

# 77740736 - James Banner-Rall

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 If you choose the second or third option, a name is still required, but it will not be published.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

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**

This is long overdue. The Criminal Justice System in Scotland need to be overhauled dramatically. The Judges and the Sheriffs need to be retrained, when it comes to sentences.

The perpetrator is charged with the crime, goes in front of the Judge or the Sheriff. They give the offender a suspended sentence, and is told to do community service. In all honesty to God, what is that teaching the offender. They are taken to court, and within half an hour, they are walking free from the justice system. The punishment should be severe to the fullest extent of 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**

There should not be an age restriction. The law of the land should apply to all age groups. The offender learns from an early age, they can do certain crimes and they know that they can work the system.

they know that they can commit the crime, taken to court, given a suspended sentence and a community order. Sending them out to commit another crime, knowing that they can more or less get away with the crime. If they are caught early enough, they should be treated the same way as an adult. In the US, they are taken to court and sees what happens, then they are taken to prisons, where they meet the inmates. The inmates within the US prison service gives them the fright of their lives, in what will happen to them if the go to an adult prison. This will in theory scare them and make them think twice. But! falling short in traumatising them. Hoping that they will not commit the crime. As the saying says. "If you can't do the time. Don't do the crime".

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**

There should be penalties for all aspect of the crime. They show be made aware of their actions. There could be some sort of agenda, that should go through the same ordeal as the victim went through.

As I said, if you get them at a young age, they will soon learn.

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.**

There should be CCTV installed within the workplace, this can be used as evidence against the offender.

We have the "Do Gooders" banging their drums, about going against their human rights. What about the victims human rights, where they go to work

and get a decent wage at the end of the week. Feeling safe, that they can work away in a safe environment.

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** - Significant increase in cost

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

**Q5.3. (c) Individuals** - Significant increase in cost

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

The offender will continue to do the crime, knowing that they will only get a slap on the wrist, and a suspended sentences, will in effect telling them that they can get away with it. Every time they do crime, the costs will keep on rising. Police time, the courts time. Businesses keeping adding new security measures, plus the staff going on sick leave. Businesses losing money to pay their sick pay, and to pay for temporary staff to cover their shifts. Individuals losing their confidence in the workplace.

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

Yes

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

Everyone can reduce their costs. Making the offender paying for all the costs that is incurred by their actions. The businesses lost profits, the police cost

for the police officers times, then there is the court costs, all soon adds up. Every time they a

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.**

The employers do not seem to take a 100% interest in the Equality Act 2010, they seem to shrug off the matter as an inconvenience, because it is too much work for them.

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

If the employers feel that if they will taken to a tribunal for enforces the bill or any sort of act, they will soon think about saving money on compensation pay-outs.

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.**

If the bill has been delivered. Then the employers should be reminded about the costs and benefits to them.

If they feel that their profits can be saved and improved, they must be continually reminded of their duties.

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?

*Managers should be seen taking more active roles within their organisations, instead of the employee taking the sole responsibility, managers should be there taking the bull by the horns. Having CCTV on display, so that will give the offender food for thought. Any recorded actions will be used in the courts.*

*Having security guards present at all times. These could be retired police officers or ex military personnel who may be trained in detention techniques.*

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	No

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	Yes
I have witnessed colleagues being subjected to physical violence	No
I have witnessed colleagues being subjected to verbal abuse	No

None of the above	No
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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)

Working within the NHS. After coming out as gay. I was called a poof, queer, queen shirt lifter and so on. As a union rep. I took this further. And

successfully had a Homophobia Policy rolled out through NHS Greater Glasgow & Clyde Health Board. Everyone else that was covered under the Equalities Act 2010, ask for the same thing, and got their policies rolled out. The first health board within the UK to do so. Heard that other health boards looked at this, suppose to have liked it, that they were going to roll out this idea within their regions.

The amount of claims for compensations dropped against the board.





