

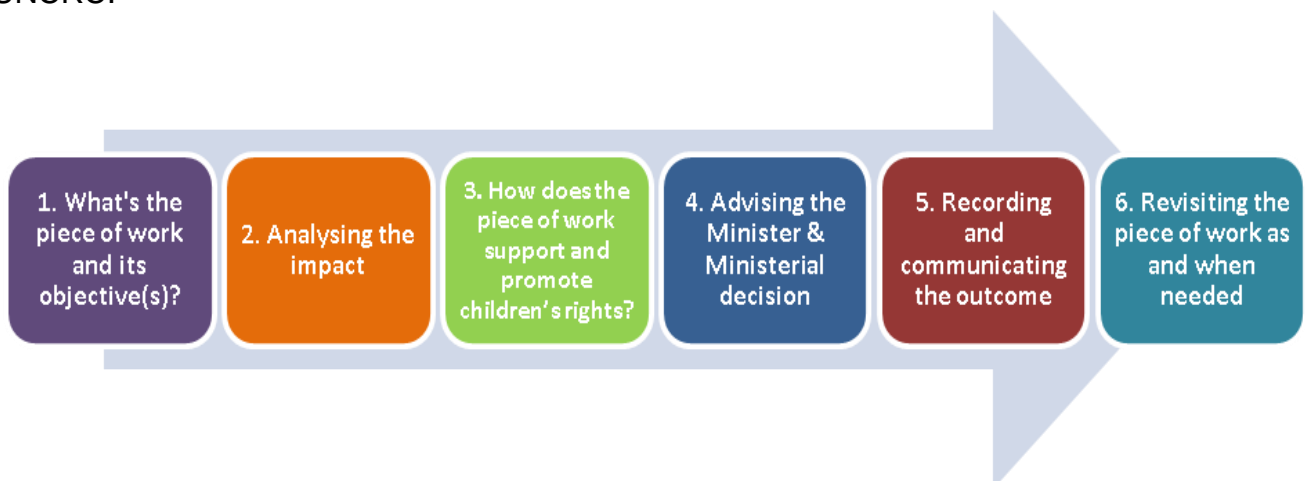


Children's Rights Impact Assessment (CRIA)

Title / Piece of work:	Draft Public Health (Minimum Price for Alcohol) (Wales) Bill Minimum unit price for alcohol
Name of Official:	Adrian Green
Department:	Health and Social Services
Date:	Last Reviewed June 2015
Signature:	AG

Six Steps to Due Regard

Section 1 of the Rights of Children and Young Persons (Wales) Measure (2011) places a duty on the Welsh Ministers to have due regard to the United Nations Convention on the Rights of the Child (UNCRC) when making their decisions. The term 'due regard' requires a balanced consideration of the issues. This means that Ministers must think about how what they are doing including the development of legislation, relates to the rights and obligations in the UNCRC.



Step 1. What's the piece of work and its objective(s)?

The Welsh Government has brought forward proposals to introduce a Minimum Unit Price for alcohol (MUP) system in Wales under the draft **Public Health (Minimum Price for Alcohol) (Wales) Bill** which has been published for public consultation. The draft Bill and the Public Health (Wales) Bill, which was introduced into the National Assembly for Wales on 8 June 2015, seek to build on the successes within the Welsh Government's Programme for Government in response to important public health issues in Wales.

The MUP proposals will set a floor price for a unit of alcohol, meaning that alcohol cannot be sold below that price. It is currently proposed that the MUP will be 50p. The overall aim is to reduce harmful alcohol consumption in Wales; reducing the rising levels of hospital admissions linked to alcohol, illness and alcohol-related deaths. Introducing an MUP will not increase the price of every alcoholic drink, only those which are sold below the MUP level set. It is proposed that implementation and enforcement of the MUP system in Wales will be part of local authority regulatory responsibilities.

There is compelling evidence, built up over many decades of research, that alcohol causes harm and the likelihood of harm is proportionate to the amount of alcohol drunk. There is also a clear and enduring problem with alcohol misuse in Wales, leading to a range of well-evidenced health and social harms. In 2013, there were 467 alcohol-related deaths in Wales, the majority among men. Overall alcohol misuse in Wales is estimated to cost the health service around £109m each year in hospital admissions alone.

Minimum unit pricing forms an important part of the Welsh Government's overall strategy for reducing alcohol related harm, due to its ability to target the habits of those people who are most likely to suffer illness and death (namely hazardous and particularly harmful drinkers, including young people), while minimising the impact on moderate drinkers, particularly those on low incomes. It is designed to target alcohol products which are sold at very cheap prices relative to their alcohol content.

Step 2. Analysing the impact

An MUP for alcohol aims to have a positive impact on the health of society as a whole, by helping to reduce harmful alcohol consumption and addressing the health harms associated with alcohol misuse. While the proposals will have a broad impact across society, they are relevant to specific issues relating to alcohol consumption by children and young people. They will also help address a number of related issues, for example a rise in 'pre-loading' (drinking alcohol at home before going out to a bar, pub or nightclub), and young people who tend to purchase alcohol from supermarkets and off licences.

Minimum unit pricing is a targeted intervention which aims to have the greatest impact on hazardous and harmful drinkers. The Welsh Government commissioned the Sheffield Alcohol Research Group at Sheffield University to study the potential impact to Wales of a range of alcohol pricing policies. On 8 December 2014 the group published the *Model-based appraisal of minimum unit pricing for alcohol in Wales*¹ report.

This study concluded there are a number of key benefits of introducing a MUP for alcohol policy in Wales including:

- MUP policies would be effective in reducing alcohol consumption, alcohol-related harm (including alcohol-related deaths, hospital admissions, crimes and workplace absences) and the costs associated with those harms; MUP policies would only have a small impact on moderate drinkers. Larger impacts would be experienced by increasing-risk drinkers, with the most substantial effects being experienced by high-risk drinkers (particularly as these drinkers are more likely to consume the types of alcohol affected by MUP);
- Introducing an MUP of 50p for alcohol is estimated to be worth £882m to the Welsh economy in terms of reductions in illness, crime and workplace absence over 20 years. This is an aggregate effect, driven by the greater effect on those drinking at harmful and hazardous levels, whose consumption will fall the most in absolute terms.

The Sheffield model estimates the overall societal cost of alcohol misuse to be £15.3bn

¹ <http://wales.gov.uk/statistics-and-research/research-likely-impact-public-attitudes-towards-minimum-unit-price-alcohol/?lang=en>

over 20 years. A more detailed discussion of the impact of excessive alcohol consumption on health and wellbeing in Wales, including the findings of the Sheffield University study and other evidence can be found in Part 2 - the Regulatory Impact Assessment.

The Welsh Government's Advisory Panel on Substance Misuse has considered the academic literature and evidence on MUP.

Its report, published in July 2014,² said the evidence base is extensive and reliable. It said: *"The effects of an MUP would be different for different subgroups of the population: therefore MUP enables those drinking alcohol more harmfully or hazardously to be targeted, with smaller effects on moderate drinkers, particularly those with low incomes. Taking into account all the circumstances and evidence before the panel minimum unit pricing is an effective mechanism through which alcohol-related harm can be addressed"*.

In relation to young people, some progress has already been made in reducing alcohol consumption. For example, the international Health Behaviour in School-Aged Children (HSBC)³ report shows that between 1998 and 2009 there was a reduction – from 59% to 36% - in the number of 15 and 16-year-old boys and a reduction from 46% to 30% in the number of 15 and 16-year-old girls reporting they drank alcohol at least weekly. But it also shows that drinking among young people remains a serious concern, with 17% of boys and 14% of girls aged 11 to 16 in Wales drinking alcohol at least once a week in 2009-10 – the most recent data available. These figures remain higher than in Scotland, England and Ireland. Progress is being made, but there is still a great deal of work to do to reduce alcohol misuse in Wales, and minimum unit pricing is considered to be a key part of the strategy for addressing this issue.

Alcohol misuse in adolescence – a developmentally sensitive period – poses a particular danger to the emerging brain faculties of executive functioning and long-term memory.⁴ Starting drinking at an early age is also associated with higher trends of alcohol dependence in adulthood and a wider range of other adverse consequences. Teenagers who misuse alcohol are also more likely to suffer from side effects, including appetite change, weight loss, eczema, headaches and sleep disturbances. Alcohol consumption during adolescence is also associated with unprotected sex, teenage pregnancy and the increased likelihood of contracting sexually transmitted infections.

Positive impacts of the legislation

This proposed legislation is anticipated to generally have a beneficial impact on children's health and reduce risks to vulnerable children. Children and young people can be adversely effected by various chronic diseases and conditions associated with excess alcohol consumption by parents and other adults as well as the general drinking

² Advisory Panel on Substance Misuse , "Minimum Unit Pricing: A Review of its Potential in a Welsh Context' 2014; p10

³ Office for National Statistics (2010) UK Health Statistics. Edition No.4 [online]. Available at <http://www.ons.gov.uk/ons/rel/ukhs/united-kingdom-health-statistics/2010/index.html>

⁴ Newbury-Birch et al, 2008 – Impact of Alcohol Consumption on Young People: A Review of Reviews. Newcastle University for the Department of Children, Schools and Families.

behaviours of adults. There are recognised health risks to the unborn children of women drinking alcohol during pregnancy. Given the links between affordability and consumption, an MUP system is considered to have significant potential to help reduce alcohol consumption amongst young people. There is also clear evidence that an MUP is a key factor in helping to reduce burdens on the health service and other public services, reducing crime and bringing wider benefits to communities in Wales as it targets harmful and hazardous drinkers.

Negative impacts

It is not anticipated there will be any direct negative impacts for children or young people in implementing this proposal as it is widely acknowledged that children should not be drinking alcohol. A pricing system which discourages drinking among children and young people can only have positive direct impacts.

There will be a need to monitor some potential indirect negative impacts which could arise as a result of these proposals. In particular, while an MUP for alcohol is intended to have a smaller effect on moderate drinkers and those on low incomes, there will be a need to monitor perceived affordability for young adults and to monitor the impact on household budgets of those living in poverty, in order to ensure that the MUP does not indirectly push some children further into deprivation. However, on balance we believe that it is in the best interests of the child to proceed with a MUP for alcohol.

Success/measuring impact

MUP will have an important role in contributing to reductions in harmful alcohol consumption which can manifest itself in a number of ways. The impact of an MUP for alcohol will be therefore monitored using a range of indicators, including:

- The numbers of alcohol-related deaths in Wales;
- Rates of alcohol-specific hospital admissions (admissions which are wholly related to alcohol, such as alcohol-related liver disease or alcohol overdose);
- Alcohol-related mortality rates (deaths most directly linked to alcohol, such as alcoholic liver disease);
- Alcohol-attributable mortality rates (which includes deaths due to conditions which are in part attributable to alcohol);
- Trends in the above rates across different areas, including deprived areas;
- Data on alcohol consumption collected through the Welsh Health Survey;
- The numbers of children and young people taken into care as a result of parental alcohol abuse or substance misuse generally.

Consultation

This proposal was one of a number consulted on in a Public Health White Paper, between 2 April and 24 June 2014. In order to maximise engagement with children and young people, a youth friendly version of the White Paper was produced and published on the Welsh Government website, as well as being distributed via Funky Dragon and the Welsh Network of Healthy School Schemes. The White Paper was also discussed at Funky Dragon's youth ambassador conference. Among the consultation responses from children and young people who commented on the MUP proposals, views were mixed, with some young people feeling that the proposals would help discourage excessive drinking; others felt it could make alcohol more unaffordable for young adults and responsible drinkers.

In addition, a number of responses were received from organisations representing children, including the Children's Commissioner for Wales and Children in Wales. The former children's commissioner was supportive of the proposal and noted that MUP, along with increased vigilance in preventing the sale of alcohol to under 18s, should further reduce underage drinking, not only in terms of stopping young people from drinking but also reducing the quantities that are consumed. He did, however, urge the Welsh Government to monitor implementation closely in order to avoid a scenario where some young people move towards consuming higher-strength alcohol in the wake of increasing prices.

The response to the consultation from Children in Wales (CiW) indicated general support for MUP as one of a range of measures to deal with the issue of underage drinking, and also drunkenness and domestic violence affecting the emotional wellbeing of children and young people. As part of our stakeholder engagement programme, we will be engaging with children and young people using our partner networks, including CiW.

Step 3. How does your piece of work support and promote children's rights?

It is widely accepted that while children should not be drinking alcohol, large numbers do. Although decreasing, Wales has the highest alcohol consumption among 15-year-olds in the UK.⁵ An MUP system aims to reduce alcohol consumption and therefore reduce alcohol-attributed harms. This includes reducing alcohol consumption by children and young people.

This proposal most directly supports the following articles of the United Nations Convention on the Rights of the Child:

⁵ Currie, et al. 2012

Article 3 – All organisations concerned with children should work towards what is best for each child;

Article 6 – All children have the right of life. Governments should ensure that children survive and develop healthily.

Article 12 – Children have the right to say what they think should happen when adults are making decisions that affect them, and to have their opinions taken into account.

It is considered that creating a MUP system which attempts to target alcohol related harms is consistent with UNCRC requirements. Such a proposal has the best interests of children as a primary consideration.

Step 4. Advising the Minister and Ministerial decision

The Deputy Minister for Health has been advised that this work satisfies the articles of the UNCRC, namely the articles outlined above and will be asked to clear the document for publication.

It is proposed that the Children’s Rights Impact Assessment will be published with the Equality and Welsh Language impact assessments alongside the draft Bill and the Bill’s Explanatory Memorandum. The impact assessments will be amended as appropriate during the development of the Bill and its passage through the National Assembly for Wales and the Children’s Commissioner for Wales will also be consulted throughout the process.

Step 5. Recording and communicating the outcome

This Children’s Rights Impact Assessment will be monitored during the development of the draft Public Health (Minimum Price for Alcohol) (Wales) Bill, be updated and published along with the Explanatory Memorandum on introduction of the Bill into the National Assembly for Wales. The assessment process undertaken will be as follows:

- Steps 1-3 identify how the UNCRC duty has been complied with
- Steps 1-3 note the relevant analysis undertaken as part of the assessment
- Step 4 will be updated periodically to note how this information has been communicated.
- The final version of the CRIA will be published as per the Children’s Rights Scheme 2014 once the Bill receives final Assembly approval.

Step 6. Revisiting the piece of work as and when needed

This piece of work will be revisited and updated during the legislation's passage through the Assembly, and periodically following implementation of the proposal. In revisiting the assessment, the following factors will be considered:

- Does the proposal have the same intended impact as set out in step 2?
- How has stakeholder engagement reinforced this?
- Are there any areas of improvement that can be made to the rights of the child?
- Are there any further opportunities for the proposal to promote children's rights?

Budgets

As a result of completing the CRIA, has there been any impact on budgets?

It is important that where any changes are made to spending plans, including where additional allocations have been made, that this has been assessed and evidenced as part of the CRIA process.

No

Please give any details:

Details of the financial implications are provided in the draft Bill's Regulatory Impact Assessment - Part 2 of Explanatory Memorandum (EM).

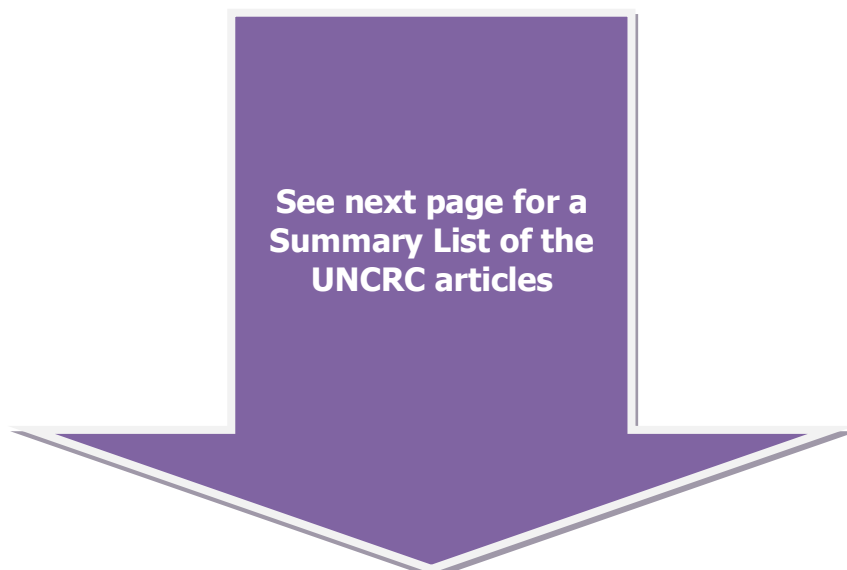
As a result of completing the CRIA, no further requirements for additional Welsh Government resources to be applied have been identified. Costs associated with MUP have been identified within Part 2 of the EM - the Regulatory Impact Assessment and include:

- Costs to local government associated with implementing MUP, although the implementation proposals have been designed to align with current local government regimes to minimise any cost impact;
- Costs to retailers in changing shelf prices and computer prices alongside calculating MUP for alcohol products they sell;
- Potential costs for a publicity and/or education campaign to ensure stakeholders are

aware of the changes in Wales.

Monitoring and review

Do we need to monitor / review the proposal?	Yes
If applicable: set the review date	To be considered as part of the draft Bill consultation and reviewed at the end of the consultation period (December 2015).



THE UNITED NATIONS CONVENTION ON THE RIGHTS OF THE CHILD

www.uncrcletsgetitright.co.uk

The United Nations Convention on the Rights of the Child is an international agreement that protects the human rights of the children under the age of 18. On 16 December 1991, the United Kingdom of Great Britain and Northern Ireland formally agreed to make sure that every child in the UK has all the rights as listed in the convention. The Welsh Government has shown its commitment to the convention by adopting it as the basis for policy making for children in Wales.

Altogether there are 54 articles in the convention. Articles 43-54 are about how adults and governments should work together to make sure all children are entitled to their rights. The information contained here is about articles 1-42 which set out how children should be treated.

Article 1

Everyone under 18 years of age has all the rights in this Convention.

Article 2

The Convention applies to everyone whatever their race, religion, abilities, whatever they think or say and whatever type of family they come from.

Article 3

All organisations concerned with children should work towards what is best for each child.

Article 4

Governments should make these rights available to children.

Article 5

Governments should respect the rights and responsibilities of families to direct and guide their children so that, as they grow, they learn to use their rights properly.

Article 6

All children have the right to life. Governments should ensure that children survive and develop healthily.

Article 7

All children have the right to a legally registered name, the right to a nationality and the right to know and, as far as possible, to be cared for by their parents.

Article 8

Governments should respect children's right to a name, a nationality and family ties.

Article 9

Children should not be separated from their parents unless it is for their own good, for example if a parent is mistreating or neglecting a child. Children whose parents have separated have the right to stay in contact with both parents, unless this might hurt the child.

Article 10

Families who live in different countries should be allowed to move between those countries so that parents and children can stay in contact or get back together as a family.

Article 11

Governments should take steps to stop children being taken out of their own country illegally.

Article 12

Children have the right to say what they think should happen, when adults are making

decisions that affect them, and to have their opinions taken into account.

Article 13

Children have the right to get and to share information as long as the information is not damaging to them or to others.

Article 14

Children have the right to think and believe what they want and to practise their religion, as long as they are not stopping other people from enjoying their rights. Parents should guide their children on these matters.

Article 15

Children have the right to meet together and to join groups and organisations, as long as this does not stop other people from enjoying their rights.

Article 16

Children have a right to privacy. The law should protect them from attacks against their way of life, their good name, their families and their homes.

Article 17

Children have the right to reliable information from the mass media. Television, radio and newspapers should provide information that children can understand, and should not promote materials that could harm children.

Article 18

Both parents share responsibility for bringing up their children, and should always consider what is best for each child. Governments should help parents by providing services to support them, especially if both parents work.

Article 19

Governments should ensure that children are properly cared for, and protect them from violence, abuse and neglect by their parents or anyone else who looks after them.

Article 20

Children who cannot be looked after by their own family must be looked after properly, by people who respect their religion, culture and language.

Article 21

When children are adopted the first concern must be what is best for them. The same rules should apply whether the children are adopted in the country where they were born or taken to live in another country.

Article 22

Children who come into a country as refugees should have the same rights as children born in that country.

Article 23

Children who have any kind of disability should have special care and support so that they can lead full and independent lives.

Article 24

Children have the right to good quality health care and to clean water, nutritious food and a clean environment so that they will stay healthy. Rich countries should help poorer countries achieve this.

Article 25

Children who are looked after by their local authority rather than their parents should have their situation reviewed regularly.

Article 26

The Government should provide extra money for the children of families in need.

Article 27

Children have a right to a standard of living that is good enough to meet their physical and mental needs. The Government should help families who cannot afford to provide this.

Article 28

Children have a right to an education. Discipline in schools should respect children's human dignity. Primary education should be free. Wealthy countries should help poorer countries achieve this.

Article 29

Education should develop each child's personality and talents to the full. It should encourage children to respect their parents, and their own and other cultures.

Article 30

Children have a right to learn and use the language and customs of their families, whether these are shared by the majority of people in the country or not.

Article 31

All children have a right to relax and play, and to join in a wide range of activities.

Article 32

The Government should protect children from work that is dangerous or might harm their health or their education.



Llywodraeth Cymru
Welsh Government

www.cymru.gov.uk

Article 33

The Government should provide ways of protecting children from dangerous drugs.

Article 34

The Government should protect children from sexual abuse.

Article 35

The Government should make sure that children are not abducted or sold.

Article 36

Children should be protected from any activities that could harm their development.

Article 37

Children who break the law should not be treated cruelly. They should not be put in prison with adults and should be able to keep in contact with their families.

Article 38

Governments should not allow children under 15 to join the army. Children in war zones should receive special protection.

Article 39

Children who have been neglected or abused should receive special help to restore their self respect.

Article 40

Children who are accused of breaking the law should receive legal help. Prison sentences for children should only be used for the most serious offences.

Article 41

If the laws of a particular country protect children better than the articles of the Convention, then those laws should stay.

Article 42

The Government should make the Convention known to all parents and children.

For further information on the United Nations Convention on the Rights of the Child please visit: The Welsh Government's UNCRC Website: www.uncrcletsgetitright.co.uk/

Cic - The National Information and Advice Service for Young People
www.ciconline.co.uk/news/