



Youth Work Ireland

Youth Work Ireland's Submission to
the Joint Oireachtas Committee on
Health and Children on the Public
Health (Alcohol) Bill



www.youthworkireland.ie

Introduction

It isn't always easy being young in Ireland today. The economic downturn and the decline in traditional institutions means everybody is worried about the future. It is often said young people are the Ireland of tomorrow, we disagree, young people are the Ireland of today! All around this country by engaging with young people in our communities our workers and volunteers make Ireland a better place for young people to develop as active citizens. Our work with nearly 110,000 young people through 22 local youth services ensures young people choose healthy lifestyles, engage with their communities and develop as well rounded citizens today and for the future. By entrusting young people with leadership roles today we know our countries future is in safe hands tomorrow.

All legislation in the area of alcohol needs to be evidence based. While this draft legislation draws on the National Substance Misuse Strategy it represents only a partial implementation of the report. Similarly other documents should also be utilised by legislators such as the Strategic Task Forces on Alcohol, WHO reports and NUIG research.

The pressure for proper and effective regulation of the alcohol industry has existed for many years and there have been previous efforts to address this critical problem in Irish society. These proposals have the advantage of at least doing something rather than continuously talking about it. They still of course fall short of what are proven workable public health strategies in this field. The Minister is correct to say that public health advocates will be disappointed but all those working with children and young people will continue to monitor the impact of these changes and the approach of the alcohol industry in this area. The Governments new Children's Strategy makes several commitments in the rea of healthy living for young people which will inevitably entail action on areas like alcohol. The current law also needs to be enforced such as section 20 of the 2003 Intoxicating Liquor Act on the "happy hour".

The Bill

We wish to comment on the bill under some of the headings set out in the general Scheme of the Public Health (Alcohol) Bill

Labelling

This is a welcome measure and long overdue. It is not clear form the heads of bill what exactly the warnings will entail or indeed look like in terms of positioning and prominence. We suggest warnings be carried on each individual product. We believe they should be based on evidence of alcohol harm and be in everyday language relating this harm to everyday people in understandable language. As with tobacco consideration should be given to pictorial representation.

Greater emphasis should be placed on the everyday language warning than alcohol content which like nutritional information can be seen a technical by consumers. The warnings should apply equally to all retailers whether they be on license, off license, super market or convenience store. This is not clear

from the heads. Further consultation and submission should be sought when it comes to the statutory instruments setting out such detail. Public competition may be useful in this regard.

Minimum Pricing

Again this is a most welcome development and one of the most significant moves in dealing with Ireland's alcohol problem in some time. The free for all on low cost alcohol has a particular impact on young people and the availability of alcohol. Also the "in your face" advertising of such deals in newspapers and prominently in other media impacts on the culture of alcohol and drinking in Ireland.

While a distinction between the off and on trade may be justified in this measure we believe some fall back section would be useful to have on the statute books to cover any once off or promotional drives by on licensees. We have pointed out earlier that previous legislation on "happy hours" has not been enforced and there have been documented cases where such promotions have led to serious public order issues and potential harm to young people through crushes, stampedes or overcrowding.

The idea that below cost selling can only happen in off licenses and retail outlets is not completely accurate. Some on licensees do not "pour" drinks but provide them in cans directly to customers often to charge a lower price. As stated earlier a plan or agreement with the Gardai about the enforcement of current legislation on "happy hours" will also be needed if these measures are to be successful as such promotions would now possibly be in breach of two pieces of legislation and the law will become untenable if such disregard is permitted.

Control of Marketing And Advertising

This is the most disappointing section of the heads of bill. While other elements have reflected, and indeed quoted, the National Substance Misuse Policy this section deliberately ignores its recommendations. This is clearly as a result of lobbying by the alcohol industry and associated groups like broadcasters, advertisers and sporting interests. This effectively means public health based legislative change can be frustrated by commercial interests.

This is particularly worrying in relation to sporting bodies that work directly with young people week in and week out and see the impact of Ireland's alcohol problem on them. Such bodies have allowed commercial interests to determine their view on a public health issue. It should be noted that many groups working with young people do not accept money from alcohol companies. Consideration should be given to introducing the social responsibility levy proposed in the National Substance Strategy, the proceeds should be ring-fenced for organisations working with young people who do not accept money from the alcohol industry.

Research has shown that current advertising is appealing to children and creates brand awareness and awareness of alcohol (NUIG, Hope). The organisation MEAS, which administered a voluntary code in this area also found against licensees on several occasions on excessive promotion in breach of their code. While the list of potential restrictions is useful the evidence to date is the industry seeks to frustrate and

divert these at every turn in relation to previous voluntary codes. Freedom of Information requests have shown concerted efforts by the well-resourced industry and its lobbyists to change several aspects of previous voluntary codes. Thus more of these methods and approaches need to be incorporated in to the actual legislation rather than by statutory instruments

Enforcement, Penalties and Proceedings

Enforcement is a key area in this field. There needs to be a link between enforcement, planning, the Gardai and the licensing process. There are several other forms of legislation around alcohol that are not being sufficiently enforced at this time, such as “happy hour” provisions. The authorised officers should be empowered to enforce all these measures. This would entail a amendment of other acts.

Separation of Products

This provision is welcome but also overdue. The fact that a voluntary code had to be discontinued is emblematic of policy in this field and has also been seen in the area of advertising where such codes are usually used as diversionary tactics by the industry.