



Prevention & Support

## Our philosophy

# Programme for Change

The protection of children from harm lies at the heart of our philosophy. In our view, there are some products and services that children should never have access to like alcohol, tobacco, fireworks, pornography, knives and gambling. Indeed, in most cases there are laws prohibiting their sale but these could be improved and enhanced.

### 1 The rules on age restricted sales should be uniform, consolidated and clear

There are 22 different pieces of primary legislation setting out age restrictions, each one slightly different and each one more complex than the last. It shouldn't be that hard to explain the list of products that you can't sell to children and the actions required to prevent their sale – yet it is. The last coalition government promised simplification and a review of the red tape <sup>[i]</sup> created by the age restrictions – it resulted in the deregulation of liqueur chocolates <sup>[ii]</sup> and the reduction of the restrictions on Christmas Crackers from 16 to 12 <sup>[iii]</sup>. That is just tinkering at the edges.

### 2 Shop workers and bar staff should be protected when enforcing the age restrictions

Attacking a shop worker or member of bar staff either physically or verbally, when they are doing their job enforcing age restrictions should be a serious aggravating factor in prosecutions. It's not OK for retailers to lap up horrendous racial abuse <sup>[iv]</sup> for simply asking someone for ID. The police and prosecutors, through the Director of Public Prosecutions' guidance <sup>[v]</sup>, should be required to take this factor into account when making charging decisions and Magistrates' should be taking it into account when sentencing. These workers enforce these laws not for their own benefit but for the benefit of society as a whole. As a society, we should recognise the harm they endure and protect them from it.

### 3 Trading Standards must be properly equipped to tackle non-compliance.

The UK Trading Standards Service, delivered by local government has taken a battering in the austerity measures of the last five years. Resources have shrunk by an average of 40% <sup>[vi]</sup> and in some places by as much as 60% <sup>[vii]</sup>. Age restrictions require enforcement, both to protect children from harm and also to protect the livelihoods of those honest diligent retailers who do comply with the law. We need more test purchasing, retailer engagement and education but also we need the enforcement of under age sales to be recognised as a core function of Trading Standards. It is time now to make this a clear duty of local authorities (for all restricted products), give them the money to do the job well and add the function to the core qualification for officers <sup>[viii]</sup>.



**4** The whole supply chain has a role to play in helping prevent under age sales.

Retailers cannot bear the whole burden of preventing under age sales. It is the responsibility of the full supply chain from manufacturers through distributors to the retailers. In some cases public health officials <sup>[iv]</sup> have said that it isn't appropriate for manufacturers to be involved in preventing under age sales as they simply want to sell more products <sup>[v]</sup>. The manufacturers have a responsibility to market their products responsibly for adult consumption only, to design their packaging to minimise the appeal to under age users and to support their retail supply chain to implement appropriate measures. The efforts made to exclude manufacturers and distributors from engaging in programmes to help reduce under age sales must be reversed.



**We present this programme for change to build a better framework for preventing under age sales, protecting children from harm and supporting honest reliable retailers who do their best to enforce these laws.**

**5** Awards in Preventing Under Age Sales should be protected and funded.

The BTEC Award in Preventing Under Age Sales should be retained by the Qualifications and Curriculum Authority as an essential skill in retail and hospitality sectors, including maintaining skills funding for young people embarking on a career in retail or hospitality <sup>[vi]</sup>. In addition, the Award should be extended to the gambling industry <sup>[vii]</sup> and industries associated with body image like tattooists, sun bed salons and body piercing.



**Reference index**

- [i] <https://www.redtapechallenge.cabinetoffice.gov.uk/2011/07/rtc-retail-announcement/>
- [ii] <http://www.legislation.gov.uk/ukpga/2015/20/section/70/enacted>
- [iii] <http://www.independent.co.uk/news/uk/home-news/legal-age-to-buy-crackers-cut-as-part-of-pointless-red-tape-rules-to-be-scrapped-from-tomorrow-8561699.html>
- [iv] [http://www.cps.gov.uk/legal/p\\_to\\_r/racist\\_and\\_religious\\_crime/](http://www.cps.gov.uk/legal/p_to_r/racist_and_religious_crime/)
- [v] [http://www.cps.gov.uk/legal/l\\_to\\_o/offences\\_against\\_the\\_person/](http://www.cps.gov.uk/legal/l_to_o/offences_against_the_person/)
- [vi] <http://www.tradingstandards.gov.uk/policy/WorkforceSurvey2014.cfm>

- [vii] <http://www.bbc.co.uk/news/uk-england-hereford-worcester-27048465>
- [viii] <http://www.tradingstandards.gov.uk/quals/TSQFawards.cfm>
- [ix] <http://www.smokefreeaction.org.uk/declaration/files/letterCMO-PHm.pdf>
- [x] [http://ash.org.uk/files/documents/ASH\\_645.pdf](http://ash.org.uk/files/documents/ASH_645.pdf)
- [xi] <https://www.gov.uk/government/consultations/withdrawing-qcf-regulatory-arrangements>
- [xii] <http://www.gamblingcommission.gov.uk/Publications-consultations/LCCP.aspx>

Contact us on **0345 257 0018**  
or **info@underagesales.co.uk**



**Under Age Sales Ltd**  
Broadstone Mill | Broadstone Road | Stockport SK5 7DL  
t: 0345 257 0018 | e: info@underagesales.co.uk

Be sure to visit our website for the latest on the law and topical news related to age restricted products.

**www.underagesales.co.uk**