

Regeneration, Culture and Environment Overview and Scrutiny Committee

BRIEFING NOTE – 08/19

Date: 24 May 2019

Briefing paper to: All Members of the Regeneration, Culture and Environment
Overview & Scrutiny Committee

Purpose: To provide and update on Corrosive Substances

Introduction

Members of the Regeneration, Culture and Environment Overview & Scrutiny Committee requested an update on the law surrounding the sale of corrosive substances and the activities that the Council's Trading Standards service have undertaken to introduce a Voluntary Challenge 25 regime at local retailers.

Response

The Trading Standards team has conducted an educational campaign with local retailers encouraging them to adopt a voluntary check to ensure that dangerous corrosive substances are not sold to persons under the age of 18. This guidance recommended the use of the industry standard policy for controlling age-restricted products - *Challenge 25*, which suggests retailers check the age of anyone thought to be under the age of 25. The guidance material has been supplied to 625 local retailers. Both the Council's Environmental Health Food and Licensing teams have supported this campaign.

Without exception, all the retailers visited supported the initiative and provisionally stated they would actively check the age of those buying these potentially dangerous products.

The Trading Standards team will work with the Communications Team to promote the adoption of self-regulation in sale of Corrosive Substances by local businesses but will also continue to robustly request legislation creating criminal offences for the of such products to under 18's.

Running concurrently with our local voluntary initiative the Home Office have been actively trying to control/legislate the sale and availability of corrosive products.

- The Offensive Weapons Bill 2018 is progressing through Parliament and will create a new criminal offence of selling (both online and offline) a corrosive product to a person under the age of 18. The substances and concentration levels

of what constitutes a corrosive product are set out in the bill, a link to this document is available at:

<https://www.gov.uk/government/publications/offensive-weapons-bill-2018-overarching-documents>

- During the interim period, the Government has published a Policy paper entitled: *Responsible sales of acid and corrosive substances: voluntary commitments*. This paper included a commitment for national retailers to agree not to sell products to persons under the age of 18 that contain potentially harmful levels of acid or corrosive substances, a link to this document is available at:

<https://www.gov.uk/government/publications/sales-of-acid-voluntary-commitments-for-retailers/responsible-sales-of-acid-and-corrosive-substances-voluntary-commitments>

- The Government have also clarified the sentencing guidelines on offensive weapons to better encompass the criminality associated with these products, a link to this document is available at:

[https://www.sentencingcouncil.org.uk/wp-content/uploads/Bladed-Article-Definitive-guideline WEB.pdf](https://www.sentencingcouncil.org.uk/wp-content/uploads/Bladed-Article-Definitive-guideline_WEB.pdf)

The situation around these products remains fluid and pending the introduction of the Offensive Weapons Bill 2018 the Trading Standards team will continue to encourage local retailers to adopt and implement a Challenge 25 policy in relation to the sale of corrosive substances.

After enactment, if assigned a duty to enforce the legislation, the Trading Standards team will implement the legislation in line with the Corporate Enforcement Policy and the national *Code of Practice for Age Restricted Products and Services*.

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