1989, 1995–2004



The number of managers, licensees or employees convicted for offences related to minors under the Sale of Liquor Act 1989 tended to decrease from 31 in 1995 to 10 in 2001. However, the numbers have fluctuated at a higher level in the last three years (24 in 2004 – slightly less than the 1995 number).

Police apprehensions of managers, licensees or employees for offences under the Act relating to minors showed a similar trend to that for convictions between 1995 and 2002 (decreasing from 257 in 1995 to 86 in 2001, before increasing to 195 in 2002). However, in 2003 apprehensions decreased to 87, but increased again to 108 in 2004 – a different trend to the convictions.

Because Police have a range of options for dealing with this type of offending Police in different districts may use different practices to proceed against licensed premises. Therefore, convictions only provide a partial picture of the number of these offences detected by the Police.

3.4.2 Summary

The number of managers, licensees or employees convicted for offences related to minors under the Sale of Liquor Act 1989 tended to decrease from 31 in 1995 to 10 in 2001. The numbers have fluctuated at a higher level than previously in the last three years (24 in 2004 – slightly less than the 1995 number). However, convictions provide only a partial picture of this type of offending as Police in different districts may use different practices to proceed against licensed premises.

3.5 Summary of indicators of alcohol-related offending by minors

The four indicators of alcohol-related offending by minors discussed in this Chapter show different trends, with some indicating an increased problem with young people drinking and others indicating a decreased problem, after the law change.

Up to 2004, Police dealt with more minors drinking or possessing alcohol in a public place in each year after the purchase age was lowered than in previous years. Part of the increase may have occurred because of changes in Police practice.

The number of minors in restricted or supervised areas of licensed premises who were dealt with by the Police has shown a decreasing trend with the figures between 2001 and 2004 being lower than those in all previous years. The numbers of such offenders who were dealt with by the Police each year between 2001 and 2004 were less than half the numbers each year between 1995 and 1996. The decrease may be related to changes in Police practice.

In each of the five years between 2000 and 2004 Police dealt with fewer minors purchasing liquor from licensed premises than they apprehended in previous years (1995 to 1999). Police identified some difficulties associated with the enforcement of this section of the Act. However, they noted that the difficulties were not new, and had not changed as the result of the 1999 Amendment Act.

The number of managers, licensees or employees convicted for offences related to minors under the Sale of Liquor Act 1989 tended to decrease from 31 in 1995 to 10 in 2001. The numbers have fluctuated at a higher level than previously in the last three years (24 in 2004 – slightly less than the 1995 number). However, convictions provide only a partial picture of this type of offending as Police in different districts may use different practices to proceed against licensed premises.

4 Indicators of alcohol-related offending by those under 20 years old and all ages - disorderly behaviour

Until relatively recently, information was not generally available on whether a person was under the influence of alcohol when an offence was committed.⁸ (The exception is where alcohol is part of the definition of the offence, e.g. driving under the influence of alcohol.) However, it is likely that many of the people committing disorderly behaviour offences were under the influence of alcohol when the offence was committed.

4.1 Police and court statistics

In this section Police apprehensions, rather than prosecutions or convictions, are used as a measure of offending for those under 18 years old.⁹

Table 4.1 Number of apprehensions for disorderly behaviour for those under 18 years old, and percentage of all disorderly behaviour apprehensions, 1994–2003

| Year | Number under 18 years old | Percentage of all disorderly behaviour |
|------|---------------------------|--|
| 1994 | 1850 | 17.2 |
| 1995 | 1922 | 16.7 |
| 1996 | 1965 | 15.9 |
| 1997 | 2103 | 17.1 |
| 1998 | 2286 | 17.8 |
| 1999 | 2242 | 16.8 |
| 2000 | 2454 | 16.6 |
| 2001 | 2672 | 16.8 |
| 2002 | 2982 | 17.9 |
| 2003 | 3131 | 17.1 |

Notes: 1 Disorderly behaviour offences are mostly behaving in a disorderly or offensive manner (s.4 Summary Offences Act 1981), disorderly or threatening behaviour (s.3 Summary Offences Act 1981), and fighting in a public place (s.7 Summary Offences Act 1981).

2 Source: New Zealand Police.

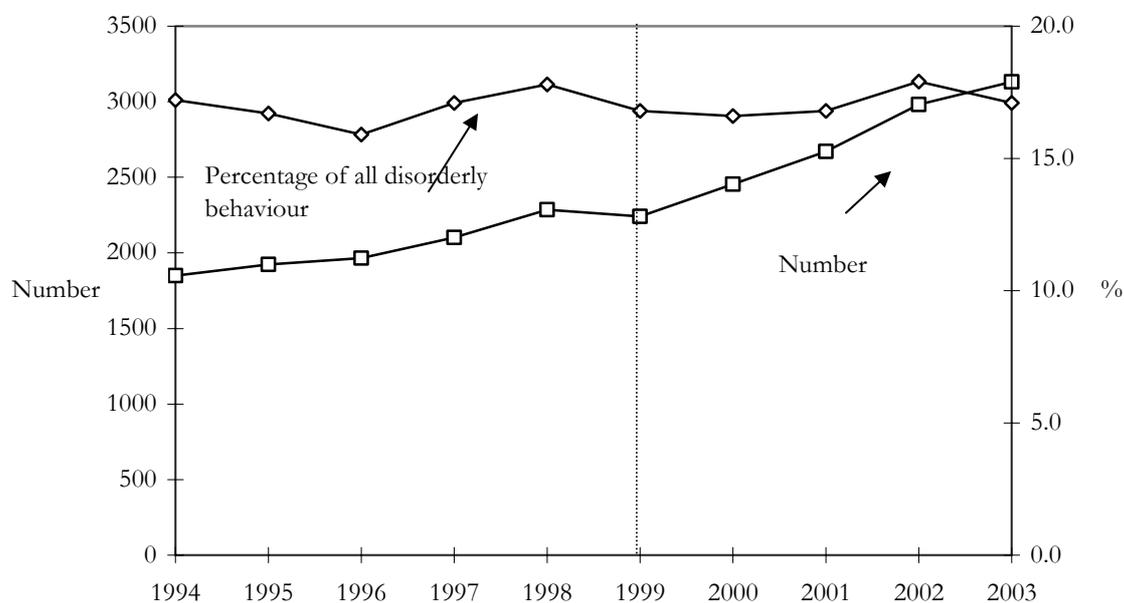
The number of apprehensions of people under 18 years old for disorderly behaviour has shown an increasing trend from 1850 in 1994 to 3131 in 2003. However, total apprehensions for disorderly behaviour for all age groups have also been increasing. The percentage of all apprehensions involving people under 18 years old has fluctuated between 16% and 18% each

⁸ From February or March 2005 questions have been added to the Police Charge Sheets and Traffic Offence Notices as part of the Alco-Link project. It is expected that by September or October 2005 robust information will be available about the extent to which people arrested are observably affected by alcohol at the time of detection.

⁹ Because of the provisions of the Children, Young Persons and Their Families Act 1989 most young offenders (those between 14 and 16 years old) are not prosecuted in formal court proceedings. Police apprehensions for those between 14 and 17 are reported.

year during this period, indicating that the trend for people under 18 is similar to that for older people. The increases are possibly due to changes in Police practice.

Figure 4.1 Number and percentage of apprehensions for disorderly behaviour for those under 18 years old, 1994–2002



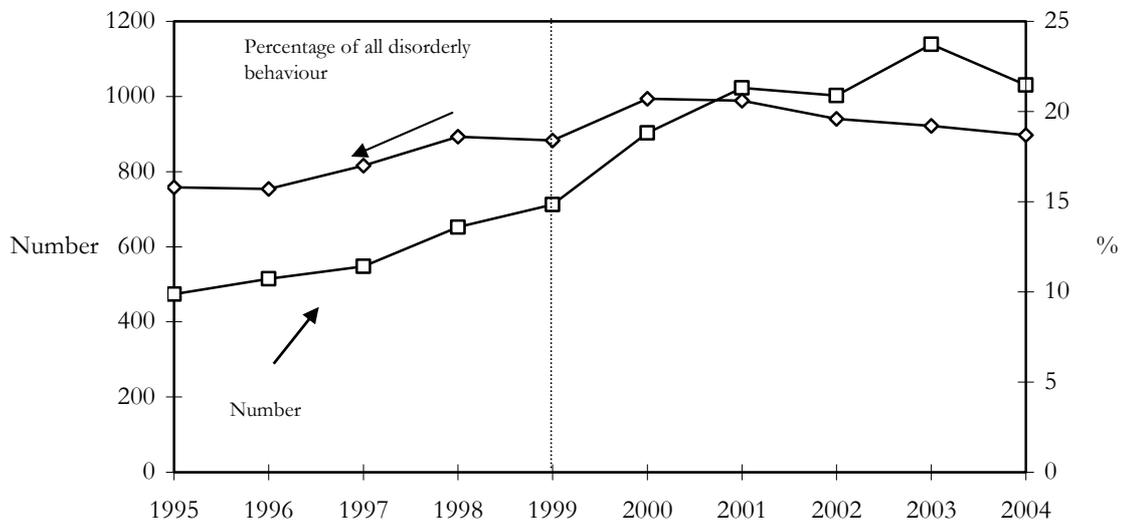
Convictions, rather than apprehensions, are used as the measure of offending for those 18 or 19 years old because the provisions of the Children, Young Persons and Their Families Act 1989 generally do not apply to this age group.

Table 4.2 Number of convictions for disorderly behaviour for those between 18 and 19 years old, and percentage of all disorderly behaviour convictions, 1995–2004

| Year | Number 18–19 years old | Percentage of all disorderly behaviour convictions |
|------|------------------------|--|
| 1995 | 474 | 15.8 |
| 1996 | 515 | 15.7 |
| 1997 | 548 | 17.0 |
| 1998 | 652 | 18.6 |
| 1999 | 712 | 18.4 |
| 2000 | 903 | 20.7 |
| 2001 | 1023 | 20.6 |
| 2002 | 1002 | 19.6 |
| 2003 | 1135 | 19.2 |
| 2004 | 1030 | 18.7 |

Notes: 1 Disorderly behaviour offences are mostly behaving in a disorderly or offensive manner (s.4 Summary Offences Act 1981), disorderly or threatening behaviour (s.3 Summary Offences Act 1981), and fighting in a public place (s.7 Summary Offences Act 1981).

2 Source: Ministry of Justice.

Figure 4.2 Number and percentage of convictions for disorderly behaviour for 18 and 19 year olds, 1995–2004

The number of 18 and 19 year olds who were convicted of disorderly behaviour increased strongly throughout the decade (from 474 in 1995 to 1030 in 2004), as did the total number of convictions for disorderly behaviour for all age groups. The percentage of all disorderly behaviour convictions for 18 and 19 year olds increased between 1995 and 2000 (from 16% to 21%), then decreased slightly to 19% in 2004.

4.2 Summary

The number of disorderly behaviour offences committed by those under 18 years old, and those between 18 and 19 years old, increased after the changes to the Sale of Liquor Act 1989. However, disorderly behaviour offences also increased for older age groups – possibly due to changes in Police practice. For those under 18 years old, the increase in disorderly behaviour offending was similar to increases in other age groups. For those between 18 and 19 years old, the increase in 2000 was slightly greater than that for older age groups, although in the last four years the rate of increase has declined relative to other age groups.

5 Indicators of alcohol-related traffic offending by those under 20 years old and all ages

5.1 Percentage of drivers under 20 exceeding their legal breath alcohol limit

From 1997 to 2004, the Police have collected data from special compulsory breath testing (CBT) check-points to determine the proportion of drivers exceeding their legal breath alcohol limits. These check-point operations were conducted at randomly chosen sites at high-risk times for alcohol impaired driving (i.e. on Friday and Saturday nights between the hours of 10 p.m. and 2 a.m.).

Table 5.1 Percentage of drivers aged under 20 exceeding their legal breath alcohol limit from random roadside breath-testing data, 1997–2004

| Year | Percentage of drivers aged under 20 exceeding their legal breath alcohol limit |
|------|--|
| 1997 | 3.3 |
| 1998 | 2.3 |
| 1999 | 2.7 |
| 2000 | 2.0 |
| 2002 | 2.9 |
| 2004 | 1.4 |

Source: Land Transport Safety Authority and Ministry of Transport.

Table 5.1 shows that between 1997 and 2004, 1% to 3% of those under 20 years old who were stopped at the roadside had excess alcohol readings. The percentages showed no clear trend of either increasing or decreasing during this period. Because of the relatively small numbers of those under 20 years old in the sample each year, there can be quite large fluctuations from year to year.

5.2 Prosecutions for driving with excess breath or blood alcohol

Prosecutions are used as a measure of traffic offending for those under 20 years old.¹⁰ However, under the provisions of the Children, Young Persons and Their Families Act 1989 some young offenders (those between 14 and 16 years old) apprehended for imprisonable traffic offences will have a Family Group Conference and will not be prosecuted in formal court proceedings, so will not be included in these figures.¹¹ Information is not available on the number of Family Group Conferences that do not result in formal court proceedings.

¹⁰ Apprehension data for traffic offending is not available.

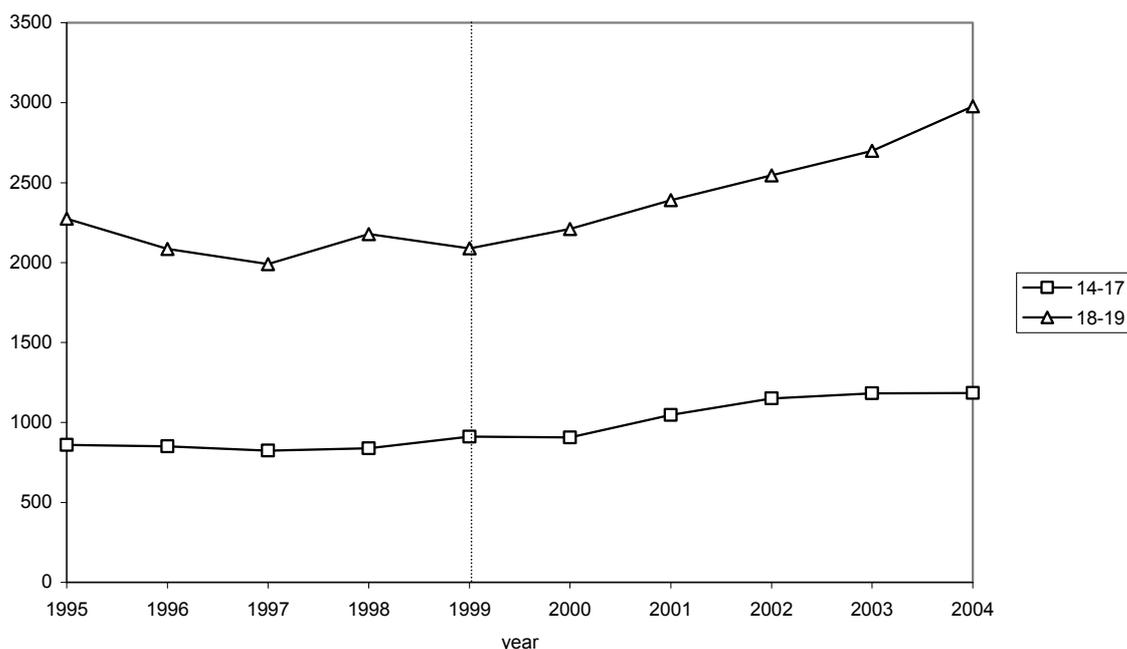
¹¹ Most of the offences classified as driving with excess breath or blood alcohol are imprisonable.

Table 5.2 Prosecutions for driving with excess breath or blood alcohol, 1995–2004

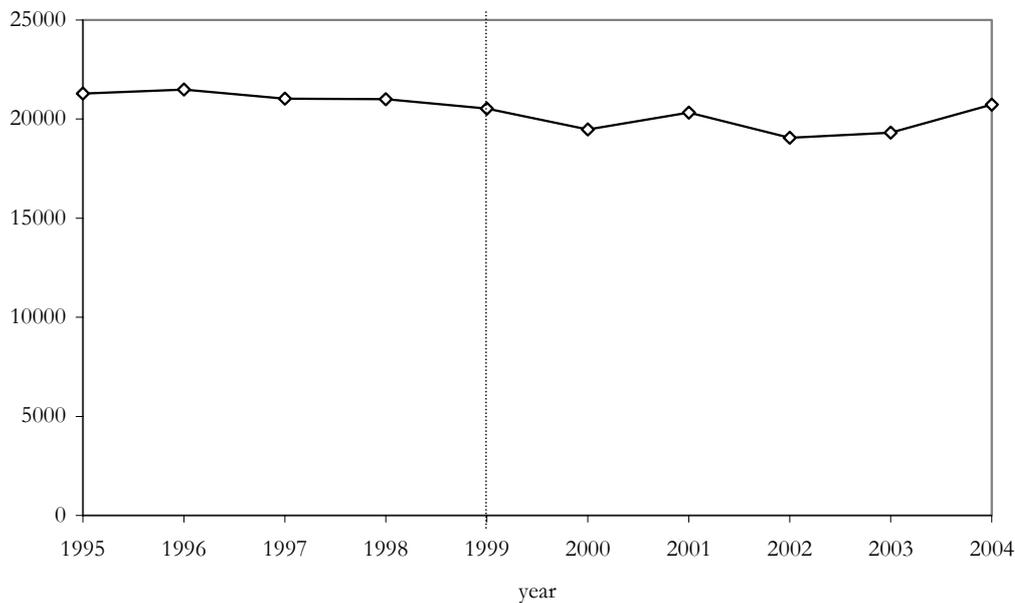
| Year | 14–17 | | 18–19 | | All driving with excess alcohol | |
|------|--------|-------------------|--------|-------------------|---------------------------------|-------------------|
| | Number | % of prosecutions | Number | % of prosecutions | Number | % of prosecutions |
| 1995 | 859 | 4.0 | 2274 | 10.7 | 21285 | 100.0 |
| 1996 | 851 | 4.0 | 2085 | 9.7 | 21492 | 100.0 |
| 1997 | 824 | 3.9 | 1990 | 9.5 | 21032 | 100.0 |
| 1998 | 838 | 4.0 | 2178 | 10.4 | 21002 | 100.0 |
| 1999 | 911 | 4.4 | 2089 | 10.2 | 20521 | 100.0 |
| 2000 | 907 | 4.7 | 2211 | 11.4 | 19474 | 100.0 |
| 2001 | 1048 | 5.2 | 2391 | 11.8 | 20317 | 100.0 |
| 2002 | 1151 | 6.0 | 2545 | 13.4 | 19058 | 100.0 |
| 2003 | 1183 | 6.1 | 2699 | 14.0 | 19312 | 100.0 |
| 2004 | 1184 | 5.7 | 2978 | 14.4 | 20726 | 100.0 |

- Notes: 1 Offences included in this table relate to driving with excess alcohol (including offences where death or injury was involved). Offences related to driving under the influence of drugs are excluded, as are offences related to refusing to supply a blood specimen.
 2 Although a person under the age of 15 cannot hold a driver licence, each year a number of 14 year old drivers were prosecuted for driving with excess alcohol.
 3 Source: Ministry of Justice.

Figure 5.1 Prosecutions for offences committed by those under 20 years old for driving with excess breath or blood alcohol, 1995–2004



The number of those between 14 and 17 years old prosecuted for driving with excess breath or blood alcohol showed an increasing trend from 824 in 1997 to 911 in 1999. The upward trend continued in the five years following the law change, with 1184 prosecutions in 2004. (See Table 5.2 and Figure 5.1).

Figure 5.2 Total prosecutions for driving with excess breath or blood alcohol, 1995–2004

Between 1995 and 1999, the number of people 18 or 19 years old prosecuted for driving with excess breath or blood alcohol fluctuated between 1990 and 2274. In each of the years after the law change the number of such prosecutions increased and, at 2978 in 2004, was the highest recorded in the decade. (See Figure 5.1).

The total number of prosecutions for driving with excess breath or blood alcohol showed a decreasing trend from 21492 in 1996 to 19474 in 2000. For the next four years the number fluctuated around an average of 19850. (See Figure 5.2).

Because the number of drivers between 14 and 17 years old prosecuted for driving with excess breath or blood alcohol showed an increasing trend while the total number of such prosecutions showed a decreasing (stable from 2001) trend, the proportion of all drivers prosecuted for this offence who were under 18 showed an increasing trend across the decade from 4% in 1995 to 6% in 2004. The proportion of all drivers prosecuted for driving with excess breath or blood alcohol who were 18 or 19 years old was slightly higher in the five years following the law change than before the law change. The 2004 figure (14%) was the highest recorded in the decade.

Although there were increases in young people prosecuted for traffic offences involving alcohol after the purchase age was lowered, there were changes other than lowering the purchase age which may have influenced prosecutions of these young people. For example, changes in licensing procedures made drivers under 20 years old easier to identify.¹² Drivers

¹² The two changes to the licensing procedure were photo driver licences and the mandatory production of driver licences. The photo driver licence upgrade took place over a 14 month period from 3 May 1999 to early July 2000. By 1 December 1999, approximately half of the driving population would have upgraded their licences. From 3 May 1999, drivers were required to produce immediately their driver licence for inspection at the request of an enforcement officer.

under the age of 20 have lower allowable alcohol limits, and the driver must be identified as under 20 so that the testing equipment can be set to the correct level and the results interpreted correctly. It is not possible to quantify how much of the increase can be attributed to lowering the purchase age, however, it is likely that some of the increase can be attributed to young people having increased access to alcohol after the purchase age was lowered.

5.3 Drivers involved in crashes who had alcohol recorded as a factor in the crash

Table 5.3 shows the number and percentage of 15–19 year old drivers involved in reported injury and fatal crashes who had alcohol recorded as a factor. These data relate to the 12 month period from 1 December to 30 November the following year.

Both the number and the percentage of 15–19 year old drivers involved in crashes who had alcohol recorded as a factor that contributed to the crash decreased between 1994 and 1999. Following the law change, the number and percentage continued to decrease in 2000. The numbers increased slightly each year between 2001 and 2003, although the 2003 figures were still much lower than the figures in 1994 and 1995. Between 2001 and 2003 the percentages fluctuated at a lower level than the level between 1994 and 1995.

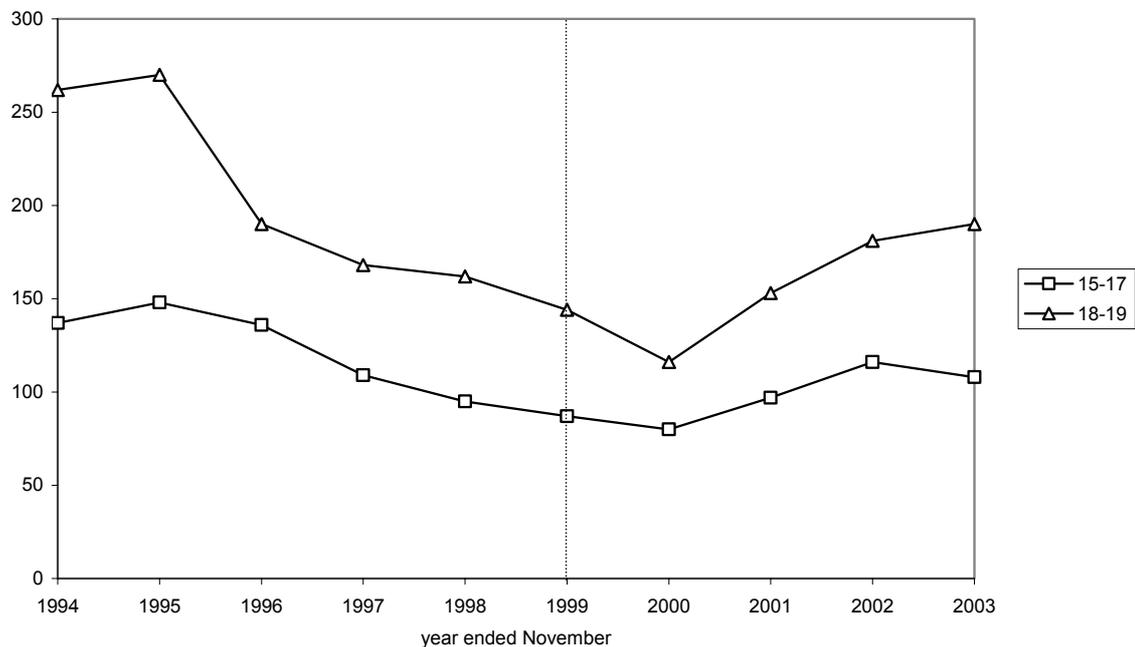
Table 5.3 Number and percentage of 15–19 year old drivers involved in crashes who had alcohol recorded as a factor, 1994–2003

| Year ending 30 November | 15–17 | | 18–19 | | 15–19 | |
|----------------------------|--------|---------|--------|---------|--------|---------|
| | Number | Percent | Number | Percent | Number | Percent |
| 1994 | 137 | 11.6 | 262 | 15.6 | 399 | 13.9 |
| 1995 | 148 | 12.4 | 270 | 16.7 | 418 | 14.9 |
| 1996 | 136 | 12.3 | 190 | 14.2 | 326 | 13.3 |
| 1997 | 109 | 10.3 | 168 | 14.3 | 277 | 12.4 |
| 1998 | 95 | 10.0 | 162 | 15.4 | 257 | 12.8 |
| 1999 | 87 | 10.0 | 144 | 14.5 | 231 | 12.4 |
| 2000 | 80 | 11.4 | 116 | 12.8 | 196 | 12.2 |
| 2001 | 97 | 11.8 | 153 | 15.3 | 250 | 13.7 |
| 2002 | 116 | 10.4 | 181 | 14.5 | 297 | 12.6 |
| 2003 | 108 | 9.6 | 190 | 15.5 | 298 | 12.7 |

Source: Land Transport Safety Authority, and Ministry of Transport.

Activities that have contributed to the decreases earlier in the decade include the introduction of compulsory breath testing (CBT) in 1993, and increased enforcement and advertising effort associated with the Supplementary Road Safety Package funding from late 1995.

In 1999 a number of further changes were introduced which may have contributed to the decrease in 2000. These included photo driver licences, the mandatory production of driver licences, the mandatory licence suspension regime that targets grossly intoxicated drivers, the introduction of more severe penalties for repeat drink-drive offences, and vehicle impoundment. (While vehicle impoundment directly targets illegal drivers, it may also impact indirectly on drink-drivers since many of them are also disqualified or unlicensed.)

Figure 5.3 Number of 15–19 year old drivers involved in crashes who had alcohol recorded as a factor, 1994–2003

The increase in the number of 15–19 year old drivers involved in crashes after 2001 may have occurred because young people had increased access to alcohol after the purchase age was lowered.

5.4 Summary

The three traffic indicators – percentage of drivers under 20 exceeding their legal breath alcohol limit, prosecutions for driving with excess alcohol, and numbers of drivers involved in crashes who had alcohol recorded as a factor – show different trends. One of the indicators shows no increase in young drink-drivers after the purchase age was lowered. But the other two indicators show increases in young drink-drivers after the purchase age was lowered.

Between 1997 and 2004, 1% to 3% of those under 20 years old who were stopped at the roadside had excess alcohol readings. Because of the relatively small numbers of those under 20 years old in the sample each year, there can be quite large fluctuations from year to year.

In 2004 the number of young people prosecuted for driving with excess alcohol was the highest recorded in the decade. After the law change, these people made up a slightly higher proportion of all the drivers prosecuted for driving with excess alcohol. This increase may have been influenced by changes other than lowering the purchase age which may have made it easier to prosecute young people for this offence. It is not possible to quantify how much of the increase can be attributed to lowering the purchase age; however, it is likely that some of the increase can be attributed to young people having increased access to alcohol after the purchase age was lowered.

Both the number and the percentage of 15–19 year old drivers involved in crashes who had alcohol recorded as a factor that contributed to the crash decreased between 1994 and 1999.

Following the law change, the number and percentage continued to decrease in 2000. The numbers increased slightly each year between 2001 and 2003, although the 2003 figures were still much lower than the figures in 1994 and 1995. Between 2001 and 2003 the percentages fluctuated at a lower level than the level between 1994 and 1995. The decrease may have been influenced by activities designed to target drink-drivers. The increase in the numbers from 2001 may have occurred because young people had increased access to alcohol after the purchase age was lowered.

6 Health indicators of alcohol-related harm for minors and all ages

6.1 Alcohol-related hospitalisations

Table 6.1 Number and percentage of publicly funded hospitalisations where the primary diagnosis was alcohol related, for those aged 15–19 years, 1996–2003

| | 15–17 years | | 18–19 years | | All alcohol hospitalisations | |
|------|-------------|---------|-------------|---------|------------------------------|---------|
| | Number | Percent | Number | Percent | Number | Percent |
| 1996 | 124 | 7.4 | 55 | 3.3 | 1683 | 100.0 |
| 1997 | 116 | 7.0 | 59 | 3.6 | 1653 | 100.0 |
| 1998 | 129 | 7.5 | 61 | 3.5 | 1730 | 100.0 |
| 1999 | 158 | 9.1 | 85 | 4.9 | 1735 | 100.0 |
| 2000 | 205 | 9.8 | 114 | 5.5 | 2087 | 100.0 |
| 2001 | 254 | 10.9 | 116 | 5.0 | 2337 | 100.0 |
| 2002 | 236 | 10.2 | 115 | 4.9 | 2325 | 100.0 |
| 2003 | 170 | 6.9 | 138 | 5.6 | 2457 | 100.0 |

Source: New Zealand Health Information Service.

Table 6.1 shows that the number of publicly funded hospitalisations where the primary diagnosis was alcohol related for those aged 15 to 17 years doubled from 116 in 1997 to 236 in 2002, before decreasing to 170 in 2003. Alcohol-related hospitalisations for this age group comprised between 7% and 11% of all such hospitalisations, with the percentage being slightly higher between 1999 and 2002 than between 1996 and 1998. In 2003, this percentage decreased from this higher level to the lower level of 1996 to 1998.

For those aged 18 to 19 years, the number of publicly funded hospitalisations where the primary diagnosis was alcohol related showed an increasing trend from 55 in 1996 to 138 in 2003 – an increase of 151%. Hospitalisations for this age group comprised between 3% and 6% of all hospitalisations where the primary diagnosis was alcohol related, with the percentage being slightly higher between 1999 and 2003 than between 1996 and 1998.

The number of publicly funded hospitalisations for people of all ages where the primary diagnosis was alcohol related showed an increasing trend between 1998 and 2003. Between 1996 and 2003 the number of such hospitalisations increased by 46% from 1683 to 2457.

The New Zealand Health Information Service advised that from the year 2000, some public hospitals started including in their statistics patients who stayed in their Emergency Departments for more than three hours, but were not actually admitted. These people were not included in earlier years and their inclusion may have contributed to the increases in the years 2000 to 2003.

6.2 Summary

After the legal minimum legal purchase age was lowered, publicly funded hospitalisations of young people where the primary diagnosis was alcohol related continued the increasing trend since 1997 until 2002. (The proportion of all alcohol-related hospitalisations for young people also increased in the same period.) In 2003, these trends continued for those between 18 and 19 years old, but for those between 15 and 17 both the number and proportion decreased. (Some of the increase may be due to some hospitals including Emergency Department patients from 2000.)

7 Educational indicators of alcohol-related harm to minors

7.1 Stand-downs and suspensions in schools

Information on reasons for student stand-downs and suspensions is only available for the school years following the law change. Ministry of Education 2001 states that:

Stand-downs, [and] suspensions, ... are some ways to deal with student behaviour that disrupts teaching and learning and threatens the learning of other students. These approaches are not used lightly by schools, but are part of the process to help students return to productive learning and relationships with the school community.

Ministry of Education 2003 provides the following definitions:

Stand-down is the formal removal of a student from school for a specified period. Stand-downs of a student can total no more than 5 school days in any term, or 10 days in a school year. Following stand-downs, students return automatically to school.

Suspension is the formal removal of a student from school until the board of trustees decides the outcome at a suspension meeting. Following a suspension the board may decide to lift the suspension with or without conditions, to extend the suspension, or in the most serious cases, to either exclude or expel the student.

To set the figures in Table 7.1 in context, for 2003, 2.7% of the school roll faced a stand-down and 0.6% a suspension. These figures are very similar to the equivalent figures in 2001 and 2002.

The number of stand-downs for alcohol decreased each year from 2001 to 2003, and also decreased as a proportion of all stand-downs. The number and percent both increased slightly in 2004. The number of suspensions for alcohol each year between 2000 and 2004 fluctuated between 165 and 208. The percentage of all suspensions also fluctuated between 3% and 4%.

Table 7.1 School stand-downs and suspensions for alcohol, 2000–2004

| | Stand-downs | | Suspensions | |
|------|-------------|---------|-------------|---------|
| | Number | Percent | Number | Percent |
| 2000 | 1033 | 6.1 | 181 | 3.5 |
| 2001 | 833 | 4.9 | 208 | 4.3 |
| 2002 | 799 | 4.5 | 165 | 3.3 |
| 2003 | 707 | 3.6 | 185 | 3.8 |
| 2004 | 772 | 3.8 | 136 | 2.8 |

Source: Ministry of Education 2001, Ministry of Education 2002, Ministry of Education 2003, Ministry of Education 2004, and Ministry of Education 2005.

7.2 Summary

Although there was no statistical information available on schools and alcohol before the law change, the available statistics suggest that alcohol does not appear to be a major reason for students being suspended or stood-down from school in the five years following the law change.

8 Indicators of age-verification practices

As mentioned in the introduction, the 1999 amendment of the Sale of Liquor Act 1989 introduced a definition of 'evidence of age documents'. A person who is charged with selling or supplying liquor to a person under 18 years or permitting a person under 18 to be in restricted or supervised areas of licensed premises has a defence if, at the time of the offence, they sighted a recognised 'evidence of age document' that indicated that the person was at least 18 years old. The three recognised 'evidence of age documents' are a passport, a photo driver licence, or a Hospitality Association of New Zealand 18+ card.

8.1 Requests for 'evidence of age' documents

The first Auckland Pseudo Patrons Project (Woolgrove et al. 2002) was conducted by the Alcohol and Public Health Research Unit to monitor the age-verification practices of personnel at off-licensed premises in the greater Auckland region. The project was repeated in 2003 and 2004 (Huckle et al. 2003, and Huckle et al. 2004) by the Centre for Social and Health Outcomes Research and Evaluation. While these studies are limited to Auckland only, and the results may not be applicable to other areas, the information is of interest.

The surveys did not measure whether personnel at off-licensed premises were breaking the law by selling alcohol to those under 18, as all pseudo patrons were 18 and allowed to purchase alcohol. However, as it can be hard to distinguish 18 year olds from those just under 18, sales made to 18 year olds without 'evidence of age documents' may indicate that sales to those under 18 are likely to be occurring.

In each survey, on three successive weekends, some 18 year old pseudo patrons visited approximately 250 randomly-selected off-licensed premises (bottle shops, supermarkets, and grocery stores) on two different occasions (one visit by a male, one visit by a female) and attempted to buy alcohol without providing age verification. The pseudo patrons recorded if ID was requested, and if a sale took place.

Table 8.1 Percentage of sales made to 18 year olds without sighting 'evidence of age documents' in Auckland region by type of premise, 2002–2004

| Type of premise | Sale made (%) | | | Difference Significant? ¹ | |
|-----------------|---------------|------|------|--------------------------------------|-----------|
| | 2002 | 2003 | 2004 | 2002-2003 | 2003-2004 |
| Bottle shop | 59 | 43 | 61 | Yes | Yes |
| Supermarket | 53 | 28 | 21 | Yes | No |
| Grocery outlets | 80 | 71 | 71 | No | No |
| All premises | 61 | 46 | 56 | Yes | Yes |

Notes: 1 Differences were reported as significant when they were statistically significant at the 0.05 level and there were at least 14 observations in each comparison group.

2 Sources: Woolgrove et al. 2002, Huckle et al. 2003, and Huckle et al. 2004.

The results show that in 2004 just over half (56%) of the off-licensed premises surveyed sold alcohol to the pseudo patrons without ID, a significant increase from 2003 where the

proportion was just under half (46%). Between the previous surveys (2002 and 2003) there had been a significant decrease from 61% to 46%.

In each year staff at grocery shops were the most likely to sell alcohol to 18 year olds without ID, as 80% of the visits in 2002 and 71% of the visits in 2003 and 2004 resulted in sales. (The reduction between the years was not statistically significant.) For supermarkets the proportion of visits that resulted in sales decreased significantly from 53% to 28% between the 2002 and 2003 survey, and remained at the lower level of 21% in 2004. The proportion of sales in bottle shops decreased significantly from 59% to 43% between 2002 and 2003 before increasing significantly in 2004 to 61%.

The anecdotal evidence collected by the pseudo patrons in 2002 showed that some outlets asked for ID, but made the sale anyway when the ID was not available. Other outlets asked the pseudo patrons to state their age or date of birth as proof of age in lieu of an 'evidence of age document'. The 2004 anecdotal evidence includes some of the following comments:

Seller asked for my date of birth but couldn't work it out.

Asked for ID and I said No. Then she said just bring some next time.

She embarrassed me. Announced to the whole shop that I didn't have ID.

Kept enforcing 'no card no service' and said 'how am I supposed to know you're 18 with no card?'

8.2 The use of age signage

The Auckland Pseudo Patrons Project also collected information on the use of age signage in off-licensed premises. Age signage is of two types: signage that alcohol cannot be sold to those under 18 years old, and signage that ID may be requested from those who look under 25 years old.¹³ Information on age signage was analysed in three categories: the signage was present and easily visible, the signage was present but not easily visible, and the signage was not present. The results showed that the use and visibility of signage varied between districts. Overall, the proportion with signage present and easily visible was 62% in 2004, similar to the 66% in 2003. The proportion in 2003 was a significant increase from the 50% in 2002.

8.3 Summary

Results from the three Auckland Pseudo Patrons Projects show that in 2004 just over half (56%) of the off-licensed premises surveyed sold alcohol to the pseudo patrons without ID, a significant increase from 2003 where the proportion was just under half (46%). Between the previous surveys (2002 and 2003) there had been a significant decrease from 61% to 46%. In

¹³ In 2003, the pseudo patrons were asked to collect information on each of these types of signs separately. The information on these two types of signs were combined for comparison with the 2002 results, as in 2002 separate information on the two types of signs was not collected.

each year staff at grocery shops were the most likely to sell alcohol to 18 year olds without ID, as 80% of the visits in 2002 and 71% of the visits in 2003 and 2004 resulted in sales.

In 2004, the use of signage that alcohol cannot be sold to those under 18 years old, and signage that ID may be requested from those who look under 25 years old, was approximately the same as in 2003. The proportion of off-licensed premises surveyed in Auckland with signage present and easily visible was 62% in 2004, similar to the 66% in 2003. The proportion in 2003 was a significant increase from the 50% in 2002.

9 Conclusions

This chapter presents summary information from each Chapter before an overall conclusion is presented.

Scope of the report

This report has presented some statistics, available up to five years following the law change, relevant to assessing the impact of lowering the purchase age. The statistics presented are mostly limited to those statistics that are routinely collected on a national basis for various purposes. The statistics do not explicitly measure the impact of lowering the minimum legal purchase age. Rather, they are indicators of the possible impact of lowering the purchase age. Changes in indicator levels over time may also be due to other factors, such as changes in Police practices or recording practices. For these reasons these statistics represent only a partial picture of the likely impact of lowering the purchase age.

Alcohol availability

The three indicators - the amount of alcohol available for consumption per person, the volume of alcohol beverage of various types available for consumption, and the number of liquor licences - show a trend of increased amounts of alcohol available and more places to drink and purchase alcohol.

Minors drinking or possessing alcohol in a public place

Police dealt with more minors drinking or possessing alcohol in a public place in each year after the purchase age was lowered than in previous years. Part of the increase may have occurred because of changes in Police practice.

Minors in restricted or supervised areas of licensed premises

The number of minors in restricted or supervised areas of licensed premises who were dealt with by the Police has shown a decreasing trend with the figures between 2001 and 2004 being lower than those in all previous years. The numbers of such offenders who were dealt with by the Police each year between 2001 and 2004 were less than half the numbers each year between 1995 and 1996. The Police indicated that the decrease may be related to changes in Police practice.

Minors purchasing liquor from licensed premises

In each year between 2000 and 2004 Police dealt with fewer minors purchasing liquor from licensed premises than they apprehended in previous years (1995 to 1999). Police identified some difficulties associated with the enforcement of this section of the Act. However, they noted that the difficulties were not new, and had not changed as a result of the 1999 Amendment Act.

Offences related to minors committed by managers, licensees, or employees

The number of managers, licensees or employees convicted for offences related to minors under the Sale of Liquor Act 1989 tended to decrease from 1995 to 2001. In the last three years the numbers have fluctuated at a higher level than previously. However, convictions provide only a partial picture of this type of offending as Police in different districts may use different practices to proceed against licensed premises.

Indicators of alcohol-related offending by minors and all ages – disorderly behaviour

The number of disorderly behaviour offences committed by those under 18 years old, and those between 18 and 19 years old, increased after the changes to the Sale of Liquor Act 1989. However, disorderly behaviour offences also increased for older age groups – possibly due to changes in Police practice. For those under 18 years old, the increase in disorderly behaviour offending was similar to increases in other age groups. For those between 18 and 19 years old, the increase in 2000 was slightly greater than that for older age groups, although in the last four years the rate of increase has declined relative to other age groups.

Indicators of alcohol-related traffic offending by those under 20 years old and all ages

The three traffic indicators – percentage of drivers under 20 exceeding their legal breath alcohol limit, prosecutions for driving with excess alcohol, and numbers of drivers involved in crashes who had alcohol recorded as a factor – show different trends. One of the indicators shows no increase in young drink-drivers after the purchase age was lowered. But the other two indicators show increases in young drink-drivers after the purchase age was lowered.

Health indicators

After the legal minimum purchase age was lowered, publicly funded hospitalisations of young people where the primary diagnosis was alcohol related continued the increasing trend since 1997 until 2002. (The proportion of all alcohol-related hospitalisations for young people also increased in the same period.) In 2003, these trends continued for those between 18 and 19 years old, but for those between 15 and 17 both the number and proportion decreased. (Some of the increase may be due to some hospitals including Emergency Department patients from 2000.)

Educational indicators

Although there was no statistical information available on schools and alcohol before the law change, the available statistics suggest that alcohol does not appear to be a major reason for students being suspended or stood-down from school following the law change.

Age-verification practices

Results from the three Auckland Pseudo Patrons Projects show that in 2004 just over half (56%) of the off-licensed premises surveyed sold alcohol to the pseudo patrons without ID, a significant increase from 2003 where the proportion was just under half (46%). Between the previous surveys (2002 and 2003) there had been a significant decrease from 61% to 46%. In each year staff at grocery shops were the most likely to sell alcohol to 18 year olds without ID, as 80% of the visits in 2002 and 71% of the visits in 2003 and 2004 resulted in sales.

In 2004, the use of signage that alcohol cannot be sold to those under 18 years old, and signage that ID may be requested from those who look under 25 years old, was approximately the same in 2004 and 2003. The proportion of off-licensed premises surveyed in Auckland with signage present and easily visible was 62% in 2004, similar to the 66% in 2003. The proportion in 2003 was a significant increase from the 50% in 2002.

Conclusion

The statistics presented in this report show a mixed picture of the possible impact of lowering the purchase age. Some of the indicators, for example minors drinking or possessing alcohol in public places, prosecutions of young people for driving with excess breath or blood alcohol, and crashes where alcohol was recorded as a factor, indicate that the change in legislation may have had a detrimental effect on young people's drinking behaviour. Other indicators, for example apprehensions and convictions for disorderly behaviour, show an increasing trend after the change in legislation, but the changes are a continuation of trends established before the law changed. Some of the changes in the indicators have been influenced by other factors, e.g. changes in Police practice or traffic enforcement, which are difficult to quantify. Overall, it is not clear to what extent any of these changes can be attributed to the changes in the legislation.

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