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# Doing violence to evidence on violence? How the alcohol industry created doubt in order to influence policy

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## Abstract

**Introduction.** In 2015/2016 controversy followed the publication of a report on an anthropological study of Australian and New Zealand night-time economies funded by a major alcohol producer. This paper explores the background, moments of public controversy and political uses of the report. **Methods.** Informed by the sociology of scientific controversies, we review the available relevant work of the author of the report, associated material such as press releases, newspaper articles ( $n = 18$ ) and industry submissions to government ( $n = 12$ ). Attention was paid to the ways in which claims were made about the relationship between alcohol and violence, and the ways in which credibility and legitimacy were constructed. **Results.** The author of the report has longstanding associations with alcohol industry organisations. Claims made regarding alcohol and violence have remained highly consistent over time, and appear oblivious to developments in the evidence. In the media, the story was largely framed as a contest of credibility between compromised parties. The report continues to be used in alcohol industry submissions to government. **Discussion and Conclusions.** This analysis suggests that this is a 'counterfeit scientific controversy'; in our assessment, the report has had value not as a contribution to the scientific literature, but as a resource in the claims-making practices of the alcohol industry. Studies of the ways in which industry actors foster science-related content conducted at significant social and conceptual distance from the core of the relevant research community will enhance understandings of the ways in which industry actors engage with science and policy. [Bartlett A, McCambridge J. Doing violence to evidence on violence? How the alcohol industry created doubt in order to influence policy. *Drug Alcohol Rev* 2021]

**Key words:** alcohol industry, violence, alcohol, controversy study, policy.

## Introduction

Despite serious concerns having been articulated for decades, a substantial tradition of study investigating alcohol industry involvement in science has not developed [1]. The ways in which alcohol industry actors seek to influence policy, and use scientific evidence in so doing, have been more extensively studied, though this work is largely recent [2]. Such studies take advantage of the wider body of evidence available on the tobacco industry and other corporate actors' use of evidence in shaping public policies on health and environmental issues [3–5]. Some scientific issues are more prominent than others in such efforts.

Alcohol's putative cardiovascular health benefits are central to efforts to create distance from tobacco [6,7]. Evidence on the harms associated with products is also important to manage carefully in order to be persuasive with policymakers. Alcohol is recognised as one component cause of all forms of violence, in part due

to the disinhibiting effects resulting from intoxication [8]. The evidence is accepted as strong, and extends to suicide, homicide, assaults on strangers and within the family [8]. This evidence presents strategic challenges for actors seeking to liberalise licensing laws in order to make alcohol more easily available, particularly late at night [9].

A Norwegian study examined how national and local level industry actors employed a range of strategies to shape the use of evidence regarding bar closing times and violence [10]. This study followed the 2012 publication of a study showing that even modestly earlier closing times reduced violence [11]. The relevance of the international research literature was questioned before the national report was attacked [10]. This involved claims about disagreements between experts, emphasis on the complexity of violence and deflecting attention to alternative interventions at the national level [10]. The Norwegian study situated these tactics

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in relation to existing evidence on ‘bending’ science by corporate actors [12].

#### *The Fox Report on Australian and New Zealand night-time economies*

In early 2015 Lion, one of a small number of companies dominating beer and spirits production in Australia and New Zealand, and owned by the Japanese corporation Kirin, published a report titled ‘Understanding behaviour in the Australian and New Zealand Night-Time Economies’ (hereafter, the Report) [13]. The report was written by Dr Anne Fox, whom the Lion press release (issued on 4 March) billed as ‘a prominent UK anthropologist’ [14]. The report was commissioned in 2012, and involved ‘7 weeks of fieldwork in Australia and New Zealand including observation, participant observation, 10 focus groups (approximately 100 participants), formal and informal interviews’ [13, p. 6]. The report was promoted as ‘offering compelling new insights’ and made 25 recommendations, which the press release summarises as focusing on tackling ‘violent individuals’, ‘violent situations’ and ‘violence-reinforcing-cultures’. Fox is quoted as saying: ‘In a nutshell, the central point of my report is that it’s the wider culture that determines the behaviour whilst drinking, not just the drinking’ [14].

The Report elaborates the policy interests in play, stating: ‘If alcohol does indeed cause aggression, government supply-side controls and other prohibitive measures could be seen as justified and the primary solution to address the issue. If, on the other hand, alcohol is merely used as an excuse for violent behaviour, is a side-effect of violence, or is even a moderating influence on aggression, government efforts would be better concentrated on social education, health promotion, and sanctions on violent individuals’ [13, p. 44]. By framing the discussion in these terms, the report makes itself available for subsequent use by alcohol industry bodies.

The Report was widely promoted in the Australian press during March, and was quickly subject to academic criticism from alcohol researcher Professor Peter Miller writing for *The Conversation* (10 March) [15], expanding his critique on the DrinkTank website (11 March) [16]. Neither of these were picked up by the media. However, a subsequent critique published in a leading specialist journal, *Addiction*, in 2016 by Dr Nicki Jackson and Professor Kypros Kypri [17], was widely covered, particularly in New Zealand. The Report has been subsequently cited in submissions made by alcohol industry actors to government committees and inquiries.

Jackson and Kypri stated that the Report did not ‘meet even basic standards of research’ [17, p. 552], and criticised the lack of ethical approval and the key arguments made. They point out that the Report does not engage with ‘the wealth of population-based studies demonstrating the links between alcohol consumption and alcohol-related exposures to violence over time’ [p. 553]. In particular, Fox’s attempts to provide alternative explanations for the success of the Newcastle ‘lockout’ scheme are shown to ignore key data [17], including from Kypri’s own research [18,19].

The present study does not duplicate these criticisms of the Report itself. The value of the Report in the economies of public and political claim making is not determined by its scientific standing. Instead, we examine the origins of the Report, the ways in which the Report and the academic criticism were covered by the media, and the ways in which the Report has been used by alcohol industry actors. We thus situate the controversy around the Report in broader contexts.

#### *Counterfeit scientific controversies*

Sociologists of science have studied the formation of ‘manufactured controversies’ [20] and ‘counterfeit scientific controversies’ [21,22]. These are cases in which there is no significant dispute within the research community in question, yet for outsiders the appearance is created that the scientific issue in question is still ‘open’. As Oreskes and Conway [4] demonstrate, doubt can be a powerful resource.

Weinel [22] set out four *sociological* criteria for understanding counterfeit scientific controversies, which are intended to aid those outside the relevant expert community to make a judgement on the nature of the controversy. While those working within an expert community use specialist knowledge to interrogate knowledge claims, those outside these communities generally cannot. Weinel’s criteria are: (i) whether the claims made are in ‘conceptual continuity with science’; (ii) an assessment of the ‘expertise of the protagonists’; (iii) whether the claims form part of the ‘constitutive work’ of science; and (iv) whether the dispute is part of an ‘ongoing argument’.

What Weinel means by ‘discontinuous with science’ is that, while all controversies will involve claims that are disputed, rejected, even mocked, if the knowledge claim from which the controversy springs does not belong to the realm of science the *scientific* controversy is inherently counterfeit. According to this schema, a *scientific* controversy arising from knowledge claims based on astrology or biblical revelation would be a counterfeit scientific controversy. In our case, the

claims in the Report might be controversial, but they are not obviously 'discontinuous' with science. For the other three criteria, one needs to examine carefully whether the controversy resulting from the Fox Report meets the grounds for a controversy to be 'counterfeit'.

While the Report's coverage of the peer-reviewed literature was expressly criticised by Jackson and Kypri [17]—which suggests that the work was conducted at some social and conceptual distance from the alcohol research community—she *does* have a PhD in anthropology investigating alcohol. Thus, it is not that Fox lacks any expertise to make a contribution to alcohol research.

Whether or not the controversy is supported by 'constitutive work' can be rephrased as the question of to what degree is a non-peer-reviewed report, commissioned and published by an alcohol company, part of science? Finally, the criterion of 'ongoing argument' can be understood as a question of to what degree does the public controversy map onto ongoing disagreement within the expert community? In this case, the claims made in the Report, that alcohol does not cause violence, do not reflect the consensus within alcohol research that alcohol is a component cause of violence, though it could be that new evidence is provided that challenges existing findings.

This paper examines whether the Report had the *function* of producing a counterfeit scientific controversy; how far did it become a 'scientific' resource used by alcohol industry bodies in public and policy fora despite, and perhaps in part because of, being heavily criticised by researchers working in the field.

## Methods

This study is a collaboration between a sociologist of science and a public health scientist conducting research on the alcohol industry, and takes the approach of the sociology of scientific controversies. Although the sociology of science has primarily been oriented towards publicly funded research, some attention has been paid to issues raised by corporate actors [23,24]. Recent work by the first author has addressed 'fringe' science—that is, science conducted at significant social and conceptual distance from the core of the research community [25,26], though not which was corporate sponsored.

This paper examines the origins, initial reception and uses made of the Report—which was quickly accused of employing a 'merchants of doubt' strategy [16]. The authors closely read the publicly available prior work on alcohol by the Report's author. This included 13 documents published on Fox's Galahad

SMS website, a 2008 paper published by the International Center for Alcohol Policies (ICAP), Fox's contribution to the Routledge ICAP book series and the Report itself. Fox's PhD thesis was unavailable as the libraries at Imperial College London were closed to visitors due to the coronavirus pandemic. This allowed the authors to build a picture of the development, continuity and stability of Fox's claims regarding alcohol, violence and public policy.

To explore the reception of the Report, a search of Nexis Advance (20 July 2020) returned 18 newspaper and magazine articles and news transcripts (after removing duplicates) from 2015 to present that contained 'Anne Fox', 'violence' and 'alcohol'. All were from Australian or New Zealand news sources. Eight were published in February or March 2015—all in Australian news sources—when the Report was released. A further five were published—all but one article in New Zealand news sources—in 2016 when Jackson and Kypri's critique [17] was published. Further references have been made to Fox's research later in 2016, in 2017 and two in 2020, all in Australian news sources. All material was read by both authors, with attention paid to the way in which claims were made and contested, and the ways in which the credibility of Fox and her critics was established and/or undermined.

To build a picture of the way in which the Report has been used within the academic literature a Google Scholar search was conducted. This allowed the authors to examine the ways in which the Report has been cited. In addition, Google was used to search for the variations on the title of the Report in submissions to Australian and New Zealand government inquiries and committees. This provides an illustrative—but not exhaustive—overview of the Report's use as scientific vehicle for policy claims made by alcohol industry actors. Ethical approval was not required as all data are in the public domain.

## Results

### *The origins of the Fox Report*

In media coverage of the Report, Fox makes claims of independence from the alcohol industry; 'In fact, it was quite brave of Lion because it didn't know what I was going to say or what the results would be' [27], a formulation repeated in a radio interview [28] in advance of the Lion press release. Yet this was not Fox's first work for or with the alcohol industry, and the main messages of her work have remained highly consistent.

In 2005, Fox published a booklet on alcohol education, supported by grants from the Diageo Foundation and the Alcohol Education and Research Council

[29]. Fox describes herself in this work as an advisor to the drinks industry. In 2006, Fox delivered the Mature Enjoyment of Alcohol in Society annual seminar, 'Cultural and Social Aspects of Alcohol' [30]. The Mature Enjoyment of Alcohol in Society was the alcohol industry-funded 'social aspects' group [31] in Ireland. In 2008 she wrote a paper [32] for ICAP, the key global alcohol industry social aspects organisation designed to influence policy at the time [33]. Fox's paper, 'Sociocultural Factors that Foster of Inhibit Alcohol-related Violence' rehearses many of the arguments found in the Report. In 2010 Fox co-edited a book with Dr Mike MacAvoy of Drinkwise, the Australian social aspects organisation [34]. This was part of the Routledge ICAP Series on Alcohol and Society. Titled 'Expressions of Drunkenness (Four Hundred Rabbits)' [35], it featured contributions from academics and industry figures. In 2014, Lion cited Fox's 2008 ICAP article [32] in a submission to the New Zealand Ministerial Forum on Alcohol Advertising & Sponsorship, writing: 'Prominent substance abuse anthropologist Anne Fox believes that only when we remove this license to transgress and focus the responsibility back on the individual will we genuinely begin to deal with the real causes of anti-social behaviour' [36, p. 40].

### Key messages

Several key passages recur throughout Fox's work on alcohol and violence. For example, in a 2003 paper on the Galahad website, Fox writes:

*'If alcohol does indeed cause aggression, government controls on sales, increases on tax and other prohibitive measures could be seen as justified; if, on the other hand, alcohol is merely used as an excuse for violent behaviour, is a side-effect of violence, or is even a moderating influence on aggression itself, government efforts would be better spent on social education, health promotion, and sanctions on violent individuals rather than sanctions on the substance.'* [37, p. 3]

This is almost identical to the passage from the Report quoted earlier in this paper. Furthermore, a particular 'logic' of causation remains consistent throughout Fox's work. In her 2005 report on alcohol education she writes:

*'The strongest evidence against a causal connection between alcohol and violence can be found in simple logic: worldwide, many more people drink alcohol and are not violent than drink alcohol and commit violent*

*acts. If alcohol caused people to be violent, every family Sunday lunch with a bottle of wine would result in a bloodbath.'* [29, p. 37]

In the Report, this put:

*'If alcohol alone makes people violent, we would expect to find incidents of violence spread evenly across the full range of drinkers, from female post-menopausal librarians to young male rugby players, but we don't. We would also expect to find an equal incidence of violence among drinkers in all societies, but we don't. We would expect to find equal levels of violence in all drinking situations, from weddings to funerals to Saturday nights out on the town, but we don't.'* [13, p. 45]

This 'simple logic' featured in media coverage of the Report and submissions to government inquiries. The rhetorical structuring of these statements works to diminish attention to alcohol's contribution to violence. The core elements of the key messages—that alcohol does not cause violence, and that policies to reduce violence in the night-time economy should be focused on individuals, not on the industry—have remained unchanged. We found no evidence to suggest that these were affected by developments in anthropological or other research. That Lion granted Fox total independence is not the issue; familiarity with her work would leave Lion confident of the likely conclusions.

A Google Scholar search returns a total of 10 citations for the Report, which includes the Jackson and Kypri critique [17] and a short article by Room [38] in which the Report is used as the example of research that directly serves the interests of the industry. A PhD thesis [39] cites the Report as an example of poor anthropological practice. Others use the Report in a matter-of-fact way to support generic claims, such as parents being key stakeholders in alcohol prevention efforts [40, p. 1]. None recirculate the most contentious claims in the Report regarding the relationship between alcohol consumption and violence. We can find no evidence of any contributions to the peer-reviewed literature other than her PhD thesis, or any indication of any form of academic appointment. So, although there is evidence of the possession of scientific expertise, Fox was not an active participant in a relevant research community.

### The Fox Report in the media (part 1)

In the month after Lion issued the press release [14] announcing the publication of a report by a 'prominent

UK anthropologist', six Australian newspapers covered the Report.

The initial news articles were largely uncritical. Headlines such as 'Stop Blaming the Booze' in *The Australian* [41], and 'Blow for booze link to violence' in *The West Australian* [42] are typical of the lines taken, while 'Blame macho Aussie culture for violence, not booze' was the headline of an opinion article authored by Fox in *The Age* [43]. Fox is often quoted directly in these articles, making claims such as, 'If you actually put this under the microscope and start examining it, as we did, the link between alcohol and violence very quickly unravels' [41]. Criticism of her arguments is rarely addressed, though straw men are sometimes erected, such as in the editorial in *The Courier Mail*: 'Much of our Anglo-Celtic approach to controlling alcohol as such is about prohibition; creating new laws for limiting sales, use or age. The historical framework that built so much of this enforced control was based on the idea that alcohol itself was the evil; the behaviour the consequence' [44]. Fox's own opinion article reproduces her 'simple logic':

*'If alcohol alone made people violent, we would expect to find similar levels of violence spread evenly across the full range of drinkers, from post-menopausal librarians to young male rugby players, but we don't. We would also expect to see an equal incidence of violence in all societies, but, again, we don't.'* [43]

Some criticism can, however, be found in a letter to the *Age* from Greg Denham, of the Australian Drug Foundation (sic) [45]. The article in *The Australian* also included a comment from Curtin University National Drug Research Institute Director Professor Steve Allsop who, as well as criticising the logic of the causal claims, addressed the Newcastle 'lockout' case. While Fox is described as conceding the data, Fox adds that 'there might be more to it than restrictions on alcohol sales alone, particularly given the effects were not as dramatically replicated elsewhere' [41]. This is noteworthy, as Fox's claims about the Newcastle 'lockout', which have been heavily criticised and are at odds with peer-reviewed studies [17], continue to be cited by alcohol-industry representatives. None of the articles identified Fox's longstanding associations with alcohol-industry organisations, and none demurred from Lion's presentation of Fox as a 'leading anthropologist'.

The Report also made an impact in more overtly political media. In April 2015, the New Zealand Centre for Political Research published 'Drunkenness is no excuse' by its founder, Dr Muriel Newman, a former MP for the conservative ACT New Zealand party. The policy implications are clear; 'As far as public

policy is concerned, Dr Fox's report is confronting. The understanding that "alcohol-fuelled" violence is really "culturally fuelled" violence means that raising or lowering the price of alcohol, changing opening hours, or restricting or banning advertising, will not make it go away' [46]. The New Zealand Centre for Political Research website also gave Fox space to write a guest post, which again featured a restatement of the 'simple logic' [47].

#### *The Fox Report in the media (part 2)*

The publication of the Jackson and Kypri critique in January 2016 [17], accompanied by a press release from The Foundation for Alcohol Research and Education on 14 January [48], prompted a second wave of media interest, mostly in the New Zealand press. An editorial in the *Manawatu Standard* was headlined 'Academics get into drinking fight' [49], while the *New Zealand Herald* went with 'Academic "tussle" over alcohol report' [50]. In *The Australian*, Rick Morton—the journalist who wrote the 2015 article 'Stop Blaming the Booze'—went with 'War of words over alcohol and violence' [51]. The conflict had become the story.

The site of contestation was not the shortcomings identified by Jackson and Kypri. As the *New Zealand Herald* opened their article, 'An academic tussle about alcohol and whether it causes violence has morphed into an unholy scrap over "religious temperance" and conflicts of interest' [50]. The story became one of scientific credibility, conflicts of interest, puritanism, extremism and corporate propaganda. Consider the way *The Australian*, after saying that this was 'A prohibition-style argument', introduced the protagonists of this story:

*'Anthropologist Anne Fox, known for her work with the British Army and youth justice boards, declared that her study of drinking in the Australian and New Zealand night-time economy was funded by brewer Lion Nathan when it was released.'*

*'Professor Kypri, who evaluated trading hour and liquor licensing restrictions in Newcastle, is a director of a little-known religious organisation founded in England in 1835. The International Order of Rechabites promotes "temperance and thrift" and total abstinence from alcohol.'* [51]

Kypri was actually on the board of the Australian Rechabite Foundation, which administers a fund to support competitively chosen research and community programs aiming to reduce harms from alcohol.

Inaccuracy aside, the academic reputation of Fox is inflated, while the reader is invited to see Kypri as a zealot, with the subsequent passages implying that *he* had behaved unethically in failing to declare his interests. This framing appears to have come from Lion/Fox. The editorial in the *New Zealand Herald* states: ‘Expecting they would highlight her study’s funding by a brewer, Lion, Dr Fox made a pre-emptive strike accusing Professor Kypri of a conflict of interest’, and goes on to state: ‘Academic research into public health problems has an uncanny way of confirming the concerns of its funder. That much can be concluded from a fierce exchange over the studies into the role of alcohol in violence’ [52]. The framing of this moment as a contest between two compromised parties has the effect of rendering invisible any putative *scientific* dispute.

Not all reproduce Lion/Fox’s framing of this as a symmetrical dispute over interests. The *Manawatu Standard* stands out here, using Jackson and Kypri’s understanding of the *function* of the Report; ‘This isn’t just a rarefied academic stoush. It’s a fair test of the contention, raised in this case and so many others like tobacco and climate change, that industries fund “merchants of doubt” whose dodgy findings can be used to counter the more disciplined and independent research that is damaging their business in the eyes of the public and the lawmakers on public policy issues like closing hours’ [49]. Unlike any of the reporting from 2015, the newspaper also placed the claims of independence in context, ‘Lion would have been noble indeed to have financed work about which it didn’t have a measure of optimism. By her own account, Fox has said many of the arguments in her report were also in her earlier doctoral thesis’ [49].

Jackson and Kypri’s widely reported critique has not prevented the Report’s continued use in public debate. In 2016, the pro-business think-tank the New Zealand Initiative published ‘The Health of the State’, a report on public health policy. The Report is used to argue ‘that there is no causal relationship between alcohol and violent or anti-social behaviour [...] By simply focusing on alcohol intake, rather than underlying reasons why a minority of individuals behave poorly, policymakers miss the opportunity to target resources to that which can change behaviour’ [53].

In 2017 Fergus Taylor, the Executive Director of Alcohol Beverages Australia wrote an article in the *Daily Telegraph* (Australia) titled ‘Blaming Alcohol for Social Violence Ignores Real Causes’. Taylor uses Fox’s ‘comprehensive’ study to argue against restrictions on the sale of alcohol, quoting Fox’s now-familiar logic, ‘If alcohol alone makes people violent, we would expect to find incidents of violence spread evenly across the range of drinkers and in all drinking

situations, from weddings to funerals to Saturday nights out on the town, but we don’t ... it does not produce it where it doesn’t already exist’ [54]. Meanwhile, Andrew Wilshire, CEO of Alcohol Beverages Australia wrote two nearly identical articles in 2020 citing the Report. Both ‘Evidence says target violent offenders, not drinkers’ [55] and ‘Prohibitionist agenda centred on a myth’ [56] use Fox to argue against minimum unit pricing. In both articles, Wilshire cites Fox’s interpretation of Newcastle.

#### *Formal policy-making uses of the Fox Report*

The Report has been cited by alcohol industry actors in submissions to committees and inquiries, most extensively in Australia. Table 1 identifies a range of actors and the ways in which the Report has been used in submissions to Australian government bodies.

Despite damning academic criticism, the Report has continued to provide scientific support for industry claims-making in direct attempts to influence policy decisions. The 2015 Brewers Association submission cites the Report as part of the argument that ‘There is no evidence to substantiate the need for additional regulatory restrictions on the sale, supply and consumption of alcohol’ [57], which can be taken as a concise summary of the *function* of the Report in such submissions. The 2017 Alcohol Beverages Australia submission goes much further, using the Report to claim; ‘There is no credible evidence to that alcohol consumption causes violence or anti-social behaviour’ [58], while the 2019 submission from the same organisation claims that this *new evidence* shows that ‘alcohol consumption does not cause violence and as such the disproportionate regulation of licensed venues will not meaningfully reduce violence or improve safety’ [59]. Industry submissions frame the very act of commissioning the Report as the industry engaging in responsible, evidence-led approaches to public health policy engagement. Both the status of the Report and the standing of Fox are boosted in many of these submissions, with, for example, the Report being described as ‘landmark study’ [60] and Fox as a ‘leading’ [59] or ‘prominent’ [61,62] anthropologist.

This use of the Report is not always unchallenged. Arguments over the status and quality of the Report have played out in the subsequent governmental reports. The 2016 Report of the Queensland Parliament’s Legal Affairs and Community Safety Committee on the ‘Tackling Alcohol-Fuelled Violence Legislation Amendment Bill 2015’ [63] discussed the Report, which had been submitted by ‘Clubs Queensland’, over pages 47–49, with extracts drawn from

**Table 1.** Illustrative examples of formal policy-making uses of the Fox Report in Australia

Year	Industry body	Committee/inquiry
2015	Brewers Association	ACT Justice & Community Safety Directorate 'Addressing Alcohol-Related Harm'
2015	Alcohol Beverages Australia	Senate Inquiry 'Personal choice and community impacts'
2016	Australian Liquor Stores Association	Senate Legal and Constitutional Affairs References Inquiry 'Need for a nationally-consistent approach to alcohol fuelled violence'
2016	Australian Hotels Association	Senate Legal and Constitutional Affairs References Inquiry 'Need for a nationally-consistent approach to alcohol fuelled violence'
2016	Alcohol Beverages Australia	COAG Online Round Table on Behavioural Insights
2016	Liquor Stores Association NSW	NSW Government Liquor Law Review
2016	Clubs Queensland	Queensland Parliament Legal Affairs and Community Safety Committee on the 'Tackling Alcohol-fuelled Violence Legislation Amendment Bill 2015'
2017	Lion	NSW Legislative Council Inquiry into Alcoholic Beverages Advertising Prohibition Bill
2017	Alcohol Beverages Australia	Northern Territories Alcohol Policies and Legislation Review panel
2017	Brewers Association	NSW Inquiry into the Advertising Beverages Prohibition Bill
2019	Lion	NSW Parliament Joint Select Committee on Sydney's Night Time Economy
2019	Alcohol Beverages Australia	NSW Parliament Joint Select Committee on Sydney's Night Time Economy

ACT, Australian Capital Territory; COAG, Council of Australian Governments; NSW, New South Wales.

Hansard transcripts of the hearings (which directly involved Kypri). The Department of Justice and Attorney General cites Jackson and Kypri [17] and Miller [15]

to criticise the Report, saying 'It is noted that Dr Fox's industry-funded research does not appear to have been published in an outlet whose editorial protocols entail the same level of rigorous peer-review used to evaluate the research that supports the Government's policy [...] Dr Fox's perspective is inconsistent with "a rigorous body of experimental and observational evidence from around the world that provides important insights into the real relationship between alcohol and violence"' [47,63, pp. 48, 49]. In other words, they had identified that the controversy fostered by the Report was 'counterfeit' by at least two of Weinel's [22] criteria: the report could not be considered a 'constitutive work' and was not part of an 'ongoing argument'. By contrast, the Interim Report into the 'Need for a nationally-consistent approach to alcohol fuelled violence' [64] simply reproduced the claims of the industry organisations grounded in the Report—including yet another reproduction of the 'simple' logic.

## Discussion

A strength of this study is the application of perspectives from the sociology of scientific controversies to a field of alcohol research that is highly policy relevant. A limitation is that we may have missed data that could have been included. Further examples of the political uses of the Report would likely strengthen the main findings reported here. Further study of industry submissions that use the Report is beyond the scope of this paper and could examine impacts on policy decisions made. Finally, the second author is a longstanding research collaborator with Kypri, though has not discussed this study with him. With these caveats in mind, we will focus more specifically on what this study may contribute to the literature.

Jackson and Kypri [17] point out that the Report 'lacks credibility as a piece of independent academic research'. Indeed, the controversy resulting from the publication of the Report fulfils two criteria of a counterfeit scientific controversy [22]; leaving aside investigation of expertise due to the inaccessibility of the PhD thesis, notwithstanding the lack of institutional affiliation and peer-reviewed publications, the Report was not a 'constitutive work' being published by an alcohol company, and it did not address any 'ongoing argument' within science. While Jackson and Kypri's [17] paper did secure significant media coverage, this ironically led to the claims of the Report being repeated in the media, producing the impression of a genuine scientific controversy. We argue that the Report functions as a resource to be drawn upon by alcohol industry organisations. For the alcohol industry, it is not necessary to make a

scientifically convincing denial of a link between alcohol and violence, only to manufacture doubt as to the nature of the link, and consequently the effectiveness of public health measures to reduce alcohol-related violence. Further, it is not the research community, but the public and policymakers who are the key constituencies for the manufacture of doubt.

The story of the Report is qualitatively different to cases in which high-status scientists have been recruited into industry-funded programs [4]. While aspects of this episode also share characteristics with studies of fringe science in other disciplines [21,22,26], this case is different in that the Report was commissioned by an industry interest. Being outside the constitutive forum of alcohol research, it is not a contribution to the scientific evidence base and has little or no potential to disrupt the consensus within the alcohol research community. Nevertheless, the weaknesses of the Report, and the reliance on a 'simple' but obviously flawed logic are interesting, as these did not prevent the Report from creating the impression of dispute—a counterfeit controversy—for those unfamiliar with the consensus [22]. In this regard, it has been at least partly successful. The *New Zealand Herald's* coverage is a warning to academics that these battles are more directly a contest of credibility than they are about evidence. These battles might seem unseemly—unscientific even—but scientists should be well prepared to defend the content and integrity of the evidence base.

We can argue that Lion and Fox have produced a token, which has value when used in the economies of claim-making. It is part of body of 'parallel' science—some within and some outside the constitutive fora of science—that the alcohol industry has assembled to make scientifically supported defences of its interests. Further work is needed to build on this study. We know, for example, that a different global alcohol producer commissioned reports to influence alcohol policy in England [65], while Jernigan [33] has identified a key function of ICAP as creating a significant body of 'parallel' literature to be used to influence policy. Work by the authors of this paper has examined the ways in which alcohol industry social aspects organisations contest claims made about them in the scientific literature [66]. Taking forward study in this area will benefit from drawing on existing studies of how the tobacco industry deliberately created doubt, and indeed ignorance [67,68]. There is much alcohol industry material available for further study.

## Conclusions

Policymakers may need support in distinguishing scientific controversies that are genuine from those that

are manufactured. Researchers need to be careful in public debates to avoid giving the impression of a scientific dispute when none exists.

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## Conflict of Interest

The authors have no conflicts of interest.

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