

Ms Chiaka Barry
Chair
Standing Committee on Legal Affairs
Justice and Community Safety Directorate
By email only: LACommitteeLegal@parliament.act.gov.au

24 November 2025

Dear Ms Barry and Committee

Re. ATODA response to the *Inquiry into the Liquor Amendment Bill 2025*

Thank you for the opportunity to submit to this *Inquiry into the Liquor Amendment Bill 2025* (the Bill). The Alcohol, Tobacco and Other Drug Association ACT (ATODA) represents the alcohol, tobacco and other drugs (ATOD) sector in the ACT. Our members include specialist alcohol and other drug treatment organisations, distinguished drug experts with deep knowledge of the legal and custodial systems and population health; and the peer-based organisation for people with lived experience of drug use in the ACT.

ATODA supports the proposed amendments in the Bill, as actions that will provide greater protections to the health and safety of people who consume alcohol via its online sale and delivery, and to their friends and family. It is important to acknowledge the prevention and reduction of alcohol-related harms as the primary intent of the legislation and as such, this Inquiry should also consider whether further measures could be included to prevent and reduce alcohol-related harms. While ATODA welcomes the changes proposed, we also see additional opportunities to bolster a public health response to the harms that arise from online sale and delivery of alcohol.

It is paramount that the Bill address the scope of contexts in which the online sales and delivery of alcohol can result in health and social harms. ATODA would also like to emphasise that taking a harm reduction approach to alcohol legislation is essential, where this perspective acknowledges that people will always use alcohol, but that reasonable efforts must be taken to reduce its health and safety harms. Alcohol is one of the most harmful substances in Australia,¹⁻³ with a majority of ACT ATOD service users reporting alcohol as a drug of concern,⁴ but its harms are frequently downplayed and diminished by alcohol industry actors with vested interests in sale of alcohol.⁵

Our submission supports all amendments proposed in this Bill, but recommends that this Inquiry investigate whether, in its current form, this Bill can effectively reduce alcohol harms, as it intends. We provide six recommendations for further measures that will bolster the protective intent of the legislation. ATODA welcomes the opportunity to provide any additional information that may be required.

Yours sincerely,



Anita Mills
Chief Executive Officer

Objects of the *Liquor Act 2010*

The Bill is a welcome amendment to the current *Liquor Act 2010* (the Act) and to associated regulation. Notably, the Objects of the Act will remain the same under the amended Bill. ATODA would like to highlight that this is a critical opportunity to respond to the recommendations of the *Report of the Rapid Review of Prevention Approaches*,⁶ that were taken up by the Prime Minister and Cabinet, with funding, and thus a responsibility, for states and territories to action. The report found that clear primary objectives should be adopted in liquor regulatory regimes to prevent gender-based violence alongside the existing objective of alcohol harm reduction. ATODA recommends that this Bill establishes the primary Object of the Act as harm minimisation, where gender-based violence should be explicitly mentioned as a type of harm in section 10(c). This ensures that the prevention of health and social harms, such as those caused by gender-based violence,⁷ is effectively embedded into and prioritised within all future liquor-related regulation in the ACT.

Recommendation 1: ATODA strongly recommends that the Objects of the Act be amended to highlight a primary objective of harm minimisation and to include gender-based violence as a type of harm in the Act.

Regulation of same-day and non-same day delivery

ATODA welcomes the stated amendments for same-day delivery of alcohol, including the attention to prescribed delivery times, delayed delivery period, age verification for online sales, some ID checks for delivery, and offences that include delivering to a person under 18 or to an intoxicated person and leaving an alcohol delivery unattended. Noting that most retailers indicate a willingness to leave alcohol unattended at an address without having verified the purchaser's age,⁸ these are key amendments to reduce negative impacts to health and safety, including to the health and safety of children and young people. ATODA also welcomes proposals to collect data on refused deliveries and the volume of deliveries by geographical location, to support delivery staff to obtain delivery-specific Responsible Service of Alcohol training, and to not penalise delivery staff for refusals of delivery.

However, without the application of these regulations and changes to the *Liquor Act 2010* and the *Liquor Regulation 2010* to both same-day *and* non-same-day delivery of alcohol, ATODA is concerned that the public health and harm reduction intent of the Bill will not be fully realised. As it currently stands, the amendments allow the possibility of a young person not having their ID checked if receiving deliveries for alcohol on a day subsequent to the order being placed, or an intoxicated person able to receive a delivery if it was ordered the previous day. Without expanding these measures to all deliveries, loopholes in this legislative and regulatory reform potentially undermine the benefits of the proposed changes.

Recommendation 2: ATODA strongly recommends that all measures are expanded from just same-day delivery to all types of delivery to ensure that the desired intent of the Bill is realised.

Evidence for the proposed measures

It is critical that this legislation progress in its current form at a minimum and, ideally, measures should be bolstered to further reduce alcohol-related harms. The alcohol industry's significant influence over legislation, relatively unregulated marketing, and capacity to sell alcohol through convenient online mechanisms, continues to perpetuate and exacerbate alcohol-related harms in the ACT and across Australia.

This legislation is a translation of the existing alcohol-related protections in place within licensed venues for the online environment. It should proceed for its merit in providing health and safety-related amendments to current alcohol legislation and regulation. In-person purchasing of alcohol through on- and off-licences already provides many of these protections, including the ability to refuse alcohol to people who are intoxicated or to people under the age of 18 through the Responsible Service of Alcohol guidelines. To expand these types of regulation to the online sale and delivery of alcohol is just 'catching up' the regulation of alcohol into the modern, online, and on-demand setting.

The harm reduction approach considers how the needs of the whole community can best be served without increasing harm to any portion of the community. The alcohol industry profits from alcohol-dependent people, with 36 percent of alcohol sold to just five percent of people.⁹ This is further evidenced in the online sale and delivery space, where people who are considered high-risk drinkers are more likely to make frequent online purchases, to use same day delivery, to report receiving deliveries while intoxicated more often, and to order larger quantities of alcohol, in comparison to people who are low-risk drinkers.¹⁰ The convenience of online purchasing leads some people, whether low or higher risk drinkers, to purchase and consume more alcohol than they otherwise would have.¹¹ It is important that the health and wellbeing of people dependent on alcohol, and their families and friends, are not ignored for the 'convenience' of alcohol sales and delivery. As such, the two-hour safety pause and the regulation of delivery hours from 10am-10pm are key to this legislation's success.

The evidence supporting the stated measures in this legislation is significant. It has been shown that one in five Australian adults use alcohol delivery websites to continue a home drinking session,¹² and different research samples have consistently found that many people would have stopped drinking if an on-demand service for alcohol was unavailable. One sample found that 40 percent of people, and 77 percent of weekly on-demand service users, would have stopped drinking if online sale or delivery wasn't an option.¹³ Another sample found at least one-third would have stopped drinking if on-demand delivery of alcohol wasn't available, and that using on-demand delivery services in these instances was six times more likely to result in alcohol consumption at harmful levels.¹² A recent study also found that people likely experiencing alcohol dependency are twice as likely to have alcohol sold to them for rapid delivery, and of people who have had alcohol delivered to their home, nearly 40 percent received it within two hours.¹⁴ Test purchasing research across Australia indicates that the average time from order to delivery for rapid deliveries was less than one-hour.¹⁵ A two-hour safety pause would successfully regulate on-demand delivery of alcohol, allowing time for people to reduce potential and actual harms.

A two-hour safety pause and reduction in delivery hours would reduce and prevent alcohol-related health and safety harms, particularly for people who are dependent on alcohol or who use alcohol in harmful ways. On balance, the reduction in harm for people at greatest risk outweighs any minor reduction in convenience for people at low risk of alcohol-related harms. To ensure that this safety measure cannot be repealed through future regulatory changes, the *Liquor Act 2010* should additionally specify a minimum restriction for delivery pause of two hours and delivery timeframe of 10am-10pm.

Recommendation 3: ATODA recommends that the two-hour safety pause and 10am-10pm delivery timeframe are maintained in this *Inquiry into the Liquor Amendment Bill 2025* and that these regulatory timeframes are specified in the *Liquor Act 2010* and not just the *Liquor Regulation 2010*.

Under the current tabled Bill, it would become possible for people to effectively ‘bypass’ the delay in delivery times by ordering alcohol with food through on-demand food delivery services. To remove this potential loophole in the amendment Bill, ATODA recommends that the Bill specify that the two-hour delivery pause applies to both alcohol-only orders and alcohol and food orders or that it is reviewed for how it may include alternative mechanisms to ensure safety for everyone while maintaining convenience for people ordering alcohol with food. Considering the aforementioned evidence regarding the prevalence of people who are at high risk of alcohol-related harms utilising on-demand delivery services, it is essential that this Inquiry considers how this oversight might reduce the effectiveness of the amendments.

Recommendation 4: ATODA recommends that this Bill applies the two-hour safety pause to any alcohol delivery, regardless of whether it includes food, or that alternative solutions are identified to prevent harms from a weakening of the two-hour safety pause.

Additional measures

There are additional measures that this Bill should consider, and that the ACT Government must address in the future, to ensure that this Bill utilises the opportunity to prioritise alcohol-related community health, safety and wellbeing.

At present, delivery providers in the ACT are authorised to deliver under an existing licence for online sale and delivery, however this limits the Government’s ability to monitor compliance or penalise a breach. There can be multiple entities involved in the sale and delivery of alcohol, and thus the new legislative and regulatory measures proposed in the Bill substantiates the establishment of a new license specifically for online sale and delivery of alcohol to ensure oversight of delivery providers.

It would consolidate the benefits of this legislation if compliance with these proposed amendments is ensured via test purchasing. For these amendments to be ultimately effective at realising a reduction or prevention of harms, ATODA recommends that this Amendment Bill requires the test purchasing of the online sale and delivery of alcohol to ensure compliance with this regulation. Access Canberra should be responsible for ensuring compliance with this regulation, particularly in the early implementation period of this Bill. Although some online sale and delivery partners might

abide by Retail Drinks Australia's *Online Sale and Delivery Code of Conduct*, the ACT Government has an important role to play to ensure that the alcohol industry is not left to self-regulate.

Recommendation 5: ATODA recommends that additional measures are considered for inclusion in the Bill to enhance the public health response and mitigate preventable harms, including:

- The establishment of a separate and specific liquor licence category for online sale and delivery; and
- the test purchasing of alcohol via online sale and delivery to ensure compliance with legislation, where delivery provider companies are held liable for breaches.

Alcohol industry marketing is of significant concern, particularly for its relationship to the online sale and delivery of alcohol. Many people in the ACT would benefit from a restriction of targeted marketing, to reduce the extent to which people, particularly those who are alcohol dependent, are explicitly and intentionally advertised to and sold alcohol via an online platform.¹⁴ Targeted advertising on social media and online allows the alcohol industry to create tailored advertisements to individuals based on application algorithms and to provide easy links to the online sales and delivery of alcohol.¹⁶ The AIHW has found that 73 percent of ACT residents would support limiting alcohol advertising online and on social media¹⁷, indicating further reason to implement such a measure. Promotion of impulse purchasing, extreme discounts, minimum spend discounts, and free delivery offers can encourage harmful alcohol use. People who are at high risk of alcohol-related harms unfortunately report receiving advertising for alcohol home delivery more frequently as well.¹⁰ Recently published research by FARE also found that 51 percent of survey participants were likely experiencing alcohol dependency, and had bought alcohol after clicking a button from an online alcohol advertisement.¹⁴ Amendments to restrict advertising of alcohol are additionally recommended in the *Report of the Rapid Review of Prevention Approaches* that the ACT should be actioning.⁶ ATODA understands that the Government seeks to address alcohol marketing in the future and is strongly supportive of such measures.

Recommendation 6: ATODA recommends that the Government considers how a regulation or restriction of targeted marketing for alcohol can be implemented for ACT residents in the near future.



This submission is endorsed by the ACT Council of Social Service Inc. (ACTCOSS).

References

1. Bonomo Y, Norman A, Biondo S, et al. The Australian drug harms ranking study. *Journal of Psychopharmacology* 2019; 33: 759-768. DOI: 10.1177/0269881119841569.
2. AIHW. *Australian Burden of Disease Study: Impact and causes of illness and death in Australia 2018*. .
3. Australian Institute of Health & Welfare (AIHW). Alcohol, tobacco & other drugs in Australia: Health impacts. 13 December 2023 ed. Australian Institute of Health & Welfare, 2023.
4. Alcohol Tobacco & Other Drug Association of ACT (ATODA). *Service Users' Satisfaction and Outcomes Satisfaction and Experience (SUSOSE) 2023: a survey of people accessing alcohol, tobacco and other drug services in the ACT*. 2025 ATODA.
5. Miller PG, de Groot, F., McKenzie, P., Droste, N. Alcohol industry use of social aspect public relations organisations against preventative health measures. *Addiction* 2011; 106: 1560-1567. DOI: <https://doi.org/10.1111/j.1360-0443.2011.03499.x>.
6. Campbell E, Fernando T, Gassner L, et al. *Report of the Rapid Review of Prevention Approaches: Unlocking the Prevention Potential, Accelerating action to end domestic, family and sexual violence*. 2024. Canberra.
7. Alcohol Change Victoria. Dangerous practices of on-demand alcohol delivery companies place Victorian children and vulnerable people at risk of harm. 2021, <https://www.alcoholchangevic.org.au/our-work/research>.
8. Colbert S, Thornton L and Richmond R. Content analysis of websites selling alcohol online in Australia. *Drug and alcohol review* 2020; 39: 162-169. DOI: <https://doi.org/10.1111/dar.13025>.
9. Cook M, Mojica-Perz, Y., Callinan, S. *Distribution of alcohol use in Australia*. 2022, Centre for Alcohol Policy Research, La Trobe University & Foundation for Alcohol Research and Education.
10. Coomber K, Baldwin R, Taylor N, et al. Characteristics of high- and low-risk drinkers who use online alcohol home delivery in Western Australia. *Drug and alcohol review* 2024; 43: 407-415. DOI: <https://doi.org/10.1111/dar.13783>.
11. Colbert S, Thornton L, Wilkinson C, et al. 'The convenience is a double-edged sword': Qualitative interviews with people who use online alcohol delivery services. *Drug and alcohol review* 2024; 43: 425-433. DOI: <https://doi.org/10.1111/dar.13788>.
12. Colbert S, Wilkinson, C., Thornton, L., Feng, X., Campaign, A., Richmond, R. Cross-sectional survey of a convenience sample of Australians who use alcohol home delivery services. *Drug and alcohol review* 2023; 42: 986-995. DOI: <https://doi.org/10.1111/dar.13627>.
13. VicHealth. *On-demand alcohol delivery services and risky drinking*. 25 May 2020 2020. VicHealth.
14. Brownbill A, Carah N and S P. *Online sale, delivery and advertising of alcohol in Australia - behaviour, attitudes and support for change*. 2025, FARE, University of Queensland, and The George Institute for Global Health.
15. Coomber K, Baldwin R, Wilson C, et al. Test Purchasing of Sam-Day and Rapid Online Alcohol Home Delivery in Two Australian Jurisdictions. *Journal of Studies on Alcohol and Drugs* 2024; 85: 839-844. DOI: <https://doi.org/10.15288/jsad.23-00223>.
16. Alcohol Change Victoria. *Harmful Advertising and promotion of alcohol products*. Alcohol Change Victoria.
17. Australian Institute of Health & Welfare (AIHW). National Drug Strategy Household Survey 2022-23. Australian Institute of Health & Welfare.