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Queensland Justice, Integrity and Community Safety Committee

Inquiry into the Expanding Adult Crime, Adult Time and Taking a Strong Stance on Drugs and Anti-Social Behaviour Amendment Bill 2026

March 2026

The Australian Retail Council (ARC) welcomes the opportunity to provide a submission to the Justice, Integrity and Community Safety Committee in relation to the Expanding Adult Crime, Adult Time and Taking a Strong Stance on Drugs and Anti-Social Behaviour Amendment Bill 2026.

ARC represents a \$444 billion sector and employs 1.4 million Australians, one in ten workers, making retail the nation's largest private sector employer and a cornerstone of the Australian economy.

Our membership spans the full breadth of Australian retail: from family-owned small and independent businesses, which comprise 95 per cent of our membership, to the largest national and international retailers that support thousands of jobs and sustain communities across both metropolitan and regional Australia. Our industry operates more than 155,000 retail outlets nationwide, with the majority of those also represented by an online or e-commerce presence.

A strong retail sector delivers widespread benefits to all Australians, with a significant portion of every dollar spent in retail flowing back into employees, suppliers, superannuation funds, and local communities. We are united in advocating for the policy settings, reforms and collaboration that will drive growth, resilience, and long-term prosperity for Australian retail and the millions who rely on it.

Retail is uniquely exposed to crime and anti-social behaviour because it operates in highly accessible, customer-facing environments. When crime occurs in retail settings, the effects are not confined to one business. They affect workers, neighbouring businesses, shopping precincts, customer confidence and the broader community.

Executive Summary

Retail crime is one of the most serious issues facing ARC members. It is no longer confined to opportunistic shop theft. It increasingly involves repeat offending, intimidation, abuse, threats, violence, weapon-related behaviour, and coordinated activity across multiple locations. It is harming retail workers, undermining customer confidence, disrupting lawful trade, and placing growing pressure on businesses operating in shopping centres, high streets, neighbourhood precincts and other public-facing environments. Industry data indicates that the top 10 per cent of offenders are responsible for around 60 per cent of total retail crime harm and loss.¹

Queensland data also points to a sustained rise in offending relevant to retail settings. In 2023–24, Queensland Police actioned 46,054 offenders for other theft (excluding unlawful entry), an increase of 10.2 per cent on the previous year and 46.2 per cent over the decade. More serious offending has also increased, with robbery offenders up 125.4 per cent over the decade and assault offenders up 70.7 per cent. Location-based crime data further shows substantial

¹ Auror, "Australian retailers record huge spike in armed and violent retail crime", 20 March 2025

Let's talk shop.

volumes of offending occurring in retail settings, including 13,188 other theft offences, 17,770 good order offences, 8,917 public nuisance offences and 351 disobey move-on direction offences recorded in retail locations in 2023–24.²

Data from one major retailer also indicates that threatening incidents in Queensland have increased by 78 per cent over the past two years.

ARC strongly supports measures that strengthen police powers to respond to anti-social behaviour, violence and repeat offending in business precincts. In particular, ARC supports the Bill's introduction of Designated Business and Community Precincts (DBCPs) and the associated strengthening of police powers, including enhanced move-on powers, name and address requirements, police banning notices and expanded handheld scanning powers. The explanatory notes make clear these reforms are intended to reduce anti-social behaviour, enhance public safety and public amenity, and reduce or prevent disruption of businesses. They also recognise that repeated anti-social behaviour can have immediate and disproportionate impacts on business operations and that stronger exclusion tools can support a more stable trading environment for local businesses. ARC supports that objective.

ARC supports the introduction of DBCPs, while maintaining that stronger precinct-based policing powers should complement, not replace, Workplace Protection Orders (WPOs). While the Bill improves police capacity to respond to anti-social behaviour, violence and repeat offending in designated areas, it does not adequately address the repeat, workplace-specific nature of retail crime. DBCPs are inherently police-led, geographically focused and limited in duration. WPOs, by contrast, provide retailers and employers with a direct, preventative, workplace-focused legal mechanism to exclude known offenders from stores and retail workplaces.

Retail workers should not be expected to tolerate abuse, intimidation, threats or violence as part of their job. Queensland's business precinct reforms are a constructive step, but they should not be mistaken for a complete retail crime response. ARC considers WPOs to be the more effective and immediate legislative solution for protecting retail workers and disrupting repeat offending in retail settings. Given this, it is critical the Queensland Government progress a Workplace Protection Order framework, alongside the DBCP reforms, to strengthen its approach.

Retail Crime Is a Major and Growing Threat

Retail crime has become a frontline worker safety issue, a business continuity issue and, increasingly, a broader community safety issue. It is no longer adequate to treat it as a stock loss issue or a narrow loss-prevention concern. The scale, frequency and nature of offending now demand a stronger policy and enforcement response. Queensland data underscores the scale and persistence of offending relevant to retail environments, including theft, public nuisance, good order offences and other conduct affecting the safety and amenity of retail locations.

ARC members continue to report repeat theft, verbal abuse, threats, intimidation, aggressive conduct, weapon-related behaviour and organised group offending. The nature of retail crime is changing, with a clear shift towards more confrontational and high-risk behaviour. Harm is also highly concentrated, with repeat and mobile offenders often targeting multiple stores across multiple locations. This pattern is particularly damaging in retail settings, where businesses operate in highly accessible, customer-facing environments and where workers are expected to manage difficult situations in real time.

² Queensland Government Statistician's Office, *Crime Report, Queensland, 2023–24*, Queensland Government.

Let's talk shop.

The impact extends well beyond stock loss. Retail crime affects worker safety, staff retention, customer confidence, precinct amenity and the viability of lawful trade. It places pressure on store operations, increases security costs and undermines confidence in retail as a safe place to work and shop. These are not isolated incidents. They are part of a broader pattern of escalating harm that requires earlier intervention and stronger preventative tools.

Designated Business and Community Precincts

ARC supports the Bill's introduction of DBCPs and the strengthening of police powers within those precincts.

The explanatory notes state that a DBCP may be prescribed where there is a need to enhance public safety or public amenity, reduce anti-social behaviour, or reduce or prevent disruption of businesses. The framework is intended to provide police with strengthened powers to deter, detect and respond to anti-social behaviour in those precincts and maintain community safety. That is directly relevant to the lived experience of retailers operating in high-footfall business areas.

ARC particularly supports the Bill's proposed extension of:

- stronger move-on powers in DBCPs;
- police authority to require a person's name and address when issuing, or about to issue, a move-on direction;
- police banning notices in DBCPs; and
- expanded handheld scanning powers under Jack's Law.

These are practical and necessary tools. They improve police capacity to intervene earlier, respond more consistently, and disrupt repeated disorderly, offensive, threatening or violent behaviour in business precincts before it escalates further. The explanatory notes expressly recognise that the framework enables police to address anti-social behaviour early, prevent escalation into more serious offending, and manage repeat disruptive behaviour that undermines public safety, business activity and precinct amenity.

ARC also notes that the practical effectiveness of these powers will depend in part on whether the consequences for non-compliance are sufficient to deter repeat offenders in practice. The explanatory notes state that if a person fails to comply with a move-on direction after being warned and given a further reasonable opportunity to comply, they may be charged under section 791 of the Police Powers and Responsibilities Act 2000 and face a maximum penalty of 40 penalty units. The explanatory notes also confirm that police banning notices in DBCPs will remain subject to defined duration limits of up to one month for an initial notice and three months for an extended notice. ARC considers it important that the Government clearly explain how these enforcement settings are expected to operate in practice, particularly in retail environments dealing with persistent repeat offending.

ARC also encourages the Government to clearly articulate how the effectiveness of the DBCP framework will be measured in practice. From a retail perspective, success should not be assessed merely by reference to additional police powers or the number of designated precincts. The more important questions are whether the framework reduces repeat offending, improves worker safety, reduces the frequency and severity of high-harm incidents, and lessens the need for retail workers to manage dangerous behaviour in real time.

Let's talk shop.

ARC is also concerned that the Bill does not clearly articulate how retail precincts will be identified and designated in a way that reflects the pattern of harm experienced by retailers. The proposed model appears to rely on ministerial recommendation following consultation with local government, but does not provide a direct pathway for a retailer, shopping centre or business operator to seek designation. This raises questions about whether the framework will be sufficiently responsive or timely from a business perspective, particularly where retailers are dealing with persistent anti-social behaviour, intimidation or repeat offending in and around a specific location.

ARC is further concerned that, without a clearer nomination pathway or more transparent designation criteria, the framework may be vulnerable to discretion and political sensitivity. In practice, this risks precinct designation becoming dependent on visibility, political appetite or broader government priorities rather than on a clear and consistent evidence threshold.

ARC is also concerned that the framework may have limited utility against repeat and mobile offenders who move across multiple centres, stores or precincts rather than offending in a single designated area. This is a common feature of retail crime and should be taken into account in assessing the practical effectiveness of the model.

For retailers, that matters. Retail crime often does not begin with a single major event. It more often follows a pattern of repeated, escalating conduct that places workers and customers at risk and undermines the safe and orderly use of shopping precincts. Stronger police powers in designated precincts are therefore a welcome reform, but their practical value will depend on how effectively the framework responds to repeat and mobile offending in practice.

Why DBCPs Will Not Deliver the Same Protection as Workplace Protection Orders

ARC's central concern is that, while DBCPs may strengthen police powers in designated precincts, they do not provide the type of direct, workplace-focused protection retailers need. Retail offending is often repetitive, escalating and highly localised. Many harmful incidents do not result in prosecution or conviction, despite creating a clear and foreseeable risk to workers. Employers are therefore left managing known offenders without an effective legal tool to restrict access to their workplaces. That is the gap WPOs are designed to fill.

ARC notes public reporting that Woolworths has attributed a 23 per cent reduction in total offending across its Canberra stores to the use of WPOs against a cohort of high-harm offenders in the ACT. This supports ARC's view that workplace-focused exclusion mechanisms can play an important role in disrupting repeat offending and improving worker safety. The ACT already has WPOs in place. South Australia has enacted a WPO scheme, due to commence in May 2026. Victoria is developing its proposed WPO legislation, NSW is consulting on WPOs and Western Australia's Retail Barring Orders Bill has passed the Legislative Assembly and are being considered by the Legislative Council. Queensland risks falling behind if it relies solely on precinct-based policing powers without also progressing comparable workplace-focused protections.

More broadly, ARC questions why employers are expected to meet their workplace safety obligations without access to a direct legal mechanism to exclude known repeat offenders from retail workplaces. If repeat offenders are already known to police and retailers, a framework that relies primarily on short-term, precinct-based powers leaves a significant protection gap. That is why ARC continues to regard WPOs as a necessary complement to precinct-based policing powers.

Let's talk shop.

DBCPs do not solve that problem. They have clear limitations:

- **Retailers cannot initiate them**
These are police-issued powers. Retailers cannot apply for, initiate, or directly manage a banning outcome themselves. By contrast, ARC's preferred WPO model is employer-led, or able to be pursued by a person or body formally appointed by the employer, so responsibility aligns with the employer's duty of care and operational knowledge.
- **DBCPs are geographically focused, not workplace focused**
A DBCP applies to a prescribed precinct, not to a specific retailer, centre or set of workplaces. That makes it a useful public-order tool, but less targeted for individual businesses dealing with repeat offenders who return to the same store or move across multiple stores. ARC's WPO position expressly supports coverage of multiple premises because it reflects the reality of repeat and mobile offending across retail networks.
- **The exclusion periods are comparatively short**
Under the Bill, move-on directions in a DBCP apply for a reasonable time of not more than 24 hours, while police banning notices remain subject to defined duration limits of up to one month for an initial notice and three months for an extended notice. Those are useful tools, but they are not a full answer to persistent repeat offending. ARC's preferred WPO model is intended to provide a longer-term workplace protection mechanism better suited to the recurring nature of high-harm retail offending.
- **DBCPs remain operationally dependent on police discretion and presence**
The explanatory notes themselves acknowledge that identification and contravention issues have limited the effectiveness of move-on directions, which is why the Bill introduces a name and address power. That is a welcome improvement. But the framework still depends on police issuing, monitoring and enforcing the exclusion. A WPO model is different: it gives retailers a direct legal mechanism focused on their workplace, with court-backed enforceability.
- **WPOs are specifically designed around workplace safety, not only precinct order**
ARC's preferred model is risk-based. It is designed to protect workers and workplaces from repeat offenders without requiring a prior conviction, and without requiring a retail worker to carry the burden of initiating or sustaining a criminal process. This is particularly important given existing tools such as trespass notices are often ignored or repeatedly breached, and retailers can face real difficulty securing a timely police response when breaches occur. Properly designed, WPOs enable early intervention, reflect the realities of repeat and mobile offending, and support employers to meet their workplace health and safety obligations.

Queensland should therefore proceed with the DBCP reforms while progressing a WPO framework. WPOs would also complement the controls and safety initiatives retailers already have in place, including body-worn cameras, de-escalation training, security guards and duress devices, by adding a direct legal mechanism to exclude known repeat offenders from workplaces.

ARC's preferred model includes applications brought by the employer, or by a person or body formally appointed by the employer; a risk-based threshold focused on whether the respondent has engaged in personal violence in relation to a workplace and may do so again; no requirement for a prior conviction; the availability of interim orders where risk

Let's talk shop.

is urgent; coverage of multiple premises; and service by police or another authorised enforcement officer rather than by the employer or worker.

That is the type of framework needed if Queensland wants to provide retailers and their workers with direct and effective protection from repeat offenders.

Conclusion

ARC welcomes the intent of the Bill and supports the introduction of DBCPs as an additional policing tool. However, DBCPs are not an adequate substitute for direct workplace protections. If Queensland is to respond effectively to rising retail crime, it should pair these precinct-based powers with a Workplace Protection Order framework that enables employers to act early, protect retail workers, and disrupt repeat offending before further harm occurs.

ARC would welcome the opportunity to engage further with the Committee and the Queensland Government on practical measures to reduce retail crime, strengthen retail worker safety and ensure Queensland's business precincts remain safe and viable places to work, shop and do business. Any queries in relation to this submission can be directed to our policy team at policy@retail.org.au.