

ALCOHOL KNOWLEDGE CENTRE

# BRIEFING



## CRIME AND DISORDER IN THE NIGHT TIME ECONOMY

**This briefing contains the following chapters:**

- Role of the drinks industry and government responses

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# Crime and disorder in the night time economy

## Summary

- Alcohol prices, premise type and density, and extended drinking hours are some factors identified as influencing rates of alcohol-related crime in the night time economy
- It is also argued that drinks industry organisations play a role in the problems of sustained alcohol consumption in social settings
- Rather than legislate, governments have tried to encourage the industry to abandon socially undesirable marketing practices, with limited success

## Introduction

The most recent official statistics on violent crime in England and Wales found that vast majority of violent incidents that occurred over the weekend (62%), at night (61%), especially between the hours of 10pm and 6am, were alcohol-related.<sup>1</sup> Indeed, a survey covering more than 30,000 respondents in North West England found that almost half avoided the town centre at night due to the drunken behaviour there.<sup>2</sup>

### Why are rates of alcohol-related crime so high in the night time economy?

Many aspects of the on- and off-trade have been identified as influencing rates of alcohol-related crime in the night time economy:

- Price (particularly promotions in the on-trade and cheap alcohol in the off-trade driving practices such as pre-loading)
- The density and types of premises (such as high risk, vertical drinking establishments)
- Extended drinking hours

Specific to the night time economy, targeted street-based studies suggest that participants in the night time economy drink more than the national average and more significantly, drink at levels which are above average for their age group.<sup>3</sup> The findings appear to suggest that heavy drinkers are disproportionately attracted to the night time economy, and/or that the night time economy encourages heavier alcohol consumption. It is likely that there is an interaction between the two.

However, it is also important to consider the role the alcohol industry plays in shaping the night time economy and may influence rates of crime seen here.

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<sup>1</sup> Office for National Statistics. 2019. The nature of violent crime in England and Wales: year ending March 2018 <<http://bit.ly/2N17mRV>>

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<sup>2</sup> Cook, P. A., Tocque, K., Morleo, M. and Bellis, M. A. 2008. Opinions on the impact of alcohol on individuals and communities: early summary findings from the North West Big Drink Debate. Liverpool: Liverpool John Moores University, p. 1 <<http://www.nwph.net/Publications/BDD.pdf>>

<sup>3</sup> Hadfield, P., Newton, A. 2010. Alcohol, crime and disorder in the night time economy. Alcohol Concern Factsheet, p. 4 <<http://eprints.hud.ac.uk/id/eprint/9494/>>

# Role of the drinks industry and government responses

It is argued that the problems of sustained alcohol consumption in social settings go beyond the failings of a minority of high risk premises in town centres, but that drinks industry organisations play a role. An exposé by one newspaper prior to the relaxation of the licensing laws in 2005 uncovered a concerted attempt by organisations in the drinks industry to 'exploit Britain's binge drinking culture', including offering bar manager bonuses of up to £20,000 for exceeding sales volume targets, races between bar staff to sell as many 'shots' of spirits as possible within a set time, and constant pressure to 'upsell' singles to doubles.<sup>1</sup>

The Royal College of Practitioners (RCP) 2005 paper *Alcohol and violence* coined the extent of the problem of alcohol-fuelled violence in public settings:

**'Half of all incidents of alcohol-related violence in England and Wales take place in or around pubs and clubs. Amongst 18–24-year-olds, twice as many women and nearly three times as many men classified as “binge-drinkers” have participated in a violent crime or group fight in a public place than those classified as “regular” drinkers. Such bingeing is encouraged by irresponsible drinks promotions (e.g. happy hours). Insufficient transport services, poor street lighting and overwhelmed or inappropriately targeted police resources also increase the likelihood of violence.'**<sup>2</sup>

## Government responses in England and Wales

After encouraging the alcohol industry voluntarily to abandon socially undesirable marketing practices, the New Labour Government introduced a mandatory code on the retailing of alcohol in 2010.<sup>3</sup> However, the café culture much promised by the previous administration's legislative efforts 'failed to materialise'.<sup>4</sup> The Coalition Government made provision for further regulatory reform in its *2012 Alcohol Strategy*, accusing the previous administration of failing in its duty to tackle the problem of alcohol-fuelled crime and social disorder.

The *Alcohol Strategy* promised to:

- End the availability of cheap alcohol and irresponsible promotions
- (Provide an) extensive range of tools and powers... to local agencies to challenge those people that continue to behave in an unacceptable way
- Give stronger powers to control the density of licensed premises and make health a licensing objective for this purpose... give areas the powers to restrict alcohol sales if late opening is causing problems through extended powers to make Early Morning Restriction Orders; introduce a new late night levy so that those businesses that trade into the late night contribute towards the cost of policing; and end the notion that drinking is an unqualified right by piloting sobriety schemes for those people whose offending is linked to excessive alcohol consumption
- Build on the Responsibility Deal to drive greater industry responsibility and action to prevent alcohol misuse, including giving consumers a wider choice of lower strength products in both the on-trade and off-trade, taking one billion units out of the market by 2015

Despite these promises, the government of the day did not take forward their commitment to address cheap alcohol and reneged on its commitment to introduce minimum unit pricing (MUP), reportedly after alcohol industry pressure.\* Many of the licensing powers have not been effective in practice, with no Early Morning Restriction Orders being put in place, and only a handful of areas introducing Late Night Levies.\*\* The Responsibility Deal, a primary arm of the *Alcohol Strategy*, has also been broadly criticised by health groups as obstructing more effective action, while evidence of its effectiveness is limited and unreliable.<sup>5</sup>

2015's Conservative Government further emphasised the importance of the night time economy in tackling alcohol-related crime, identifying three arms to its approach in its *Modern Crime Prevention Strategy*:<sup>6</sup>

1. Improving local intelligence so that decisions taken about the sale of alcohol and the management of the evening and night time economy are based on reliable data and the latest evidence.
2. Establishing effective local partnerships where all those involved in the operation and management of the evening and night time economy work together, so that people can enjoy a safe night out without fear of becoming a victim of alcohol-related crime or disorder, whilst also enabling local economies to grow.
3. Equipping the police and local authorities with the right powers so they can prevent problems and take swift and decisive action after they have occurred.

This strategy has been seen as a somewhat missed opportunity, likely only to have minimal impact on crime prevention as it fails to address key, well-evidenced issues such as alcohol pricing, while focusing on more poorly evidenced initiatives such as industry voluntary schemes. There were however some welcome changes to licensing such as the reformed Late Night Levies and Group Review Intervention Powers.<sup>7</sup> The 2017 Conservative Government have not focused on alcohol or the night time economy within their most recent, relevant strategy – the *Serious Violence Strategy*.<sup>8</sup>

## Government responses in Scotland

In February 2007, the Scottish Government – then a Liberal Democrat/New Labour Coalition – entered into a Partnership Agreement with the alcohol industry. Both sides recognised, among other things, the need for enforcement of licensing legislation to 'ensure a zero tolerance approach to the illegal purchase of alcohol and the resultant alcohol-related disorder'.<sup>9</sup>

However, the proportion of violent crimes committed under the influence of alcohol is still significantly higher in Scotland (54%) than in England and Wales (39%). The executive – currently led by the Scottish National Party – has since acquired devolved powers to combat alcohol-fuelled criminal behaviour, such as the ability to lower the drink-driving limit, which came into force in 2014.<sup>10</sup>

A Member's Bill Consultation was lodged by two Labour Members of Scottish Parliament (MSP) (Dr Richard Simpson & Mr Graeme Pearson) ahead of the introduction of the Alcohol (Minimum Pricing) (Scotland) Act 2012. It offered 14 proposals which aimed in part to reduce alcohol-related offending through directing offenders towards treatment or restricting their

\* Please consult the Price factsheet for more information

\*\* Please consult the Licensing factsheet for more information

access to alcohol. One such measure involved expanding on tentative steps taken by the Scottish Government to include General Practitioners in the process of alcohol-related interventions when a patient is convicted of an offence involving alcohol.<sup>11</sup> A final proposal was put forward in May 2014, for:

**... a bill to promote public health and reduce alcohol-related offending through (a) restrictions on the retailing and advertising of alcoholic drinks; (b) changes to licensing laws; (c) obligations on Scottish Ministers to issue guidance and report on its alcohol education policy; (d) directing offenders towards treatment or restricting their alcohol consumption.**<sup>12</sup>

Cross-party support was gained, and a Bill was introduced on 1 April 2015. The Bill was not taken to Stage 2 after its general principles were not agreed in Stage 1 debate.<sup>13</sup>

<sup>1</sup> The Guardian. 2005. Drink giants' plans to fuel binge Britain

<http://www.guardian.co.uk/society/2005/oct/23/drugsandalcohol.politics1>

<sup>2</sup> Faculty of Public Health of the Royal Colleges of Physicians of the United Kingdom. Alcohol and Violence: Briefing Statement, p. 2

<sup>3</sup> www.parliament.uk. 2010. Statement: New code of practice for alcohol retailers <http://tinyurl.com/jjb67h8>

<sup>4</sup> HM Government. 2012. The Government's Alcohol Strategy, pp. 3–4

<https://www.gov.uk/government/publications/alcohol-strategy>

<sup>5</sup> Institute of Alcohol Studies. November 2015. Dead on Arrival? Evaluating the Public Health Responsibility Deal for Alcohol <http://bit.ly/phrdDOA>

<sup>6</sup> HM Government. 2016. Modern Crime Prevention Strategy, p. 33 <http://tinyurl.com/gunffzo>

<sup>7</sup> Institute of Alcohol Studies. 2016. Budget 2016: Fourth successive real terms cut for beer, spirits and cider duty. Alcohol Alert <http://bit.ly/al2016mar>

<sup>8</sup> HM Government. 2018. Serious Violence Strategy, p. 15 <https://bit.ly/2JBVLH4>

<sup>9</sup> Scottish Government. February 2007. Scottish Executive and the alcohol industry, p. 1

<http://www.scotland.gov.uk/Publications/2007/02/partnershipagreement/partnership>

<sup>10</sup> mygov.scot. n.d. Drink-drive limit in Scotland <https://www.mygov.scot/drink-drive-limit-scotland/>, ONS.

2019. The nature of violent crime in England and Wales: year ending March 2018 <http://bit.ly/2N17mRV>

<sup>11</sup> Simpson, R., and Pearson, G. 2012. Shifting the Culture, Scottish Parliament Members Bill consultation document, pp. 29–30.

<sup>12</sup> The Scottish Parliament. 2016. Stage 1 Report on Alcohol (Licensing, Public Health and Criminal Justice) (Scotland) Bill, p. 2 <http://www.parliament.scot/parliamentarybusiness/Bills/88187.aspx>

<sup>13</sup> The Scottish Parliament. n.d. Alcohol (Licensing, Public Health and Criminal Justice) (Scotland) Bill <http://www.parliament.scot/parliamentarybusiness/Bills/88187.aspx>