

**CONFISCATION OF ALCOHOL: INTRODUCTION OF LEGISLATION (P.46/2002) - REPORT**

---

**Presented to the States on 7th May 2002  
by the Home Affairs Committee**

---



**STATES OF JERSEY**

**STATES GREFFE**

150

2002

P.46 Rpt.

Price code: A

## Report

The report by the Deputy of St. Martin focuses on the anti-social behaviour caused by alcohol misuse which the report acknowledges is carried out by a minority of irresponsible people. The cause and effect are not disputed, neither is the need for legislation to enable the confiscation of alcohol in public places under certain conditions.

This is one reason why the development of an Alcohol Strategy was considered to be essential for the Island. Another, of course, is that the vast majority of the harm caused by alcohol misuse is carried out by people indulging in a perfectly legal activity, but to excess. The aim of the Alcohol Strategy, therefore, is to address all these issues holistically and to suggest an action plan to achieve general harm reduction.

Whilst it may appear to those not involved with the Strategy's development that there has been "very little action", the Alcohol Strategy is a comprehensive document developed on a multi-agency basis. Consultation has already taken place with the relevant industries, States departments, States members and those in the voluntary sector, and their comments have been taken into account in producing the final draft which will be considered by the Health and Social Services Committee, the sponsoring committee, on 1st May. Their intention is to lodge this for debate with their Tobacco Strategy.

The draft Alcohol Strategy contains the following measures in its key proposals -

Under the heading "Community Safety":

*"Explore introducing legislation enabling confiscation of alcohol in public places when the risk of injury or disorder is apparent."*

Under the heading "Under-Age Consumption":

*"Exploring the feasibility of introducing new measures concerned with the purchasing of alcohol by adults for consumption by under-18s in certain inappropriate circumstances."*

*"Consider an amendment to the Policing of Roads, Parks and Beaches Regulations to make it an offence for a person under 18, on any road or public place, to have in their possession any alcoholic beverage unless under the direct supervision of a parent or legal guardian."*

The Alcohol Strategy contains short-, medium- and long-term proposals; those outlined above are in the first category and would have the same effect as that contained in the proposition. Although the Health and Social Services Committee and the States have yet to approve the Alcohol Strategy, officers of the Home Affairs Committee have commenced the preparatory work necessary to achieve the desired legislative amendments.

Finally, the Home Affairs Committee considers paragraph (a) of the proposition to be flawed. Whereas "causing a nuisance" can be legislated against, it is probable that the same cannot be said for "misbehaviour".