



## HOME OFFICE FULL EQUALITY IMPACT ASSESSMENT

Directorate	Drugs, Alcohol and Partnerships Directorate
Unit	Alcohol Strategy Unit
Date	29/11/2010

### Name of Policy/Guidance/Operational activity

Alcohol measures to be included in the Police Reform and Social Responsibility Bill

### What are the aims, objectives & projected outcomes?

These measures seeks to reduce alcohol-related crime and disorder, public nuisance, harms to children and risks to public safety by bringing into force a range of policies which overhaul the licensing act and provide greater powers to local authorities to tackle alcohol related problems in their area.

Alcohol related violent crime, nuisance and disorder remains a serious problem in some areas in England and Wales. According to the British Crime Survey, half (50%) of all violent crime is alcohol related, and 21% of all violent crime occurs in or around pubs and clubs. Almost a quarter of the population (24%) considers drunk or rowdy behaviour to be a problem in their area. Whilst these figures are cause for concern, so too is the cost of alcohol related crime and disorder, estimated at £8-£13bn each year.

The Government is taking a wide range of actions to tackle these problems, as set out in its report on the response to the recent consultation: "Rebalancing the Licensing Act: A consultation on empowering individuals, families and local communities to shape and determine local licensing".

## 1 SCOPE OF THE EIA *(see Module 5 of the EIA e-Learning)*

### 1.1 Scope of the EIA work

There are several equality strands that are relevant to these measures. As members of each equality strand consume alcohol to some extent, each strand is likely to be affected by the policies to some extent and accordingly each has been considered in this Equality Impact Assessment.

The key stakeholder groups that are likely to be affected by this work are listed in the EIA report in Annex A. As the measures are intended to empower local communities and licensing authorities to tackle alcohol related crime in their area, all groups stand to benefit from the reduced alcohol related crime and disorder that these measures are intended to bring about.

A six-week consultation exercise on the alcohol proposals announced in the coalition

agreement, which covered the measures that will be introduced in this bill, was conducted between July and September 2010 as the main data collection and engagement exercise for these measures. Further details on this consultation are included in section 3, and Annex A.

**1.2 Will there be a procurement exercise?**

No

**2 COLLECTING DATA** (see Module 6)

**2.1 What relevant quantitative and qualitative data do you have?**

**This may include national research, surveys or reports, or research done by colleagues in similar areas of work.** Please list any evidence in the boxes below (complaints, satisfaction surveys, focus groups, questionnaires, meetings, email, research interviews etc) of communities or groups having different needs, experiences or attitudes in relation to this policy/guidance/operational area.

<b>Race</b>	<p>White people tend to drink more than people from ethnic minorities, and there are particularly high levels of alcohol consumption among the White Irish community (<i>HIAT 2005</i>)</p> <p>However, over half of all male ethnic minority offenders were classed as harmful or hazardous drinkers<sup>1</sup>. (<i>Home Office 2003</i>)</p> <p>There is also an association between social inequality &amp; substance misuse. A higher proportion of BME groups experience social inequality (<i>Alcohol Concern 2003</i>)</p> <p>2% of assaults without injury (which is a close proxy for alcohol-related violence) were racially or religiously motivated (<i>British Crime Survey</i>)</p> <p>Alcohol awareness campaigns, particularly those based around unit measures and logos, have been inaccessible to some BMEs, even where translations have been available. (<i>Banton et al 2006</i>)</p>
<b>Religion/ belief &amp; non belief</b>	<p>Hate crimes are most likely to occur between 3pm and midnight (<i>Home Office 2007</i>)</p>
<b>Disability</b>	<p>Learning disabled young people are more likely to drink due to social isolation including bullying and to be socially vulnerable because of drinking; including risk of sexual assault and rape and financial exploitation (<i>University of Ulster 2006</i>)</p> <p>There is currently “a lack of appropriate, accessible and targeted</p>

<sup>1</sup> Hazardous drinkers regularly exceed 21 units a week for men and 14 for women. Harmful drinkers regularly exceed 50 units a week for men and 35 for women.

	<p>information and support to encourage and enable people with learning disabilities and/or mental health problems to improve their physical health, particularly where they are in residential settings such as residential care homes and hospitals.” (DRC 2006)</p>
<p><b>Gender Identity</b></p>	<p>On average, men drink significantly more than women. However, drinking patterns amongst women, particularly young women, have changed significantly over the last 20 years and binge drinking among this group is almost as common as for young men. (ONS 2008)</p> <p>Skilled women tend to drink more than unskilled women, whereas unskilled men drink more than skilled men. (SUAHRP 2003)</p> <p>Men are significantly more likely than women to get into a fight or damage something during or after drinking. (SHUARP 2003)</p> <p>360,000 alcohol-related incidents of domestic violence and 19,000 sexual assaults related to alcohol. Alcohol is reported as a factor in approximately one third of domestic violence incidents (SHUARP 2003)</p> <p>Many young male offenders were drinking heavily and frequently often to conform to social expectations. Most did not recognise that they had a problem. (Home Office 2003)</p> <p>Many women feel excluded from town centres at night, particularly at the weekend (The Civic Trust 2005)</p> <p>Voluntary standards and guidelines are frequently ignored (Alcohol Concern, 2003): complaints have been upheld against products such as Roxxoff, and WKD, where alcohol was associated with sexual success for men.</p>
<p><b>Sexual Orientation</b></p>	<p>The typical homophobic offender is a young white male, aged 16-20, and offences are most likely to be committed between 3pm and midnight. (Home Office 2007)</p> <p>Given patterns of drinking and the links to offending amongst young white men, it is likely that alcohol is also a contributory factor in this type of offending. (SUAHRU 2003)</p>
<p><b>Age</b></p>	<p>Although fewer young people are drinking alcohol, those who do are drinking more than before. Average consumption doubled during the 1990s and has remained at this higher level since (NHS Information Centre 2008)</p> <p>Young people have not been receptive to the 'sensible drinking' message (SUAHRP 2003).</p> <p>Many older people feel excluded from town centres at night, particularly at the weekend. (The Civic Trust 2005)</p> <p>There is a link between alcohol and domestic violence, and</p>

	children and young people will be directly or indirectly affected. Surveys suggest between 30 and 60 per cent of child protection cases involve alcohol. (SUAHRP 2003)
<b>Socio-economic</b>	No published data is available.
<b>Human Rights</b>	The proposed policies will have no foreseen impact on Human Rights.

## **2.2 What are the overall trends/patterns in this data?**

The above data shows that alcohol consumption does vary in extent between different equality strands. However, as members of each group consume alcohol to some extent the proposals are likely to have an impact upon all of the groups in some way.

The data shows that age, gender and race will be the groups which face the most significant effects from these measures. This is analysed in more detail in Annex A.

## **2.3 Please list the specific equality issues and data gaps that may need to be addressed through consultation and/or further research?**

There are no plans to carry out further consultation or research to fill existing data gaps, as we feel we have a good understanding of how our policies will affect our stakeholders and the various equality strands.

The proposals that are due to be taken forward in the Police Reform and Social Responsibility Bill were subject to a full public consultation. The consultation was open to the general public as well as interested parties such as the on and off trade, police and practitioners.

The online aspect of this consultation was available in both English and Welsh to increase its accessibility.

To prevent those who might have found it difficult to provide consultation responses online from being excluded, it was possible to download a PDF version to print, complete and return by post. A named point of contact was made available to provide assistance and answer queries.

A range of online and conventional sources were used to publicise the consultation, in order to raise awareness amongst as broad an audience as possible.

### 3 INVOLVING AND CONSULTING STAKEHOLDERS

(see Module 7)

In this section, describe the data you have gathered through stakeholder involvement and engagement.

#### **3.1 Internal consultation and involvement:** e.g. with Other Government Departments, Staff (including support groups), Agencies & NDPBs

Officials from the Home Office; Department for Health; Business, Innovation and Skills; Department for Environment, Food, and Rural Affairs and Her Majesty's Treasury held a series of meetings with key representatives of national bodies of interested partners to gauge their initial reactions to the new measures outlined in the Coalition Document and inform the development of these proposals.

Officials from the above departments also attended both national and regional consultation events.

Officials from Wales Office have been kept up to date with developments in the policy, specifically in relation to the impact they may have on Wales. Officials from Wales Office also attended the consultation event held in Cardiff.

#### **3.2 External consultation and involvement:** strand specific organisations e.g. charities, local community groups, third sector

A six-week consultation exercise on alcohol proposals was held. Six weeks was the maximum possible length for consultation under the timetables allowed by the Police Reform and Social Responsibility Bill. The consultation exercise included:

- A formal consultation document published on the Home Office website and online submission form and printable PDF pro-forma inviting responses from key interest partners and the general public.
- Consultation events with a range of national partners (local authorities, police, pubs, brewers and producers, supermarkets, representatives of smaller shops, sports clubs, third sector organisations, and health bodies)
- Regional consultation events in Birmingham, Cardiff, Blackpool, London, Nottingham and Newcastle to include local partners such as frontline police, trade representatives, local licensing officers, residents groups and health representatives.

Responses and outputs from all consultation activities have been compiled and analysed to identify the views of key interest partners and the general public on the proposals outlined in the consultation document. This analysis was considered in developing the final policy proposals which will be taken forward in the Police Reform and Social Responsibility Bill. A summary of the consultation analysis and Government response will be published alongside the publication of the Police Reform and Social Responsibility Bill.

## 4 ASSESSING IMPACT *(see Module 8)*

In this section please record your assessment and analysis of the evidence. This is a key element of the EIA process as it explains how you reached your conclusions, decided on priorities, identified actions and any necessary mitigation.

### 4.1 Assessment of the impact

These measures are intended to empower licensing authorities and local communities to tackle alcohol related crime and anti-social behaviour and reduce harms associated with excessive consumption. As a result, they will have a differential impact on different groups depending upon how frequently they binge drink and how likely they are to commit alcohol-related crime and disorder.

Young adults as a priority group. Evidence shows that they are the most likely to binge drink and are therefore at risk of becoming either perpetrators or victims of crime. These policies involve empowering local bodies to tackle alcohol related crime and so we would expect them to have a larger impact on young adults. However, this impact is proportionate and entirely consistent with our objective of reducing alcohol-related crime and disorder.

Amongst young adults, there is the potential for a dissimilar impact on different racial groups, as white people are more likely to binge drink. Again, this is proportionate and consistent with our objectives as they are also more likely to commit alcohol-related crime. There is however, the potential for a disproportionate impact on young women. Binge drinking among young women has increased in recent years, and it is now almost as prevalent as amongst young men. These policies will therefore impact on men and women to a similar extent, despite young women being less likely to commit alcohol-related crime.

However, the significant benefits that all members of the community will experience through less crime and disorder, a better managed night-time economy, and collateral health benefits from reduced alcohol misuse will outweigh this, and so an adverse impact is not anticipated.

We are also confident these measures will not have any significant effect on other key diversity strands such as disability, gender identity, religion or sexual orientation.

**Now complete the report and Action Plan.**

## 5 REPORT, ACTION PLANNING AND SIGN OFF *(see Module 9)*

### 5.1 EIA Report

The EIA Report is a concise summary of the results of the full EIA. A template is provided at Annex A.

### 5.2 Sign-off

**Now submit your EIA and related evidence for clearance**

Date of completion of EIA	14 October 2010
Compiled by	Jonathan Allinson
SCS sign-off	Ziggy MacDonald on behalf of Mandie Campbell
<i><b>I have read the Equality Impact Assessment and I am satisfied that all available evidence has been accurately assessed for its impact on equality strands. Mitigations, where appropriate, have been identified and actioned accordingly.</b></i>	
Date of publication of EIA Report	
Review date	

### 5.2 Publication and Review *(see Module 10)*

Ensure that the EIA Report including the Action Plan are published alongside your policy/guidance/operational activity.

**IMPORTANT - Review, revise and update annually!**

# Annex A - Equality Impact Assessment Report

## TITLE

Police Reform and Social Responsibility Bill Alcohol Measures Impact Assessment Report - October 2010

## BACKGROUND

In the coalition government's agreement "The Coalition: Our Programme for Government", the following commitments were made in relation to alcohol:

- We will ban the sale of alcohol below cost price.
- We will review alcohol taxation and pricing to ensure it tackles binge drinking without unfairly penalising responsible drinkers, pubs and important local industries.
- We will overhaul the Licensing Act to give local authorities and the police much stronger powers to remove licences from, or refuse to grant licences to, any premises that are causing problems.
- We will allow councils and the police to shut down permanently any shop or bar found to be persistently selling alcohol to children.
- We will double the maximum fine for under-age alcohol sales to £20,000.
- We will permit local councils to charge more for late-night licences to pay for additional policing.

The measures being included in the bill are means of implementing these commitments, with the exception of the review of alcohol taxation and the ban on below cost sales, which will be enacted by other means.

## SCOPING THE EIA

The key stakeholders for the measures being introduced are as follows:

- Any members of the public who consume or purchase alcohol
- Anyone who uses the night-time economy
- Alcohol industry, particularly those who own, manage or work in licensed premises and the trade bodies who represent the industry (such as British Beer and Pub Association, Wine and Spirit Trade Association and the Association of Convenience Stores)
- Local Authorities and the Local Government Association
- LACORS
- Police
- Trading Standards
- Residents Groups
- Youth Justice Board and Youth Offending Teams
- Department for Health
- Department for Children, Schools and Families
- Department for Culture, Media and Sport
- Department for Business, Innovation and Skills
- Department for Communities and Local Government
- Ministry of Justice

- Department of Environment, Food and Rural Affairs
- HM Treasury

We have engaged these stakeholders and collected data on how they will be affected by the measures through the six-week public consultation held between 28 July and 8 September.

## COLLECTING DATA

The qualitative and quantitative data on the impact of these policies on our stakeholders was collected through the consultation exercise described in the next section. The Home Office commissioned an independent analysis of the consultation responses.

A key issue around assessing the likely equality impacts of these measures has been a lack of data and evidence. Although we have reasonable data about the drinking behaviour of some groups, we have less information about their offending behaviour, especially in relation to alcohol-related crime and anti-social behaviour.

## INVOLVING AND CONSULTING STAKEHOLDERS

We held initial pre-consultation meetings with representative groups for stakeholders that will face the most impact from the measures, including the licensed trade, local government and enforcement agencies. We also held national stakeholder engagement meetings as part of the consultation, where national stakeholder groups had a further opportunity to engage in the process. As well as this, we held 7 open sessions which all members of the public could attend as part of the consultation. These were held across the country, to ensure that everyone interested in attending had the opportunity to do so without needing to travel excessive distances.

We used a mixture of both online written consultation and holding national and regional stakeholder meetings to provide a range of options to people interested in responding to ensure that no one was excluded.

We received 1,089 formal responses to the consultation and an additional 2,938 campaign responses. In total 517 individuals attended one of the regional consultation events and an additional 113 people attended one of the national consultation events. The feedback from both the regional and national consultation events was collated and has been fully considered along with the formal consultation responses received. The Home Office commissioned an independent analysis of the consultation responses and outputs from the consultation events.

Many respondents to the consultation were concerned with the truncated nature and timing of the consultation over a holiday period. Whilst we recognise the 6 week consultation period was not as long as the guidance recommends, we took steps to ensure that as many people as possible were able to take part in the consultation either by submitting a formal response or attending one of our consultation events. Additional regional events were held in London and Nottingham to supplement the scheduled events to meet demand to attend.

There was a good response rate to the consultation, providing a rich source of data, opinions and views from a wide range of interested parties and members of the public. A broad theme that emerged was that respondents were in support of measures

to empower local communities and strengthen their input into the licensing process.

There was, in general, a divide between respondent types with support for the proposals from the public, licensing, police and health respondents and opposition to the proposals from the trade. However, responses to specific proposals and questions demonstrate a more complex situation; with a wide range of views also given that do not neatly fall into the proposals being given clear support or dissent.

It is worth noting that looking at the responses by respondent type showed a majority of responses coming from those involved in licensing, enforcement, police and health (36%) and members of the public or their representatives (34%). The "Trade" response amounted to only 15% of the total received and therefore, their dissent to certain proposals would not necessarily affect the overall result in our analysis for determining whether the majority of respondents showed support or dissent. To mitigate the smaller trade response we have included quotes from responses and summaries of the Regional and National Events to provide contextual information to better understand the nature of the support and dissent for each proposal.

## ASSESSING IMPACT

### Potential positive impacts of the policy

According to the 2009/10 British Crime Survey, victims believed the offender(s) to be under the influence of alcohol in 50 per cent of all violent incidents, equivalent to 986,000 violent offences. Whilst the number of alcohol-related violent offences has fallen significantly since the mid-1990s the proportion of violent offences that are alcohol-related has remained stable.

More than half of people surveyed (53%) also thought that alcohol was one of the major causes of crime, an increase from 52% in the previous year. However, a much smaller proportion (9%) thought it was the *main* cause of crime in Britain today. Results from the 2008/09 survey also show that 21% of all violence occurred in a pub or club and 48% of all violent offences occurred between Friday night and Monday morning.

The 2008 Review of the Licensing Act found that overall there had been a 1% fall in violence, harassment and criminal damage in the 12 months following the introduction of the Licensing Act. However, there was a 22% increase in offences reported between 3am and 6am. Whilst these represent only 4% of the offences committed at night, the Government has committed to undertake further research into post-midnight drinking patterns and their impact on crime and disorder.

Perceptions of problems with alcohol are also increasing. The percentage of people who think drunk and rowdy behaviour is a fairly or very big problem in their area has risen, from 19% in 2003/4 to 25% in 2007/810.

Alcohol-related crime and disorder can have significant negative consequences for the wider community. The Home Office estimates that alcohol-related crime costs England and Wales between £8bn and £13bn each year. An independent review has shown that the current voluntary industry standards are not being adhered to and irresponsible practices do occur. These practices can lead to excessive levels of drunkenness, unacceptable behaviour and crime and we know that some groups feel excluded from the night-time economy as a result.

These measures are therefore expected to bring about significant benefits for all members of the community through less crime and disorder and a better-managed night-time economy, as well as collateral health benefits from reduced alcohol misuse.

### **Potential negative impacts of the policy**

We have identified three key diversity strands where these measures have the potential for adverse impacts: age, gender and race.

#### *Age*

These measures are particularly likely to impact on younger adults. Evidence shows that whilst, on average, young adults drink roughly the same amount of alcohol as older people, they are much more likely to binge drink and it is this type of consumption which is most closely linked to crime and disorder. 30% of men aged 16-24 admitted binge-drinking in the last week compared to 21% of 45-64 year olds. For women, the figures are 25% compared with 12%.

This high prevalence of binge drinking puts this group at a particularly high risk of either becoming perpetrators or victims of crime. The proposed policies involve empowering local communities and licensing authorities to tackle irresponsible practices in licensed premises that can lead to excessive drunkenness. As such, we would expect them to have a larger impact on young people, but we believe this impact is entirely consistent with our objective of reducing alcohol-related crime and disorder.

#### *Gender*

Amongst young adults, there is also the potential for a disproportionate impact on women. Average weekly alcohol consumption is around twice as high for men as it is for women, and this is common across all age groups. However, as detailed above, binge drinking is only slightly more common amongst young adult men compared with young adult women. We would therefore expect these measures to have a similar impact on both sexes. However, this impact is disproportionate for women because they are less likely to commit alcohol-related crime. 28% of men aged 18-25 admitted offending in the last year compared to 17% of women and, although the sample sizes are too small to draw firm conclusions, we believe a similar ratio exists for alcohol-related crime and disorder.

However, we believe that the significant benefits of less crime and disorder and a well-managed night-time economy, along with the collateral health benefits, more than outweigh any potential adverse impact.

#### *Race*

Amongst young adults, there is also the potential for a dissimilar impact on different racial groups. Binge drinking is much more prevalent amongst white people than amongst ethnic minorities. 16% of white British people admitted to binge drinking in the last week compared to less than 5% of Asian or black people. Those of mixed race were as likely to binge drink as white people. Therefore, these measures will have a greater impact on white people. However, as white people are also more likely to commit alcohol-related crime and disorder, this impact is proportionate and is justified in achieving the policy objectives.

### **Summary**

Our policies are expected to bring about significant benefits for all members of the community through less crime and disorder, a better managed night-time economy, and collateral health benefits from reduced alcohol misuse. There is the potential for a

dissimilar impact on different age groups, and within those groups, different racial groups. However, this is proportionate and entirely justified by the different prevalence of binge drinking and offending within those groups.

There is though the potential for a disproportionate impact on young women, as they are similarly likely to binge drink but less likely to commit a crime. However, we believe the significant benefits identified above more than outweigh this and so an adverse impact is not anticipated.

We are also confident these measures will not have any effect on the other key diversity strands of disability, gender identity, religion or sexual orientation.

### **Recommendations**

In order to monitor the extent to which this proposal is having an impact, data should continue to be collected on:

- the use of the various new powers by licensing authorities, enforcement agencies, local communities and licensed premises;
- the number and nature of alcohol-related crimes; AND
- the number of people admitted to hospital for alcohol-related reasons.

### **ACTION PLAN**

See Annex B

## Annex B

### Police Reform and Social Responsibility Bill Alcohol Measures Impact Assessment Action Plan - October 2010

ACTION / ACTIVITY	OWNER AND INTERESTED STAKEHOLDERS	DEPENDENCIES / RISKS / CONSTRAINTS	COMPLETION DATE	PROGRESS UPDATE
Collection of data to monitor application and effect of policies	<ul style="list-style-type: none"> <li>○ Home Office and Ministry of Justice should continue to collect this data.</li> <li>○ Interested stakeholders are same as listed above.</li> </ul>	NA	Data collection should be completed on an annual basis following implementation of policies.	NA