

**CORRESPONDENCE FROM WAYNE GAULT ON THE ALCOHOL
(LICENSING, PUBLIC HEALTH AND CRIMINAL JUSTICE) (SCOTLAND)
BILL (INTRODUCED APRIL 2015)**

Please find attached, the Alcohol (Licensing, Public Health and Criminal Justice) (Scotland) Bill, introduced to the Scottish Parliament on 1 April 2015 by Richard Simpson MSP.

It's a bit surprising that a new bill should follow so quickly after the air weapons bill but it does have multi-party consent to progress. It is not a government bill so it's unclear whether this will get anywhere.

The Bill has 10 provisions and I'd be keen to hear people's opinion on each. The ADP plan to submit a response to these proposals and Licensing Forums and Boards may wish to do likewise. I've summarised each provision and indicated provisionally whether we're supportive, neutral or not supportive pending further dialogue with partners:

1. Minimum price of packages containing more than one alcoholic product – closes a loophole in existing legislation on multi-pack discounting of alcohol products. Supported.
2. Alcoholic drinks containing caffeine – bans caffeine content above a certain level to address “wired awake drunks” where caffeine allows drinking to continue for longer, which could be expected to lead to higher consumption and greater risk of harm. Neutral – little evidence of Buckfast type drinks being a problem in Aberdeenshire.
3. Age discrimination: off-sales – seeks to overturn existing provisions allowing a LB to prevent those aged 18-20 from purchasing alcohol for consumption off of individual premises despite no evidence of this provision being abused. Not supported.
4. Container marking: off-sales – enables LB to impose container marking schemes as an additional tool in tackling under-age drinking. Whilst this might help with the small number of underage sales or proxy purchase sales, it's unlikely to be helpful for the majority of cases where alcohol has been supplied by parents. Neutral.
5. Consultation and publicity for license applications - enhances local people's ability to influence alcohol licensing decisions by consulting with residents 50 meters from the premises where there is no active community council and extends the consultation period from 21 to 42 days. Feedback from ADP community engagement events indicate that this should be supported.
6. Ban on alcohol advertising near schools etc. - restrictions on the advertising of alcoholic drinks, where they are likely to be seen by people under the age of 18, in order to —de-normalise alcohol to young people eg vicinity of schools, nurseries, crèches and play areas;

within retail premises; and at sporting and cultural events aimed at under-18s. Supported.

7. Alcohol education policy statements- SG to publish every five years and review a statement of their policy on the provision of public information and education about alcohol consumption. Evidence suggests that alcohol education and public information campaigns are not very effective in preventing excessive alcohol consumption. Neutral.
8. Drinking Banning Orders – enables the courts to impose a drinking banning order on an individual who has engaged in criminal or disorderly conduct while under the influence of alcohol. Could be useful but also could criminalise already vulnerable people and compound their situation. Neutral.
9. Fixed penalty offences involving alcohol - alcohol awareness training as alternative to fixed penalty. The ADP's JELCS group is currently investigating introduction of a similar scheme. Supported.
10. Offences involving alcohol: notification of offender's GP. This would not place any obligation on GPs to take specific action, the aim is to alert them to a potential health issue and enable them to address this with the patient at an appropriate opportunity. Whilst this might guide when an opportunistic ABI should be provided, there's no evidence this would be welcomed by the patient. Neutral.

Wayne Gault