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

The Shopping Centre Council of Australia (SCCA) welcomes the opportunity to review and provide feedback on the *Police Offences Amendment (Knives and Other Weapons) Bill 2025* (the Bill).

The SCCA is the national industry group for major shopping centre owners and managers.

#### **Position**

As the Department would appreciate, our industry is deeply concerned about anti-social behaviour and crime in retail settings. Our experience is that violent incidences in shopping centres are increasingly prevalent and getting worse, including the level of violence, the use of weapons and repeat (typically younger) offenders.

Accordingly, the SCCA has strongly supported other state and territory governments' introduction of knife laws, including 'wandering' powers (akin to 'Jack's Law') and to restrict the sale and supply of knives. We also maintain a strong interest in youth crime and sentencing reform, as they pertain to ensuring the safety of our staff, customers, and retailers in shopping centres. Whilst not the specific subject of the Bill, it is our view that future consideration is required in respect of the effectiveness of bail conditions and the enforcement of them.

**The SCCA strongly supports the Bill and commends the Government for its intent to increase the penalties for carrying weapons and introduce stronger police search powers to improve public safety and protect the community from knife crime.**

**We would gladly publicly support the Government on the proposed reforms and assist the Department and Tasmania Police in respect of future reform and implementation.**

#### **Recommendations**

While the SCCA strongly supports the tabling and passage of the Bill through Parliament, we respectfully raise interrelated issues and other necessary reforms that the Government should also commit to, which would complement the Bill and assist its successful implementation:

- 1. Increased penalties** – Increase the maximum fine and period of imprisonment to 100 penalty units and 3 years, respectively.
- 2. Amending the threshold for interdiction** – Amend the threshold for police officers to interdict from a 'reasonable belief' to a 'reasonable suspicion', subject to the support of Tasmania Police.
- 3. Enabling police to wand persons** – Introduce provisions for wandering by Tasmania Police in specified public places without amendments (including any preconditions).
- 4. Restricting the sale of knives** – Commit to restricting the sale of dangerous articles (including knives) to minors.
- 5. False representation offence** – Commit to introducing a new offence pertaining to the false representation of age in order to obtain a dangerous article (including knives).
- 6. Restrict the supply of knives** – Commit to restricting the storage and display of dangerous articles (including knives) for both online and traditional retailers.
- 7. Concealment offence** – Commit to introducing a new offence pertaining to the concealment of dangerous articles (including knives) and other weapons.
- 8. Industry and stakeholder engagement** – Commit to ongoing engagement with industry and affected stakeholder groups.

### Increased penalties for dangerous article offences

The SCCA supports increasing the penalties for possessing, carrying or using a dangerous article in public places, in particular shopping centres and adjacent car parks and public transport areas. This sends a strong message to the community and would-be offenders that possessing, carrying or using a dangerous article (including knives) is not tolerated.

In practice, however, we question how these offences will be applied to repeat offenders and minors. Our members' experience is that incidences in shopping centres involve a repeat offenders, persons on bail, and a disproportionate number of young (<18 years old) offenders.

Whilst it is not the intent of the Bill to address these broader issues, we urge the Department and the Government to consider the efficacy of penalties within this context (see *Restricting the sale and supply of knives and Bail and sentencing reform*).

**Recommendation 1      Increase the maximum fine and period of imprisonment to 100 penalty units and 3 years, respectively.**

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

The SCCA supports amending the threshold for police officers to interdict from a 'reasonably believes' to a 'has reasonable grounds for suspecting', including that non-compliance (with a police request to conduct a search, without a reasonable excuse) would constitute a 'reasonable suspicion'. We understand that this would be intended to remove any actual or perceived ambiguity to allow police to search a person for dangerous articles.

**Recommendation 2      Amend the threshold for police officers to interdict from a 'reasonable belief' to a 'reasonable suspicion', subject to the support of Tasmania Police.**

### Introducing a new provision to enable searches with an electronic metal detection device (wanding) of persons for dangerous articles (including knives) in specified public places

The SCCA strongly supports police wanding powers, noting that our experience is that only police presence and action provides a strong enough deterrent and consequence to anti-social and criminal behaviour in shopping centres and other public places.

We are pleased that the drafting of 'Reid's Law' extends to shopping centres, adjacent car parks and public transport areas, and does not require wanding operations to be gazetted (including identifying specific place, i.e. one shopping centre whilst excluding all others) or permissible for a short period of time and/or only after an incident.

The drafting of the Bill would seem to provide Tasmania Police with the ability to conduct searches in specified public places as necessary and unencumbered.

**Recommendation 3      Introduce provisions for wanding by Tasmania Police in specified public places without amendments (including any preconditions).**

### Restricting the sale and supply of knives

Whilst wanding powers will enable police to detect those carrying knives and other weapons in public places, the ease with which potential offenders can legally obtain knives is a critical area in need of reform.

The experience of our members is that violent crime is increasingly being committed in shopping centres by young offenders. Restricting the availability of dangerous articles (including knives) to minors is a commonsense measure that other states and territories have or are adopting.

At present, Tasmania has no restriction on the sale of knives, including to minors. Respectfully, this places Tasmania behind all other states and territories, with the exception of the Northern Territory. All other states and territories have restrictions on the sale of knives to minors aged <16 or <18 years depending on the jurisdiction.

Pending the introduction of restrictions on the sale of knives to minors, the Government should introduce a new offence pertaining to the false representation of age in order to obtain a dangerous article (including knives); for

example, through the use of ‘fake’ identification or seeking another person to obtain a dangerous article (including knives) on their behalf.

Further, the Queensland Government has recently introduced additional measures to require retailers that sell knives and other edged weapons to store such items in a secure storage location that is not easily accessible to customers. This prevents customers from being able to remove a dangerous article (including knives) without the assistance of a staff member, adding an additional layer of security.

We strongly encourage the Government to undertake a further tranche of reform that would restrict the availability and accessibility of dangerous articles (including knives). If the Government does introduce such reform it would be critical to provide support to retailers to inform and enable them to comply with any new requirements in relation to display, storage, advertising and sale of knives.

**Recommendation 4      Introduce restrictions on the sale of knives to minors.**

**Recommendation 5      Introduce a new offence pertaining to the false representation of age in order to obtain a dangerous article (including knives).**

**Recommendation 6      Introduce restrictions on the storage and display of knives for both online and traditional retailers.**

### Concealment offence

The SCCA is concerned by reports from our members of knives and other weapons being cached and subsequently discovered in discreet locations within shopping centres, such as in plants and planter boxes.

Examples of concealment interstate are potentially done with the intention of undermining expanded police search powers and would have the same effect in Tasmania should the reforms under consideration be progressed.

There is no reasonable excuse for deliberately concealing knives and other weapons in a shopping centre. Our staff, security personnel, retailers and members of the public deserve the right to work in and enjoy shopping centres with as much confidence as possible that their safety is not at risk.

We believe that introducing a new offence to address the deliberate concealment of knives and other weapons would complement the expansion of police wandering powers and the increased restrictions on the sale of knives being considered through the Discussion Paper, and ultimately enhance community safety.

**Recommendation 7      Introduce a new offence pertaining to the concealment of knives and other weapons.**

### Stakeholder actions and engagement

The SCCA established a ‘Retail Crime Industry Partnership’ with major retailers and landlord, which has a key objective of elevating the issue of crime in retail settings to a national level to ensure a more coordinated approach. We would be pleased to brief the Minister on this in due course.

We are strong supporters of the National Retail Associations’ *Retail Crime Committee*, through which close collaboration occurs between industry and police from across Australia (including Tasmania Police).

The Department may also be aware of the SCCA’s nation-wide campaign to combat alarming levels of abuse, violence and the use of weapons against workers in retail settings. Our *Be Kind in Retail* campaign, advertisements and messaging displayed on digital and print media across the nation’s major shopping centres, gained considerable traction in the weeks and months leading up to Christmas.

The **attached** media release and campaign collateral refers.

These actions are reflective of our industry’s actions and resolve to improve safety outcomes in public places and we would welcome further opportunities to more directly input to policy development in this respect.

**Recommendation 8      The Government should commit to ongoing engagement with industry and affected stakeholder groups.**

**Follow up**

Thank you again for the opportunity to review and provide feedback on the Bill. As indicated above, the SCCA would welcome the opportunity to support the Government on the proposed reforms and assist the Department and Tasmania Police in respect of future reform and implementation.

Please do not hesitate to contact me if we can provide any further information or clarification at this juncture.

**James Newton**

Head of Policy and Regulatory Affairs  
Shopping Centre Council of Australia

7 November 2024

## MEDIA RELEASE

### **'BE KIND IN RETAIL'** **INDUSTRY JOINS FORCES TO LAUNCH NEW NATION-WIDE CHRISTMAS CAMPAIGN**

A coalition of shopping centre, retail, fuel and convenience, pharmacy, security and cleaning industry groups has joined forces to launch a nation-wide *'Be Kind in Retail'* campaign for the upcoming Christmas period, as part of an ongoing collaborative effort to combat alarming levels of abuse, violence and the use of weapons against workers.

The coalition is comprised of the Shopping Centre Council of Australia (SCCA), National Retail Association (NRA), Australian Association of Convenience Stores (AACS), Australian Security Industry Association Limited (ASIAL), Pharmacy Guild of Australia, and Building Service Contractors Association of Australia (BSCAA).

**With a central message of *'Kindness Never Goes Out of Style'*, the SCCA, NRA, AACS, ASIAL, Pharmacy Guild and BSCAA are calling on the community to be kind to security guards, cleaners, retail and pharmacy staff, across the upcoming Christmas trading period.**

The new nation-wide campaign has gained increased urgency as anti-social behavior and crime in retail settings continues to increase, including causing serious mental and physical harm to workers who are simply doing their job.

Such incidences include workers being yelled and sworn at, pushed and shoved, threatened and intimidated, punched, and weapons being displayed and used on them – and many incidences are not associated with the attempted theft of goods. Concerningly, this can often include repeat- or recidivist offenders.

The *'Be Kind in Retail'* campaign will see advertisements and messaging displayed on digital and print media across the nation's major shopping centres. One simple message states: "Please be kind to our security officers, cleaners and retail workers".

SCCA members are running the campaign advertisements for free, across more than 300 shopping centres, and 3,500 digital screens, and an estimated commercial advertising value of **\$7 million**. The campaign will also run across each industry partners' social media channels and in a number of retail outlets.

**Angus Nardi, Chief Executive of the SCCA said:** "It's really pleasing to launch the *Be Kind in Retail* campaign with our partners from the retail, pharmacy, fuel and convenience, security and cleaning industries, with simple message for the community to be kind and show respect in our retail environments this Christmas.

"Any incident that causes harm to someone is simply tragic, and we are calling on the community to help stamp out needless aggression and violence against workers in retail settings."

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**Lindsay Carroll, Acting Chief Executive Officer of the NRA said:** "Australia's retailers employ 1.3 million people, a lot of them being young Australians, and it is essential that all retail workers are free of abuse and violence in their workplace. We are proud to be part of the *Be Kind in Retail Campaign* and continue to advocate for reforms to make retail settings safer for everyone."

**Theo Foukkare, Chief Executive Officer of AACS said:** "The AACS represents over 100 leading suppliers as well as all major convenience retail brands nationally, collectively operating almost 7,000 retail outlets employing 80,000 staff. Workers across our industry are experiencing an alarming level of intolerable abuse, particularly in fuel and convenience stores, and they deserve respect and kindness at all times."

**Professor Trent Twomey, National President of The Pharmacy Guild of Australia said:** "Community pharmacies are providing a broader range of products and services than ever before, embedded within local communities, and it is critical that our pharmacists and team can operate in a safe environment particularly during the busy Christmas trading period."

**Bryan de Caires, Chief Executive Officer of ASIAL said:** "Security officers play a key role in community safety and are often on the frontline of terrible incidents and putting themselves in harm's way. The tragic incident at Westfield Bondi this year highlights the dangers faced by security officers, and we are asking the community to treat security officers with kindness and respect as they assist and interact with you during the busy Christmas period."

**Kim Puxty, Chief Executive Officer of BSCAA said:** "Our nation's cleaners are essential in maintaining our retail environments' cleanliness, hygiene, and safety. Their diligent efforts ensure that places like food courts and bathrooms are welcoming and sanitary for everyone. Cleaners often work behind the scenes, yet their contributions are vital to our daily lives and the overall shopping experience. This Christmas let's show kindness and appreciation to our cleaners."

#### **CAMPAIGN HIGHLIGHTS:**

- **The campaign will run from 6 November (day after Melbourne Cup) to 24 December 2024.**
- **300+ participating shopping centres and retail precincts**
- **3,500+ digital screens** – broadcasting campaign messages across participating centres.
- **\$7M+ commercial advertising value** – reflecting the industry's steadfast dedication.
- **120M+ campaign plays.**
- **250M+ customers engaged** – demonstrating the campaign's wide-reaching impact.
- **6 Campaign Messages in Rotation** – ensuring the message stayed relevant throughout.

#### **MEDIA CONTACTS:**

**SCCA:** / Luke Sikora / Head of Stakeholder Engagement / [REDACTED]

**NRA:** / Media Unit / [REDACTED]

**AACS:** / Theo Foukkare / Chief Executive Officer / [REDACTED]

**ASIAL:** / Katie Ashford / Strategic Marketing Manager / [REDACTED]

**The Pharmacy Guild:** / Hazel Gidley / Media and Public Relations Manager / [REDACTED]

**BSCAA:** / Kim Puxty / Chief Executive Officer / [REDACTED]

**Campaign materials, including print-ready posters, digital screen copy, EDM and social media artworks and print-ready decals are available here:** [Be Kind in Retail - Shopping Centre Council of Australia \(scca.org.au\)](https://www.scca.org.au)

#### **CAMPAIGN DIRECTOR:**

For any campaign queries, please call Luke Sikora / SCCA / [REDACTED]

# KIND NESS NEVER GOES OUT OF STYLE

PLEASE BE KIND TO  
OUR SECURITY GUARDS,  
CLEANERS AND RETAIL STAFF.

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 SHOPPING CENTRE  
COUNCIL OF AUSTRALIA

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GIVE KINDNESS AND RESPECT  
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WE ARE COMMITTED TO A SAFE  
ENVIRONMENT FOR CUSTOMERS,  
RETAILERS AND STAFF.

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THANK YOU FOR MAKING OUR CENTRES  
GREAT PLACES TO SHOP, WORK AND PLAY.