

Impact case study (REF3b)

Institution: Swansea University
Unit of Assessment: 4 - Psychology, Psychiatry and Neuroscience
Title of case study: The impact of alcohol test purchasing by underage adolescents on the availability of alcohol to minors
1. Summary of the impact

In 1997 the Home Office commissioned a study of underage test purchasing of alcohol. The study, designed by researchers at Swansea University, led directly to legislation in England and Wales, and later in Scotland and Northern Ireland, permitting underage test purchasing of alcohol under official supervision. Subsequent legislation required local authorities to use test purchasing to control the supply of alcohol to children. The method is now used routinely by every UK police force and local authority trading standards department (and internationally), and sales of alcohol to minors have fallen by over 60%.

2. Underpinning research

Context: In the late 1990s, concern about underage drinking reached crisis proportions with the advent of alcopops. Alcohol test purchasing by minors was at that time illegal. The Home Office asked the Alcohol Education and Research Council (AERC) to commission a study that it was hoped would provide evidence to support the legalization of alcohol test purchasing. Professor Paul Willner (Director of the Swansea University Centre for Substance Abuse Research) was invited to propose a study, which after evaluation, was funded by the AERC. This was the first UK study and only the second research study worldwide to attempt alcohol test purchasing with children (as distinct from young-looking adults) [R4].

Logistics: The study was conducted between 1997 and 2000. It was based in Swansea University and led by Professor Paul Willner, in collaboration with Dr. Ken Hart. Research assistants were appointed in the Thames Valley and West Yorkshire police areas, where the police forces had agreed to collaborate with the study.

Findings: An initial large-scale survey established how easily, and in what types of outlet, children were able to purchase alcohol [R2]. Among 16-year-olds the proportion who reported drinking regularly and buying their own alcohol increased linearly from 6% at age 11 to 52% at age 16. Then, under the aegis of the Home Office and the respective Chief Constables, 13- and 16-year-old girls and boys were recruited to attempt to purchase a variety of alcohol beverages, including spirits. It was found that among 16-year-olds, 88% of girls' attempts to buy alcohol, and 77% of boys' attempts, resulted in a sale, while among 13-year-olds, 42% of girls' attempts, but only 4% of boys', succeeded. 80% of sales to 16-year-olds, and two-thirds of sales to 13-year-old girls, were unchallenged. When challenged, children produced a card that showed their real dates of birth: half the 16-year-olds and a fifth of the 13-year-old girls were still sold alcohol [R1]. Alcohol was equally available in corner shops, pubs, off-licences, and supermarkets. Surveyed by telephone, only two out of 95 vendors saw much chance of being penalised for selling to minors. Alerted by these results, police in one of the areas wrote to and visited licensees, reminding them of the law and warning of imminent police test purchases. Eleven tests then occurred and the three vendors who sold alcohol were warned that further offences would be prosecuted. To evaluate this intervention, the study was repeated. Overall, there was no evidence that the police intervention reduced sales of alcohol to 16-year-olds. There was a hint that the intervention may have caused a very short-lasting decrease in sales to 13-year-old girls, but this was contained within an overall increase in sales to this group [R4].

Implications:

1. Alcohol was freely available to young people, in all sectors of the market.
2. Rates of sale might have been even higher had children been allowed to lie about their age.
3. Vendors' primary concern was to avoid prosecution, and they sold alcohol freely when the risk was perceived to be small.

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4. There was very limited evidence that proof-of-age cards were effective in decreasing alcohol sales to minors.
5. Vigorous and more potent law enforcement would be needed to change this situation.
6. Without a change in the law to legalize test purchasing of alcohol, the easy availability of alcohol to young people was unlikely to decrease.

3. References to the research

- R1. **Willner, P. Hart, K.** Binmore, J., Cavendish, M. & Dunphy, E. (2000) Alcohol sales to underage adolescents: An unobtrusive observational field study and evaluation of a police intervention. *Addiction* 95, 1373-1388.
(**Top-ranked journal in the field of substance abuse (IF=4.31, 1/29 journals)**).
- R2. **Willner, P. & Hart, K** (2001) Adolescents' reports of their illicit alcohol purchases. *Drugs: Education, Prevention and Policy* 8, 233-242.
- R3. **Willner, P & Rowe, G** (2001) Alcohol servers' perceptions of the ages of underage customers. *Drugs: Education, Prevention and Policy* 8, 375-383.
- R4. Project report: **Willner, P.** (2000) Alcohol Sales to Underage Adolescents. http://alcoholresearchuk.org/downloads/finalReports/AERC_FinalReport_0001.pdf.
Summary in Drug and Alcohol Findings: Persistent and credible enforcement needed to prevent widespread alcohol sales to under-18s. http://findings.org.uk/docs/nug_5_12.pdf

Funding: Alcohol Education and Research Council (now renamed as Alcohol Research UK)

Project title: Are alcohol sales to underage drinkers decreasing?

Investigators: **Prof. P. Willner** and **Dr. K. Hart**: 1997-2000; £90K + £17K (extension) = £107K

4. Details of the impact

This has been described as “**a landmark study**” [C1] and “**trail blazing research**” (Research Director, Alcohol Research, UK: see email in supporting information). Prior to the Swansea study, test purchasing of alcohol had occasionally been used by some police forces to develop evidence, but could not lead to a successful prosecution because it was illegal under any circumstances for children to buy alcohol, as this set up a defence of entrapment. The study was commissioned to establish whether the legalization of alcohol test purchasing would help to combat underage drinking. The dramatic corroboration by the test purchasing study of children's self-reports that alcohol could be readily purchased led directly to the enactment of legislation. Underage test purchasing of alcohol was legalized in England and Wales in s.31 of the Criminal Justice and Police Act 2001, followed by similar legislation in Scotland (Licensing (Scotland) Act 2005) and Northern Ireland (Criminal Justice (Northern Ireland) Order 2008).

As reported in Hansard [C2], the Home Office Minister identified the work – which at this time was the only UK research to provide evidence on alcohol sales to children [C2] – as the basis for these legislative changes: **23.10.00**: “...research studies show (that) large numbers of children under 18 are able to buy alcohol, both in pubs and in retail outlets. It is for this reason that ... we have proposed to bring forward further measures to deal with the problem, including the test purchasing of alcohol ...” **27.11.00**: “A recent study showed that children had little difficulty in buying alcohol. ... The researchers concluded ... that test purchasing would enable more effective enforcement of the minimum age laws. It is the Government's policy ... to amend licensing law to provide a clear statutory basis for test purchasing.”

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The research also convinced the Government that proof-of-age cards would not solve the problem: **Hansard 01.03.01**: “... in ... **research by Professor Paul Willner at Swansea university**, ... *test purchasing studies were conducted using 13 and 16-year-olds. His research showed that many retailers who demanded to see the card ... went on to make the sale, even when the card confirmed that the child was under age. That surprised me, but it is backed up by evidence.*” [C3]. The study was again cited as supportive evidence in the 2007 parliamentary debate on implementation of the Scottish alcohol test purchasing legislation [C3].

Following legalization in 2001, the status of alcohol test purchasing was upgraded in s.154 of the Licensing Act 2003, which laid a duty on local authority Trading Standards Departments to control the supply of alcohol to children and specifically encouraged the use of test purchasing for this purpose. As a result of these legislative changes, every UK Police Force and local authority Trading Standards Department subsequently adopted alcohol test purchasing as a routine enforcement method [C4]. Campaigns using alcohol test purchasing to educate alcohol vendors (Challenge 21 and Challenge 25) were introduced nationally by Trading Standards Departments, and these have been supplemented more recently by a number of commercial companies (e.g. Serve Legal, 2007; Test Purchasing UK, 2009; The Test Purchasing Company, 2010) that conduct test purchasing operations (using young-looking adults) on behalf of vendors, accompanied by training in appropriate behaviour for sales staff. Following the UK precedent, underage test purchasing of alcohol has been adopted internationally for law enforcement purposes, in some cases, for example Australia and New Zealand, explicitly based on the UK experience [C5]. The work continues to have an international impact and is for example influencing the development of policy and legislation in the Netherlands. In an email a researcher at the Dutch Institute of Alcohol Policy commented (10/8/2013): “ ... *the information you provided regarding test purchasing in the UK has led to quite some media attention in the Netherlands, as well as interest from the Ministry of Health. They have been asking some questions about the position of the minor and how to build up the evidence, to make sure you will not lose a case in court*”.

Many local studies have demonstrated that vigorous use of test purchasing, with action taken against offenders, substantially decreases the availability of alcohol to minors, and alcohol test purchasing was strongly supported as an enforcement method by the respondents to a recent (2011) consultation by the Department of Business, Innovation and Skills [C6]. A national evaluation in England and Wales (2009) reported that “*There have been impressive increases in compliance levels in areas ... where test purchases have been conducted amongst 15% or more of all licensed premises*” [C7]. A more recent (2012) evaluation in Scotland similarly concluded that test purchasing was the most useful intervention and had significantly decreased underage alcohol sales [C7]. Improved enforcement measures have contributed to a decline in underage drinking: a recent (2012) national survey reported that the proportion of 11-15-year olds who had ever drunk alcohol declined between 2001 and 2011 from 61% to 45%, and the proportion reporting drinking in the past week halved (from 26% to 13%) over the same period [C8].

Perhaps the **clearest evidence of impact** comes from a direct comparison between our 1999 study and the results of recent test purchase operations in the same police areas (Thames Valley and West Yorkshire), which typically involve 15-year-old purchasers. The overall rate of sale to 13- and 16-year-old girls and boys in our **first round of test purchasing was 52%**. Assuming a linear increase with age between 13 and 16, as found in our survey of teenagers' own reports of their access to alcohol, it can be estimated that 63% of vendors would have failed test purchase attempts by 15-year-olds. By contrast, Thames Valley Police reported a **failure rate of 24% (70/207) in 2009-10** [C9], and West Yorkshire Police reported a **failure rate of 19% (8/43) in 2012** [C10]. These comparisons suggest that underage **alcohol sales in these two areas have fallen by over 60%** following the legalization of alcohol test purchasing. Similar results and levels of activity in other parts of the country can be seen by googling “alcohol test purchasing” with the name of almost any UK city. For example, reported failure rates were 20% (112/574) in Greater Manchester in 2008, 24% (30/126) in Swansea in 2010, 8% (18/218) in Cardiff in 2010-11, and 21% (71/339) in Birmingham for the period 2008-2012, while Newcastle reported a failure rate of 0 (0/47) in 2012.

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The **beneficiaries** of the policy changes that derive from the Swansea study include police and trading standards officers, who now have legal powers that increase their ability to protect children from the harms of alcohol, the millions of children who are so protected, and members of society in general, who are now less troubled than they would be otherwise by alcohol-related problems.

5. Sources to corroborate the impact

- C1. Drug and Alcohol Findings, 2008. Internationally proven community alcohol crime and harm reduction projects feasible in Britain.
http://findings.org.uk/docs/bulletins/Bull_07_11_08.htm#community.
- C2. <http://www.publications.parliament.uk/pa/cm199900/cmhansrd/vo001023/text/01023w10.htm>
<http://www.publications.parliament.uk/pa/cm199900/cmhansrd/vo001127/text/01127w21.htm>
<http://www.publications.parliament.uk/pa/cm200001/cmstand/f/st010301/am/10301s06.htm>
- C3. <http://www.scotland.gov.uk/Publications/2007/03/09092846/5>
- C4. <http://www.publications.parliament.uk/pa/cm200506/cmhansrd/vo060607/text/60607w0031.htm>
- C5. Australia: <http://www.ndlrf.gov.au/pub/Alcohol%20Paper%20-%209%20May%202008.pdf>
Ireland: http://www.lawlibrary.ie/documents/legalcommentary/Intoxicating_Liquor_Act_08.doc
New Zealand: <http://www.ndp.govt.nz/moh.nsf/indexcm/ndp-publications-tacklingalcoholoffences>
- C6. LBRO, November 2011. Age-restricted products and services: summary of responses to the consultation. <http://www.lbro.org.uk/docs/age-restricted-products-consultation-response.pdf>
- C7. LBRO, April 2009. Protecting young people from alcohol related harm.
<http://www.lbro.org.uk/docs/protecting-young-people-from-alcohol-related-harm.pdf>; Alcohol Policy UK. Scotland update Sep 2012: Test purchasing key to Licensing Act,
<http://www.alcoholpolicy.net/2012/09/scottish-reportedly-drink-lessbut-still-a-way-to-go-to-reduce-harms.html>;
NHS Scotland, 2012. An evaluation of the implementation of, and compliance with, the objectives of the Licensing (Scotland) Act 2005, <http://www.healthscotland.com/documents/5989.aspx>
- C8. NHS Information Centre, 2012. Smoking, drinking and drug use among young people in England in 2011. <https://catalogue.ic.nhs.uk/publications/public-health/surveys/smok-drin-drug-youn-peop-eng-2011/smok-drin-drug-youn-peop-eng-2011-rep2.pdf>
- C9. Thames Valley Police, 2010. Got any ID? Alcohol test purchasing results for Oxfordshire.
<http://www.youtube.com/watch?v=Z5hPBf5m6aE>
- C10. In 2012 West Yorkshire Police released a series of press releases reporting the results of Test purchasing in various areas of the county. Bradford is an illustrative example:
<http://www.westyorkshire.police.uk/news/illegal-alcohol-sale-clampdown-bradford>.