

**Executive summary:**

- **The Institute of Alcohol Studies (IAS) welcomes consideration of sexual harassment within bars and clubs as part of this inquiry.**
- **While the alcohol served in these locations is not in itself a cause of sexual violence and harassment, it is a compounding factor, and as such, it is unsurprising that figures suggest harassment is rife in these night time economy locations.**
- **However, it is essential for the Committee to consider that bars and clubs are not simply isolated, passive settings for such behaviour. They form part of a national alcohol industry, and there are structural features of this industry which we believe actively undermine gender equality and increase the normalisation of sexual harassment and assault.**
- **As such, interventions focused on individual drinkers – such as those often championed by alcohol industry bodies – will likely be unsuccessful unless wider environmental drivers of harm are curbed. Action on the three key drivers of harm; alcohol availability, marketing, and price is required.**

*1. Answering items: What are the factors (including social and cultural factors) that lead to sexual harassment of women and girls in public places; Why does sexual harassment of women and girls in public places happen; How do men and boys learn what is acceptable behaviour?*

- 1.1 Alcohol is not in itself a cause of sexual harassment or assault and should not be used as an excuse for those who perpetrate this. However, research has repeatedly suggested that alcohol is a compounding factor. Much like domestic abuse,<sup>1,2,3</sup> research suggests that a substantial portion of sexual violence perpetrators have been drinking at the time of their offences. Risk of rape has been found to be twice as high for attacks involving drinking offenders.<sup>4</sup> A systematic review of research examining sexual assaults among college students has found "on average, at least 50% of college students' sexual assaults are associated with alcohol use."<sup>5</sup> Alcohol-related sexual harassment and assault of frontline emergency service personnel is also commonplace; over half (52%) of ambulance service workers have experienced sexual harassment or abuse from intoxicated members of the public, as have 41% of police staff, 35% of emergency department consultants and 34% of fire and rescue staff.<sup>6</sup>
- 1.2 In hopes to address this, some activity has focused on the individual drinker in order to attempt to change behaviours, such as the 'You wouldn't sober, you shouldn't drunk' scheme from Drinkaware, as discussed in their written evidence to this inquiry.<sup>7</sup> However, such schemes in isolation fail to address problematic aspects of the night time economy and alcohol industry practices, which we believe act as drivers of sexual harassment and gender inequity, as well as the influence that wider environmental factors such as the price and availability of alcohol have on levels of sexual violence:
- 1.3 **Alcohol advertising can work to perpetuate the objectification of women and may normalise sexual harassment.** Harmful gendered stereotypes perpetuated by alcohol advertising serve to promote the objectification of women and may normalise violence against women, sexual assault and sexual harassment.
- 1.4 Alcohol advertising has been demonstrated to be highly gendered. In a report covering the findings of a seminar series on issues relating to women and alcohol, Scottish Health Action on Alcohol Problems (SHAAP) and the Institute of Alcohol Studies (IAS) noted "When marketing is targeted at women...the aim is to establish a link between alcohol and empowerment...Marketing targeted at men often depicts women as sexual objects..."<sup>8</sup> This is no less true in the night time economy. Indeed, IAS and SHAAP note that "the night-time economy places a great deal of emphasis on a hyper-sexualised femininity where beauty, confidence, and sexual competence are seen as advantageous and as desirable characteristics, to which women need to conform" and that "overtly sexualised displays of femininity are often encouraged and rewarded within the night-time economy". It was suggested that this might not only harm women's "internalised attitudes and personal reflections about themselves" but might contribute to "normalising the objectification of women...in turn [normalising] sexual harassment and assaults (Rogan, Piacentini, & Szmigin, 2016)".<sup>9</sup>

<sup>1</sup> Bennett, L., and Bland, P. [Substance Abuse and Intimate Partner Violence](#). National online recourse centre on violence against women.

<sup>2</sup> Gilchrist, E., Johnson, R., Talriti, R., Weston, S., Beech, A., and Kebbell, M. 2003.

[Domestic Violence offenders: characteristics and offending related needs, Findings, 217](#). Home Office.

<sup>3</sup> Galvani, S. 2010. [Supporting families affected by substance use and domestic violence](#). p. 5.

<sup>4</sup> Brecklin, L., and Ullman, S. 2002. [The Roles of Victim and Offender Alcohol Use in Sexual Assaults: Results from the National Violence against Women Survey](#). Journal of Studies on Alcohol and Drugs, Volume 63: Issue 1, pp. 57–63.

<sup>5</sup> Abbey, A., 2002. [Alcohol-related sexual assault: A common problem among college students](#). Journal of Studies on Alcohol, supplement, (14), p.120.

<sup>6</sup> Institute of Alcohol Studies. 2015. [Alcohol's Impact on Emergency Services](#).

<sup>7</sup> Women and Equalities Committee. 2018. [Written submission from Drinkaware \(SPP0050\)](#).

<sup>8</sup> SHAAP and IAS. 2018. [Women and Alcohol: Key Issues](#). p. 7.

<sup>9</sup> SHAAP and IAS. 2018. op. cit. pp. 7-8.

- 1.5 This is problematic in itself but becomes increasingly concerning when it is considered that evidence suggests young people are a target for such alcohol marketing. Internal marketing documents from alcohol producers and their advertising agencies obtained by the Health Select Committee in 2009 found not only that market research data from 15-16 year olds have been used to develop campaigns, but that brands court this appeal - Lambrini's TV advertisement was intended to be "a cross between Myspace and High School Musical" while Carling hoped to "become the most respected youth brand...". Within these same industry documents, one Carling executive suggested "[Young men] think about 4 things, we brew 1 and sponsor 2 of them"<sup>10</sup> – the link these brands hope to embed in young people's minds between possibly toxic notions of masculinity and femininity, sexual success, and alcohol use may perpetuate social norms around gender inequity, normalising sexual harassment.
- 1.6 **Alcohol is becoming more affordable and available – a driver of increased levels of sexual offences.** Crime, including sexual offences, is associated with the availability of alcohol, as well as its affordability.
- 1.7 Work from Alcohol Focus Scotland and Centre for Research on Environment, Society and Health at the Universities of Edinburgh and Glasgow found crime rates, including for sexual offences, in Scotland "were consistently and significantly higher in areas with more alcohol outlets."<sup>11</sup> Similarly, in a study of Camden, New Jersey, neighbourhoods with higher alcohol outlet density had more violent crime (including rape), and this association was strong even when other neighbourhood characteristics such as poverty and age of residents were taken into account.<sup>12</sup> While the impact of temporal availability of alcohol on sexual violence has yet to be analysed,<sup>13</sup> recent restrictions of trading hours in New South Wales saw reductions in violence more broadly, including reductions in the incidence of assault and a 60% reduction in serious facial injuries requiring surgery in the two years after the policy was introduced.<sup>14</sup> Similarly, alcohol price increases have repeatedly been found to be associated with reductions in sexual assault rates. International evidence from across 16 countries found a 1% increase in alcohol tax was associated with a 0.16% decrease in the probability of sexual assault.<sup>15</sup> A Home Office commissioned evidence review also suggested alcohol price increases were associated with reductions in sexual assault.<sup>16</sup>
- 1.8 These findings are especially concerning as alcohol's affordability and availability have increased dramatically in recent years. Since the introduction of the Licensing Act 2003, there have been sharp increases in both the temporal and physical availability of alcohol. Premises licences and 24-hour licences have increased since 2008, by 8% and 16% respectively.<sup>17</sup> The University of Stirling, Alcohol Health Alliance, and British Liver Trust suggest that this surge in temporal availability has served to undermine "the public perception that [alcoholic drinks] are distinctive, and above all harmful, products."<sup>18</sup> Likewise, alcohol is dramatically more affordable today than it has been for over 30 years – off-trade beer is 188% more affordable than it was in 1987, while off-trade wine and spirits are 131% more affordable.<sup>19</sup> This increase in affordability means strong alcohol products are being sold for pocket money prices up and down the country. The last five years has seen this situation worsen further, with the most pronounced jumps in affordability emerging due to the scrapping of the alcohol duty escalator in this period.<sup>20</sup>
2. *Answering items: How should the Government tackle sexual harassment in public places? / How can negative attitudes and behaviours be changed? / What are the police, local authorities or other bodies doing to tackle sexual harassment in public places? Who else has a role? / Are more or different laws needed? Or do existing laws need to be better understood or enforced? / Are there good practice examples or innovative thinking about tackling sexual harassment in the public realm either in the UK or internationally?*
- 2.1 The evidence presented in the first half of this submission makes it clear that alcohol must be considered in any discussion of sexual harassment – particularly within the night time economy. It also makes it clear that environmental drivers such as the marketing, price and availability of alcohol are central to alcohol's role in such harassment and assaults. However, to date, schemes hoping to address sexual harassment within the night time

<sup>10</sup> Memorandum by Professor Gerard Hastings. 2010.

["They'll Drink Bucket Loads of the Stuff": An Analysis of Internal Alcohol Industry Advertising Documents](#), to the House of Commons Health Select Committee Inquiry. p. 1 & p. 3

<sup>11</sup> Alcohol Focus Scotland and CRESH. 2018. [Alcohol Outlet Availability and Harm in Scotland](#). p. 8

<sup>12</sup> Stewart, K. 2005. [How Alcohol Outlets Affect Neighborhood Violence](#). Prevention Research Center, Pacific Institute for Research Evaluation. pp. 2–3.

<sup>13</sup> Lippy, C. and DeGue, S. 2014. [Exploring Alcohol Policy Approaches to Prevent Sexual Violence Perpetration](#). TRAUMA, VIOLENCE, & ABUSE, 1, p.6.

<sup>14</sup> The Foundation for Alcohol Research and Education and The Institute of Alcohol Studies. 2017.

[Anytime, anyplace, anywhere? Addressing physical availability of alcohol in Australia and the UK](#). p. 16

<sup>15</sup> Markowitz, S., 2000. [Criminal violence and alcohol beverage control: evidence from an international study \(No. w7481\)](#). National Bureau of Economic Research.

<sup>16</sup> Booth, A., Meier, P., Shapland, J., Wong, R., and Paisley, S. 2011.

[Alcohol pricing and criminal harm, a rapid evidence assessment of the published research literature](#). pp. 4–5.

<sup>17</sup> Home Office and ONS. 2017. [Alcohol and Late Night Refreshment Licensing England and Wales](#). Table 1.

<sup>18</sup> University of Stirling, Alcohol Health Alliance, and British Liver Trust. 2013. [Health First: An evidence-based alcohol strategy for the UK](#). p. 30

<sup>19</sup> NHS Digital. 2017. [Statistics on Alcohol](#).

<sup>20</sup> Institute of Alcohol Studies. 2018. [The rising affordability of alcohol](#).

economy have often focused on individual drinkers. Further, these schemes have often been run through partnership with the alcohol industry – as has the regulation of alcohol marketing in the UK. This is problematic for a number of reasons. The second half of this evidence submission will outline how such schemes and industry partnerships have been demonstrated to be ineffective, and instead, which policies acting on the price, availability and marketing of alcohol should be implemented to make real headway into this troubling issue.

- 2.2 **Industry run schemes to address alcohol harm and industry self-regulation of marketing activity are ineffective.** Many alcohol industry bodies engage in corporate social responsibility activities, such as participation in schemes which purport to intend to reduce alcohol related harms. However, little evidence exists to demonstrate such schemes are effective in reducing rates of harm.
- 2.3 Research examining a sample of 215 such industry initiatives found that just 8% could be described as 'evidence-based', while 52% were rated by experienced public health experts as likely to cause harm (e.g. by increasing alcohol consumption) and 40% were judged to be likely to promote products or brands.<sup>21</sup> Similarly, the Public Health Responsibility deal – a voluntary agreement between government, industry and the third sector, to address public health goals, including some relating to alcohol<sup>22</sup> – was found to be ineffective at reaching its goals, with 65% of the organisations involved in the deal found to have "signed pledges that involved actions to which they appear to have been committed already, regardless of the RD". Further, the majority of organisations who signed pledges also only offered qualitative feedback rather than trackable, quantitative measures of their performance.<sup>23</sup> It is unsurprising therefore that analysis has suggested that the majority of these industry CSR initiatives in the UK may in fact be in place in order to resist the implementation of statutory regulation<sup>24</sup> – schemes attempting to address sexual harassment by focusing on individual drinkers may protect industry profits, while taking up policy space that could be occupied by more effective action.
- 2.4 Such a scheme highly relevant to this discussion is the Drinkaware campaign 'You wouldn't sober, you shouldn't drunk', as cited Drinkaware's own evidence submission to this Committee.<sup>25</sup> Issues have been raised with this campaign, as it is suggested the messaging tacitly accepts drunkenness and emphasises individual self-control, without acknowledging the importance of context (e.g. intoxication) in limiting self-control.<sup>26</sup> Drinkaware "is funded by voluntary and unrestricted donations from major UK alcohol producers, pub operators, restaurants, major supermarkets and other retailers"<sup>27</sup> and provides information and advice on alcohol to consumers.
- 2.5 The self-regulation of marketing has proven to be similarly ineffective and problematic. In the UK, alcohol advertising is governed through a mix of co-regulation and self-regulation, administered by the Advertising Standards Authority, Ofcom, and the Portman Group. The Advertising Standards Authority and the Portman Group are funded by the advertising industry and the alcohol industry respectively, and this system of regulation and the codes of conduct it operates have been criticised. As part of its 2009 investigation into the conduct of the UK alcohol industry, the House of Commons Health Select Committee concluded that there are: "major shortcomings in the current self-regulatory codes covering alcohol advertising. Specifically, the codes do not...prevent the promotion of drunkenness and excess; or the linking of alcohol with social and sexual success...[and] the codes are extremely weak in their treatment of new media which are rapidly becoming the biggest channel for alcohol promotion".<sup>28</sup> These findings were echoed by Public Health England, who in their 2016 evidence review examining the effectiveness of alcohol control policies note that multiple systematic reviews have found self-regulatory approaches to marketing fail to meet "their intended goal of protecting vulnerable populations."<sup>29</sup> They also suggest that tactics used by the alcohol industry – such as "promoting ineffective voluntary codes and non-regulatory initiatives" – to influence policy on the regulation of alcohol marketing "are similar to the strategies used by the tobacco industry"<sup>30</sup>.
- 2.6 Further, as demonstrated in the first section of this evidence submission, the current self- and co-regulatory framework for alcohol marketing regulation does little to prevent alcohol advertising – and the problematic, highly gendered messaging that can appear in such advertisements – from being targeted at children.<sup>31</sup>
- 2.7 **Action on price, availability and marketing of alcohol is needed.** With the recent government announcement of a forthcoming updated alcohol strategy, we would welcome the inclusion of measures tackling alcohol's affordability, availability (both temporal and physical), and marketing. These three areas of intervention are

<sup>21</sup> Robaina, K. et al. 2014. [Effectiveness and Strength of Evidence of the Alcohol Industry's 'Industry Actions to Reduce Harmful Drinking'](#). American Public Health Association 142nd Annual Meeting & Expo.

<sup>22</sup> Institute of Alcohol Studies. 2015. [Dead on Arrival? Evaluating the Public health Responsibility Deal for Alcohol](#).

<sup>23</sup> Knai, C. et al. 2015. [The Public Health Responsibility deal: has a public-private partnership brought about action on alcohol reduction?](#). *Addiction*, 110(8), pp. 1217-1225.

<sup>24</sup> Robaina, K. et al. op. cit.

<sup>25</sup> Women and Equalities Committee. 2018. [Written submission from Drinkaware \(SPP0050\)](#).

<sup>26</sup> Institute of Alcohol Studies. 2015. [Dead on Arrival? Evaluating the Public health Responsibility Deal for Alcohol](#).

<sup>27</sup> Drinkaware. 2018. [About us](#).

<sup>28</sup> Memorandum by Professor Gerard Hastings. op. cit. p. 1.

<sup>29</sup> Public Health England. 2016. [The Public Health Burden of Alcohol and the Effectiveness and Cost-Effectiveness of Alcohol Control Policies: An evidence review](#). p. 110.

<sup>30</sup> Public Health England. 2016. op. cit. p. 109.

<sup>31</sup> Memorandum by Professor Gerard Hastings. 2010. op. cit. p. 1 & p. 3.

identified by Public Health England as the most cost-effective policy choices governments can take action on the reduce alcohol harm.<sup>32</sup>

- 2.8 Price: Minimum unit pricing would tackle the extreme affordability of alcohol that has emerged in recent decades. By setting a floor price below which a unit of alcohol cannot be sold, this policy selectively raises the price of the cheapest alcohol products – those most responsible for harm – while leaving the price of most drinks untouched.
- 2.9 Availability: Current licensing legislation should be reviewed in order to address the dramatic increases in availability seen in recent years, in order to reduce levels of sexual assault and alcohol-related sexual harassment, including of frontline emergency service personnel, in the night-time economy.<sup>33</sup>
- 2.10 Marketing: Restrictions should be in place for all forms of alcohol marketing, including online, in order to prevent the use of sexualised images and messaging relating to women in order to sell products. Legislation should be modelled on France's 'Loi Évin' – this includes a ban on all lifestyle messaging in alcohol ads, so these sexualised and disrespectful images often seen in UK alcohol advertising objectifying women would not be permitted.<sup>34</sup>

### **About the Institute of Alcohol Studies**

The Institute of Alcohol Studies (IAS) is an independent institute bringing together evidence, policy and practice from home and abroad to promote an informed debate on alcohol's impact on society. Our purpose is to advance the use of the best available evidence in public policy decisions on alcohol. For more information, visit [www.ias.org.uk](http://www.ias.org.uk)

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<sup>32</sup> Public Health England. 2016. [The Public Health Burden of Alcohol and the Effectiveness and Cost-Effectiveness of Alcohol Control Policies: An evidence review.](#)

<sup>33</sup> Institute of Alcohol Studies. 2015. [Alcohol's Impact on Emergency Services.](#)

<sup>34</sup> Institute of Alcohol Studies. 2017. [Policies to regulate alcohol marketing.](#)