

## ACS Public Bill Committee Submission: Police, Crime, Sentencing and Courts Bill

We welcome the introduction of the Police, Crime, Sentencing and Courts (PCSC) Bill and the role it can play in addressing crime and violence against local shops and shopworkers. ACS (the Association of Convenience Stores) represents 33,500 local shops across the UK, employing 412,000 colleagues, and these people and businesses are regularly victims of crime.

In 2020 crime cost convenience stores £142million, equivalent to a 5p crime tax on every transaction. However, the true impact of retail crime is on the people running and working in local shops. ACS research estimates there were over 40,000 incidents of violence in the sector in the last year. Our latest data shows that incidents continue to rise; 89% of colleagues experienced verbal abuse<sup>1</sup> and 21% of verbal abuse incidents are hate motivated<sup>2</sup>.

We have two key issues to raise for consideration of the Public Bill Committee:

- 1. Introduce in clause 2 tougher penalties for attacks on shopworkers using the same principles that extends tougher penalties for attacks on emergency workers.**  
Shopworkers are legally required to enforce age restrictions and Covid-secure measures when serving the public, often leaving them open to violence and abuse. Our members and colleagues wish to see similar legislation to that recently passed in Scottish parliament under the Protection of Workers (Retail and Age-restricted Goods and Services) (Scotland) Bill.
- 2. Ensure in clauses 77 to 85 that new approaches to diversionary and conditional cautions address repeat shop thieves, often motivated by addiction.** Intervening to tackle theft is the primary trigger for violence in convenience stores. We need clarity that diversionary and conditional cautions will be effective in tackling repeat shop thieves, often motivated by addiction, that are being lost in the justice system.

Theft is the highest volume crime that local shops face, with over 1.1million incidents in 2020. Retailers report that the majority (63%) of shop thefts that take place in their store are committed by repeat offenders, often motivated by a drug or alcohol addiction, targeting high value products that can be easily resold.

Shop theft is not a victimless crime; encountering shop thieves is the top trigger for violence in convenience stores, followed by enforcing age-restrictions and refusing to serve intoxicated customers; duties that shopworkers are required by law to enforce. In the last year we have found that reminding customers to wear face coverings also results in violence and abuse of customers, including be spat and coughed at.

Violent incidents can be incredibly traumatic for individuals, causing not only physical injury but significant emotional impacts and leaving members of staff afraid to return to work. The retail industry is united in its call for the Government to introduce tougher penalties for attacks on shopworkers. The PCSC Bill is the right legislative vehicle to address this challenge.

**For more information on this briefing please contact [Loyal.wijsmuller@acs.org.uk](mailto:Loyal.wijsmuller@acs.org.uk)**

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<sup>1</sup> ACS Colleague Survey 2020

<sup>2</sup> ACS Crime Report 2021

## **ACS Bill Submission**

### **Clause 2: Increase in penalty for assault on emergency worker**

*Introduce tougher penalties for attacks on shopworkers using the same principles that extends tougher penalties for attacks on emergency workers.*

Clause 2 of the PCSC Bill increases the maximum penalty upon conviction for assaulting an emergency worker, based on the premise they are in high-risk situations protecting the public. Shopworkers also are at risk when they are enforcing the law to protect their community, therefore offenders that attack them should receive tougher penalties.

Shopworkers are most at risk from violence and abuse when upholding their statutory duties: enforcing Covid-secure guidelines, age restrictions and refusing to serve intoxicated customers. The Coronavirus pandemic saw a 40% increase in abuse, including coughing and spitting assaults<sup>3</sup>.

Tougher penalties for attacks on shopworkers would act as a deterrent, provide confidence and assurance to retailers and shopworkers that they have another layer of protection when carrying out their statutory duty. Common law assault interventions have not been effective in dealing with the increasing problem of violence and abuse in retail settings.

The Scottish Parliament recently passed legislation that now provides greater support and protection for shopworkers under the Protection of Workers (Retail and Age-restricted Goods and Services) (Scotland) Bill<sup>4</sup>. This protection specifically applies where the shopworker is providing goods and services that are age restricted. All shopworkers in the UK should be provided with the same level of protection that they deserve.

### **Clauses 77 to 85 – Giving Diversionary Cautions (77) and Giving a Community Caution (86)**

*Ensure that the new approach to diversionary and conditional cautions address repeat shop thieves, often motivated by addiction, which is the number one trigger for violence.*

ACS welcomes efforts to ensure transparency and consistency of approach for the use of cautions, which promises to be a far better approach than the issuing of multiple out of court disposals with no interventions focused on the individual offender. The new simplified two-tier cautions framework should be used to reduce re-offending by the 63% of shop thieves who are repeat offenders, the majority being motivated by a drug or alcohol addiction<sup>5</sup>.

Diversionary measures in the cautions process are important tools in supporting repeat offenders to break the cycle of offending. For example, the Centre for Social Justice proposes a 'Second Chance Programme', which aims to break the cycle of offending through a two-year programme targeting the most prolific drug-addicted offenders<sup>6</sup>. We also support greater use of community remedy powers where retailers are consulted on options including banning offenders from their premises with the support of the police.

Clause 78 must also be used to ensure that all victims of retail crime are offered the opportunity to provide an Impact Statement for Business (ISB) and a Victim Impact Statement. ACS' polling has

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<sup>3</sup> ACS Covid-19 Impact Survey

<sup>4</sup> Protection of Workers (Retail and Age-restricted Goods and Services) (Scotland) Bill

<sup>5</sup> ACS Crime Report 2021

<sup>6</sup> Centre for Social Justice 'Desperate for a Fix', June 2018

found that less than half (40%) of retailers who reported a violent incident to the police were made aware of the option to make an ISB<sup>7</sup>.

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<sup>7</sup> ACS Voice of Local Shops Survey