

5.12 Persistent and credible enforcement needed to prevent widespread alcohol sales to under-18s

Findings Fear of being caught out by test purchases created only a short-lived dip in illegal sales to children under 18. The study behind this finding helped justify the recent legalisation of test purchases. The measure was intended to help significantly cut teenage drinking, but the study casts doubt on whether this will be the result. Laws and statistics referred to apply only to England and Wales

In two English cities 83% of the attempts by 16-year-olds to buy alcohol resulted in a sale, significantly more often to girls. Among 13-year-old girls 42% of attempts succeeded but just 4% among boys. 8 in 10 sales to 16-year-olds and two-thirds to 13-year-old girls were unchallenged. When challenged children showed a card with their real dates of birth; half the 16-year-olds and a fifth of the 13-year-old girls were still sold alcohol. Surveyed by telephone, only two out of 95 vendors saw much chance of their being penalised for selling to minors.

Alerted by these results, police in one of the cities wrote to and visited licensees reminding them of the law and warning of imminent police test purchases. Eleven tests occurred and the three vendors who sold were warned that further offences would be prosecuted. To evaluate this intervention, the study was repeated. Where for a particular age/gender group there was scope for the sales rate to significantly increase, it did so in the intervention city, but not in the other city, the reverse of what was expected. There was, however, some evidence of short-term impact. Immediately after the intervention there was a drop from 44% to 25% in sales to 13-year-old girls. By the second wave of test purchases (started three weeks later) this had reversed and many more (96%) attempts succeeded than before the intervention. There was no similar impact among 16-year-olds.

In context Two-thirds of 16–17-year-olds and one in ten 12–15-year-olds who drink alcohol usually buy their own. The study suggests that many vendors' primary concern is to avoid prosecution for selling to clearly underage children. Imminence of this threat reduced sales to 13-year-olds but when police action ended vendors seemed to revert to their previous assessment that the risks were minimal, and to their previous readiness to sell. Large supermarkets, off-licences and pubs were no more rigorous than corner shops. In a competitive business, regulations backed by the credible prospect of sanctions and/or significant financial threats have been found necessary to promote widespread adherence to law or best practice.

The high rate of sales after the intervention's impact had faded may be more typical of how willing vendors are to sell to children who attempt to purchase alcohol. Sales figures might have been even higher had the children been allowed to lie about their age or to produce false proof of age documents.

Nuggets
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Practice implications Threats of legal action against alcohol vendors who serve underage children must be persistent and visible in their results. In areas where underage drinking is seen as serious enough to warrant it, coordinated action by police, local authorities and the courts exploiting new powers backed by training and information for licensees and other staff could substantially reduce underage sales. Nationally, political impetus and resourcing seem insufficient to create the required level of enforcement. Test purchases are expected to be few and to result in few prosecutions. Minimal extra resourcing is anticipated and no targets are being set. The threat that they could happen is expected to act as a strong deterrent in itself. Other new legal provisions oblige licensees to take all reasonable steps to establish the age of a customer who might be under 18, extend responsibility for preventing underage sales to staff other than licensees, and outlaw adults buying alcohol for under-18s. These tighten the legal net but it may take a well publicised and persistent conviction rate resulting in credible penalties before they create substantial behaviour change. Sustaining this level of enforcement would require national and local support for the required resources. Local crime and disorder partnerships are expected to spearhead action against underage drinking but without dedicated funding.

Featured studies Willner P., *et al.* "Alcohol sales to underage adolescents: an unobtrusive observational field study and evaluation of a police intervention." *Addiction*: 2000, 95(9), p. 1373–1388. Copies: apply Alcohol Concern.

Contacts Paul Willner, Centre for Substance Abuse Research, University of Wales, Swansea, fax 01792 295679, e-mail p.willner@swansea.ac.uk.

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