

Let's talk shop.

Northern Territory Private Security Act 1995 Review

April 2026

The Australian Retail Council (ARC) welcomes the opportunity to provide feedback on the Northern Territory Government's review of the *Private Security Act 1995*.

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. The Northern Territory Government's review is therefore timely. The Act has been in place for more than 30 years without comprehensive review, and the private security operating environment, community expectations and the role of security personnel in public-facing settings have changed significantly over that time. ARC supports modernising the framework so it better reflects contemporary retail and community safety needs.

Executive Summary

ARC supports reform of the *Private Security Act 1995* to ensure the Northern Territory's regulatory framework remains fit for purpose and responsive to contemporary operating environments.

In particular, refresher training in de-escalation, incident response, legal responsibilities, cultural awareness and engagement with vulnerable persons would support safer and more professional practice. Consideration should also be given to minimum, standardised competency requirements linked to these functions, with clear responsibility for ensuring training is delivered, maintained and refreshed over time. Clear and enforceable training standards would support consistency and professionalism in higher-risk interactions, including those involving vulnerable persons and complex situations where there is a risk of inappropriate escalation or excessive use of force.

ARC also supports a framework that couples any expansion or clarification of crowd controller use with clear safeguards. This should include appropriate training, especially in de-escalation and engagement with vulnerable persons, as well as clear role boundaries, a contemporary code of practice, and robust but practical accountability mechanisms.

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At the same time, reform of the private security framework should not be seen as a complete response to retail crime. Retail crime 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. Reported retail crime incidents nationally reached around 800,000 in the past year, and 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. Private security reform is therefore an important step, but it should sit alongside broader complementary measures, including consideration of Workplace Protection Orders (WPOs) or similar workplace-focused exclusion tools.

Modernising the private security framework for retail settings

ARC supports modernising the private security framework. A central issue in this review is whether the licensing framework reflects the way security personnel are used in practice.

Retail crime and anti-social behaviour have evolved, and many retailers now operate in environments where staff regularly encounter aggressive, threatening or disorderly behaviour. This is particularly relevant in large-format and other higher-risk retail environments, including bottle shops, open sites and locations operating early morning, late evening or extended trading hours. In these settings, there is a practical need for access to appropriately licensed crowd controllers as part of a broader safety response. ARC therefore supports reform that enables retail outlets to utilise crowd controllers where operationally appropriate, rather than confining those functions too narrowly to traditional hospitality contexts.

This should not be framed as an expansion of powers without safeguards. Rather, it is about ensuring the law keeps pace with the environments in which security personnel are now operating. If crowd controllers are to be used in relevant retail settings, the legislative framework should clearly define their role, responsibilities and limits, including the scope of functions such as directing individuals, refusal of entry, removal from premises, and any use of reasonable force. In ARC's view, that role should be preventative and safety-focused, centred on deterrence and visible presence, de-escalation and early intervention, and supporting safe access and movement in public-facing retail environments. Clear boundaries should distinguish these functions from those of police. Any clarification or expansion of private security roles should also operate within the broader workplace safety framework, including employers' obligations under the *Work Health and Safety (National Uniform Legislation) Act 2011 (NT)* to provide a safe working environment. Reform in this area should support, not displace, those existing responsibilities. This is important both for public confidence and for the protection of workers, customers and security personnel themselves.

ARC also supports strengthening the surrounding training and accountability settings. Refresher training in these areas is appropriate, provided it is risk-based, proportionate and delivered at reasonable intervals without creating unnecessary administrative burden. Security personnel operating in retail settings increasingly engage with vulnerable persons, people experiencing distress, intoxication or mental health episodes, and customers in volatile situations. In particular, refresher training in de-escalation, incident response, legal responsibilities, cultural awareness and engagement with vulnerable persons would support safer and more professional practice. Consideration should also be given to minimum, standardised competency requirements linked to these functions, with clear responsibility for ensuring training is delivered, maintained and refreshed over time. Clear and enforceable training standards would support consistency and professionalism, particularly in higher-risk interactions. This is particularly important in interactions involving vulnerable persons and in reducing the risk of inappropriate escalation or excessive use of force in complex situations.

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Similarly, any modernised framework should maintain clear and workable accountability arrangements. This should include clear allocation of responsibility between licence holders, security providers and host businesses, particularly where labour hire or contracted security services are used. For retailers, clarity matters. Businesses need confidence that where crowd controllers or other security personnel are engaged, there is a clear professional standard, a practical and transparent complaints pathway, and appropriate oversight to maintain public trust without imposing unnecessary complexity on legitimate operators. Complaint and compliance settings should also be capable of timely intervention where safety risks arise, while remaining proportionate and workable in practice.

Complementary retail crime reforms

While ARC supports this review and the modernisation of the private security framework, it is important to recognise that private security settings alone will not resolve the broader retail crime challenge.

Retail crime has become a frontline worker safety issue, and a core workplace health and safety concern, as well as a business continuity and broader community safety issue. It is no longer adequate to treat it as a stock loss issue or a narrow loss-prevention concern. ARC members continue to report repeat theft, verbal abuse, threats, intimidation, aggressive conduct, weapon-related behaviour and organised group offending across customer-facing retail environments. Retailers already invest significantly in controls and safety initiatives, including CCTV, security guards, body-worn cameras, de-escalation training, duress devices, and retail crime intelligence and information-sharing systems. Those measures are important, but they do not substitute for direct legal mechanisms that can address repeat, high-harm offending.

For that reason, ARC encourages the Northern Territory Government to consider this review as one part of a broader retail crime response. In particular, ARC considers that Workplace Protection Orders, or a similar workplace-focused exclusion mechanism, warrant consideration as a complementary reform.

WPOs are not a substitute for police powers, criminal offences, or retailer-led safety controls. They are a complementary tool. Their value lies in providing a direct legal mechanism to exclude known repeat offenders from retail workplaces before further harm occurs. This is particularly important in retail settings, where workers may be repeatedly exposed to the same offenders in highly accessible, public-facing environments. Properly designed workplace-focused protections can help fill the gap between general criminal law responses and the day-to-day operational reality faced by retailers and frontline staff.

Any such mechanism should be supported by appropriate safeguards, including clear thresholds, procedural fairness and accessible review processes. That will be important to ensure any exclusion power remains proportionate, transparent and capable of maintaining public confidence.

Other jurisdictions are already implementing or progressing workplace-focused exclusion mechanisms or analogous reforms. The Northern Territory should consider similar complementary tools if it is to keep pace with broader efforts to strengthen retail worker safety and respond more effectively to repeat offending.

Conclusion

ARC welcomes the review of the *Private Security Act 1995* and supports targeted reform to ensure the framework reflects contemporary retail and community safety needs.

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In particular, ARC supports a modernised approach that enables retailers to utilise appropriately licensed crowd controllers in relevant retail settings, supported by clear role definition, appropriate training, and workable accountability settings.

ARC also encourages the Northern Territory Government to view private security reform as one part of a broader response to retail crime. Complementary measures, including consideration of Workplace Protection Orders or similar workplace-focused tools, would help strengthen protections for retail workers and support safer retail environments across the Territory.

ARC would welcome the opportunity to engage further as the review progresses. Any queries in relation to this submission can be directed to our policy team at policy@retail.org.au.