



Northern Ireland Assembly

COMMITTEE FOR COMMUNITIES

Please use this form to submit written submissions in relation to the Licensing and Registration of Clubs (Amendment) Bill. Return to committee.communities@niassembly.gov.uk

Name: Dr Conn Mac Gabhann

Position/Organisation: Research Coordinator, Northern Ireland Catholic Council on Social Affairs (NICCOSA)

Date: 16/11/16

The Northern Ireland Catholic Council on Social Affairs (NICCOSA) is the Northern Ireland sub-committee of the Council for Justice and Peace of the Irish Catholic Bishops' Conference. With a membership of clerical and lay Catholics with relevant experience and expertise, NICCOSA provides advice and support to the Catholic Bishops of Northern Ireland on social, legal and political issues.

In preparation for this submission NICCOSA has drawn from the pastoral and practical experience of the the Irish Bishops Drugs Initiative (IBDI). The IBDI was established in 1997 and its volunteers work in over 200 parishes across both jurisdictions providing a pastoral response to alcohol and drug misuse. Therefore, NICCOSA welcomes the opportunity to address the issues raised in the Bill.

It is the case that many people in Northern Ireland drink alcohol and enjoy doing so. Nevertheless, a significant number of people in our society are directly impacted by the negative consequences of alcohol misuse while indirectly, society as a whole is impacted by alcohol misuse as is evidenced by scenes in our Accident and Emergency units and frequently, on our streets. The Church holds that alcohol when it is misused is destructive of the individual person, and frequently the individual's family and wider society.

A Department of Health report, entitled, *Adult Drinking Patterns in Northern Ireland 2013* (August 2014, available at: <https://www.health-ni.gov.uk/sites/default/files/publications/dhssps/adps-2013.pdf>) found that almost one-third of respondents (31%) who drank in the week before the survey had engaged in at least one binge drinking session (p.1). The survey also indicated that 11% of those who drank in the week prior to the survey were likely to have a problem with alcohol (p.1).

NICCOSA believes good public policy on these issues lies in limiting alcohol advertisements in particular to young people; emphasising the health and social damage caused by alcohol misuse; supporting effective alcohol misuse intervention; and the consideration of minimum unit pricing. It is noteworthy, that 60% of respondents to the Department of Health survey were in favour of minimum unit pricing (p.1). In this regard, NICCOSA believes that any codification of the Licensing (NI) Order 1996 should incorporate those statutory reforms provided by the Licensing & Registration of Clubs (Amendment) Act (NI) 2011 insofar as those provisions curbed, *inter alia*, irresponsible drinks promotions. Likewise, codification of the 1996 Order should require it to be mandatory for the Notice Relating to Age (as provided by the Licensing (Notice Relating to Age) Regulations (NI) 2012 to be display on all premises selling alcohol.

The Licensing of Pavement Cafes Act (NI) 2014, which came into force on 1 October 2016, creates a confusing scheme for the extension of the 'licensed area', as defined in Article 2(2) of the 1996 Order, to be extended onto the pavement outside licensed premises. This scheme is to be regulated by the local District Council for the area where the premises are situated. NICOSSA suspects that the regulation of such 'pavement cafes' by local Councils creates a confused system of statutory control which is not directly regulated by the Courts, and apprehends that it will (a) lead to the consumption of alcohol outside licensed premises to the inconvenience of those who live in the locality and/ or carry on business in the locality and/ or use that locality, and (b) may lead to issues of public disorder. Accordingly, the provisions of the 2014 Act should be controlled more directly by the Courts, and NICOSSA should prefer to see in any codified liquor licensing statute more exacting criteria for the granting of a pavement café licence. In other words, before such a licence is granted to a licensee, it should be a statutory requirement that a clear **need** for such a licence is objectively evidenced before a **Court** rather than to a District Council.

Furthermore, the system of extension of licences and additional permitted hours orders may benefit from simplification, whilst retaining the requirement for a Children's Certificates.

NICCOSA commends the efforts of policymakers in attempting to draft a Bill which serves all members of society and promotes the common good. We offer specific reflections on three areas of the Bill below.

Easter

One section of the Bill allows for the extension of opening hours on licensed premises on Holy Thursday and Good Friday.

Good Friday is a day when Christians of all denominations in Ireland and throughout the world take time to reflect on the Passion and death of Christ. Good Friday is a day apart for many people in our community; many people participate in religious services, communal prayer or simply take time out for spiritual reflection. Good Friday is central to the solemn preparation for Easter, the most important feast of the Christian calendar.

We accept that Easter is not a religious celebration for everyone, and while we are keen not to limit the freedom of individuals, we ask that policymakers fully consider the consequences of extending opening hours on Good Friday. The current opening hours over the Easter period provide a balance between those who wish to go to a licensed premises and those who would prefer to maintain the solemnity of that day. The current, very limited curtailment of opening hours at Easter and Christmas is a small but significant instrument of public policy which accords respect for these Christian feasts. Moreover, extending opening hours on Good Friday may place a *de facto* obligation on individuals to work longer hours on Good Friday regardless of their preference. Indeed, within an increasingly diverse and secular society the restrictions on the opening hours of licensed premises serve a useful public policy function – to challenge the increasingly mainstream notion that all festivities and indeed all days must include alcohol from morning until night.

Therefore, NICCOSA does not endorse the proposal to extend opening hours on Good Friday.

Extension of 'Drinking-Up' Time

Conscious of the current issues that surround the existing provision of 'drinking up' time – particularly with regard to the provision of public transport for those disgoring from licensed premises at the close of the licensed premises, and the public order issues that flow from large numbers of people alighting from licensed premises into public spaces - NICCOSA agrees that the trialling of extended 'drinking-up' time is worthwhile.. The possibility of achieving a more gradual dispersal of people at the end of a night from licensed premises is desirable. Therefore we believe this initiative and a subsequent review of its impact should be supported.

Restrictions on the Advertising of Intoxicating Liquor in Supermarkets and Off Sales Premises

NICCOSA welcomes the proposed restriction in this Bill on off-sales drinks promotions in supermarkets. There is a compelling body of evidence that shows exposure to alcohol advertising increases youth drinking:

“Research clearly indicates that, in addition to parents and peers, alcohol advertising and marketing have a significant impact on youth decisions to drink.”

(Johns Hopkins, Bloomberg School of Public Health, Center on Alcohol Marketing and Youth available at: <http://www.camy.org/resources/fact-sheets/alcohol-advertising-and-youth/>)

Research indicates that there is a correlation between alcohol advertising and levels of underage drinking and later adult attitudes to alcohol consumption. NICCOSA welcomes this measure as a step forward to promoting more mature attitudes to alcohol consumption in Northern Ireland.

NICCOSA remains concerned at the ever-growing influence of the well-funded advertising campaigns by the alcohol industry, which unquestionably target young people as a key audience. This powerful messaging seeks to obtain life-long users of alcohol products and does so with little regard for the collateral physical, psychological and societal damage which may result.

As stated above, codification of the 1996 Order should require it to be mandatory for the Notice Relating to Age as provided by the Licensing (Notice Relating to Age) Regulations (NI) 2012 to be displayed on all premises selling alcohol.

For official use only

Date received : _____

Ref Number: _____