

80060191

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?

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".)

Politician (MSP/MP/peer/MEP/Councillor)

Please select the category which best describes your organisation

No Response

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 If you choose the second or third option, a name is still required, but it will not be published.

Elaine Smith MSP

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

Violence against retail workers has been ignored for too long. This action is a very positive and proactive step towards ensuring real protection is in place for these workers.

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

This needs to be radical action. A new statutory offence would ensure that any negative or threatening interference with a retail worker, who is only carrying out their legal duties, is an offence before it gets out of hand.

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

This will allow workers to feel more confident selling age-restricted goods, knowing that there will be legislation in place in the event of any misconduct and to act as a deterrent against any misconduct from taking place.

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 far greater focus on the responsibilities of the employer to provide a safe working environment for their staff. The increase in lone working has exposed more workers to risk, including in the retail and hospitality sector. Whilst supportive of the proposal for introduction of a statutory offence as in this Bill proposal, there should be also be consideration of the benefits of protection through third party harassment - a measure that was originally included in the Equality Act 2010, but which was removed by the Conservative Government when elected in 2010.

Page 11: Financial impact

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			

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

Please explain the reasons for your responses.

- The Government may see a slight increase in costs because they would be expected to cover any policing or justice system costs. - Businesses will see a reduction in their costs because they will not need to spend as much on non-fatal injuries and will see lower staff turnover. - The public will not see any real changes in costs as any costs for public awareness campaigns will be covered by the Government.

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

No

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.

Racist incidents often occur in shops and bars, particularly when a sale is refused. This proposal aims to tackle this as well as tackling the issue that sees women being more open to abuse or violence at work than a man.

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

Although abuse may affect some demographics more than others, it is important to focus on every area where there are records of workers being abused. Every town and every city sees abuse against retail workers and although it is more prominent in some areas than others, those areas that see lower levels of crime cannot just be ignored.

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.

Any cost implications would be covered by the government. Businesses and the public will be aware of changes and these changes will effectively protect these workers.

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?

No Response

Page 17: Personal Experience - Optional questions

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

None of the above

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

None of the above

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)

No Response