Alcohol etc. (Scotland) Bill

Addiction Recovery Training Services

An Effective Method of Improving Tax Revenue from Alcohol Whilst Eliminating Criminal Drinks Marketing and Much of the Behaviour Which Alcohol Usage Can Cause

“Effective” means that a policy achieves its goals, so a first factor is to know what the goal of our alcohol policy should be and therefore, as a democracy, one has to ask the electorate.

UK based surveys show that, along with unfettered adult drinking at home, a huge majority expect freedom for adults (considered by most to mean those 21 and over) to use alcohol on licensed premises between 10.30am and 10.30pm.

With the retail prices of legal supplies of alcohol so obviously expensive when compared to their production and distribution costs, it is little wonder that it is well worthwhile for criminals to smuggle massive amounts into the country, to high-jack lorry loads of legitimate supplies, or to break into and rob bonded warehouses and other premises.

Prices for alcohol have been boosted to their present all-time high by four main factors:

1) They are largely habit forming. This leads to dependency and addiction, making possible their sale at any price.

2) Because their addictive nature makes them easily saleable, the profits are enormous, as is witnessed by the size and wealth of the brewers, vintners and distillers, etc.

3) The government wants to see alcohol usage reduced, and believes, quite mistakenly, that high retail prices will stop the public from buying alcoholic drinks. If these were non-addictive products, ministers would be right, but tobacco and other addictive drugs demonstrate that addicts, in addition to ignoring death warnings on packaging, also cheat, lie, mug, rob, steal and even kill to get addictive supplies, so that asking a higher price has always PROVEN to be no more than a very temporary deterrent to purchase or usage.

4) The Chancellor of the Exchequer regards alcohol as a legitimate and lucrative tax source, which helps to vastly inflate retail prices, and tacitly grants addictive substances government endorsement.

History shows that the general public will take a risk on buying “possibly” illicit supplies only if they are offered at a SUBSTANTIALLY lower price than local retail prices for legal supplies.
So, far from increasing retail prices, the question is: **HOW (whilst also avoiding stimulating consumption) can we get prices for legal supplies DOWN to a level where THERE IS NOT ENOUGH ILLEGITIMATE PROFIT TO MAKE LOWER PRICED CRIMINAL SUPPLYING WORTHWHILE?**

At first sight, the silly answer is - to set the retail price of legal supplies at what it actually costs to produce and distribute alcohol products. In other words, no profit for the producer and / or importer, no profit for the distributor and no tax for the Chancellor.

This would put the price of a pint of beer or a glass of gin back to the prices of over a century ago but, because **price is a nearly irrelevant factor in ADDICTIVE substance purchase**, history shows that **IT WOULD DO LITTLE OR NOTHING TO INCREASE TURNOVER AND USAGE.**

Whilst taking ALL profit away from producers and distributors is obviously unworkable, one can either cap their profits at say 2, 3 or 4%, or somewhat more complicately, tax their profits so heavily that high gross profit mark-ups become less lucrative in net terms than low profit mark-ups.

**However, this could only be done if the Chancellor has a replacement for his present method of raising tax income from alcohol.** In practice on the above basis, no tax would come from the production, sale and distribution of these addictive substances.

**So it would have to come DIRECTLY from those consumers choosing to use** alcoholic products, and **THIS IS BEST DONE BY LICENSING CONSUMERS TO USE ALCOHOL IN THE SAME WAY AS WE LICENSE THEM TO USE A MOTOR VEHICLE, A TV SET, AN AEROPLANE OR A GUN, etc.**

At the same time as seeking to reduce the retail supply of legal alcohol, **IT IS EVEN MORE LOGICAL TO TAKE INTO ACCOUNT STOPPING THE ILLEGIT SUPPLY OF ALCOHOL FROM CRIMINAL SOURCES.**

If Parliament were to license adults for personal usage of alcohol, at prices no criminal could profitably undercut, a death blow would be struck at the illegal trafficking, smuggling, stealing & pushing of all forms of unlicensed alcohol sales.

Decades of raising the retail prices of alcoholic drinks has provenly NOT worked to curb **usage** or to reduce **offensive behaviour** arising from such usage – this latter behavioural factor being the one we really need to handle.

In fact the cheap “happy binge hour” “get as many in as you can before 7.00pm” culture, made possible by high prices, has done as much to generate drunkenness and drunken behaviour as other factors.

When dealing with the occasionally violent, damaging uncontrolled and environmentally devastating **behaviour** of a minority of drinkers, in most
countries current policy is just simply (and far too simplistically) to cool them off but to do nothing about banning their actual usage of alcohol.

This is because under current law it is very difficult to ban on the spot adults who consider they have a right to decide their own lives, choices and spending patterns – the majority of whom do not normally indulge in offensive behaviour.

However, it is the offensive “behaviour” of some users which, over decades, has created more work for the police, customs, the courts, prison and probation officers, etc., than any other single factor. It is the UNACCEPTABLE BEHAVIOUR WHICH HAS LONG BEEN AN INSUFFERABLE NUISANCE AND A CRIME, and IT IS THAT BEHAVIOUR WHICH SHOULD NOT BE TOLERATED.

But, as with vehicle driving, if your behaviour can lose you your licence . . . . ?

LICENSING: This acknowledges and registers an adult’s right to use alcohol, if they so choose. It is clear that full recognition of an individual’s democratic right - to as far as possible determine his own life – is a major policy viability factor, so long as exercise of such rights does not inhibit the rights of others.

To achieve this, it should thus be the licensed democratic right of every adult to drink any form of alcohol at home or on licensed premises, bearing in mind that football grounds, sports venues and other major congregations of population must NOT be premises licensed for alcohol sale or consumption.

Such a Personal Alcohol Licence (PAL) would acknowledge and register the right of the licence holder to purchase, carry and use personal quantities of alcohol as specified in an appropriate section of a new piece of legislation.

It would NOT however, grant the right to produce, sell, distribute or otherwise trade, supply or deal in alcoholic substances, which would be strictly illegal and punishable by law, unless additionally, separately and formally licensed for trading purposes under another section of the same legislation.

It would therefore also be an offence to sell or otherwise trade all or any part of one’s personal supply to another. It would also be punishable by fine for the PAL holder to supply all or any part of his or her personal supply to any unlicensed person and punishable by imprisonment to supply any person under 21 years of age. Just as it is illegal to permit one’s licensed motor vehicle to be used by someone who has no licence and / or is uninsured or under-age. However, “buying a drink” for a licensed friend would not of course be restricted.

(N.B. In the same way in which police currently exchange radio information with the vehicle drivers’ data bases, police would be able on the spot to verify if a suspect under questioning was licensed or not.)
Of all the activities daily engaged in by the public, the two which stand out as the most dangerous are the usage of addictive substances (drugs and drink) and the driving of motor vehicles on our increasingly crowded roads.

The vast majority of motor vehicle drivers engage directly with the government of the day via the well organised procedures run by the Driver and Vehicle Licensing Authority (DVLA), whose ability to control our roads rest on their huge databases which in turn rests on the direct relationship they have with each individually licensed (and insured) driver.

Of course there are rogue drivers, and it is the licensing system which enables enforcement officers to quickly identify the law breakers.

It is also the licensing system which ensures that every driver is trained and tested to a safe standard. But what guidance or usage training is made available to a user of alcohol – a substance which impinges directly on the acceptable behaviour of each drinker, as well as on the health, safety and wellbeing of themselves, their families and others.

Direct relations between the government and individuals is the safe and sure control method.

We need to know exactly who the users of dangerous substances like alcohol are. Are they insured against the damage which their behaviour can cause when they are under the influence of drink? Are they insured against becoming alcoholic and needing rehabilitation with alcoholic recovery training techniques? Can they be identified in a manner which exposes those who are not licensed?

Have they been instructed in and advised on the dangers of alcohol? AND IF NOT . . . . WHY NOT?

**SUPPLY:** Sale, distribution and consumption of alcohol should be restricted (basically as at present) to specified licensed premises, such as public houses, restaurants, hotels, certain types of clubs and off-licensed premises.

Alcohol should not be sold on open shelves by retailers whose main business is the sale of non-addictive items or commodities.

Nor should such substances in any manner be used as promotional items, and they should be available only in premises where the sale can be efficiently and effectively restricted to licensed adults.

**CLASSES OF DRINKER’S LICENCES:**

a) A standard Personal Alcohol Licence would permit a UK adult resident to purchase, carry and consume personal quantities of alcohol as specified in new legislation.
b) Recognising the health debilitating aspects of alcohol and the behavioural responsibilities undertaken by a user, for an additional fee over and above the PAL fee, the government would offer to insure a PAL holder against claims for damages which their behaviour can cause when they are under the influence of drink and, for a further fee, also insure PAL holders against becoming alcoholic and needing rehabilitation with residential alcoholic recovery training techniques.

c) Temporary and Visitor Personal Alcohol Licences. For those who drink alcohol only on an occasional basis, a TVPAL would be made available to cover a limited period of licensed usage.

These limited period licences would be issued to permit usage by an adult visitor from abroad, or UK resident of 21 years or older, for 1, 2, 4, 8 or 13 week periods. The calculation of fees would be the same as for an annual PAL, reduced to reflect the shorter period and with the addition of a £10.00 Application Fee to cover issue costs.

**USAGE TAX LEVELS:** *(Because the licence costs must together, as a minimum, replace the current tax revenue from retail alcohol sales, a study in respect of final licence costs is obviously beyond the scope of this paper, so that the following are merely indicative and approximate estimates).*

Those who want an annual “Personal Alcohol Licence” would pay say £600 (£1.65 a day), those who also want “Behavioural Insurance” would pay, over and above the PAL fee, a further amount to be actuarially determined and likewise those who also want insurance against alcoholism would pay, over and above the PAL fee, a further amount to be determined.

Those who want a six month instead of an annual licence would pay £330.

Bear in mind that these six month and annual licence charges are to reimburse the government for removing the tax currently paid as part of the retail price on alcohol, so that the annual cost to the average consumer would be basically unchanged.

In addition, insuring against the well known and identifiable risks of alcohol consumption would give the government a substantial additional income whilst placing the responsibility for choosing to consume addictive and behaviour modifying alcohol squarely on the shoulders of the drinker.

The idea that increasing the retail price of a product automatically reduces its consumption may be true for many products, but has never been proved true for addictive products – quite the reverse. **On the other hand, the necessity to find an up-front licence fee might well be a more than temporary deterrent.**
PAYMENT OF LICENCE FEES: Whist some drinkers will have no problem with paying the annual PAL fee in one lump sum up-front, most drinkers will want to pay the Chancellor’s alcohol tax over time as they do at present.

For this reason the PAL fee could also be payable monthly in advance by Direct Debit.

All TVPALs for Temporary and Visitor Personal Alcohol Licences would be payable in full up-front and would be obtainable at most premises licensed to sell alcohol.

JUVENILES: As far as those below the age of majority are concerned, far more responsibility should be placed on the shoulders of parents.

Whilst adults should be able to choose to do exactly what they please in regard to their own consumption of alcohol, it should be illegal for children below the age of adulthood to be allowed to use such substances, and it should be the parents or other guardians (familial or public) who are legally responsible for the behaviour of children in this regard.

The damaging effect of alcohol on the main vital body organs of adults is well known. What is now also totally proven is that the effects on the developing bodies of those below 21 years are much more devastating, including for youngsters, severe damage to their developing brain – and thus a lifelong suppression of a child’s potential, success, happiness and longevity.

The law in certain countries does not, in a majority of circumstances, allow alcohol to be given to children under 18 to 21 years of age, and countries like Sweden (where no under-age child is allowed to drink in or out of the home) manage to enforce this sort of law, without an excess of intensive and invasive policing. Although these are intrusive powers, because they are so well known, they seldom if ever need to be used.

Adults in general and teachers, doctors and parents in particular should be responsible for ensuring that minors avoid usage of all forms of alcohol.

PENALTIES: Personal Alcohol Licences should list penalties, and give details of the availability of Addiction Prevention and Avoidance Training for All and Risk Minimisation Education for Licensed Users.

Any parent permitting any child to ingest any form of alcohol at any time should be required to do say a one to three month period of community work in a residential drug rehabilitation centre – in the withdrawal or detoxification ward - so that they may see for themselves and fully understand what they have allowed to happen to their own child.

Any parent allowing their child to become alcohol dependent should additionally be required to pay the full costs of having their child returned to the natural state of relaxed abstinence into which they were born.
Such return of natural and comfortable abstinence is best achieved by training the alcoholic to cure him or herself with a viable system of withdrawal, habit abandonment and recovery from past usage, and such training is available, and has been available for 43 years, in 158 centres (plus prison units) in 47 countries.

It takes from 16 to 28 weeks, it costs in the order of £12,000 to £18,000, and it achieves the goal of lifelong comfortable abstinence in 69+% of cases.

Anyone found illegally supplying alcohol to juveniles or unlicensed users, should be fined and / or imprisoned and, if a licensed trader, should have his or her trading licence withdrawn.

The future happiness of millions of youngsters demands that zero-tolerance be THE basis for protecting juveniles from addictive substance usage. Penalties for dangerous, damaging and / or criminal behaviour, whether arising from having used alcohol or not, are already provided in law, and should be applied with zero-tolerance.

CRIME REDUCTION: Bear in mind that, because reduction of retail taxation will lower retail prices sufficiently to squeeze out illegal supplies, this will reduce the number of illegal sellers, smugglers and high-jackers of legal supplies thus significantly reducing the need for customs surveillance officers, policing and prosecutions, and also reducing the size of the prison population.

ENFORCEMENT: It is thus the intention of these proposals to reduce police and ambulance work, prosecutions, the numbers of prison inmates and those on probation, etc. This permits the implementation of a zero-tolerant attitude towards those much fewer numbers who will come before the courts on alcohol offences and thus make implementation of the new personal licensing laws more effective. However, it becomes essential and vitally necessary (as well as easier) to police the far smaller numbers of licensed trading establishments, who would themselves be required to apply the law in a zero-tolerant manner and who in turn should be treated with zero-tolerance when they offend.

By placing the distribution of alcohol solely in the hands of the indicated specialist licensed traders, it becomes less necessary to police the tens of millions of individuals – other than to ensure that, when they are shopping for their supplies, they are adult and are carrying a valid Personal Alcohol Licence.

SUPPLY REDUCTION: Licensing authorities, instead of expanding the issuing of licences for the supply of alcohol, should have a very active policy of ensuring that the number of premises in their area licensed to supply alcohol remains constant or falls.
At manufacturer level, government must also limit to zero the expansion of production of alcohol, by taxing financial gain made from alcoholic products to only very modest profitability.

Furthermore, whilst alcoholic products must be available to adults, any form of advertising and promotion of such substances, or their usage to promote other products should be totally banned. In addition, consideration should be given to restoring the age of majority to 21 years OR restricting the issue of Personal Alcohol Licences to those 21 or over.

**CRIMINALITY AND THE EXPANSION OF ALCOHOLISM PROBLEMS ARISE SOLELY FROM PROFIT MOTIVES.**

As a result of which government, whilst permitting licensed personal alcohol usage and whilst licensing supply, MUST MOVE TO TAKE MOST OF THE PRESENT PROFIT – AND THUS ALSO THE OPPORTUNITY FOR CRIMINALITY - OUT OF EVERY FORM OF ALCOHOL PRODUCTION & SALE.

The best definition of an “effective” alcohol policy is one which continuously moves a society or community in the direction of total abstinence, i.e. TOWARDS a society FREE of alcoholic substances.

Which is of course Impossible to completely achieve, but such an attitude demonstrates INTENTION, and such a policy results in less and less overall production and distribution of ALL types of alcohol, less and less criminal and illegal activity AND a continuing reduction in the number of citizens of all ages using alcohol.

And those citizens include our children, their children and their children!

Because each and every licensed drinker must be prepared to take full legal and financial responsibility for any behaviour they indulge in which is illegal and / or which impacts on other people, it is vital that Addiction Prevention and Avoidance Training be fully and freely available to all youngsters from reading age up, and Risk Minimisation Drugs Education would take its rightful place as guidance for Licensed Users.

**IN ADDITION, IT WILL LIKELY BE FOUND ADVANTAGEOUS TO INVESTIGATE AND REDUCE THE STRENGTHS OF ALCOHOLIC PRODUCTS.**

For example: pushing beer at 4.5 to 9% today, when 60 years ago it was only 2 to 2.5%, is a deliberate attempt to take marketing advantage of the responsibility reduction effects of alcohol by inducing quicker loss of judgement and control in the consumer. (For this reason the drink-up-quick “Happy Hour” must also go.)
60 years ago “he’s had one over the eight” described someone who was obviously drunk. Today it’s “one over the four”. Beer and other drinks at half their current alcohol content would mean an increase in the number of drinks sold, but lower sales of alcohol and thus lower Thursday, Friday & Saturday night town centre problems of every sort.

THE PROBLEM IS NOT DRINKING.

THE PROBLEM IS THE ALCOHOL CONTENT!

Because today a much greater proportion of our population gets into alcohol usage BEFORE age 21 than starts usage AFTER age 21, a vital main policy aim must also be the postponement of youth drink experimentation and usage, which very clearly depends on the age at which legal usage of all forms of alcohol products commence.

OTHER BENEFICIAL EFFECTS OF PERSONAL CONSUMER LICENSING:

1) Currently a driving licence containing a photograph is often accepted as a proof of age or as identification. And government is in two or even three minds as to whether to introduce ID Cards.

With the current high numbers of adults using alcohol either in public or at home, a PAL would likely be carried by well over 90% percent of the adult population.

As a result, the PAL – with its photograph of the license holder - would quickly obviate the necessity for an ID Card. Furthermore, as the individual choosing to have a user’s licence would be paying for its issue, unlike an ID Card, there would be no cost to the taxpayer.

Because of the preponderance of citizens who would hold a photo bearing alcohol licence or a photo driving licence, the issue of a photo ID card to the rest of the population would be a much smaller and less costly venture.

2) Because in principle every adult would be entitled to a Personal Alcohol Licence, no licensed user would “need or want” to seek supplies from other than official close to hand sources – especially as such legal supplies would always be locally available and would also be the easiest, safest and least expensive to obtain.

The criminal element would thus be left with only three main groups of potential clients:

i) Those with the lowest amount of disposable income - the under-aged,

ii) Those adults also with low income who thus cannot afford a PAL, and,

iii) Those who had been deprived of their PAL as the result of an offence.

But how could the criminal suppliers – whose appeal rests SOLELY on significantly lower pricing – compete with a low legal pricing structure?
Additionally, by emphasising and enforcing the responsibilities of all adults accountable for children - including teachers, doctors, police and parents in particular - and by placing penalties for parents on a zero-tolerance basis, criminals would find much more determined familial resistance to their activities than at present.

Furthermore, Addiction Prevention and Avoidance Training from an early age, and the legal availability of alcohol for adult consumption, would take away much of the glamour and sense of “I dare you” adventure currently associated with youth usage.

Guidance Classes for Parents (part of Addiction Prevention and Avoidance Training) would also help minimise criminal activity in this field.

3) No other industries in the world have the unethical advantage which the producers of addictive substances “enjoy” when it comes to marketing their products, because manufacturers of furniture, shoes and bicycles, etc., etc., have no way of getting their clients addicted to or coerced by their products.

For alcohol sales to be expanded and for drinks industry profits and dividends to be raised year after year, as with any other businesses, boards of directors see as essential that there be more and more of our citizens – more parents, more pensioners and even more youngsters directed towards alcohol usage.

An alcohol dependant is a goose which lays golden eggs, because he or she cannot resist reaching for the alcoholic beverage to which they are addicted.

As a result many aspects of alcohol industry marketing take the fullest possible advantage of the habit forming and judgement / responsibility lowering effects of drinking.

However if we are to defend our populations against a life of alcoholic misery, the essentially unethical usage for marketing purposes of the addictive and coercive properties of the alcohol itself must be stopped - in a similar way to how we penalise the covert administration of Rohypnol - the date-rape drug, which permits the substance “supplier” to take advantage of the substance “consumer” in order to achieve effects desired for the benefit of the supplier rather than the consumer.

4) Legal producers and distributors of alcoholic products can, in the main, expect to expand their turnover by virtue of the disappearance of competition from lower priced illegal supplies.

5) Because a PAL is paid in advance of purchasing the alcohol, the licence revenue is collected much earlier than is currently the case. Furthermore, as the government would no longer be reliant on the alcohol, trades for tax collection, government would be able to exercise more control over those industries.
CONCLUSION: The above is obviously just the bare anatomy of a new approach, needing fleshing out and suitable dressing to make it attractive to all.

Much more positive evidence can be submitted of the numerous benefits and advantages of the above approach to alcohol consumption reduction and its behavioural problems – but not within the compass of so few pages. As a result, the author is prepared to attend oral evidence sessions if required.

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