

## **2.9 Deputy K.C. Lewis of the Minister for Home Affairs regarding increasing the penalties to anyone knowingly supplying alcohol and cigarettes to people under the age of 18:**

What action, if any, is the Minister taking in consultation with the Minister for Economic Development to increase the penalties to anyone knowingly supplying alcohol and cigarettes to people under the age of 18?

### **Senator W. Kinnard (The Minister for Home Affairs):**

The specific level of penalties is a matter that is considered by the Attorney General once the draft piece of legislation has been completed to ensure it is reasonable, proportionate and in line with other legislation. Both my department and the Economic Development Department have been working closely together to ensure that the issue of control of alcohol is addressed within a new licensing law. The Green Paper has been developed and it includes among other measures for discussion test purchasing to reduce underage consumption, raising the age to 21 for sales of off sales, ensuring that those selling alcohol are themselves over age and reviewing penalties for underage drinkers and for persons obtaining alcohol for underage young people. I can assure the Deputy that his concerns are shared and will be addressed as this consultation process develops through the Green and White Papers. Meanwhile, there has been continued rigorous enforcement of current legislation and active promotion of proof of age schemes. In addition, legislation has been implemented to permit police officers to confiscate alcohol from young people. I am not currently in discussion with the Minister for Economic Development over similar issues in relation to cigarettes. Cost is known to be a prohibitive factor to underage sales. Customs and Excise have ensured that the price of tobacco continues to increase by increasing duty on an annual basis. The offence of underage sales is dealt with in Jersey by the Police Licensing Unit. In the U.K. (United Kingdom) it is the Trading Standards that have the enforcement role. I believe, Sir, that all retailers who sell tobacco could be licensed in the same manner as for alcohol. This would provide additional enforcement powers. However, Sir, I am aware of a range of measures as part of the Tobacco Strategy which comes under Health and Social Services and that this should probably form part of that strategy.

### **2.9.1 Deputy K.C. Lewis:**

I welcome the Minister's response, Sir. Is the Minister aware that it was only last year we increased the age to 18 to buy cigarettes but children appear to have free access to alcohol and cigarettes? A walk around town on a Friday or a Saturday evening proves this. Is the Minister also aware that children are now getting their older siblings and indeed locals and E.U. (European Union) citizens who are older to buy drink and cigarettes on their behalf? Does the Minister agree this is a wholly unacceptable situation?

### **Senator W. Kinnard:**

As I mentioned in my answer, we share the concerns that the Deputy has expressed and indeed there are a range of measures which are coming out in the Green Paper to really do the research and to find out whether indeed the impression that we have of what is going on is going on. We do know, Sir, that there have been some improvements through the *Health Related Behaviour Questionnaire* showing that, for instance, smoking rates are declining overall but definitely, Sir, we know that the prevalence of smoking doubles between the children in years 8 and 10. That clearly does show that children are still getting access to tobacco which is a concern. Again with the *Health Related Behaviour Questionnaire* in relation to alcohol we know that young people generally are drinking less but there are still some of them engaging in very heavy drinking. There are a minority of young people who do this and this is indeed a great concern. So I would welcome very much the Deputy's input in response to the Green Paper when it is issued we hope in the very near future.

### **2.9.2 Senator J.L. Perchard:**

On that subject, Sir, does the Minister agree that if the Deputy really wants to make a meaningful and worthwhile contribution to this debate that he contributes to the consultation process and makes a written contribution to the consultation rather than just ask populous questions in the States?

**Senator W. Kinnard:**

I think that is slightly unfair if I may so; if I may defend my colleague across the Chamber. **[Approbation]** I would say that Deputy Kevin Lewis of St. Saviour asks very sensible questions of the Minister for Home Affairs and I am always very pleased to answer them.

**2.9.3 Deputy P.V.F. Le Claire:**

That is rather unfortunate. Would the Minister also confirm that earlier in the last 2 years the Deputy and I have attended with the police on a number of occasions to parks and gardens in St. Helier to look at these issues? It is not only on the floor of the House that he puts effort into these matters.

**Senator W. Kinnard:**

I am more than happy to confirm that he does put effort into these matters on other occasions.

**2.9.4 Deputy R.G. Le Hérissier:**

Would the Minister confirm that Deputy Lewis' questions are more constructive than running populous referenda? **[Laughter]**

**Senator W. Kinnard:**

May I pass on that one, Sir?