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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 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 supportive

Please explain the reasons for your response

Current laws creates unacceptable high levels of legal responsibility on workers who are in low-paid jobs without giving them the necessary support to carry out these legally-prescribed duties. Creating an offence for abusing those workers who are attempting to carry out their legally required duties would help foster an atmosphere where this sort of abuse is unacceptable and would help those workers feel secure in carrying out these duties. As it stands it can feel as though the law is acting against you in the course of carrying out these duties, for example, police using underage proxies to attempt to trick retail workers in to breaking the law.

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

Creating a full new statutory offence would increase the visibility of these changes, media are more likely to widely feature an entirely new statutory offence and people are then more likely to be aware of the offence and less likely to carry out the abusive actions the offence attempts to prevent.

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?

Neither

Please explain the reasons for your response

"Obstructing a worker" is a horribly broad term and I would like the new law to be far more specific than to use such language. Broad laws are often not very well enforced and leave the public with a bad taste in their mouths and it seems like a "catch all" situation. It would also leave the retail workers unsure as to what exactly would qualify as an offence.

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.

A public awareness campaign of the legal responsibilities that these retail workers face. I suspect that a large proportion of the country is unaware that the retail workers face personal criminal responsibility if they sell to people who are underage, if they were aware of this they would perhaps be more understanding of a worker's insistence on upholding these laws.

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 - Broadly cost neutral

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

Please explain the reasons for your responses.

I fail to see why it would make any difference in terms of costs? There could perhaps be a slight increase in costs to courts of prosecuting cases but I suspect the law would largely serve as a deterrent and that retailers would be unlikely to actually call the police and seek a prosecution.

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.

As stated previously, I am unsure as to why this would really have much of a cost at all?

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.

I would imagine it would have a slightly positive impact as those who work lower paid jobs are more likely to be from ethnic minority backgrounds so perhaps the instances of racial abuse may diminish but I find the question to be quite unrelated to the bi

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

I don't see any way this could have a negative impact on equality.

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.

The bill wouldn't have any negative economic, social and/or environmental impacts.

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?

Doormen from nightclubs should be covered also, as well as bar staff. While it is difficult for underage individuals to purchase alcohol from a supermarket, the nightclub industry does virtually nothing to deter underage drinkers from entering their establishments, perhaps a law protecting doormen would make them feel more comfortable in challenging people over their age?

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

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