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# Serious crime, that in most cases remains unpunished

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## Summary

Alcohol abuse in children and adolescents reached alarming proportions in the Czech Republic and poses a serious risk to their development, health and future career. In the age group of 13–15 years, more than 75 thousand children drank alcoholic beverages once a week or more often. This number contrasts with the low number of persons prosecuted under § 204 of the Penal Code for furnishing alcoholic beverages to minors. According to police statistics of 2012, only 101 of such cases were investigated.

## Introduction

As for alcohol consumption, Czech children are one of the most vulnerable in comparison to the rest of the world. There are several reasons that include low price of alcohol and inadequate and poorly enforced legislation. Selling, providing or supplying alcohol to a minor is punishable under Act No. 379/2005 Coll. In addition, legal recourse can be taken in accordance with the Penal Code. According to § 204 (Furnishing Alcohol to a Minor), “Repeat offenses (selling, providing or supplying alcohol to a child in a larger amount) are punishable with imprisonment up to one year.”

We were interested in the ratio of the number of children and adolescents who drink alcohol repeatedly, and the number of prosecutions of perpetrators who committed this serious criminal offence.

## Results

In Table 1, the occurrence of regular drinking in school-aged children and adolescents is presented. Data are based on the Czech section of the international HBSC study – Youth and Health (Kalman et al., 2011). Regular drinking was considered drinking any kind of alcoholic beverage once a week or more often. The first 3 columns of the table contain the percentage occurrence of regular drinkers (as specified before). From the data, it is clear that every 6<sup>th</sup> 13-year-old respondent admits regular drinking of alcoholic beverages. In the group of 15-year-old respondents, regular drinking admitted every 3<sup>rd</sup> respondent. In the last column, the conversion to the 13-15-year-old age group is presented. Data in this column show that regular drinking has become part of the lives of thousands of school-aged children.

Table 1. Alcoholic beverages among school-aged children (drunk at least once a week or more often). Conversion to a population group of 13-15-year-olds.

	13 years (N=1456) [% , confidence interval]	15 years (N=1522)	Age group 13+15 years (N=2978) [% , confidence interval]	Conversion to a population group of 13 to 15 years (N=287 560)
Boys	18,2 (15,4-21,4)	42,2 (38,6-45,8)	30,9 (28,5-33,4)	45 596
Girls	14,0 (11,8-16,4)	30,8 (27,6-34,2)	22,3 (20,3-24,5)	31 220
Total	15,9 (14,1-17,9)	36,4 (34,0-38,9)	26,4 (24,8-28,0)	75 916

Source: HBSC study, 2010

Table 2. Cases in accordance with § 218 of the Penal Code (Serving Alcoholic Beverages to the Minors; the entire Czech Republic; data were provided by the Czech Police Presidium in September 2013).

Year	Number of investigated cases	Number of cases made clear
2008	52	42
2009	52	44
2010	68	53
2011	71	57
2012	101	79
1-8/2013	80	50

## Discussion

Providing alcoholic beverages to children and adolescents entails some specific risks:

- Alcohol poisoning occurs after relatively low doses. The reason is a lower weight, lower tolerance and slower alcohol metabolism. According to a Polish study, half of the poisonings among children admitted to hospitals was due to alcohol (Pawlowicz et al., 2013).
- Faster addiction development. Simply put, the earlier a child or adolescent begins abusing alcohol, the faster the addiction can develop (e.g. Lee et al., 2011).



- Increased predisposition to other drugs. Teens who abuse alcohol are more in danger concerning illegal drug abuse (Nešpor and Csémy, 2002).
- Alcohol significantly increases the risk of suicidal behavior (De Munck et al., 2009).
- Relation to violence and crime. In a longitudinal study, Green et al. (2011) found out that alcohol abuse in adolescence increases the risk of violent behavior in adult age.
- There is also a connection to risky sexual behavior, prostitution, unwanted pregnancy and sexually transmitted diseases (Nešpor and Scheansová, 2010 – overview).
- Injuries, accidents and car accidents. Injuries and poisonings are the leading causes of death of people aged 34 years and younger. Adolescents who reported drunkenness twice or more often also reported having twice as many injuries that required medical attention (Nešpor, et al., 2001).
- Damage to developing network of brain cells, poorer grades at school, poorer behavior and bad opportunities in future career. This applies to almost a quarter of Czech adolescents aged 16 years (Csémy and Nešpor, 2013).

## How to prevent the problems resulting from alcohol abuse in children and adolescents effectively?

- **Reduce the alcohol availability to children and adolescents.** This can be achieved by tightening existing laws and especially by consistency in law enforcement. Selling, providing or supplying alcohol to a minor is punishable under Act No. 379/2005 Coll. According to § 24, a financial penalty in the amount of CZK 50,000 to CZK 500,000 can be imposed. In addition, the business manager can be charged with an injunction preventing the manager carrying out his business up to 2 years. Ambiguous formulation contained in § 204 (Furnishing Alcohol to a Minor) of the Penal Code does not make the criminal proceedings for the authorities any easier. We can discuss at what age a child becomes an adult. In the terms of the Act on Social and Legal Protection of Children (No. 359/1999 Coll.), a child (or a minor) is a person under 18 years of age. Ambiguous is also the definition of “greater degree” and how many times must be alcohol sold or provided to a minor to fulfill the definition of “repeated”. There is no uniform Register of Misdemeanors (2013) although the authorities have been discussing repeatedly the possibility of establishing it. This situation makes it difficult to evidence the repeated selling, providing or supplying alcohol to minors.
- **Increase the excise tax on alcoholic beverages.** In the Czech Republic, the prices of beer and boxed wine are often lower than regular soft drinks. Children and adolescents usually have less money than adults. The reaction of adolescents to a price growth is thus more distinct. In this context, the term “price bonded with procurement” which is a combination of the amount of money to be given for alcohol plus the effort needed to purchase alcohol. The higher the price connected with the procurement, the better the situation in terms of prevention.
- **Restrict or eliminate alcohol advertising.** Advertising of alcoholic beverages is often targeted at adolescents. These advertisements link alcoholic beverages with football or with certain music. This increases the risk of alcohol abuse (e. g. Morgenstern et al., 2011).
- **Prevention in the family.** This includes the fervour, plenty of time spent with the child, adequate supervision, clearly delineate and consistently enforced rules and unavailability or inaccessibility of alcohol to children and adolescents in the home environment – alcohol should not be visible (Van den Eijnden et al., 2011; for review see Nešpor and Csémy, 2013).
- **Prevention in the school environment.** The most active programs are considered interactive programs involving social skills training, stress management, decision making, etc. (e. g. Teesson et al., 2012; Foxcroft and Tsertsvadz, 2011).

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## Conclusion

In the Czech Republic, the laws concerning alcohol are being massively violated. The reasons for this situation include, among other things, low price of alcohol and insufficient and poorly enforced law. With regard to non-existent Register of Misdemeanors, it is difficult to prove repeated selling or providing alcohol to minors. We believe that repeated (i. e. dual or multiple) alcohol administration should be a reason for permanent deprivation of the right to sell alcoholic beverages.”

## Literature

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[www.drnespor.eu](http://www.drnespor.eu)

[www.youtube.com/drnespor](http://www.youtube.com/drnespor)

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