

Royal College of Psychiatrists

Consultation Response



DATE: 31.01.12

Submission of: THE ROYAL COLLEGE OF PSYCHIATRISTS

Submission to: The Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks

The Royal College of Psychiatrists is the leading medical authority on mental health in the United Kingdom and is the professional and educational organisation for doctors specialising in psychiatry.

We are pleased to respond to this consultation. This consultation response has been written by the service user representative on the RCPsych Faculty of Addictions, and the views expressed are supported by the College.

This consultation was approved by: Dr Owen Bowden-Jones, Chair of the Faculty of Addictions at the Royal College of Psychiatrists.

For further information please contact Claire Churchill in the Policy Unit on 020 7235 2351 ext 6293 or e-mail cchurchill@rcpsych.ac.uk

General comments

My comments begin with the premise that self-regulation does not work.

Membership associations are created to look after a particular sector of industry –in this instance the drinks industry – to ensure that the actions of any individual company do not adversely affect the performance of the sector as a whole. To accomplish this they create rules and regulations which are then monitored and enforced; those companies that break the rules are punished (usually fined) to bring them back into compliance.

The key point is that the association is owned and funded by its members and is ultimately there to represent the interests of its membership as a whole.

Clearly one of the key issues for a membership association to address is the extent of compulsory legislation and how it would affect its membership. In most circumstances the association will seek to reduce the impact of external regulation, preferring other methods of control over which it can exert direct influence.

In some industries it is mandatory for companies to belong to the association. This then gives the association more power, and as it is owned by its members the power will be used on behalf of the members. Membership of the Portman Group is not mandatory and so its ability to control activities within the industry must have limitations. A miscreant member can simply resign and do what it wishes.

Therefore, it does not seem sensible to ask a body which exists to guard, promote and nurture the industry it represents to impose controls that may affect their members' financial performance adversely.

Similarly, I submit that the Westminster Deal is basically flawed and will not work. This is voluntary, and presents a conflict of interest for the drinks industry, whose prime aim is to make money for its shareholders.

Comments on text and responses to specific questions

Page 8, figure 3: It would be helpful to be clear about what period these figures reference. It would seem to be a number of years.

Page 9, para 19: This describes the key difference between self-regulation and external regulation and shows the weakness of self-regulation.

Page 10, para 23 – last sentence: I am not sure this is true. I believe that in EU law, health regulation over-rides other regulatory aspects.

Page 13, questions 1a/1b: No issues – general agreement.

Page 14, question 2: I do not think that packaging and promotion should be allowed to have any indication of strength or intoxicating effect other than the mandatory statement of alcoholic content, which should be carried in a common manner across all products.

Page 15, question 3 : Agreed.

Page 17, para 60: I do not think that the alcohol industry has any place in social network organisations or social network sites.

Page 17, question 4a: No under-25s should be allowed at all, whether incidentally or not.

Page 17, question 4b: There are no instances in which images of under-25s should be allowed.

Page 18, question 5: Agreed.

Page 19, question 6a : There should be detailed instructions and the code should be binding.

Page 19, question 6b: All media-related activities, including press releases, interviews, etc should be covered.

Page 19, question 6c : No comment.

Page 20, question 7a : I'm not sure that this would really have any beneficial aspect. In any event, if there are binding requirements for sponsorship, this would be covered above.

Page 20, Question 7b : No comment.

Page 21, Question 8: No comment.

January 2012