

77667437 - James McNeill

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 If you choose the second or third option, a name is still required, but it will not be published.

James McNeill

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

No one in any workplace should be subject to any form of abuse or physical violence.

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

Common assault charge does not adequately protect workers in and the aggravation would reflect the severity of the offence and provide the courts with greater sentencing powers

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

Please refer to my previous response.

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.

Until people recognise that public facing workers are worthy of respect and protection I doubt anything will change and an aggravation to an assault charge would ensure that severity of the offence would make this clearer.

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 reduction in cost

Q5.3. (c) Individuals - Unsure

Please explain the reasons for your responses.

The cost of prosecution would not increase simply because of introducing an aggravation. Businesses would see a benefit in reduced offences and in sickness due to fewer sickness days lost to stress and physical assault.

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.

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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?

Unsure

Please explain the reasons for your responses.

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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?

Yes

Please explain the reasons for your responses.

Please refer to my previous response

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?

I believe that all workers delivering a public service should be free of the threat of intimidation and assault and that the Bill should be widened to cover all those whose work entails a public facing position.

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)

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