

AMENDMENT TO PART 3A OF THE *POLICE POWERS AND RESPONSIBILITIES ACT 2000 (PPRA)* OTHERWISE KNOWN AS *JACK'S LAW*

MARCH 2025

The Australian Retailers Association (ARA) and National Retail Association (NRA), which propose to amalgamate into the Australian Retail Council (ARC), represent a **\$430 billion sector** that accounts for **18% of Gross Domestic Product**, and **employs 1.4 million Australians** – making retail the largest private sector employer in the country and a significant contributor to the Australian economy

Our membership spans the full spectrum of Australian retail, from family-owned small and independent retailers that make up 95% of our membership, through to our largest national and international retailers that employ thousands of Australians and support both metropolitan and regional communities every day.

We would like to thank the Attorney General for the opportunity to provide feedback on the Queensland Government's **Part 3A of the *Police Powers and Responsibilities Act 2000 (PPRA)* – *Jack's Law***, aimed at improving police operations for the detection of dangerous articles, including knives and to deter offending through increased penalties.

We consider 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. Additionally, it is critical to protect members of the public, and to mitigate the impact on customers.

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 ONE – MAKING JACK’S LAW PERMANENT

The National Retail Association and Australian Retailers Association support removing the sunset clause to *Jack’s Law* which would have scheduled it to expire on 30 October 2026. We believe that removing the sunset clause will provide Law Enforcement with a mandate to enhance public safety, proactively prevent crime, and ensure this policy can protect the community by ensuring the police can detect, and confiscate weapons proactively.

PART TWO – EXPANDING JACK’S LAW TO APPLY TO A GREATER RANGE OF OTHER PUBLIC PLACES

The National Retail Association and Australian Retailers Association supports the intention of the amendment to **Part 3A of the *Police Powers and Responsibilities Act 2000 (PPRA) – Jack’s Law***, to introduce a provision to provide for metal detector searches (wandering) of persons for weapons offences in public spaces.

We strongly support the introduction of expanding areas, and reducing the complexity, and administrative burden placed on Police, to undertake wandering in public places. Simply put, this should apply “anywhere, anytime.”

Any limitation of suspicion needs to be removed, and additionally, any perceived bias should be removed. We are completely, and wholly supportive of the ability of Police to assess situations, given their competency and experience, in determining suspicion with respect to weapons concealment.

The National Retail Association and Australian Retailers 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. Additionally, we support that Police should be empowered to search for illicit substances on a person to assist in deterring substance abuse related incidents and crime.

Overly complex regulation, and specified places under this legislation will increase the administrative burden of Police, and add additional, and unnecessary complexity and guidelines. Police should have the power to wand or search, anywhere at any time.

We note that for planned operations, informing a landlord should not be mandatory, and purely as a courtesy, if there is sufficient time, and not an additional burden on Police. For wandering, we do not believe that notice should be required, similar to the operations of RBT and drug testing.

Currently, body cameras provide a substantial amount of evidence, and record the interactions between Police and suspected, or alleged offender/s. We note that Queensland 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 Queensland Government incorporate amendments in **Part 3A of the *Police Powers and Responsibilities Act 2000 (PPRA) – Jack’s Law***, to allow wandering in any private or public space.

In the *public places outside of relevant places*, we do not believe that this should apply, nor should an authorisation be required or restricted to an area, that requires specification from a Police Officer, and is limited to only twelve hours.

Under the Queensland *Police Powers and Responsibility Act 2000*, and the *Police Powers and Responsibilities (Jack’s Law) Amendment Act 2023*, Queensland Police should 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 Queensland.

Currently, the subject, and objective tests prevent Police from undertaking the necessary actions to mitigate potential offences. Police must be empowered to exercise discretion with reference to wandering, and there should not be a requirement for a previous incident to have occurred, to justify mitigating future offences in the same area. We do not believe that a clause should exist, to prevent wandering occurring in the same area where a previous offence has occurred within the last six months. This emphasises that there is more of a need to conduct wandering and should be supported.

Additionally, we believe that where Police deem areas are problematic, or at greater risk of offences occurring, they must be empowered to conduct wandering as frequently as necessary to protect the public.

The National Retail Association and Australian Retailers Association, therefore, recommend that the amendments do not restrict the discretion of Police, or impede on their ability to conduct wandering in any public or private spaces.

PART THREE – EFFICIENCIES AND EFFECTIVENESS OF EXISTING LEGISLATIVE FRAMEWORK

The National Retail Association and Australian Retailers Association support the introduction of mechanisms to mitigate administrative burden and complexity to support the work of the Queensland Police Service. For police forces often stretched thin, these efficiencies translate into more patrols, faster response times, and better community engagement—core elements of effective policing. By minimising administrative overhead, the system respects officers' time and enhances their capacity to uphold public safety, making laws like Jack's Law not just practical in mitigating retail crime and other offences that endanger the public.

To ensure the process is efficient and streamlined, we recommend that the Minister work with the Police Commissioner and Queensland Police to reevaluate outdated or redundant obligations, such as notice and reporting requirements under Jack's Law. A primary example is eliminating the need for police to issue handheld scanner information notices upon request or to notify managers of venues like licensed premises or shopping centres reduces unnecessary workload.

After years of operation, the law's purpose and procedures are well-established, making repetitive public information mandates an administrative burden for Police. By trimming these obligations, police resources—both time and personnel—can be redirected toward active crime prevention rather than compliance with procedural formalities that no longer serve a practical purpose. This shift ensures that operational focus remains on tangible safety outcomes rather than administrative upkeep.

Finally, removing duplicative tasks, including the Commissioner's obligation to publish separate notices about Jack's Law authorisations, further supports police efficiency. Existing mechanisms, like the annual report, already provide a platform for sharing such information, rendering additional publications redundant.

The National Retail Association and Australian Retailers Association recommend any actions that mitigate the bureaucratic and administration workload on the Police to effectively enforce Jack's Law and protect the community.

ADDITIONAL FEEDBACK ON SENTENCING REFORM

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 fuelled 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.

We also consider that if someone has been detected with an edge weapon, they need to be banned from any centre indefinitely. This is where Workplace Protection Orders need to be effective and immediately implemented as we need to demonstrate that these aggressive individuals are not welcome at the premises where they have committed an offence, or any area surrounding it.

CONCLUSION

The proposed amendments to Jack's Law 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 Queensland 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 and Australian Retailers 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.

Should you have any questions or wish to discuss this submission, please do not hesitate to policy@nationalretail.org.au