

77715172

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".)

Professional with experience in a relevant subject

Please select the category which best describes your organisation

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Please choose one of the following:

I would like this response to be anonymous (the response may be published, but no name)

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

Fully opposed

Please explain the reasons for your response

There is already the common law crime of assault, it would be far more simple to add on an aggravation of assaulting anyone who was at that time acting in the course of their employment.

It seems pointless creating a law for a crime that already exists.

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

The offence of assault is already there at common law, the underlying principle of Scots Law.

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

It's right that people should be protected at their work, but no new legislation is required. An aggravation may help.

But one would have to ask, why should any victim have their assault treated less seriously if they have the misfortune not to tick any diversity boxes?

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.

If repeat offenders within our communities were dealt with effectively by the courts (i.e. remove them from general society, instead of this presumption of liberty nonsense) then we could prevent many assaults (and many other crimes of violence and dishonesty) from even taking place in the first instance.

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 - Some increase in cost

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

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

Please explain the reasons for your responses.

Additional training for Police and Crown Office, wasted time of MSPs implementing needless legislation. Same for businesses.

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

No

Please explain the reasons for your responses.

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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?

Neutral (neither positive nor negative)

Please explain the reasons for your responses.

It won't make the slightest bit of difference, almost everyone except a white heterosexual is now a "protected characteristic."

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

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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?

Unsure

Please explain the reasons for your responses.

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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?

As it stands, often the first offence dropped at court are assaults against emergency service workers. Where convicted sentences are often paltry and laughable. It's an affront to people we should recognise and value.

People who assault emergency service workers should be made an example of 100% of the time via minimum custodial sentencing of 12 months.

If the courts can't even be bothered to stand up for those protecting society, why should they be invited to impose tougher sentences for assaults on general workers?

The main triggers for violence and abuse are alcohol and drugs, in that order. We need fundamental change in our relationship with alcohol to remove the binge culture, driven by government policy on pricing and health.

No workers at all should fear assault at their work - if this legislation is implemented it should cover ALL persons engaged in the course of their employment, except emergency service workers as legislation already exists in that respect.

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

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| Working in premises selling alcohol for consumption on the premises (e.g. pub) | Yes |
| 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 | Yes |
| None of the above | No |

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

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

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)

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