Tasmania Legal Aid

Submission on the Police Offences Amendment (Knives and Prohibited Weapons) Bill 2026

Tasmania Legal Aid

August 2026

Executive Summary

Tasmania Legal Aid (TLA) welcomes the opportunity to provide feedback on the *Police Offences Amendment (Knives and Prohibited Weapons) Bill 2026* Consultation Draft.

This submission reflects comments provided by TLA's Criminal Law section and is directed to specific drafting and implementation issues identified in the Consultation Draft Bill. In particular, TLA identifies the following matters for consideration:

- the differing security requirements applying to persons exempt from the proposed prohibited weapons offence;
- the placement and cross-referencing of definitions within the proposed interpretation provisions;
- greater clarity regarding persons and things intended to be prescribed for the purposes of the proposed provisions; and
- clear standards, processes and procedures for the approval of, and exemptions from, mandatory signage requirements.

The submission also includes feedback from TLA's Safe at Home Program supporting the proposed identification and record-keeping requirements for the sale of knives to young people, particularly in the context of family violence.

About Tasmania Legal Aid

Tasmania Legal Aid (TLA) is a body corporate established under the *Legal Aid Commission Act 1990* (Tas) and provides legal information, advice, assistance and representation to the Tasmanian community.

TLA is the main provider of legal assistance in Tasmania and is the largest government-funded legal assistance service in the State, with offices in Hobart, Launceston, Devonport and Burnie.

TLA is the primary provider of criminal legal services in Tasmania through its criminal law programs and the provision of funding to external practitioners.

TLA also provides family law, family violence and civil legal services to the Tasmanian community.

The TLA Strategic Plan 2023–27 identifies advocating for system reform as a focus of the organisation, with a commitment to the representation of vulnerable Tasmanians.

Prohibited Weapons and Exemptions

TLA notes a difference in the way the exemptions in proposed section 14F(2) are framed.

Proposed sections 14F(2)(a) and (b) provide that the offence in section 14F(1) does not apply to police officers, State Service employees or State Service officers acting in the performance of their duties. By contrast, the exemption for agricultural professionals in section 14F(2)(c) is subject to additional requirements. An agricultural professional must possess and use the prohibited weapon solely for a purpose connected with their work and must ensure that the prohibited weapon is kept in a securely locked receptacle at all times when it is not in use.

The Consultation Information Sheet does not appear to explain the reason for this difference. TLA recommends consideration be given to whether police officers, State Service employees and State Service officers should similarly be required to ensure the security of a prohibited weapon while it remains in their possession but is not being used in the performance of their duties.

If proposed section 14F(2)(c)(ii) is retained in its current form, TLA also notes a minor drafting issue. The word “a” should be inserted between “in” and “receptacle”.

Identification and Record-Keeping Requirements

TLA’s Safe at Home Program supports the proposed identification and record-keeping requirements applying to the sale of knives to young people. Proposed section 34F requires a seller relying on the lawful excuse for selling a knife to a youth to obtain evidence of the young person's identity and age and their genuine reason for possessing or using the knife, and to retain a record of that evidence for at least two years.

Requiring young people to provide identification and demonstrate a genuine reason for purchasing a knife may help to discourage impulsive purchases. TLA considers this an important safeguard in the context of family violence, where reducing opportunities for the impulsive acquisition of weapons may assist in reducing risk to victim-survivors.

Definitions and Interpretation

TLA notes a technical issue in relation to the interpretation provisions in proposed sections 14E and 34C.

Proposed section 14E provides that “Department website” and “sell” have the same meanings as in section 34C. As section 14E appears earlier in sequence within the Act, TLA suggests that the meanings of these terms instead be set out in section 14E, with section 34C providing that they have the same meanings as in section 14E.

Prescribed Persons and Things

TLA notes that a number of provisions in the Consultation Draft Bill provide for additional persons or things to be prescribed for the purposes of the proposed legislation. While the Consultation Draft Bill identifies certain persons and things to which the proposed provisions will apply, it does not appear to identify all additional persons or things that may be intended to be prescribed.

For example, proposed section 14E defines “agricultural professional” by reference to specified categories of persons, as well as any other prescribed person or class of persons. Similarly, “prohibited weapon” includes a machete, as well as any other prescribed thing or class of things.

TLA recommends that consideration be given to providing greater clarity as to any additional persons and things intended to be prescribed for the purposes of these provisions.

Mandatory Signage Requirements

Proposed section 34I establishes mandatory signage requirements and provides that a failure to comply with those requirements constitutes an offence.

Given the consequences of non-compliance, TLA recommends that rules or regulations be developed setting out clear standards, processes and procedures for the approval of mandatory signage under proposed sections 34I(2) and (3), and for exemptions under proposed section 34I(5). This would support consistency in the exercise of those approval and exemption functions.