Alcohol etc. (Scotland) Bill

Scottish Youth Parliament

Background to SYP

Our vision is of a stronger, more inclusive Scotland that empowers young people by truly involving them in the decision-making process.

The Scottish Youth Parliament is democratically elected to represent Scotland’s youth. We listen to young people, recognise the issues that are most important to them, and ensure that their voices are heard.

In working towards our aims, we support the following values:

Democracy – All of our plans and activities are youth-led, and we are accountable to young people aged 14-25. Our democratic structure, and the scale of direct participation across Scotland, gives us strength and sets us apart from other organisations.

Inclusion – We are committed to being truly inclusive. The Scottish Youth Parliament believes that all young people have a right to a voice, it doesn’t matter who we are or where we come from. We celebrate our diversity.

Political independence – We are independent from political parties. Only by working with all legitimate political parties can we make progress on the policies that are important to young people.

Passion – We believe that drive and energy are key to successful campaigning. We are passionate about the key issues and believe that young people are part of the solution, not the problem.

Introduction and Context of Response

The Scottish Youth Parliament welcomes the opportunity to give evidence to the Committee on the issue of Scotland’s relationship with alcohol and proposals which are of considerable interest to young people across Scotland.

In September 2008 the SYP submitted a response to the Scottish Government’s “Changing Scotland’s Relationship with Alcohol” consultation. This was based on direct consultation with young people and with our members (MSYPs) who represent 14-25 year olds in 28 of Scotland’s 32 local authorities. Of particular interest in the consultation was a proposal to raise the minimum purchase age of alcohol nationwide from 18 to 21. Based on an overwhelmingly negative response from young people towards this proposal, as part of the Coalition Against Raising the Drinking Age in Scotland (CARDAS) we successfully campaigned against the introduction of this measure. The amended proposal devolving the power to local Licensing Boards remains of interest, as do several other features of the Bill.
Powers of Licensing Boards to Raise Alcohol Purchase Age

The SYP continues to strongly believe that the minimum age for off-sales purchase should not be raised to 21, and are pleased that the proposal to do this on a nationwide basis has not been taken forward. However, we remain concerned at proposals to devolve this power to individual licensing boards and believe that this should be removed from the Bill.

Whilst we agree that alcohol misuse is a significant problem in Scotland, we do not see how raising the minimum purchase age will help to tackle what is fundamentally a cultural problem concerning our societal attitudes towards drinking alcohol. Alcohol misuse is not confined to one particular age group, and arbitrary moves to raise the purchase age in particular areas will have a negligible effect on long-term problems related to alcohol. The SYP feels that it is not necessary or desirable to delay the onset of drinking from 18 to 21 and such measures could be counterproductive to attempts to normalise responsible drinking. Most young adults over the age of 18 drink responsibly, and to suggest that adults require supervision when drinking veers on the side of patronising, especially when you consider all of the other serious and significant things you are responsible for deciding and are expected to do at the age of 18. The SYP strongly feels that the law should not discriminate against people, who are above the current minimum age for alcohol purchases, in the provision of goods, facilities and services on the grounds of their age. We feel that an erosion of the rights of a segment of the adult population in particular areas of the country is unjustified and should not proceed.

The SYP believes that concerns about anti-social behaviour should be focussed on targeting the root cause of this behaviour – which we do not believe is purely alcohol-related. Most 18 to 21 year olds do not take part in criminal acts, engage in violence, vandalism or other anti-social acts even if they drink to excess and get drunk. In any prohibition culture – even one specific to off-sales – we believe that alcohol tends to become a forbidden fruit; an iconic badge of rebellion against authority, and thus all the more appealing. In addition, the SYP feels it is important to point out that anti-social behaviour committed whilst under the influence of alcohol is by no means restricted to 18-20 year olds. Whilst incidences of anti-social behaviour are higher in particular localities of Scotland, this is not purely restricted to 18-20 year olds, and goes deeper than the availability of alcohol.

The SYP feels that proposals to require individual Licensing Boards to consider raising the purchase age across their area, or in particular towns, villages or individual premises has the potential to cause confusion for young people and those tasked with enforcement of the policy, is likely to be inconsistently applied by different Licensing Boards and may result in the discredited blanket purchase age rise being applied across large parts of Scotland ‘through the back door’ at arm’s length from Parliamentary scrutiny.
Minimum Alcohol Sales Price

The SYP broadly supports proposals on introducing a minimum pricing scheme for alcohol. We feel that the minimum prices should apply to all premises selling alcohol across the on and off trade. The SYP is content with the proposed formula for calculating the minimum price, as we feel both the alcoholic strength and the units should both be taken into account. In setting the level, we feel that the minimum price should be high enough to tackle irresponsible pricing, but not so high as to unfairly penalise responsible drinkers on lower incomes. However, the SYP feels that a minimum pricing scheme should be complemented by increased efforts on education, counselling and intervention to tackle alcohol misuse.

Social Responsibility Levy

The SYP supports the principal of a social responsibility levy and of the alcohol industry and retailers being held to account and taking some responsibility for their role in Scotland’s relationship with alcohol. Any such levy must apply to all alcohol retailers across the on and off-trade, including, but not limited to, specific problematic premises. The fee levied should ideally be linked to alcohol by volume sold, or if this is not practical, by alcohol sales turnover. There should be a system of discounts and/or exemptions based upon positive contributions of a particular retailer to the community.

Role of Promotional Offers and Material

The Scottish Youth Parliament believes that alcohol should be marketed and advertised in a responsible way. Alcohol products are or can be harmful to consumers and should be promoted in a way that reflects this. The discounting and reduced price promotions on alcohol encourages people to buy and consume more alcohol than they might have otherwise intended, leading to the problems Scotland sees with alcohol misuse and binge drinking. The lack of any minimum pricing scheme combined with the lack of regulations against selling alcohol as a loss leader and giving quantity discounts, has meant that retailers across the on and off trade have engaged in a price war to entice customers, which has inevitably led to irresponsibly low pricing.

The SYP would like to see an end to off-sales premises providing alcohol free of charge on the purchase of one or more products (e.g. “2 for 1” special offers) and an end to off-sales supplying alcohol at a reduced price as well as the prevention of the sale of alcohol as a loss leader, so that alcohol promotions are responsible and consequently encouraging our population to drink responsibly.

Requirement for Age Verification Policy

The SYP calls for the introduction of a mandatory ‘Challenge 21’ scheme to be introduced in all alcohol-selling premises as part of the conditions of license. This is on the provision that PASS-accredited identification is
recognised as appropriate proof of age identification in all licensed premises in Scotland as it forms a recognised, forge-safe alternative to carrying a passport or driver's license as ID. We further believe that ‘Challenge 21’ should replace ‘Challenge 25’ schemes in licensed premises that utilise the latter scheme, as we feel it is unreasonable for people aged 22-25 to have to prove they older than 18, when they are considerably older than the minimum purchase age.

The SYP calls for increased use of test purchasing and other such schemes to crack down on licensed premises that sell alcohol to anyone under the minimum purchase age. Rather than creating new laws to increase the minimum purchase age we believe that the current purchase age should be enforced, and that other measures to change the drinking culture and reduce alcohol-related problems – as outlined in this consultation response – should be implemented instead. The SYP calls for better publicised and enforced penalties for those licensed premises and individuals involved in selling to - and buying alcohol for – anyone under the minimum alcohol purchase age.

**Conclusion and Recommendations**

Based on our consultation with young people the SYP recommends that:

- Powers for Licensing Boards to raise the purchase age of alcohol should be removed from the Bill
- A Minimum Pricing Scheme for alcohol should be introduced
- A Social Responsibility Levy should be introduced
- Alcohol should be marketed and advertised in a responsible way
- Offers providing alcohol free of charge on the purchase of one or more products should be banned
- A mandatory ‘Challenge 21’ scheme should be introduced in all alcohol-selling premises as part of the conditions of license, provided that PASS-accredited identification is recognised as appropriate proof of age identification
- Increase should be made of test purchasing, and other similar schemes
- Measures in the Bill should be complemented with increased efforts on education, counselling and intervention to tackle alcohol misuse

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