Scottish Families Affected by Alcohol and Drugs

Alcohol (Licensing, Public Health and Criminal Justice) (Scotland) Bill

Written evidence submitted by Scottish Families Affected by Alcohol and Drugs (Scottish Families).

Scottish Families written response focuses on those provisions of the Bill, questions 2 and 3, which may impact our client group or that our client group have contributed to:

- Tightening of legislation on multi-buy discounts;
- Support for restrictions on alcohol marketing in areas which will be seen by children;
- The re-establishment of a national licensing body;
- Community involvement in licensing decisions;
- Concerns over the proposal for alcohol offences information sharing.

Scottish Families Affected by Alcohol and Drugs

Scottish Families Affected by Alcohol and Drugs (Scottish Families) is a national organisation commissioned by the Scottish Government to contribute to the delivery of The Road to Recovery and Changing Scotland’s Relationship with Alcohol, Scotland’s drug and alcohol strategies. Scottish Families offers support, advice and guidance to those affected by a significant other’s alcohol or other drug use. Through our helpline, family support groups and online presence we engage with family members and concerned significant others (CSOs) across Scotland signposting them to the most appropriate support locally. We launched our Telehealth service in August 2014, offering those living in rural and remote areas free confidential support via telephone or web-chat and in June launched our Bereavement Counselling Service.

Working directly with families allows for the exchange of information and affords families the opportunity to contribute to, and inform our consultation responses.

Question 2

Scottish Families supports particular provisions in the Bill and these are detailed below.

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

This provision is supported by the organisation. Family members using our services tell us that the availability of low priced alcohol is a contributing factor in the quantities being consumed by their loved ones. The price of alcohol in Scotland has steadily decreased and it is now possible to purchase the recommended drinking guidelines for a week for less than £5. The same report, the third annual report on Monitoring and Evaluating Scotland’s Alcohol Strategy (December 2014) also showed that 60% of off trade sales sold for
less than 50 pence per unit. The report revealed that affordability remained high compared to the 1990s and early 2000s and this is supported by finding from the Institute of Alcohol Studies showing that alcohol was 60% more affordable in 2012 than in 1980. Adult sales of alcohol in Scotland are 19-21% higher than in England in Wales.

Scottish Families welcomes the provision to tighten the quantity discount ban as a measure to reduce the availability of low priced alcohol.

Restrictions on Alcohol Marketing

Scottish Families supports a complete ban on advertising of alcoholic drinks in public places where children are likely to be and on cinema advertising, unless during an 18-certificate presentation. Alcohol brands and advertising are commonplace on TV, billboards, magazines, in shops, at sporting, artistic and cultural events. Children are constantly exposed to positive messages about alcohol. A recent UK wide survey showed high numbers of children as young as 10-11 correctly identifying alcohol brands. Alcohol industry marketing is clearly making an impression on children. This suggests the existing regulatory framework is insufficiently protecting young people from exposure.

A recent survey by Alcohol Focus Scotland (AFS) revealed that children aged 10-11 years old were more familiar with alcohol brands than leading brands of biscuits, crisps and ice cream. Although alcohol advertising is prohibited during children’s programmes it is allowed during early evening family viewing when large numbers watch television. There is a wealth of evidence to show that children seeing adverts whilst watching family shows respond positively and that these adverts affect their behaviour.

Scottish Families is strongly supportive of measures which restrict children and young people’s exposure to alcohol marketing. Scottish Families welcomes this provision as research shows that exposure to alcohol marketing increases the likelihood that young people will start drinking and drink more if they are already drinking.

National Licensing Forum

Scottish Families supports the re-establishment of a national licensing body. The organisation is in a strong position to provide information and data on a national scale. Through our Helpline, Telehealth and family support staff the organisation collects and collates data to identify trends and this is presently shared with Alcohol and Drug Partnerships (ADPs) quarterly. This information can be readily shared to allow a national licensing forum to inform and advise the Scottish Government and Scottish Parliament.

Scottish Families is strongly supportive of the proposal seeking to re-establish a national licensing body and strengthen data sharing, allowing for the dissemination of best practice and innovation.
Question 3

Scottish Families has concerns about particular provisions in the Bill and these are detailed below.

Community Involvement in Licensing Decisions

Scottish Families supports the proposal requiring the renewal of a license after an initial time limit. Individuals and communities are best placed to identify and tackle alcohol related problems in their areas. Whilst this provision would benefit communities there is a mechanism in place in the current legislation for individuals to engage with the licensing process. Whilst welcoming greater community involvement, the requirement to advertise locally is in our view, insufficient to increase community participation in the licensing process. Increasing community participation requires more than just advertising locally and more needs to be done such as:

- Clearer and simpler processes for submitting objections and access to support to do this.
- Community representatives to voluntarily review applications, consult with the community, key services and groups prior to board meetings taking place and submit to the board for consideration.
- Use of social media/local venues and key services (social housing associations etc…) to publicise license applications and engage with local residents.

Scottish Families would like to see local licensing boards review the application and objection process ensuring participation is widely accessible to all community members. Attached are summaries from two professionals who attended a Licensing Board meeting in Glasgow. Both were there on behalf of their organisations, one to raise an objection. Both felt that the formality, language used and lack of information could exclude individuals and communities.

Alcohol Offences Information Sharing

The proposal to notify GPs for alcohol related convictions and incidents is of concern to Scottish Families.

People with addiction and dependency problems and their families face very real negative attitudes. This stigma leads to shame and embarrassment for family members and prevents many family members for seeking support. Anecdotally from family members (and research from Copello et.al.) we know that it takes many years, estimated around seven to eight, before they seek support for themselves. And the main reasons for this are stigma and shame. As an organisation we work very hard to challenge stigma- in the media, amongst professionals and in communities.

Many individuals and their families do not wish their GP to be notified. This is often through fear, particularly when children are involved, the GP may disclose this to social work, employers etc. The proposal does not make clear
what GPs will do with the information. If there will be no follow up from a GP then this seems like an unnecessary step, ensuring that courts contact GPs.

It is the view of the organisation that this proposal may lead to increased anxiety and stigma for family members with no apparent benefit for individuals or their families.

Scottish Families would welcome the opportunity to provide further evidence if required.

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Engaging with the Licensing Process

In order to understand the licensing process fully and to gain an insight into how the licensing board guidelines have been put into practice within Glasgow, John Holleran Scottish Families Alcohol Liaison Officer went along to observe the proceedings.

‘Ministers wish boards and their clerks to be creative and innovative and to implement the Act in a way that best meets local needs and circumstances. Guidance that is too prescriptive would hinder that creativity’ (2007 Guidance Notes).

The formal setting, use of titles and the choice of language reinforced the official nature of the decisions being made. It was difficult to keep track of what was going on due to the terminology, language and speed at which the different roles from the Board Chair, board members, clerks and police officers were introduced. This reflected how seriously the duties were being taken by the board members but could be a potential barrier to members of the public wishing to engage with the licensing process.

Each occasional licence application was presented one-by-one with evidence put forward by the applicants, their representatives and recommendations sought from the police. In turn board members actively questioned, through representatives initially then directly, the would-be licensees. This continued in the formal fashion as before.

I was very comforted by the commitment shown by the seven board members in challenging areas of concern where children, young people, families and the wider community may be put at risk as a by-product of the activities of the evening economy.

Many applicants conveyed a range and depth of imagination in making the case for their licences to be granted in terms of financial, social or community spirited benefits to the areas they were based. One applicant suggested, despite a long string of violent behaviours, drug offences and previous closure that the community were fully behind their licence application having organised a community event in support of this. Another suggested that alcohol, combat-sports and unrestricted access for children of all ages would be an appropriate mix for an occasional licence.

The occasional license applications that day were approved with the exception of those granted a continuation. I couldn’t help thinking that, at present, the whole process is lacking input, imagination and creativity in the form of finding a suitable way for individuals, families and communities to have an active voice. Would they really want to be involved in this?

To gain an insight into how the licensing board guidelines have been implemented across Scotland in terms of being accessible to communities and individuals; Scottish Families are inviting reflections from those interested in going along to LB’s and share their views with us. The blog of John’s
experience and details of how to contribute can be found at: http://goo.gl/iM2Ozu.

My Day in Court

Called by the Licensing Board to speak to an objection I’d lodged several months earlier, I really didn’t know what to expect. On arrival I was told to “just take a seat over there”. The appointed hour came and went and there was no announcement about where to go, or even whether it was ok to go into the courtroom. Pretty much everyone else seemed to know what was going on except me so I was really pleased to meet John from SFAD; it was his first visit as well and like me he’d been abandoned in the corner but we joined forces and found the public seating area where we kept each other company and tried to piece together what was going on for the rest of the morning.

The court sits in an impressive room that feels like a court of justice and this was emphasised by the command to “all rise” when the Licensing Board members arrived and the formal, legal language used throughout proceedings. This is an alien (perhaps almost intimidating) environment to most of us however it reflects the important and serious nature of the work of the Licensing Board, and I was impressed by the depth and breadth of consideration Board members had clearly given to each case before them and the forensic nature of their questioning.

It turned out that the case I was involved in was not heard that day at the applicant’s request. As part of the proceedings, I was asked if I agreed to this. At least I think that’s what I was asked; the question was couched in legal terms that I didn’t understand. Years ago I’d have been too embarrassed to admit that but now I know that the only stupid questions are the ones you don’t ask, and I have to say that when I did seek clarification it was given clearly and kindly. Later one of the court officials explained to me what the next steps would be and I’ll be back in the licensing court sometime soon when I hope to get the chance at last to speak to my objection.