Submission to the Department of Police, Fire and Emergency Management

Re: Police Offences Amendment (Knives and Prohibited Weapons) Bill 2026 – Consultation Draft (1 May 2026)

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[redacted]

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I am writing to register my strong opposition to the consultation draft of the Police Offences Amendment (Knives and Prohibited Weapons) Bill 2026, and in particular to proposed Division IB (sections 14E–14F), which would criminalise the mere possession of a machete by ordinary Tasmanians. I submit that this Part of the Bill should be withdrawn. It is poorly drafted, sweeps far beyond any legitimate public safety objective, provides almost no exemptions for the many lawful uses of these tools, imposes penalties wildly out of proportion to the conduct it targets, and in my opinion at its core it copies a Victorian policy whose real-world record over the past year has been one of significant public expenditure without any demonstrated reduction in knife violence.

A machete is not, in the hands of the overwhelming majority of people who own one, a weapon. It's a rural and outdoor tool, used to clear vegetation and fire breaks, maintain tracks and fence lines, process firewood and kindling, prepare camp sites, and manage overgrown property. Tasmania is a place where all these uses are commonplace. This bill will convert thousands of law-abiding property owners, campers, bushwalkers, hunters, and collectors into criminals overnight, exposing them to a fine of up to 100 penalty units or three years imprisonment for owning an item they purchased lawfully and have never misused.

1. The Bill does not even define the thing it bans

The proposed section 14E defines a “prohibited weapon” to include “a machete” yet the bill doesn't even contain a definition of a machete anywhere. In Victoria they attempted a broad definition (broadly, a cutting edged knife with a blade over 20 centimetres). This bill offers nothing. Is a Bowie knife a machete? A billhook? A cane knife? A kukri? A survival or bushcraft knife? A Parang? A pioneering sword? There's nothing here to work with. Neither the citizen who must comply with the law, nor the police officer who must enforce it, nor the magistrate who must apply it is given any guidance here.

I think it should be a basic principle of the rule of law that a criminal offence, particularly one carrying potential imprisonment as a penalty, should be defined with sufficient clarity and precision that a person can know in advance whether their conduct is lawful. A possession offence like this, punishable by three years' gaol time, that hinges on an undefined word utterly fails the test, and invites arbitrary and inconsistent enforcement.

2. The exemptions are unworkably narrow and insult ordinary users

Proposed section 14F(2) exempts only 3 classes of people: police officers, state service employees, and “agricultural professionals”. Every other formerly lawful user is simply criminalised. There is no exemption and no approval pathway for campers, bushwalkers, four wheel drivers, fishermen. What about private landowners trying to clear bracken or blackberries on their own properties (unless they can characterise themselves as producing “agricultural produce”). What about conservation and landcare volunteers? What about outdoor education providers? What about knife

collectors? There is a difference between a $40 Ridgeline machete and a $400 Svörd golok or Esee Junglas, but all must be forfeit just the same without compensation if this bill goes through. The point is there is a huge spectrum of legitimate and affected people who fall outside the strained definition given of “agricultural professional”.

Victoria's scheme, even though I regard it as a huge and embarrassing failure for reasons I will elaborate on later, recognises at least a wider set of exemptions and provides an individual approval pathway through the police commissioner for people with a legitimate reason. The Tasmanian bill provides no application or approval mechanism of any kind for a private citizen. A retiree who used the same brush hook to keep the fire break on her rural property for 30 years has no lawful way to keep it. To me that doesn't feel like a public safety policy. Rather, I think it just feels like government interference in ordinary people's lives and confiscation of their tools for no good reason.

Even the one exemption that does exist is impractical. Section 14F (2)(c)(ii) gives that the exemption holds only if the “agricultural professional” keeps their prohibited weapon in a receptacle that is securely locked at all times when the weapon is not in use. Applied literally to a working farm, where a machete might live in a ute tray, a shed, a toolbox, or a bag, is unrealistic. If the “agricultural professional” breaches the condition they're stripped of the exemption entirely and exposed to the full three year offence.

3. The Victorian experiment shows this policy does not work

By now I think we have all had a good laugh at the Victorian attempt at the machete ban. Of course we are bypassing the bins, so there is no need to beat on the fact that they wasted 13 million taxpayer dollars rolling out that embarrassing machete bin program, but we can still look at the outcome. Machete and knife attacks in Victoria have essentially continued on unaffected since the ban commenced. Within months of the ban taking effect, Saurabh Anand, 33, had his hand butchered in a machete attack during a robbery at a shopping centre in Altona Meadows. On 27 May 2026, literally the first anniversary of the Victorian machete laws, a teenager was left with a laceration to his lower back after a fight at Highpoint shopping centre. A week before that another teenager was arrested for allegedly brandishing a blade at the same place. The people committing these offences were already committing serious crimes carrying long imprisonment penalties if charged and found guilty. The addition of a possession offence clearly didn't bother them.

Even before Victoria acted the evidence published on knife amnesties and possession bans was weak. There is limited evidence they are effective beyond raising awareness. Victoria proceeded anyway for reasons that were transparently political. The ban was fast tracked in response to a single brawl at a shopping centre. Tasmania doesn't need to import this kind of rushed policy, frankly I would like to think we are a little more down to Earth and sensible than that.

To double down on that, I think the logic of the policy itself fails: a person prepared to commit assault, affray, armed robbery, or intentionally committing serious injury – serious crimes potentially carrying years of imprisonment, is not going to care about an additional possession offence. Beyond that, it's not like supply is meaningfully restricted. A functional machete can be made by anyone possessing an angle grinder and a piece of sheet metal scrap. Or, how about this: they will just substitute a machete with a long kitchen knife or a hatchet, or whichever of the countless long blades, axes, and tools that remain lawful. The only people whose behaviour a possession ban like this actually changes are the law-abiding, because they are the only people who obey it. To use a recent example: a young man caught with a machete in the mall – had machetes been banned – would have been caught with a different bladed tool instead.

4. Existing law already covers the potential harm

Carrying a weapon in public with intent, being armed in circumstances that cause alarm, assault, wounding, affray, and armed robbery are all already criminal offences in Tasmania. Police already have powers to deal with a person carrying a machete in a shopping centre or on the street without a lawful excuse. The sole additional conduct this bill criminalises is possession by people who aren't doing anything wrong. If the government truly believes the existing carriage offences or police search powers are inadequate, then strengthen those provisions, don't just ban ownership of a tool outright. Didn't police minister Ellis recently announce the new metal detector wands given to police successfully capturing a machete in the hands of that earlier-mentioned youth in the Elizabeth mall? Isn't that a good thing? Isn't that an example of the police successfully implementing their existing measures to circumvent harm?

5. Disproportionate penalties and reverse-onus forfeiture

The proposed penalty for simple possession (100 penalty units or three years imprisonment, or both) is extraordinary for conduct involving no victim, no threat, and no misuse. It exceeds the penalties applying to many offences involving actual violence, threats or harassment. Furthermore, the proposed action in 14F(5), gives that where a prohibited weapon that is not related to an offence or court proceedings is found and seized by a police officer, it becomes property of the Crown unless the owner “demonstrates” to the Commissioner that they have a lawful reason to possess it. The citizen must prove entitlement to their own lawfully acquired property, with no compensation payable and the Crown essentially free to sell or destroy the forfeited item? Property rights should not just be extinguished by some administrative default.

6. The youth-sales scheme buries small retailers in red tape

While my main objection with this bill sits with Division IB, I would be remiss to squander this opportunity to scrutinise Division VIII as well. It would require retailers to collect and retain signed, dated “genuine reason evidence” from an employer, trainer or organiser (valid for only three months), verify prescribed identification, keep records for two years subject to police inspection, display commissioner-approved signage at every entrance, every point of sale, on every website and in every advertisement, comply with commissioner-approved storage rules, refuse to let any staff member under 18 sell so much as a pocket knife and accept liability for any employee's contravention unless that employer can prove they could not have prevented it.

Because the “exempt knife” definition covers only eating utensils, and not chef's knives and kitchen knives, a 16 year old apprentice chef buying their first knife kit will need to provide signed and dated paperwork from their employer, renewed every three months. This is a compliance scheme designed for a firearms dealer which has been applied to every hardware store, camping and fishing store, and kitchenware retailer in the state.

7. Our liberties are supposed to have defenders

Finally, I would like to ask the department and minister to weigh the liberty that processes like these so often cost ordinary people. It seems so rarely considered. This is the most distressing element to me. Every restriction of this kind is justified with an appeal to public safety, and yet the safety benefits are so often just speculative, and based on the Victorian example, possibly even illusory. On the other hand, the loss of liberty is real, immediately felt -- and more-or-less exclusively-- by ordinary, law abiding people.

The default position of government in this country seems to be that any freedom can be extinguished, as long as it's done so alongside the word “safety”. Modern politicians love

announcing their “hard stances” on present issues. Well, is there any politician who takes a “hard stance” on protecting the rights of their constituents? Please consider the value of that.