



## **Scottish Health Action on Alcohol Problems Response to Proposed Changes to the Law Regulating the Sale and Supply of Alcohol in Northern Ireland**

Scottish Health Action on Alcohol Problems (SHAAP) was established by the Scottish Medical Royal Colleges and Faculties to raise awareness about alcohol-related health harm and to advocate for evidence-based policy measures formulated by public health interests to reduce this harm.

### **General comments**

SHAAP welcomes the attention that Northern Ireland is now paying to reducing alcohol-related harm. We hope that the Northern Ireland government will pay attention to developments on Scotland, particularly as they relate to marketing and reducing the availability of cheap alcohol so as to begin to bring about the cultural change which will lead to improvements in public health.

Although we welcome the introduction of new regulations related to alcohol promotions, it is our view that voluntary codes of practice are less effective than statutory regulation of the alcohol industry's activities.

We welcome the consultation on alcohol minimum pricing, which we believe should be a key component of any strategy to reduce alcohol-related harm. It is important that the process of setting, monitoring and adjusting prices is given careful consideration. The BMA Board of Science produced a briefing on this issue in 2012<sup>1</sup>. Among its conclusions were:

- Available research and modelling suggests that a minimum price per unit is the most effective of all available price-related policy options for reducing alcohol-related harm, and will prevent the deep discounting of alcohol.
- Modelling has found that increasing the level of a minimum price per unit leads to steep reductions in alcohol consumption and related harms.
- A minimum price for the sale of alcohol should be set at no less than 50p per unit, and this should be kept under review to ensure alcohol does not become more affordable over time.

We welcome the recognition of the growth in off-sales trade and the need to focus action in this sector. A great deal of chronic health harm comes from home drinking. The Scottish Licensing Bill of 2005 unfortunately focussed mainly on the pub, club and restaurant sectors and further measures subsequently became necessary to control the off trade. This included

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<sup>1</sup> BMA Board of Science 2012, *Reducing the affordability of alcohol*, London.

restricting alcohol to specific areas of stores, establishing limits on in store advertising and banning multiple purchase discounts.

### **Specific comments**

#### **(1) Restrictions on mixed trading in supermarkets and shops**

We welcome the proposed measures in the interest of public health.

#### **(2) Structural separation between alcohol and other goods in supermarkets**

We support the general principle of alcohol being treated as an extraordinary commodity and structural separation of the alcohol sales area would be consistent with this approach. The issue of whether supermarkets should be allowed to sell alcohol at all was raised at the recent committee hearings for the Minimum Price Bill in Scotland. In many countries, such as Canada, New Zealand and Australia the sale of alcohol in supermarkets is restricted or prohibited. SHAAP supports further consideration of this issue.

As a minimum, the current arrangements should be maintained. In Scotland supermarket practice developed from the 1980s to have alcohol displays throughout stores. This increased promotional activity to all age groups. There is good evidence that increasing availability in terms of cost and ease of access has a significant impact on per capita consumption in the population, and there is likewise a very close link between per capita consumption and the level of alcohol related harm experienced. Measures which restrict this, for instance by banning special promotions of alcohol which expose alcohol very readily to under-age drinkers are all measures that we would support. It is our view that the proposed requirement for a gate or turnstile, which is not in place in Scotland, would be an additional benefit.

However, while we support the need to send a clear message to young people that alcohol is an adult commodity, this needs to be balanced with maintaining public support for control measures. Our view is that banning people under 18 from entering areas in supermarkets where alcohol is displayed may damage this support and that this should not be a priority measure.

#### **(3) Alcohol only checkouts in supermarkets**

We support this measure. In addition, we believe that people under the age of 18 should not be involved in the sale of alcohol. Therefore, checkout operators selling alcohol should be aged over 18.

#### **(4) Restrictions on advertising of alcohol in supermarkets and off sales premises**

The proposals go further than in Scotland and we support them in principle. We are concerned about the association of sport with alcohol and we support the proposed prevention of the promotion of alcohol through advertising on sports clothing.

We strongly agree that advertising materials that relate primarily to alcohol should be limited to licensed areas in supermarkets. This would be in line with Scottish legislation.

#### **(5) Deliveries of alcohol**

We understand and partially agree with these proposals. However, the proposal to insist that an adult is the recipient of any home delivered alcohol may be difficult to enforce.

We understand the proposal about prohibiting third parties profiting from sales of alcohol. Our members have come across situations where very ill people have been able to continue to drink heavily at home, to the further detriment of their health, because of deliveries from taxis

and other delivery companies. However, this move might prove unfair to people who are housebound and it might be hard to implement.

#### **(9) Extending 'drinking up' time from 30 minutes to 1 hour**

This is a sensible proposal and should reduce the speed of drinking, increasing sobering up time. It may contribute to less violence and trauma.

#### **(13) Review of Children's Certificates**

This is a modest relaxation which may encourage low risk alcohol consumption by adults who will then model appropriate behaviour to young people. This measure will depend on monitoring the drinking culture within a bar and there are some establishments where the presence of children would not be appropriate. The Licensing process should ensure this judgement can be made.

#### **(14) Allowing young people under 18 years of age to attend functions in licensed premises (provided the bar is closed)**

The intention is for children to become familiar with role models of sensible drinking. Clear legislation is key to the operation of this arrangement. Server training and a high level of scrutiny and enforcement by police officers and licensing officials will be important to ensure implementation.

#### **(15) Selling alcohol via Pour Your Own Pint Tables and Vending Machines**

We strongly support all measures that would counter uncontrolled availability. It is therefore not appropriate that alcohol can be sold through any type of vending machines or self-serve arrangements in pubs. Publicans need to be able to monitor and manage customers' consumption in their premises.

#### **(16) Preventing the removal of alcohol (carry outs) from pubs after normal opening hours**

The sale of off sales alcohol late at night to people who may be intoxicated is undesirable and can lead to injury. We do not support the sale of carry out alcohol after 10pm from stores or pubs.

#### **(17) Advertising of functions held in private member club premises, (18) Young people in sporting clubs and (19) Awards night in sporting clubs**

The important principle is that private members and sporting clubs should not be a mechanism for evading regulations on standards applied to other premises.

#### **(20) Formal approval of industry Codes of Practice**

Industry codes of practice may have a role in raising standards in the alcohol industry. However, these codes are not a substitute for government regulation, which should establish a clear framework to limit the extent of alcohol related harm. If there is a measure which will clearly achieve this, this measure should be part of the law, not part of an industry code. We do not believe that industry codes should have the status of statutory approval.

#### **(21) Repeal of the duty exemption for Angostura Bitters**

We are pleased that you have highlighted this loophole. Angostura Bitters should be treated as any other alcoholic product.

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