NUS Scotland is a federation of local student organisations in Scotland, comprising over 60 local campus student organisations that are affiliated to the National Union of Students of the United Kingdom (NUS). NUS Scotland is an autonomous, but integral, part of the National Union of Students. The students’ associations in membership of NUS Scotland account for 85% of students in higher education and over 95% of students in further education in Scotland.

Students’ associations affiliated to NUS retain autonomy over all policy areas, and may choose to make individual students’ association submissions based on local policy. NUS Scotland operates a democratic forum for policy and debate on national issues affecting students, and NUS Scotland’s role is to reflect the collective position.

NUS Scotland welcomes the opportunity to respond to the Committee’s Call for Evidence on the Alcohol Etc. (Scotland) Bill. We also welcome the Scottish Government’s commitment to addressing what is a key public health issue for Scotland. We reject the notion of students as irresponsible drinkers and instead believe that students and students’ associations across Scotland have a crucial role to play in changing this country’s unhealthy relationship with alcohol. We also believe this unhealthy relationship is a national problem, rather than a young persons’ problem, and that legislation should not discriminate against young people without justification. We would like to make the following specific points in relation to the current proposals in the Bill.

**On the justification for empowering licensing boards to raise the legal alcohol purchase age in their area to 21**

NUS Scotland believes any increase in the minimum legal purchase age for alcohol should not be considered unless it is clear that this will reduce either antisocial behaviour or underage drinking. We do not agree that the evidence provided has shown that an alcohol purchase age of 21 for off sales would reduce antisocial behaviour in our communities, and, with alcohol consumption widespread amongst those as young as 13, it would seem clear that better enforcement of the existing minimum age is needed before any increase is considered.

Moreover, NUS Scotland is unable to support proposals which constrain choice and penalise the majority of students aged 18-20 who drink sensibly, and therefore opposes the creation of any powers for local licensing boards to increase the legal purchase age for alcohol. A majority of public opinion is not in favour of any increase in minimum purchase age and the Scottish
Parliament voted against this in principle in October 2008.\(^1\) The amended proposals devolve responsibility, but discriminate against students and young people in the same way as these earlier proposals. NUS Scotland believes it is inequitable that individuals aged 18–20 who consume alcohol responsibly in their own homes may be prevented from doing so, or criminalised if they continue to do so, in a country which considers them mature and responsible enough to vote, to fight for their country and to raise children.

The terminology of the Bill\(^2\) also reinforces prejudice against students and young people aged 18-20 as the main cause of alcohol-related disturbance and antisocial behaviour. The Scottish Government has failed to show that this is the case, or that the restrictions permitted by the current draft of this Bill would reduce the alcohol-related problems experienced by particular local authority areas. The Scottish Government has in the past pointed to the ‘success,’ of pilot projects such as the under 21 alcohol purchase ban in Armadale, West Lothian in 2008. However, investigation of the impacts of the project show that even if the ban was responsible for a reduced number of calls to the Police about youth disorder, this was minimal, with 5 calls to the Police in a week before the trial, and 4 during, with a reduction of 0.54 in the number of calls per week specifically referring to alcohol use. It also cannot be shown that any of the impacts of the project were directly attributable to the alcohol purchasing restrictions as opposed to the increased focus on disorder by the authorities for the duration of the project.

The Scottish Government, on its website\(^3\) professes its commitment ‘to engage(e) with young people and...enable them to gain a voice, influence and a place in society.’ While local licensing boards are required to consult with ‘young people,’ as members of local licensing forums, representation of young people on these forums is patchy and it is not clear that there would be a robust system in place to ensure and unbiased and fully evidenced decisions are taken. This is a significant concern should these boards be given powers to remove rights from local young people. Far from ‘engaging’ young people, the Bill’s proposals would alienate them, when they should be constructively involved as part of the solution to Scotland’s alcohol problems.

Furthermore, 17–24 year olds only account for around 3.5% of alcohol consumption. 45–64 year olds account for between 13% and 24%\(^4\), so these restrictions are aimed at the wrong group of people. If the Scottish Government considers proxy buying to be an underlying issue here, then measures should be brought forward to crack down on those individuals who are buying alcohol for underage people, not on all 18 to 20 year olds.

\(^1\) Debate on Alcohol Sales (Age Limits), October 2\textsuperscript{nd} 2008
http://www.scottish.parliament.uk/business/officialReports/meetingsParliament/or-08/sor1002-02.htm#Col11409
\(^2\) 7A ‘each licensing policy statement published by a Licensing Board must...include a statement...as to the extent to which the Board considers that off-sales to persons under the age of 21...are having a detrimental impact in that area or locality.’ http://www.scottish.parliament.uk/s3/bills/34-AlcoholEtc/b34s3-introd.pdf
\(^3\) http://www.scotland.gov.uk/Topics/People/Young-People/YouthWork
\(^4\) TNS Worldpanel Alcohol Consumer Profile of UK Shoppers (2005-2008) Data from May 2008
In addition, with levels of underage purchase and consumption of alcohol in Scotland high, and levels of prosecution for underage sales low, it is clear that the current legal purchase age for alcohol off sales is not being properly enforced. The Scottish Schools Adolescent Lifestyle and Substance Use Survey (SALSUS) 2008 found that 52% of 13 year olds and 82% of 15 year olds had had an alcoholic drink. Reducing the minimum purchase age for alcohol risks creating even larger numbers of illegal drinkers, when resources should be focussed on tackling the current underage drinking problem.

- NUS Scotland is strongly opposed to any legislation which would permit an increase in the minimum purchase age for alcohol to 21 in any area of Scotland.
- NUS Scotland instead advocates more effective enforcement of the current minimum purchase age for alcohol through the introduction of a nationally recognised, Scotland-wide, proof of age card, and strengthening work to crack down on irresponsible retailers serving underage people, such as test purchasing.
- NUS Scotland believes that a mandatory ‘Challenge 21’ requirement would be a sensible way to tackle enforcement issues without criminalising 18–20 year olds. In this respect, we welcome the requirement in the new Bill for all premises to have an age verification policy in place, but believe it should be strengthened from the current draft.
- NUS Scotland is supportive of initiatives which combine student matriculation cards with National Entitlement Cards (for example, the University of Abertay, Dundee in partnership with Dundee City Council issues the Dundee NEC as part of their matriculation card) thereby making them PASS Accredited. This initiative should be accelerated and rolled out to all students at Scottish colleges and universities, and NUS Scotland would be happy to support efforts in this area.

On the establishment of a minimum alcohol sales price based on a unit of alcohol

NUS Scotland is concerned that students are being encouraged to drink excessive quantities of alcohol due to irresponsible promotions and deep discounting. Despite the provisions in the Licensing (Scotland) Act 2005, alcoholic drinks are still being sold in venues at prices which encourage overconsumption. Irresponsible drinks promotions also persist in the off sales trade. Low prices and promotions can encourage students to buy and consume more alcohol than they intend to or wish to, and can put their safety at risk. The absence of any minimum pricing scheme has meant that retailers have engaged in price wars to entice customers, which have inevitably led to irresponsibly low pricing. It is widely accepted that consumption of alcohol increases as price declines and vice versa, and that reducing consumption will save lives.

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NUS Scotland supports a minimum price for alcohol. We believe that minimum pricing should reflect the potential harm that the alcohol could cause and therefore agree with the principle of linking minimum price to the strength of the alcoholic drink.

NUS Scotland believe any minimum pricing structure must not act as an incentive or disincentive to promote specific drinks because of increased income to the trader.

NUS Scotland would oppose a minimum price set at a level which would prevent individuals on low incomes from purchasing alcohol to drink responsibly.

NUS Scotland is strongly supportive of a ban on drinks promotions in off sales (particularly quantity discounts) and would also advocate a ban on the sale of alcohol as a loss leader or below cost price.

NUS Scotland has concerns about the legality of minimum pricing in competition law, both UK-wide and at an EU level and believes this must be investigated further.

NUS Scotland believes minimum pricing would create a level playing field for licensed premises, encouraging more students to drink in their students’ associations, which have a duty of care to students and to ensure students drinking on their premises are safe.

On possible alternatives to the introduction of a minimum alcohol sales price as an effective means of addressing the public health issues surrounding levels of alcohol consumption in Scotland

While NUS Scotland is supportive of a minimum alcohol sales price, we are clear that this alone will not solve the problem. A culture change is needed; we need to encourage people to make more positive choices and to seek support and treatment where needed. While NUS Scotland strongly opposes the presumption that alcohol overuse is highest amongst young people, it is clear that educating young people about alcohol, and improving education levels overall, is key to reducing alcohol misuse in later life.

NUS Scotland believes young people should be given the appropriate information they need to make educated choices about alcohol, through information provided via parents or carers and improvements to alcohol education in schools.

NUS Scotland believes the Scottish Government and local authorities should play a part in generating and supporting initiatives to provide alternatives to alcohol for young people, and work to develop a night-time economy unrelated to alcohol consumption.

NUS Scotland believes the Scottish Government should support and encourage young people to remain in education, employment or training after compulsory schooling, which will boost their life chances and help to tackle alcohol misuse in later life.
On the advantages and disadvantages of introducing a social responsibility levy on on-sales and off-sales licence holders in Scotland

NUS Scotland opposes the application of any social responsibility fee to students’ associations. Associations already work to educate students about the dangers of irresponsible drinking and to encourage sensible drinking in a way that other drinks retailers and licensed premises do not. To give just a few examples, Robert Gordon University students’ association in Aberdeen recently received a Gold Award from the Best Bar None scheme, which recognises high standards in pubs on crime prevention, public safety and responsible promotion, and is also part of the Aberdeen ‘Unight’ scheme to crack down on the worst alcohol abuse offenders. Edinburgh University students’ association removed all drinks promotions from their bars during Freshers’ Week, and organised alternative non-alcohol events such as fair trade picnics, gliding, and a ‘coffee crawl.’ The University of the West of Scotland held an Alcohol Awareness day at their Ayr campus, which involved the NHS, Police and Fire Service with a variety of activities, including a quiz and a ‘beer goggles,’ challenge, designed to educate staff and students about the impacts of alcohol.

Any income generated from commercial services, including bars, within students’ unions is used to provide support for the institution’s students, including employing staff to offer advice, support and counselling. Students’ association venues are often used to raise money for charitable and local causes and are therefore enriching their local communities as well as supporting their members. Students’ unions also often struggle to compete as a result of the lower prices offered by larger commercial enterprises and further costs would be difficult for unions to cover. The larger retailers and chains may be able to absorb the costs with relative ease and therefore the fee may have little impact on them.

- NUS Scotland propose the creation of a ‘Social Responsibility Charter,’ to allow for the exemption of retailers or premises, which adhere to best practice in encouraging responsible drinking, from the social responsibility levy. This would provide a financial incentive to retailers to reduce the negative impacts of their operations on both individuals and communities, and prevent existing social responsible retailers, such as students’ associations from being unfairly penalised by the levy.
- NUS Scotland supports the principle that the income from the social responsibility levy as applied to retailers failing to meet defined social responsibility standards should be used by local authorities in meeting the licensing objectives, and particularly to support initiatives to encourage people to engage in alternative leisure activities, and to improve public health.
Conclusions and recommendations

- Alcohol misuse and overconsumption is not a problem exclusive to young people, it is a society-wide problem and should be tackled as such.
- The provisions to create powers for local licensing boards to increase the minimum legal purchase age for off sales of alcohol to 21 should be removed from the Bill.
- The Bill should instead strengthen enforcement of the existing minimum purchase age for alcohol by making a ‘Challenge 21’ policy mandatory for all alcohol retailers.
- The National Entitlement Card scheme should be accelerated, through student matriculation cards in universities and colleges. NUS Scotland is willing to support Young Scot in this process.
- Minimum pricing should be supported in principle as a means to reduce alcohol consumption, but in practice it must not penalise those on low incomes, and the competition impacts, UK and EU wide, must be investigated.
- A culture change in Scotland’s relationship with alcohol will only be brought about through better education, and by engaging with young people, not alienating them.
- The ‘social responsibility levy’ should be imposed only on alcohol retailers who do not meet our proposed ‘social responsibility charter,’ not as a blanket imposition on all retailers.

Scottish Executive Committee
NUS Scotland
20 January 2010