

LEISURE LESSON PLAN: Time to change the law?

Learning objectives

- ❑ To clarify the nature of the law relating to the sale of alcohol in England and Wales.
- ❑ To encourage students to consider whether there is any need for a change in the current law and, if so, why; and, if not, why not?

Learning outcomes

All students should know the main ways in which the sale of alcohol to the general public is controlled by law.

Most students should be aware of the current concerns in England and Wales over the sale and consumption of alcohol.

Some students will be able to explain the strengths and weaknesses of the main arguments surrounding proposals for more and less restrictive legislation.

Resources

- **YCP** – pages 88–89
- **Starter** (pages 4–6) – Quiz and Quiz answers
- **Main** (pages 7–9) – Time for change? and Ideas for change.

Curriculum references

England: Citizenship: **KS3**, the political, legal and human rights and responsibilities of citizens; the roles of law and the justice system and how they relate to young people; **KS4**, political, legal and human rights and freedoms in a range of contexts from local to global; the roles and operation of civil and criminal law and the justice system; how laws are made and shaped by people and processes, including the work of parliament, government and the courts; **Post 16**, demonstrate knowledge and understanding about citizenship issues; show an understanding of key citizenship concepts; consider social, moral and ethical views applying to a particular situation.

Wales: PSE Framework, 7 to 19-year-olds: **KS3**, responsibilities as young citizens in Wales; how to use alcohol responsibly and the risks of binge drinking; **KS4**, the personal, social and legal consequences of the use of legal and illegal substances.

Activities

Starter

- ❑ The activity opens with a short quiz designed to ensure that students understand the main laws surrounding the sale of alcohol in England and Wales.
- ❑ Give students (individually, in pairs, or in small groups) a copy of the quiz, and ask them to identify the correct answer to each question. You may wish to give them access to the *YCP*, pages 88–89, or to wait until they have completed the test.

Go through the answers on pages 5 and 6 of this lesson plan, clarifying the key points of law as you go.

Main

- ❑ In the remainder of this unit, students are asked to consider the need for changes in the law relating to the sale of alcohol.

The stimulus for this is a series of statements derived from one of the *Consumption controversies* policy briefings available online and published by the Royal Geographical Society.

The briefing provides an overview of current research, and is designed to clarify a number of questions surrounding current levels of alcohol consumption in Britain.

- ❑ With students working in pairs or small groups, give each group a copy of the **Main 1** activity sheet, pages 7 and 8, printed on card and cut into slips.

Explain to students that you would like them to put themselves into the position of an MP who is a member of a Parliamentary Select Committee with the job of looking at whether greater controls should be placed on the sale of alcohol.

- ❑ Ask each pair or small group to sort each card into three piles; those cards that suggest a need for greater controls, those that do not, and those where further information or clarity is required.

When students have had time to do this, check to see how they sorted the cards. Which statements did students feel pointed most

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clearly to a need to change the law? Which did not? What further information was required?

- Explain to students that, after conducting their enquiry, Select Committees often draw up a report recommending various actions that they feel the Government should take.

In this case the Committee has up to seven options to consider. These are outlined below, see **Main 2**. (One of the options is deliberately left blank for each group to insert its own proposal.)

Ask students, still in their small groups to discuss the need or value of each proposal in the light of the information that they have already discussed, and to prepare a short note outlining:

- a) whether there should be any changes to the law
- b) if so, what they might be and why they would be helpful
- c) if not, why further changes are not necessary.

- Finally, select the views and thinking from a range of groups in order to build up a general picture of the ideas that are being proposed.

In April 2011, the first part of a two-stage mandatory drinking code became law, banning promotions such as 'all you can drink deals', speed drinking and free deals for female drinkers. The code also required bars and clubs to make sure that free tap water is also available to all customers.

- For more information on the work of Select Committees, see page 121 of *Inside Britain: A guide to the UK constitution*, published by Hodder Education, and also www.bbc.co.uk/1/hi/programmes/bbc_parliament/2312889.stm.

If time is available, you may like to develop this into a longer investigative exercise by inviting students to carry out their own research into this area. A further element could include creating an opportunity for students to interrogate people whose profession gives them first-hand experience of some of the law-related issues surrounding alcohol and the law.

Giving students access to a local police officer, solicitor, health professional and publican over several lessons or as a carousel (with students

interviewing each person for 15 minutes), could be a very effective way of deepening their understanding of this area.

Plenary

- In this final section, students look at the question of the common requirement for young people to produce proof of their age when buying alcohol, see the *YCP* page 89.
- Following on from the earlier discussion about the provision of ID and the sale of alcohol (see the **Starter** section of the lesson plan, page 4), explain to students that staff working in pubs and bars are now required by law to check the ID of anyone trying to purchase alcohol who looks under the age of 21. The maximum penalty for those caught selling alcohol to minors has recently been doubled to £20,000.

Although this is done in the cause of reducing under-age drinking, is the policy fair and just?

You may like to raise with students some of the following issues:

- There is strong evidence that a significant number of people aged under 30 are commonly asked for their proof of age when buying alcohol. Is it fair to treat someone in this way? Should people be challenged for doing something to which they are legally entitled?
- Does such action carry the assumption that people aged between 18 and 25 are acting unlawfully? Is it right that they are being required to prove their *innocence* and that they are not committing an offence? This principle does not apply in many other law-related activities.
- Is it fair to refuse to sell such a person alcohol if they do not have any/an acceptable form of identification with them?
- Should the production of a passport or driving licence be a routine part of shopping or entertainment?
- Is it fair that such a policy, in effect, requires everyone to have either a passport or driving licence, or to purchase a proof of age card? Does this unfairly discriminate against the less well off?
- Should parents, as a number of cases indicate, be refused alcohol in supermarkets when shopping with their son or daughter who is either under 18, or 18 or above and unable to prove their exact age?

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- Does the effectiveness of preventing the sale of alcohol to under-age drinkers outweigh these drawbacks?

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Starter 1

Quiz

Questions	Choose the correct answer
1. At what age can a person legally buy alcohol in a pub or club?	<p>a) 17 years</p> <p>b) 18 years</p> <p>c) 21 years</p>
2. A 16-year-old buys a pack of lager from a supermarket. Who has broken the law?	<p>a) the 16-year-old</p> <p>b) the sales assistant</p> <p>c) the 16-year-old and the sales assistant</p>
3. John, 15, and his cousin, who is 17, go into a pub and ask for two soft drinks. Does John have a right to be on the premises?	<p>a) yes, because they are not trying to buy any alcohol.</p> <p>b) yes, as long as John's cousin buys the drinks</p> <p>c) no, because his cousin is under 18.</p>
4. Frances, aged 16, goes out for a meal with her dad, who orders a bottle of wine for them to share with their meal. Has anyone broken the law?	<p>a) yes; Frances' dad. He should not have bought her the wine.</p> <p>b) yes; both Frances' dad and the waiter have broken the law by supplying Frances with wine.</p> <p>c) no: Frances is legally permitted to drink the wine which her father has bought.</p>
5. Bella, aged 17, goes to a club with her friends, using her elder sister's passport as ID. The person on the door asks Bella a few questions and is not entirely certain that she is the person in the picture. What should the door staff do next?	<p>a) refuse Bella entry</p> <p>b) refuse Bella entry and keep hold of the passport</p> <p>c) unless they are certain that her ID is not valid, they should give Bella the benefit of the doubt, and let her into the club.</p>
6. Sophie works in a bar. A customer comes in and asks for a drink. He looks and sounds as if he is drunk. Can Sophie refuse to serve him?	<p>a) yes</p> <p>b) no</p> <p>c) yes, if she first checks with the landlord.</p>

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Starter 2

Quiz Answers

Question	Answer
<p>1. At what age can a person legally buy alcohol in a pub or club?</p>	<p>b) 18 years</p> <p><i>Anyone under 18 who attempts to buy alcohol commits an offence.</i></p>
<p>2. A 16-year-old buys a pack of lager from a supermarket. Who has broken the law?</p>	<p>c) the 16-year-old and the sales assistant</p> <p><i>An offence is committed by both the young person who is trying to buy the lager and the sales assistant – unless the assistant believed that the customer was 18 or over and had taken all reasonable steps to establish the customer’s age.</i></p> <p><i>The licensee – i.e. owner of the supermarket – may also face prosecution if he or she has failed to ensure that their staff follow the compulsory age verification policy, or if there is evidence of a failure of this kind in the past.</i></p> <p><i>Recent cases of this kind involving small supermarkets, have resulted in the owner being fined and losing their licence to sell alcohol. Cases involving the successful prosecution of large supermarkets, with a national presence, tend to result in a fine, with the company taking its own measure to discipline the employee responsible.</i></p>
<p>3. John, 15, and his cousin, who is 17, go into a pub and ask for two soft drinks. Does John have a right to be on the premises?</p>	<p>c) no, because his cousin is under 18</p> <p><i>Under 16s may go into a pub only if they are accompanied by someone aged 18 or over.</i></p> <p><i>(It is worth noting that customers are served in a pub at the licensee’s or bar staff’s discretion. Refusal to serve someone on grounds of their sex, race, colour, disability etc is, however, unlawful.)</i></p>
<p>4. Frances, aged 16, goes out for a meal with her dad, who orders a bottle of wine for them to share with their meal. Has anyone broken the law?</p>	<p>c) no: Frances is legally permitted to drink the wine which her father has bought.</p> <p><i>As long as Frances is aged 16 or over, she may drink beer, wine, or cider to eat with a meal, as long as it has been bought by the adult whom she is with.</i></p>

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<p>5. Bella, aged 17, goes to a club with her friends, using her elder sister's passport as ID. The person on the door asks Bella a few questions and is not entirely certain that she is the person in the picture. What should the door staff do next?</p>	<p>b) refuse Bella entry and keep hold of the passport</p> <p><i>Under the Identity Cards Act 2006, it is an offence to use a false ID to enter licensed premises. Government guidance states ... 'It is the Government's view that door staff are not committing a criminal offence by confiscating the ID as they lack the dishonest intent necessary to commit the offence of theft. This gives door staff the ability to confiscate false ID under common law.'</i></p> <p><i>The confiscated ID should be passed to the police from whom it may be collected by Bella, normally after 72 hours.</i></p>
<p>6. Sophie works in a bar. A customer comes in and asks for a drink. He looks and sounds as if he is drunk. Can Sophie refuse to serve him?</p>	<p>a) yes</p> <p><i>It is an offence for bar staff to sell alcohol to anyone who is drunk.</i></p>

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Main 1

Time for change?

<p>Big business</p> <p>More than 650,000 people are employed in Britain in the production and sale of alcohol.</p>	<p>On the up</p> <p>Levels of drinking amongst <i>young</i> people in most European countries are rising.</p>
<p>The way we were</p> <p>Alcohol consumption in England and Wales, per head of population, is today about three quarters of what it was just over a hundred years ago.</p>	<p>Excessive</p> <p>28 per cent of men and 21 per cent of women drink more than the Department of Health's suggested weekly limits of 21 units a week for men and 14 units a week for women.</p>
<p>Cost to the health service</p> <p>Estimates suggest that those who drink excessively cost the health service more than £2 billion each year.</p>	<p>Linked to wealth</p> <p>Higher earners are the most likely people to drink more than the recommended weekly guidelines.</p>
<p>Crime</p> <p>44 per cent of victims of violence in England and Wales believed that their attacker was under the influence of alcohol.</p>	<p>Recent decline</p> <p>Although Britons drink more than twice as much alcohol as they did in 1950, alcohol consumption has been in decline since 2004.</p>
<p>Home-based</p> <p>Although there is much talk about binge drinking in town centres, most alcohol is consumed in the home by people alone or with family or friends.</p>	<p>No go?</p> <p>Excessive drinking in some towns and cities causes huge problems. Older people, in particular, say that they do not feel safe in such areas.</p>
<p>Government income</p> <p>The tax and duty on alcohol raises more than £9m each year, and is an important source of revenue for the government.</p>	<p>A welcome change</p> <p>Many people welcome the growth of bars and pubs in towns, and the fact that they are now open for much longer than they used to be.</p>

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<p>Health and safety</p> <p>Between 1992 and 2008, the number of alcohol-related deaths in Britain more than doubled.</p> <p>In 2009, however, male and female death rates due to alcohol both fell.</p>	<p>Under age</p> <p>The UK has one of the highest rates in the EU of young people being admitted to hospital due to alcohol use.</p> <p>High levels of alcohol consumption amongst young people are associated with other high risk behaviours, including unprotected sex and offending.</p>
<p>Much cheaper</p> <p>Over the last 30 years, the price of alcohol has risen slower than the income of many families (but not for <i>everyone</i>), making alcohol much more affordable for many people.</p>	<p>A British institution</p> <p>Many 'old-fashioned' pubs are closing; in 2009, this was at a rate of more than seven per day. This, some people say, means that towns and villages are losing an essential part of the community.</p>

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Main 2

Ideas for change

<p>Raise the minimum age at which it is legal to buy/drink alcohol.</p>
<p>Reduce licensing hours so that pubs and bars are not open as long as they are now.</p>
<p>Introduce minimum alcohol pricing to prevent sellers (usually supermarkets) from selling beers, wines and spirits at very low prices.</p>
<p>Increase penalties for breaking laws that control the sale of alcohol.</p>
<p>Develop a strong public awareness campaign informing people about the dangers of drinking too much alcohol.</p>
<p><i>(Another idea)</i></p>
<p>Take no action at all.</p>