

Justice and Other Legislation Amendment Bill 2026

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Submission By: National Electrical and Communications Association (NECA)

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Submission -

**Justice, Integrity and Community Safety
Committee**

**Justice and Other Legislation Amendment Bill
2026**

Submission to the Justice, Integrity and Community Committee Safety Committee, Justice and other Legislation Amendment Bill 2026.

Author

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On behalf of

National Electrical and Communications Association (NECA) – Queensland Branch
(Queensland branch of the national peak body for Australia's electrical and communications contractors)

Approval

This submission is made on behalf of NECA Queensland, as the Queensland branch of the national peak body, with the authority of the NECA Queensland management and consistent with NECA's national policy position.

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Executive Summary

NECA Queensland strongly supports the proposed amendments to the:

- *Second-hand Dealers and Pawnbrokers Act 2003*
- *Criminal Code*

This submission supports the *Justice and Other Legislation Amendment Bill 2026* and its targeted reforms to address the growing incidence and impact of copper and other valuable metal theft across Queensland.

The Bill appropriately reframes metal theft as a serious public safety and infrastructure offence, rather than a minor property crime. It recognises metal theft as a significant public safety, economic and infrastructure risk and introduces measures to deter, disrupt and prosecute such offences, particularly the theft of copper from electrical infrastructure.

These reforms are necessary and proportionate given the scale of harm caused.

About NECA

The National Electrical and Communications Association (NECA) is the peak industry body representing licensed electrical contractors operating across Queensland's electrical and broader electrotechnology services sector. NECA members deliver essential electrical infrastructure and services across residential, commercial, industrial and major infrastructure projects that underpin Queensland's economy.

Copper and metal theft directly impacts NECA members and their businesses, driving increased expenditure on site security, risk mitigation and insurance, and imposing additional project costs as a result of theft and associated damage. These costs ultimately flow through to project delivery, productivity and the broader Queensland economy

General Position

Copper theft presents a multi-layered risk profile:

- Risk to the offender: Individuals engaging in theft of electrical infrastructure face immediate and potentially fatal exposure to live electrical systems, including electrocution and arc flash.
- Risk to the community: Once infrastructure is stripped, sites are often left in a hazardous condition, with exposed live wiring, compromised safety systems, and disruption to essential services such as power, telecommunications and public facilities.
- Risk to licensed electrical contractors: Electrical contractors are required to respond to these incidents, often working in unsafe and unpredictable environments to isolate, repair and rebuild damaged systems, creating elevated workplace health and safety risks.

Beyond safety, copper theft imposes significant economic and social costs, including infrastructure damage, project delays, increased insurance and compliance costs, and disruption to businesses and communities. Licensed electrical contractors bear a disproportionate share of these impacts through emergency repair obligations and risk exposure.

The Bill's key measures—including increased penalties, new offences (including possession and attempt), identity verification requirements, and strengthened regulation of scrap metal transactions—are strongly supported. These measures will hopefully improve deterrence, disrupt illegal supply chains, and enhance enforcement capability.

Recognition of Multi-Layered Risk

This submission emphasises that copper theft presents three distinct and escalating categories of risk, which justify strong legislative intervention.

1. Risk to the Offender (Immediate Personal Harm)

Copper theft frequently involves interference with live electrical infrastructure, exposing offenders to:

- electrocution
- arc flash incidents
- severe burns or fatal injury

These are not theoretical risks—they are inherent in the act itself.

The Bill correctly recognises that metal theft can result in:

“serious injury or death... caused by scrap metal theft”

Submission position:

Stronger penalties and enforcement are justified not only as deterrence, but as a harm minimisation measure for individuals engaging in unsafe illegal activity.

2. Risk to the Community (Post-Theft Exposure)

Once copper is removed, sites are often left:

- electrically unsafe
- partially energised
- structurally compromised

This creates risks to:

- members of the public
- property occupants
- emergency responders

Examples include:

- exposed live conductors
- disabled safety systems (lighting, alarms, fire systems)
- outages impacting public services, and community infrastructure

The Bill recognises this broader harm, including:

“damage to public infrastructure” and “disruption to the operation of a public facility”

Submission position:

Copper theft should continue to be treated as a public safety offence, not merely theft, with penalties reflecting the risk to life and essential services.

3.Risk to Licensed Electrical Contractors (Repair and Rebuild Phase)

Licensed electrical contractors are the last line of risk exposure, required to:

- enter unsafe, partially damaged electrical environments
- isolate unknown live systems
- reconstruct compromised infrastructure under urgency

This exposes contractors to:

- unknown energisation risks
- damaged protective systems
- incomplete circuit information

In addition, contractors carry:

- legal liability
- safety obligations under electrical legislation
- cost pressures due to emergency repair work

Submission position:

The Bill provides an important step toward reducing these risks by deterring theft upstream, but further recognition of the contractor risk burden is warranted.

Economic and Social Impact

Copper theft results in disproportionate economic and social costs, including:

Direct Costs

- repair and replacement of infrastructure
- insurance claims and premium increases
- project delays and rework

Indirect Costs

- disruption to businesses and households
- delays to construction and infrastructure delivery
- increased compliance and security costs

Systemic Impact

- reduced productivity across construction sector
- diversion of skilled electrical labour from new work to remediation
- increased cost of delivering public infrastructure

The Bill recognises these broader impacts:

“substantial impacts and consequences of metal theft across the economy and for local communities”

Support for Key Legislative Measures

This submission strongly supports the following mechanisms in the Bill:

Identity Verification and Transaction Recording

- Improves traceability of scrap metal
- Disrupts illegal resale markets

Increased Penalties and New Offences

- Reflect seriousness of offence
- Strengthen deterrence
- Address gaps in existing laws

Recommended Enhancements (Constructive Improvements)

To further strengthen the Bill's effectiveness, it is recommended that Government consider:

Targeted Enforcement on High-Risk Infrastructure

- Prioritise theft from:
 - electrical infrastructure
 - construction sites
 - public utilities

Data Sharing with Industry

- Enable controlled sharing of theft data with:

- licensed contractors; and
- industry bodies (e.g. NECA)
- Improve prevention and site security planning

Final Position

In summary, this submission supports the Bill as a critical safety, economic and infrastructure protection measure, which will:

- Reduce the risk of injury and death
- Improve protection of essential services
- Lower the cost and risk burden on licensed electrical contractors
- Strengthen deterrence and enforcement across the metal theft supply chain

The Bill represents a necessary and well-calibrated response to the growing issue of copper theft in Queensland. It appropriately balances:

- human rights considerations, and
- the need to prevent serious harm, economic loss, and infrastructure disruption

The Bill represents a necessary and timely reform to protect Queensland communities and support the safe delivery of electrical and construction services.

NECA would welcome the opportunity to appear before the Committee to discuss this submission and to provide further evidence from Queensland electrical contractors.

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National Electrical and Communications Association (NECA) – Queensland Branch