

# The Dutch Alcohol Law Enforcement System

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KEY DEVELOPMENTS SINCE 2013 AND CHALLENGES FOR THE FUTURE

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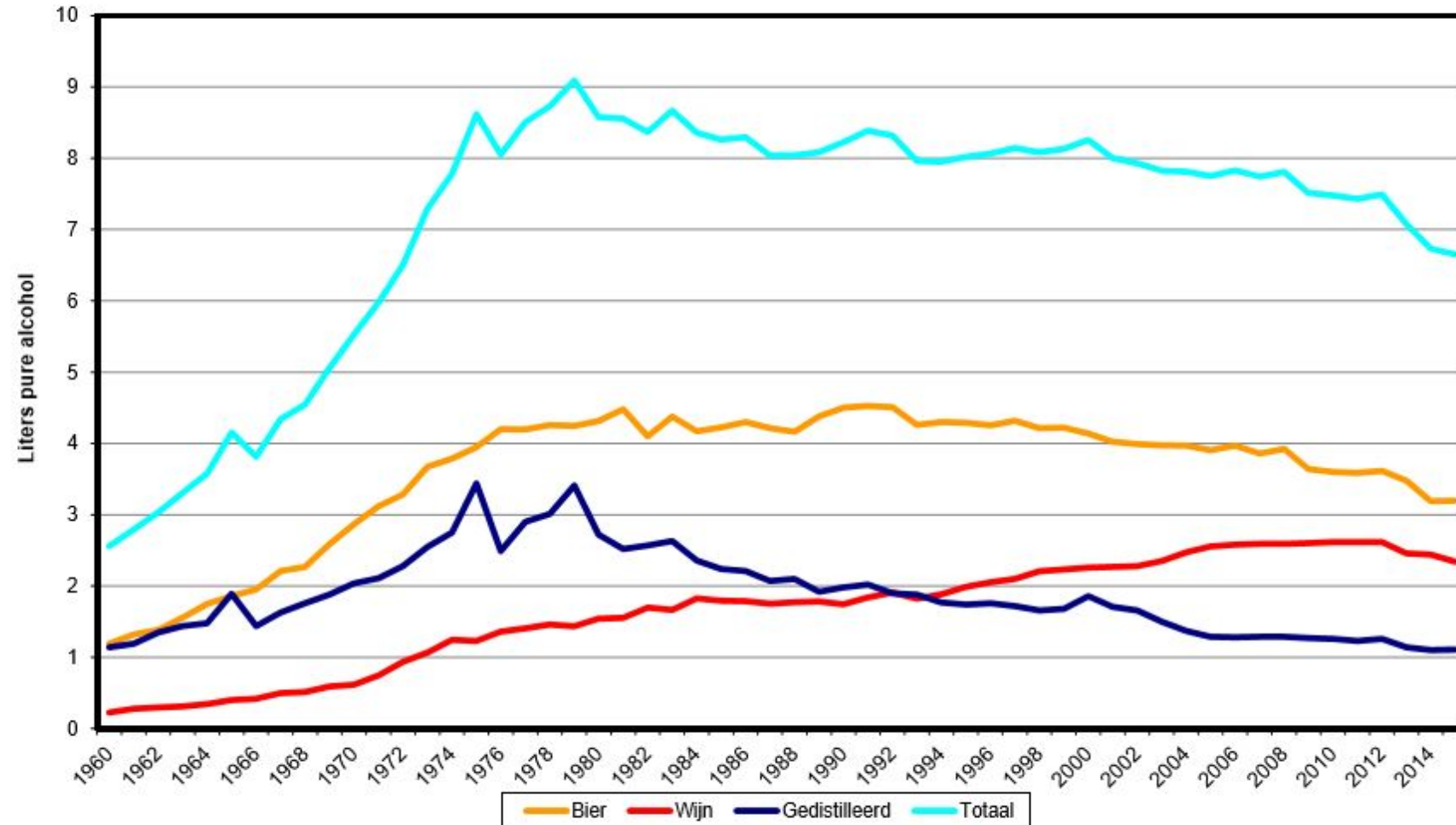
# Content

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- ❑ Alcohol data: current situation in the Netherlands
- ❑ The Dutch alcohol law
- ❑ Dutch enforcement system
- ❑ Recent key developments
- ❑ Challenges

# Drinking in the Netherlands 1960-2014

Alcoholconsumptie per Nederlander vanaf 0 jaar, 1960-2015



# Drinking in the Netherlands

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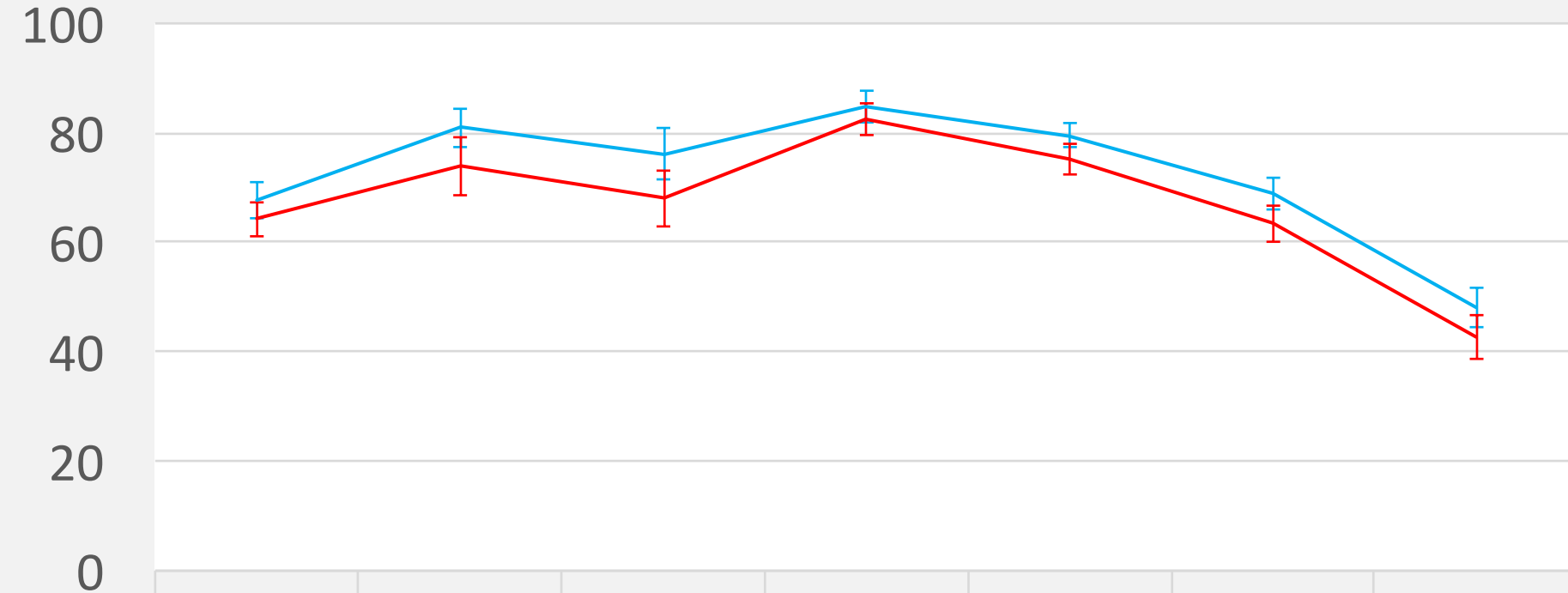
- ❑ The Dutch drink 25 million glasses beer, wine or spirits daily
- ❑ Young people start drinking on average at 13,2 years of age
- ❑ 45,5% of all men and 22,7% of all women above 18 drink more alcohol than the official health guidelines.
- ❑ 41% of 60 plus drink more than the guidelines
- ❑ 1 in 5 don't drink at all

*The guidelines of the Dutch Health Council:*

*Better drink not at all, and if you drink restrict it to max. 1 glass a day for men and women*

# Young people start drinking later (12-16)

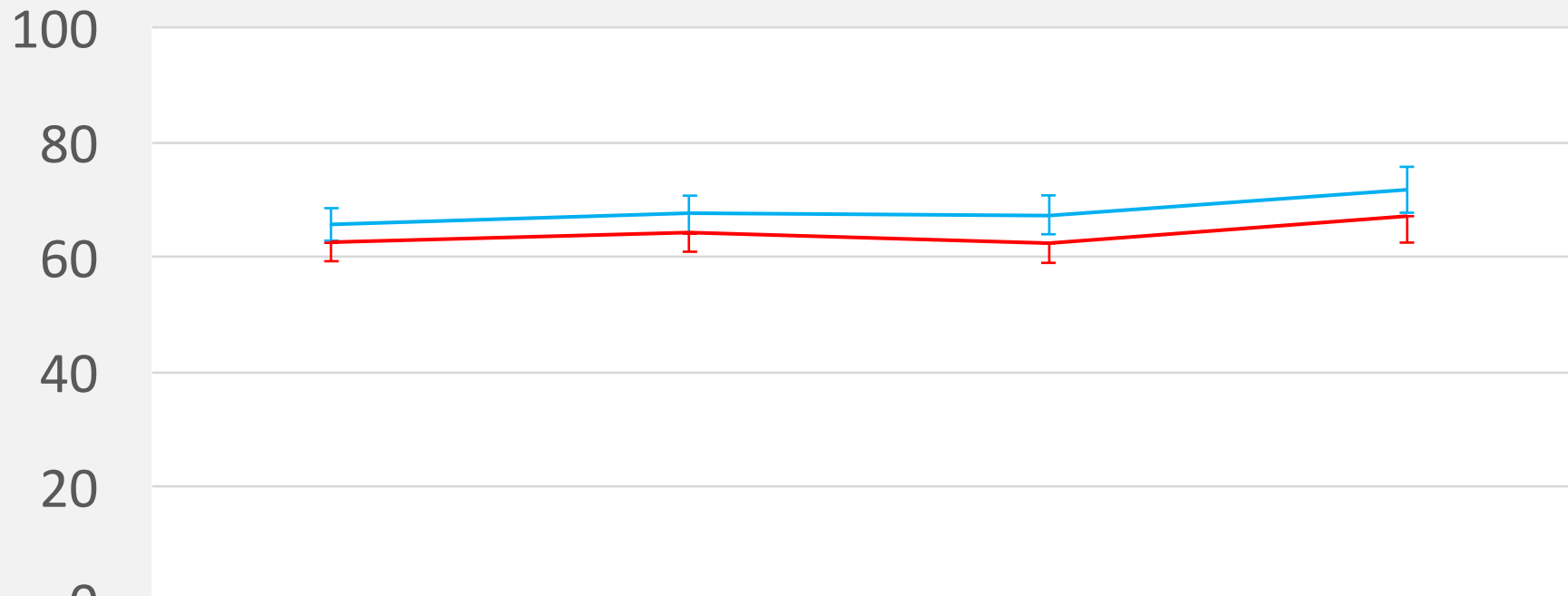
% Jongens Meisjes



Jongens	67.7	80.9	76.2	84.8	79.6	68.9	48.1
Meisjes	64.2	73.9	68.0	82.5	75.2	63.4	42.7

# About 70% of the drinkers (12-16) are binge drinkers

% — Jongens — Meisjes



	2003	2007	2011	2015
— Jongens	65.7	67.4	67.3	71.7
— Meisjes	62.5	64.1	62.4	67.1

# Binge drinking

- ❑ High binge drink level of 16+ drinkers (72%);
- ❑ 25% of all drinking 17 year old youngsters drink > 10 glasses in a weekend
- ❑ In 2003: **2000** alcohol intoxicated persons in hospitals
- ❑ In 2014: **5200** alcohol intoxicated persons in hospitals (incl. at least 800 minors)



# Balance of chronic drinking

- ❑ Alcohol burden of disease in Europe: over 15% of all health problems and early death by men are alcohol related; women: 4%.
- ❑ About 24.000 alcohol related hospital admissions yearly in the Netherlands (2012)
- ❑ Every year 2.900 cases of alcohol related cancer; 1000 of these concerns breast cancer
- ❑ Addiction Care in the Netherlands registered in 2015 30.000 alcoholics as clients





# Drinking in the Netherlands: harm to others

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**Violence** : 27% of all cases are alcohol related

**Domestic violence** : 16% of all cases are a result of drunkenness

**Sexual violence** : 22% of girls and 19% of boys (15-25) has alcohol related sexual experiences against their will

**Traffic** : 12%-23% of all traffic victims are a result of alcohol (75-140 deaths).

**Alcohol & Pregnancy:** yearly 500 new born babies have a Foetal Alcohol Syndrom (FAS)

# Legal entities

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## MINISTRY OF HEALTH

### Responsible for:

- Alcohol Licensing and Catering Act

## MUNICIPALITIES

### Responsible for:

- Licensing
- Prevention (education)
- Enforcement

## POLICE

### Responsible for:

- Public order and safety in public spaces

# Alcohol Licensing and Catering Act: prevent availability to young people

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- ❑ No selling below 18: € 1360,-
- ❑ Compulsory ID-check: € 1360,-
- ❑ No possession below 18 on  
public places (street, in bars etc): € 45-90,-



# Other selling rules:

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## Selling:

- Beer, wine and mixed drinks: only in grocery stores
- No spirits in supermarkets
- No alcohol in petrol stations
- Liquor shops: only alcohol and alcohol related products

## Serving:

- Serving only in licensed pubs and restaurants and in sport canteens.



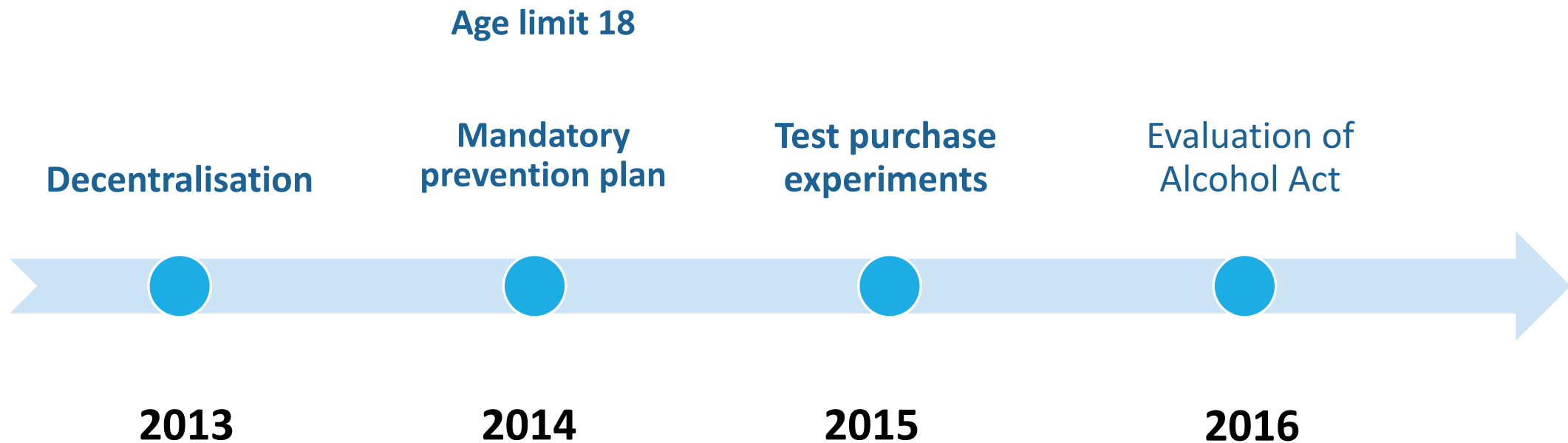
# National licensing terms

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- ❑ The licence-holder, bartenders and responsible liquor shop personnel:
  - $\geq 21$  years
  - no serious crimes last 5 years
  - mandatory responsible serving course
  
- ❑ The licensed outlet
  - liquor shop and pub/restaurant not in same room
  - No open passage between liquor shop and other store

# Key developments since 2013

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# Enforcing the law

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January 2013

# Decentralisation

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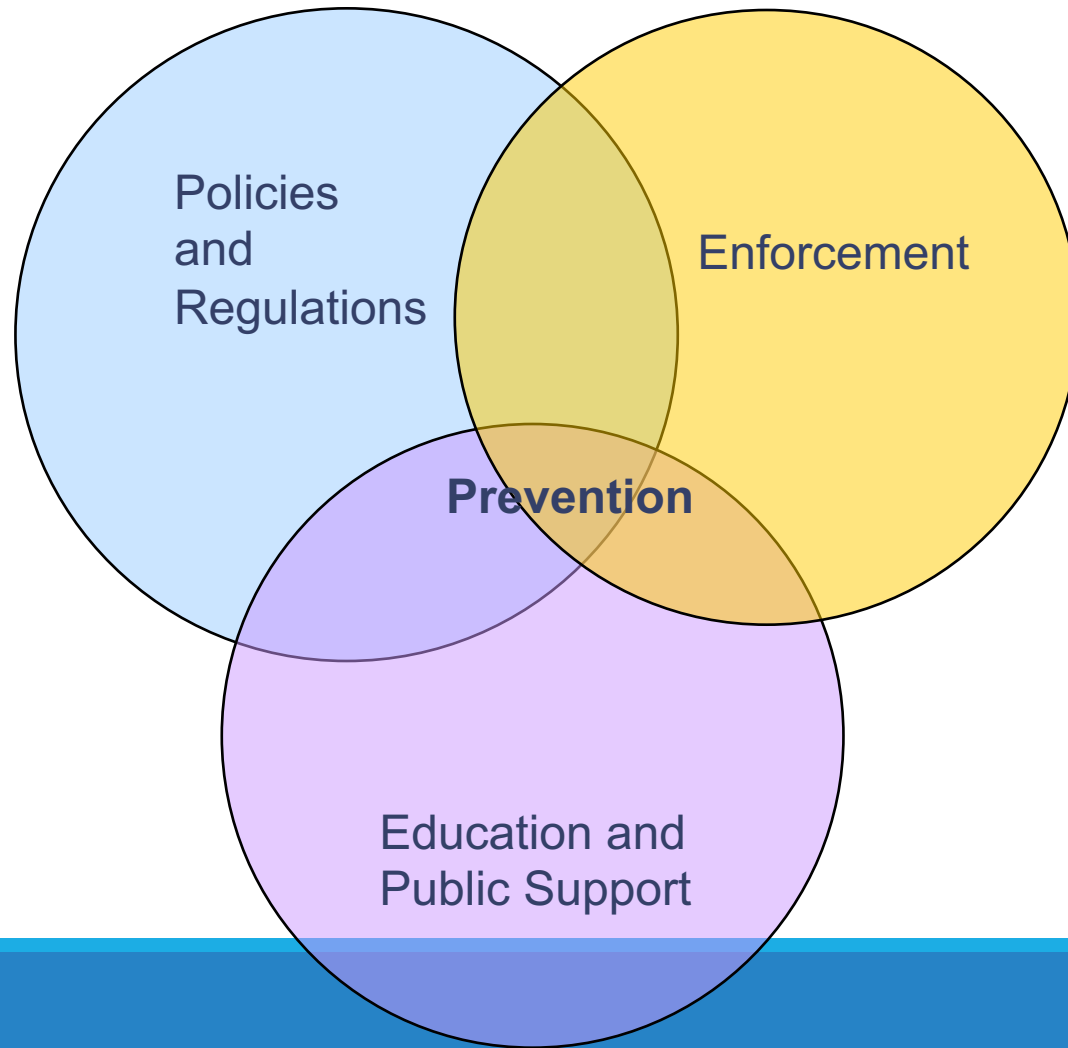
- ❑ Mayor is responsible for enforcement of the Alcohol Licensing and Catering Act at the local level.
- ❑ Specially qualified local inspectors are appointed by the mayor
- ❑ 400 municipalities with around 530 inspectors (2014)





# Decentralisation: “more integrated prevention”

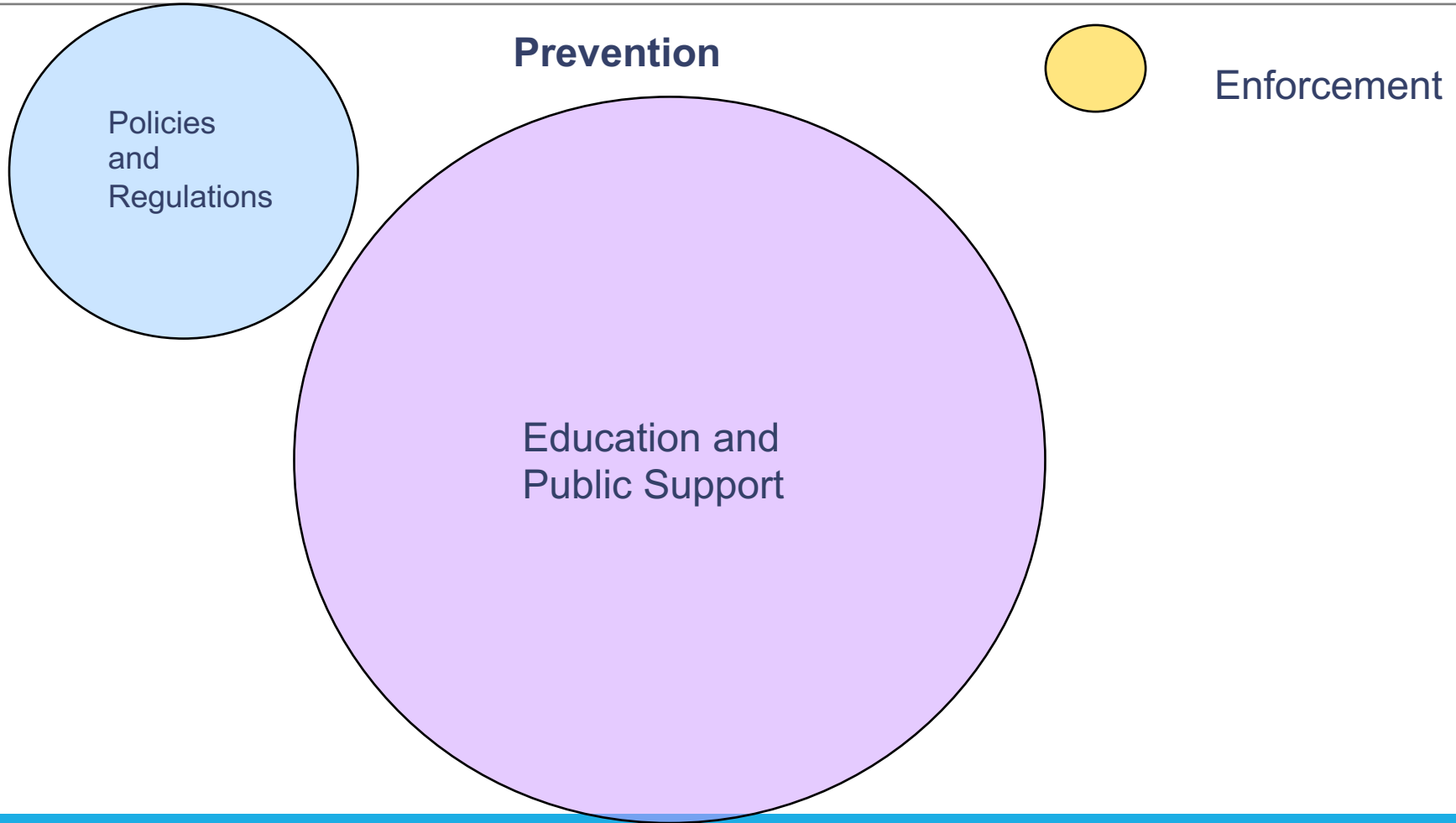
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Model for effective prevention of alcohol related problems (Reynolds)

# Before decentralisation

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# Bringing education and enforcement together

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January 2014

Preventie & Handhavingsplan alcohol  
2015-2018



# Mandatory prevention plan

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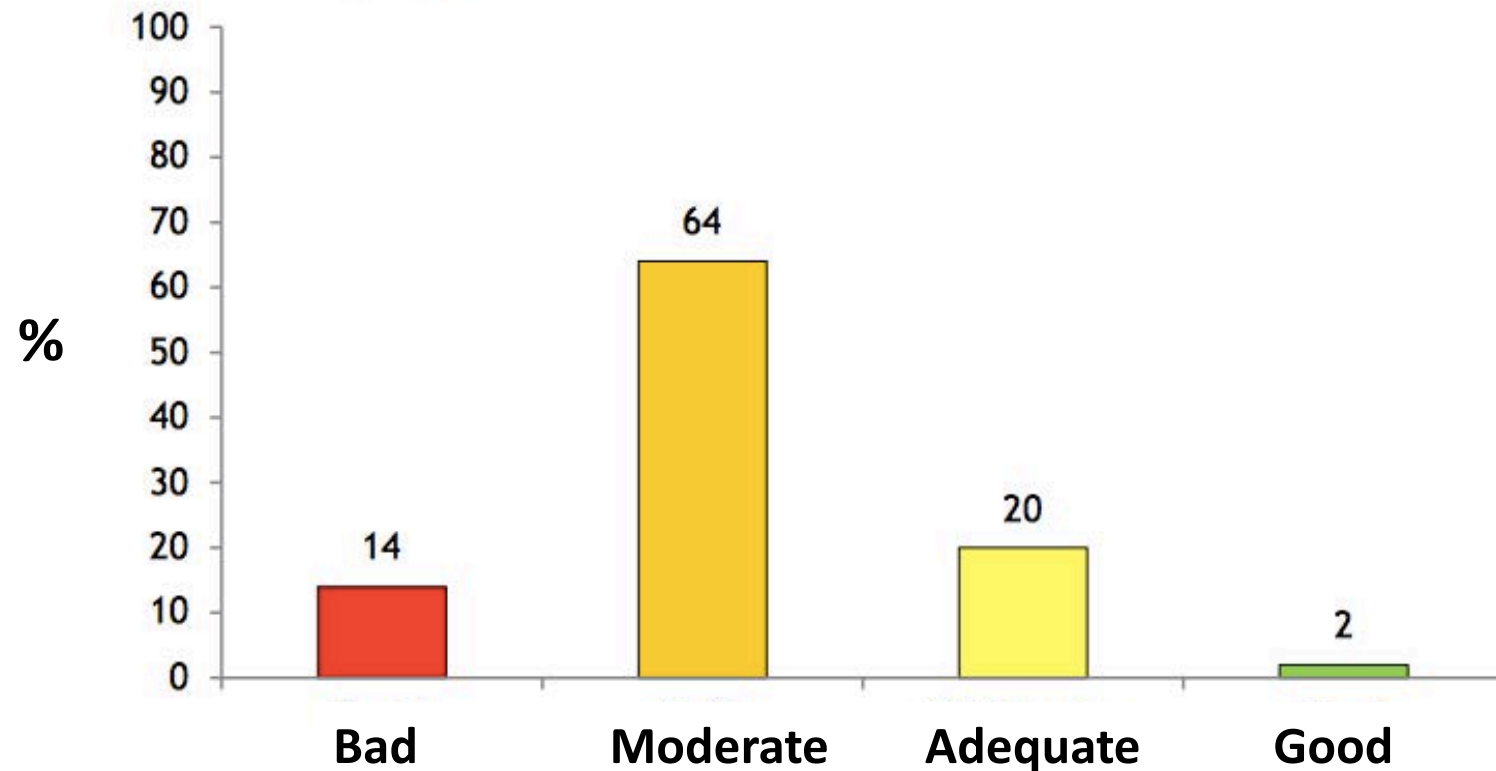
## **Alcohol and Catering Act (43a):**

- Every municipality should have an *Alcohol Prevention Plan*
- The plan describes:
  - *prevention goals*
  - *education activities*
  - *enforcement activities*
  - *results that should be achieved*
- The plan has to be evaluated and updated (at least) every 4 years

# Mandatory Prevention Plan

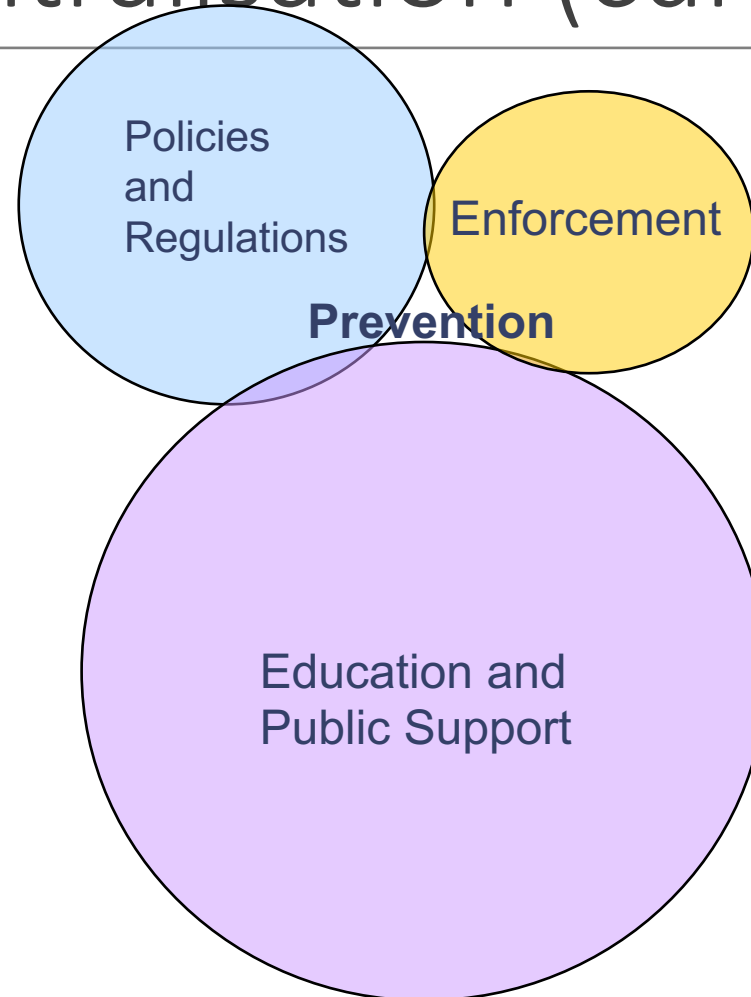
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Figure: Research on quality of 50 local Prevention plans (2015)



# After decentralisation (current)

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# However...

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Remarkable differences in the performance of local enforcement



## **In case of under age selling :**

- ❑ Many mayors prefer a warning instead of a fine
- ❑ 25 months after the decentralization only 30% of the mayors ordered a fine to sellers and less than half of the mayors ordered a fine to youngsters drinking in public
- ❑ the majority of the (400) municipalities has less than 1 FTE enforcement officer

# Compliance

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2 out of 3 attempts of 17-year old kids succeed (2016)



# How do we measure compliance?

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Mysteryshoppers

# Mysteryshoppers

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- 17 years of age and also looking like a 17 year old
- Appearance – not too dressed up/made up
- Kids try to purchase alcohol in supermarkets, liquor shops, bars, et cetera
- They may lie when asked for their age (as happens in reality)
- When asked for ID, official ID is showed (no fake/false ID)

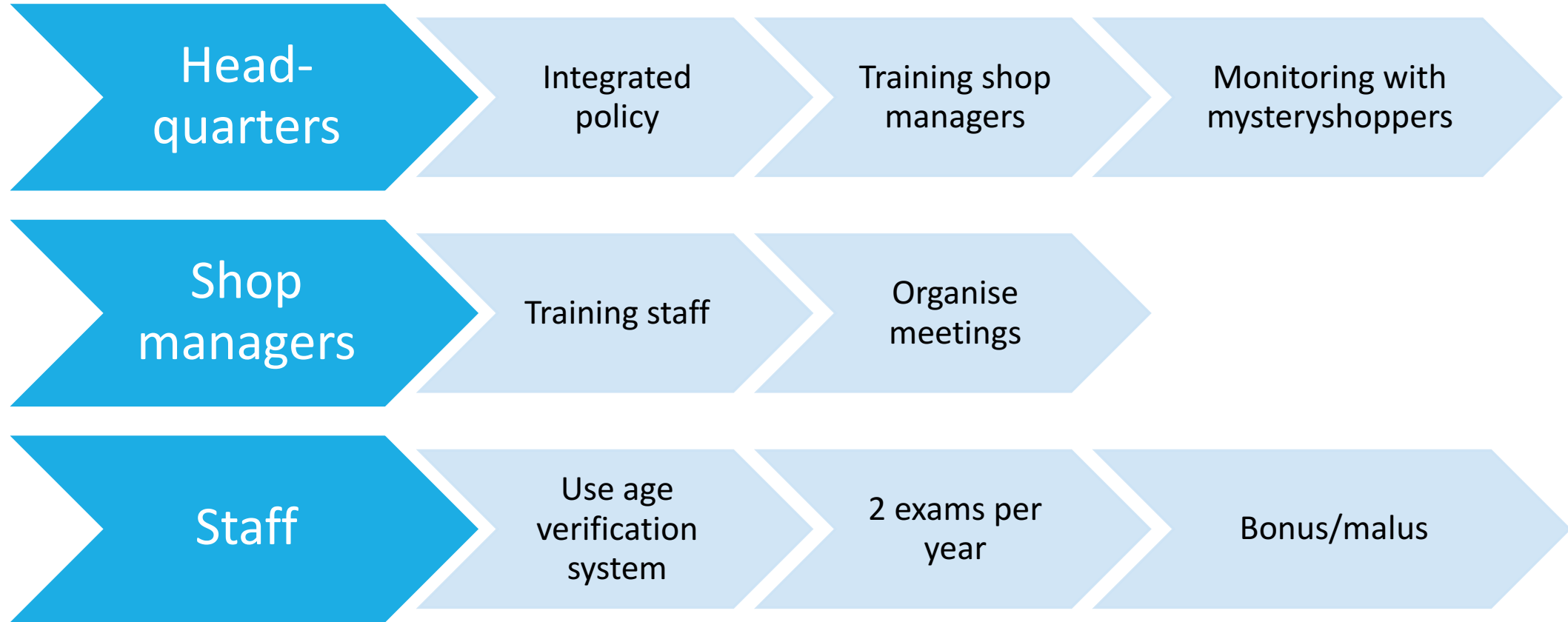
# Compliance with age limit

(Nuchter, 2016)

Selling point	Compliance with age limit %
Supermarkets	63%
Liquor shops	62%
Bars/clubs	27%
Cafeteria	29%
Sport canteens	17%
Home delivery	2%
<b>Total</b>	<b>36%</b>

# Good practice: supermarket chain

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# Cost effective enforcement: test purchasing.....

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In Europe only 6 countries use test purchasers for enforcement purposes:

(UK, CH, AT, HR, SK, DE)

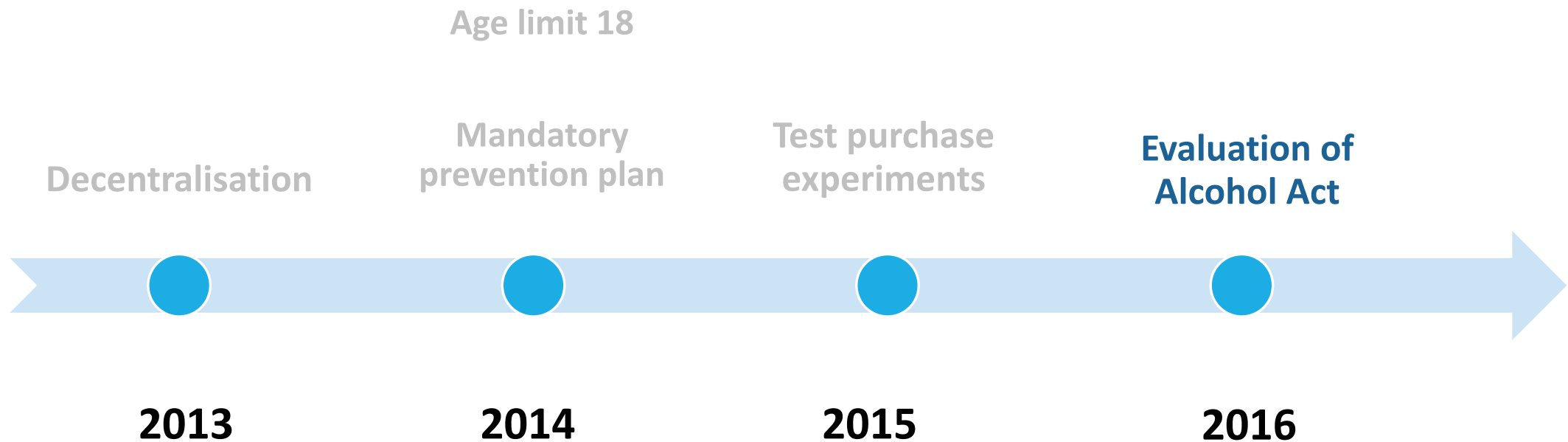
In the UK: 60% reduction in sales to minors after introducing legal accepted test purchasing

Test purchasing becomes gradually more and more popular in the Netherlands especially in the big cities: Utrecht, Eindhoven, Rotterdam...

Discussion: is it legally allowed to use minors, is it not incitement... we don't have any jurisprudence so far (and mayors a bit scared)

# Challenges for the future

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# Raising compliance is a challenge

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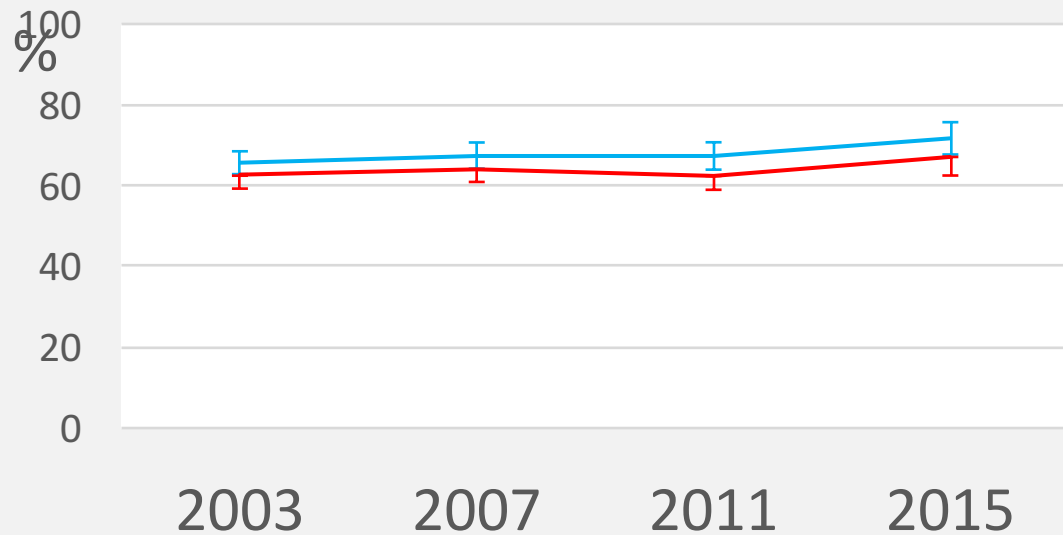
*Stockwell:*

“Among the various policy options to reduce harm from alcohol by reducing the supply side of alcohol, approaches which reduce the availability of alcohol to youth through the **increase of compliance with existing age-limits** on alcohol sales have been argued to have the **strongest evidence** base.

Stockwell, T. (2006). Alcohol supply, demand, and harm reduction: What is the strongest cocktail? *International Journal of Drug Policy*, 17(4), 269-277.

# Tackling binge-drinking and drunkenness

About 70% of the drinkers (12-16) are binge drinkers



## Dronken klanten krijgen toch drank van horeca Zuidoost-Brabant

**EINDHOVEN** - Horecagelegenheden en sportkantines in Zuidoost-Brabant overtreden massaal de Drankwet. Uit onderzoek blijkt dat dronken jongeren bijna overal alcohol kunnen krijgen. De Drank- en Horecawet verbiedt het doorschenken en verkopen van alcohol aan mensen die dronken zijn.

Afgelopen winter werden veertig cafés en discotheken, twaalf sportkantines en twee jongerencentra onder de loep genomen. Twee acteurs deden zich voor als dronken bezoekers.

**Sportkantines scoren het slechtst**



# Prevent an increase of availability: blurring

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- ❑ More than 40 municipalities participate in a pilot in order to give shops more possibilities to sell alcohol and permit them to serve alcohol
- ❑ The pilot is, given the existing law, illegal
- ❑ The Dutch secretary of state (van Rijn) is not amused but he is not taking any action
- ❑ This initiative is called blurring, increases the availability of alcohol and results in more alcohol related problems....



# Questions

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