

# 77686653 - Roddy Stuart

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

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".)

Member of the public

Please select the category which best describes your organisation

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 If you choose the second or third option, a name is still required, but it will not be published.

Roddy Stuart

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

Partially supportive

**Please explain the reasons for your response**

On one hand, clear need to combat growth in anti-social behaviours towards all people providing a public-facing service - not just in retail and associated trades . But, on the other, there is surely sufficient basic statutory and common law provision to challenge anyone who misbehaves. What we lack is enforcement; perhaps community

special police could be developed to confront this and huge numbers of other 'gateway' offences which selfishly affront others.

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

A new statutory aggravation

**Please explain the reasons for your response**

Enough legislation already in place; too much experience of hastily drafted and thoughtlessly targeted legislation (eg to do the wearing of the kilt in the 18th century or sectarian idiocy at football matches in the 21st century). But highlighting as an aggravating factor would send out an equal message that "we're no' havin' it".

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 aggravation for threatening or abusive behaviour or harassment; and a new statutory offence of obstructing a worker upholding an age-restriction.

**Please explain the reasons for your response**

As before

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?

Yes

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

More determined enforcement of existing powers to protect people in the execution of their working lives; eg give community councils powers to arrest and prosecute persistent offenders - something far juicier to get involved with than signage in the parks (important though that also is)

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

**Q5.1. (a) Government and the public sector** - Broadly cost neutral

**Q5.2. (b) Businesses** - Some increase in cost

**Q5.3. (c) Individuals** - Broadly cost neutral

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

Businesses risk losing customers, not only through scaring off the miscreants but also through causing alarm among those who might witness anti-social activity. That already happens but, unfortunately, some people think that enforcing good behaviour is someone else's job and will avoid the risk of being pressed into being a witness at a formal hearing

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

Unsure

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

If there is an element of restitution to the shop as well as to the offended individual, perhaps as an alternative to a criminal record being handed out to someone who just momentarily 'loses it'

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 responses.**

Figures in the paper do not make clear any obvious discriminations in the growth of 'attacks'; but a majority of simple head counts in retail is female so perhaps there is an element of positive discrimination in favour of poorly paid females in the retail trades.

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

Make a fuss - send out a message - hope that this might be enough to deter and so reduce the need for it to be used

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

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

Only thing I can think is: why would it lead to a major upset? Provided the terms apply firmly to all enterprises, wherever headquartered and however small and however owned (no exceptions for family-run small shops or the Co-operative Group or employee co-operatives like John Lewis/Waitrose or those with ownership in the British Virgin Islands), what would be the point of anyone wasting public money by bringing a lawsuit for 'wrongful' imposition?

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?

*Ensure that evidence can be admitted which is not dependent on 2 witnesses, eg shop worker plus security camera*

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)	No
Working in premises selling alcohol for consumption off the premises (e.g. shop)	No
Working in premises selling other age-restricted products (e.g. tobacco, knives etc.)	No
Working in other retail premises	No
None of the above	Yes

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

I have been the victim of physical violence	No
I have been the victim of verbal abuse	No
I have witnessed colleagues being subjected to physical violence	No
I have witnessed colleagues being subjected to verbal abuse	No
None of the above	Yes

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 personal experience worth a damn in retail, though some of bad behaviour in public services





