

STATES OF JERSEY



LICENSING LAW: PURCHASE OF ALCOHOL FOR PERSONS UNDER 18 (P.95/2004) – COMMENTS

**Presented to the States on 24th August 2004
by the Connétable of St. Martin**

STATES GREFFE

COMMENTS

The Comité des Connétables wishes to comment as follows on P.95/2004 (Licensing Law: purchase of alcohol for persons under 18) –

The Comité considers that there may be difficulties in policing an amendment to the Licensing (Jersey) Law 1974 which makes it an offence for any person to buy, or attempt to buy, intoxicating liquor knowing that it is intended for consumption off the licensed premises by a person under the age of 18. These difficulties include the burden of proof in showing whether the alcohol which has been purchased is intended for later consumption by a minor.

The proposition also provides that it shall not be an offence to make such a purchase where the purchaser is the parent or guardian of the person under 18 or is a person acting under the direct instruction of that parent or guardian. This assumes that a parent or guardian will act responsibly and will not encourage a person under 18 years of age to consume intoxicating liquor although this is not always the case.

The purpose of the proposition, as outlined in the accompanying report, is to be another measure to restrict the irresponsible purchase of alcohol for the consumption by underage persons. The Deputy of St. Martin envisages that the amendment will, alongside the proposed Confiscation of Alcohol legislation, act as a deterrent and prevent anti-social behaviour.

The States have now approved an Alcohol Strategy for Jersey which promotes a concerted and co-ordinated action to reduce the harm to individuals and the community caused by the misuse of alcohol including measures to reduce the incidence of alcohol consumption by persons under the age of 18 years of age and a revision of the Licensing (Jersey) Law 1974.

Although supporting the principle behind the proposition, the Connétables question whether it is going to achieve its desired effect and consider it preferable that the requirements for revision to the Licensing Law should be considered as a matter of urgency and as a whole rather than piecemeal.