

80101127

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

Page 2: About you

Are you responding as an individual or on behalf of an organisation?

on behalf of an organisation

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".)

No Response

Please select the category which best describes your organisation

Commercial organisation (company, business)

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 If you choose the second or third option, a name is still required, but it will not be published.

Scottish & Midland Cooperative Society

Page 7: Your views on the proposal - Aim and approach

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

The modern retail sector faces many challenges one of which is the increase in violent incidents directed at our frontline colleagues. Scotmid is committed to the enforcement of legislation in relation to age restricted products and provides our store colleagues with training and tools in order to achieve this effectively. In some occasions however this enforcement can lead to confrontation and violence towards

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

our colleagues which is totally unacceptable. It is hoped the introduction of such a bill offers a level of protection by making individuals think twice before abusing retail staff who are only carrying out there legal and moral obligations.

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

Either

Please explain the reasons for your response

A new statutory offence will affirm the governments support and commitment to the protection of shop workers in the same way it supports the protection of emergency services workers. Anything less than a new statutory offence may not be enough to impact the behaviours of potential perpetrators.

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?

Either

Please explain the reasons for your response

Given the legal obligations placed on shop workers to ensure that they enforce legislation and the potential penalties involved if they don't, it is only fair that a new statutory offence is brought in to protect them from people who attempt to obstruct them for the purpose of avoiding enforcement thus placing the shop worker at risk of prosecution themselves. While statutory aggravation would give some protection our view would be that it would not give the necessary protection required.

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.

It is fair to say that current legislation and measures are not impacting on this issue. We draw this conclusion based around the fact that such incidents against shop workers is on in increase across all sectors of retail regardless of geographic boundaries. Only new legislation can confirm the government's commitment and change culture and behaviours effectively and quickly. Comparisons can be taken from the introduction of offences around road traffic issue, litter and anti-social behaviour. This proves that cultures and behaviours can be changed by the introduction of comprehensive legislation.

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

	Significant increase in cost	Some increase in cost	Broadly cost neutral	Some reduction in cost	Significant reduction in cost	Unsure
(a) Government and the public sector				X		
(b) Businesses				X		
(c) Individuals			X			

Please explain the reasons for your responses.

Both Government and the public sector should see a reduction in costs or an increase in head room due to the potential reduction in incidents. From a business perspective it is proven that staff are more likely to take time off work due to violence related incidents, this coupled with an increase in staff engagement should bring cost benefits.

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 response.

The overall cost to society is not accurately known. The predominant driver behind the bill should be the protection of shop workers.

Page 13: Equalities

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?

Positive

Please explain the reasons for your response.

In some cases the violence experienced can be directed at protective characteristics as listed above.

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

There should not be any negative impact if all eventualities are discussed and thought through before bringing in any changes.

Page 15: Sustainability

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 response.

A correlation can be drawn with the Emergency Services Workers Act which is proven to have sustainability underpinned by public awareness through regular reporting. Such legislation has proven social and cultural benefits that can be sustained through a public willingness to protect people from violence and abuse.

Page 16: General

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?

The main option put forward is around creating a new offence of assaulting a shop worker for any reason. There are many trigger points and our business statistics demonstrate that theft, age restricted sales and anti social behaviour are the main causes. There are other elements including public intoxication and racial aggravation. There are other sectors of retail such as bookmakers and on trade licenced premises who all have legal obligation to fulfil in respect of age restricted transactions which have the potential to result in violence or abuse.

Page 17: Personal Experience - Optional questions

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

Working in premises selling alcohol for consumption off the premises (e.g. shop)

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

Working in other retail premises

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

I have been the victim of verbal abuse

I have witnessed colleagues being subjected to physical violence

I have witnessed colleagues being subjected to verbal abuse

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)

While our year on year statistics show that incidents of physical violence have stabilised there is a worrying increase in the number of incidents in respect of abuse and threats of violence. We have a concern that there is a very fine line between the threat of violence and actual physical violence.