

National Pubwatch Press Release

COURT NOT CAUTION

Justice for staff working in licensed premises

The National Pubwatch 'Court Not Caution' campaign is a response to the continuing trend for assaults on staff working in Pubs, bars, shops and other licensed premises to be dealt with by way of Police Caution or Fixed Penalty Ticket.

We do not know if this trend is driven by local practices or centrally sanctioned; whether it is a result of a performance culture or a need to reduce the burden on the court system. What is clear, however, is that people working in the licensing trade feel that the criminal justice system is not supporting them in their efforts to run their businesses in a socially responsible fashion.

Quite rightly the Police, Licensing Authorities and the community expect that a Designated Premises Supervisor (DPS) and their staff should be held responsible for not only the sale of alcohol but also other legislation or regulations relating to the running of their premises. In fact much Police and Trading Standards enforcement activity has taken place over the last few years to hammer home this point. Failure to meet acceptable standards can have a significant impact on a business and the ultimate sanction is that people could lose their livelihood.

We feel that it is a matter of balance therefore that individuals who, challenge a DPS or their staff's efforts to run their business responsibly, by acting in violent or intimidating manner should also face significant consequences for their actions.

Are we exaggerating the issue? Take this recent example:

On 27 February 2009 Jean Rowe the licensee of the Rose and Crown in Rushden, Northamptonshire refused to serve a customer who she considered had had too much to drink and was bothering the other customers. When he asked her for another drink she said no and told him to go home. It is alleged that he picked up a glass and said 'is this yours, then have it' and smashed it in her face.

Luckily Jean was wearing spectacles which took the full force of the blow but she was thrown to the floor leaving her with a cut hand and a swollen cheekbone.

The police attended the scene but did not take statements from witnesses and she was later informed that the offender had been given a caution because she had not been seriously hurt. Jean stated that the attack had left her 'traumatised and terrified at work'.

Jean Rowe couldn't understand why her attacker had not been charged and neither can we. The intention of her attacker that night appears obvious.

If Jean had turned a blind eye that night and had served her attacker she might have avoided a serious assault. But is that what we expect from a socially responsible person? Jean acted in the way that you would expect someone to act in her position but there lies the problem – when she did the right thing the criminal justice system did not support her.

That's why National Pubwatch feels that there needs to be a change in the way that such violent incidents are viewed by the Police and Crown Prosecution Service. We believe that:

'Any assault on a Designated Premises Supervisor or their staff which occurs in the course of exercising their responsibilities over the sale of alcohol or in relation to their responsibilities in relation to other legislation or regulation related to the licensed premises should be treated as an aggravating factor and that it should be in the public interest to prosecute the offender'.

In order to raise the profile of our campaign and to show the level of support for this issue National Pubwatch has created an **E-petition** on the Number10 website which will run for a period of 9 months. The E-petition is accessible via the link <http://petitions.number10.gov.uk/courtnotcaution/>

In addition our current President, Nigel Evans MP, will be laying down an Early Day Motion in Parliament on the issue.

During the coming months we will seek to engage with the Police, CPS and Home Office in an attempt to change attitudes. We hope that a consensus can be achieved.

The only people that benefit from us failing to work together will be the minority of individuals who are responsible for the violence and anti-social behaviour in the community.

ENDS.

National Pubwatch is a voluntary not for profit organisation which works for a safer drinking environment. To find out more about us visit www.nationalpubwatch.org.uk