

The Home Office and Ministry of Justice

Via www.gov.uk

28th June 2019

Dear Home Secretary, Lord Chancellor and Minister for Crime, Safeguarding and Vulnerability,

Action to Prevent Violence Towards Shop Staff

Retail is the largest single private sector employer in the UK, with roughly 3 million direct employees. Perhaps uniquely, it is woven into the fabric of each and every community and constituency in the country.

As an industry retail faces a range of challenges, but perhaps the most pressing and difficult is the rising tide of violence against retail workers (for the avoidance of doubt, including charity shop volunteers). The data are unanimous, describing a problem which has grown across the industry. The British Retail Consortium's analysis shows that 115 workers are attacked each and every day. The Association of Convenience Stores' research estimates there were almost 10,000 incidents of violence in convenience stores in the last 12 months. USDAW's work highlights that, on average, a shopworker is abused, threatened or assaulted 21 times a year - that is once a fortnight. According to research by the Charity Retail Association, one quarter of charity retailers report that incidents of violence against volunteers have increased in the past two years and nearly a third of charity retailers report that incidents of verbal abuse against volunteers have increased in the past two years. The Home Office's own Commercial Victimization Survey shows the retail sector consistently suffers several times more crime per premises than any other business sector surveyed.

The evidence multiple retail organisations are providing in response to the Call for Evidence, linked to other publications over past years, highlights one inescapable fact — violence against retail colleagues is a hugely problematic and serious area of crime, with weapons, particularly knives, increasingly significant. This violence is commonly triggered by shopworkers delivering what the state asks of them: enforcing age restriction policies or refusing to serve intoxicated customers, or dealing with shop thieves, who might be carrying weapons.

The only conclusion is that there is a serious imbalance in the relationship between risk and reward for these criminals.

For us, it is the human angle that matters most. These are not victimless crimes. They impact on the skilled, passionate, determined individuals who make the industry such a vibrant place to work; their families and loved ones; the communities to which they contribute so much; and those who rely on the public services retail indirectly supports. Irrespective of whether they are volunteers or employees, work during the day or overnight, or from set retail premises or remotely, they deserve to be acknowledged and supported as victims of crime.

For the Government this must be seen as a considerable public policy challenge played out daily in every High Street, neighbourhood parade and village square.

The growth in violence has come despite record spending by retailers on crime prevention, deploying new technology and additional colleagues to tackle this problem. Clearly a new approach is required, and we are writing to urge you to give effect to a range of recommendations, which are set out in more detail in the annexed paper. We will play our role, but need your consistent support and efforts to drive forward desperately needed reform.

The key recommendations are:

- legislating for a specific new offence of assaulting a retail worker (including charity shop volunteers), giving them the same status as emergency workers. This visible and clear offer of support and protection will finally provide for effective sentencing responses and will help drive improved reporting;
- urgent work on the use of community disposals, looking in more depth and where and how they are used and culminating on appropriate guidance to support and appropriate response. This change will be rendered more necessary if plans to abolish short prison sentences further increase criminals perceived incentives to offend;
- inclusion of retail violence in the next iteration of the Strategic Policing Requirement and for Home Office Ministers to work with Police and Crime Commissioners to support inclusion in each and every Police and Crime Plan; and
- an immediate and fully funded HM Inspectorate of Policing thematic review of policing of retail violence, including attitudes to retail victims, response frameworks and relevant prioritisation. These will help identify the better performing forces and allow the less effective ones to learn much-needed lessons.

We remain absolutely committed to going even further to do our part. Across the industry, the record spending on crime prevention we spoke of earlier is increasingly focused on staff protection. Beyond that, we are leveraging the industry's power to tackle the root causes of the symptoms we face, with the Shop Safe Alliance in Brixton shortly due to start an excellent example of our determination to resolve these issues and harness the power of the retail for the whole community's benefit. We are also developing training and guidance to help the smallest businesses.

We understand the importance of reporting more of the crimes we witness to police. Each undersigned retailer and representative body pledges to retain their focus on this area, to work to ensure that reporting within their organisation and to the police remains unencumbered. This will include greater use of the new Business Impact Statement and crime reporting guidance which we are grateful to the Home Office and National Business Crime Centre for publishing. We also ask the Home Office and senior police officers to ensure that, when reported, such crimes are recorded and reacted to as appropriately serious, which will build confidence in the Criminal Justice System and help reporting. No violent incident should be recorded as a simple shop theft and not attended rapidly.

Given the nature of the issues we have described, delay is not an option. There is no scope to kick the can down the road by waiting for a further consultation – the actions below must be agreed to, along with others which arise from the Call for Evidence, turned into a proper plan and delivered rapidly, co-ordinated through the National Retail Crime Steering Group.

Yours sincerely,

The following members of the British Retail Community, making a positive difference to the retail industry and the customers it serves today and in the future:

Aldi Stores Ltd – Giles Hurley, Chief Executive Officer – UK and Ireland

Anne Summers – Jacqueline Gold CBE, Chief Executive

Asda – Roger Burnley, Chief Executive Officer

A S Watson UK – Peter McNabb, Chief Executive Officer

B&Q UK and Ireland – Graham Bell, Chief Executive Officer

Boots UK – Sebastian James, Chief Executive Officer

British Independent Retailers Association – Andrew Goodacre, Chief Executive Officer

C & J Clark International Ltd – Ben Fletcher, Managing Director UK and Europe

Card Factory – Karren Hubbard, Chief Executive Officer

Carpentryright PLC – Wilf Walsh, Chief Executive Officer

Central England Co Operative – Deborah Robinson, Chief Executive Officer

Co-op Food – Jo Whitfield, Chief Executive

Co-op Food – Catherine Muirden, Director of People

Company Shop Group – Jane Marren, Group Managing Director

Costcutter Supermarkets Group Ltd – Darcy Wilson-Rymer, Chief Executive Officer

Debenhams – Terry Duddy, Interim Executive Chairman

DFS Furniture – Tim Stacey, Chief Executive Officer

Dreams Ltd – Mike Logue, Chief Executive Officer

Fenwick Ltd – Robbie Feather, Chief Executive Officer

Greggs PLC – Roger Whiteside OBE, Chief Executive Officer

Henderson Retail – Mark McCammond, Retail Director

Homebase – Damian McGloughlin, Chief Executive Officer

Iceland Foods Ltd – Sir Malcolm Walker CBE, Founder & Executive Chairman

Iceland Foods Ltd – Richard Walker, Managing Director

J Sainsbury's – Mike Coupe, Group CEO

John Lewis Partnership – Sir Charlie Mayfield, Chairman

L'Occitane Ltd – Alia Hawa, Managing Director UK & Ireland

Lidl GMBH – Christian Härtangel, UK Managing Director

Marks & Spencer - Steve Rowe, Chief Executive Officer

McKesson UK – Toby Anderson, Chief Executive Officer

Musgrave Group PLC – Chris Martin, Chief Executive Officer

National Guild of Spar UK – Dominic Hall, Chairman

New Look Retailers Ltd – Alistair McGeorge, Executive Chairman

New West End Company – Jace Tyrrell, Chief Executive

Next PLC – Lord Wolfson of Apsley Guise, Chief Executive

Savers Health and Beauty Ltd – Doug Winchester, Managing Director

Scotmid Co Op Group – John Brodie MBE, Chief Executive

Scottish Grocers' Federation – Pete Cheema OBE, Chief Executive

Screwfix – John Mewett, Chief Executive Officer

Spar UK – Jackie Mackenzie, Managing Director

Steinhoff UK – Mark Jackson, Chief Executive Officer

The Body Shop International – Linda Campbell, Managing Director

The Perfume Shop, Gill Smith, Managing Director

W H Smith PLC – Stephen Clarke, Chief Executive

The following associated organisations:

Association of Convenience Stores – James Lowman, Chief Executive

British Retail Consortium – Helen Dickinson OBE, Chief Executive

Charity Retail Association – Robin Osterley, Chief Executive Officer

USDAW – Paddy Lillis, General Secretary.

Annex A: Policy Recommendations

Central Leadership

- Review the terms of reference for the National Retail Crime Steering Group (NRCSG) to build stronger relationships with a range of stakeholders throughout the Criminal Justice System, including but not limited to: policing, prosecutors, the sentencing framework, and the court system.
- Set up a new fund specifically for tackling violence in the retail sector. The fund would periodically invite bids for capital to support the development or deployment of promising initiatives to tackle retail violence, including technological, human and systematic solutions.

Tackling the Root Causes of Offending

- Increase penalties and sentences for offenders attacking shopworkers serving the public and review the sentencing guidelines for assault. We support the move away from the use of short custodial sentences, but the government must consider what credible alternatives will be used in their place to deal with violent offences.
- A comprehensive review of the Out of Court Disposals system to ensure that interventions are tackling the root cause of offending such as drug and alcohol addiction, instead issuing fines to repeat offenders.

Police Response to Retail Violence

- The Home Office should commission and fund H.M. Inspectorate of Constabulary and Fire Services (HMICFRS) to undertake a thematic review of violence against retail colleagues and invite representatives from retail onto the Steering Group.
- Include retail violence as a strategic priority in the Strategic Policing Requirement, accompanied by appropriate resources for local police forces to properly prioritise this issue.
- Encourage Police and Crime Commissioners to make provision for retail violence in their Police and Crime Plans, making retail violence a local priority for each force.

Triggers for Abuse and Reporting Incidents

- Acknowledge the key triggers for violence and abuse in the retail sector; managing shop theft, refusing to serve intoxicated customers and enforcing age restriction policies.
- Amend the Section 182 guidance to make clear that crime against a business cannot count towards alcohol licensing reviews.