



Home Office

Call for Evidence – Violence and Abuse Toward Shop Staff

This consultation begins on 5 April 2019.

This consultation ends on 28 June 2019.

About this call for evidence

To: This call for evidence is open to organisations and individuals who wish to contribute to the Government's understanding of the problem of violence and abuse toward shop staff in England and Wales. In particular, we encourage responses from retailers, trade associations and unions; and those working in a retail setting.

Duration: From 05/04/19 to 28/06/19

Enquiries (including requests for the paper in an alternative format) to: retailcrimeconsultation@homeoffice.gov.uk

How to respond To help us analyse the responses, please submit your response using the following online form:
<https://www.homeofficesurveys.homeoffice.gov.uk/s/PVAUE/>

Please send your response by 23:00 on 28 June 2019. If, for exceptional reasons, you are unable to use the online system, for example because you use specialist accessibility software that is not compatible with the system, you may download a Word document version of the form and email or post it to:

Call for Evidence
Violence and Abuse Toward Shop Staff
Crime Strategy Unit
5th Floor Fry Building
Home Office
2 Marsham Street
SW1P 4DF

Email: retailcrimeconsultation@homeoffice.gov.uk

Response: The Government's response will be published on www.GOV.uk by Autumn 2019.

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Foreword



Shop staff play an important role in our communities, however, unfortunately we know they can be the victims of crimes such as shoplifting or suffer violent or abusive behaviour. This is clearly unacceptable, and the Government is clear that everyone has the right to feel safe at work.

As Minister for Crime, Safeguarding and Vulnerability, I understand the significant impact that these crimes can have on victims. In addition, the impact of violent and abusive incidents is also felt by colleagues, retailers, the wider community, and customers.

The Government works closely with the retail sector, police, and others to help tackle this issue, including through the National Retail Crime Steering Group which I chair. Our current work to date includes:

- a package of additional support and guidance for staff and retailers developed by the NRCSG, including: the launch of guidance for retailers to use when reporting violent incidents to the police to help ensure a timely and appropriate response, and the publication of guidance on Impact Statements for Business, which give businesses who have had criminal offences committed against them a voice in the criminal justice process;
- the Home Office is providing £50,000 for a targeted communications campaign led by the Association of Convenience Stores to raise awareness; and
- £1 million of funding over three years (from 2016-2019) through the Police Transformation Fund for the police-led National Business Crime Centre (NBCC), which is working to improve communication between police forces on business crime, promote training and advice, and help identify national and local trends.

These measures will help to strengthen our response to this issue. But the Government knows there is more to do. This is why we are launching this Call for Evidence to increase our understanding of these crimes, including in terms of the impact and effectiveness of the current legislative framework. I would encourage anyone who has been affected by these issues, whether as a victim, retailer, frontline professional or otherwise, to share their experience to help shape the next steps for our response to this issue.

A handwritten signature in blue ink that reads "Victoria Atkins".

Victoria Atkins
Minister for Crime, Safeguarding and Vulnerability

Executive summary

On 21 January 2019, the Government announced its intention to launch a call for evidence on the issue of violence and abuse toward shop workers. The aim of this call for evidence is to enable the Government to understand the true scale of the issue of violence and abuse toward shop staff, the measures which may help prevent these crimes and the extent to which existing legislation is being used to tackle them; and to identify examples of best practice.

This call for evidence covers violence and abuse toward all staff working within a retail setting (including, for example, those working in retail outlets at train stations, town centres and shopping centres) perpetrated by members of the public. We recognise that this issue extends beyond shop staff and can affect a range of people providing a service to the public, for example, those working on transport networks and in the hospitality industry. In recognition of reports of increased incidents toward shop staff in recent years, the main focus of this call for evidence is incidents which occur in a retail setting. However, in analysing the responses we will seek to consider how the findings may be relevant to other sectors.

In addition, while the Government recognises that there are concerns about violence and abuse toward shop staff in the context of age-restricted sales, we also know that incidents can occur in other circumstances, such as attempts by shop staff to deal with shoplifters. This call for evidence therefore seeks information on incidents which occur in both contexts and provides respondents with an opportunity to feed back any specific considerations in relation to age-restricted sales.

We are seeking evidence on four key areas:

- prevalence and data;
- prevention and support;
- enforcement and the criminal justice system; and
- best practice.

Introduction

This call for evidence is intended to strengthen the Government's understanding of the problem of violence and abuse toward shop staff in England and Wales. It is aimed at retailers, trade associations and unions; and those working in a retail setting in England and Wales.

Section One: Prevalence and Data

The Home Office Commercial Victimization Survey (CVS)¹ provides information on the crimes committed against business premises in England and Wales. The 2017 CVS, published in May 2018, estimated that there were 8.1 million crimes against the wholesale and retail sector in the 12 months prior to interview. Although this represents an increase on the previous year (there were an estimated 5.2 million crimes in the 2016 CVS), it is not a statistically significant increase in crime. However, when compared to the 2016 CVS, the 2017 survey results showed a statistically significant increase in assaults and threats toward retail and wholesale staff (up from 524 incidents per 1,000 premises to 1,433 incidents per 1,000 premises). This is the highest estimate since 2012.

In addition, the 2018 Crime Report by the Association of Convenience Stores (ACS)² estimated that there were 13,437 incidents of violence against staff in local shops. Around two fifths (39%) of these incidents resulted in injury. The 2017 'Voice of Local shops' ACS survey reported that 12% of stores had experienced an increase in abuse in the last year.

The available evidence highlights that there has been an increase in incidents of violence and abuse toward shop staff. However, there is a lack of comprehensive data, including on the nature of the incidents, the types of worker affected, the context within which incidents occur, and the types of shop affected. In addition, some incidents may go unreported, and, whilst some police forces use business crime flags to record where a crime takes place in a business setting, the use of these flags and the definition of 'business crime' used is not necessarily consistent.

The following questions are intended to help address gaps in our understanding of the problem and to build a more accurate picture of the nature of violence and abuse toward staff. You are encouraged to focus on information relating to incidents occurring in England and Wales, as crime and criminal justice is devolved to Scotland and Northern Ireland.

Question 1: In your opinion, has the issue of violence and abuse toward shop staff increased in recent years?

Question 1a: If yes, what factors do you think have led to this?

Question 1b: If yes, please provide any data which you have to support this. If possible, please specify whether this data includes incidents not reported to the police.

¹ <https://www.gov.uk/government/collections/crime-against-businesses>

² https://www.acs.org.uk/sites/default/files/acs_crime_report_2018.pdf

Question 2: Please provide any information you have on the nature of the violence and abuse which is occurring and specify the type of store you operate/which was affected, for example:

- **the types of incident which are occurring (e.g. assaults, threats etc), including whether they involve physical violence and whether they resulted in a physical injury or other harm**
- **when the incidents occurred (e.g. during the day)**
- **whether the incidents involved a weapon (e.g. a knife, corrosive substance etc)**
- **the circumstances within which the incidents occurred, including whether this was in the context of age-restricted sales (e.g. alcohol, knives etc) and/or any other contributory factors**
- **information about the perpetrators (e.g. how many, whether they are repeat offenders, whether they are known to the police, their age, whether they are part of a gang etc).**

Question 3: For retailers operating sites in more than one location, are all of your sites equally affected by this issue?

Question 3a: If no, are there any common factors between the sites affected (e.g. specific areas, are urban or rural areas more affected etc)? Please provide any data you have to support this.

Question 4: Does your organisation/the organisation(s) you represent record incidents of violence and abuse which occur in your/their stores?

Question 4a: If no, why is this?

Question 4b: If yes, how are incidents recorded? Please provide any data which has not already been submitted in response to earlier questions.

Question 5: What are the financial, administrative and other impacts of violence and abuse toward shop staff for your organisation/the organisations(s) you represent? Please include data where this is available and has not been provided in response to earlier questions (for example, estimates of loss of revenue, impacts on staff retention etc).

Section 2: Prevention and Support

In addition to increasing our understanding of incidents of violence and abuse toward shop staff, the Government is also seeking to understand how these incidents can be prevented, including in relation to the training and support provided to staff.

We know that schemes such as ShopWatch, which works to improve communication between retailers and the local police, can help prevent crime and anti-social behaviour. In addition, arrangements such as multi-agency Business Crime Reduction Partnerships (BCRPs), which bring together businesses, the police, and council, can help to ensure a coordinated approach to preventing and tackling these crimes.

In addition, we know that staff training and tools such as Body Worn Video (BWV) can be effective, for example, BWV has been effective in some cases both in terms of preventing incidents and in providing footage used as evidence in prosecutions.

The following questions are intended to help us gather evidence and information about what works in preventing these crimes, including how businesses can support their staff.

Question 6: Please provide examples of any preventative measure which you have used or considered using, including any evidence of how effective these have been.

Question 7: Are there any non-legislative preventative measures which the Government/businesses/the police or others could put in place, for example, to raise awareness? Please provide examples.

Question 8: Are you aware of training/guidance/support which is provided to staff on how to handle potential or actual incidents of violence and abuse? Please provide examples, including any evidence of how effective this has been.

Section 3: Enforcement and the Criminal Justice System

We know that shop workers may be the victim of a wide range of offences while carrying out their duties, ranging from unacceptable behaviour such as using abusive language to the most serious and violent offences. Key offences which may be relevant include harassment, common assault, fear or provocation of violence, putting people in fear of violence, affray, assault occasioning actual bodily harm, threats to kill, and robbery (note: this is not an exhaustive list). The decision about which offence to charge someone with is a matter for either the police or the Crown Prosecution Service.

In addition to criminal offences, a range of civil tools and powers can be used to address anti-social behaviour, for example: Civil Injunctions (which allow the police, local council and other agencies to apply to the court for an injunction against an individual where their behaviour is causing, or is likely to cause, harassment, alarm or distress), Community Protection Notices (which can be issued by the police or by the local authority to deal with ongoing issues which are having a persistent and detrimental effect on the quality of life of those in the locality), and Public Spaces Protection Orders (which can be used by councils to deal with a particular nuisance in a specific area by imposing conditions on the use of that area).

In September 2018, we published a cross-Government Victims Strategy. This was the first time we have looked in such detail and in such a joined-up way at how we treat victims in the wake of crime. Our vision is one of a justice system that supports even more victims to speak up with the certainty that they will be understood, protected, and supported whether or not they report a crime, and regardless of their circumstances or background. Our commitments in the strategy include consulting on the revised Victims' Code and the detail of victim-focused legislation - we are planning to publish these consultations over the course of this year. This call for evidence is a further opportunity for us to understand victims' concerns.

We know that some shop staff who experience violence or abusive behaviour may not report incidents, either to their manager/supervisor or to the police. For example, the 2017 CVS found that 40% of respondents who had experienced violence or abuse in the past year had reported the most recent incident to the police. The Government is keen to consider any barriers to reporting and options for helping to overcome these. Where incidents are reported to the police, we would like to better understand victims' experiences of the criminal justice process.

The following questions are intended to help develop the Government's understanding of the reporting of incidents, application of the current legislative framework, and response by the police and wider criminal justice system. This information will enable us to understand whether there are any gaps in current legislation and to consider the case for reform. For multi-site operators or national organisations, you are encouraged to focus on incidents occurring in England and Wales, as crime and criminal justice is devolved to Scotland and Northern Ireland.

These questions are aimed at individuals who have been a victim of incident(s) of violence or abuse whilst serving the public in a retail setting and ask for information to help the Government better understand victims' experiences and how they may be better supported.

Question 9: Have you been a victim of violence or abuse within a retail setting?

Question 9a: Did you report the incident to your manager/supervisor?

Question 9b: If no, why?

Question 9c: If yes, were you satisfied with the response?

Question 9d: If not, why not?

Question 10: Did you report the incident to the police?

Question 10a: If not, why?

Question 10b: If yes, were you satisfied with the response? If not, why?

Question 10c: Were you made aware of the option to make a Victim Personal Statement (VPS)?

Question 10d: Did you make a VPS?

Question 10e: If not, why?

Question 10f: Did the police refer you to victim support services?

Question 10g: If yes, did you find this helpful?

Question 11: Please share any further information on your experience of the criminal justice system.

These questions are aimed at retailers and representatives of retail organisations (including trade bodies and unions) to help the Government better understand their perspective and experience of incidents of violence and abuse toward shop staff.

Question 12: Are you a retailer or a representative of a retail organisation?

Questions 12a: Are you aware of any barriers to staff reporting violent and abusive incidents to their manager/supervisor?

Question 12b: If yes, what are these and how could they be overcome? Please provide any evidence you have to support this.

Question 13: Are you aware of any barriers to staff reporting violent and abusive incidents to the police?

Question 13a: If yes, what are these and how could they be overcome? Please provide any evidence you have to support this.

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Question 14: Do you have any feedback on the response from the police? Please provide any evidence you have to support this.

Question 15: Were you/are your members routinely made aware of the option to make an Impact Statement for Business (ISB)?

Question 16: Did you make an ISB?

Question 16a: If not, why?

Question 16b: If yes, did you find it useful?

Question 16c: If you made a statement, are you aware whether it was used at sentencing?

Question 17: Please share any further information on your organisation's experience/the experience of the organisations you represent of the criminal justice system.

These questions are aimed at all respondents

Question 18: Are you familiar with the range of civil tools and powers to tackle this crime (for example, the powers available under the Anti-Social Behaviour, Crime and Policing Act 2014)?

Question 18a: If yes, have you had experience of them being used to prevent/address violence and abuse toward shop staff?

Question 18b: If yes, please provide further information about your experience of this?

Question 19: Are you familiar with the criminal offences which may apply in relation to violence and abuse toward shop staff?

Question 19a: If yes, have you had experience of them being applied in this context?

Question 19b: If yes, please provide further information about your experience of this.

Section 4: Best Practice

Tackling the issue of violence and abuse toward shop staff requires a coordinated response including from Government, frontline agencies, Police and Crime Commissioners, and businesses themselves.

We know that a range of guidance and best practice is already available, for example, guidance on how to manage and deal business crime is available through the police-led National Business Crime Centre (NBCC), which provides a national repository for the collation and dissemination of good practice.

This call for evidence provides an opportunity for the Government to identify further best practice in addressing these incidents to help establish what works, and to consider potential non-legislative solutions.

Question 20: Please share any examples you have of best practice, for example, of partnership working between the police and businesses, or deterrent measures which have reduced incidents of violence and abuse toward staff working in your organisation. This can include examples from outside England and Wales (please specify where).

Question 21: What, if anything, do you think prevents businesses, the police and/or local authorities from working in partnership to tackle this issue?

Question: 22: Is there any further non-legislative action which Government could take to help address this issue?

Questionnaire

We would welcome responses to the following questions set out in this call for evidence.

Q1. In your opinion, has the issue of violence and abuse toward shop staff increased in recent years? Yes/No/Don't Know

Q1a. If you agree that the issue of violence and abuse toward shop staff has increased in recent years, please give reasons.

Q1b. If you agree that the issue of violence and abuse toward shop staff has increased in recent years, please provide any data which you have to support this (including whether the data includes incidents not reported to the police).

Q2. Please provide any information you have on the nature of violence and abuse which is occurring and specify the type of store you operate/which was affected, for example:

- the types of incident which are occurring (e.g. assaults, threats etc), including whether they involve physical violence and whether they resulted in a physical injury or other harm
- when the incidents occurred (e.g. during the day)
- whether the incidents involved a weapon (e.g. a knife, corrosive substance etc)
- the circumstances within which the incidents occurred, including whether this was in the context of age-restricted sales (e.g. alcohol, knives etc) and/or any other contributory factors
- information about the perpetrators (e.g. how many, whether they are repeat offenders, whether they are known to the police, their age, whether they are part of a gang etc).

Q3. For retailers operating sites in more than one location, to what extent do you agree or disagree that this issue has affected all of your sites equally? Agree/Disagree/Don't know

Q3a: If no, are there any common factors between the sites affected (e.g. specific areas, are urban or rural areas more affected etc)? Please provide any data you have to support this.

Q4: Does your organisation/the organisation(s) you represent record incidents of violence and abuse which occur in your/their stores?

Q4a: If no, why is this?

Q4b: If yes, how are incidents recorded? Please provide any data which has not already been submitted in response to earlier questions.

Q5: What are the financial, administrative and other impacts of violence and abuse toward shop staff for your organisation/the organisations(s) you represent? Please include data where this is available and has not been provided in response to earlier questions (for example, estimates of loss of revenue, impacts on staff retention etc).

Q6: Please provide examples of any preventative measure which you have used or considered using, including any evidence of how effective these have been.

Q7: Are there any non-legislative preventative measures which the Government/businesses/the police or others could put in place, for example, to raise awareness? Please provide examples.

Q8: Are you aware of training/guidance/support which is provided to staff on how to handle potential or actual incidents of violence and abuse? Please provide examples, including any evidence of how effective this has been.

For victims of violence and abuse

Q9: Have you been a victim of violence or abuse within a retail setting?

Q9a: Did you report the incident to your manager/supervisor?

Q9b: If no, why?

Q9c: If yes, were you satisfied with the response?

Q9d: If not, why?

Q10: Did you report the incident to the police?

Q10a: If not, why?

Q10b: If yes, were you satisfied with the response? If not, why?

Q10c: Were you made aware of the option to make a Victim Personal Statement (VPS)?

Q10d: Did you make a VPS?

Q10e: If not, why?

Q10f: Did the police refer you to victim support services?

Q10g: If yes, did you find this helpful?

Q11: Please share any further information on your experience of the criminal justice system.

Call for Evidence – Violence and Abuse Toward Shop Staff

For retailers/representatives of retail organisations

Q12: Are you a retailer or a representative or a retail organisation?

Q12a: Are you aware of any barriers to staff reporting violent or abusive incidents to their manager/supervisor?

Q12b: If yes, what are these and how could they be overcome? Please provide any evidence you have to support this.

Q13: Are you aware of any barriers to staff reporting violent or abusive incidents to the police?

Q14: Do you have any feedback on the response from the police? Please provide any evidence you have to support this.

Q16: Did you make an ISB?

Q16a: If not, why?

Q17: Please share any further information on your organisation's experience/the experience of the organisations you represent of the criminal justice system.

All respondents

Q18: Are you familiar with the range of civil tools and powers to tackle this crime (for example, the powers available under the Anti-Social Behaviour, Crime and Policing Act 2014)?

Q18a: If yes, have you had experience of them being used to prevent/address violence and abuse toward shop staff?

Q18b: If yes, please provide further information about your experience of this?

Q19: Are you familiar with the criminal offences which may apply in relation to violence and abuse toward shop staff?

Q19a: If yes, have you had experience of them being applied in this context?

Q19b: If yes, please provide further information about your experience of this.

Q20: Please share any examples you have of best practice, for example, of partnership working between the police and businesses, or deterrent measures which have reduced incidents of violence and abuse toward staff working in your organisation. This can include examples from outside England and Wales (please specify where).

Q21: What, if anything, do you think prevents businesses, the police and/or local authorities from working in partnership to tackle this issue?

Q22: Is there any further non-legislative action which Government could take to help address this issue?

About you

Please use this section to tell us about yourself

Full name	
Job title or capacity in which you are responding to this call for evidence (for example, member of the public)	
Date	
Company name/organisation (if applicable)	
Address Postcode	
If you would like us to acknowledge receipt of your response, please tick this box	<input type="checkbox"/> (please tick box)
Address to which the acknowledgement should be sent, if different from above	

If you are a representative of a group, please tell us the name of the group and give a summary of the people or organisations that you represent.

Contact details and how to respond

To help us analyse the responses, please submit your response using the following online form: <https://www.homeofficesurveys.homeoffice.gov.uk/s/PVAUE/>

Please send your response by 23:00 on 28 June 2019.

If, for exceptional reasons, you are unable to use the online system, for example because you use specialist accessibility software that is not compatible with the system, you may download a Word document version of the form and email it or post it to:

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Violence and Abuse Toward Shop Staff
Crime Strategy Unit
5th Floor Fry Building
Home Office
2 Marsham Street
SW1P 4DF

Email: retailcrimeconsultation@homeoffice.gov.uk

Complaints or comments

If you have any complaints or comments about the consultation process you should contact the Home Office at the above address.

Extra copies

Alternative format versions of this publication can be requested from retailcrimeconsultation@homeoffice.gov.uk.

Publication of response

A paper summarising the responses to this consultation will be published by Autumn 2019. The response paper will be available online at www.GOV.uk.

Representative groups

Representative groups are asked to give a summary of the people and organisations they represent when they respond.

Confidentiality

Information provided in response to this consultation, including personal information, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 and the Data Protection Act 2018).

If you want the information that you provide to be treated as confidential, please be aware that, under the Freedom of Information Act, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Home Office.

The Home Office will process your personal data in accordance with the Data Protection Act 2018 and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties.

Consultation principles

The principles that Government departments and other public bodies should adopt for engaging stakeholders when developing policy and legislation are set out in the consultation principles.

<https://www.gov.uk/government/publications/consultation-principles-guidance>



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This publication is available at <https://www.gov.uk/government/consultations/violence-and-abuse-toward-shop-staff-call-for-evidence>.

Any enquiries regarding this publication should be sent to us at public.enquiries@homeoffice.gsi.gov.uk.