

**Written evidence submitted by the Association of Convenience Stores (ACS)**  
**(VTR0021)**

1. ACS (the Association of Convenience Stores) welcomes the Home Affairs Select Committee's inquiry into violence and abuse towards retail workers and the opportunity to respond to this call for evidence. ACS represents 33,500 local shops across the UK including the Co-Op Group, Spar, One Stop and thousands of independent retailers. More information about ACS is available at Annex A.
2. ACS' research, wider industry data and the Home Office's Commercial Victimization Survey clearly show a growing problem of violence and abuse against shopworkers. ACS' Crime Report 2020 showed that there were an estimated 50,338 incidents of violence and threats towards convenience store colleagues across the UK. In addition, 87% colleagues experienced verbal abuse and 28% experienced physical violence in the last year, just for doing their job<sup>1</sup>. This is despite convenience retailers' investing £209m in the last year<sup>2</sup> in crime prevention measures.
3. It is important the Home Affairs Select Committee and all policy makers recognise that in order to tackle violence and abuse against shopworkers we need to address the triggers for violence and abuse in retail settings. The top triggers before the coronavirus outbreak were enforcing age restrictions, refusing to serve intoxicated customers, and encountering shop thieves. During the pandemic, our members have reported a 40% increase in violence and abuse, the majority of these incidents relate to complying with Covid-19 secure measures in stores, such as wearing face coverings and social distancing.
4. These violent incidents can be incredibly traumatic for shopworkers, causing not only physical injury but significant emotional impacts and leaving staff afraid to return to work.
5. ACS' key recommendations on violence towards retail workers are:

The police response to incidents of abuse and violence towards retail workers;

- Police forces must review their prioritisation assessments to better respond to retail violence, provide clearer guidance to retailers on how to report and what incidents will receive a response.
- Amend the Section 182 guidance to make clear that where businesses are the victim of crime, such as shop theft, violence or abuse, this cannot count towards alcohol licensing reviews, which is often a barrier to reporting.

Barriers to justice for victims of retail abuse and violence;

- Stronger collaboration is required between the Ministry of Justice and the Home Office with both departments taking equal responsibility for addressing the issue of violence towards retail workers.
- Review the Out of Court Disposals System, implement the Second Chance Programme to address the root causes of offending, and encourage PCCs to make use of their community remedy powers to ban repeat offenders from shops.

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

<sup>2</sup> [ACS Crime Report 2020](#)

- Police must offer all victims a Victim Personal Statement and an Impact Statement for Business, in order to ensure consistent treatment of retailers and shopworkers who are victims of crime.

Whether a new aggravated offence is required;

- Introduce legislation to protect retail workers, send a clear message to offenders that violence will not be tolerated and acknowledge the important work that retail workers do to enforce the law.
- Introduce a statutory aggravation for assaults against a retail worker and update the Sentencing Guidelines to allow offenders to receive a tougher sentence, such as exists for emergency workers.

The adequacy of the Government's response to its call for evidence;

- The Home Office has not yet delivered on its commitment to delivering meaningful action on retail violence by providing new resource for the police to focus on retail violence, support industry action to innovate data sharing and reporting of crime.
- The Home Office must focus funding on community policing to provide a visible presence in the community and the ability for officers to better respond to retail violence.
- The Home Office must fund a H.M. Inspectorate of Constabulary and Fire Services (HMICFRS) thematic review of police forces response to violence against shopworkers with representatives from retail invited to join the review.

## **The police response to incidents of abuse and violence towards retail workers**

### *Police Response*

6. ACS' Crime Report 2020 found that retailers are overwhelmingly dissatisfied with the response they receive from police to crime against their business. 80% were dissatisfied with the ease of reporting a crime to the police, 84% were dissatisfied with the consistency of police response, 87% were dissatisfied with the time taken for police to respond to an incident, 91% were dissatisfied with police response to repeat offenders, 95% were dissatisfied with police investigation of an incident. Finally, 97% were dissatisfied with the sanctions issued to offenders<sup>3</sup>.
7. These results reveal an ongoing vicious cycle between retailers, the policing community, and policy makers. Increasing pressures on police resources have led to the low prioritisation of police response to retail crime, including low level violence and abuse in the convenience sector. This has in turn reduced confidence from retailers in reporting crime to the police, which then undermines data used to fund police forces to appropriately respond to crime.
8. We acknowledge that the police and justice system is under great pressure. We want to see the Government invest more in the policing and justice system so they can deal with increasingly complex and resource intensive criminal activity. We also believe that tackling repeat offenders that target retail businesses and attack

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<sup>3</sup> ACS Crime Report 2020

shopworkers will prevent other crimes in the community. Our research suggests that offenders that target local shops and other retail businesses are often driven by alcohol and drug addiction or part of organised criminal groups<sup>4</sup>.

### *Reporting*

9. For retailers and shopworkers, reporting crime is a challenging and time-consuming process that often results in limited, significantly delayed or no response from the police. To support retailers in reporting violent offences, ACS worked with the National Business Crime Centre and police call handlers to produce guidance<sup>5</sup>. In developing this, we found that retailers were reporting crime in a suboptimal way. For example, reporting the act of theft instead of the associated violent, aggressive, or abusive behaviour used by the offender to commit the theft. For reporting violent offences, it is important retailers explicitly state that violence or threats of violence have been used and the immediate nature of the risk.
10. Police forces need to develop better mechanisms for reporting offences and triaging the most serious incidents. Police prioritisation assessments often rule out police responses to crime in retail settings apart from the most violent incidents. Police attendance is determined principally by the availability of resources but also the level of violence, use of weapons and the presence of the offender. In retail settings the violence used is often categorised as “low level”, for example a single shove, punch or spitting, leading to limited police response and disillusionment from retail workers.

### *Monetary Thresholds*

11. While it may not be formal police policy, retailers report that many forces operate monetary thresholds for shop thefts and will not respond unless an offence exceeds this threshold. These thresholds exclude some retail businesses from receiving a response from the police. For convenience stores, the average spend per customer is £7.46<sup>6</sup>, making it difficult to reach a threshold of £50 or £100. Repeat offenders understand that if they work beneath these thresholds, they will not be reprimanded, meaning that retailers are often repeatedly victimised by the same individuals. The criteria for receiving a police response must not only consider volume or value but should also account for repeat victimisation. The management of shop theft incidents is relevant to violent offences as this is the top trigger for abuse and violence towards shopworkers.

### *Barriers to reporting*

12. Retailers express concern that increased reporting of crime can lead to the police identifying their business premises as a ‘crime hotspot’ or ‘crime generator’. This can manifest into police and trading standards officers looking to undertake more regular visits to the site or pursuing a review of the premise’s alcohol licence on the grounds of the ‘the prevention of crime and disorder’ licensing objective. The threat of an alcohol licence review is a significant barrier for a retailer to report crime.

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<sup>4</sup> ACS Crime Report 2020

<sup>5</sup> [ACS Crime Guidance 2020 p3](#)

<sup>6</sup> ACS Local Shop Report 2020

13. This issue was acknowledged in the Home Office response to the call for evidence, recommendation 5 states “including premises selling alcohol not feeling disadvantaged”. However, we have seen little evidence of action to address this. To support the Home Office to understand the extent of the problem ACS submitted ten examples from large and small format retailers of threats of alcohol licensing reviews.
14. This barrier could be removed through small amendments to the statutory alcohol licensing guidance without the need for primary legislation or formal consultation. ACS strongly recommends that the Section 182 guidance is amended to make clear that where businesses are the victim of crime, such as shop theft, violence or abuse, this cannot count towards alcohol licensing reviews.

### **Barriers to justice for victims of retail abuse and violence**

15. Violence and abuse towards retail workers cannot be decoupled from the triggers. The Home Affairs Committee cannot ignore that violent incidents and “low level” offences such as shop theft are intrinsically linked. We believe that the increase in violence towards retail workers can largely be attributed to a change in the profile of shop theft offenders and the failures of the justice system to adequately tackle the root causes of offending.

#### *Shop theft*

16. The top trigger for incidents of violence and abuse towards convenience store colleagues is encountering shop thieves<sup>7</sup>. The convenience sector has seen a shift away from opportunistic theft, to prolific repeat offending. Retailers now perceive that 77% of shop thefts against their business are committed by repeat offenders who repeatedly target their stores. Of repeat offenders, retailers believe that 52% have a drug or alcohol addiction.<sup>8</sup>
17. The growth in addiction-based theft is supported by the Centre for Social Justice (CSJ) report, *‘Desperate for a Fix’*, which suggests that 70% of shop theft offences are committed by someone with a drug addiction<sup>9</sup>. The type of products that are most commonly stolen from stores include meat, confectionery, alcohol, cheese, coffee and washing detergent. These high value items are easy to resell, and the funds can be used to support addictions or other social issues that have not been addressed by the Justice system.<sup>10</sup>

#### *The Out of Court Disposals System (OOCDS)*

18. The OOCDS system is most commonly used to address shop theft but fines and cautions are often ineffective, do not tackle the root causes of offending and can facilitate an escalation to violence. Repeat offenders are often not only known to retailers but also the police, other businesses, housing associations and other sectors experiencing violence in the community.

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<sup>7</sup> ACS Crime Report 2020

<sup>8</sup> ACS Crime Report 2020

<sup>9</sup> The Centre for Social Justice [‘Desperate for A Fix’](#)

<sup>10</sup> ACS Crime Report 2020

19. Whilst we support the move away from the use of short custodial sentences, the Government must consider what credible alternatives will be used in their place and how to improve the OOC system. We support the CSJ's 'Second Chance Programme', which aims to break the cycle of offending through a two-year programme targeting the most prolific drug-addicted offenders<sup>11</sup>. Stronger collaboration is required between the Ministry of Justice and the Home Office to join up the police response and the handling of repeat offenders in the justice system. The Ministry of Justice must take equal responsibility, alongside the Home Office for addressing the issue of violence towards retail workers.
20. Police and Crime Commissioners (PCC) should make better use of their Community Remedy powers to tackle anti-social behaviour involving theft and violence, including banning repeat offenders from entering shops.

### *Impact Statements for Shopworkers and Businesses*

21. Under the Victims' Code, all victims of crime, including businesses, are entitled to make an Impact Statement when they report a crime. Impact Statements are an important tool to communicate all impacts of a violent incident, including the human impacts of incidents on store colleagues. ACS surveyed 1,210 independent retailers in our Voice of Local Shops Survey in February 2019 asking them if they had been offered the chance to provide an Impact Statement for Business (ISB) when they were a victim of a crime. 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>12</sup>.
22. We welcome the Government's new guidance on Impact Statements<sup>13</sup> but police forces must make use of this. Police must offer a Victim Personal Statement and an ISB, in order to ensure consistent treatment of retailers and shopworkers who are victims of crime.
23. PCCs should work with criminal justice partners to signpost victims to local support networks or charities. For example, GroceryAid, the grocery sector's charity, provides a range of support services for retailers and store colleagues following traumatic events include violent attacks. GroceryAid operate a Workplace Critical Incident Support Service<sup>14</sup> to support retail workers, which can be activated when an accident, robbery or assault has occurred in the workplace.

## **Whether a new aggravated offence is required**

### *New legislation*

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<sup>11</sup> The Centre for Social Justice '[Desperate for A Fix](#)'

<sup>12</sup> ACS Voice of Local Shops Survey February 2019

<sup>13</sup> Ministry of Justice [Impact Statements for Business guidance](#) April 2019

<sup>14</sup> [GroceryAid Workplace Critical Incident Support](#)

24. The Government should introduce a new aggravated offence for attacks on retail workers. Legislation is needed to protect retail workers, send a clear message to offenders that violence will not be tolerated and acknowledge the important work that retail workers do to enforce the law. Common law assault has not been effective in dealing with the increasing problem of violence and abuse in retail settings.
25. A specific offence would act as a deterrent to offenders, provide confidence and assurance to retailers and their staff that they have another layer of protection when carrying out their statutory duty and provide the clarity for retailers to secure an appropriate response from police forces and the justice system.
26. Legislation to protect retail workers in the course of their work is being introduced in Scotland, having passed Stage 2 in the Scottish Parliament<sup>15</sup>. The Bill will make it an offence to assault, threaten or abuse a retail worker, with an aggravation where the offence is committed because the worker is applying an age-restriction as per their own statutory duty. The UK Government should follow suit and pass legislation to deliver greater protections for retailers and shopworkers in law.

### *Sentencing Guidelines*

27. The law must clearly support the appropriate penalties for violence against shopworkers to ensure that both the physical injuries and the psychological impacts are considered. Sentencing guidelines must provide clarity to Magistrates and Courts that an assault against a retail worker or someone in the course of their employment should count as a statutory aggravating factor, resulting in a more serious punishment.
28. Assaults against retail workers are currently considered under common assault charges and the corresponding sentencing guidelines. Whilst there exists a factor for “an offence committed against those...providing a service to the public”, it is not clear how far this is used. There is no statutory aggravation specifically for assaults against retail workers resulting in a tougher sentence, such as exists for emergency workers. This also means that there is a lack of granular data for offences against retail workers, as offenders are charged with common assault charges. A specific offence would provide more accurate data on offences and penalties for retail violence and cement the understanding that these offences carry a more serious penalty.
29. The City University report ‘It’s not part of the Job’ documents the significant emotional impacts on shopworkers that are victims of violence, including Post Traumatic Stress Disorder<sup>16</sup>. The sentencing guidelines must better account for violence against shop workers and the psychological impacts of these offences, to ensure offenders receive appropriate sanctions and to deter repeat offending.

### **The adequacy of the Government’s response to its call for evidence**

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<sup>15</sup> Protection of Workers (Retail and Age-restricted Goods and Services) (Scotland) Bill

<sup>16</sup> [‘It’s not part of the job’](#): Violence and verbal abuse towards shop workers - A review of evidence and policy September 2019

30. The Government's response to the 2019 call for evidence acknowledged but did not act on calls to create a new aggravated offence, stating that government "does not consider that the case is yet made out for a change in the law". Yet quite simply, existing penalties and sentencing guidelines have not been sufficient: incidents continue to rise with 87% of colleagues experiencing verbal abuse, 60% experiencing threats of violence and 28% experiencing physical violence in the last year, just for doing their job<sup>17</sup>.
31. The Government's response fell short in delivering new meaningful action. ACS welcomed the letter to PCCs to set out that the theft of goods valued up to £200 from a shop should be prosecuted as a criminal offence, but the main output of the call for evidence response was four dedicated task and finish groups within the National Retail Crime Steering Group (NRCSG), with industry bodies and businesses tasked with delivering action.

#### *National Retail Crime Steering Group*

32. ACS is a member of the NRCSG and is involved in the task and finish groups, leading on the Communications group. These groups look to complete tasks relating to communication, reporting, data sharing and victims. Previous NRCSG workplans have already covered these areas; with ACS delivering the #AlwaysReportAbuse campaign and producing best practice guidance on reporting violent incidents.
33. Home Office officials oversee industry action in the groups, with members intended to complete their outputs before the Home Office moves its focus on to other activity. Violence and abuse is an ongoing issue and effective work cannot always be time-limited. The workplan being carried out by the groups in response to the call for evidence is industry-led and industry delivered, relying on the good will of responsible businesses and business representative bodies to deliver outputs.
34. With significant investments in crime prevention by retailers, and industry-led action, we now need action from the Government to tackle violence and abuse in the retail sector. The Home Office have reduced the NRCSG meetings with the Minister from four times per year to twice per year, despite increasing retail violence. The Home Office should demonstrate its commitment to delivering meaningful outputs by providing new resource for the police to focus on retail violence, support industry action to innovate data sharing and reporting of crime.

#### *Resource and commitment from police*

35. We welcome the Government's commitment to recruit 20,000 new police officers. Government investment must focus on community policing to provide a visible police presence in the community and adequate resource to enable policing colleagues to better respond to retail crime.
36. The response retailers receive from police is inconsistent across force areas. We would like to see a Home Office funded HMICFRS thematic review of police forces response to violence against shopworkers to identify and share best practice, with representatives from retail invited to join the review.

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<sup>17</sup> ACS Colleague Survey 2020

37. The Government should provide more central funding for innovative approaches to tackling retail crime, such as increasing local collaboration through Business Crime Reduction Partnerships, or rehabilitation services that prevent repeat offending. The National Business Crime Centre's funding should be secured and enhanced to help local shops and all businesses to understand and anticipate crime trends.
38. With rising crime and violence in the retail sector, all PCCs should acknowledge retail crime and violence in their budgets and priorities set out in their Police and Crime Plans.

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### ABOUT ACS

The Association of Convenience Stores lobbies on behalf of over 46,000 convenience stores across mainland UK on public policy issues that affect their businesses. ACS' membership is comprised of a diverse group of retailers, from small independent family businesses running a single store to large multiple convenience retailers running thousands of stores.



Convenience stores trade in a wide variety of locations, meeting the needs of customers from all backgrounds. These locations range from city centres and high streets, suburban areas such as estates and secondary parades, rural villages and isolated areas, as well as on petrol forecourts and at travel points such as airports and train stations.

### WHO WE REPRESENT

#### INDEPENDENT RETAILERS



ACS represents almost 19,000 independent retailers, polling them quarterly to hear their views and experiences which are used to feed in to Government policy discussions.

These stores are not affiliated to any group, and are often family businesses with low staff and property costs. Independent forecourt operators are included in this category.

#### SYMBOL GROUPS AND FRANCHISES



ACS represents over 14,000 retailers affiliated with symbol groups. Symbol groups like SPAR, Nisa, Costcutter, Londis, Premier and others provide independent retailers with stock agreements, wholesale deliveries, logistical support and marketing benefits.

Symbol group forecourt operators and franchise providers like One Stop are also included in this category.

#### MULTIPLE AND CO-OPERATIVE BUSINESSES



ACS represents over 13,000 stores that are owned by multiple and co-operative retailers. These businesses include the Co-Operative, regional co-operative societies, McColls and others.

Unlike symbol group stores, these stores are owned and run centrally by the business. Forecourt multiples and commission operated stores are included in this category.

### THE CONVENIENCE SECTOR



#### WHAT WE SELL

In 2020, the total value of sales in the convenience sector was £44.7bn.

The average spend in a typical convenience store transaction is £7.46.



#### WHO WE ARE

There are 46,955 convenience stores in mainland UK. 72% of stores are operated by independent retailers, either unaffiliated or as part of a symbol group.



#### OUR COLLEAGUES

The convenience sector provides flexible employment for around 412,000 people.

13% of independent/symbol stores employ family members only.



#### HOW WE OPERATE

22% of shop owners work more than 60 hours per week, while 24% take no holiday throughout the year.

72% of business owners are first time investors in the sector.



#### OUR COMMUNITIES

Convenience stores and Post Offices poll as the two services that have the most positive impact on their local area according to consumers and local councillors.

80% of independent/symbol retailers have engaged in some form of community activity over the last year.



#### ECONOMIC CONTRIBUTION

Between August 2019 and May 2020, the convenience sector invested over £585m in stores.

The most popular form of investment in stores is refrigeration.

### OUR RESEARCH

ACS polls the views and experiences of the convenience sector regularly to provide up-to-date, robust information on the pressures being faced by retailers of all sizes and ownership types. Our research includes the following regular surveys:

#### ACS VOICE OF LOCAL SHOPS SURVEY

Regular quarterly survey of over 1,200 retailers, split evenly between independent retailers, symbol group retailers and forecourt retailers. The survey consists of tracker questions and a number of questions that differ each time to help inform ACS' policy work.

#### ACS INVESTMENT TRACKER

Regular quarterly survey of over 1,200 independent and symbol retailers which is combined with responses from multiple businesses representing over 3,000 stores.

#### ACS LOCAL SHOP REPORT

Annual survey of around 2,400 independent, symbol and forecourt retailers combined with responses from multiple businesses representing 6,700 stores. The Local Shop Report also draws on data from Lumina Intelligence, IGD, Nielsen and William Reed.

#### BESPOKE POLLING ON POLICY ISSUES

ACS conducts bespoke polling of its members on a range of policy issues, from crime and responsible retailing to low pay and taxation. This polling is conducted with retailers from all areas of the convenience sector.

For more information and data sources, visit [www.acs.org.uk](http://www.acs.org.uk)

