

# ***Eugene Hyman: Poison of liquor abuse needs urgent remedy***

Alcohol abuse is nothing less than a modern day scourge of our society.

The public discourse raging in New Zealand not only reflects this sentiment but underscores a frustration with Parliament to redress the myriad of issues associated with alcohol, from the legal blood-alcohol level to the provision of alcohol to minors.



There are, however, two key points missing. One is the tacit acknowledgement that alcohol is a drug. The other is recognition of the destructive legacy of alcohol consumption that manifests beyond road fatalities.

To add clarity and urgency to the public discourse, alcohol must be viewed in its proper context. Let there be no mistake about it: alcohol is a drug, albeit a legal one, and is replete with all the negative effects associated with illegal drugs.

With its wide availability and cheaper cost, alcohol is a poisonous potion of mass destruction that makes it more dangerous than drugs. Like illegal drugs, its tentacles of death reach deep into the soul of humanity and dispassionately squeeze its life out.

Alcohol abuse by youths is pernicious and warrants special attention. As is expected and typical of teens, they are lured by the "forbidden fruit" and readily succumb when urged by peers.

But beyond the vivid examples of road casualties, alcohol consumption also contributes to a multitude of social problems including but not limited to: property damage, assaults, violent behaviour, sexual assault, unprotected sex, emotional problems and sagging academic performance.

Moreover, binge-drinking youth are likely to become alcohol dependent as adults, thereby giving rise to a host of other problems: criminal behaviour, child abuse and neglect and marital breakdown.

Isn't it time to wake up and smell the public angst, the destroyed souls and shattered lives left in the wake of the tsunami of alcohol abuse and cross the Rubicon of government inaction?

What, then, are the solutions? While no one can argue against personal drinking responsibility, the impact on society is so pervasive that it is, by necessity, a

cogent counter-argument for government intervention.

Let's be clear, no one is advocating extreme measures such as prohibition. But while education and awareness play vital roles in prevention, when viewed as a drug, alcohol consumption regulation requires the "teeth" of legislative power for real and timely change to occur.

The question then becomes, what are the areas that should be subject to legislation with the goal of achieving measurable results? Needless to say, addressing safety and public health should be foremost in establishing parameters.

A panoply of policy levers are available and should be considered for all aspects of potential regulation. These range from availability, advertising, licensing, sellers' responsibility, blood alcohol level and a minimum legal drinking age to higher taxation and the vexing problem of repeat drink-driving offenders.

Since the availability of alcohol appears to be a core issue, questions arise about the role, responsibilities and accountability of alcohol providers, regardless of whether they are bars, stores or our neighbours.

What, indeed, is the duty of care for these aiders and abettors? To use strong terms, doesn't the staggering number of fatalities and injuries constitute serious crimes?

Consider for a moment the issue of minors and alcohol. It is astounding that in New Zealand it is not a legal offence for a friend, neighbour or the like to provide alcohol to youths under the age of majority. Does this sound reasonable?

Moreover, do parents not have a right to be informed of what their children are being given? Without parental supervision and, more importantly, consent, improper alcohol consumption is not a prudent gambit.

In recognition of the gravity of this oversight, a recent ruling in California now enables adults who serve alcohol to minors to be liable and subject to lawsuits.

With respect to the legal measure of sobriety, it is currently set at 80mg of alcohol per 100ml of blood.

Recently, there has been considerable pressure, backed by significant public support, to lower this limit. According to many medical studies used to bolster the argument for lower rates, impairment of steering, vision and braking appears at levels far below this.

It is most unfortunate that this initiative came to naught, especially when many countries including Canada are moving in this direction.

The legal age for drinking is as much an issue in America as it is in New Zealand.

Arduous advocates, armed with a plethora of statistics, fight any attempt to lower the age at every turn.

Unfortunately, New Zealand lowered its drinking age to 18 in 1999. In retrospect and in light of the statistics, this action must unequivocally be considered an error.

Throughout this period there were increases in car crashes, binge drinking and disorderly conduct, thereby garnering an infamy for New Zealand as an example of why the legal age should not be lowered.

The nexus of alcohol consumption, road fatalities, criminal activity and dysfunctional lives has been studied and is well established.

Empirical evidence also exists that highlights the successes that can be achieved with even the most incremental modifications to legislation.

Let this issue be a clarion call. The challenge ahead is to summon the fortitude to flex some legislative muscle to enact the proper laws.

\* Judge Eugene M. Hyman of the Superior Court of California visited New Zealand recently to discuss domestic violence issues.

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