

BOROUGH / PROJECT :

CROYDON

Croydon Council

– Partnership approach to preventing the supply of knives to young people by retail outlets

PROBLEM:

Serious youth violence: increase in knife crime; concerns regarding origin and accessibility of bladed articles from a variety of retail outlets by minors.



SOLUTION:

A partnership approach, working with police and retailers combining the sharing of appropriate intelligence; offering free of charge, accessible business education, a pledge by businesses to retail responsibly and appropriately and a consistent approach to enforcement of legislation relating to the supply of knives to young people by relevant enforcement agencies.

BACKGROUND:

Serious youth violence in London is well documented. In the year ending March 2018, there were around 40,100 offences involving a knife or sharp instrument in England and Wales. There were 21,044 disposals given for possession of a knife or offensive weapon. Juveniles (aged 10-17) were the offenders in 21% of cases. (Source: House of Commons briefing paper SN4304 9 November 2018)

London recorded the highest rate of 168 offences involving a knife per 100,000 population in 2017/18, an increase of 26 offences per 100,000 population from 2016/17.

BACKGROUND:

Croydon is currently seeing a 21.3% reduction in serious youth violence compared to a London drop of 4.3% and has dropped from third to fifth highest ranking borough by volume. Knife crime in particular in Croydon has dropped by 17.2% compared to a 0.7% rise across London.

The Safer Croydon Partnership produce a Community Safety Strategy every three years in which youth crime has consistently been identified as a priority.

MOPAC identified the Croydon knife crime strategy as an example of good practice and the Mayor of London's Knife Crime Strategy highlights in particular the work carried out by Croydon Trading standards in relation to the provision of free of charge business education:

https://www.london.gov.uk/sites/default/files/mopac_knife_crime_strategy_june_2017.pdf

Local authority Trading Standards teams work to protect consumers and support legitimate business. Their functions include enforcing fair trading laws, combatting illegal trading, monitoring product safety and preventing and investigating the sale of age restricted products to young people. Age restricted products include alcohol, tobacco, fireworks and knives.

It is a criminal offence under s141a of the Criminal Justice Act 1988, as amended, to sell a knife, knife blade, razor blade, axe or other article with a blade or sharp point made or adapted for use for causing injury to the person to someone under the age of 18. Both Trading standards and police can enforce the provisions of this section.

WHAT STRANDS DOES THE APPROACH ENCOMPASS?

Intelligence gathering:

In reality very little intelligence exists to identify where the majority of knives are sourced. We know that many are taken from the domestic environment – the kitchen drawer or the toolbox. We also know, from crime reports and from data collected following knife sweeps that some knives are relatively new or indeed brand new – purpose bought for combat or for self defence. It is towards this area of supply that our efforts are targeted.

We make regular appeals to the police and to the public for information concerning the sources of knives. We request from schools and teams working within the community information or even anecdotal evidence of supply. Police supply limited data collated from knife sweeps, from scenes of crime, and from warrant executions.

Partnership with police:

Both Trading standards and Police are able to enforce the provisions of the Criminal Justice Act relating to the sale of knives to young people. It was essential to agree at an early stage that any enforcement that took place by either agency in relation to under age sales was consistent, communicated and was by consensus. In Croydon, Trading standards lead on all planned test purchase operations, to ensure no duplication of work and that the same approach is adopted for each sale.

Business engagement:

Training: All small and medium sized retailers of age restricted products in the Borough are offered the opportunity to attend free of charge, accredited training on the law and the steps are available to them to avoid making sales to young people. The training course was devised by the Chartered Institute of Trading Standards, with Croydon Trading Standards officers being accredited trainers, enabling them to deliver education and advice to retailers direct in a classroom style environment.

Croydon offers eight training sessions per year; retailers are visited by a Trading standards officer in advance of the sessions, and offered an invitation to attend.

Responsible retailer agreement: In addition to free training opportunities, all retailers of blades were invited to sign up to a responsible retailer agreement concerning the sale and appropriate display of knives – a ‘knife charter’. The voluntary agreement reflected much of the voluntary agreement that some of the larger, national retailers have signed up to with the Home Office: <https://www.gov.uk/government/publications/sale-of-knives-voluntary-agreement-by-retailers/sale-of-knives-voluntary-agreement-by-retailers>

We saw a local agreement as being an opportunity for small independent retailers to pledge their commitment to this cause, to agree to the safe and suitable display of bladed articles, to ensure shoplifting of bladed articles was kept to a minimum, to display signage, to commit to regular staff training and to carry out appropriate age verification at the point of sale.

Online testing

As part of a National Trading Standards, Home Office funded project, Croydon Trading Standards were tasked to undertake a series of test purchases from online retailers based within the UK.

Between 1 November 2018 and the end of March 2019 100 UK based online retailers were tested. A person under the age of 18 under controlled conditions, test purchased knives using an assumed name with delivery being made to an address within the borough. The young person used a pre paid gift card, available to anyone of any age to buy from a range of high street shops. Whilst the purchaser proffered a date of birth commensurate with that of an 18 year old if the transaction would not proceed without such an entry being made, no fake identification documents were shown, and no interaction between the child test purchaser and the retailer was made in terms of engaging by telephone or email. In other words, if a retailer attempted to make contact with the purchaser to carry out proof of age checks, the purchaser did not engage with the retailer. Some sites did not require a date of birth to be entered.

Current figures indicate that around 40% of attempts have resulted in knives being delivered. Investigations continue in to the offences committed.

It should be noted that as a national project, retailers from anywhere within England and Wales were tested rather than Croydon based stores (as in the usual ‘bricks and mortar’ type testing).

Enforcement in shops

Regular test purchase operations using young people in controlled conditions are carried out at shops throughout the borough. A retailer who may have refused to engage, and or who consistently fails to attend training, or about whom complaints have been received will be prioritised for test purchasing activity. However, it is agreed that all retailers are within scope and that it is, given the issues, appropriate and proportionate to test stores borough wide. In advance of any test purchase, a retailer will be given advance notice of a proposed test purchasing exercise in writing. The notice advises that testing will take place in that area at some point within the next 90 days and that the retailer should presume that they will be tested.

CHALLENGES FACED:

Challenges to gathering of intelligence:

- A lack of viable intelligence relating to the sources of weapons used is problematic. An argument exists that children do not go to shops to buy their knives, and wider evidence shows that some knives and blades are purchased online. We adopt a pragmatic approach and agree to engage with business in order to try and reduce even the small chance that knives purchased in the borough could contribute to crime rates. We acknowledge that test purchasing from borough based retailers alone will not solve the issue of knives being accessed by young people – but are committed to reducing that access.
- A further challenge includes the lack of complaints or referrals about under age sales to the Trading standards team. Complaint levels concerning all age restricted items are generally low compared to other

matters dealt with by Trading standards but for knives we find they are particularly low. Members of the public report inappropriate or easily accessible displays, but reports of supplies to persons under 18 are few.

Challenges faced when working in partnership with police:

- Different reporting lines from with the police occasionally override existing agreed policy leading to conflicting actions or decisions.
- Time lines set within the Trading standards team do not necessarily align with national operational deadlines for police.
- Sharing of information and intelligence is at times slow; requests have to be repeated widespread and often.

Challenges faced during business engagement:

- The trader training course is costly – Croydon pay an annual licence fee in order to roll out the training and the impact on staffing resources when face to face invitations are being made to businesses is significant though worthwhile
- The roll out of the responsible retailer agreement impacted on team resources. One major issue is the lack of information surrounding the whereabouts of knife retailers. There currently exists no form of registration or licensing of such retailers – and as such a local authority will have no up to date record of exactly where any or all are based. As such targeting for advice, education and enforcement can only take place of those that we know about.
- The responsible retailer agreement has no enforcement capability – if a retailer chooses to display their knives in a careless manner – perhaps near the door on open access, or in a way in which shoplifters could easily steal them – there is in reality nothing that can be done other than to rely on the better nature of that retailer.

Operational challenges:

- In order to carry out test purchasing activity which complies with the Better Regulation Delivery Office (Now BEIS) Code of Practice, a team should consist of a young person and three members of staff – two to deal with any sale and one to act as guardian of the young person in their care. This in itself will cause problems for teams with small numbers of staff.
- Suitable volunteer test purchasers are often difficult to recruit. Parents must fully support this initiative and understand the situation that their child will be in during an operation. Both parent and child need to be aware and agree with the fact that there may be a chance that the child will be called to give evidence at Court if required. Not all boroughs adhere to this principle – Croydon does and volunteers have given evidence as part of the criminal prosecution case.
- Prosecutions are costly. On occasion the cost of a prosecution to the enforcing authority will far outweigh the fines awarded to a defendant in these cases.
- There exist no sentencing guidelines and across London penalties at court vary significantly. The option of ‘on the spot’ fines – similar to Fixed Penalty Notices for certain types of littering offences etc does not exist.

RESULTS:

Since April 2018:

- **8 free of charge trader training sessions to all retailers of age restricted products.**
- **77 retailers have attended**
- **107 attempted test purchases have been carried out**
- **5 sales were made to a person under 18**

Croydon is currently seeing a 21.3% reduction in serious youth violence compared to a London drop of 4.3% and has dropped to the 17th highest rate in London with 3.5 offences per 1,000 young people. Knife crime in particular in Croydon has dropped by 17.2% compared to a 0.7% rise across London.

RECOMMENDATIONS:

- Senior officer and Member approval and commitment is vital, together with acknowledgement that this is a resource intensive but essential priority for Borough which obviously means that other workstreams within an overburdened and under resourced service will inevitably become lower priority.
- Commitment to an agreed test purchasing and enforcement policy are similarly essential. Where the evidence is clear that a retailer has either deliberately or neglectfully allowed a sale to take place then a zero tolerance approach to sales is a must. This not only acts as a punishment for an irresponsible retailer but should act as a deterrent for others too.
- Regular and sustained training and enforcement – given turnover of staff in many small stores any training needs to be available on a regular basis.
- Robust testing of learning and enforcement combine to keep offending rates in relation to the sale of knives to minors from stores in Croydon low and awareness of the requirements of the law high.
- In relation to online sales, results are still being processed at the time of writing. However, the following should be noted:
 - Offending rates are much higher for online sales than face to face sales (using Croydon based stores as a comparison with retailers nationwide)
 - Some online retailers still have little or no knowledge or awareness of the law relating to the supply of knives to young people
 - The online test purchasing project only targeted retailers based within England and Wales. No attempts were made from foreign based suppliers; it is anticipated that failure rates would be much higher if non UK based retailers were tested.

Contact: Trish Burls, Trading Standards Manager London Borough of Croydon

Email: trish.burls@croydon.gov.uk

Telephone: 020 8407 1309