

80255271

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 If you choose the second or third option, a name is still required, but it will not be published.

Mark Griffin 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

As a proud member of Usdaw - a union committed to protecting and fighting for the rights of Scotland's shopworkers - I fully agree with Daniel's proposal. For too many people, violence and abuse at work has become just 'part of the job'. Our retail workers work long shifts, often at unsociable hours and are constantly at risk of assault when they are simply doing the job and upholding company policies and

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

licensing laws. Customers and the public may disagree with those policies and laws - which are designed to promote public health - but to respond with violence and abuse is unacceptable. Daniel & I were elected on manifesto which committed to "change the law to introduce tougher sentences for assaulting public facing workers" and I am pleased that this Bill will do that.

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

An offence to obstruct someone simply doing their job - making sure policies and laws are upheld - would be a useful tool for targeting violence against shop workers and others. It would be clear that violence is unacceptable. Daniel has set out how the offence would ensure that a worker who is the victim of violence would have the reassurance of that legal recourse because any interference with a shopworker carrying out their legal duty would be a crime. For workers, their employers and the police this would enable crystal-clear effective action to be taken at the earliest point. As a clear deterrent the new offence is long overdue. It would be an effective measure to reduce the violence which would improve the conditions of shopworkers, promoting cultural change and better awareness that shopworkers are just doing their job. Daniel has set out clearly that the new offences would sit alongside existing common law offences, and would be: clear and understandable to workers and customers, would help break the cycle of under-reporting, and promote better awareness.

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

For the same reasons highlighted in response to question 2, an offence would be most effective in responding to abuse, harassment, threatening or obstruction of workers upholding statutory age-restrictions.

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.

As a clear deterrent the new offence is long overdue. It would be an effective measure to reduce the violence which would improve the conditions of shopworkers, promoting cultural change and better awareness that shopworkers are just doing their job. However, there is still space for employers to work more closely with unions and workers in order to understand how they can protect their employees. Effectively training workers and management how better to respond to abusive or violent customers - including a member of staff's right to go to report a crime - is vital to promote safer working conditions. The Government can of course promote safer working condition and encourage this work, but that action must be met with new offences so that any crime can be prosecuted effectively.

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			

Please explain the reasons for your responses.

It is expected that the offences would lead to greater reporting and prosecution in at least the short and medium term.

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.

As highlighted by Daniel, there is a need for a clear deterrent and an effective measure to end the under-reporting in order to boost awareness of the risks shopworkers face, and their rights to take action should the worst happen.

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.

Daniel's Bill will promote the rights of shopworkers and improve their working conditions; they may have protected characteristics which makes them more vulnerable to abuse and violence.

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

No Response

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

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