

PRESS RELEASE

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STATIC TEST PASS RATES SUGGEST RETAILER APATHY AROUND UNDERAGE SALES

- **One in six teenage mystery shoppers were sold alcohol in 2017 without age checks**
- **Retailers' commitment to age check testing has slowed since 2014 despite Challenge 21/25**
- **Knives sold to one in four mystery shoppers unchallenged**
- **Tobacco picture improves but e-cigarette pass rates and test numbers are falling**
- **Online retailers and their delivery companies hand prohibited goods to nearly six in ten young mystery shoppers**

Retailers are failing to improve staff performance to prevent underage alcohol sales, according to new data from Serve Legal, the UK's leading retail age check company.

Latest findings show that one in six teenage mystery shoppers have bought alcohol unchallenged in four of the last five years. Selling alcohol to people under the age of 18 years is illegal in England, Scotland and Wales with fines, prosecution and possible business closure amongst penalties if convicted. All young-looking people attempting to buy alcohol should be asked to show official identification such as a passport, photocard driving licence or PASS-accredited (Proof of Age Standards Scheme) identification.

The pass rate for all retailers in 2017 was 83 per cent. Discounters improved to achieve the highest test pass rates in 2017 (85 per cent vs. 83 per cent in 2016), while petrol stations performed the poorest (81 per cent pass rate in 2017). Supermarket pass rates were 84 per cent and convenience stores were 82 per cent – both unchanged from the previous year.

Retailer commitment to alcohol sale testing fell for the third year running, with overall test numbers dropping by 13 per cent between 2014 (47,550) and 2017 (41,227). Convenience stores made the most significant cuts to their test programmes in recent years with 2017 numbers 25 per cent lower than in 2014 (17,185 in 2017 vs. 23,050 in 2014). Supermarkets and discounters were the only retailers to increase their testing programmes in 2017 but this failed to improve pass rates. Scottish retailers

achieved the UK's highest alcohol test pass rate (84 per cent) and those in Northern Ireland the lowest (66 per cent).

Ed Heaven, Director of Serve Legal, said: "Despite the intentions of the well-established Challenge 21/25 schemes, our latest data shows that there is complacency amongst retailers when it comes to compliance. Those that believe that responsible retailing doesn't matter to the bottom line are misinformed. Failure to invest in staff training, performance and processes around age identification checks puts any retailer at risk of selling alcohol to children and to the penalties of being caught doing so. That could mean a major fine for the business and for staff, temporary or even permanent closure and a custodial sentence if convicted of repeatedly selling alcohol to children. We urge every retailer, from major multiples to small independents, to take age-check testing seriously if they value their corporate social responsibility, the reputation of their brand and the longevity of their business."

According to the latest Drinkaware Monitor (2016)¹, three in ten young people who had drunk alcohol experienced negative consequences as a result, including serious harm such as getting into trouble with the police, being a victim of crime, getting involved in a fight or being taken to hospital. Public Health England's report on alcohol consumption and harm among under 18 year olds² reports that drinking before the age of 15 has a strong association with future problematic drinking and drug use. In the Young People's Statistics from the 2016/17 report of the National Drug Treatment Monitoring System³, alcohol is the most commonly cited problematic substance after cannabis with just under half of young people in treatment (49 per cent) seeking help for alcohol misuse.

One in four (26 per cent) of Serve Legal's mystery shoppers bought knives from high street retailers unchallenged in 2017 (over 2,350 tests). This comes despite the fact that prominent retailers have signed the government's voluntary agreement on underage knife sales. Homeware and DIY stores were the worst high-street culprits, selling knives to four in ten (41 per cent) young mystery shoppers without requesting age identification. Supermarkets fared better but still failed one in five (21 per cent) age check tests. London had the UK's highest pass rate at 82 per cent – a likely outcome of Operation Sceptre, the

¹ <https://www.drinkaware.co.uk/media/1764/drinkaware-monitor-report-2016.pdf>

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https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/542889/Alcohol_consumption_and_harms_in_under_18s.pdf

³ <https://www.ndtms.net/Publications/downloads/Young%20People/young-people-statistics-from-the-national-drug-treatment-monitoring-system-2016-17.pdf>

Metropolitan Police's anti knife crime programme - but retailer commitment to testing fell by five per cent vs. 2016 (232 tests in 2017 vs. 245 in 2016). Scotland and Northern Ireland had the UK's lowest knife test pass rates at 59 per cent each.

While retailers have increased their commitment to age check testing for knife sales in the last ten years (Serve Legal undertook 2,357 knife sale tests in 2017 vs. 1,003 tests in 2009), staff performance has failed to keep step. Test pass rates decreased by one percentage point in 2017 compared to 2016 (75 per cent) and were only one percentage point higher than nine years ago when Serve Legal's test programmes began (74% in 2017 compared to 73% in 2009).

Ed Heaven, Director of Serve Legal said: "Against a backdrop of rising knife crime, news headlines about school-age victims and perpetrators are shockingly frequent. Our latest retail test data reveals that despite the principles of the government's voluntary agreement on underage sales, which many retailers have agreed to adhere to, complacency on the high street could well be contributing to a deadly societal problem, with knives being sold to young people in plain sight."

"The fact that so many high street retailers and their staff are prepared to take the risk of putting deadly weapons into the hands of young people is proof that the threat of a fine and six months' imprisonment if convicted is not a punitive deterrent. A review of penalties for underage knife sales is well overdue and should be part of the Home Office's new Serious Violence Strategy, with [tougher penalties for any retailer not able to demonstrate the requisite due diligence if they fail a local authority or police knife test](#). The only way that retailers can be sure that they are operating responsibly and within the law is to independently test the performance of their staff, training, systems and operations. We have never failed to see a retailer improve its pass rate once it commits to a rigorous, regular testing programme."

In tobacco sale tests, retailers achieved an 80 per cent pass rate in 2017. Pass rates have improved year on year since 2015 and commitment to testing has increased by 25 per cent in the same period (5,124 tests in 2017 vs. 3,877 in 2015). Supermarkets achieved the highest pass rate (84 per cent) having improved their pass rate and increased their test levels each year for the last four years. Retailers in the South West achieved the highest pass rate (79 per cent) and London the lowest (60 per cent).

There is less positive news amongst Serve Legal's e-cigarette test data. Pass rates have fallen from 91 per cent in 2015 to 70 per cent in 2017 and test levels by 23 per cent in the same period (1,023 in 2015 vs. 787

in 2017), suggesting that there may still be confusion amongst retailers about e-cigarettes being an 18+ product.

According to the NHS Survey of Smoking, Drinking and Drug Use Among School Children in England – 2016⁴, three per cent of 11-15-year olds said they were regular smokers, three quarters (74 per cent) of which said they would find it difficult to give up smoking. 6 per cent of 11-15-year olds said they were current, regular e-cigarette smokers.

Online retailers came under scrutiny too. In 1,600 online test sales of age-restricted goods - including knives - last year, 59 per cent of Serve Legal's mystery shoppers were handed age-restricted goods on the doorstep unchallenged. The test purchase pass rate for online retailers has been falling since 2014 and their commitment to testing is extremely low.

Ed Heaver said: "We are the only organisation operating at scale in the UK to audit online retailers' performance around age-checks, both at the point of purchase online and at the point of delivery. Our data presents a worrying picture with no progress on pass rates in recent years. It isn't enough for online retailers to have age identification checks on their websites - responsible behaviour should be guaranteed throughout the sale and delivery process. If there is confusion amongst retailers and their delivery companies about where responsibility lies for checking a young customer's age on the doorstep, the Government must clarify, and then more aggressively enforce, legislation."

The Home Secretary's new Offensive Weapons Bill brings forward plans to ban home deliveries for knives bought online. Under the new legislation, customers will have to collect their purchase from a designated collection point. Details of how this will work in practice and how age checks will be enforced, however, are yet to be announced.

- Ends -

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Notes to Editors:

⁴ <http://digital.nhs.uk/catalogue/PUB30132>

Serve Legal provides an independent test purchase service for retailers of age restricted products across the UK to check staff are checking young people for ID. Using a database of mystery shoppers, the company conducts around 100,000 tests a year across the UK for both major blue-chip multiples and single site independents.

To pass a test, Serve Legal visitors purchase an age-restricted item (knife, alcohol or tobacco) and record key information about the transaction, including whether ID was requested, a description of the server, a till receipt and other key facts. All visitors are young-looking 18 and 19-year olds and should be asked to provide ID to complete the transaction. If a visitor is required to provide official ID to complete the transaction, the site passes. If items are purchased without ID being requested, the site fails. Only passports, photocard driving licences or [PASS-accredited](#) identification is accepted.

www.servelegal.co.uk