

Hello again Jake,

Further to earlier correspondence, I enclose a response to the above consultation as requested by Dr. Simpson.

I hope that there has been a good response to what is a very worthwhile project.

For the record, I have worked in the addictions field for over a decade.

Contributions have also been made by the undernoted as individuals. These people are also working in addictions and or education.

S. Jack

J. Robertson

G. Wilson

Many thanks,

Robert Wilson

Questions by Section

Tightening Quantity Discount Ban in Alcohol etc. (Scotland) Act 2010:

Q1)

Do you think the further restriction on quantity discounting proposed would be beneficial? What disadvantages might there be? Do you think there is a case for going further?

There is a need to tighten 'loopholes' in the 2010 Act.

The proposals in para. 3 on p14 should prove useful.

The problem outlined in para. 2 highlights the need to engage Westminster in considering similar proposals for England. (probably post 2015).

In the shorter term, consideration might be given to some form of sanction against supermarkets and others who engage in 'cross border' trading in order to beat the Scottish restrictions. This might be applied through the Licensing Boards?

Public Health Interest and Child Protection:

Q2) Do you believe that Ministers should be required to issue guidance on these two licensing objectives?

This would ensure clarity and consistency across Scotland.

Q3) Do you believe that Ministers should be required to report to the Parliament once per session, and what should such a report be required to cover?

This is a good proposal and will help ensure that the alcohol issue is kept in the forefront of political - and public – attention.

Restrictions on Alcohol Marketing:

Q4) Do you believe that the proposed restrictions on advertising are proportionate or necessary?

They are both – though, given the seriousness of the problem, there is nothing wrong in considering legislation which will prevent retailers **completely** from advertising that they sell alcohol.

Q5) Are there further measures you feel should be introduced?

Given the seriousness of the problem, it is entirely appropriate that sanctions similar to those already in place for tobacco products should be applied to alcohol sales.

Caffeine Limit in Pre-mixed Alcohol Products:

Q6)

Do you believe that there should be restrictions on caffeinated alcohol products?

If so do you believe the proposed caffeine limit of 150mg/litre on pre-mixed products is appropriate?

There should be restrictions on sale of such products.

Whether the 150 mg limit is appropriate or 'safe' needs further research.

The issue of 'self-mixing' alcohol and caffeine is more problematic and almost impossible to control.

Possibly the proposed reduction from 375mg to 150mg will reduce offending behaviour and also keep to a minimum the possibility of self-mixing.

Consideration might also be given to applying some sort of minimum pricing (or restricted availability) of non-alcoholic drinks which contain high levels of caffeine.

Alcohol Education:

Q7) Is there a role for further alcohol education and public information campaigns in changing alcohol culture?

There certainly is. The 'Know the Score' campaign was a great improvement, in that, unlike its predecessor 'Just say No', it empowers and encourages young people to think about their use of alcohol.

However, there is the need to ensure that any campaign is based on good psychological profiling of the target age group's culture and interests.

There has been a trend in recent times for the provision of alcohol education to be carried out by school teaching staff rather than specialists from local specialist services. This is a retrograde step as teachers do not have (and cannot have) the in-depth detailed knowledge of the subject which is required to deliver the message effectively.

One message which I feel would be particularly effective would be telling the stories of the many prisoners who are serving a long term prison sentence for killing their best friend or partner whilst under the influence of excess alcohol. I used such stories very effectively while working with young people in local schools. I am sure that some of these prisoners would be happy to participate in a video aimed at trying to get their message across to youngsters.

Q8) Would it be beneficial for Ministers to be made directly accountable to the Parliament for their policy in this area, as proposed?

Most definitely. This will ensure the issue is kept firmly at the forefront of politicians' minds.

Alcohol Discrimination Against Under-21 Year Olds in Off-Sales:

Q9)

Do you support a ban on Licensing Boards requiring off-licenses to restrict sales on age-grounds alone, or are there circumstances where this could be justifiable?

There are valid arguments for and against this. It would require further research.

Community Involvement in Licensing Decisions:

Q10) Do you believe that community neighbours should be consulted and their views taken into account when licences are being renewed or extended or when special licences are being issued?

A requirement to re-apply for a licence on a regular basis and to have the re-application adequately advertised to the local community is a sound one.

It would help ensure that problematic licensed premises are challenged and are aware that problems caused by the way they manage their alcohol sales will be under regular and on-going public scrutiny.

Q11) Do you believe that the New Zealand model is an appropriate one to emulate, if not what, changes should be made?

Yes

National Licensing Forum:

Q12)

Do you believe that there is a role for a National Licensing Forum in addition to the existing local forums? If so:

- **Should it be funded through licensing fees or central Scottish Government funding?**
- It should be funded through licensing fees. There is no reason why the public purse should fund this. It should be part of the necessary cost of selling alcohol.
- **What would its membership be, and who would appoint them?**
- Membership would be drawn from those participating in local licensing forums, supplemented by other interested parties (e.g. ACPOS and MSPs)
- **To whom would it be accountable?**
- The NLF would be accountable to the appropriate Government Minister.
- **What would its functions be?**
- Its function would be to co-ordinate the activities of the local forums and to feed national data to the Scottish Parliament by means of an annual report.

Alcohol Bottle Tagging:

Q13)

Is there sufficient evidence to justify legislation allowing Licensing Boards to make participation in a bottle tagging scheme a licence condition, or are current voluntary arrangements adequate?

The ongoing problem with under-age drinking indicates that *all* necessary steps to enforce the law in regard to sales to young people should be taken.

Boards should have the power to enforce bottle tagging where the licensing authority and the police feel the local problem is significant and the ability to trace sales would be a useful tool.

Alcohol Fine Diversion:

Q14)

Should Fine Diversion be made available, on a statutory basis, throughout Scotland, if the further pilot is successful?

Absolutely.

This will help disseminate information about the dangers of alcohol misuse to the optimal target audience.

Many people develop the binge drinking habit without any thought about the potential dangers to themselves and others. A properly managed Fine Diversion scheme will help address this issue.

Alcohol Arrest Referral:

Q15)

Do you believe that Arrest Referral schemes for Alcohol (as well as Drugs) should be a statutory requirement within each Community Justice Authority area?

There seems no point in differentiating between alcohol and drugs in this context. The historical separation of the two is an anomaly presumably originating in the way funding streams were set up.

In West Lothian, we set up one of the first Arrest Referral schemes in Scotland. It is to the credit of the local management that alcohol was included in the scheme from the outset and this policy continues to the present.

Consistently, over the last five or so years, alcohol has been implicated in around 50% of referrals.

Arrest Referral which includes alcohol clients has been clearly successful in early diversion of young people who are developing problematic alcohol misuse at a stage where the offending behaviour is of a fairly minor nature. Police statistics support this view. A good working relationship with the local police is a critical factor in the success of an Arrest Referral service. When police get statistical evidence of the efficacy of the service in reducing re-offending rates they will become very supportive.

While Arrest Referral has clearly fulfilled the objective of getting people into services who would otherwise not be seen until much later in their misusing 'career', there are a number of improvements which need to be made to the Arrest Referral programme nationally.

One of the issues for workers is the difficulty of engaging with someone who is arrested locally who lives in a different Arrest Referral area. An Arrest Referral Scotland website, on which all Scottish points of contact were listed, would allow workers to make immediate contact with the client's local service, thus ensuring such individuals are not lost in the system due only to the geographical accident of where they are arrested.

Since the Arrest Referral worker sees the client when they are particularly susceptible to intervention, experience shows that an effort to ensure that, wherever possible, the same individual continues the contact, is a significant positive factor in the outcome. Whether the further contact takes place in the local community or within the prison system (if remanded/sentenced) does not seem to be significant. Genuine *throughcare* is important to the success of the service.

Locally, there is a medical equivalent to arrest referral, whereby a worker gets referrals from the A & E department. In this case, only alcohol misusers are targeted. This service has similar benefits to Arrest Referral in that it engages with people at a time when they are susceptible to intervention. Again the throughcare concept is an important factor in this scheme's success.

Drinking Banning Orders:

Q16)

Should drinking banning orders be introduced in Scotland? If so should they be piloted in one Sheriffdom?

If the English experience is that the DBOs are useful then they should be piloted in Scotland so that proper assessment of their efficacy here can be determined.

Alcohol and Drug Treatment and Testing Orders (ADDTO)

Q17)

Do you believe extending DTTOs to become ADTTOs would add value to the existing range of disposal? What differences of context between drugs and alcohol would need to be taken into account?

Yes.

As with Arrest Referral, there is no point in differentiating by substance.

Supervised prescription of disulfiram can be a useful tool. This can be incorporated into ADTTOs or by local pharmacies reporting non-attendance back to the ADTTO team.

If DTTOs are deemed to work for drug users there is no reason why they could not be equally successful in respect of people with alcohol problems.

Alcohol Offences Information Sharing

Q18)

Do you believe that notifying a GP about a patient's conviction for an alcohol-related offence would be beneficial? Should it apply only in cases of conviction, or in other circumstances as well?

Yes.

A GP can discuss alcohol issues with a patient and / or suggest they be seen by a specialist agency. This should be done wherever alcohol is a factor in criminal behaviour whether resulting in conviction or otherwise.

General Questions

Q1) Do you support the general aim of the proposed Bill? (as outlined above).

Please indicate "yes/no/undecided" and explain the reasons for your response.

Yes.

The proposals are well thought out and structured responses to an urgent need.

The need to put in place more effective policies and structures to reduce the damage to our nation's health is clear to see.

In addition, the proposals, if implemented, would help reduce the burden on our social welfare and criminal justice systems of alcohol misuse.

Q2) Are there further legislative (or non-legislative) changes that you would recommend, beyond those outlined in this consultation, in order to further its general aims of tackling Scotland's culture of excessive alcohol consumption?

I feel that the proposals, in the main, address the important ways in which effective means of tackling the problem can be achieved.

These should be tried out thoroughly before other changes are considered.

Q3) What is your assessment of the likely financial implications (if any) of the proposed Bill to you or your organisation? What (if any) other significant financial implications are likely to arise?

None.

In any event, the real need for the proposed changes and the inevitable benefits to our our legal system and our Health Service of implementing them, are likely to far outweigh any additional cost.

Q4) Is the proposed Bill likely to have any substantial positive or negative implications for equality? If it is likely to have a substantial negative implication, how might this be minimised or avoided?

I can see no substantial implications for equality.