

ACS Submission: Improving the Victims' Code

ACS welcomes the opportunity to respond to the Ministry of Justices' consultation on Improving the Victims' Code. ACS represents 33,500 local shops across the UK including the Co-Op Group, independent Regional Co-operatives, Spar, One Stop and thousands of found in Annex A.

ACS responded to the consultations on 'Proposals for revising the Code of Practice for Victims of Crime', 'Getting It Right for Victims and Witnesses and 'Improving the Code of Practice for Victims of Crime' [here](#). The inclusion of support for businesses as victims of crime was an important step in undermining the perception that business crime is victimless, therefore it is important that recognition of businesses as victims of crime is retained in the code and strengthened.

ACS welcomes the revisions to the draft code to make clearer the rights available to all victims. We want the Victims' Code to work for businesses who are victims of crime and ensure that representatives are aware of the services and support available to them. We believe the revisions to the Code are positive but further supporting guidance delivered specifically for businesses on their rights under the Code, how they apply and where they can access further support is needed. We are open to working with the Ministry of Justice and other agencies to promote the rights of businesses under the Victims' Code.

Convenience stores are often victim to retail crime, trading across high streets, neighbourhood parades and villages. ACS Crime Report 2020 found that crime cost the convenience sector £209m in the last year. Beyond the financial burden, retailers are facing increasing violent crime. Over the past year, there have been an estimated 50,338 incidents of violence and threats towards convenience store colleagues across the UK¹. The sector saw 18,399 robberies and almost 10,000 incidents involving a weapon. Violent incidents can be incredibly traumatic for individuals, causing not only physical injury, with 25% of all violent incidents resulting in injury, but also significant emotional impacts which can leave members of staff afraid to return to work.

ACS' response to the relevant questions are detailed below. ACS' main recommendations for improving the Victims' Code are:

- The Code should make clearer that a business owner can submit both a victim personal statement and a business impact statement
- The Code should be published alongside specific guidance for businesses who are victims of crime
- The guidance should make clear that every business must be offered the opportunity to make an Impact Statement for Business for every crime reported and signpost further support for businesses

Improving the Victims' Code:

¹ [ACS Crime Report 2020: Evidence for Action](#)

1. Do you think our proposal to restructure the Code into 12 overarching rights is the correct one? Please give reasons for your response.

Restructuring the Victims Code so that victims are the primary audience and setting out 12 clear given rights makes the Code easier to understand, however some clarity has been lost in the way the Code is applied to businesses. Previously, Chapter 4 of the code set out the rights of businesses separately. Whilst we welcome the move to include businesses along with all victims of crime and give them shared rights under the Code, the Code must be supported by detailed guidance for businesses, providing further information on how the Code applies, how to provide a named point of contact and what different options are available including the Impact Statement for Business (ISB). This should also be clearly communicated to police forces, to ensure consistent treatment of victims when reporting a crime.

It is important to note that staff within a business can change regularly, meaning the original point of contact may change and a new point of contact appointed to represent the business throughout the criminal justice journey. The process for appointing a named single point of contact must be simple and clearly communicated to businesses in supporting guidance.

2. Do you agree that the rights we have identified cover the most important needs of victims? Please give reasons for your response.

Yes.

3. Do you agree that these rights cover the key stages of a victim's journey in the criminal justice system? Please give reasons for your response.

Yes. It is often between reporting a crime and an offender being charged that retailers' report frustration at a lack of communication on their case and often perceive that nothing has been done. We welcome the broader approach to strengthen communication from the point that a victim first reports a crime to the police rather than at the point of charge as suggested in the previous consultation.

Information:

4. We have included more practical advice and information in the draft revised Code, do you agree with our proposed approach? Please give reasons for your response.

Yes. Whilst the Code does include more practical advice and information for all victims, the business community is diverse and will have differing needs to other victims of crime. Therefore, the Code should also be supported by separate guidance for businesses that are victims of crime to ensure that they are aware of their rights to make an ISB, how the name contact process works and how the ISB will be used in court.

As part of further consideration on agencies compliance with the Code, the Government should consider practical measures that can be implemented to ensure victims receive their rights. ACS' Crime Report 2020 found that 87% of retailers were dissatisfied with police response to an incident² and ACS' Voice of Local Shops polling of 1,200 convenience retailers in February 2019 found that only 40% of retailers who reported a violent incident to the police were made aware of the option to make an ISB.³

² [ACS Crime Report 2020: Evidence for Action](#)

³ ACS Voice of Local Shops Survey February 2019

Whilst the Code does reference the fact that businesses can make both a Victim Personal Statement (VPS) and an Impact Statement for Business, this should be made clearer. The Code states that the named point of contact for the business can make a VPS and has the right to be provided with information about the ISB process. Where the business owner is the direct victim of a crime, they can submit both a statement about the personal impact, for example the psychological impact, as well as a statement about the impact on their business, for example the financial impact. Where they are not, the business owner could submit the ISB and the member of staff involved could submit a VPS. This should be made clearer within the Code or supporting guidance.

5. Is there any important information that you feel we should also include?

The draft revised Code includes signposts additional support that victims can access from the Foreign and Commonwealth Office, the National Health Service and the Independent Press Standards Association. This should also signpost support for businesses who are victims of crime, as their needs may be more complex including emotional support for staff and financial support and advice.

The supporting guidance should reference support services and contact information for businesses who are victims of crime. For example, GroceryAid, the grocery sector's industry charity, provides a range of support services for retailers and store colleagues following traumatic events such as violent attacks. GroceryAid offers a Workplace Critical Incident Support Service⁴, which is activated when a 'critical incident' such as an accident, robbery or assault has occurred in the workplace. Services such as this provide support to victims of crime within a business in the immediate aftermath and can offer ongoing support to victims in the longer term.

The Code and supporting guidance should also include reference to the tools available to victims at local level. Victims, including businesses, are able to use the Community Trigger to tackle theft and anti-social behaviour if they are repeatedly victimised. Retailers perceive that 77% of offenders who target their stores are repeat offenders, and that only 23% are opportunists⁵. The trigger can be a useful tool for businesses to access greater support to deal with repeat crime and anti-social behaviour. However, low awareness of the trigger and inconsistency in its handling by the relevant authorities have so far prevented this being utilised effectively.

⁴ [GroceryAid Workplace Critical Incident Support](#)

⁵ [ACS Crime Report 2020: Evidence for Action](#)

Annex A

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



In 2019, the total value of sales in the convenience sector was £40.3bn.

The average spend in a typical convenience store transaction is £6.38.



There are 46,388 convenience stores in mainland UK. 71% of stores are operated by independent retailers, either unaffiliated or as part of a symbol group.



The convenience sector provides flexible employment for around 405,000 people.

18% of independent/symbol stores employ family members only.



19% of shop owners work more than 70 hours per week, while 17% take no holiday throughout the year.

70% of business owners are first time investors in the sector.



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.

78% of independent/symbol retailers have engaged in some form of community activity over the last year.



Between August 2018 and May 2019, the convenience sector invested over £633m 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 7,556 stores. The Local Shop Report also draws on data from HIM, 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