



Opening statement by Tara Buckley, Director General, RGDATA, to the Oireachtas Joint Committee on Enterprise, Trade and Employment.

Wednesday, 13th December 2023

Chairperson, Deputies and Senators,

Thank you for the invitation to appear before the Committee today.

I am joined today by Colin Fee who is the President of RGDATA and is a retailer from the North East.

RGDATA represents family owned food retailers operating in every community throughout Ireland.

Our members provide a vital social, economic and community function within the areas that they are located. Their shops provide the focal point for many communities, towns and villages and they play a key role in supporting the vitality and vibrancy of many towns and villages in Ireland.

It is no exaggeration to state that there has been an explosion in crimes against retailers in recent years.

As I have told this Committee previously our members report that incidents of crime, fraud, abuse, theft and shoplifting happen every day in their stores. Serial shoplifters who rob them several times a month, gangs of feral youth who are completely out of control and believe they are untouchable and can abuse who they want and steal whatever they want with no consequences and organised gangs who arrived into towns and rob to order.

RGDATA and our members were highlighted in a Primetime Special some months ago where the shocking and frightening testimony of our members provided the basis for the programme. Retailers spoke of daily incidents of shoplifting, robberies, fraud and verbal and physical assaults that had been inflicted on them, their families and their staff. And while retailers are determined and hard working people the programme also gave a very clear indication that there is only so much that retailers can withstand. The impact of retail crime needs to be taken seriously.

The retailers that I represent also fear that the retail theft in their stores is not taken seriously because the items taken are often low in value – however if you are robbed on a daily basis it amounts up very quickly. Our members report that retail theft costs them at least €40k per store in loss of goods, repair of fixtures and fittings and security and CCTV costs for some of our members this cost is significantly higher. Collectively it is a significant threat to the viability of local community convenience stores. It must be taken seriously.

We had the spectacle earlier this year of a chat show on RTE making light of robberies from shops – it was a subject of supposed amusement and entertainment. We complained to Commission na Meán, but frustratingly, the Commission are not yet set up to take and process complaints against RTE.

There are some common themes emerging from the experiences of our members around shop lifting and retail crime;

1. Lack of Garda visibility on our main shopping streets – the shopkeepers that RGDATA represents have a lot of sympathy for the local Gardai – after all they are dealing with the same thuggish, abusive, angry people that we are. Most of our members believe their local gardai are doing their best in extremely difficult circumstances. In some cases we do get complaints from our members about a lack of response from the Gardai to calls and complaints from retailers about retail crime. There are also accounts I can give you of retailers who called the Gardai to assist when a crime had been committed, but where the response was exceptionally slow. This was most graphically illustrated recently on the morning after the riots in Dublin, when one of my members went in to open up his store in the centre of Dublin at 5.30am. Within minutes he was threatened by a group of youths, and he called the Gardai in Store Street – no response. A short time later another group of youths came to the shop and he was so concerned for his safety that he pressed the panic button. Again.....no response. There are clearly persistent issues concerning the availability of Gardai and these issues need to be addressed urgently. The responsibility for these matters rests with Garda management and the Minister for Justice to ensure that the Gardai are adequately resourced.

2. The Courts system does not appear to take retail crime seriously. There is huge frustration amongst retailers who put a lot of time and effort into preparing a case against a shoplifter for the Courts to give the perpetrator the probation act or let them out on bail. Members also say that there is a real absence of a deterrent for offenders with many complaining that repeat offenders try to rob again, shortly after having been caught – sometimes within hours of the previous theft. This is a persistent problem with youths, some of whom are minors, but with very ingrained criminal habits. The deterrent needs to match the crime and be applied consistently by the Courts. We would like to see zero tolerance of retail crime and abuse against retail staff and custodial sentences for serial offenders.
3. Physical risk – Our members and their staff have been hit, kicked, beaten, spat at, stabbed with knives or syringes and shot at in the course of their work. There is a significant level of personal risk when seeking to protect your property. And for many that personal risk is at a level where it is causing them to question the wisdom of continuing to expose themselves to this level of risk.
4. Legal risk – another persistent concern from members is the fear of being sued if they seek to protect themselves or their premises – the threat of an action for defamation or some other spurious legal action is real. We had one member who had been put through the WRC by a customer who took a case because they were asked to wear a mask during the times when the Government had regulated that masks must be worn. The members successfully defended themselves, but it cost them €10k to do so in legal fees and this was a cost they could not afford.

5. Threat to viability of business – theft from a retail business goes to the heart of that businesses viability. I have never seen retailers as concerned about their businesses as they are at present, facing a slew of new State imposed costs, with no proper support schemes. At the same time they are having to deal with the persistent threat and practice of stock walking out the door through theft or robbery. These are real crimes which directly undermine the viability of retail businesses. At their core they also was undermine the motivation of retailers to stay in business and of their staff to stay working in retail – it is hard enough work and risk, without having to witness your turnover and profit being undermined by persistent thieving. A member from Limerick told Primetime that retail crime costs – shrinkage and security costs – add up to over €150,000 annually. And no end in sight to it.

So what can be done to address the current crisis?

First RGDATA believes that a specific offences concerning retail crime should be recognised in law to signal that persons robbing retail operations will face stiff sanctions and an obvious deterrent. The new law should specifically address the sanctions arising for persistent offenders, offenders committing retail crimes while on bail, and provide some statutory protection to retailers to refuse to allow a person into their shop or to ask a person to leave.

Secondly, the gaps in Garda resourcing need to be filled urgently. While all retailers have CCTV, it remains the fact that the greatest deterrent to crime is a visible policing presence. And there needs to be tangible steps to address the any inadequacy in Garda response times when a retailer seeks urgent intervention.

Thirdly and most critically, elements of the Government need to recognise that many retailers are effectively an endangered species – operating under extremely difficult operating and trading conditions. Recognise their positive contribution to society and the economy. Support them and stop imposing additional burdens and costs on them.

The retail landscape of this country will look very different in coming years if the Government does not recognise the impact of its own actions as well as inactions, on retailers, and take some steps to mend its ways.

We'd be happy to take any questions.

Thank you.