

include YOUTH

Response to PSNI Alcohol Test Purchasing Procedures

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'Police are using young people to do their dirty work.'

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Include Youth

Include Youth is an independent non-governmental organisation that actively promotes the rights, best interests of and best practice with disadvantaged and vulnerable children and young people.

The young people we work with and for include those from socially disadvantaged areas, those who have had poor educational experiences, those from a care background, young people who have committed or are at risk of committing crime, misusing drugs or alcohol, undertaking unsafe sexual behaviour or other harmful activities, or of being harmed themselves.

The Give and Take Scheme aims to improve the employability and increase the self-esteem of young people in need or at risk from across Northern Ireland. The Scheme works with approximately 135 young people from a care or criminal justice background. The Scheme aims to support young people to overcome particular barriers that prevent them from moving into mainstream training or employment and towards independent living. 75% of young people on the Scheme are care experienced while over a third has a background in offending.

Include Youth also delivers an Employability Service on behalf of two of the Health Trusts for young people aged 16 + who have had experience of the care system. This service is designed to offer tangible and concrete opportunities to assist young people leaving care to prepare for, and engage in work.

Include Youth has also been a Specialist Support Provider to DEL's Training for Success Programme since 2007. This service helps improve retention and encourage progression for young people who present with multiple barriers to their learning.

The organisation also leads on collaborative initiatives (Youth Works and Start) across several sites in Northern Ireland, working with community based organisations to improve education, employment and training outcomes for the most disadvantaged young people.

Include Youth's Young Voices project is a way of delivering participative democracy to marginalised young people in Northern Ireland. Its main aim is to support marginalised young people at risk or with experience of the criminal justice system, to become involved in decision making processes which impact on their lives, particularly in social welfare, education and criminal justice matters. The project works with a range of groups of young

people in the community, in Woodlands Juvenile Justice Centre and in Hydebank Wood Young Offenders Centre.

Include Youth's policy advocacy work is informed by relevant international human rights and children's rights standards, is evidence based, including that provided by young people and practitioners and is based on high quality, critical analysis.

Reflecting the profile of the young people we work with, Include Youth's two main policy priority areas are employability and youth justice. We have engaged closely with the development by the Department for Employment and Learning of the recently published Pathways to Success Strategy as well as with the Department of Justice's reviews of youth justice and prisons as well as Reducing Offending and Faster, Fairer Justice initiatives

General Comments

Include Youth welcomes the opportunity to comment on this consultation. We have been engaged with this process from the outset and have made our concerns known with regards to the implementation of the Test Purchasing initiative, prior to its implementation on 1st November 2011. We continue to have significant concerns about children's rights and child protection issues with regards to this policy. We share the PSNI's concerns about the social problems that emanate from under age drinking and agree that more must be done to tackle the widespread availability and use of alcohol by young people. However, we do not believe that the problems pertaining to under age drinking will be solved by Alcohol Test Purchasing.

Since 2008 we have been involved in discussions about the implications of the Alcohol Test Purchasing initiative, through the PSNI's Youth Champion's group as well as correspondence with the PSNI. We also facilitated a number of consultations on the subject with young people from our Young Voices project in 2008. We welcomed the screening process and the subsequent consultation which was published in February 2010, but pointed out at that stage our disappointment that the implementation of the policy had proceeded in the absence of any formal public consultation in accordance with obligations under section 75 of the Northern Ireland Act 1998. We along with colleagues in the Children's Law Centre and NICCY, expressed our concerns about the continuation of implementation without a full EQIA having been conducted. We therefore welcomed suspension of the scheme in 2012 until an EQIA had been conducted.

While we welcome the current consultation, we do not regard the evidence provided as being adequate to draw conclusions on the potential adverse impact of the Alcohol Test Purchasing scheme. We remain convinced that the scheme has a huge potential for differential adverse impact on the grounds of age, as a result of the potential implications for child protection if the child is identified as working on behalf of the PSNI to gather evidence.

Specific Comments

We would like to inquire if this consultation document has been produced in an easy read version.

We acknowledge the overview of the Manual provided in the EQIA document and note the steps taken to address safety and welfare issues of the young people concerned, in particular the development of the accompanying guidance.

While we acknowledge that young people will not conduct test purchases in an area where they could be recognised, we are still concerned about the potential for them to be recognised regardless of the area where they carry the test purchase out. While offering some protection this is not a watertight guarantee that someone they know will not recognise them, even outside the area they live or go to school in.

Again the potential risks involved with police officers coming to the young persons home, even in an unmarked car and in plain clothes, are not adequately dealt with. In our opinion the risks remain.

Although participants will be instructed to avoid disclosing their involvement in test purchasing to others, there is no way this can be monitored or of guaranteeing non disclosure.

Despite the steps that have been taken to address safety and welfare issues and the inclusion of additional safeguards within the manual, we remain unconvinced that this scheme will not have the potential to place some children and young people in harm.

We have major concerns about the proposal to seek volunteers through Community Schools Involvement Officers and formal links with schools and youth groups. We do not regard schools as being an appropriate place to recruit test purchasing volunteers, or to in any way advertise the scheme.

Little attempt has been made to provide substantive new data to inform the full EQIA. The data used in the Consideration of Available Data section on page 11, is largely the same body of evidence that was utilised for the 2010 screening. The analysis of full, informative and descriptive data is central to conducting a high quality EQIA, and this section is extremely weak in that regard. While listing how Alcohol Test Purchasing operates in other jurisdictions is important in setting the context for the EQIA, it should not form the substantial aspect of the Available Data section. More relevant is the information regarding the feedback from the four TP pilot operations, which only makes up two paragraphs of the Available Data section.

While we welcome the information on the four TP pilot operations, we would sound a note of caution about drawing conclusions about the overall potential impact of the scheme on the basis of two young people's feedback. **This does not provide sufficient evidence on which to make a conclusion that there is no significant adverse effect.** It is deeply worrying that no effort has been made to enhance the available data, with for example, further consultations with children and young people and community representatives. We would have expected further and more recent consultations to have been carried out with children and young people and community groups, where the potential risks outlined by various children rights organisations would have been teased out and explored. The data provided does not adequately draw out the potential risks involved to young people who become involved in this process.

We would question overemphasizing the positive benefits to young people of taking part in the scheme, such as raising awareness of police duties and procedures and offering a personal sense of civic responsibility. While not taking away from the benefits described by two young people, we would question the appropriateness of suggesting that taking part in TP could have these general outcomes.

We would challenge the statement within the document that 'a far more adverse impact is likely to be felt by young people if the TP procedures are not introduced' or that failing to adopt best practice TP procedures could result in the PSNI being accused of 'discrimination on the grounds of age and race/ethnic origin'. This is completely overstating the impact of TP, which should be seen as one element within a vast array of measures to address underage drinking. We believe that PSNI's involvement in the delivery of the Young People's Drinking Action Plan, published by DHSSPS in 2009 is likely to have much greater impact on this issue.

Conclusions

We remain very concerned about the safety of young people and for the potential for them to be identified within their community. The document does not address the specific and unique context in which policing operates in NI and how that can impact on the potential risks to young people who become involved in this scheme. We believe that the potential risks outweigh the potential benefits of the scheme, and that it is beholden on the PSNI to find other means to tackle this issue which does not put young people at risk. Include Youth does not believe Test Purchasing is in the best interests of children and young people.