

**PRESS RELEASE**

**Wednesday 16<sup>th</sup> May 2018**

**TEENAGE DRINKERS GO UNCHALLENGED IN SCOTLAND'S PUBS AND CLUBS**

- **Hospitality operators served alcohol to one in three teenage mystery shoppers in 2017 without age checks**
- **Knives, tobacco and e-cigarettes were also sold unchallenged with retailer commitment to testing low**
- **Data reveals complacency despite Challenge 21/25 schemes and severe penalties for breaking the law on underage sales**

Pubs, clubs and late-night venues across Scotland served alcohol to one in three teenage mystery shoppers without challenging their age last year, according to new data from Serve Legal, the UK's leading retail age check company.

697 alcohol test purchases were undertaken by Serve Legal in Scottish hospitality venues in 2017 with 32 per cent of sales unchallenged. Selling alcohol to people under the age of 18 years is illegal in Scotland with fines, prosecution and possible business closure the penalty 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 2017 pass rate showed no improvement on the previous year.

High street retailers including supermarkets, discounters and convenience stores were far more diligent, achieving an 86 per cent pass rate. Scotland's overall alcohol test pass rate was 84 per cent in 2017 compared to 87 per cent in 2016. Scotland has historically been the strongest-performing part of the UK for total alcohol tests, scoring the UK's highest pass rates in eight of the last ten years.

Ed Heaven, Director of Serve Legal, said: "Despite the intentions of the well-established Challenge 21 and 25 schemes and stringent government policy on alcohol in Scotland, our latest data highlights complacency amongst hospitality operators around alcohol age checks. Those that believe that responsible retailing doesn't matter to the bottom line are misinformed. Failure to invest in staff training and performance around age identification checks could result in a major fine for the business and for

staff, temporary or even permanent closure and a custodial sentence if convicted. We urge every business that sells alcohol 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 Scottish Schools Adolescent Lifestyle and Substance Survey (2015) Alcohol Report<sup>1</sup>, alcohol drinking was strongly correlated with truancy and exclusion. 16 per cent of 15-year-olds who had drunk alcohol had been in trouble with the police, 14 per cent had been in a situation that made them feel threatened or unsafe and 5 per cent had been to hospital as a result.

Meanwhile, knives were also bought unchallenged by four in ten (41 per cent) of Serve Legal’s young mystery shoppers in 2017 with retailer pass rates falling below 2016 levels (63 per cent). Although commitment to testing increased by 23 per cent in 2017 (154 tests in 2017 vs. 118 in 2016), test numbers were dwarfed by the scale of alcohol (5,885 tests in 2017) and tobacco (469 tests in 2017) testing undertaken. The results come as latest Scottish Government statistics reveal that school exclusions for physical assaults involving weapons and improvised weapons reached a five year high in 2016-17<sup>2</sup>. In Scotland, 16-year-olds can lawfully buy kitchen knives unlike in England and Wales where sales of a knife\*, blade or axe to a person under the age of 18 years is illegal.

Unchallenged tobacco sales were also rife in 2017, suggesting a softening of attitudes towards the risks associated with young people smoking. Scottish retailers failed one in three mystery shopper tests (33 per cent) which, again, was one of the UK’s highest failure rates. Commitment to tobacco sale testing also decreased significantly in 2017 with test numbers falling by 61 per (469) compared to 2016 (1,213). According to the latest Scottish Schools Adolescent Lifestyle and Substance Survey (2015)<sup>3</sup>, half (51%) of 15-year-old regular smokers said they would find it difficult to give up smoking. Retailers failed nearly three in ten (29 per cent) e-cigarette sale tests in 2017.

Ed Heaven from Serve Legal said: “Our Scottish data around on-trade alcohol, knife and tobacco sales makes for some concerning reading this year and should be taken seriously by government policy makers, retailers, hospitality operators and the trade organisations that represent them. In the current trading climate, what business can afford to take the risk of presuming that its staff are operating to the letter of

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<sup>1</sup> <http://www.gov.scot/Resource/0050/00508470.pdf>

<sup>2</sup> <http://www.gov.scot/Topics/Statistics/Browse/School-Education/exclusiondatasets> - 739 in 2016/17 vs. 710 in 2012/13

<sup>3</sup> <http://www.gov.scot/Resource/0050/00508401.pdf>

the law? Any responsible retailer should view regular, rigorous, independent testing of its behaviour as an insurance policy against breaking the law by handing prohibited goods to children.”

- Ends -

\* Excluding folding pocket knives if the cutting blade is less than 7.62cm (three inches) long.

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**Notes to Editors:**

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](http://www.servelegal.co.uk)