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***Police Offences Amendment (Knives and Other Weapons) Bill 2025***

The National Retail Association confirms its support for the Tasmanian Government ***Police Offences Amendment (Knives and Other Weapons) Bill 2025***, aimed at improving police operations for the detection of dangerous articles, including knives and to deter offending through increases penalties.

The National Retail Association considers that the proposed legislation is necessary for enhancing the safety and security of our community, including frontline workers and customers in retail precincts, and we believe they will have a significant impact on reducing crime rates.

When crime is out of control, it becomes a cost-of-living issue. The costs of crime worn by businesses – not only from stock losses, but from the real impacts on violence and attacks on frontline workers and property – are ultimately passed on to customers through higher prices.

Businesses are frequently targeted by various forms of crime, including youth crime, which can have devastating effects. The following key factors explain why businesses often fall victim to crime, and the subsequent consequences:

1. **Employee Safety:** Ensuring the safety of employees is a major concern for retailers. High crime rates can lead to difficulties in retaining staff and attracting new talent, further impacting business operations.
2. **Consumer Behaviour:** High crime rates can deter customers from visiting certain areas, impacting local businesses. Consumers may avoid areas perceived as unsafe, leading to reduced foot traffic and sales.
3. **Economic Crimes:** Businesses are prime targets for economic crimes such as fraud, theft, and embezzlement. These crimes can lead to substantial financial losses, sometimes even resulting in the closure of businesses.
4. **Direct and Indirect Costs:** The financial impact of crime on businesses includes both direct costs, such as stolen goods and damaged property, and indirect costs, such as increased insurance premiums and loss of customer trust.
5. **Operational Disruptions:** Crime can disrupt business operations, causing downtime and reduced productivity. This disruption can significantly affect the overall efficiency and profitability of a business.
6. **Psychological Impact:** The psychological effects on business owners and employees can be profound, leading to stress, fear, and a sense of insecurity. This can affect employee morale and productivity in addition to the significant personal psychological impacts.

For the reasons above, retail crime – especially the costs associated with high-harm, repeat offenders is putting significant upward pressure on prices in several States and Territories across Australia.

## Part 1 – Increased penalties for dangerous article offences

The National Retail Association supports the intention of the **Police Offences Amendment (Knives and Other Weapons) Bill 2025**, and critically, we support the proposed Act, commencement of the Act and the object of the Act.

While the National Retail Association acknowledges the requirement to increase the penalty for possessing a dangerous article, we note that currently, knife offences are limited to carriage in public under the *Tasmanian Police Offences Act 1935*.

The National Retail Association recommends that the Tasmanian Government work with the Queensland State Government to introduce legislation that prohibits the sale of knives and controlled weapons to minors. We note that South Australia, Queensland, Victoria, and South Australia have introduced legislation to ensure that prohibited weapons cannot be sold to minors, under any circumstances, under the age of 18 years old. We strongly encourage the Tasmanian Government to work with the National Retail Association, and our partners, including the Shopping Centre Council of Australia on these critical reforms.

We believe that the introduction of these reforms, will enhance the current measures the Tasmanian Government is seeking to introduce, with effect to the increased penalties for dangerous article offences.

## Part 2 – Improving powers for police officers to search a person in a public place for a dangerous article

The National Retail Association supports the intention of the **Police Offences Amendment (Knives and Other Weapons) Bill 2025**, to improve powers for police officers to search a person in a public place for a dangerous article.

We note that the proposed legislation provides increased penalties, while amending the threshold for police officers to interdict for this offence, from reasonable belief to a reasonable suspicion, to mitigate the incidences of 'knife crime' and other weapon related offending. The National Retail Association supports the improved powers proposal and specifically, that this includes (according to the *Police Offences Act 1935* –

- A) *any weapons other than a firearm, and*
- B) *Any article adapted or modified so as to be capable of being used as such a weapon*
- C) *Any other article that is intended to be used as such a weapon, and*
- D) *a knife*

We encourage the Tasmanian Government to clearly provide a definition in relation to Section D, specifically on what constitutes the definition of a knife. This will provide greater clarity, and support the work, and enforcement of Police powers. We recommend that the Tasmanian Government follow the article definitions under current Queensland Law, *Summary Offences (Prevention of Knife Crime) and Other Legislation Amendment Bill 2023*.

## Part 3 – Introducing a new provision to provide for metal detector searches (wandering) of persons for dangerous articles (including knives) in specified public places

The National Retail Association supports the intention of the **Police Offences Regulations 2024**, to introduce a provision to provide for metal detector searches (wandering) of persons for dangerous articles (including knives) in public spaces.

We share concerns that under the proposed legislation, the provision for a metal detector (wandering) search would be applicable in prescribed public places, whether or not the police officer has formed a reasonable suspicion that the person has in their possession, is carrying, or using a dangerous article. While we note the intent, we strongly recommend that *specified public places* is amended to *any private or public space whether or not the police officer has formed a reasonable suspicion that the person has in their possession, is carrying or using a dangerous article*.

The National Retail Association does not believe that restrictions in the use of wandering powers should apply to particular places, rather, that the Police should be empowered to conduct wandering for dangerous articles, in any private or public space. Under the current proposal, this will provide a loophole for offenders and will limit the capacity of Police to undertake wandering, where there is a necessity to do so. Overly complex regulation, and specified places under this legislation will increase the administrative burden of Police, and add additional, and unnecessary complexity and guidelines.

Under the Queensland *Police Powers and Responsibility Act 2000*, and the *Police Powers and Responsibilities (Jack's Law) Amendment Act 2023*, Queensland Police do not have restrictions on the place of use, and there are safeguards in place to protect the suspected, or alleged offender/s during the wandering and searching process. We note however that the administrative burden on Police is too onerous, and in this case, can require significant resourcing and time. We, therefore, strongly recommend a more liberal use of Police powers in Tasmania.

Currently, body cameras provide a substantial amount of evidence, and record the interactions between Police and suspected, or alleged offender/s. We note that Tasmanian Police must be empowered to exercise discretion with respect to wandering, and that there should be minimal administrative burden via pre-approval process, post-interaction reviews, and specified places for wandering. We recommend therefore, that the Tasmanian Government use the guidance under the current *Police Powers and Responsibility Act 2000*, and the *Police Powers and Responsibilities (Jack's Law) Amendment Act 2023* to amend the current *Police Offences Regulations 2024 Act* and allow wandering in any private or public space.

In addition to the current measures proposed, we respectfully recommend the introduction of **Workplace Protection Orders (WPOs) legislation**, to complement the existing measures under the **Police Offences Regulations 2024 Act**.

### Workplace Protection Orders (WPOs)

We believe Workplace Protection Orders are one vital element of a thorough approach to ensure safety in retail precincts, in addition to tough-on-crime laws. While we understand that most customers are in stores to shop and are well-behaved, we need to support our retail workforce.

Workplace Protection Orders would also significantly reduce onerous regulatory burdens on businesses in the aftermath of a crime by covering an entire workplace rather than just one individual. Retailers are also calling for an increase in specialist roles specifically dedicated to WPOs, which would provide greater access to justice and law enforcement.

We propose that in circumstances where an offender is found with a weapon, a consequence should be that the offender is permanently excluded or banned from being in, or around the site where the offending occurred. A Workplace Protection Order (WPO) as a legal mechanism, can preclude an offender from reoffending, and returning to the site. This consequence needs to be in place to be effective and can be supported through a Workplace Protection Order (WPO) framework.

Workplace Protection Orders will give police more power to act on aggressive and recidivist individuals quickly and effectively. Once a recidivist has been identified, police should be empowered to prohibit these individuals from entering retail precincts indefinitely. **We encourage the government to consider where Workplace Protection Orders can be introduced through regulatory and legislative changes.**

## Additional Resourcing for Police

Over 25 percent of all crime occurs in retail settings, and Police resourcing needs to reflect this.

Operation Measure was introduced in addition to the amendments introduced in South Australia, and the South Australian Police Commissioner has allocated resources toward a dedicated Retail Crime Intelligence Officer, to identify and track the critical offenders responsible for most retail loss. Since its inception last year, well over 370 arrests of recidivist offenders have occurred and over 1,000 convictions have been made.

This demonstrates that the law does have a positive impact for retailers, and communities, creating safer working and shopping environments. However, more power needs to be given to police to effectively act on aggressive individuals. Once an individual has been identified for ongoing behavioural issues, the Police should have additional powers to prohibit those individuals from entering retail precincts indefinitely.

In recent years, the presence of aggression and violence in the workplace has risen dramatically. High harm offenders are not customers and often use violence and aggression to intimidate staff persistently. Collectively retailers, landlords and stakeholders are well placed to identify these high harm offenders, as it is a small group that conducts the majority of the offences.

## Sentencing

Concerns around magistrates not sentencing offenders in line with community expectations often stems from a perceived leniency in the judicial system. Many people believe that harsher sentences are necessary to ensure justice and deter future crimes. This perception is fueled by high-profile cases where the public feels the punishment did not match the severity of the crime. However, it is important to recognise that sentencing is a complex process that involves balancing multiple objectives, including punishment, deterrence, rehabilitation, and community protection.

Judges and magistrates must consider a wide range of factors when determining sentences. These include the nature and severity of the offence, the offender's criminal history, and any mitigating or aggravating circumstances. Subsequently, this often leads to sentences that may appear lenient given the circumstances of the case.

To bridge the gap between judicial decisions and community expectations, it is crucial to enhance public understanding of the sentencing process. This can be achieved through better communication and education about how sentences are determined and the rationale behind them.

Additionally, involving community representatives in discussions about sentencing reforms can help align judicial practices with societal values, ensuring that the justice system remains both fair and responsive to public concerns.

## Conclusion

Empowering the Tasmanian Police and clearly defining *dangerous articles* under Tasmanian Law is critical to ensure the safety of the community, and critically, the retail community.

The proposed legislation targets individuals who repeatedly engage in disruptive behaviour and sends a clear message to offenders, often by prevention. Wandering powers act as a considerable deterrent to offenders, and the Tasmanian Government must send a strong message that not only deters potential offenders, but also reassures law-abiding citizens that their safety is paramount.

The behaviour of aggressive individuals needs to be addressed, and governments need to demonstrate that there are consequences for their actions.

Introducing clear definitions on what constitutes dangerous articles, and the ability of Police to undertake wandering in public and private spaces will contribute to the long-term safety and well-being of our communities.

The National Retail Association considers that the proposed reforms are consistent with these priorities and our society deserves to feel safe, and these legislative measures are an important step in achieving that goal.

## About the National Retail Association

The National Retail Association is Australia's most diverse and representative retail industry organisation, servicing some 75,000 stores and outlets nationwide. We are a not-for-profit organisation built on strong relationships with our members and non-members.

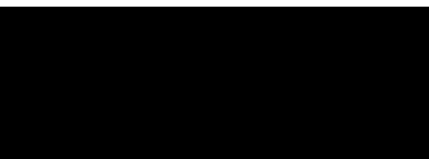
The National Retail Association helps retail businesses succeed and grow within an ever-changing regulatory environment. Our role is to identify emerging regulatory issues, influence government policy towards more commercially aware outcomes and keep public debate focused on the key issues to support the retail and business sector.

The National Retail Association has established interjurisdictional retail crime committees across the States and Territories with our partners in Shopping Centres, Unions, Convenience, Fuel and Griffith University.

In Tasmania, our successful retail crime committee has ensured we work collectively with landlords, Industry experts, retailers from a range of categories, Police and justice representatives, and unions, to support businesses and the excellent work of the Tasmanian Police, and to discuss the challenges of retail crime, loss prevention and increasing safety for customers and employees.

On behalf of the National Retail Association, we thank you for the opportunity to provide feedback on the **Police Offences Amendment (Knives and Other Weapons) Bill 2025**. Should you have any questions, or wish to discuss this submission, please do not hesitate to contact me directly on 0409 926 066 or at [d.stout@nationalretail.org.au](mailto:d.stout@nationalretail.org.au).

Yours sincerely,



**Director of Policy**  
National Retail Association