



Gloucestershire Trading Standards Service

## Martin's Pod

### Underage Sales

September 2009

#### **Martin**

Hello, I am here today with Rachel Davis and Mark Gardiner of our product safety team who have a special interest in reducing sales of restricted goods to young people. Mark, your section carry out a lot of work in relation to age related sales legislation – can you tell me why this is a priority for the service?

#### **Mark**

The sale of age restricted goods to children has become a major issue in recent years, and therefore we are increasing the amount of resources that we devote to helping traders comply with the law and taking action against those who still flout it.

Antisocial behaviour and drunken disorder has become a major issue for society and significant steps are being taken by a number of agencies to try to reduce it. There is strong evidence to suggest a direct link between crime and antisocial behaviour and alcohol being consumed by under 18's.

We believe we can reduce the amount of alcohol sold to under 18s by reducing its availability to them through retail outlets.

We aim to do the same with respect to knives and tobacco products – the harm that these can cause to young people is self evident in respect of antisocial behaviour and health problems.

#### **Martin**

How do you reduce the sales of these products?

#### **Mark**

Here at Trading Standards we have a two pronged approach. We work with traders who want to want comply with the law by giving them help and advice on how best to avoid underage sales, and enforce the law against that rogue element, who through either carelessness or intent, continue to sell age restricted products to children.

#### **Martin**

Rachel, do you carry out work in respect of any other age restricted products?

#### **Rachel**

In the past year we have carried out test purchasing in respect of knives, tobacco and alcohol, but we are ready to carry out this work in relation to DVDs, fireworks, lottery tickets, spray paints – whatever is necessary at a particular point in time.

We are always prepared to provide advice and guidance to traders on the steps they may need to take to avoid selling all age restricted products to children.

**Martin**

Do traders ever complain that they are being picked on?

**Rachel**

I suppose that some do but we do not focus on particular traders just for the sake of it, as we usually carry out test purchasing following complaints from local people or intelligence from the police.

We also spend a lot of time making contact with traders to explain the laws on age restricted products and giving them advice on getting it right. We can only really check the success of this approach by testing whether or not the trader will sell to an underage person.

If after doing that we find that sales are still being made from the business, then we really are under a duty to take a more formal approach. In the last five years we have reduced our failure rate from 36% to consistently under 20% so we know it works.

**Martin**

It must be difficult for traders to know how old a young person is though?

**Mark**

It is, and we at Trading Standards recognise that it is becoming increasingly difficult for those people who are required to make a decision whether or not to sell a restricted product to a particular person, because appearances can be deceptive. This is why we recommend that all businesses adopt what is called 'Challenge 21' which is an approach recommended by many police forces also. Basically this means that any person who looks like they may be under 21 should be asked to produce ID to show their entitlement to buy a product which requires them to be 18.

Many traders have moved up to a 'Challenge 25' policy which gives them a greater degree of confidence about who they are selling age restricted products to, and we would endorse this wholeheartedly. These policies foster a culture of challenge where young people know that they need to carry ID to be served some products so will not be surprised or confrontational when it happens, and shopkeepers will have a margin of possible error built in to ensure that it is very unlikely that they will serve a product to someone who is underage.

**Martin**

What usually happens to a shop or pub that gets caught selling age restricted products to children?

**Mark**

This will depend on the product and the circumstances in which the sale is made. Persistent offenders risk losing their licence to sell alcohol, or be barred from selling tobacco products for a period up to a year. Both the person who actually make the sale and the business they are working for risk court and a fine of up to £5000 for each occasion that they sell.

**Martin**

What kind of help to you give to businesses to help them to comply with the law?

**Rachel**

Test purchasing is really our last line of attack in the quest to reduce underage sales, as we try to work closely with businesses using our knowledge of how to reduce underage sales to train and educate their staff to do the same. We will actually visit

businesses and look at their systems to where they can be improved, for instance by introducing Challenge 25, or speak to staff about the importance of challenge and what ID to accept.

We also have information on our website with detailed explanations of the law in easy to understand language and a DVD which includes more detailed information and case studies. This is supplied free of charge to anyone who requests it and is a useful tool in putting together preventative measures and training staff.

**Martin**

So if a shopkeeper or pub landlord has a question about how they can make sure they don't break the law on underage sales they can contact us here at Trading Standards to request a copy of the DVD or ask for further advice.

**Rachel**

The easiest thing to do is to have a look at the information on our website, and then contact us to request a copy of the DVD and they can of course contact us directly for further advice.

**Martin**

Thanks very much Mark and Rachel.

**If you are a business and you need trade advice on age restricted sales the website address is [www.tradingstandards.gov.uk/glos](http://www.tradingstandards.gov.uk/glos) or you can telephone 01452 426201.**

