

ECONOMY, ENERGY AND FAIR WORK COMMITTEE

PROTECTION OF WORKERS (RETAIL AND AGE-RESTRICTED GOODS AND SERVICES) (SCOTLAND) BILL

SUBMISSION FROM The Co-op Group

1. The Co-op is the UK's largest consumer co-operative, with over 500,000 active Scottish members and a presence in every postal area in Scotland. We have over 360 food stores in Scotland and we are a major wholesaler servicing shops owned by independent co-operative societies and independent stores including NISA and Costcutter shops. We are also the largest funeral provider in Scotland with over 125 funeralcare homes, we provide life planning services and we sell insurance products. Our businesses are all UK-based and our main support centre is in Manchester.
2. Since 1844 the Co-op has promoted business with a clear social purpose. We exist to create value for our members and the communities in which we trade and can only achieve this by running a successful business. How we run our business is important to us and we set ourselves high standards for responsible retailing and service. We have a responsibility to be a campaigning business speaking out on the issues that matter to our millions of members from Fairtrade and water poverty to loneliness and slavery.
3. Our Co-op's ambition is to create a Stronger Co-op and Stronger Communities. We have noted with great concern the unprecedented levels of violent, weaponised attacks on Co-op colleagues in stores throughout the UK which reflect wider trends in society that are so tragically highlighted far too often.
4. Shopworkers are most vulnerable when they are enforcing the law, particularly when enforcing age restricted sale. We believe that shopworkers enforcing the law should benefit from additional protections and we welcome the Protection of Workers (Retail and Age-restricted Good and Services (Scotland) Bill.
5. This submission sets out:
 - The scale and nature of the problem; and
 - The Co-op's response to that problem;
6. This is an issue that the Co-op and its members are concerned about. In December 2018 the elected representatives of our 4.6m members – the National Members' Council – voted for the Co-op to campaign on the issue through the **Safer Colleagues Safer Communities** campaign.

A Growing Problem

7. It is clear to us that violence and abuse towards shop workers is at levels never before seen. There is a wide range of data from a variety of sources covering different business sectors including shop workers that support this view.

- in 2019, we commissioned Dr Emmeline Taylor to look at the impact of violence on shop workers and the motivations of offenders. This research shows that this abuse is having lasting effects on the lives of workers, both mentally and physically. It shows that because of the frequency of violence and abuse, shop workers are now suffering from Post-Traumatic Stress Disorder (PTSD). The research can be found here:
https://assets.ctfassets.net/5ywmq66472jr/22QfMejeWYbimJ9ykX9W9h/0e99f15c0ed24c16ab74d38b42d5129a/Its_not_part_of_the_job_report.pdf
 - The Association of Convenience Stores (ACS) who represent 33,000 convenience stores reported in its Crime Report 2019 show that 48% of retailers have experienced violence and verbal abuse - in 41% of violent incidents there was an injury;
 - The British Retail Consortium (BRC) Retail Crime Survey 2019 which includes the responses of businesses representing just under one third of the retail market shows that every day there are 273 instances of abuse or violence of which 115 are violent incidents; and
 - The Union of Shop, Distributive and Allied Workers (USDAW) Survey of violence and abuse against shop staff 2018 report which received over 6,725 responses showed that over 280 retail staff are violently attacked every day.
8. These industry and sector wide views are corroborated by the experience and data from the Co-op. We report crimes committed in our stores in the following categories:
- Anti-Social – the types of crimes that are included in this category are: anti-social behaviour, criminal damage, fraud and staff theft;
 - Non Violent – the types of crimes that are included in this category are: arson, ram raid, terrorism, suicide, property damage and ATM Attacks;
 - Public Theft – includes all reported in store thefts by members of the public; and
 - Violent – the types of crimes that are included in this category are hate crimes, robbery and physical assault.

Reporting

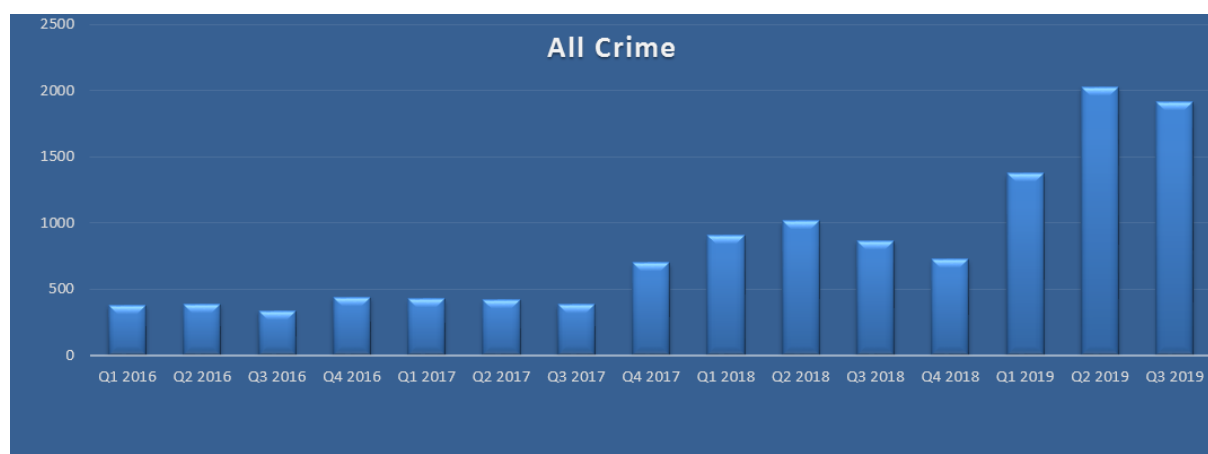
9. USDAW's Survey of violence and abuse against shop staff 2018 report states that 57% of shopworkers who experienced violence, threats, or abuse at work did not report the incidents to their employer including 20% who were physically attacked.
10. We have always asked our store colleagues to report all incidents but we recognised that, like in the rest of the sector, under-reporting was an issue because of a range of factors including ease of reporting and likely response.

11. Therefore, from September 2018 we introduced a new system for colleagues called My Safety. Colleagues can report to us from their own device, the store tablet or the store computer.
12. We have simplified the data input as much as we can to enable our colleagues to share the information we need. My Safety allows us to respond more effectively to individual incidents and to analyse our issues so that we can make effective investments on where best to put in place preventive solutions and support colleagues affected.
13. Therefore, the data that follows show a sharp increase in Q1 2019 across all crime types. We believe that this a direct result of the completion of My Safety implementation and the increased focus on the issue in our business through the launch of our *Safer Colleagues, Safer Communities* campaign. Since our campaign began in December 2018, our colleagues have been encouraged and empowered to share their stories and report incidents that take place.

Violent Incidents in the Co-op’s Scottish stores

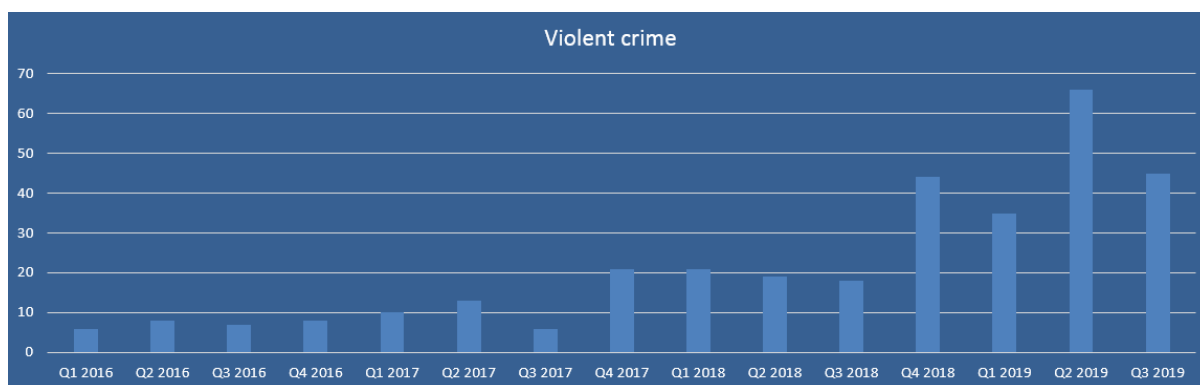
14. Over the last three years levels of all reported crime in our Scottish stores has increased from 379 crimes in Q1 2016 to 1919 crimes in Q3 2019.

Figure 1 – Levels of All Reported Crime in Scotland Q1 2016 to Q3 2019



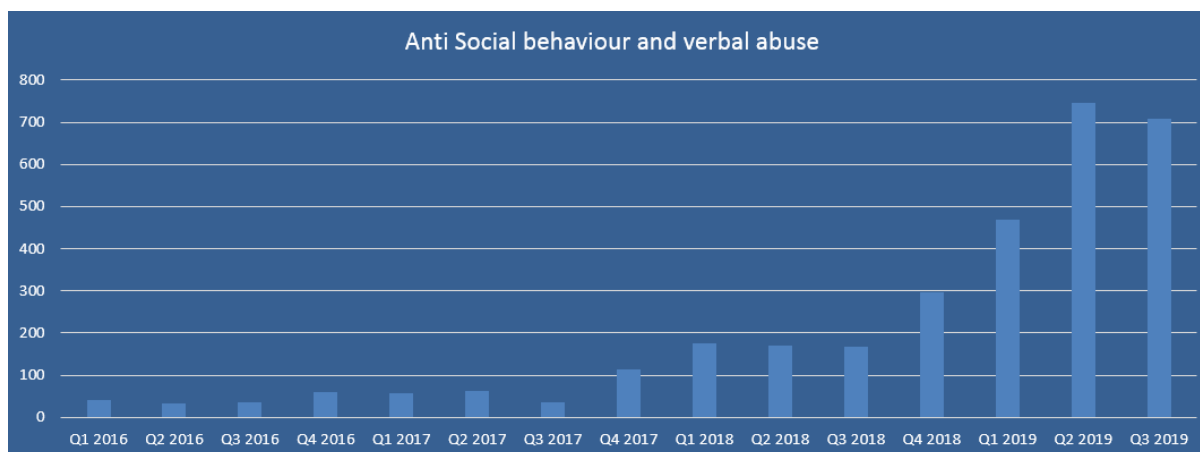
15. This pattern has been replicated across all crime types (see para 7). Figure 1 shows that for All Crime we have seen an increase of 406% between Q1 2016 and Q3 2019, and a 650% increase in Violent Crimes; see figure 2.

Figure 2 – Levels of Violent Crime (Q1 2016 to Q3 2019)



16. Anti-Social Behaviour and Verbal Abuse has risen by 1672% between Q1 2016 and Q3 2019; see figure 3.

Figure 3 – Levels of Anti-Social Behaviour and Verbal Abuse (Q1 2016 to Q3 2019)



17. Improved reporting and awareness have played a significant part in the sharp rise as explained in paras 10 to 12. Notwithstanding this, it is important to note that there was an increase which began in 2016 and 2017 which predates the improved reporting since Q1 2019. Moreover, the level of violent crime, anti-social behaviour and verbal abuse recorded since Q1 2019 does, we believe, reflect the most accurate picture of the scale of the issue our colleagues face in store.

Triggers for Violence and Abuse

18. USDAW’s Survey of violence and abuse against shop staff 2018 report shows the rise of shop theft as a trigger to abuse towards shop workers. It has grown from 15% of incidents in 2016 to 21% in 2017 and 25% in 2018.

19. Our experience confirms this and violent behaviour, sometimes exacerbated by drugs and alcohol, is often triggered if colleagues challenge or engage with shoplifters. This violence can be of varying levels, from pulling out a weapon to physical injury. If there are customers in the stores at the same time, they can

often inflame the situation as they do not understand the risk of violence. Our experience is that 75% of violent incidents are related to shoplifting.

20. USDAW's research also suggested that age-restricted sales continue to be a key trigger for violence with 22% of violent incidents being accounted for by it. At the Co-op, we see a similar pattern and estimate that 15% of violent incidents escalated from shopworkers challenging the sale of age-restricted goods.

Police, Criminal Justice System and Sentencing

21. It is clear that police forces are stretched as resources reduce and demands upon them increase. At a strategic level, the Police Scotland 2019/20 crime plan makes no reference to business crime.
22. It is not surprising then that police detection rates for attacks on crime affecting shops and their workers are 1 in 500. The BRC 2019 Crime Report states that 80% of respondents describe the police report to retail crime as poor or very poor, with opinions generally better for violence than customer theft or fraud.
23. When incidents are reported, police response is determined by whether the incident meets specific threat and harm thresholds regardless of whether the incident involves violence which means the police response can take many hours to arrive, if they arrive at all. If the offender has left the scene, the police reduce the grading of the incident but do not take the impact on the victim following the incident into account.
24. In addition, the response from the police can depend on what types of weapons are mentioned, as well as the language the colleague used when reporting the incident – describing how impactful it is gets a response, rather than the factual details of the incident.
25. All of this reduces colleagues' trust that they will receive a quality service from the police and can, of course, be an obstacle to future reporting of incidents. Indeed, police forces now use 101 to report incidents that are not considered emergency situations such as when the offender has left the scene. It is not uncommon for colleagues reporting incidents to be on hold for 20-30 minutes at a time. Again, this then reduces the likelihood of incidents being reported in the future due to the unacceptable delays in answering.
26. The difficulty of reporting incidents and the lack of effective response is driving a belief across shop workers that abuse and violence against them is not taken seriously by the police. Indeed, there is widespread belief among shop workers that the level of abuse and violence is something that are expected to accept as part of the job and is not taken seriously.
27. The belief that violence and abuse against shopworkers is accepted by society is further corroborated by the sentencing of those offenders who are prosecuted. Recent data from the Centre for Social Justice suggests that the average sentence served by offenders who are prosecuted is 26 days.

28. Finally, where we engage new ways of working with Police Forces throughout the United Kingdom through our Security partners to reduce the impact on their time by providing rich case files and CCTV without attending stores, we see a much higher prosecution rate and can appreciate the value of the Business and Victim Impact Statements.
29. We have highlighted that the trigger for abuse and violence is often where age-restricted sales are being made. Shop workers are being attacked and abused, therefore, when they are upholding the law, and we welcome the creation of a new statutory offence of assaulting, threatening, abusing, obstructing or hindering a retail worker, and creating a statutory aggravation to that offence where the retail worker is enforcing a statutory age restriction.

Impact – Colleagues not Finances

30. It is self-evident that abuse and, particularly, violent incidents results in financial cost to businesses whether it be from lost products, colleagues being absent, stores being closed or the subsequent investment made in store security.
31. The BRC Retail Crime Survey 2019 shows that the cost of business crime overall has increased to around £900 million. Together with the £1bn spent on prevention, crime now accounts for around £1.9 billion in losses to the industry.
32. The ACS report that crime against convenience retailers costs an estimated £246m to the sector which averages at £5,308 per store. This is, in effect, a 7p crime tax per transaction in convenience stores.
33. However, we believe that the true, long-term cost for our Co-op is in the impact on colleagues of abuse and violence not the financial costs. Far too often retail crime is presented as principally an issue of financial loss. At the Co-op, this is not the case. **For us this is about our people and our priority is the impact on our colleagues not our balance sheet.**

The Co-op Response

34. Over the last three years the Co-op has invested £70m in security, crime prevention and colleague safety measures throughout our store estate. However, we are aware that increasing investment can simply 'displace' the crime and we are, therefore, constantly seeking ways to improve safety in our stores. Our Annual General Meeting in May 2019 committed the Co-op to maintain this level of funding on security, crime prevention and colleague safety for the next three years.

Interventions in Store – Technology

35. A key area for the Co-op has been **in-store connectivity** which enables colleagues to talk to each other in different parts of our stores and to others who can help in circumstances where there is an incident.

36. These headsets give colleagues the opportunity to communicate effectively across the shop to highlight possible concerns and to allow colleagues to make the right decisions to keep themselves and others safe. We have had robberies in which some colleagues have been able to stay out of the situation and keep themselves in the back office, as a result of them being made aware via the headsets.
37. In addition, we have rolled out tablet devices to all of our stores which allows colleagues to spend more time on the shop floor rather than the back office. Of course, this allows us to provide a better service to our members and customers on the shop floor but it also helps our colleagues feel more connected. This has also meant that colleagues are able to log any incidents whilst remaining on the shop floor.
38. CCTV is a legal requirement for all stores to have and it is shared with police following incidents to allow us to help in the conviction of offenders. We also use the CCTV screens in the high value areas such as those selling high value items like protein (meat, fish, etc.) and alcohol which ensures those considering theft know they are being monitored on CCTV.
39. However, we have recognised that traditional CCTV does not provide the proactive support of our colleagues we want to provide. Therefore, we have developed a partnership with a security business that specialises in technological innovation in security including iCCTV. It is one of the most sophisticated and leading-edge approaches to protecting colleagues.
40. When our stores use the iCCTV panic buttons during an incident, such as shoplifting, anti-social behaviour, a violent incident or robbery the feed from the cameras is immediately viewed by our security partners' dedicated Command and Control Centre. At this point, the Command and Control Centre essentially take over the store communicating with colleagues through audio speakers and support store colleagues through the ongoing incident as required. They contact the police if it is a live incident that is putting colleagues at risk.
41. Our Security partner have developed a streamlined evidential process which allows them to supply full evidence packs after an incident. When there has been a serious incident in one of our stores, they take witness statements from our colleagues, liaise with the police and work with the Crime Prosecution Service to build a case for prosecution particularly in cases where multiple crimes have been committed by the same individual or group. It is important to note the insight from ACS Crime Report 2019 which recorded that 79% of offenders were perceived by shop owners to be repeat offenders.
42. We are currently trialling body-worn cameras in our stores. While we recognise the potential value we are mindful of the risk that this could escalate issues. Early indications are positive particularly in one trial store where anti-social and aggressive behaviour were the key issues. We are reviewing the insight we have from the trial before deciding on next steps.

Interventions in Store – Physical

43. We use a flexible guarding model which means that we can move guards as and when to the area needing them the most. We recognise that a guard will only prevent opportunistic theft which is often not the problem we face today. Many of the offenders we face today are unlikely to be deterred by the presence of a guard and are more likely to use violence.
44. A typical guard in Scotland does not have any additional powers and is, therefore, limited in the action they can take which will not further put colleagues and customers at risk should any restraint take place. Indeed, there is nowhere in our stores to hold a shoplifter if we believed police would respond, which consequently puts our colleagues in more danger.
45. For those stores that have suffered more serious verbal abuse, regular anti-social behaviour and continuous violent incidents, we have supplied the stores with more highly trained guarding support. These are guards that are trained to remove members of the public or prevent access to the store if required.
46. Where stores have experienced multiple burglaries we have installed fog cannons. Once activated, a smoke cloak is released which prevents perpetrators from stealing products. Once a fog cannon has been installed our evidence suggests that it can break the cycle. For example, a store was burgled four times during 2018 which resulted in theft and damage. The installation of a fog cannon meant that during the next attempted burglary in 2019 the fog cannon was activated and the offenders left empty handed. These fog cannons are only triggered out of hours.
47. We are working with SmartWater and security specialists PROTECT to roll out an additional forensic deterrent across our food stores. The fog systems are mainly located close to the entrances of our stores and are really effective in the kiosk areas, which are typically targets of crime. Once it is activated, a dense fog obscures the intruder's vision making it increasingly difficult for them to leave the store. It also covers the criminal in a spray containing SmartWater's unique forensic signature. Guaranteed to last at least five years and invisible to the naked eye, this signature spray helps police to track criminals and stolen goods which can then lead to increased conviction rates.

Supporting our Colleagues

48. In 2018 the Co-op established a dedicated Retail Resilience and Response team whose key role is to support store colleagues following incidents. They ensure colleagues are supported post incident in whatever means is appropriate for the individual. This team also looks to help fix and identify root causes where possible to prevent incidents occurring. Following any incident in our stores we:
- secure post-incident guarding and review guarding coverage in our local stores;
 - encourage and support our colleagues to contact Lifeworks, our counselling team who assist and colleagues impacted and ensure they receive the right level of emotional support; and

- review store processes to make sure we are securing the safety of our colleagues learning any lessons from the incident for the store affected and others.

49. Our colleagues have had training to help them with the increase in abuse and anti-social behaviour they experience on a daily basis. This has included launching crime support tool kits for our area managers to assist them with shoplifting issues. There are further modules that will follow in 2020, including post incident support and anti-social behaviour.

Partnership Working

50. We believe that our interventions are making colleagues safer but we recognise that the consequences of what we can often only displace and disrupt crime.

51. It is, therefore, critical that businesses work together in locations to make those places resilient to crime. There are a number of organisations that we work with to achieve this:

- National Business Crime Solutions work with us and many retailers to provide information on offenders that are currently active to allow us to communicate to stores for awareness and to install preventative equipment more tactically; and
- When effective, Business Crime Reduction Partnerships do allow colleagues to keep in contact with other retailers in the local area and make them aware of offenders in the area. Some BCRPs will also have a link to the local policing teams, allowing them to tailor their patrols in areas that are required.

Tackling the Root Causes of Crime in Communities

52. We have seen in the communities we serve the impact of tightening public sector resource envelopes, especially Local Authority budgets, in recent years on the provision of services for young people.

53. The Co-op operates in almost every community in the UK and our 4.6 m members live in those communities. Our members and their elected representatives on the National Members Council made it clear that in campaigning through **Safer Colleagues Safer Communities** campaign to keep colleagues safe in store, the Co-op should also be campaigning to tackle the causes of crime in communities which is driving what we see in those stores.

54. At the Co-op's 2019 Annual General Meeting in May 2019, members voted in favour of a motion (Motion 9) that not only called for the Co-op to maintain levels of funding for crime prevention, security and colleagues safety (as set out at para 33) but also to build on increased support to community groups who tackle the root causes of violent crime to help individuals in those communities to reach their full potential.

55. We believe passionately that businesses have assets which can be used to address the issues communities and societies face. We have seen this in our work on loneliness and on slavery. Those assets may be financial, professional expertise, leveraging supply chains or advocacy support.
56. We believe that business can play a role both to create an environment that which deters violence, but also how we can help communities and individuals make different choices.
57. Since we launched our Local Community Fund in 2016 we have given over £850k in funding to 350 local causes who are tackling the causes of crime in Scotland and some of these examples are set out below:
- **Youth Action Project – Livingston** provides support and builds confidence and new skills for young people who are disadvantaged, isolated, suffer from mental health issues or are at risk of or involved in crime.
 - **6VT City Youth Café – Edinburgh** is a unique city-wide youth work charity. They also run Scotland's only dedicated confidential support service for young victims of crime.
58. At our 2019 AGM we announced a partnership with Steel Warriors, who focus on taking knives off the streets to create callisthenic gyms that communities can use to develop their skills as well as improve their mental and physical health. We are confident that this initiative will also help tackle the root causes of crime.
59. As the evidence in this submission makes clear the issue of violence against shop workers has escalated in recent years. It is resulting in thousands of shop workers suffering verbal abuse and violent attacks which should not be part of their job.

APPENDIX A – CO-OP SUBMISSION AND CALL FOR VIEWS QUESTIONNAIRE**1. What are your views on the Bill and what impact will it have?**

As the evidence in this submission makes clear the issue of violence against shop workers has escalated in recent years. It is resulting in thousands of shop workers suffering verbal abuse and violent attacks which should not be part of their job.

It is clear to us that violence and abuse towards shop workers is at levels never before seen. There is a wide range of data from a variety of sources covering different business sectors including shop workers that support this view.

We recognise that we have a primary responsibility to ensure we do all we can to make sure our colleagues are safe when they are at work in our shops. We are always looking for ways to improve how we keep our colleagues safe as they serve our members and customers.

2. Having regard to existing offences (e.g. common law assault), is there a need for a new statutory offence of assaulting, threatening, abusing, obstructing or hindering a retail worker?

Yes, we believe that there is a need for a new statutory offence of assaulting, threatening, abusing, obstructing or hindering a retail worker. The need for this has been detailed in the submission above.

3. What are the potential benefits or problems in having such an offence?

We have highlighted that the trigger for abuse and violence is often where age-restricted sales are being made. Shop workers are being attacked and abused, therefore, when they are upholding the law, and we welcome the creation of a new statutory offence of assaulting, threatening, abusing, obstructing or hindering a retail worker, and creating a statutory aggravation to that offence where the retail worker is enforcing a statutory age restriction.

The belief that violence and abuse against shopworkers is accepted by society and is considered by shop workers as part of the job. Having a new statutory offence for assaulting, threatening, abusing, obstructing or hindering a retail worker would enforce the belief that it is unacceptable and not part of the job.

Looking at the research from Dr Emmeline Taylor, offenders do not believe that anything will happen to them if they assault a shop worker. This would change if it were a statutory offence.

4. Should any new offence include all of the elements proposed in the Bill (e.g. should obstructing or hindering a retail worker be a crime, as is already the case in relation to various providers of emergency services)?

Yes

5. Is the focus on retail workers appropriate (e.g. is it too narrow in not covering other workers who may, because of their work, be vulnerable to abusive behaviour)?

As an employer of over 6,000 shop workers in Scotland, we are very supportive of the increased protection for our colleagues, however all workers who may, because of their work, be vulnerable to abusive behaviour should be covered. No worker should be subjected to abusive behaviour just for doing their job.

6. What difference will the proposed aggravation, where the enforcement of a statutory age restriction is involved, make?

As shown in paragraph 20, USDAW's research shows that age-restricted sales continue to be a key trigger for violence with 22% of violent incidents being accounted for by it. At the Co-op, we see a similar pattern and estimate that 15% of violent incidents escalated from shopworkers challenging the sale of age-restricted goods.

With the proposed aggravation, we believe that offenders would be deterred from carrying out the crime.

7. What are the financial implications of the proposals?

We believe that the true, long-term cost for our Co-op is in the impact on colleagues of abuse and violence not the financial costs. Far too often retail crime is presented as principally an issue of financial loss. At the Co-op, this is not the case. For us this is about our people and our priority is the impact on our colleagues not our balance sheet.

8. What other action is or should be taken to protect retail and other workers?

We recognise that we have a primary responsibility to ensure we do all we can to make sure our colleagues are safe when they are at work in our shops. We are always looking for ways to improve how we keep our colleagues safe as they serve our members and customers. We have invested £70m over the last 3 years in innovative ways to protect our colleagues and have committed to match that level of funding for the coming three years.

We know that when the police can engage properly and deal with incidents they not only often address the issue but also provide reassurance to our colleagues, members and customers. We know that they are stretched and have had to take

tough decisions in terms of prioritisation, however we believe that this proposed aggregation will increase the prioritisation of retail crime.

We believe that the resources available to Police Scotland should reflect a greater priority for tackling retail crime and especially abuse and violence toward shop workers to deliver a more effective response.

We believe that Police and Crime Commissioners should include retail crime with a focus on abuse and violence toward shop workers in their Police and Crime Plans and should report against it annually.

We would welcome a new impetus to police and retailers working together at a local level to support each other to deliver better outcomes in the handling of incidents.

As a national business we see very clearly the different ways individual forces respond to the issue of abuse and violence against shop workers. We understand that local circumstances will shape local responses but we recommend greater standardisation throughout the UK.

Police forces now routinely use 101 to report incidents but delays of 20-30 minutes in answering are not uncommon reducing the likelihood of incidents being reported. We recommend that resources need to be increased for the 101 system to ensure non-emergency calls are answered within a reasonable time frame.

Some forces have developed online mechanisms to report incidents and we believe this route can help ensure all incidents, even those which are not serious, are recorded so there is a complete picture of the threat. However, at present forces do not have a single, common way of doing this and we would recommend a single portal for reporting incidents is created for national consistency.

9. Are there any other aspects of the Bill you would like to comment on?

No