

Online sale and home delivery of alcohol: measures to prevent harm in Victorian communities

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 **Alcohol
Change
Vic** 

Victorians for
policy reform



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Alcohol Change Vic is a collaboration of health and allied agencies that share a vision of a community that supports all Victorians to be healthy and well. The alcohol industry and its products cause significant harm and health impacts in Victoria. Alcohol Change Vic campaigns for policy change to help free the Victorian community from the industry's aggressive marketing and normalisation of alcoholic products.

The members of Alcohol Change Vic are:

-  Australasian College for Emergency Medicine
-  Alcohol and Drug Foundation
-  Cancer Council Victoria
-  Centre for Alcohol Policy Research (CAPR), La Trobe University
-  Foundation for Alcohol Research and Education
-  Public Health Association of Australia (Victoria)
-  Royal Australasian College of Surgeons
-  St Vincent's Health Australia
-  The Salvation Army
-  Turning Point
-  Victorian Alcohol and Drug Association
-  Violence Prevention Group, School of Psychology, Deakin University
-  Uniting Church in Australia, Synod of Victoria and Tasmania

Executive summary

Individuals, families and communities should be supported to be healthy and safe. Governments and community groups have worked hard over recent years to reduce harm from the alcohol industry's addictive and harmful products. However, the alcohol industry's rapid expansion of online sales and home delivery of alcohol in Victoria is putting people at risk, particularly children, young people, families, people who drink at high-risk levels, and people who experience alcohol dependence or other harms.

The alcohol industry's promotion of alcohol home delivery accelerated during the COVID-19 pandemic, with alcohol retailers capitalising on the marketing opportunities offered by stay-at-home restrictions, and the weakening of liquor licensing laws to allow bars, restaurants and cafes to home deliver alcohol.

Alcohol home deliveries fuel harm to people at risk. Research has shown that rapid alcohol delivery companies often deliver alcohol to people who drink at high-risk levels and people who are already intoxicated – encouraging them to drink more. People who these companies deliver to are more likely to experience or cause alcohol-fuelled harm than people who do not have alcohol delivered.

Online selling and home delivery of alcohol products is also placing Victorian children and young people at greater risk of harm from alcohol. There is no requirement for alcohol companies to verify the age of people buying alcohol online, and alcohol delivery companies often do not check proof of age or leave orders with someone else or unattended.

Summary of recommendations

The Victorian Government should introduce the following common-sense measures to prevent harm from online sale and home delivery of alcohol:

1. Require alcohol companies to verify the age of people they sell alcohol to online through digital ID checks.
2. Require delivery drivers to check proof of age on delivery of all orders and prevent them leaving alcohol orders with someone else or unattended.
3. Prevent alcohol companies using targeted online advertising, direct prompts, delayed payment schemes (e.g. Buy Now Pay Later), and inducements to sell alcohol online.
4. Require businesses to undertake a community impact assessment and consult with the local community before they are authorised to deliver same day alcohol orders.
5. Require licensees to ensure that their delivery drivers have undertaken RSA training for alcohol delivery.
6. Make licensees responsible for their delivery drivers not complying with regulatory requirements, unless they can show they have taken reasonable steps, such as providing appropriate instructions and training.

7. Require alcohol companies to observe a two-hour safety pause before delivering alcohol orders.
8. Limit alcohol deliveries to the hours of 10am to 10pm to prevent harm from alcohol deliveries late at night, such as the higher risks of alcohol-fuelled assaults, suicides and sudden deaths at night.

The alcohol industry has dramatically expanded online sales and delivery

All individuals and families in our communities should be supported to be healthy and safe. However, the alcohol industry's dramatic expansion of online alcohol sales and delivery to people's homes has made alcohol products more available than ever before and is placing Victorians at increased risk of harm. Children, young people, families, and people who experience alcohol dependence or other harms, are especially vulnerable.

Big alcohol retailers have shifted rapidly to online alcohol sales as their major mode of alcohol supply in recent years, dramatically increasing their spending on online marketing and selling of alcohol, and delivery of alcohol directly to people's homes. This accelerated during the COVID-19 pandemic with alcohol retailers capitalising on the crisis by targeting people stuck at home during lockdowns, and taking advantage of weakened licensing laws that allowed bars, cafés and restaurants to provide alcohol home delivery.

Most big alcohol retailers, including BWS and Dan Murphy's, now deliver alcohol to people's homes in two hours or less. Rapid alcohol delivery companies, such as Tipple and Jimmy Brings, promote home delivery of alcohol in as little as 30 minutes, enabling people to impulsively buy alcohol and to drink continuously when their alcohol supplies have run out.

The rapid scaling up of online alcohol sales and delivery during the COVID-19 pandemic is continuing. The market size of the Australian online alcohol sales industry has grown 16.5% per year on average since 2018, and is now valued at \$2.2 billion. The market is expected to grow a further 7.4 per cent in 2023.¹

Jimmy Brings website www.jimmybrings.com.au



"Sometimes you're mid-party but the drinks have stopped flowing, or maybe you need something to help put a cork in your undignified Tuesday night pyjama beer runs. With an average delivery time of 24 minutes and a handpicked range of great value products, Jimmy is someone you can rely on."

"Right now your cart is empty; hope your friends like water"²

Big alcohol retailers target people most at risk of harm from their products

Big alcohol companies' business models rely on selling high volumes of alcohol to a small proportion of people who drink most heavily. Analysis of 2019 data has found that the heaviest drinking five per cent of people in Australia drank more than a third of all alcohol consumed, and the heaviest drinking 10 per cent of people drank more than half of all alcohol consumed in the country.³

Big alcohol retailers relentlessly promote alcohol delivery, alcohol specials and drinking at home, despite their products being both addictive and harmful. They use insidious tactics, such as collecting people's data from social media platforms and search engines and using this to target people with highly personalised advertising, tailored to their interests, habits and preferences.⁴ Alcohol companies target people online, in their social media feeds, and even with direct prompts to their phones, pushing them to buy alcohol by pushing a button. A 2022 analysis of the 100 largest Australian online alcohol retailers found they target Australians with direct marketing, including via emails and SMS messages, usually advertising a special or discount.⁵

¹ Ibisworld website, [Online Beer, Wine and Liquor Sales in Australia - Market Size | IBISWorld](https://www.ibisworld.com/au/market-size/online-beer-wine-liquor-sales/), <https://www.ibisworld.com/au/market-size/online-beer-wine-liquor-sales/> accessed 11 May 2020

² Jimmy Brings website, [Who Is Jimmy? \(jimmybrings.com.au\)](http://www.jimmybrings.com.au), accessed 5 May 2022.

³ Cook M, Mojica-Perez Y, Callinan S 2022, *Distribution of alcohol use in Australia*. Centre for Alcohol Policy Research; Foundation for Alcohol Research and Education. <https://fare.org.au/wp-content/uploads/CAPR-report-Distribution-of-alcohol-use-in-Australia.pdf>

⁴ World Health Organization 2022, Reducing the harm from alcohol by regulating cross-border alcohol marketing, advertising and promotion: a technical report, WHO, <https://www.who.int/publications/i/item/9789240046504>.

⁵ Colbert, S., Wilkinson, C., Feng, X., Thornton, L., Richmond, R. (2022), You've got mail: Drinks are on sale! A study to assess volume and content of direct marketing received from online alcohol retailers in Australia, *International Journal of Drug Policy*, 105.

Alcohol marketing can increase positive emotions and thoughts about alcohol, and trigger alcohol cravings for people at risk of, or experiencing, alcohol dependence.⁶ Alcohol companies know this, and use people's data and algorithms to target people most likely to buy alcohol – meaning they often target people who use alcohol at high-risk levels and people experiencing alcohol dependence.

A 2022 World Health Organization report found that alcohol companies increasingly target people who drink heavily with digital alcohol marketing, including through posts in their social media feeds and social media influencers. Alcohol companies collect people's data from social media platforms and search engines and use this to target them with highly personalised advertising, tailored to their interests, habits and preferences. Alcohol companies are more likely to target people experiencing alcohol dependence or other harms who search online for alcohol products or support with alcohol, bombarding them with a barrage of ads encouraging them to drink more alcohol.⁷

Death of NSW man following Jimmy Brings alcohol deliveries



A man in Sydney died in 2018, reportedly after Jimmy Brings delivered three bottles of wine per day to his home in the weeks before his death.⁸

In 2021, Liquor and Gaming NSW investigated whether Jimmy Brings had breached NSW liquor legislation, including responsible service of alcohol requirements. However, there was no breach due to the lack of controls of online sale and delivery of alcohol in NSW liquor legislation.⁹ This prompted changes to the legislation to introduce new controls, including to prevent alcohol delivery to a person who is intoxicated.¹⁰

Alcohol retailers use a range of predatory marketing strategies to encourage high-risk drinking:

- **Promoting impulse purchases**

Alcohol retailers deliberately design their marketing to push people to make impulsive purchases of alcohol – by promoting inducements such as time-limited specials and discount codes, free alcohol or free delivery if they reach a minimum spend, and using 'Shop Now' buttons in digital advertising. Many retailers also promote Buy Now Pay Later delayed payment schemes,¹¹ encouraging people to go into debt to purchase large volumes of alcohol. This is likely to fuel harm to people at risk.

A 2023 research report on alcohol advertising on Meta social media platforms in Australia found that two-thirds of social media advertisements for alcohol retailers contain a 'Shop Now' button, linking directly to the alcohol website, often alongside promotion of a discount code or sale. Retailers such as BWS and Jimmy Brings include Shop Now buttons in rapid alcohol delivery advertising, prompting impulsive purchasing.¹²

- **Extreme discounts, minimum spend discounts, and free delivery**

Alcohol retailers know well that the cheaper alcohol products are, the more people drink, and the more they experience harm.¹³ They encourage people to buy large volumes of cheap alcohol by promoting extreme price discounts of alcohol products, often at prices lower than soft drink and water. For example, Victorian retailers sell discounted wine for as little as \$3.15 a bottle, less than a 2-litre bottle of Coca-Cola.

Alcohol retailers promote time limited offers and inducements, such as multi-buy and bulk purchase discounts, minimum spend discounts, free delivery and loyalty programs, to push people to spend more and buy large

⁶ Murray R, Leonardi-Bee J, Barker A, Brown O, Langley T 2022, The effect of alcohol marketing on people with, or at risk of, an alcohol problem: A rapid literature review. University of Nottingham & SPECTRUM.

⁷ World Health Organization (WHO) 2022, Reducing the harm from alcohol by regulating cross-border alcohol marketing, advertising and promotion: a technical report, WHO, <https://www.who.int/publications/i/item/9789240046504>.

⁸ Thompson A, Ward M. 'Jimmy Brings Alcohol Delivery Investigated over Man's Death', *Sydney Morning Herald*, 14 October 2021, <https://www.smh.com.au/national/jimmy-brings-alcohol-delivery-investigated-over-sydney-man-s-death-20211013-p58zqq.html>.

⁹ Ibid.

¹⁰ *Liquor Amendment (24-Hour Economy) Act 2020* (NSW), s 114J(1)

¹¹ Colbert S, Thornton L, Richmond R. Content analysis of websites selling alcohol online in Australia. *Drug Alcohol Rev* 2020;39:162-169]

¹² Hayden L, Brownbill A, Angus D, Carah N, Tan XY, Hawker K, Dobson A, Robards B 2023, Alcohol advertising on social media platforms - A 1-year snapshot. Foundation for Alcohol Research and Education: Canberra.

¹³ Wagenaar AC, Salois MJ, Komro KA 2009, 'Effects of beverage alcohol price and tax levels on drinking: A meta-analysis of 1003 estimates from 112 studies', *Addiction*, vol. 104, no. 2, pp. 179-190.

volumes of alcohol. Nearly half of all marketing emails from Australian alcohol retailers advertise free or discounted delivery for purchasing a specified minimum amount of alcohol,¹⁴ and most Australian online alcohol retailers (81.5 per cent) offer discounts for purchasing greater quantities of alcohol.¹⁵

These promotions encourage people to drink more and appeal most to young people and people who drink at high-risk levels.

- **Promoting drinking at home and use of alcohol to cope**

During COVID-19 lockdowns the alcohol industry rapidly pivoted its marketing strategies to exploit the pandemic and push online advertising to people stuck at home. A 2020 study of alcohol marketing in Australia during the COVID-19 outbreak found that sponsored alcohol marketing posts appeared on Facebook and Instagram feeds every 35 seconds, promoting easy access to alcohol without leaving the home, as well as buying more alcohol, and using alcohol at home to cope, survive or feel better.¹⁶

When directed at people at high risk of harm from alcohol or those seeking to cut back or recovering from alcohol dependence, these marketing tactics are particularly reprehensible.

Alcohol home deliveries fuel harm to individuals and families

Community wellbeing and safety should be placed ahead of the profits of alcohol delivery companies. We know that alcohol companies deliver mainly to people who drink at high-risk levels, placing them at greater risk of harm, and increasing the risk of alcohol-fuelled assaults and violence in the home. Alcohol products are associated with an increase in the frequency and severity of family violence and are involved in a significant proportion of family violence incidents in Victoria.^{17, 18} Research has found that alcohol-fuelled harms in Victorian homes increased during the pandemic, at the same time as online alcohol sales spiked. A recent Victorian study examined intoxication-related ambulance attendances between January 2019 and September 2020 and found that attendances to the home increased in 2020 by 9 per cent compared to 2019.¹⁹

Although Australia has a strategy to reduce harmful alcohol use by 10 per cent by 2025,²⁰ research shows that the alcohol industry's expansion of rapid alcohol delivery is pushing people to keep drinking at harmful levels.

A 2023 survey found one in five Australians who had alcohol home delivered in the past three months did so to extend a home drinking session because they had run out of alcohol, and one-third of these people would have stopped drinking if alcohol companies did not deliver. People who had alcohol delivered were six times more likely to use alcohol at harmful levels than other people.²¹

A 2021 Alcohol Change Vic study of rapid alcohol delivery in Victoria found that these companies deliver regularly to people who drink at high-risk levels and experience harm from alcohol, encouraging people who are already intoxicated to keep drinking.²²

The survey found:

- More than half (51 per cent) of people who have alcohol delivered weekly drink at extremely high-risk levels, consuming 11 or more alcoholic drinks in a session at least once a week.
- Three-quarters (74 per cent) of weekly delivery customers reported memory loss from consuming alcohol.

¹⁴ Colbert S, Wilkinson C, Feng X, Thornton L, Richmond R 2022, 'You've got mail: Drinks are on sale! A study to assess volume and content of direct marketing received from online alcohol retailers in Australia', *International Journal of Drug Policy*, 105.

¹⁵ Colbert S, Thornton L, Richmond R 2020, 'Content analysis of websites selling alcohol online in Australia', *Drug Alcohol*, 39:162–169.

¹⁶ Foundation for Alcohol Research and Education, Cancer Council Western Australia 2020, *An alcohol ad every 35 seconds. A snapshot of how the alcohol industry is using a global pandemic as a marketing opportunity*, FARE, Canberra, <https://fare.org.au/wp-content/uploads/2020-05-08-CCWA-FARE-An-alcohol-ad-every-35-seconds-A-snapshot-final.pdf>.

¹⁷ Sutherland P, McDonald C & Millsted M 2016, Family violence, alcohol consumption and the likelihood of criminal offences, Crime Statistics Agency (Vic).

¹⁸ Miller P, Cox E, Costa B, Mayshak R, Walker A, Hyder S, & Day A 2016, Alcohol/drug-involved family violence in Australia, National Drug Law Enforcement Research Fund.

¹⁹ Ogeil R, Scott D, Faulkner A, Wilson J, Beard N, Smith K, Manning V, Lubman D, Changes in alcohol intoxication-related ambulance attendances during COVID-19: How have government announcements and policies affected ambulance call outs?, *The Lancet Regional Health - Western Pacific*, <https://doi.org/10.1016/j.lanwpc.2021.100222>

²⁰ Australian Government Department of Health and Aged Care 2019, *National Alcohol Strategy 2019-2028*, Commonwealth of Australia, Canberra, <https://www.health.gov.au/resources/publications/national-alcohol-strategy-2019-2028?language=en>

²¹ Colbert S, Wilkinson C, Thornton L, Feng X, Campaign A, Richmond R, 2023, Cross-sectional survey of a convenience sample of Australians who use alcohol home delivery services. *Drug Alcohol Rev.* <https://doi.org/10.1111/dar.13627>

²² Alcohol Change Vic 2021, Dangerous practices of on-demand alcohol delivery companies place Victorian children and vulnerable people at risk of harm, Alcohol Change Vic, <https://www.alcoholchangevic.org.au/our-work/research>

- More than half (59 per cent) of weekly delivery customers said they would have stopped drinking if alcohol delivery was not available.
- More than half (57 per cent) said they regularly received their alcohol orders despite already being intoxicated.
- Nearly one in 10) weekly rapid delivery customers (9 per cent) had been injured, or had injured someone else, due to alcohol at least once during the last 12 months.
- Half (53 per cent) of weekly users reported fear, or experiences of verbal or physical abuse by someone affected by alcohol.

Online alcohol sales and delivery is putting children at risk

We all want our children and young people to be healthy and safe. This includes ensuring nobody sells or supplies alcohol to people under 18 under any circumstances. But while there are existing controls in place to ensure alcohol products are not supplied to children in bricks and mortar alcohol stores, there are insufficient controls to ensure alcohol products are not sold to children online or delivered in a way that allows children to access them. A 2020 survey by the Foundation for Alcohol Research and Education (FARE) found 88 per cent of Australians believe proof of age should be verified when purchasing alcohol products.²³

Children are extremely vulnerable to harm from alcohol. Alcohol use interferes with children's brain development, fuels risk-taking behaviour and causes accidental deaths.²⁴

Concerningly, online sale and home delivery of alcohol products is placing children at risk of harm. We know people delivering alcohol often do not check proof of age. Recent Victorian and Australian studies have found that alcohol delivery companies or delivery agents often leave deliveries unattended, or with someone other than the person who ordered the alcohol, or do not check proof of age:

- A 2023 Australian study found that people under the age of 25 years who had alcohol home delivered were significantly more likely to report never having proof of age checked by delivery drivers than when buying alcohol in person from bottle shops.²⁵
- A 2021 Alcohol Change Vic study found that one-third of Victorians surveyed who had alcohol delivered by rapid delivery companies received an order without their ID being checked. This included 29 per cent of people aged 18-24 who did not have their ID checked, 14 per cent of people who had deliveries accepted by someone else, and six per cent who had deliveries left unattended.²⁶
- One third of Australians surveyed in 2020 by FARE reported that their ID was not checked when they received alcohol home deliveries in the past 12 months. One in four reported that their order was left unattended, and just under one in five (18 per cent) reported that their order was received by someone else.²⁷

Current policy environment

Amendments to the *Liquor Control Reform Act 1998* (the Liquor Act) in 2021 have permanently expanded the types of businesses that are allowed to sell alcohol online and deliver to people's homes, after these changes were introduced temporarily during the pandemic. The amendments created a new online sales and delivery licence category, allowed cafes and restaurants to deliver limited volumes of alcohol, and introduced some limited safeguards in relation to online sales and delivery of alcohol.

These changes include:

- Introducing a new online only type of liquor licence
- Allowing a range of licence holders (including, restaurant and café licences, and club licences) to deliver alcohol ordered online
- A new offence of delivering alcohol to an intoxicated person

²³ Foundation for Alcohol Research and Education 2020, *2020 Annual Alcohol Poll. Attitudes and Behaviours*. <https://fare.org.au/wp-content/uploads/ALCPOLL-2020.pdf>.

²⁴ National Health and Medical Research Council (NHMRC) 2009, *Australian guidelines to reduce health risks from drinking alcohol*, NHMRC, <https://www.nhmrc.gov.au/guidelines-publications/ds10>.

²⁵ Colbert S, Wilkinson C, Thornton L, Feng X, Campain A, Richmond R, 2023, Cross-sectional survey of a convenience sample of Australians who use alcohol home delivery services. *Drug Alcohol Rev*. <https://doi.org/10.1111/dar.13627>

²⁶ Alcohol Change Vic 2021, *Dangerous practices of on-demand alcohol delivery companies place Victorian children and vulnerable people at risk of harm*, Alcohol Change Vic, <https://www.alcoholchangevic.org.au/our-work/research>

²⁷ Foundation for Alcohol Research and Education 2020, *2020 Annual Alcohol Poll. Attitudes and Behaviours*. <https://fare.org.au/wp-content/uploads/ALCPOLL-2020.pdf>.

- A requirement that same day deliveries must not be left unattended
- A requirement that delivery of alcohol be within ordinary trading hours (before 11pm)
- A requirement that the first time a person orders alcohol online from a retailer, the retailer must ask the person to confirm they are 18 or over and instruct the delivery person to deliver it only to that person after verifying their age (with an exception for alcohol gifts).

These measures do not do enough to protect children, individuals and families in our communities from harm from online sales and delivery of alcohol.

There is still no requirement for companies to verify the age of people buying alcohol online at the point of sale, meaning that children can simply provide a false date of birth to buy alcohol. Alcohol companies are still allowed to leave alcohol orders unattended at people's homes, a gap that creates a high risk of children accessing alcohol.

Alcohol companies can still collect and use people's personal data to target them with online alcohol advertising, including children, and people experiencing alcohol dependence or other harms, influencing people to buy alcohol impulsively. They can also target people with discounts and minimum spend deals, advertise rapid delivery with 'Shop Now' buttons, and urge people to 'Buy Now Pay Later', pushing them to go into debt to buy large volumes of alcohol.

Delivery companies can still deliver large volumes of alcohol to people's homes at night in as little as 10 minutes. Delivery drivers do not have to be trained in RSA, and there is no way to enforce requirements, such as not delivering alcohol to children or people who are intoxicated, and not leaving same-day alcohol orders unattended.

These large gaps in Victorian regulations create significant risks for Victorian children, families, and people experiencing or at risk of alcohol dependence and other harms.

Measures to prevent harm from online sales and delivery of alcohol

Effective alcohol policies are needed to keep individuals, families and communities in Victoria safe and well. The following common-sense measures should be introduced to keep people free from harm from online sales and delivery of alcohol.

1. Require alcohol companies to verify age before they can sell alcohol online

Amendments to the Liquor Act in 2021 require online alcohol retailers to ask a person ordering alcohol online to confirm they are 18 or over when they place an online order for the first time, but the legislation does not require retailers to verify their age or specify a method they must use. In contrast, NSW online retailers must use an accredited 'identity service provider' under the Australian Government's Trusted Digital Identity Framework to verify that the purchaser is over 18 at the point of sale.²⁸

Recommendation

Alcohol retailers should be required to verify the age of people in Victoria before they can buy alcohol online using an accredited digital age verification method.

2. Require alcohol companies or delivery agents to deliver to the person who placed the order

Under the Liquor Act amendments, the first time an alcohol order is made it must be delivered to the person who placed the order, but subsequent orders can be left unattended or with someone else. This provides avenues for children or people who are already intoxicated to access unattended deliveries, or for a third party to receive deliveries on their behalf.

Requiring all alcohol orders to be received by the person who placed the order, and whose age has been digitally verified, is a straightforward measure to reduce the risk of harm to children and people who are intoxicated. It is common for companies delivering benign, ordinary items (such as toys and clothes) to require recipient to sign for deliveries, or to pick them up at the post office or another collection point with proof of identity if they are not home when delivery is attempted.

²⁸ Once customers have their age verified, for further online orders for same day alcohol delivery, these 'proofed customers' are required to authenticate themselves using a system that relies on accredited credentials, such as a username and password.

Recommendation

Alcohol businesses should be required to ensure that alcohol orders are delivered to, or picked up at a collection point by, the person who placed the order after checking proof of identity and age.

3. Prevent online alcohol companies using targeted digital marketing, and promoting Buy Now Pay Later schemes and inducements

Alcohol is a harmful, addictive product. Alcohol companies should not be allowed to use insidious marketing strategies, such as targeting or reaching people with digital marketing using people's data, including their website browsing habits and product preferences. They should not be allowed to promote Buy Now Pay Later delayed payment schemes, which influence people to go into debt to buy alcohol, or inducements that are likely to reach people with alcohol use disorders or dependence and encourage them to buy alcohol products impulsively.

Recommendations

Online alcohol retailers should be prohibited from promoting use of delayed payment schemes to buy alcoholic products online in Victoria.

Online alcohol retailers should be prohibited from sending direct prompts or push notifications promoting alcohol to a person's phone or electronic device, and from using data or algorithms based on past purchases, product preferences or website browsing history to reach or target people in Victoria.

Alcohol retailers should also be prohibited from offering inducements to encourage people to buy alcoholic products online in Victoria. An inducement should be defined as an offer or benefit, such as free or discounted alcohol or delivery, or a discount voucher or code, conditional on buying an alcohol product, or spending a minimum amount or buying a minimum amount of alcohol.

4. Give local communities a say in licences for high-risk alcohol home delivery

Local councils and communities should be consulted about alcohol delivery companies supplying alcohol in their communities and have a say on which new licences are allowed. The health and safety of the community should be at the forefront of these decisions.

Liquor licences that allow same day alcohol delivery create a significant risk of harm, including to people experiencing alcohol dependence, children, and families in our communities. The application requirements for these high-risk licences should mirror the current requirements for applications for packaged liquor licences larger than 750 square metres²⁹: they should have to provide a Community Impact Assessment and consult with the local community.

Recommendation

New and existing Victorian liquor licence holders that wish to deliver alcohol on the same day as alcohol orders should be required to undertake a Community Impact Assessment and consult with the local community before they can deliver alcohol.

5. Require specific RSA training for people delivering alcohol

Delivering alcohol to people's homes is risky for the people who deliver alcohol, as well as the people who receive it. People delivering alcohol may be in unsafe situations that are difficult to manage. They should be trained in issues such as how to assess whether someone is intoxicated, how to refuse to deliver an order, and how to manage safety risks.

To reduce the risk of harm from home delivery of alcohol, a specific responsible service of alcohol (RSA) training program should be developed for alcohol delivery. Employees and delivery agents should be required to take the training before they can deliver alcohol.

Recommendation

People delivering alcohol, including licensee's employees and delivery agents, should be required to have taken specific RSA training.

²⁹ *Liquor Control Reform Act 1998 (Vic)*, ss 28(1)(ac), 35(1).

6. Make licensees responsible for ensuring delivery agents comply with requirements

Licensees should be required to take all reasonable steps to ensure that their delivery drivers comply with the requirements of the Liquor Act. They should be required to ensure that their drivers have taken RSA training and provide them with appropriate instructions and support. If the licensee cannot show that these steps have been taken, the licensee should be liable if their driver delivers alcohol to someone who is underage or intoxicated. This is the case in NSW where the licensee is responsible for the actions of the delivery drivers unless the licensee can demonstrate that the driver has completed responsible service of alcohol training.³⁰

Recommendation

Alcohol delivery licensees should be liable for penalties for employees or delivery agents not complying with regulatory requirements, unless they can show they have taken appropriate steps to ensure employees or delivery agents comply with requirements.

7. Introduce a safety pause for rapid alcohol deliveries

Rapid alcohol delivery is a high-risk mode of alcohol supply. Its business model is designed to maximise impulsive alcohol purchases, which is particularly dangerous for people experiencing alcohol dependence or other harms. Rapid alcohol companies target people with online marketing, pushing people to buy alcohol products on impulse, including when they are already intoxicated, and to continue heavy drinking sessions with little break. Rapid alcohol companies' online marketing is likely to reach people with alcohol dependence, and people who drink heavily, who frequently buy alcohol and visit alcohol websites.

Requiring rapid alcohol delivery companies to observe a safety pause of two hours between the time an alcohol order is placed and the time the alcohol is delivered would significantly reduce the risk of harm to people using alcohol at home – including by giving people a chance to sober up before alcohol deliveries arrive, and giving people with alcohol dependence a cooling off period and opportunity to decide not to consume impulsive alcohol purchases.

Recommendation

Alcohol retailers should be required to observe a two-hour safety pause before delivering an alcohol order. There should be an exception for the delivery of a limited volume of alcohol from restaurants or cafes with adult sized meals (i.e. one bottle of wine or a 6-pack of beer, cider or pre-mix as currently permitted under the Liquor Act).

8. Allow alcohol deliveries between the hours of 10am and 10pm only

Delivery of alcohol to people's homes late at night is likely to fuel violence and other harm. There is clear evidence that reducing the trading hours of alcohol venues by even one hour results in substantially fewer people being harmed.³¹ There is also good evidence from overseas that restricting the trading hours of take away alcohol outlets significantly reduces harm. This is likely to be the case for alcohol delivered to the home. We know that alcohol is more likely to fuel assaults at night, with alcohol-related assaults increasing substantially between 6pm and 3am.³² Other alcohol-fuelled harms, including suicide and sudden deaths, occur most often in the home at night.³³

Recommendation

Alcohol deliveries should be limited to the hours of 10am to 10pm.

³⁰ *Liquor Act 2007* (NSW), s 114Q.

³¹ Wilkinson C, Livingston M, Room R 2016. Impacts of changes to trading hours of liquor licences on alcohol-related harm: a systematic review 2005–2015. *Public Health Res Pract.* 26(4):e2641644. doi: <http://dx.doi.org/10.17061/phrp2641644>

³² Briscoe, S. & Donnelly, N 2001, Temporal and regional aspects of alcohol-related violence and disorder. *Alcohol Studies Bulletin.*

³³ Darke S, Dufloy J & Torok M 2009, Toxicology and circumstances of completed suicide by means other than overdose. *Journal of Forensic Science* 54(2), 490-494; Darke S, Dufloy J, Torok M & Prolov T 2013, 'Characteristics, circumstances and toxicology of sudden or unnatural deaths involving very high-range alcohol concentrations' *Addiction* vol. 108, pp. 1411-1417.