

80202856

## Proposed Protection of Workers (Retail and Age-Restricted Sales etc.) (Scotland) Bill

### Page 2: About you

Are you responding as an individual or on behalf of an organisation?

on behalf of an organisation

Which of the following best describes you? (If you are a professional or academic, but not in a subject relevant to the consultation, please choose "Member of the public".)

*No Response*

Please select the category which best describes your organisation

Third sector (charitable, campaigning, social enterprise, voluntary, non-profit)

Please choose one of the following:

I am content for this response to be attributed to me or my organisation

Please insert your name or the name of your organisation. If you choose the first option above, this should be the name as you wish it to be published. If you choose the second or third option, a name is still required, but it will not be published.

ASH Scotland

### Page 7: Your views on the proposal - Aim and approach

Q1. Which of the following expresses your view of creating a new offence of assault against a worker in the retail sector?

Fully supportive

**Please explain the reasons for your response**

ASH Scotland's vision is of a healthier Scotland, free from the harm and inequality caused by tobacco. As the independent Scottish charity taking action to reduce the harm caused by tobacco, we seek to improve health and quality of life by helping to create a society which supports young people in remaining tobacco-free, helps those who want to stop smoking, protects people from second-hand smoke and challenges the

Q1. Which of the following expresses your view of creating a new offence of assault against a worker in the retail sector?

inequalities resulting from tobacco use. Age restrictions for the sale of tobacco are part of wider set of tobacco control measures in Scotland, and play an important part in preventing youth uptake of smoking . A 2011 study\* found that raising the age of sale for tobacco from 16 to 18 in England "was associated with a significant reduction in regular smoking among youth." Having called for age restrictions, and for the robust enforcement of these restrictions, we are supportive of proposals which would protect the workers who have to deliver these measures on the ground. Workers should feel empowered in enforcing, at the point of sale, legislation which protects future generations from the single biggest cause of avoidable ill-health in Scotland. \*Millet, C. et al. Increasing the age for the legal purchase of tobacco in England: impacts on socio-economic disparities in youth smoking. Thorax, October 2011, available from: <https://www.ncbi.nlm.nih.gov/pubmed/21502102>

Q2. Which of the following would you support as a way to respond to assaults on workers upholding statutory age-restrictions?

Either

**Please explain the reasons for your response**

ASH Scotland in principle supports the proposal to protect, from assault, workers in the retail sector who are selling tobacco, an age-restricted product. The persuasive point is made, within the consultation document, that the creation of new statutory offence may be 'clearer' to the general public than a statutory aggravation relating to existing law, but this detail is not something that ASH Scotland has taken a position on at this time.

Q3. Which of the following would you support as a way to respond to abuse, harassment, threatening or obstruction of workers upholding statutory age-restrictions?

Either

**Please explain the reasons for your response**

ASH Scotland in principle supports the proposal to protect, from verbal abuse or obstruction, workers in the retail sector who are selling tobacco, an age-restricted product. We do not have a view regarding the method by which this protection would best be implemented.

Q4. Do you think that there are other steps which could be taken (either instead of, or in addition to, legislation) to achieve the aims of the proposal?

No

**Please explain the reasons for your response.**

n/a

Q5. Taking account of both costs and potential savings, what financial impact would you expect the proposed Bill to have on:

	Significant increase in cost	Some increase in cost	Broadly cost neutral	Some reduction in cost	Significant reduction in cost	Unsure
(a) Government and the public sector		X				
(b) Businesses			X			
(c) Individuals			X			

Q6. Are there ways in which the Bill could achieve its aim more cost-effectively (e.g. by reducing costs or increasing savings)?

No

## Page 13: Equalities

Q7. What overall impact is the proposed Bill likely to have on equality, taking account of the following protected groups (under the Equality Act 2010): race, disability, sex, gender re-assignment, age, religion and belief, sexual orientation, marriage and civil partnership, pregnancy and maternity?

Positive

**Please explain the reasons for your response.**

Given a higher percentage of retail workers are women than men, this would increase their protection in a working environment when they are ensuring the upholding of the law with regard to age-restricted products, and disproportionately exposed to the issue of verbal and non-verbal violence noted in the consultation paper.

Q8. In what ways could any negative impact of the proposed Bill on equality be minimised or avoided?

n/a

## Page 15: Sustainability

Q9. Do you consider that the proposed Bill can be delivered sustainably i.e. without having likely future disproportionate economic, social and/or environmental impacts?

Yes

## Page 16: General

Q10. Do you have any other comments or suggestions on the proposal, for example, other trigger points for violence and abuse, and other workers who should be covered?

n/a

## Page 17: Personal Experience - Optional questions

Q11. Which of the following describes your retail-sector experience (please tick all that apply)?

*No Response*

Q12. Which of the following describes your experience of violence or verbal abuse in the retail sector (please tick all that apply)?

*No Response*

Q13. Please give details of any personal experience that you would wish to share. (Please avoid naming any other person or giving information that would allow another person to be identified)

*No Response*