



Stealing With Impunity

The policing of prolific local offenders
and the impact on our shops
and communities

Research Report



Professor Emmeline Taylor



Foreword

It doesn't matter what data point you look at, which retail business you talk to or which retail worker you listen to, they will all describe a state of lawlessness on the UK High Street which has never been seen before; at times, many resemble the Wild West.

Organised gangs using prolific and persistent offenders and vulnerable individuals to steal huge volumes of product for resale is not unusual in 2024. It happens every day.

And yet, police inaction has effectively led to the decriminalisation of this crime so that the criminals know there is now no real criminal justice risk for them; they face no consequences.

The harm that this tidal wave of crime causes is significant.

For shopworkers, the experience of seeing the shop you work in, which serves your community, being ransacked regularly is dispiriting, exacerbated by knowing the likelihood of police support is minimal, which brings terrible concerns. And behind it all is the recognition that what comes with rising crime is rising abuse, threats and violence.

For businesses, despite spending millions of pounds on ever-more-sophisticated security measures, there are still more attacks on often terrified staff, more worried customers and more losses of product, which is starting to make some stores look unsustainable.

For communities, the prospect could be of stores closing, and with them, the beating heart of so many areas. There is never a surer sign of communities facing tough times than rows of boarded-up shops.

This cannot go on. We need to see action. We need to reclaim our High Streets.

Professor Emmeline Taylor once again powerfully sets out the reality of retail crime today and humanises its impact. Moreover, her ten recommendations set out a clear prospectus to sustainably tackle the issue and protect shopworkers, shops and the communities they both serve.

This report should be mandatory reading for policymakers, politicians and Parliamentarians as they seek to find answers. Professor Taylor sets out many of those answers for them.



Paul Gerrard
Campaigns, Public Affairs and
Board Secretariat Director,
The Co-op Group

Acknowledgements

More than 50 individuals took part in interviews and focus groups for this project. I am hugely grateful for their generous participation, without which the research would not have been possible. Many shop staff travelled a considerable distance to take part in the in-person discussions and Store Managers, Team Leaders and members of the central team took time out of their busy days to share their experiences.

It was clear to see that, for some, these were difficult and emotional conversations to have that brought challenging situations and memories of upsetting incidents to the fore, many of which were still unresolved. All participants talked candidly about the issues that they face on a day-to-day basis and were passionate about sharing their stories in the hope that it might help to make a difference.

I am also hugely thankful to the senior police representatives who took part in the research. It is a challenging time for policing, and they shared a genuine commitment to address retail crime and broader concerns about acquisitive crimes, associated violence and aggression, and the police response. Industry representatives also provided accounts on behalf of their members which helped to provide a broader perspective. Home Office officials reviewed the recommendations drawn from this project for feasibility and alignment with current practice, although it should be noted that they do not necessarily reflect the views of the Home Office.

The Co-op's *Safer Colleagues, Safer Communities* campaign team deserves a special thank you. Not just for commissioning this piece of work, but for continuing to lead the way in addressing sector-wide issues and striving to improve the working conditions of millions of hard-working shopworkers. Paul Gerrard (Campaigns, Public Affairs and Board Secretariat Director) deserves a special thank you for spearheading this agenda. Thank you to Christopher Gunning who assisted with arranging the fieldwork. Jenny Alleyne and Matt Pratley have also contributed throughout with insightful conversations, discussions and facilitating store visits.

About the author

Emmeline Taylor is Professor of Criminology at City, University of London. She specialises in understanding acquisitive crime and business crime, particularly focusing on the retail sector, as well as new and emerging technologies. Professor Taylor's career spans over 20 years, during which time she has worked in the public, private and academic sectors, and on three continents. Professor Taylor has published extensively on crime-related topics, including six books, the most recent of which, *Armed Robbers* (Oxford University Press, 2022), is based on interviews with 42 incarcerated offenders. Professor Taylor has published several reports on retail crime and criminal justice, including: *It's Not Part of the Job: Violence and Verbal Abuse Towards Shop Workers*; *Fortress Stores: How to Keep Most-at-Risk Stores Trading*; and *The Offender to Rehab Programme: An Evaluation of the Birmingham Pilot*.

Working closely with industry, the police and the Government, Professor Taylor is chair of the Business Crime Reduction Partnerships' (BCRP) National Standards Board; a member of the National Retail Crime Steering Group (NRCSG) chaired by the Minister of State for Crime, Policing and Fire; a member of the Home Office Commercial Victimization Survey's (CVS) Expert Panel; and a member of the Metropolitan Police Retail Harm Reduction Partnership. Professor Taylor hosts the podcast *Retail Crime Uncovered*, which focuses on how to identify and tackle retail crime in all its forms.

Executive Summary

Recently described as an ‘epidemic’ and ‘out of control’, the UK has a shoplifting problem. Often dismissed as a petty crime, and one that is relatively victimless, shop theft can have serious and far-reaching consequences. Retail crime not only impacts on a business’s ability to operate safely and profitably, but it also causes harm to shop workers, both physically and mentally, and to communities that are blighted by persistent crime.

Offenders vary by method, motivation and level of experience. Numerous typologies of shop thieves have been devised, usually differentiating offenders according to the frequency of offences, the quantity and value of items stolen and the motivation underpinning the crime. This report focuses specifically on prolific local offenders. This cohort of repeat offenders steal persistently, at volume, and often treat theft as a full-time occupation. Effectively tackling this group of repeat offenders will have a large impact on reducing retail crime.

This report looks beyond the individual/s committing theft to explore the local criminal networks that they are a part of. It reveals the extensive stolen goods market that includes other local businesses buying stolen products to either sell on or serve up for profit and the prevalence of stolen goods being offered for sale on online community marketplaces. There are also clear examples of criminal exploitation within these illicit networks. Any strategy to reduce shop theft must also seek to disrupt the trade in stolen goods and target criminal exploitation.

The retail industry reports poor experiences of the police in relation to tackling prolific local offenders. The reasons are multiple (including response time, lack of attendance following serious incidents, a perceived unwillingness to investigate and a lack of communication relating to the progression of cases), but most stem directly back to a lack of police resources. The police prioritise cases using THRIVE (Threat, Harm, Risk, Investigation, Vulnerability, Engagement). But if police resources are so stretched that prolific acquisitive offenders are never dealt with, they are ultimately being permitted to steal with impunity. Understandably, this leads to frustration and dissatisfaction among businesses and communities.

For a range of reasons, including resources, the police in England and Wales have lost grip on the scale and severity of acquisitive crime. This, in turn, has led retailers to lose confidence in the police and wider criminal justice system, resulting in chronic under-reporting of incidents that occur in a retail setting.

In October 2023, the National Police Chiefs’ Council (NPCC) published the Retail Crime Action Plan which outlines commitments by the police to attend incidents where an offender has been identified or detained, or to those that involve violence. These are welcome commitments and, if upheld, will begin to make a difference to tackling prolific local offenders. The challenge remains as to how the police will be able to deliver on the Action Plan without a significant uplift in resources, or at least without resources being ring-fenced. It is also unclear how performance against the commitments in the Action Plan will be measured by each force without a change in the way that crimes in a retail setting are recorded. Furthermore, there are some elements missing, e.g., strategies to disrupt the trade of stolen goods.

This report makes ten recommendations to tackle prolific local offending, including changes to legislation, a focus on interrupting the stolen goods trade and the introduction of measurable key performance indicators to monitor the commitments made in the police Retail Crime Action Plan. By taking decisive action to tackle high-volume, high-impact acquisitive crime, the police and retail industry can together create safer communities in which to live, work and shop.

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Recommendations

Policing

- 1. Police and Crime Commissioners (PCCs) to commit to developing a strategy to tackle prolific retail crime in their Police and Crime Plans.** Strategies will address the multiple and interconnected elements of retail crime, including theft, violence and anti-social behaviour, and actively targeting the stolen goods markets.
- 2. Review of the Retail Crime Action Plan to include measurable key performance indicators (KPIs).** To assess its implementation and effectiveness, there must first be performance indicators outlined that forces can easily track and measure. Currently, few aspects of the Plan are easily measurable. For example, there is no simple way of identifying if a violent crime took place in a retail setting in order to be able to measure police attendance.
- 3. Introduction of a 'retail flag' to identify in the Police National Database (PND) and criminal justice case management systems when a crime has taken place in a retail setting.** Flagging incidents that occur in a retail setting is important: it means that the police can monitor changes in frequency and severity of crimes, as well as measure performance against the Retail Crime Action Plan (as above); the Crown Prosecution Service (CPS) can monitor how these cases are handled, and it will enable the Ministry of Justice to identify when and how Section 156 (the statutory aggravating factor) of the *Police, Crime, Sentencing and Courts Act 2022* has been considered and/or applied when sentencing.
- 4. Campaign to target the stolen goods market.** Disruption of the stolen goods markets and the placing of more attention on those who knowingly benefit from the theft of goods and criminal exploitation must form a central pillar of any retail crime strategy. There are examples of how this can be done, including poster campaigns, pursuing plausible and repeat reports of businesses buying stolen goods, using trackers to build evidence of larger-scale operations (particularly those involving licensed goods such as alcohol and tobacco), and launching criminal proceedings against businesses found to be handling stolen goods.

Courts and Sentencing

- 5. Introduce Specialist 'Intensive Supervision Courts' for Retail Crime.** Specialist 'Intensive Supervision Courts' (formerly known as 'Problem Solving' Courts) for retail crime could begin to identify the underlying factors that are driving prolific local offenders and ensure that intense treatment interventions and links to wider support services are tailored to offenders' needs. The sentences, as with other Intensive Supervision Courts, would have judicial oversight through regular court reviews, more intense probation supervision, and a system of incentives and sanctions to encourage compliance.
- 6. Presumption against custodial sentences of less than six months.** The average custodial sentence given for a shop theft is two months, and usually an individual would serve considerably less in prison after automatic release and any further 'discounts' to the tariff are factored in (e.g., for pleading guilty or admitting to other offences). The proven reoffending rate for adults released from custodial sentences of less than or equal to six months is currently 57%. Short custodial sentences are particularly ineffective because they can remove any prosocial factors in an offender's life and yet are not long enough to begin any meaningful programmes or rehabilitation work.

Legislation and Regulation

- 7. Repeal Section 176 of the Anti-social Behaviour, Crime and Policing Act 2014.** Act changed 'low-value shoplifting' (where the value of the stolen goods does not exceed £200) to be a summary offence (a criminal offence that is only triable (summarily) in the magistrates' court). Thieves claim that they can steal with relative impunity so long as they stay below the £200 threshold. Although police forces state that they do not operate with a minimum threshold, Section 176 of the Act clearly sent the wrong message and is often cited by prolific offenders.

- 8. Regulation of e-commerce sites and online marketplaces.** Taking inspiration from other countries that have regulated online marketplaces (e.g., the INFORM Consumers Act in the USA), regulations should be considered to make it harder for those knowingly selling stolen goods to operate anonymously. This could include a requirement for online marketplaces to collect, verify and disclose identifying information about high-volume third-party sellers.
- 9. Introduce a standalone offence for the Protection of Retail Workers.** This will give workers the legal protection they deserve when serving their communities, particularly in terms of age-related sales; send a strong signal to perpetrators that violence and abuse will not be tolerated; and begin to address the alarming increase in violence, intimidation and abuse that has beset the retail sector.

Independent Advisor / Oversight Board

- 10. Appoint an Independent Advisor / Oversight Board.** There is currently a large amount of activity at national and local level to tackle the rise in retail crime and associated offending. There are also many police and industry groups focusing on retail crime, including the National Business Crime Centre, Operation Opal ("Pegasus"), Business Crime Reduction Partnerships (BCRPs) and Business Improvement Districts (BIDs). It is recommended that the Home Office/Ministry of Justice appoint an Independent Advisor to support delivery of the strategies relating to business crime, ensure that the objectives in the Retail Crime Action Plan are upheld, assist in the coordination of efforts at national level to tackle crime and anti-social behaviour in and around shops, influence the development of evidence-based policy, and continue to improve the criminal justice system's response to retail crime and associated offending activity, in all its manifestations.





1. Introduction

Recent months have seen much-needed attention focused on retail crime. Multiple industry surveys, reports and public statements from major retailers have shone a light on the true extent and severity of crime impacting shops across the UK.

According to the Office of National Statistics, in the 12 months to March 2023, the police recorded just 339,206 cases of shoplifting. Yet, the British Retail Consortium's Crime Survey 2023 estimates that there were closer to 8 million incidents of theft in 2022.¹ A not dissimilar figure has previously been estimated by the Home Office's Commercial Victimization Survey (CVS).² In its 2017 survey, the CVS estimated that 8.1 crimes were committed against the wholesale and retail sector, 5.1 million of which were theft.³

The lack of robust and comprehensive police data makes it difficult to identify who exactly is committing theft and the context in which it is happening. What we do have, however, is extensive internal reporting and academic research which provides some indication of trends. For example, the Co-op recorded more than 336,000 incidents in its stores in 2023. This equates to almost 1,000 incidents each day. If the crime experienced by the Co-op continues at this level, this one retailer alone will record more incidents of crime than the police have done for every retailer across the whole of England and Wales in the last year. Putting the issues of police reporting aside, it is not surprising that industry representatives have described retail crime as 'an epidemic'⁴ and 'out of control'.⁵

Retail crime is rhizomatic: it spreads and grows when left unchecked and has far-reaching impacts beyond those who directly experience it. For example, the proceeds of retail theft fuel the drugs and other illicit trades, it contributes to the criminal exploitation of vulnerable adults and children, it destroys the high street, blights communities and limits

employment opportunities. High financial losses due to theft, anti-social behaviour and violent crimes can cause businesses, big and small, to permanently close, resulting in a loss of employment opportunities for those in the local area. The closure of grocery stores can severely impact the community by creating 'food deserts' where entire communities cannot access fresh food and pharmaceuticals at an affordable price within a reasonable distance. There is, of course, also the link between prolific crime and violence: encountering a shoplifter is the number one trigger for violence towards shop staff. The report, *It's Not Part of the Job*, documented the devastating consequences of violence and abuse towards shop workers.⁶ Now, four years on, it appears that crime in and around shops across the UK has become a lot worse.

"It really worries me that at some point we'll end up with food deserts in really challenging communities where retailers just won't trade there because of the effects of crime."

Risk Manager, National - 22 years' experience

¹British Retail Consortium (2023) Crime Survey 2023. https://brc.org.uk/media/682083/crime-survey-report-2023_final_lowres.pdf (accessed 01.11.23)

²Home Office (2018) Statistical News Release - Crimes against businesses: findings from the 2017 Commercial Victimization Survey. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/704367/crime-against-businesses-2017snr.pdf (accessed 01.11.23)

³The CVS questionnaire has since been changed to replace incidence data questions with frequency of crime questions. i.e., respondents are now asked how frequently a crime occurs (e.g., 'daily', 'weekly') rather than the number of incidents experienced. As a result, the survey no longer provides an estimation of the number of crimes experienced by commercial entities.

⁴BBC News (2023) 'Shoplifting an epidemic, says John Lewis boss,' <https://www.bbc.co.uk/news/business-66784250> (accessed 09.11.23).

⁵The Independent (2023) 'Co-op boss warns shop crime is 'out of control' as one store is looted three times in one day,' <https://www.independent.co.uk/news/uk/crime/co-op-looting-shoplifting-crime-b2382264.html> (accessed 09.11.23)

⁶Taylor (2019) *It's Not Part of the Job: Violence and Verbal Abuse Towards Shop Workers*. https://assets.ctfassets.net/5ywmq66472jr/22QfMejeWYbimJ9ykX9W9h/0e99f15c0ed24c16ab74d38b42d5129a/It_s_not_part_of_the_job_report.pdf (accessed: 09.11.23).

Focus of the Report

This report has been commissioned by the Co-op to provide independent insight into the lived experience of individuals employed in the grocery sector in the UK. It draws upon findings from six in-person focus groups with 33 participants in various store-based public-facing roles, and 15 in-depth one-to-one interviews with Store Managers and members of the central team working in roles relating to risk, staff wellbeing and safety.⁷ In addition, stakeholders representing key industry bodies and the police were interviewed to better understand the context and issues. This includes the Chief Executive of the Association of Convenience Stores (ACS), the National Police Chiefs' Council (NPCC) Lead for Acquisitive Crime, the police National Lead for Retail Crime, and the National Business Crime Centre (NBCC). The findings are presented alongside key literature and data where available.

Having documented the experiences and issues that have beset the retail industry in recent years, the report makes ten recommendations. It is intended that the findings of this report will be used to take meaningful action, break the cycle of offending that so many offenders are caught up in, develop appropriate evidence-based sanctions and rehabilitation programmes, target the stolen goods markets, and foster a refreshed, honest, collaborative approach between the retail industry, the police and the broader criminal justice system.

Defining Prolific Offenders

In 2017, the Ministry of Justice established a series of definitions for a "prolific offender". The definitions are age-group specific to account for the time available to offend (e.g., an offender, aged 16, will have had a lot less time available to offend than a 40-year-old). The age-specific definitions are outlined in Table 1. It is important to remember that these definitions are based on the number of convictions, and it is widely acknowledged that many shop thieves commit tens if not hundreds of offences without apprehension or formal proceedings being taken.

Category	Definition
Juvenile prolific offenders are defined as those who:	<ul style="list-style-type: none"> - are aged 10-17, and - have four or more previous sanctions
Young adult prolific offenders are defined as those who:	<ul style="list-style-type: none"> - are aged 18-20, and - have eight or more previous sanctions, of which four or more were received while the offender was aged between 18 and 20. <p>Where a young adult does not meet the criteria for a prolific young adult offender but received four or more previous sanctions as a juvenile, they will then form part of the juvenile prolific cohort.</p>
Adult prolific offenders are defined as those who:	<ul style="list-style-type: none"> - are aged 21 or older, and - have 16 or more previous sanctions, of which eight or more were received when the offender was aged 21 or over. <p>Where an adult does not meet the criteria for a prolific adult offender but has eight or more previous sanctions, four or more of which were received as a young adult, they will then form part of the young adult prolific cohort. Where an adult does not meet the criteria for a prolific adult nor a prolific young adult offender but has four or more previous sanctions as a juvenile, they will then form part of the juvenile prolific cohort.</p>

Prolific offenders are, by definition, repeat offenders. Many have received and served a considerable number of community orders and custodial sentences. A renewed, evidence-based, approach to the policing of these offenders, and the subsequent criminal justice response, is required.

Opportunistic, Organised and Prolific Offenders

"It's normally between six and ten offenders that commit 90% of the crime in store."

Risk Manager, National - 22 years' experience

"We get a lot of crime here. We get shoplifting from 7am, as soon as we open, and it gets worse throughout the day. Most of the time it is the same people and it's frustrating because it feels like nothing's ever being done."

Store Manager, Bournemouth - 13 years' experience

The cliché narrative about shop theft is that it's a 15-year-old kid stealing a Mars Bar. We are not talking about that. We are interested in prolific and violent offenders being targeted. We need investigations and then to look at the most effective penalties, whether that's through the courts, out-of-court penalties, rehabilitation or treatment services. We need a real commitment to find the most effective penalties and break the cycle of reoffending.

James Lowman, Chief Executive, Association of Convenience Stores

80% of shoplifting offences are committed by 20% of offenders. If we impacted just some of those repeat offenders, not all but some of them, you'd see a huge impact on retail crime without a doubt.

Chief Superintendent Alex Goss, Police National Lead for Retail Crime

Retail offenders vary in their level of experience, motivation and method they use to commit crime. Numerous typologies of shop thieves have been devised, usually differentiating offenders according to the frequency of offences, the quantity and value of items stolen and the motivation underpinning the crime. Mary Cameron (1964) simply dichotomised offenders into 'boosters' (professional thieves who resold the high-value items they stole) and 'snitches' (amateur thieves who typically stole low-value items for personal use). Whereas the psychologist Miranda Nadeau and colleagues (2019) created a typology of offenders comprised of six discrete groups.⁹ For the purposes of this report, shop thieves are grouped into three main categories: Opportunistic, Organised and Prolific offenders based on the intensity of their criminal activities and geographic reach.

Opportunistic offenders (amateurs). Theft committed by this cohort of offender is episodic and only occurs when the offender perceives the situation to be low risk. Opportunists typically steal one or two items

per incident, usually for personal use, and may pay for other items. They might be motivated by a range of different factors, including financial difficulty, peer pressure, depression, status or thrill seeking. The opportunist is usually cautious and apprehensive. They are typically embarrassed and apologetic if apprehended and may draw upon a range of excuses to try and explain or justify their behaviour (e.g., blaming the self-service checkout machine). Opportunists can be deterred through situational crime prevention techniques that signal an elevated risk of detection, an increase in the effort required to commit the offence and/or a removal of the excuses that they draw upon to justify their offending.

Organised offenders (networked and mobile). Organised retail criminals are a network of individuals, often with differentiated roles, who are mobile and target multiple sites. They steal in bulk and usually multiples of the same valuable goods. Offenders are likely to be involved in other criminal enterprises, such as drugs, trafficking, fraud and/or counterfeit merchandise. Some criminal groups exploit vulnerable adults and children to steal and commit other offences on their behalf. Organised retail criminals target multiple locations and operate across police jurisdictions to avoid apprehension. They might be involved in several different types of retail crime, such as returns fraud, in addition to shop theft.¹⁰

Prolific local offenders (professionals). Prolific local offenders approach shop theft (and potentially other acquisitive crimes) as a full-time job and their main source of income. They target specific items (typically small items of relatively high value) that they know they can sell on quickly. Prolific offenders usually have established buyers / handlers for the goods that they steal and may even steal to order. Some prolific offenders work in pairs or as part of a team. They might have other individuals supporting them by causing a distraction or working as a 'spotter', alerting the thief when a security guard is taking a break, for example. Prolific offenders can become emboldened over time as they build confidence through experience. They might carry weapons such as screwdrivers or 'dirty needles' to avoid apprehension and may become aggressive

⁹The six categories of offenders are: into Impulsive, Loss-Reactive (having experienced trauma and/or loss), Depressed, Hobbyist, Addictive-Compulsive, and Economically Disadvantaged types. See Nadeau et al (2019) 'The Psychology of Shoplifting: Development of a New Typology for Repeated Shoplifting', in the International Journal of Offender Therapy and Comparative Criminology (Volume 63: Issue 13).

¹⁰In October 2023, a new strand to Operation Opal, the national policing team that oversees intelligence on serious organised acquisitive crime, was launched to focus on organised retail theft. The initiative, called 'Pegasus', is a business and policing partnership which includes the development of a new information sharing platform. Collectively, retailers have pledged to provide £840,000 to fund the project for the initial two years. The project focuses on the highest tier of offender, i.e., those that are organised, networked and operating across multiple sites. Local prolific offenders are unlikely to meet the threshold for Pegasus because they are often operating alone and, by definition, in a focused localised location.

⁷All the names of these participants have been changed to protect their identity and quotes have been attributed anonymously.

and/or violent if challenged. Many prolific offenders are motivated by the need to fund a drug addiction.

Although not exhaustive of all offender types and motivations, these three groups broadly capture the current offending profile in relation to shop theft in the UK. It is important to note that there might be overlap between the groups. For example, some prolific offenders might be recruited by organised criminals who exploit them for their own personal gain.

A significant proportion of shop theft (and associated abuse, aggression and violence) is committed by local prolific offenders, and it is this cohort that this report focuses on. The 'Pareto Principle' (also known as 'the 80/20 rule') is often applied to crime. When applied to shop theft, it suggests that 20% of offenders commit 80% of offences. Focusing on these vital few can therefore have a big impact.

Recommendation: Introduce Specialist 'Intensive Supervision Courts' for Retail Crime.

Specialist 'Intensive Supervision Courts' (formerly known as 'Problem Solving' Courts) for retail crime could begin to identify the underlying factors that are driving prolific local offenders and ensure that intense treatment interventions and links to wider support services are tailored to offenders' needs. The sentences, as with other Intensive Supervision Courts, would have judicial oversight through regular court reviews, more intense probation supervision, and a system of incentives and sanctions to encourage compliance.

Prolific local offenders are well known by sight, often even by name, by local shop workers. Businesses might have established further details over time, such as where the prolific offenders reside and who is regularly buying the goods that they steal. Having compiled this level of detailed information about known repeat offenders, it is with incredulity that they perceive there to be little action taken by the police. This, in turn, has led to an emboldened cohort of offenders who not only steal with seeming impunity, but who actively taunt and harass shop workers both in and out of the workplace.

Prolific Offenders: Motivations and Reasons

There are, unfortunately, a cohort of offenders who are stealing from stores simply because they can (explored further in Section 2). They are aware that, due to a well-publicised lack of police resources (see Section 4), changes in legislation and the severe under-reporting of theft from shops, any meaningful consequence for theft is not only unlikely, but the penalties are minimal even if they were to be prosecuted.

The Anti-social Behaviour, Crime and Policing Act 2014 changed 'low value shoplifting' (where the value of the value of the stolen goods does not exceed £200) to be a summary offence (a criminal offence that is only triable (summarily) in the magistrates' court). As a result, many offenders now believe that they can steal with relative impunity so long as they stay below the £200 threshold. Although police forces state that they do not operate with a minimum threshold, Section 176 of the Act clearly sent the wrong message and is often cited by prolific offenders.

"Shoplifters know not to nick more than 200 quid because they won't get charged with it. They're not stupid."

Store Manager, Manchester

Recommendation: Repeal Section 176 of the Anti-social Behaviour, Crime and Policing Act 2014. The Act changed 'low-value shoplifting' (where the value of the value of the stolen goods does not exceed £200) to be a summary offence (a criminal offence that is only triable (summarily) in the magistrates' court). Thieves claim that they can steal with relative impunity so long as they stay below the £200 threshold. Although police forces state that they do not operate with a minimum threshold, Section 176 of the Act clearly sent the wrong message and is often cited by prolific offenders.

In some areas, the current level of prolific retail crime has been attributed to the cost-of-living crisis. While there might be some increase in opportunistic theft because of the current economic climate, the longer-term trends which precede the cost-of-living crisis, and the nature and scale of crime, appear to largely counter this assertion.

*"This is nothing to do with the cost-of-living crisis. I suppose when the media see that baby milk is being stolen, for instance, they report, 'The parents can't afford to feed their babies'. That's not the reality. The reality is that it's sold on, it's used to cut drugs, or it's shipped to other European countries. This is nothing to do with the cost of living. The only effect of the cost of living that I see is that the market's broadened for **stolen goods**. There are elements of the community who 12 to 24 months ago wouldn't entertain someone knocking on the door with a steak or cheese. I think now there is an increase in people who see it as attractive because they can't afford certain food groups."*

Risk Manager, National - 22 years' experience

*"People who don't know about crime are really surprised because they think this is just the odd opportunistic thief. The theft of baby powder is a good example. People automatically think, 'Oh my God, that person can't feed their baby', and it's just nonsense. These offenders are taking lots of stuff in bulk to sell on; they're very aggressive, **very abusive**, threatening and intimidating."*

Colleague Safety & Wellbeing Manager, National - 21 years' experience

"There's a trio who steal from my shop. They live across the road from my house and so I see them leaving their house and coming to my shop. Yesterday alone, they were in three times. They steal from us, sell the stuff, then go to the next store. They go to four or five stores a day to get what they want. They're very methodical. When they walk in, one is going for household, one is going for meat and one is going for wine. I see them leave their house with backpacks on their backs, all empty, ready to go. They're very aggressive and they've assaulted one of my team leaders. I ring the police and say, 'Can you apprehend them?' I tell them the route they are taking, and they say, 'No, sorry, we have nobody in the area'. These people have absolutely no fear [of getting caught]."

Store Manager, Reading

Drugs and Addiction

There is a strong relationship between substance misuse and prolific offending. It has been estimated that 70% of shop theft is committed by frequent users of Class A drugs who are stealing to fund a drug addiction.¹¹ An entrenched drug addiction requires a constant stream of money that is typically provided through prolific acquisitive crimes, including burglary, shop theft and vehicle crime. Furthermore, prolonged drug use can impact on a user's mental health, which can, in turn, result in the crimes that they commit becoming more volatile, desperate and potentially violent.

Calculating the Cost of Drug-Fuelled Prolific Offending

The cost of drug-fuelled crime is significant. In 2014, the former National Treatment Agency estimated that the overall annual cost of drug misuse was around £15.4 billion. Of this, £13.9 billion was due to drug-related crime, while around £0.5 billion was NHS costs for treating drug misuse.¹² Alongside these figures is the immeasurable damage caused to families and communities.

The annual spend of someone using both heroin and crack has been estimated to be approximately £19,000 (although many offenders report far higher usage than this).¹³ Those using shop theft to support their drug addiction report that they typically generate around one-third to a half (33-50%) of the recommended retail price (RRP) when they sell stolen goods. In other words, stolen items worth £30 would typically sell for between £10 and £15. To generate enough money to purchase £19,000 worth of drugs per annum, they would therefore need to steal at least double, and possibly triple, that amount, i.e., £38,000 - £57,000 worth of goods per year.¹⁴

¹¹ Centre for Social Justice (CSJ) (2018) Desperate for a Fix: Using shop theft and a Second Chance Programme to get tough on the causes of prolific drug-addicted offending. <https://www.centreforsocialjustice.org.uk/library/desperate-for-a-fix-using-shop-theft-and-a-second-chance-programme-to-get-tough-on-the-causes-of-prolific-drug-addicted-offending> (accessed: 29.01.24).

¹² National Treatment Agency for substance misuse (2014) Why invest? <https://webarchive.nationalarchives.gov.uk/ukgwa/20140727020135/http://www.nta.nhs.uk/uploads/whyinvest2final.pdf> (accessed: 29.01.24).

¹³ Black, D.C. (2020). Review of Drugs - evidence relating to drug use, supply and effects, including current trends and future risks. https://assets.publishing.service.gov.uk/media/5eaaffedd3bf7f65363e4fda/Review_of_Drugs_Evidence_Pack.pdf (accessed: 29.01.24).

¹⁴ Taylor, E. (2023) Offender to Rehab Programme: A Process Evaluation of the Birmingham Pilot. West Midlands Police. Available at: file:///C:/Users/library/Downloads/Aptus-report-1.pdf (accessed: 20.11.23).

"Most prolific offending is down to drug users feeding their habits. They know they can come in, get whatever they want and then get their next fix."

Risk and Compliance Lead for the Southern region

"They're certainly not stealing items to make themselves an evening meal, they're stealing items so they can go to the nearest pub or the nearest corner shop and quickly sell these products at a discounted rate for cash. They then use that cash to fund a drug issue."

Store Manager, Cardiff

We know the majority of repeat offenders are service users. They're substance dependent, they've got financial issues, they've got alcohol issues; there is an evidence base to this. This isn't something new that's just impacted retail crime; it's burglary, it's all acquisitive crime. We know the problem and treating the causal factors in the longer term is the main sustainable way forward.

Chief Superintendent Alex Goss,
Police National Lead for Retail Crime

We have definitely got a cohort of individuals who are stealing to support an alcohol or drug dependency and those are the individuals that we really want to divert into rehabilitation, so we've got more of a chance of stopping the offending.

Chief Constable Amanda Blakeman,
NPCC Lead for Acquisitive Crime

Public Health England estimates that every £1 spent on drug treatment saves £4 in costs to society.¹⁵ Yet despite the significant return on investment, severe funding cuts have resulted in inadequate service provision at far below the required level. The National Audit Office reports that Department of Health and Social Care (DHSC) funding for adult substance misuse treatment to local authorities

fell by 40% in real terms between 2014-15 and 2021-22.¹⁶ Some of the most severe cuts have been made to inpatient detoxification, residential rehabilitation services and outreach programmes.¹⁷

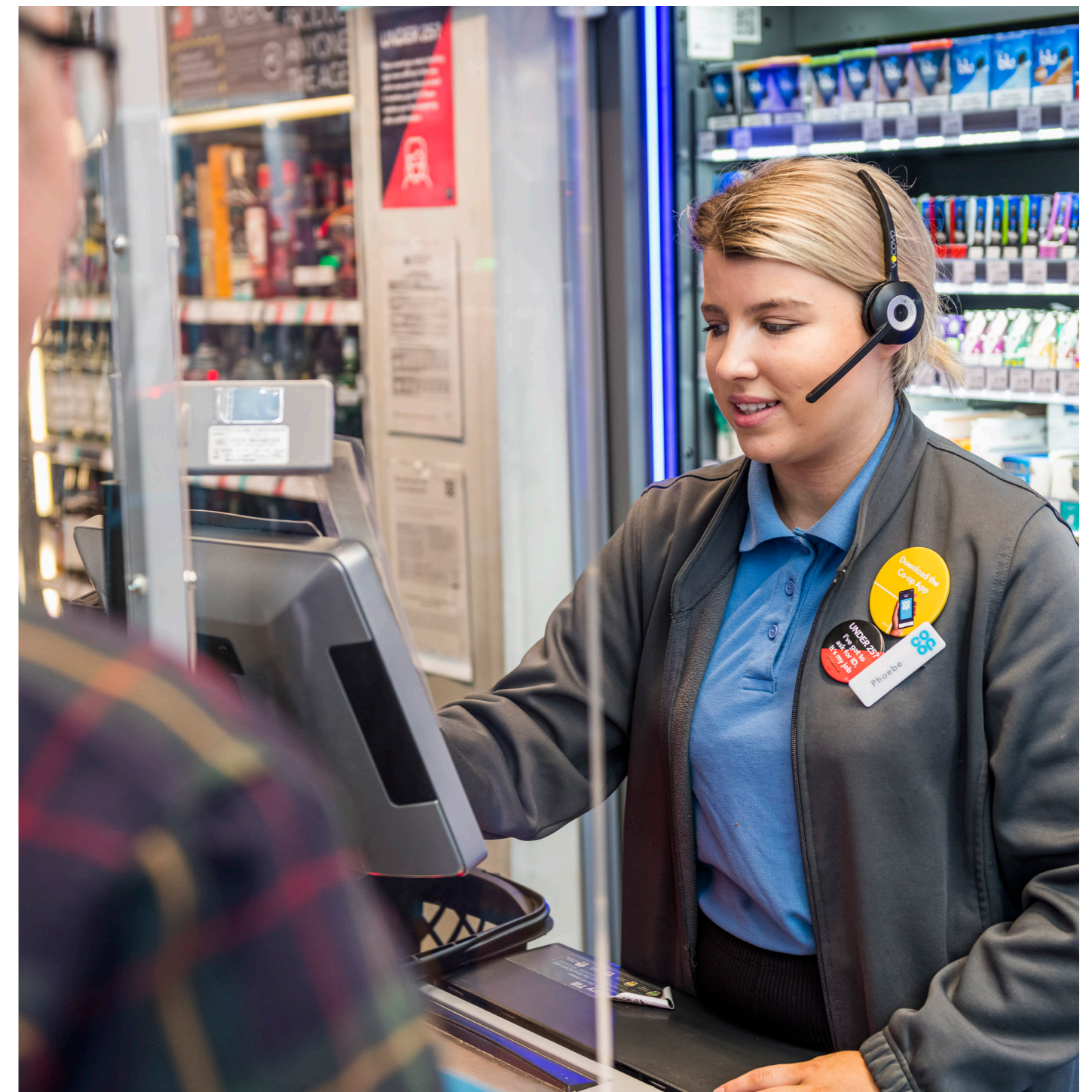
We've got to make sure there are pathways available for the offenders to deal with the root causes, which are usually substance dependent issues. Until we get to that point, this will remain a continuing challenge to policing. You've got to break the cycle, and unfortunately all services are really busy, so getting those right pathways is a challenge. When you're trying to prevent reoffending, the justice route isn't always the best route. If we can get the right pathways available to substance misusers, that's got to be the way forward.

Chief Superintendent Alex Goss,
Police National Lead for Retail Crime

Addressing the range of issues that drug-affected offenders present with is complex but there are some simple steps that can be taken. Diverting drug-affected prolific retail offenders away from short custodial sentences and into effective treatment and recovery is one such avenue. The average custodial sentence given for a shop theft is two months, and usually an individual would serve considerably less in prison after automatic release and any further 'discounts' to the tariff are factored in (e.g., for pleading guilty or admitting to other offences). Adults released from custodial sentences of less than or equal to six months have a proven reoffending rate of 57%.¹⁸ In other words, more than half of offenders released from serving a custodial sentence of less than (or equal to) six months will have committed a further offence within one year that leads to a court conviction, caution, reprimand, or warning in the one-year follow-up or within a further six-month waiting period to allow the offence to be proven in court.

Recommendation: Presumption against custodial sentences of less than six months. Short custodial sentences are particularly ineffective because they can remove any prosocial factors in an offender's life and yet are not long enough to begin any meaningful programmes or rehabilitation work. Replacing them with, for example, Community Sentence Treatment Requirements (CSTRs) as part of a Community Order or Suspended Sentence Order could offer a more effective approach.

The next section outlines the experiences of shop workers who encounter prolific offenders on a regular basis and the impact that it is having on their wellbeing, local businesses and the community.



¹⁵Public Health England (2018), Alcohol and Drug Prevention, Treatment and Recovery: why invest? <https://www.gov.uk/government/publications/alcohol-and-drug-prevention-treatment-and-recovery-why-invest/alcohol-and-drug-prevention-treatment-and-recovery-why-invest> (accessed: 29.01.24).

¹⁶National Audit Office (2023) Reducing the harm from illegal drugs. <https://www.nao.org.uk/wp-content/uploads/2023/10/reducing-the-harm-from-illegal-drugs-summary.pdf> (accessed: 29.01.24).

¹⁷Department of Health & Social Care (2021) Review of drugs part two: prevention, treatment and recovery. <https://www.gov.uk/government/publications/review-of-drugs-phase-two-report/review-of-drugs-part-two-prevention-treatment-and-recovery> (accessed: 29.01.24).

¹⁸Ministry of Justice (2023) Proven reoffending statistics quarterly bulletin, January to March 2021. https://assets.publishing.service.gov.uk/media/63d171bf90e071ba9122343/PRSQ_Bulletin_2020_F4.pdf (accessed: 29.01.24).

2. From the Shop Floor: Employees' Experiences of Prolific Offenders

The following section draws upon research involving more than 50 individuals employed in the grocery sector in a variety of different roles. It outlines the experiences of shop workers who encounter the same known offenders frequently, sometimes several times in the same day. It outlines the impact that these prolific local offenders are having on employees, businesses and the community. The section begins with an overwhelming view that the term 'shoplifting' implies petty pilfering and does not satisfactorily describe the current level and severity of theft from grocery stores.

Changing the Narrative: From 'Petty Theft' to High-impact Offending

*"I wouldn't class it as shoplifting now, I would class it as **looting**. We've got so many stores that have the same group of people that come in several times a day every day, every week, every month. The morale is rock bottom in these stores because the support from the police is not where it needs to be."*

Risk and Compliance Lead, Northeast
- 18 years' experience

Many employees working in shops with high levels of theft described a step change in offender behaviour. It was commonly described as "brazen", "lawless", and "looting." Offenders were perceived to be increasingly indifferent as to whether they were seen stealing by employees or other customers, or if they were being recorded on camera. Shop workers reported that prolific offenders would make little attempt to hide their identity because they did not believe there would be any consequence to their actions.

*"There is this real **brazen** bunch that come in. They don't even cover their face. They're in quick, wipe out the entire shelf, and then they're out. That is where our frustration is, these bulk offenders that come in and take what they want, and they're treated [by the police] as though they just took one item."*

Colleague Safety and Wellbeing Manager
- 21 years' experience

*"What I'm seeing in city centres, especially London, is **lawlessness**. There's looting and kiosk breaches where they go behind the kiosk and steal cigarettes and spirits. Predominantly what I see is an appetite for crime that is not hindered by police. There's no fear at all. It's brazen. In parts of London offenders are going in with wheelie bins or suitcases and emptying stores, and they do it with an attitude. They'll laugh at colleagues. I've got videos of them saying, 'I'll see you tomorrow', 'There's nothing you can do', 'We know you can't touch us'."*

Risk Manager, national - 22 years' experience

*"When I first started in retail, you'd catch people stealing and when you challenged them, they'd go, 'I'm sorry, I'm sorry, I'll put it back, please don't call the police.' It was polite, and they feared the police. Not now. **They're not scared** of CCTV or body cameras; they're not bothered if we've got the footage. They don't hide their face when they walk through the door because, nine times out of ten, they're not going to get caught or prosecuted. I feel the Co-op has done enough to try and protect us with the policy, the body cams, the I-CCTV, the tactical team. It's got to be the police now."*

Store Manager, Northwest

Retail employees attributed such brazenness to a perceived lack of consequences amongst offenders. They outlined that the police, and society more broadly, typically considered shop theft to be a low-impact, petty crime, and one that was relatively victimless. This perception of

theft meant that, even if offenders were stealing large volumes and sometimes multiple times a day, the seriousness of the offence was not being recognised or acknowledged.

*"There has been a **wising up of offenders**. They know now that they can come in and steal high volumes - and I'm talking builder's bags - of stock and that it will be treated the same as stealing a Mars Bar. They've cottoned on to the opportunities, especially with kiosk breaches, which never used to be a thing. We now have groups of up to six people coming in, storming the kiosk, and taking thousands of pounds in cigarettes. But the police response just isn't there. That's what offenders have cottoned on to - the crime has been downgraded. They realise they don't need to do a traditional armed robbery; they can storm the kiosk instead. We've had 780 incidents of kiosk breaches so far this year. And the sad reality is, it's not just us."*

Colleague Safety and Wellbeing Manager
- 21 years' experience

*"We used to be concerned about shoplifters nicking a basketful of steaks, but now they'll come in with a builder's sack or a suitcase and they swipe entire fixtures of stock. Some of them shift it by knocking on people's doors but there are some who are **stealing to order**. For example, they'll steal little chocolate bars, 80p a bar, so you wouldn't think it's high value, but it's the amount they nick, so it's clear that it's stolen to order. They might get £100 for a full builder's sack of stock worth £400-£500. For a shoplifter, that's happy days."*

Risk and Compliance Lead, Northeast
- 18 years' experience

*"The shoplifters are incredibly arrogant. If you catch them, they will just laugh at you. **They laugh at you**. They know there's no consequence."*

Store Manager, Manchester

Violence and Aggression

In addition to high-volume bulk thefts, often described as "looting", shop staff reported frequent verbal abuse, threats and actual violence. The British Retail Consortium (BRC) estimates that violence and abuse against people working in retail has almost doubled compared to pre-pandemic levels. The latest figures from its annual Crime Survey reveal that incidents, including racial and sexist abuse, physical assaults and threats with weapons, rose from the pre-Covid high of over 450 per day in 2019/20 to over 850 per day in 2021/22.¹⁹

*"We've got some very violent offenders that have no care in the world about anybody's welfare so they wouldn't hesitate to punch a colleague or worse in some cases. We're seeing a lot of **knives** and **needles** being threatened."*

Risk and Compliance Lead, Northeast
- 18 years' experience

Being challenged or apprehended for shop theft is the number one trigger for violence in the retail sector, with some sources estimating that shop theft accounts for 31% of incidents.²⁰ The current elevated rates of shoplifting increase the likelihood of incidents in which thieves become aggressive.

*"I was **assaulted** by a group of five teenagers who had already stolen alcohol and were coming back for more. When I tried to disallow them from entering the store again, they attacked me, punching me and trying to kick me. It all happened in a flash. Before fleeing on their bicycles, they threw two glass bottles at me in one last attempt of assault and stole my body-worn camera which was on the floor. It was truly an awful experience. I was going through a range of emotions: anger, distress, anxious and vengeful, to name a few. I couldn't concentrate on work. Every time someone with a bike came to the store, I became anxious and distressed."*

Team Leader, East Sussex

¹⁹ British Retail Consortium (2023) Crime Survey 2023. https://brc.org.uk/media/682083/crime-survey-report-2023_final_lowres.pdf (accessed 01.11.23).

²⁰ Usdaw (2023) Campaign to End Violence and Abuse Against Retail Workers: Survey Results 2022. <https://www.usdaw.org.uk/CMSPages/GetFile.aspx?guid=768eb764-e8dd-4d48-a913-17d6d1d03c1c> (accessed: 09.11.23).

Verbal Abuse and Threats

The Union of Shop, Distributive, and Allied Workers (Usdaw) conducts an annual survey of shop workers as part of its *Freedom from Fear* campaign. The results from the 2022 survey revealed that over seven out of ten respondents experienced verbal abuse. An analysis of the results by gender reveal that women were more likely to be the victim of verbal abuse – 79% of women compared to 72% of men.²¹

"We get called all the names under the sun. You don't even need to approach them, and they'll just start swearing at you and telling you they're going to kill you."

Store Manager, Bournemouth
- 13 years' experience

"I know where you live", 'I'm going to rape your kids', 'I'm going to rape your wife', that's the type of threats we get. Of course it has an impact when they start talking about your family. We don't know what background these people have got, what they're capable of, what they're prepared to do. If they're prepared to say it, you do wonder if they will follow up on it."

Risk and Compliance Lead, Scotland

"It's the threats to kill and the physical and verbal abuse that colleagues get given that keeps me awake at night. It's absolutely awful."

Risk and Compliance Lead, Northeast
- 18 years' experience

Section 156 of the Police, Crime, Sentencing and Courts Act 2022 (PCSC Act 2022) created a statutory aggravating factor which must be considered by the courts when an assault offence has been committed against those who provide a public service or perform a public duty, thus including shop workers within its scope.

The amendment was welcomed by the retail sector, but there are many who feel that it does not go far enough and there are concerns that it is not being applied in eligible cases. It is difficult to assess the frequency with which it is being used. Although the sentencer 'must state in open court that the offence is so aggravated' this factor is not recorded in any systematic or quantifiable way, other than in the sentencing remarks. To assess whether it has been

considered and applied in sentencing would involve reading the sentencing transcripts. This is further complicated by the fact that assaults against shop workers are not distinguishable from assaults committed against other members of the public (this is further discussed on page 34). The introduction of a standalone offence, as has been successfully introduced in Scotland²² will send a clear message to perpetrators that their behaviour is unacceptable, while signalling to victims that these crimes are being taken seriously.

Recommendation: Introduce a standalone offence for the Protection of Retail Workers. This will give workers the legal protection they deserve when serving their communities, particularly in terms of age-related sales; send a strong signal to perpetrators that violence and abuse will not be tolerated; and begin to address the alarming increase in violence, intimidation and abuse that has beset the retail sector.



Cumulative Exposure to Threat and Harm: The Impact of Prolific Crime on Retail Employees

The impact of experiencing prolific offending over a prolonged period cannot be understated. Repeated exposure to stressful and traumatic events can trigger physical, psychological and emotional symptoms. Work-related cumulative trauma refers to repeated exposure to potentially traumatic events in the course of one's work. While frontline emergency services personnel such as police officers and paramedics are known to experience direct and repeated exposure to trauma in their working day, other occupational groups have also been found to experience trauma at work, including healthcare professionals, teachers and prison staff.

Given the frequency and severity of crimes occurring in the retail sector, shop workers in some locations are being repeatedly exposed to stressful and potentially traumatic events, both directly (e.g. violent or abusive offenders) and indirectly (e.g. responding to incidents experienced by others). Indirect trauma occurs when the worker does not experience the incident but is witness to it or learns about it through a secondary source, such as hearing experiences described by colleagues or watching video footage of an incident. There were many examples of ongoing exposure to secondary trauma outlined by individuals in managerial roles.

"It's the threats to kill and the physical and verbal abuse that colleagues get given that keeps me awake at night. It's absolutely awful."

Risk and Compliance Lead, Northeast
- 18 years' experience

"One of my colleagues got stabbed in the face with a needle. He then had to go through all the tests to make sure he hadn't caught anything. It was a good few weeks before he found out he was all right."

Risk and Compliance Lead, Southern region

Cumulative exposure to stress and traumatic events may be a risk factor for poor mental health and can result in symptoms that resemble those characteristic of post-traumatic stress disorder (PTSD). Shop workers in this study commonly described feelings of

frustration, stress, helplessness and depression. The high levels of crime that they directly experienced was taking a toll not only on their job satisfaction but also on their mental wellbeing.

"I think she would rather suffer one or two bruises than being mentally stressed every day."

Store Manager, London, in reference to a colleague

"Colleagues feel deflated and some have stopped reporting incidents to the police; they think there's no point because there's no action taken. They can get very disengaged and then they get very depressed, very down. It has an impact when you have to deal with these incidents day in, day out, you know?"

Risk and Compliance Lead, Scotland

"Even if it's a packet of sweets that's stolen, it is emotionally tormenting for colleagues to see. But it's not just a bar of chocolate, it's the whole shelf. It's like somebody coming through your door and going through your rooms and rummaging through your personal belongings and taking them with impunity. I feel violated every time."

Store Manager, London - 26 years' experience

'No challenge' policies

Due to the high number of physical assaults that have been occurring in the retail sector, and the fact that the main trigger is encountering a thief, most companies have a 'no challenge' policy. This means that if someone is observed stealing, then employees should not attempt to apprehend them or block their ability to exit the store. Such store policies are aligned with the advice from the police.

I don't want anybody to place themselves in a position over a piece of property that's going to put them in danger. I'd rather they observe, collect the evidence, get the CCTV, and call us [the police].

Chief Constable, Amanda Blakeman,
NPCC Lead for Acquisitive Crime

²¹Usdaw (2023) Campaign to End Violence and Abuse Against Retail Workers: Survey Results 2022. <https://www.usdaw.org.uk/CMSPages/GetFile.aspx?guid=768eb764-e8dd-4d48-a913-17d6d1d03c1c> (accessed: 09.11.23).

²²In Scotland, the Protection of Workers (Retail and Age-restricted Goods and Services) Act became law in February 2021 following a unanimous vote.

Unfortunately, many offenders have become aware of these policies and now use it to their advantage, even taunting shop workers that there is nothing they can do to stop them. Rather than attempt to apprehend the offender, companies typically encourage staff to report the incident to the police and document any evidence. A subsequent lack of response from the police has resulted in many shop workers feeling powerless and deflated.

"They can shoplift to their heart's content because they are never going to get caught"

"Shoplifters used to conceal items secretly and try to be invisible, but now crime has become the most blasé thing I've ever seen. A shoplifter will literally walk in with a basket, fill the basket and they do not care who's watching. They don't care about cameras. They don't care about staff. They know our policy. We can't challenge. We can't stop them. We can use little retail tricks such as, 'Would you like a basket, sir?' But 'Would you like a basket, sir', isn't really cutting it, you know. It's so very, very blasé, very organised they know what they need, they come in, they grab it, they leave. They also know how the police here operate, so if they conceal part of their identity, they know they can shoplift to their heart's content because they are never ever going to get caught."

Store Manager, Cardiff

In the survey, 85% of retail managers also reported an increase in mental health problems among their teams and more than half (54%) said team members have experienced issues that they felt ill-equipped to deal with.

*"I've had two colleagues in the last year leave because they said that they don't feel safe. It's not only when they're in the shop, but they also get **harassed on the way home**. It's not contained in work; you get it outside of work too."*

Store Manager, Bournemouth

*"It's happening outside of work as well. Recently a colleague was walking along the street and two people walked past him saying, 'You're the one that works at the Co-op, aren't you? **We're going to get you**. Yeah, watch your back.'"*

Risk and Compliance Lead, Southern region

Normalisation and Adaptation to Violence

The term 'normalisation' refers to the fact that violence can gradually be perceived as a normal element of everyday life. This happens because the limits of what is accepted are pushed forward. There were multiple descriptions that shop employees gave that referred to them normalising and attempting to trivialise serious crimes that they had witnessed or been subjected to. Many described "developing a thick skin" to verbal abuse or "getting used" to physical aggression. It was common for interviewees to report that they themselves were coping while simultaneously voicing serious concern for other colleagues who had adopted the same strategy of "toughening up" to the theft, violence and abuse that they encountered daily.

Employees leaving the sector

The Retail Trust's *Health of Retail* report (2022) found the rate at which retail workers want to leave the industry is consistently higher than for workers across any other sector.²³ The impact of experiencing crime at work is contributing towards some employees taking the difficult decision to leave their job. The report found that one in five (21%) British retail workers and nearly a third (31%) of people working for the UK's biggest retailers were planning on leaving the sector. Rising levels of abuse from customers and deteriorating mental health were among the contributory factors cited.

²³The Retail Trust (2022) 'One in five retail workers plan to quit the retail industry'. <https://www.retailtrust.org.uk/news/one-in-five-retail-workers-plan-to-quit-the-retail-industry/1112.article> (accessed 09.11.23).

"You used to think, 'Oh my gosh', when you saw a shoplifter. But then it became, 'Oh my gosh, somebody threatened to attack me today', and suddenly shoplifting doesn't seem that bad in comparison to someone threatening to attack you. One afternoon, a man, a grown man in his fifties came into the shop and threatened to sexually attack me. He threatened to rape me. I was like, 'Oh my God' I've now had somebody threaten to shoot me, somebody threaten to stab me. So, you see, every time something bad happens it replaces the previously bad thing - it goes to the top and it means that everything below it doesn't seem as bad anymore; it becomes normalised and just filed away. By the end of my shift now, if nobody's threatened to attack me, but they've done all the other things, I just think, it's been quite a good day today. As a society, that's the way we're going. The things that we are witnessing in society are so horrific but there's that element of normalisation."

Store Manager, Scotland

The normalisation of abusive and aggressive behaviours can have far-reaching consequences for victims, but also for wider society. By actively normalising threats of violence and sexual violence, it can devalue the seriousness of it. It also signals to those individuals who do struggle to process witnessing or directly experiencing a crime that it should not be seen as serious or significant, and that they are somehow weak or need to 'toughen up'. In the context of violence against women and girls (VAWG) it is important that casualised aggression, violence and threats are acknowledged as harmful and always taken seriously.



3. The Stolen Goods Market and Criminal Exploitation

To quickly convert stolen items into cash, offenders need a ready and reliable market. Some offenders will sell directly to members of the community using informal settings such as pubs, bus stops, or even travelling door to door, but this is not preferred due to the relative risk and unreliability of sales. As such, most prolific offenders have established networks of 'fences' or 'handlers', an individual or group of persons who will knowingly buy stolen goods with the intention of later reselling them for profit. The receivers of stolen goods are not always passive in this relationship and will often provide prolific thieves with 'shopping lists' of items that they know will generate the most profit for them.

Businesses Buying Stolen Goods

It is not uncommon for prolific offenders to identify small independent businesses in the vicinity, such as cafés, pubs and restaurants, that will purchase fresh produce (typically meat and cheese) to serve to customers on their premises, or convenience stores and other local shops that will purchase other stolen goods (e.g., alcohol, tobacco, confectionery, laundry products) to sell on for profit.

"We know through the trackers we put on tobacco that stolen product is going from our store to independent retailers. We know that wine is being sent to independent retailers and we know that food goods are being stolen to order for restaurants. A steak stolen from the Co-op might cost £3 from an offender and they're selling it for £15. It's an attractive proposition."

Risk Manager, National - 22 years' experience

"Anything that's easy to sell is being targeted. High-value, small items they steal to order. Meat is easy to sell; they sell it to the restaurants. Chocolate and confectionery by the case is easy to sell to corner shops and small retailers. We did mark a few over the years and found it was going to retailers close by and they were selling it on."

Risk and Compliance Lead, Southern region

Many goods are not easily identifiable if they are stolen. There are some good examples of how to do it, such as tobacco 'track and trace', which provides an opportunity to identify stolen tobacco, and some stores are now using unique barcodes on all their products and that works really well. But currently when it comes to items such as laundry products, it's really difficult.

Patrick Holdaway, Superintendent, National Business Crime Centre

A lot of repeat offenders are stealing to order. There's definitely work to do around handling stolen goods; a thief doesn't operate without a handler. I think that needs to be a joint enterprise between policing and Trading Standards, without a doubt. If you handle stolen goods, it's a criminal offence.

Alex Goss, Chief Superintendent, Police National Lead for Retail Crime

There has been considerable frustration reported throughout the industry that, despite knowing where stolen goods are being sold on to, and often this being to other businesses in the local vicinity, there appears to be little police action taken.

There are some examples of best practice in terms of tackling the selling on of stolen property to other businesses. For example, Nottinghamshire Police launched Operation Motivation²⁴ in October 2023 to raise awareness and take enforcement action against businesses that serve as a marketplace for the selling on of stolen goods, or who directly purchase products to resell at profit. The operation adopts a multi-pronged approach, consisting of posters being distributed across the city warning of the dangers of buying from shoplifters, guidance packs to advise business owners and staff on what to do if they come across this activity, and police officers visiting venues. As part of the operation, any business premises which is suspected of directly purchasing stolen goods, or permitting their sale on site, shall have their licence reviewed. This could ultimately result in their trading licence being revoked, the business being closed and criminal proceedings being taken against them for handling stolen goods.

E-commerce Sites and the Stolen Goods Trade

Many retailers describe the sale of stolen goods, not just groceries, but electronics, apparel, health and beauty products, occurring through various e-commerce sites and online community marketplaces. These marketplaces differ from traditional online retailers, in that they provide a platform to everyday members of the public who wish to sell items or crafts, both new and second-hand. The relatively unregulated sale of goods on these sites and the lack of verifiable information that they require from sellers has led to them being an attractive, relatively risk-free and effortless proposition for those looking to profit from stolen merchandise.

"We have three or four regular thieves who are living locally. They post everything on a Facebook group. £10 coffee is for sale for £2."

Store Manager, Surrey - 8 years' experience

"There's a lady that has a Facebook page and the shoplifters will go to her house, take the stock, and she puts it all on her Facebook page and says, 'I've got this meat for £10 a pack'. Co-op, Tesco, Asda, wherever the shoplifters have been, whether it's meat, chocolates, coffee, she's brazen enough to just

put it on her Facebook page, on a community site. The shoplifters drop it off at the back door and ten minutes later it's going out of her front door."

Store Manager, Manchester

It's in plain sight [selling on Facebook marketplace] and retailers can't understand why it's not enforced against.

James Lowman, Chief Executive, Association of Convenience Stores

Handling stolen goods as an offence has got to get greater attention, so as to reduce the incentive to commit crime.

Superintendent Patrick Holdaway, National Business Crime Centre

There are examples in other countries of legislation that has recently been passed to begin to target the use of e-commerce marketplaces to sell stolen merchandise. For example, in the United States, the Integrity, Notification, and Fairness in Online Retail Marketplaces for Consumers Act, known as the 'INFORM Consumers Act', is a federal law that came into effect in June 2023 and requires online marketplaces to collect, verify and disclose identifying information about high-volume third-party sellers.²⁵ The law makes it harder for those knowingly selling stolen goods to operate in a relatively anonymous and risk-free space.

Recommendation: Regulation of e-commerce sites and online marketplaces. Taking inspiration from other countries that have regulated online marketplaces (e.g., the INFORM Consumers Act in the USA), regulations should be considered to make it harder for those knowingly selling stolen goods to operate anonymously. This could include a requirement for online marketplaces to collect, verify and disclose identifying information about high-volume third-party sellers.

²⁴Further details of Operation Motivation can be found on the Nottinghamshire Police website, <https://www.nottinghamshire.police.uk/>. (accessed: 13.12.23).

²⁵Further information on the INFORM Consumers Act is available here: <https://www.ftc.gov/business-guidance/resources/INFORMAct>

Criminal Exploitation

It is apparent there are criminals involved in the sale and distribution of stolen goods who are not the ones committing the theft themselves. There are handlers (often called 'fences') who are directly profiting from knowingly buying stolen goods with the intention of selling them on. The relationship between prolific thieves and handlers can take multiple forms but typically there is some imbalance of power, ranging from exploitation to coercion.

Criminal exploitation is the deliberate manipulation or abuse of power and control over another person. It includes taking advantage of another person or situation for criminal purposes for personal gain.

Exploitation comes in many forms. The Home Office identified six different types of criminal exploitation, one of which is forced acquisitive crime, including shoplifting. Some vulnerable adults who are subject to exploitation might be new to the country, have insecure or unclear immigration status, or have mental health issues that places them in a power imbalance with those who wish to exploit them. Exploiting adults who are vulnerable due to a drug addiction and related issues (e.g., poor mental health, financial difficulties and/or homelessness) and directly seeking to profit from the goods that they steal to fund their habit can be considered as a form of criminal exploitation. There were several reports of these types of arrangements relayed by shop workers and exploitation was recognised by senior police representatives.

"We've got a big tower block next to our shop. We know that there's someone in there that has got a council flat, and she lets them (drug-affected offenders) live with her. Our stock is their rent, so they've got a roof over their head. She then distributes what they've stolen around the estate to make money."

Shop Worker, Portsmouth

You can definitely see elements of exploitation, modern-day slavery and harm. It can be linked to organised crime groups, which is why we've been so certain that the Pegasus approach is the right approach to take in terms of that top tier. If we can remove the [stolen goods] markets, then it makes it less of an attractive proposition to go into a store and steal. Being able to locate the handlers is a really important part of the effort to reduce criminality. If we can do the same in relation to shop theft [as has been done in relation to other acquisitive crimes such as burglary], I think we stand a chance of being able to tackle it.

Chief Constable Amanda Blakeman,
NPCC Lead for Acquisitive Crime

Child Exploitation

Reports of criminal exploitation were not limited to drug-affected vulnerable adults. There were also numerous reports of young people being recruited and manipulated into stealing by adults. One Co-op employee located in Scotland remarked on a growing trend that he observed following a change in the age of criminal responsibility in Scotland. Prior to the *Age of Criminal Responsibility (Scotland) Act 2019* being introduced²⁶, the age of criminal responsibility was eight years old, the youngest in Europe. The Act raised the age of criminal responsibility to 12. This means that a child under the age of 12 cannot be arrested, charged or prosecuted for a crime and it is not possible for a child under 12 to get a criminal conviction.

"The age of criminal responsibility was increased from eight to 12 in Scotland. Businesses weren't engaged with or considered throughout that process. It was just passed without us really knowing. It's important that we focus on the kids and keep them away from the crime path. But the change in law makes them more vulnerable to adults from organised crime gangs who are wanting to recruit them because they can't be held to account. There's no consequence for them [criminals] and that makes them [children] vulnerable."

Risk and Compliance Lead, Scotland

"We had a 15-year-old taking coffee every single day, like 15 jars of coffee in his rucksack. He kept coming in and he'd laugh in our faces. He knew we couldn't touch him because he was a child. We reported it and nothing was being done about it by the police. We assume that he was pinching coffee and detergent for an adult for them to sell on. He was in every day, five days a week. We think it was an adult that encouraged him to do it."

Store Manager, Northwest - seven years' experience

"We've got massive front windows, and you can often see the kids handing over things [that they have stolen] to adults. You can see that they're running drugs for these people as well, and they're just doing what they're told. They probably think they're not going to get the same level of punishment if they're a child, so maybe these adults are exploiting them in that way."

Store Manager, Portsmouth

"There is a pub next to my store and they [thieves] take things to go and sell to the landlord and to people drinking in there. Customers come to us and say, 'They're selling your cheese in the pub'. I've explained this to the police because I can't go to the pub owner and speak to them personally. It's ridiculous; they're selling cheap steaks and roast dinners because he's got them all for free."

Store Manager, London - 26 years' experience

"We have a local pub across the road which they [thieves] take our stock to, and the pub sells it off. They have a little stall in the pub. Our staff have been banned from the pub, we're not welcome there but the pub staff are still allowed to shop in our shop. We have to serve people in the [pub] uniform all the time. I have a friend who recently went to the pub and he said that they had a table with all of our stock on it and they were presenting it [for sale] like trophies."

Customer Team Member, Greater Manchester

When you see CCTV footage of somebody clearing a high-value area of a shop, such as beef, lamb, all the things that are tagged in shops, it's not because they're taking that home to have a Sunday roast, it's because they've got a market to sell it.

Chief Constable Amanda Blakeman,
NPCC Lead for Acquisitive Crime

Any strategy that seriously seeks to tackle prolific theft must include targeting the markets in which stolen goods are sold. This includes independent businesses who either sell it on (e.g., convenience stores) or use it as part of the food and beverages that they serve (e.g., cafés and licensed premises), as well as largely unregulated online marketplaces.

Recommendation: Campaign to target the stolen goods market.

Disrupting stolen goods markets and placing more attention on those who knowingly benefit from the theft of goods and criminal exploitation must form a central pillar of any retail crime strategy. There are examples of how this can be done, including poster campaigns, pursuing plausible and repeat reports of businesses buying stolen goods, using trackers to build evidence of larger-scale operations (particularly those involving licensed goods such as alcohol and tobacco), and launching criminal proceedings against businesses found to be handling stolen goods.

The next section explores people's experiences and perceptions of the police response to reports of prolific retail crime, including theft, violence, anti-social behaviour and criminal damage.

²⁶The Act was passed unanimously by the Scottish Parliament and received Royal Assent on 11 June 2019. The Act was commenced in phases and was fully commenced on 17 December 2021.

4. The Police Response to Prolific Retail Offenders

There has been diminishing confidence among retailers in the police response to crime. In its latest Crime Survey, the British Retail Consortium (BRC) found that 55% of respondents thought the police were doing a 'poor' or 'very poor' job in tackling and responding to the retail crime they experienced.²⁷ The reasons for this are multifaceted, relating to response time, lack of attendance to reports of serious crime or when an offender was being detained, a perceived unwillingness to investigate and pursue offenders, and a lack of communication relating to the progression of cases. These issues are outlined below, but first it's important to locate these experiences in the changing context of policing in England and Wales.

Policing in England and Wales

Police resource has been a contentious and contested issue for over a decade. Central Government funding for policing was reduced by 22% in real terms between 2010 and 2019, resulting in 21,000 fewer police officers in addition to 18,000 fewer police staff and 6,800 fewer Police Community Support Officers (PCSOs) in that period.²⁸

The severity of cuts made it difficult for forces to respond in a timely fashion, if at all, to the volume of offences being reported. In July 2019, the Prime Minister pledged to recruit 20,000 police officers through the Police Uplift Programme. This would equate broadly to the number of officers that were lost between 2010 and 2017.

"Police forces are really stretched. They have no resources, so they have to prioritise. I don't have anything against the cops as people, it's the politics, it's the Government, it's the resource, the pot of money that they've been given. So, when they get 'shoplifting' coming through, it goes to the bottom of their priority list because they're dealing with murders, rape and mental health. There are times they don't even ask for crime packs, they don't come to the store, they don't follow up, or chase it. It's really bad. It's always been poor but now it's rock bottom."

Risk and Compliance Lead, Northeast - 18 years' experience

In 2023 the Home Secretary announced that there are now more police officers 'than ever before in the history of policing'.²⁹ However, it is important to recognise that the number of officers has not kept up with population growth. It has been estimated that the number of police officers has actually decreased from around one officer per 381 people in March 2010 to one officer per 404 people in March 2023.³⁰

There's a huge range of reasons as to why this area [retail crime] probably hasn't had the [police] attention that we're now placing on it. Obviously, diminishing resources over a number of years across policing. But also, we've had to change the way in which we resource a range of criminality that has increased in other areas, such as the proliferation of child sexual abuse images over the internet which is a very complex area to police. So that means that we've got to be able to make sure that we deliver to the community on the basis of threat, harm and risk with the finite resources that we've got.

Chief Constable Amanda Blakeman,
NPCC Lead for Acquisitive Crime

Aside from police resourcing and the number of officers, there have been other significant changes to police operations, notably a decline in neighbourhood policing. As police forces have adapted to tighter budgets and shifting priorities and demands, there have been repeated warnings that local preventative capability is 'insufficient' and being 'eroded'.³¹ This has been reflected in a dramatic reduction in the number of Police Community Support Officers (PCSOs) who are typically assigned to provide a dedicated neighbourhood resource. PCSO numbers have been reduced from almost 17,000 in 2010 to just over 8,000 as of September 2022.

The diminishing confidence in the police amongst retailers is also reflected in the general population. In 2017/18, the Crime Survey for England and Wales (CSEW) found that 62% of people perceived that their police force was doing a "good" or "excellent" job. In 2019/20, this figure, known as the "confidence level", had dropped to 55%.³² This indicates that the public's confidence in the police has also decreased in recent years. The police must find ways to rebuild their connection to local communities which has been eroded since the onset of austerity. All the evidence suggests that the best way to improve public confidence would be to restore visible neighbourhood policing.

Recommendation: Police and Crime Commissioners (PCCs) to commit to developing a strategy to tackle prolific retail crime in their Police and Crime Plans. Strategies will address the multiple and interconnected elements of retail crime, including theft, violence, anti-social behaviour, and actively targeting the stolen goods markets.

Police Attendance following Reports of Serious Retail Crime

In July 2023, the Co-op released data obtained from Freedom of Information (FOI) requests made to police forces in England and Wales. They found that, on average, the police did not respond in over 70% of serious retail crimes reported, with some forces, according to their own data, not responding to nine out of ten serious incidents reported.³³

"We understand that the police can't come to every single report, but we struggle to understand why some of these people can't be dealt with. We've had four or five individuals that have stolen thousands and thousands of pounds of stock, not just through our business, but through other retailers. We have 150 individual cases against one individual and they're still walking around. If an offender goes to prison, they're there for a few weeks and then they're back out again. That's the bit we don't understand - how are they allowed to keep getting bail and just carry on with their daily life which is to steal from us and other retailers?"

Store Manager, West Sussex

"There's just no deterrence. Criminals might get a slap on the wrist if they eventually get caught but they deem us as an easy target because of the lack of police response and consequence."

Risk and Compliance Lead, Northeast
- 18 years' experience

"Offenders aren't scared of repercussions because there are none. When they say, 'I'll see you tomorrow', 'I'll be back', 'There's nothing you can do', it's clear that they are not fearful of any police response. Even if they are arrested there is a brazenness that it won't be a custodial sentence, it might be a fine or a slap on the wrist, so they don't really care. They're making good money, and the punishment is unbalanced."

Risk Manager, national - 22 years' experience

²⁷ British Retail Consortium (2023) Crime Survey 2023. https://brc.org.uk/media/682083/crime-survey-report-2023_final_lowres.pdf (accessed 1/11/23)

²⁸ As at 31 March 2019, there were 123,171 police officers in the 43 police forces (an increase of 0.6% since March 2018). This minuscule increase follows a decade-long decrease in the number of police officers. The number of police officers has decreased since the peak at 31 March 2009, from 143,769 to 123,171 officers as at 31 March 2019 (a reduction of 14%). Home Office (2019) Police Workforce, England and Wales, 31 March 2019 (second edition). Statistical Bulletin 11/19.

²⁹ Police Federation (2023) Police Uplift Programme: A flawed success story <https://www.polfed.org/news/latest-news/2023/police-uplift-programme-a-flawed-success-story/> (accessed 03.11.2023).

³⁰ In 2010 the population in England and Wales was around 55.7 million. According to the Office for National Statistics, in 2023 the population of England and Wales is projected to be around 60.4 million - up around 8.5% - whereas the number of police officers has increased by only around 2.4%. Full Fact (2023) Government claims on police officer numbers don't tell the whole story. Available at: <https://fullfact.org/crime/police-officer-uplift-numbers/>. (accessed 03.11.2023)

³¹ His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) (2017) PEEL: Police Effectiveness 2016: A National Overview. London: HMIC. Available at: <https://hmicfrs.justiceinspectorates.gov.uk/publications/peel-police-effectiveness-2016/> (accessed 10.11.23).

³² Since 2019/20, the CSEW data on public confidence in the police is no longer being presented in any consistent format.

³³ Co-op (2023) 'Criminal gangs with a 'freedom to loot' drive spiralling store crime - out of control levels of crime could deprive communities of their local stores.' <https://www.co-operative.coop/media/news-releases/criminal-gangs-with-a-freedom-to-loot-drive-spiralling-store-crime-out-of> (accessed 10.11.23).

The police response and a perceived lack of consequence for shop theft and associated violence has a direct impact on the likelihood of shop staff reporting future incidents to the police. A lack of reporting only further emboldens criminals, reproduces poor visibility of the true scale and nature of the issue, makes it very difficult for the police to allocate resources where they are most needed and sets in motion a spiral of neighbourhood decline.

Under-reporting of Retail Crime

As outlined previously, there is a huge chasm between police recorded figures and the actual rate of crime occurring on retail premises. Shop workers identified a range of reasons why they do not report incidents, which can be categorised into three categories: a fear of reprisal from offenders, a lack of time to report the sheer volume of incidents using the current police reporting system (exacerbated by long wait times on '101' and '999'), and experiences of dissatisfactory responses leading to disillusionment and a perception that there is little point in reporting offences.

Fear of Reprisal from Offenders

"When you're living and working within the community, prolific offenders have a big impact on staff. Not only on work life, but in their home life as well. Colleagues are reluctant to report incidents, they're reluctant to get involved, provide statements to the police or attend court for fear of retribution from the offenders who know them and know where they live."

"Colleagues say that they don't want to get involved because the repeat offender lives in the same community. If they report them, there's no consequence to the offender, so it's a very real and existing threat to their own safety."

Risk and Compliance Lead, Scotland

"Me and my colleagues, all the team live around here, and we have to see the same offenders every day. What can I say to them? I can't keep them safe because there's no police response here. It's heart-wrenching."

Store Manager, Portsmouth - 19 years' experience

"They shout verbal abuse at me and my wife and my kids. It's got to the stage now where I'm afraid to walk my dogs because I know the shoplifters are going to walk past my house [...] I can't even walk around my neighbourhood in case they find out where I live. I'm more scared for when I'm not there because both me and my partner work full-time and retail isn't 9 to 5 Monday to Friday. All it takes is for somebody to match that face with that guy from the Co-op and my son or my daughter are in trouble. You know what I mean? And it just takes one person with the wrong frame of mind to do something stupid that my son will remember for the rest of his life. You know? We're not there yet, but I can't say what other people think about me and my store."

Store Manager, Reading

"My wife is also in retail and one day she went to court to give evidence, but all the charges were dropped. The next day he (the perpetrator) came into my wife's store and said, 'Oh, I heard you yesterday. I heard you giving the statement about me.' It's supposed to be protected but all they do is put a partition between them. He could hear her speaking and my wife is Polish, so she has a very distinctive accent. My wife said, 'I'm never again going to do it because why would I put myself in danger like that? Why would I make myself a target?' He got away clean and was back in stealing the next day."

Store Manager, Reading

When shop workers are fearful every time someone walks through the door, yet are too scared to report incidents to the police through fear of reprisal or because they lack confidence in the criminal justice system, something more must be done.

Time taken to report crimes to the police

"Rather than reporting every individual crime, I report them as a group. So, if someone comes in ten times in a week and steals all the wine, we'll link that as one case. We fill out the crime report pack and take it to the police station, but you just get nothing back. The police will either say there's not enough evidence or you don't get anything back at all. If we do get a follow-up, a lot of the time the evidence has expired because the police haven't responded within the 28 days that we can keep the footage for. It's ridiculous."

Store Manager, Bournemouth
- 13 years' experience

"There have been so many occasions when we've rung up 999 and said, 'There's a guy in my shop and he's got a knife and he's threatening to kill us', and nobody comes out. Nobody comes out. If I was in my own home now and someone's come in threatening me with a knife and stealing the TV, the police would be there in an instant. Why is it different? I'm still the same human being subjected to threats and abuse."

Risk and Compliance Lead, Northeast
- 18 years' experience

We need to make reporting far easier. The aspiration has to be that retailers can report from their own crime-reporting systems directly to police. As long as the data meets a certain standard, then that data can be ingested. We know the retailers have got far more information than we (the police) have got which can help better identify crime trends and prolific offenders.

Patrick Holdaway, Superintendent
National Business Crime Centre

Dissatisfaction and Disillusionment with the Police Response

Of the 339,206 shoplifting offences recorded by the police, only 14% (48,218) were prosecuted, while in more than half of cases (54%) no suspect was ever identified. Shop workers expressed frustration with what they perceived as a lack of effort in investigating prolific offenders and an unwillingness to package up multiple offences into a case that would have greater likelihood of prosecution.

"We have a particular prolific shoplifter we call Mr Balaclava Man, and he's violent, he's abusive. He's assaulted me, he's assaulted other colleagues, not just in my store, in other stores too. So, after being assaulted I was told [by the police] that I need to detain this man myself. We know his name, we know his number plate but, basically, unless I detain this 6ft 5in man, the police are not willing to do anything about it."

Store Manager, female, Portsmouth

"I don't expect the police to come if you call them and, say, somebody stole some wine. You know they're not going to come. But we had an incident last week that turned violent. We had tactical guards detain a prolific shoplifter and he became very violent, hitting them with bottles, and he bit them. They held him on the floor for about an hour and 45 minutes before the police eventually turned up. It took six '999' calls to get the police to come. When it escalates that much that you need them, you feel like there's no support."

Store Manager, Bournemouth - 13 years' experience

"A little while ago, there was a girl in the store, stealing. There were customers who were monitoring what she was doing. She was very intoxicated, and I was telling her not to steal any more alcohol. When she left, a customer followed her outside and there was an altercation, and the girl ended up punching the customer. Everyone got on the phone to police. They didn't respond quickly enough, and then a customer drove around the corner and happened to see a PCSO sitting in their police car. He approached him and explained what was happening, that there was a fight, and someone had been assaulted. The officer responded with complete disinterest and refused to attend."

Store Manager, Sussex³⁴

³⁴This incident was widely reported in the media after a passer-by filmed the PCSO refusing to intervene. BBC (2023) 'Sussex PCSO filmed refusing to attend assault at shop'. Available at: <https://www.bbc.co.uk/news/uk-england-sussex-66086890> (accessed 10.11.23).

"We had an armed robbery a couple of weeks ago. A male came in with a knife threatening colleagues to try and get them to open the tills. That male was arrested two days later and released on bail. He was back in the shop at the weekend, threatening staff because they wouldn't serve him. Colleagues are very, very concerned by the fact that there doesn't seem to be any consequence. Regardless of the seriousness of the incident, these offenders are being released on bail to come back and threaten colleagues."

Risk and Compliance Lead, Scotland

There were also negative interactions with the police that shop workers reported that resulted in a lack of confidence and trust in police. These sometimes were the result of mixed messages being given by neighbourhood police officers and emergency response units. For example, one employee describes an incident in which they had been instructed to call '999' when a gang of known offenders entered the store. Upon doing so, staff were reprimanded by the officer who attended.

"We had a local police officer that came to the store recently because we'd been repeatedly targeted by a gang of prolific offenders. They told us, 'Ring 999 when they next come in', so we did. The police attended about 30 minutes later and, to cut a long story short, basically said to the colleague in store that she'd inconvenienced them, that it was petty stuff, that they're not interested. The colleague was in tears and was shaking with frustration. I think she's going to hand her notice in and leave because of the impact that it's had on her and how she now feels about the police."

Risk and Compliance Lead, Northeast
- 18 years' experience

Similar reports of police officers reprimanding shop workers for contacting them were multiple and some interviewees stated that they had been threatened with a police warning if they were to contact them again.

The dissatisfaction with the police response to local prolific offending is not without substance. A national overview of police effectiveness, published by His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS), reported that:

"Some forces which are struggling to meet the demand for their services are finding ways of artificially suppressing that demand. This could be by downgrading the severity category of calls for assistance from the public to justify a slower emergency response, by setting a quota for the number of cases that get referred for specialist assistance, or by not analysing and recording all the organised crime groups in a local area."³⁵

Much of the frustration that grocery employees report in relation to the police is directly due to a lack of police resourcing. There was widespread recognition that the police have to prioritise based on severity, and that non-violent offences will not receive an emergency response. However, when serious offences involving violence are still categorised as 'petty theft' because they occurred in a retail setting, there was understandably frustration and dissatisfaction.

Police Retail Crime Action Plan 2023

In October 2023, the National Police Chiefs' Council (NPCC) published the Retail Crime Action Plan.³⁶ The document outlines guidance for retailers on how to report crimes. It also outlines commitments by the police to attend incidents where an offender has been identified or to those that involve violence. There are three key commitments within the Action Plan that address specific concerns relating to serious, violent and prolific offenders. These are outlined in Table 2.

Table 2: Police Retail Crime Action Plan (2023)

Attendance at the Scene	<p>Police attendance at the scene for retail crime will be prioritised in the following circumstances:</p> <ul style="list-style-type: none"> i. Where violence has been used. ii. Where an offender has been detained (for example, by store security), police will attend the scene with urgency and repeat / prolific or juvenile offenders will be treated with elevated priority. All police attendance will be subject to a THRIVE risk assessment (Threat, Harm, Risk, Investigation, Vulnerability, Engagement). iii. Where evidence needs to be promptly secured which can only be done in person by police personnel, e.g., securing forensic evidence.
Pursue Reasonable Lines of Enquiry	<p>This applies to all reported crimes, whether officers attend at the scene in an emergency situation, on a delayed response or as a desk-based investigation).</p> <p>Police should follow all reasonable lines of enquiry when investigating an offence. In line with the College of Policing guidelines, all material and potential evidence should be considered when there is information to suggest the offender could be identified. For example:</p> <ul style="list-style-type: none"> • Where there is clear recorded CCTV (or other) footage, police will recover that and seek to present it as evidence. • When there is clear eyewitness evidence, that person will be interviewed. • Where there is strong evidence and forensic opportunities, police will seek to present these. • Where property is stolen with unique features, such as a serial number, police will seek to recover it and obtain evidence. <p>Where CCTV is secured, viable images should be checked against those in the Police National Database, and other lawfully appropriate databases, using the facial recognition capability. Reasonable lines of enquiry compliance will be subjected to inspection by HMICFRS.</p>
Repeat Offenders	<p>There are cohorts of prolific offenders who commit the majority of retail theft. A proactive approach to identify and target resources at these individuals will have a positive effect in preventing crime. Local policing teams should work with retailers to identify those offenders who cause the most harm and develop joint action plans to target their offending, e.g., trigger plans for offending, use of ancillary orders such as Community Protection Notices (CPNs) and Criminal Behaviour Orders (CBOs), and designate a single point of contact (SPOCs) for efficient collection of evidence.</p>

These are welcome commitments and, if upheld, will begin to make a noticeable difference to retail crime committed by prolific local offenders. The challenge remains as to how the police will be able to deliver on the Action Plan without a significant uplift in resources, or at least ring-fencing of resources, particularly in the context of the HMICFRS report mentioned above. There are also some elements missing from the Action Plan. For example, as outlined in the previous section, any strategy to tackle prolific retail theft must include a focus on disrupting the trade of stolen goods.

What it comes down to now is, 'Will the plan be implemented?' and, 'What will happen at the local level?' There's still healthy scepticism, including from us [the ACS], about whether this will be turned into action but at least we have a plan that we can hold up to PCCs and police forces and say, 'You need to implement this.'

James Lowman, Chief Executive, Association of Convenience Stores

³⁵ His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMIFRS) (2017) PEEL: Police Effectiveness 2016: A National Overview. London: HMIC. <https://hmicfrs.justiceinspectors.gov.uk/publications/peel-police-effectiveness-2016/> (accessed 10.11.23).

³⁶ NPCC (2023) Retail Crime Action Plan. <https://nbcc.police.uk/images/2023/News%202023/Retail%20Crime%20Action%20Plan%20-%20October%202023.pdf> (accessed 10.11.23).

Furthermore, it is unclear how the police will be able to measure their performance against these commitments without changing the way that they record crime. For example, if a shop worker is assaulted while at work, it is currently not possible to distinguish that it occurred in a retail setting as opposed to any other location. There is no code or flag in place to highlight that the offence took place in a retail environment. This issue also impacts on the ability to identify when and how Section 156 (the statutory aggravating factor) of the Police, Crime, Sentencing and Courts Act 2022 (PCSC Act 2022) has been considered and/or applied, as discussed in Section 2.

It's really important that we're able to measure violence against a shop worker because from that we can assess areas such as police performance and crime trends, as well as evaluate the success, or otherwise, of police operations and crime prevention initiatives.

Patrick Holdaway, Superintendent
National Business Crime Centre

Recommendation: Review of the Retail Crime Action Plan to include measurable key performance indicators (KPIs). To assess its implementation and effectiveness, there must first be performance indicators outlined that forces can easily track and measure. Currently, few aspects of the Plan are easily measurable. For example, there is no simple way of identifying if a violent crime took place in a retail setting in order to be able to measure police attendance.

Recommendation: Introduction of a 'retail flag' to identify in the Police National Database (PND) and criminal justice case management systems when a crime has taken place in a retail setting. Flagging incidents that occur in a retail setting is important: it means that the police can monitor changes in frequency and severity of crimes, as well as measure performance against the Retail Crime Action Plan (as above); the CPS can monitor how these cases are handled; and it will enable the Ministry of Justice to identify when and how Section 156 (the statutory aggravating factor) of the Police, Crime, Sentencing and Courts Act 2022 has been considered and/or applied when sentencing.



5. Conclusion: Tackling Prolific Local Offenders

Much-needed attention has been focused on retail crime in recent months, serving to highlight just how bad things have become. Violent attacks, high-volume theft, anti-social behaviour, and criminal damage have resulted in hostile environments that make it challenging to operate safely and profitably in some locations. The frustration for many businesses is that the perpetrators of these crimes are often well-known by sight, and even by name. It is the same individuals that are repeatedly stealing, in bulk, and as they continue their criminal activities with seeming impunity, they become increasingly emboldened, intimidating and aggressive. So infrequently do shop staff see any repercussions for shop thieves when they are reported to the police, that they perceive that shoplifting has effectively become decriminalised.

A perfect storm of factors has coalesced and resulted in heightened levels of theft and violence occurring on retail premises. In tandem, a reduction in police resources, as well as disinvestment in a range of social service provisions (such as drug and alcohol services), have created a fertile ground on which acquisitive crime has been able to flourish. Prolific offenders are too often given short custodial sentences or fines that do nothing to respond to the underlying criminogenic causes of their offending, such as substance misuse or mental health issues. Furthermore, it is well evidenced that short custodial sentences can often do more harm than good.

The current situation is driving hard-working retail workers from the sector at an increasing rate. They have grown disillusioned with the levels of crime that they experience on a day-to-day basis, and many are even fearful for their safety as they witness an increase in violent attacks across the industry.

There are many initiatives in train, at local and national level, and it is hoped that the momentum continues to gather pace. The recommendations outlined in this report provide actionable ways forward to ensure that hard-working shopworkers across England and Wales are better protected from the devastating impact that prolific local offenders can have on them, their businesses and their communities.

Recommendation: Appoint an Independent Advisor / Oversight Board. It is recommended that the Home Office/ Ministry of Justice appoint an Independent Advisor to support delivery of the strategies relating to business crime, ensure that the objectives in the Retail Crime Action Plan are upheld, assist in the coordination of efforts to tackle crime and anti-social behaviour in and around shops at national level, influence the development of evidence-based policy, and continue to improve the criminal justice system's response to retail crime and associated offending activity, in all its manifestations.



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