Alcohol (Minimum Pricing) (Scotland) Bill

Association of Chief Police Officers in Scotland

Background

ACPOS were invited to present written evidence to the Scottish Government's Health and Sport Committee on the provision for minimum pricing in January 2010. A response was provided at that time that "ACPOS is supportive of this provision. Throughout the country, we see alcohol sold for as little as 50p per shot. Any mechanism which slows down the sale and consumption of alcohol should be supported." The submission further stated that "The Scottish Police Service supports any proposals to set minimum retail pricing within the civil law, in relation to the sale of alcohol for consumption both on and off licensed premises. We (ACPOS) consider that directly linking the strength of a product to its retail cost by establishing a minimum pricing for a unit of alcohol would positively assist in addressing the problems associated with reducing excess alcohol consumption and the subsequent alcohol-related harm and antisocial behaviour."

Whilst this position has been challenged both within the media and other forums, the policing position has not changed.

ACPOS presented oral evidence to the Health and Sports Committee at the Scottish Parliament on Wednesday 17 March 2010 during which the ACPOS position was re-affirmed that the Chief Officers supported the proposals to introduce a minimum sales price for a unit of alcohol.

Response to Consultation

The advantages and disadvantages of establishing a minimum alcohol sales price based on a unit of alcohol

The Alcohol (Minimum Pricing) (Scotland) Bill (as introduced) provides the framework by which minimum pricing will be introduced and calculated. However, the supporting documentation, namely

- Delegated Powers Memorandum
- Explanatory Notes (and other accompanying documents), and
- Policy memorandum

set out very clearly a reasoned argument behind the introduction of such a measure.

Without re-iterating the information provided ACPOS recognises the social consequences and costs associated with excessive alcohol consumption that leads to crime and disorder. The annual cost to Scotland in alcohol related crime of £727 million is alarming. As is the fact that nearly a quarter of those under 15 years of age who have drunk alcohol reported getting into trouble with the police. Also of concern is that half of Scottish prisoners (including
77% of young offenders) said they were drunk at the time of their offence, with almost three-quarters of persons in prison admitted to having had an alcohol disorder, with over a third alcohol dependent. Before reaching the prison population all of these individuals would have had police involvement.

There is sound argument that minimum pricing can assist in reducing levels of criminality and as such ACPOS supports this approach.

It is acknowledged that minimum pricing is not a 'stand-alone' answer, and that it has to incorporate measures such as a ban on quantity discounts. Whilst the Scottish Government has endeavoured to address this through a quantity discount ban within the Alcohol (Etc)(Scotland) Act 2010, it was recognised that with such a ban, without minimum pricing, retailers would reduce the price of alcohol products undermining the quantity discount. This is in fact what has happened with the price of alcohol in larger retail outlets falling. If either measure is to happen with the price of alcohol in larger retail outlets falling. If either measure is to achieve any success both have to be introduced.

A consequence of any increase in price may be an increase in illegal alcohol trading. In 2010 ACPOS stated that across the whole of Scotland there was no evidence that illegal sales were an issue nor that they considered that it was likely to become one. ACPOS indicated that if it did become an attractive option for criminal activity they would, along with HMRC, focus upon it. Equally it could be argued that the additional cost of transporting alcohol coupled with the actual availability of alcohol will have no significant impact on the overall sales. Ultimately this is only one of a number of measures aimed at reducing alcohol consumption.

**The level at which such a proposed minimum price should be set and the justification for that level**

ACPOS has no strong opinion on how a minimum price should be set. However, the minimum price per unit should be sufficiently high to have the desired impact on alcohol related harm, without impacting too significantly on the majority of moderate drinkers and the alcohol industry in Scotland.

They acknowledge the view of the Scottish Government that the minimum price per unit should be set and subsequently varied by Scottish Ministers subject to the control of the Scottish Parliament through an order as this provides the necessary flexibility during periods where the external influences are unknown.

ACPOS also supports the view that minimum pricing should not be self-regulated through the alcohol industry.

**Any other aspects of the Bill**

ACPOS are of the opinion that measures such as minimum pricing cannot have the desired impact in isolation. It has already been stated that minimum pricing must go alongside bans on quantity discounts.
In addition to these two measures all other approaches that may impact positively on responsible drinking, removing alcohol as a 'normal' commodity should be considered. There are already a number of publications that provide evidence and support for such measures and ACPOS would support any measure that was intended to have a positive effect on reducing alcohol related harm, crime and disorder.

Such measure may include:

- Dedicated tills or dedicated areas for sale of alcohol in larger off-sale retailers.
- Self-service tills should not be utilised for the sale of alcohol.
- Removing the ability to sell alcohol in small grocer retailers, with a possible move to dedicated alcohol shops.
- Reduction in the hours available for the sale of alcohol.
- Re-affirm the 'Duty to Trade', as at present premises apply for and are granted the maximum hours available according to local Licensing Policies, but may elect to remain open for only a small part of this time, making it extremely difficult to determine when premises should be open or closed.
- Requirement for a Personal Licence Holder (not necessarily the Designated Premises Manager) to be on the premises at all times when alcohol is sold.
- Introducing training for Premises Licence Holders.
- Increasing the training requirement and frequency of training for all staff and in particular that applicable to Personal Licence Holders.
- Mandatory Licensing Board sanctions where training can be evidenced as failing.
- Consideration of mandatory continuous professional development training for Board members.
- Further regulation of members clubs to bring them in line with full premises licence holders. i.e. requirement to have Designated Premises Manager, with a requirement to include the club constitution as part of the Operating Plan.

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