

17 March 2017

Mr Gordon Cairns  
Chairman  
Woolworths Ltd  
PO Box 8000  
BAULKHAM HILLS NSW 2153

Dear Mr Cairns

### **DAN MURPHY'S AND THE NORTHERN TERRITORY**

We write to express our deep concern about Woolworths' proposal to establish a Dan Murphy's big box liquor store in Darwin.

The Northern Territory is already Australia's heaviest drinking jurisdiction, with drinking at risky levels at least 50 per cent above the national average.<sup>1</sup> The last thing Darwin needs is a Dan Murphy's.

What is particularly galling about the dispute over the Northern Territory Government's moves to block the establishment of a super store, are claims by representatives of your company that there is no evidence of the differential harm caused by big box stores.

Dan Murphy's Head of Corporate Services, Shane Tremble, recently claimed on drive time radio that there is "no such evidence" to show that the size of a liquor licence is related to alcohol harm.<sup>2</sup>

Actually, there is scientific evidence and we are happy to share this with you. Claims to the contrary are utterly disingenuous.

Woolworths should take immediate action to publicly refute Mr Tremble's efforts to deceive the people of the Northern Territory.

Our concern about the proposed development stems from the well-documented high levels of alcohol harm that already exist in the Northern Territory.

The Territory has the highest proportion of alcohol-related deaths and highest rate of alcohol-related hospitalisations in the country. It has high rates of alcohol-related assaults and domestic violence. In some areas of the Territory, alcohol-related domestic violence incidents represent more than 80 per cent of all domestic violence assaults reported to police (where alcohol status is known).<sup>3</sup> Levels of child maltreatment and neglect are high. Aboriginal and Torres Strait Islander people are disproportionately affected by alcohol harm and, with almost 30 per cent of the Territory's population identifying as Aboriginal,<sup>4</sup> the impact of alcohol on this population is tragic. Much of this harm is preventable as long as evidence, not corporate profits, is allowed to inform policy.

The new Northern Territory Government has a very clear mandate to stop alcohol harm. Approving a big box packaged liquor outlet in light of this mandate would be completely inconsistent.

Woolworths is well aware of the evidence on the relationship between outlet size and alcohol harm, because it is an aggressive appellant when governments (local and state) and regulatory authorities have refused past development applications and liquor licences based on this evidence. For instance, the application by Woolworths to establish a Dan Murphy's store in the City of Casey (Victoria) is a recent high profile example where this aggressive behavior was on full display. In a community with very high rates of family violence, Woolworths pursued its claims over community, health, and police objections, winning on a technical point over the convincing scientific evidence of the harmful impact of yet another liquor outlet in the city. There are other examples.

Woolworths has also continued to denigrate scientists' independent peer reviewed research. In a "Private and Confidential" submission to the former New South Wales Casino Liquor and Gaming Control Authority dated 15 December 2011, lawyers representing Woolworths attempted to discredit the findings of Liang and Chikritzhs and Loxley et al. by drawing conclusions that were not supported by their research.<sup>5</sup>

Some of the evidence relied upon is highly questionable. Evidence used by Woolworths in a case in Liverpool, New South Wales goes so far as to state, "early exposure to any form of advertising is vital to protect young minds against the seductive powers of capitalism".<sup>6</sup> This ridiculous argument was used to counter the multiple scientific papers clearly showing the impact of alcohol advertising on young people's drinking attitudes and behaviour.

Nor is Woolworths a stranger to intimidating and cajoling public servants. Documents obtained from the NSW Office Liquor Gaming and Racing (OLGR) revealed that the then Director of Media and Communications observed that Woolworths appeared to be trying to "intimidate and disrupt OLGR's regulatory intervention and interfere". This officer went on to say that, "Woolworths' correspondence appears to be a calculated attempt to undermine ongoing regulatory inquiries and quash OLGR's capacity to ventilate regulatory activities of public interest".<sup>7</sup>

This behaviour is consistent with Woolworths' position as the biggest purveyor of addictive products in Australia: tobacco, alcohol, and poker machines. The differential between retailing behavior and claimed corporate social responsibility is breathtaking. It becomes even starker when these same tactics are used to promote profits over public health in the jurisdiction with the highest levels of alcohol-related harm.

The Northern Territory already has one of the highest ratios of liquor outlets per population in Australia. And Woolworths already has a significant footprint in the Territory, with at least 11 takeaway outlets licensed by Woolworths in the Darwin region alone.<sup>8</sup>

The announcement that Woolworths will be taking this issue to court is a clear attempt to intimidate the Government. The Chief Minister has rightly responded that the Government does not form alcohol policy on the basis of threats of legal action. It is absolutely appropriate that the Government makes its decisions based in the best interests of the health and wellbeing of the people of the Northern Territory.

Following the announcement of the Northern Territory's Liquor Act review on Monday, we invite Woolworths to respect the democratic processes and make its representations about alcohol superstores through this properly constituted review.

Woolworths does not need another store in Darwin. In light of the high levels of alcohol harm experienced, the high ratio of existing venues, and the relationship between large packaged liquor outlets and alcohol harm, we ask that Woolworths discontinue efforts to open a Dan Murphy's in Darwin and cease its threats of legal action against the Northern Territory Government.

Yours sincerely



DR JOHN BOFFA  
PEOPLE'S ALCOHOL ACTION  
COALITION



MICHAEL THORN  
FOUNDATION FOR ALCOHOL  
RESEARCH AND EDUCATION



MICHAEL MOORE  
PUBLIC HEALTH ASSOCIATION OF  
AUSTRALIA



DR JOHN CROZIER  
NATIONAL ALLIANCE FOR  
ACTION ON ALCOHOL



JOHN PATERSON  
ABORIGINAL MEDICAL SERVICES  
ALLIANCE OF THE NT



**people's alcohol action coalition**

NATIONAL ALLIANCE FOR  
ACTION ON ALCOHOL

<sup>1</sup> Australian Institute of Health and Welfare (AIHW). (2014). *National Drug Strategy Household Survey detailed report: 2013*. Supplementary tables, Canberra: AIHW. Retrieved from: <http://www.aihw.gov.au/publication-detail/?id=60129549469&tab=3>

<sup>2</sup> Interview with Kate O'Toole on ABC Radio Darwin, Wednesday 8 March 2017, retrieved on 9 March 2017 and available at <https://radio.abc.net.au/programitem/per3lbdAL?play=true>

<sup>3</sup> Northern Territory Police. (2017). *Northern Territory Crime Statistics*. Statistical publications: Dec 2016. Retrieved from <http://www.pfes.nt.gov.au/Police/Community-safety/Northern-Territory-crime-statistics/Statistical-publications.aspx>

<sup>4</sup> Australian Bureau of Statistics (2011). *Regional Statistics, Northern Territory Mar 2011*. Retrieved from: <http://www.abs.gov.au/ausstats/abs@.nsf/Latestproducts/1362.7Feature%20Article1Mar%202011>

<sup>5</sup> Greenhouse, D. (2011). Private and Confidential submission to NSW Casino, Liquor and Gaming Control Authority.

<sup>6</sup> Liverpool City Council. (2013). *Independent hearing and assessment report*.

<sup>7</sup> NSW Trade and Investment. (2013). *DG Information brief: Woolworths media allegations*. Retrieved from: <http://drinktank.org.au/wp-content/uploads/2014/05/Document-44.pdf>

<sup>8</sup> Department of the Attorney-General and Justice (2016). *List of NT licensed premises*. Northern Territory Government. Retrieved from: <https://nt.gov.au/industry/hospitality/list-of-nt-licensed-premises>