

Lincolnshire Police

Policy Document



Test purchase policy PD 184

Policy document information

Reference number:	PD 184
Policy sponsor:	ACC
Policy owner:	Head of The Prevention Hub
Author:	T/DCI Andy McWATT Deputy Intelligence Director
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Version history

Version	Date	Reason for issue
7	January 2023	Biennial Review
8	January 2025	Biennial Review

Code of Ethics

All staff involved in carrying out functions under this policy and associated procedures and appendices will do so in accordance with the principles of the Code of Ethics. The aim of the Code of Ethics is to support each member of the policing profession to deliver the highest professional standards in their service to the public.

Legislative compliance

This document has been drafted to comply with the principles of the Human Rights Act. Proportionality has been identified as the key to Human Rights compliance, this means striking a fair balance between the rights of the staff and those of the rest of the community. There must be a reasonable relationship between the aim to be achieved and the means used.

Equality and Diversity issues have also been considered to ensure compliance with the Equality Act 2010 and meet our legal obligation in relation to the equality duty. In addition, Data Protection, Freedom of Information and Health and Safety Issues have been considered. Adherence to this policy or procedure will therefore ensure compliance with all relevant legislation and internal policies.

Other legislation/law which this policy has been drafted to comply with:

- Human Rights Act 1998 (in particular A.14 – Prohibition of discrimination)
- Equality Act 2010
- Crime and Disorder Act 1998
- H&S legislation
- Data Protection Act 2018

- Freedom Of Information Act 2000
- Licensing Act 2003

Security classification

Policy to be published on Intranet: Yes

Policy to be published on Force Website: Yes. Excluding appendices which have information relating to operational tactics. If Appendices are printed for briefing purposes, they are not to be taken out of the Police Station and to be destroyed after use.

Authorised Professional Practice (APP)

This policy has been checked against APP and there is none in relation to the subject matter of this policy.

1. Policy aims (Purpose)

- 1.1. This policy relates to the use of young persons in targeting licensed premises that sell alcohol to those under the age of 18 years. It will set out how premises are identified and clearly define the actions that are to be taken. It also incorporates the working practices that are undertaken in partnership with Trading Standards officers.
- 1.2. This policy aims to standardise this type of operation and the joint working protocol across the force area, which will in turn facilitate a corporate approach ensuring the licensing objectives of preventing harm to children and preventing crime and disorder are upheld.
- 1.3. It is the Policy of the Lincolnshire Police to have a fair and transparent process for the undertaking of Test Purchase Operations. To establish clear, safe guidelines for all agencies involved in the operations to adhere to.
- 1.4. All Test Purchase Operations falling under this policy will be undertaken in partnership with Trading Standards and they will be the lead authority. This

policy will set out clear protocols in relation to covert under-age sales test purchase operations. The Trading Standard protocols for such operations will be in the form of appendices.

2. Policy statement (Key information)

2.1. Background

2.1.1. The Government is committed to tackling alcohol abuse in all its forms whether challenging attitudes to binge drinking or cracking down on the underage sale of alcoholic drinks. Enforcement campaigns carried out by the police and Trading Standards are a key strand of our work to stop the illegal sale of alcohol to under-18s.

2.1.2. The Criminal Justice and Police Act 2001 removed a legal restriction on the use of young persons for test purchase operations for alcohol, against licensed premises. Section 154 of the Licensing Act 2003 states: **“it is the duty of every local weights and measures authority in England and Wales to enforce within its area the provisions of sections 146 and 147 (sale/allowing sale of alcohol to children), so far as they apply to sales of alcohol made on or from premises to which the public have access.”**

2.2. Principles

2.2.1. Street drinking can intimidate people, cause disorder and nuisance, and degrade a public space so that it becomes a ‘no go’ area for residents and the community. Both rural and urban areas experience disorder and nuisance fuelled by alcohol consumption. The problem can range from groups of established street drinkers drinking in an area, to gatherings of underage drinkers in parks and open spaces, and drunken rowdy groups causing nuisance and intimidation on a night out in town. A Home Office survey of offenders' motivation for a range of crimes found that the highest number of respondents admitting they offended because they were drunk were those responsible for criminal damage.

- 2.2.2. Youths that are under the influence of alcohol are obtaining it by several different means but there is clear intelligence and evidence that they are able to purchase it from Licensed Premises within Lincolnshire despite being under the age of 18.
- 2.2.3. Lincolnshire Police will use the means available to it through enforcement of licensing legislation to pursue the force's responsibilities to reduce crime and disorder, improve public safety and increase the sense of reassurance amongst the communities it serves. Partnership working is particularly important in this area and Lincolnshire Police will work in partnership to fulfil its responsibilities. Potential partners will include Trading Standards, Licensing Authorities, and other parties with regulatory functions as well those working within the relevant licensed trades. In particular Lincolnshire Police recognises the significant connection between alcohol misuse and crime, particularly violent crime.

3. Other related documents and appendices

3.1. Appendices.

- Appendix A – Trading Standards Prosecution Policy
- Appendix B – Trading Standards On-Sale Procedure
- Appendix C – Trading Standards Operational Order
- Appendix D – BRDO Codes of Practice
- Appendix E – Trading Standards Volunteer Consent Form

4. Monitoring and review

- 4.1 Where changes to the policy are identified within this period they will be implemented and the policy adapted accordingly to ensure the policy remains an effective, up to date document.'

5. Who to contact about this policy

- 5.1. This policy is owned by Head of The Prevention Hub. Any enquires about this policy should be directed to Sgt Amy ADAMS, Alcohol Licensing Team, amy.adams@lincs.police.uk.