

80209806

## 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?

an individual

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".)

Politician (MSP/MP/peer/MEP/Councillor)

Please select the category which best describes your organisation

*No Response*

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 If you choose the second or third option, a name is still required, but it will not be published.

Jenny Marra MSP

### 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**

Those working in public facing jobs such as retail are particularly at risk of violent and abusive behaviours in the workplace. That abuse overwhelmingly comes from customers being refused sale or being asked for proof of age. With recent surveys suggesting that this problem is getting worse rather than better, there is a real need to ensure that people in these posts – at threat as a result of upholding the law themselves -

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

are given every protection possible. Everyone deserves a safe working environment and the right to earn a living free from fear.

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

A new statutory offence

**Please explain the reasons for your response**

A new statutory offense should be created to protect retail workers. The trigger point for violent incidents is often the worker acting, in good faith, to follow the law. Those who are placed at risk in such cases, should be protected from violent behaviour by new legislation. 'Aggravated assault' charges should continue to cover more serious assaults involving weapons or severe injury.

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?

A new statutory offence (for all these types of behaviour)

**Please explain the reasons for your response**

A new statutory offence should be created to protect retail workers in all such instances of behaviour. As previously, we know that the 'cause' of such incidents can be workers simply following the law and they should be offered additional protection from abuse and harassment.

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.**

Greater cooperation between retailers and police, modelled on work being done to protect NHS workers in England would be welcome but, given the huge number of retailers, including a large number of small businesses would be extremely difficult to roll out to a great enough degree to offer the level of protection that this bill does.

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			

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

The enforcement of new offences, specifically related to retail workers, will likely come with some additional costs. However, as prosecuted individuals are likely to be facing prosecution anyway, these should be limited. I foresee no additional costs to business or individuals.

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?

Slightly positive

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

The scale of the retail and hospitality sectors mean that workers defy simple demographic characterisation. However we do know that women make up the bulk of workers and surveys have shown that ethnic minority shop workers report a far higher rate of violent and abusive (including racially charged comments) instances than white workers. As such, reducing violent and abusive behaviours will disproportionately benefit those workers.

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?

No

## Page 17: Personal Experience - Optional questions

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

Working in premises selling alcohol for consumption on the premises (e.g. pub)

Working in premises selling alcohol for consumption off the premises (e.g. shop)

Working in premises selling other age-restricted products (e.g. tobacco, knives etc.)

Working in other retail premises

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

None of the above

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)

None