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## Service, Sale and Marketing of Alcohol for the Tourism, Hospitality and Retail Industries

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Hospitality EXPO - The Irish Industries Exhibition 2016

*Service, Sale and Marketing  
of alcohol for the tourism,  
hospitality and retail industries.*



**James Murphy, Lecturer & Author, Dublin Institute of Technology**

## Two barmen charged over death of drinker

By Barry Duggan

TWO Irish barmen have been charged with unlawfully killing a young Englishman who died from acute alcohol intoxication following a night of drinking in the hotel where they worked.

The case is the first one of "liquor liability" in Ireland and follows a massive 16-month investigation.

Graham Parish from Lancashire in England was a resident in the Hayes Hotel in Thurles, Co Tipperary, on June 30, 2008. He was celebrating his 26th birthday that night.

### LANDMARK

It is understood the young man choked to death on his own vomit following a night's socialising at the hotel. His death came about as a result of acute alcohol intoxication. Charges have now been brought against two staff at the landmark hotel.

Bar manager Gary Wright (32) and barman Aidan Dalton (27) appeared in Thurles Dis-



**HOTEL:** Two bar staff have been charged after serving Englishman who died of acute alcohol intoxication in Hayes Hotel, Thurles

trict Court earlier this week.

They were both charged with the manslaughter of Graham Parish contrary to common law at the hotel on July 1, 2008.

Both men, who gave addresses at Kilfithmone, Borrisoleigh, Co Tipperary, were charged with the unlawful killing of the English national on formal directions of the Director of Public Prosecutions.

The men appeared in court to face the manslaughter charges following a mammoth and

complex 16-month investigation led by Supt Tony Cogan of Thurles Garda Station.

Judge Tom O'Donnell granted both defendants bail and ordered them to appear before the same court again next month.

The GAA was founded in the hotel in Liberty Square on November 1, 1884, when it was known as the Commercial Hotel.

bnews@herald.ie

**Update on this case (2011):** The two bar staff accused of the manslaughter of a customer who died from alcohol intoxication 20 June 2008 (26 year old - Graham Parish) after a 5 day trial at the Nenagh Circuit Criminal Court in May 2011 were acquitted. Despite a finding of gross negligence in the discharge of their duties. The Court directed the jury to an acquittal on the basis of 'supervening event' – the fact that the deceased had made a personal decision to consume the alcohol. The two men were charged with common law manslaughter. **A civil case for damages has now been taken by the deceased family against the licence holder.**

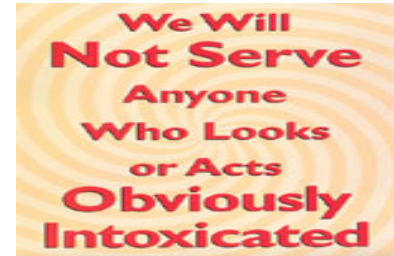
# Presentation Overview

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- **Introduction** – binge drinking, responsible service.
- **The Law / Rationale for RSA Practices.**
- **Management responsibilities in beverage staff training**
- **Preventing guest intoxication and identifying over consumption** – strategies to adopt.
- **Delaying or suspending service** – techniques to follow.
- **Implementing Your Responsible Service of Alcohol Strategies** – best practices.
- **Conclusion / Further Reading & Resources / Training & Skills Development.**
- **References.**

# Introduction



- **Recent research** studies indicate that customers and individuals are drinking no more than their parents were drinking 15 years ago but the frequency, strength of drinks, and amount of drinks consumed per session has increased. These **irrational drinking patterns** have created a **binge drinking** culture.
- **Tourism, Hospitality and Retail staff** and management have the task of serving and dealing with all types of people from all walks of life and status of society, this is an enjoyable and rewarding part of the job.
- However **there are many occasions** when they have to deal with people who may well have on occasion for various reasons consumed too much alcohol.
- This situation requires considerable **patience, tact, firmness and above all experience.**
- **Alcohol awareness and responsible service** can ultimately lead to **informed and wise decision making** by all tourism, hospitality and retail staff.

# The Law / Rationale for RSA Practices

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- **The Laws for Republic of Ireland:** *'The Intoxicating Liquor Act 2003 set out the legal guidelines to combat drunkenness and disorderly conduct'* it is important that you learn the wider laws which apply to responsible service of alcohol.
- The **server may be held responsible** for injury to others that is caused by an intoxicated customer who has been served unlawfully, **failure to act** responsibly in the service and sale of alcohol can result if negligence is proven against **the establishment or staff member** the court may **allow substantial damages**.
- Crucial that the (license holder), their management and staff members to **develop ways to monitor the sale, service and marketing of alcohol**.
- An intoxicated guest's **normal judgment will be impaired**, therefore, it is up to the hospitality staff member, not the customer, to decide on service.
- Responsible alcohol sale, service and marketing practices can also **lead to better business practices** which contribute to **improving the atmosphere** of your establishment, ultimately to achieve greater profits.

## **Rationale: Business owners should improve their practices because they will help them to;**

- maintaining a good reputation
- increase customer satisfaction
- decrease damage done to the premises
- avoid potential legal cases
- less police attendance
- morale will increase boosting productivity and reducing staff turnover.

## Management Responsibilities in Staff Training

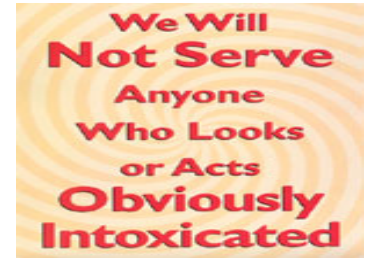
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- Management must **clearly state their expectation of staff** and give them the authority to make decisions.
- **Support staff** with (written **house & company policies**, staff meetings, an **incident log** and reviewing particular incidents).

### **Consider safe transport options**

- staff offering to call a friend or family member of a customer;
- staff offering to call a taxi;
- making a phone available and the phone numbers of taxi companies;
- offering to include the cost of mini-buses as part of the costs of a function; and
- starting a designated driver program (DDP)

# Preventing Guest Intoxication and Identifying Over Consumption



## Strategies to prevent guest intoxication

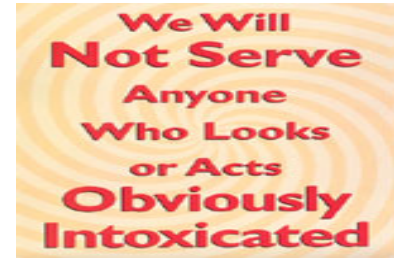
- **Notify management** of potential problems (i.e. guests drinking fast).
- **Keep track** of how many drinks are being consumed and in what time frame.
- **Engage you guests** in conversations, ask details that would be a good test of mental alertness (i.e. recent news, sports events).
- Suggest **selling food** (especially high protein food such as fried cheese, potato skins).
- **Promote healthy** non and low alcoholic drinks / events – attractive signage and price incentives are useful.
- Bar staff can **influence a customer's decision** regarding drinks so try to avoid unacceptable serving practices.

## Techniques to identifying guest intoxication

- Some people are very **clever at hiding intoxication**, so how do we identify over consumption, listed below are some of the most signs to help you in your decision making process. These signs much not considered in isolation of each other because rash decisions can also cause you major problems, a person with disability might display some of the signs below;
- A noticeable **change in your customer's behavior** , becoming loud (heightened voice volume), erratic, entertaining, animated, boisterous, using bad language, annoying customers, slurred speech, argumentative, mean, obnoxious, over friendly to strangers wants to converse or buy them a drink, sudden quietness.
- A **lack of judgment**, careless with their money, making silly, irrational or repeated statements, boasts about their financial situation, 'conquests', physical or mental strength, drinking faster, complaining about drink prices.
- **Clumsiness**, losing muscular control, becoming clumsy, spilling drinks and difficulty in picking up change.
- **Loss of co-ordination**, swaying and staggering, difficulty in walking straight, bumping into furniture.
- **Decreased alertness**, becoming drowsy (heavy eyelids), delays in responding to questions and paying attention, hearing, concentration and focus 'glazed eyes', or becomes detached, brooding.
- The **smell of alcohol** (an important indication).



## Delaying or Suspending Service



When a customer has reached their **maximum number of drinks**, **service can be delayed**; if the customer showing signs of intoxication, **service of alcohol may be stopped** for the duration of the evening. This decision can be easily determined by a customer's actions.

### **Refusal of service technique (T.A.K.E C.A.R.E).**

**Tell them Early** – quiet discrete word or use other members of a group to warn the offending person

**Avoid put-downs** – don't be judgmental, say, "you're drunk", scold the customer, appear to be blaming them.

**Keep yourself calm** – Your tone of voice is very important. You need to have a firm voice without being aggressive. Do not raise your voice. Behavior breeds behavior. You can calm them down if you remain calm yourself.

**Ever courteous** – Respect breeds respect, staff might say, "I'm sorry, if I served you another drink I'd be breaking the law"; or "I'd lose my job"; or "I'm concerned about your safety".

**Clarify your refusal** – Explain why service is being refused, focus on the behavior, not the individual, explain that they are welcome back tomorrow if they behave.

**Alternatives offered** – Offer to call a taxi, low or non-alcoholic drinks, allow them to "save face" in front of friends.

**Report the incident** – Make all staff aware of what happened, keep incident logbook near the bar and write what has occurred. If the customer injures a third party, after leaving the premises the record will be important.

**Echo** – If the customer is a regular, staff can quietly reinforce the message when they return.

# Implementing Your Alcohol strategies – Audit Documentation

**Table:** Self-Audit Documentation for Managing Alcohol Consumption through Responsible Service (adopt this sample table to suit your premises)

SELF AUDIT ITEM	Y	N	ACTION TAKEN			
<b>Signage Compliance</b> Proof of Age Signs at Entry points Minors – sell or supply of liquor “Stop” entry signs to restricted areas Under 18 – Responsible Adult to authorised areas Nightclub (if applicable) Guest Register – (if Registered Club) House Policy – as per Practice Direction in relation to Fail to Leave Intoxicated Sign Harm Minimisation Signage – as per Practice Direction Signs in well lit area Signs not obstructed Signage can be easily read by staff and patrons				<b>Transport Options</b> Regular Advertising of Courtesy Bus (if applicable) Taxi (phone, rank) Bus, train		
				<b>RSA Register</b> Is it Up to Date – all staff have RSA Training Available for Inspection In house up to date training		
				<b>House Policy</b> Is House Policy known and understood by all staff Readily available for patrons and staff.		
				<b>Incident Register</b> Do you have one Location easily accessible to all staff Staff trained in completing it.		
<b>Evidence of Age</b> ID Checking guide available for all staff Staff Fully Trained to check ID Staff Trained on in house policies dealing with patrons						
<b>Refusal of Service</b> Staff have working knowledge of House Policy Staff trained in Preventing Intoxication on premises Staff trained in Identifying Intoxicated Patrons Staff trained in dealing with Intoxicated patrons				<b>Security Staff</b> Security staff know SOP (standard operating procedure) Security staff completed RSA training All Door staff competent in checking ID All security staff have current licence: Validity of licence checked.		

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# Conclusion / Further Reading & Resources

## Conclusions

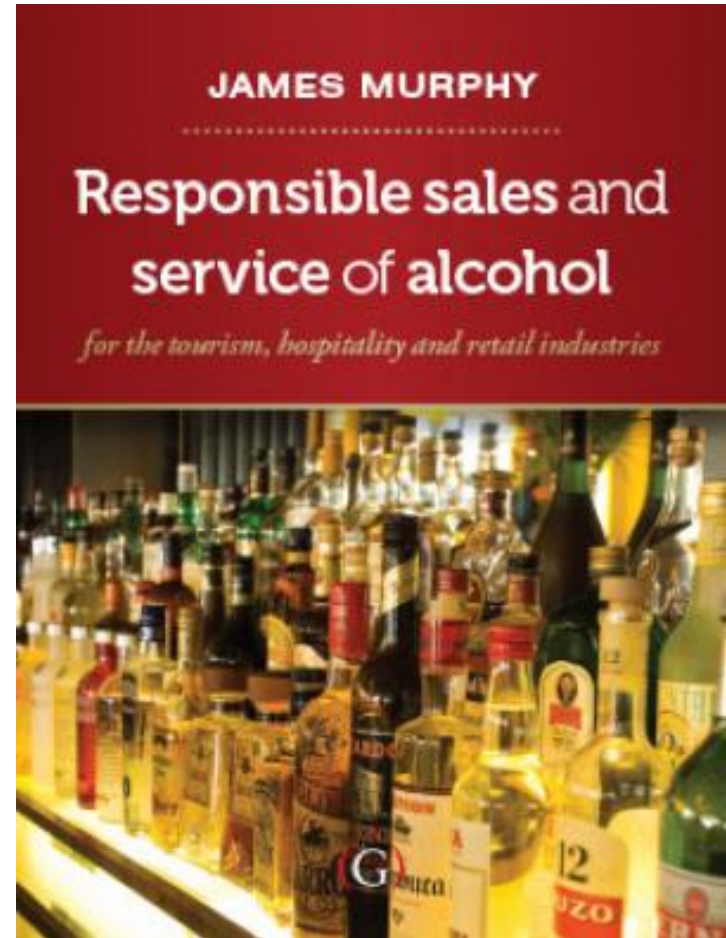
- Managing alcohol consumption through responsible service strategies need to be adopted by all your in-house staff.
- Promote low alcohol and non-alcoholic drinks,
- Always support your staff when refusing service and allocate proper access and time for RSA staff training.
- Display your house & company policies on alcohol in a good vantage point within your premises /company.
- Remember we can all make the differences that count in making our jobs more enjoyable and your business safer and socially enhanced.

## Further Reading & Resources (New Book – Special Exhibition Price Today !!!)

[Arrow.dit.ie/tschafb/13/](http://arrow.dit.ie/tschafb/13/) SAMPLE CHAPTER: 'Responsible sales and service of alcohol for the tourism, hospitality and retail industries.'

## Training & Skills Development

The Dublin Institute of Technology, School of Culinary Arts & Food Technology, Cathal Brugha Street, Dublin 1. (Full / Part-time courses)



# References

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- Murphy, J. (2005) 'Dealing with Intoxication', *Licensing World*, November, Jemma Publications Ltd: Dublin.
- Murphy, R. (2002) Developing an Alcohol and Drug Policy for your Workplace', Western Health Board: Ireland.

## **Web resources**

- [www.servsafe.com](http://www.servsafe.com) Serve-safe USA.
- [www.icap.org/Publication/ICAPBlueBook/tabid/148/Default.aspx](http://www.icap.org/Publication/ICAPBlueBook/tabid/148/Default.aspx) International centre for alcohol policies (ICAP).
- [www.apsad.org.au](http://www.apsad.org.au) APSAD Australia.
- [www.efrd.org](http://www.efrd.org) European Forum for Responsible Drinking.
- [http://www.restaurant.org/legal/law\\_alcohol.cfm#incident](http://www.restaurant.org/legal/law_alcohol.cfm#incident) National restaurant association, how to serve alcohol responsibly.
- [www.meas.ie](http://www.meas.ie) Mature Enjoyment of Alcohol - Responsible Service of Alcohol in Ireland.

# QUESTIONS

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