

Response ID ANON-GXRH-UWGA-D

Submitted to **CALL FOR EVIDENCE AND VIEWS ON THE LICENSING AND REGISTRATION OF CLUBS (AMENDMENT) BILL**
Submitted on **2020-12-14 10:57:20**

Introduction

What is your name?

Name:

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What is your email address?

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What is your organisation?

Organisation:

Northern Ireland Alcohol and Drug Alliance (NIADA)

Please indicate if you are providing a submission:

on behalf of an organisation or business

If you are responding on behalf of an organisation or business please tell us briefly how it relates to the subject matter of the Bill:

Please provide your comments in the text box below:

NIADA (Northern Ireland Alcohol and Drug Alliance) facilitates co-operation among the voluntary and community sector organisations providing services for and supporting those affected by alcohol and drug use, and their families across Northern Ireland.

Our vision is to have a society where people affected by substance use have access to the right services, in the right place, at the right time.

NIADA's mission is to work collaboratively to raise awareness and influence policy and practice on the impact of substance use on individuals, families and communities.

Key purposes are to:

- Create an independent cohesive voice for the sector;
- Advocate and influence policy, practice and service delivery;
- Campaign for the voluntary and community sector to be involved in the development, design and delivery of alcohol and drug services;
- Provide members with direct access to PHA, HSCB and DoH decision making processes;
- Provide members with networking, information sharing and publicity opportunities.

NIADA members deliver the current PHA substance use services and/or represent service users and include:

ADDICTION NI, ARC FITNESS, ASCERT, CARLISLE HOUSE, DEPAUL , DAVINA'S ARK, DUNLEWEY ADDICTION SERVICES, EXTERN, NORTHLANDS, RSUN, SIMON COMMUNITY, START360 and YMCA LISBURN.

1. The Policy Objectives of the Bill

What are your views on the overall policy objectives? Do you think that the Bill will meet those objectives? If not, why not?

Please provide your comments in the text box below:

NIADA welcomes standardisation of licensing laws in Northern Ireland.

Our membership has given consideration to your proposals; and while we welcome and agree with the majority of the bill, we do however have a number of concerns especially around those amendments which involve children and young people .

We believe that the Bill should have a greater emphasis on health and wellbeing and that there is too much emphasis on the economic benefits which does not meet the stated objective of "introducing a balanced package" as it is weighted in favour of those economic considerations.

We do acknowledge the positive aspects of the Bill and welcome the proposals on the alignment of liquor, entertainment and refreshment provision; the delivery of intoxicating liquor to young persons; a notice displaying licensing conditions in restaurants and guest houses; the prohibition on self-service and sales by vending machines; the restriction of off-sales drinks promotions in supermarkets; and the codes of practice.

The Chief Medical Officer Michael McBride clearly outlined in the Hansard Report (2016) "We can no longer talk about safe or sensible levels of consumption. Links between alcohol and cancer mean that the risk for some diseases starts with the consumption of any alcohol. Our new guidelines, therefore, focus on providing advice on low-risk consumption. Drinking above those guidelines leads to significant increasing risk of developing health problems, and the risk continues to increase the more you drink". Taking this into consideration NIADA would recommend that this public health message should be the driving force behind the policy objectives.

2. Easter Opening Hours and Additional Permitted Opening Hours

The removal of restrictions at Easter [Clauses 1 & 23]?

Please provide your comments in the text box below:

NIADA considers there is little justification for different opening hours to pertain to these particular days on public health grounds but recognises the symbolic importance of these Christian holidays.

Additional permitted hours for certain licensed premises [Clause 2]?

Please provide your comments in the text box below:

In England and Wales, ten years after its implementation, the Institute of Alcohol Studies conducted an assessment of the impact of the Licensing Act 2003 on the wider public. It was reported that later night opening in itself has not increased the amount of time or money people spend in the night-time economy, but rather it has shifted the time at which people begin to socialise later in the evening. This has probably led to an increase in pre-loading, as people has more time to drink at home before going out (Foster and Charalambides, 2016).

International evidence suggests that late night alcohol sales are associated with increased rates of assaults, injuries and disorder. In the UK alone, ambulance callouts due to alcohol are estimated at more than 171,000 annually, costing around £52 million. Studies in Norway, Amsterdam and Australia found that even opening an hour later after midnight led to significantly more assaults or alcohol-related ambulance callouts. We need to understand the impact of extended opening times on things such as ambulance callouts, or how they lead to changes in business practices, policing, health services and wider economic costs. Examining the impact of the relaxation of trading hours for bars "from 11am out to 5am in England and Wales" that the Licensing Act 2003 had in England and Wales, Green et al. found that "longer on-premises alcohol availability leads to overall increases in alcohol consumption in the form of heavy drinking and that this, in turn, has detrimental effects on individual mental and physical health through increased heavy drinking" (2015).

Given the evidence available NIADA would recommend that there is no extension of current permitted hours. NIADA would also recommend that the Department considers what role might exist for local authorities and the local community in licensing decisions, particularly those pertaining to additional drinking hours.

PSNI authorisation for additional permitted hours for smaller pubs [Clause 4]?

Please provide your comments in the text box below:

As above on the basis that international evidence suggests extended opening times leads to an increase in alcohol-related health and social harm NIADA are recommending no additional hours are permitted.

NIADA doesn't believe that there should be extended opening hours, however if this was the case it would be important to put in place monitoring and data collection systems on the application and granting of extended drinking hours

“Drinking-up Time” and the Alignment of Alcohol and Entertainment Licences

What are your views on the extension of “drinking-up” time?

Please provide your comments in the text box below:

As we have outlined any extension of time that allows customers to consume alcohol will increase its negative health impact as well as the associated potential for increased levels of violence and anti-social behaviour. We believe the attempt to modify the culture of consuming alcohol quickly at the end of the night will not change but simply happen a little later when people are potentially more intoxicated. NIADA believes it is important that 'drinking-up time' is clearly defined within any new legislation as this term can be open to interpretation and may cause later difficulties in enforcement. We at NIADA believe the extension of drinking up time may account to little more than extended overall drinking time, leading to customers stock piling drinks before sales close with the potential for increased alcohol consumption.

What impact do you think it would have on alcohol consumption towards closing time and during ‘drinking up’ time?

Please provide your comments in the text box below:

As above.

What impact do you think it would have on issues such as anti-social behaviour and crowd dispersal?

Please provide your comments in the text box below:

The issues will simply be pushed back to a later time in our opinion as the desire to consume greater amounts at a quicker pace at the end of the night is not being addressed.

It is a proven fact that consumption of alcohol leads to increased anti social behaviour and the more alcohol consumed the greater risk of anti social behaviour and the subsequent impact on individuals and communities

Do you have any comments on the proposals to align closing time for liquor and entertainment licences [Clause 3]?

Please provide your comments in the text box below:

NIADA believe this is a positive proposal that we could support.

4. Supporting Tourism, Special Events and Small Producers

Do you think that the provisions contained within the Bill will have a positive impact on hospitality and/or tourism and in Northern Ireland? If so, how?

Please provide your comments in the text box below:

N/A

What are your views on the proposals relating to permitted hours for special events [Clauses 6 & 25]?

Please provide your comments in the text box below:

N/A

What are your views on the provisions of the Bill that are aimed at supporting small local producers of beer, cider and spirits [Clause 8]? What impact do you envisage this could have on tourism? Do you feel that the regulatory framework, as outlined in the Bill, is sufficiently robust?

Please provide your comments in the text box below:

N/A

5. Children and Young People (under the age of 18)

The removal of the requirement of a licensed premises or registered club to hold a children's certificate [Clauses 10 & 26]?

Please provide your comments in the text box below:

Allows for further and easier exposure of vulnerable young people to alcohol, which will normalise alcohol consumption and excess.

There is a wealth of evidence that tells us about the negative impact that the exposure to excessive alcohol consumption has on children – they are more likely to start drinking themselves at an earlier age, more often and in a more high-risk manner. While the greater impact of this exposure occurs at home, the removal of the children's certificate increases the opportunity for exposure outside of the home thus increasing the potential harm caused.

NIADA would recommend that all necessary safeguards are in place to protect children from the promotion to alcohol and prevent access to alcohol when in licensed premises.

Permitting certain premises to hold underage functions; the conditions that must be met; the permitted opening hours; and, proposed enforcement action [Clauses 11 & 27]?

Please provide your comments in the text box below:

Underage functions being held in licensed premises furthers the norm that every function, from funerals to weddings to christening, for this to be a proper celebration then it must be on a licensed premise, where alcohol is at the heart of all of these functions. This socialises young people into a culture of alcohol consumption and excess.

(Kelly et al, 2012) stated "The younger a person is when starting to drink, the greater their risk of alcohol-related harm not just in adolescence but across their lifespan".

Research has repeatedly demonstrated that alcohol marketing encourages children's drinking; exposure to alcohol marketing reduces the age at which young people start to drink, increases the likelihood that they will drink and increases the amount of alcohol they will consume once they have started to drink. Enforcing bans on alcohol advertising is one of the World Health Organization's (WHO) three 'best buy' policies to reduce alcohol harm.

Therefore, having children attending functions on licensed premises where they are being exposed to advertising aimed at adults only accentuates the impact. The Republic of Ireland are introducing marketing restrictions protecting children through the Public Health (Alcohol) Act in 2019 and beyond (Alcohol Action Ireland, 2019); similar restrictions on alcohol marketing in premises where children are present should be included in these measures to protect young people from these damaging exposures.

We would urge the Department to reflect on the meaning of the term 'underage functions' – they are children's events defined by their function to celebrate and enhance the participation of young people in their club and not defined by eligibility to consume alcohol.

Permitting the attendance of young people to remain on licensed premises to attend a private function (e.g. a wedding reception) and the proposed conditions that must be met [Clauses 12 & 28]?

Please provide your comments in the text box below:

Allowing young people to remain on licensed premises beyond 9pm further exposes them to alcohol, which normalises and socialises them into a culture alcohol consumption and excess, which is dangerous and damaging.

The later children are on licensed premises the greater exposure they will have to levels of excessive alcohol consumption and the associated negative behaviours including violence and aggression.

The Mediterranean drinking pattern and places to drink show us that more moderate drinking is the norm; binge drinking, public drunkenness and behaviours connected to it is frowned upon and rare by comparison the UK and Ireland. We should focus on the overall culture, norms and attitudes to drinking instead. To mitigate risks to children in such environments for these special occasions there should be zones for children within the premises and normalising the presence of food alongside any drink taken, robust policies on the management of behaviours which are likely to be upsetting for children present.

The strengthening of the current law around the delivery of alcohol [Clause 9] and the delivery of alcohol to young people [Clause 13]?

Please provide your comments in the text box below:

NIADA welcomes the provisions which would require retailers to obtain documentary/ photographic evidence that the person taking delivery of alcohol is over 18 years old. NIADA would suggest that any responsibility surrounding the delivery of alcohol should remain with the retailer and young people should not be

criminalised for taking delivery of alcohol

The prohibition on self-service and sale of alcohol by vending machines [Clauses 15 & 30]?

Please provide your comments in the text box below:

N/A

Permitting children and young people to be present in a sporting club to 11:00pm during the summer months (1 June to 31 August) [Clause 29]?

Please provide your comments in the text box below:

This link between alcohol and sport suggests and promotes a link between alcohol and sporting success, which will normalise alcohol consumption, especially among young people.

Alcohol misuse has also been identified as a health risk associated with sports participation. Evidence shows that alcohol misuse is more common among young people and adults involved in sports than in non-sports playing children

Sport sponsorship has been shown to have an impact on the drinking behaviour of those who participate in sport, as well as those who watch it. A study of adolescents (average age 14) in four European countries, found that seeing more alcohol-branded sponsorship increased the likelihood of adolescents starting to drink and increased the frequency of using alcohol (De Bruijn et al 2016).

NIADA has some concerns regarding the wider impact of additional licencing hours. It is important to ensure that the primary focus of sports clubs remains the promotion of the health and wellbeing of its members and that the sports club remains a community asset to support active, healthy lives free from 'drinking culture', particularly among children.

Permitting children and young people to attend an awards ceremony in a sporting club one night per calendar year (until 11pm) [Clause 29]?

Please provide your comments in the text box below:

Again this highlights the link between celebrations and alcohol. These celebrations are held on a licensed premise, where alcohol is at the heart of functions. This socialises young people into a culture of alcohol consumption, hazardous and excess drinking

Overall, do you feel the measures are adequate to protect children and young people from alcohol related harm? If not, why not?

Please provide your comments in the text box below:

We do not believe that the measures are adequate as the exposure of young people to alcohol is being increased.

Alcohol consumption during any stage of childhood can harm a child's development, so an alcohol-free childhood is the healthiest and best option for children. A number of factors are associated with an increased likelihood of teenage drinking, including personality traits and demographic characteristics, as well as peer and family influences. Young people express greater intentions to drink if they believe that others consider it okay to do so, or if they have friends or family members who drink. However, adolescent health behaviours are also strongly enabled or constrained by the wider environment in which they live. Children especially are susceptible to external influences, which includes alcohol industry marketing activity. Providing children with the opportunity to grow and develop in an environment that fosters and encourages healthy choices, means tackling unhealthy influences on their behaviour.

6. Alcohol Consumption and Alcohol-Related Harm

What impact do you think these measures will have on reducing alcohol consumption and preventing alcohol-related harm?

Please provide your comments in the text box below:

The above proposals will have a positive impact as they reduce accessibility and restricts the access to drinks. NIADA welcome the proposed restriction on off-sales drinks promotions in supermarkets.

In the Republic of Ireland, recently enacted provisions of the Public Health (Alcohol) Act placed restrictions on:

- Alcohol advertising in or on public service vehicles, at public transport stops or stations and within 200 metres of a school, a crèche or a local authority playground will be prohibited.
- Alcohol advertising in a cinema will be prohibited except around films with an 18 classification or in a licensed premises, children's clothing that promotes alcohol will be prohibited.

NIADA can see the validity of these measures and would strongly recommend that the DFC considers similar measures in Northern Ireland.

Do you have any other comments in relation to any other aspect of the Bill in relation to alcohol consumption and alcohol-related harm?

Please provide your comments in the text box below:

NIADA feels all alcohol advertising should be banned, if looked at from a health perspective. We wouldn't dream of permitting tobacco or cocaine advertising again, and we know alcohol is more harmful overall than either of the others mentioned.

7. Regulation, Enforcement, Offences and Penalties

The Bill proposes to allow statutory approval for voluntary industry-led codes of practice in relation to the sale and supply of alcohol in licensed premises and registered clubs [Clauses 19 & 32]. Do you feel these are an effective means of helping to regulate the industry? If not, what alternatives would you suggest?

Please provide your comments in the text box below:

This is akin to asking the fox to guard the chicken shed. The drinks industry will not effectively prioritise public health as it is not in their interested to do so because that would decrease their revenue. If it was we would already see public health impacts as a result. Any industry codes of practice should flow from legislation with public health at it's core rather than try to balance health harms and profits.

The Bill contains provisions to permit a court, when determining an application for an occasional licence, to impose terms and conditions on the licence with consequences for non-compliance [Clause 18]. What are your views on this?

Please provide your comments in the text box below:

N/A

What are your views on the measures in the Bill that would require a body corporate (licensee) to notify the courts and police of any change of directorship (within 28 days) [Clause 20]?

Please provide your comments in the text box below:

N/A

Throughout the Bill there are a number of new offences and/or penalties under The Licensing (NI) Order 1996, The Registration of Clubs (NI) Order 1996 and The Betting, Gaming, Lotteries and Amusements (NI) Order 1985. The Committee would welcome any comments you have in relation to any of these.

Please provide your comments in the text box below:

N/A

8. Resource Implications for Certain Organisations/Bodies

(a) The PSNI:

Please provide your comments in the text box below:

N/A

b) Health and social services:

Please provide your comments in the text box below:

N/A

c) Other organisations (please specify):

Please provide your comments in the text box below:

N/A

9. Registered Clubs

Do you have any additional comments on the provisions in the Bill which specifically relate to registered clubs [i.e. Clauses 22 to 32]?

Please provide your comments in the text box below:

N/A

10. Additional Information

Are there any other measures not included in the Bill that you think should be included and why?

Please provide your comments in the text box below:

N/A

Do you have any other comments you would like to make?

Please provide your comments in the text box below:

NIADA would invite the Department for Communities to carefully consider the wider public health implications of alcohol consumption beyond those evident in terms of public order/alcohol related crime in the night-time economy.

Amendments made to the Bill should consider a whole population approach and closely align with the World Health Organisation's 'Global Strategy to Reduce the Harmful Use of Alcohol', and the Organisation for Economic Co-operation and Development's (OECD Policy Briefing 'Tackling Harmful Alcohol Use: Economics and Public Health Policy.'