

Consultation Information Sheet

POLICE OFFENCES AMENDMENT (KNIVES AND OTHER WEAPONS) BILL 2025

Under the Tasmanian Government's '2030 Strong Plan for Tasmania's Future', the Government has committed to making Tasmania's communities safer.

The approach includes delivering on its commitments to deal with knife crime under the 'Strong Plan to Crack Down on Crime'. Proposed legislation is also aimed at improving police operations for the detection of dangerous articles (including knives) in certain public places, and to deterring offending through increased penalties.

To achieve this, the Tasmanian Government is proposing amendments to the *Police Offences Act 1935* (the Act), and as such, is releasing the Police Offences Amendment (Knives and Other Weapons) Bill 2025 for consultation before being considered by Parliament this year.

The proposed changes include:

- increasing the penalty for possessing, carrying or using a dangerous article, including a knife;
- amending the Act to improve powers for police officers to search a person in a public place for a dangerous article; and
- introducing a new provision to provide for metal detector searches (wanding) of persons for dangerous articles (including knives) in specified public places.

Feedback on the Bill is invited from all members of the community. Consultation commences 20 January 2025 and closes 14 February 2025 (four weeks). Information on consultation and a copy of the Bill is available at <https://www.police.tas.gov.au/consultations/>

How to make a submission

We must receive all written submissions by 5pm on Friday 14 February 2025.

You can make a submission by:

EMAIL to submissions.strategy.support@DPFEM.tas.gov.au

POST to Submissions at Strategy and Support, Department of Police, Fire and Emergency Management
GPO Box 308
Hobart
TAS 7001

In accordance with the Tasmanian government's public submissions policy, all submissions will be published on the Department of Police, Fire and Emergency Management website at <https://www.police.tas.gov.au/consultations/>

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Police Offences (Knives and Other Weapons) Amendment Bill 2025

Parties making a submission may request that the submission is treated as confidential. Reasons are to accompany such a request. A copy of the public submissions policy is available at <https://www.dpac.tas.gov.au/>

PROPOSED AMENDMENTS INCLUDE:

1. Increased penalties for dangerous article offences

- Increase the penalty for possessing, carrying or using a dangerous article, in a public place, from a fine not exceeding 50 penalty units and imprisonment for a period not exceeding 2 years to a fine not exceeding 100 penalty units and imprisonment for a period not exceeding 3 years, or both.

2. Improving powers for police officers to search a person in a public place for a dangerous article

- In addition to increased penalties, amending the threshold for police officers to interdict for this offence, from a reasonable belief to a reasonable suspicion, would aid in addressing the incidence of 'knife crime' and other weapon related offending.

3. Introducing a new provision to provide for metal detector searches (wanding) of persons for dangerous articles (including knives) in specified public places

- A provision for a metal detector (wanding) search, in certain prescribed public places, whether or not the police officer has formed a reasonable suspicion that the person has in their possession, is carrying or using a dangerous article. This new provision will also authorise a police officer to detain a person for so long as reasonably necessary to exercise the search provision.
- A provision for a police officer, where a person who without a reasonable excuse, fails to comply with the requirement (for a wand search), may take such non-compliance as a reasonable suspicion the person may be in possession of, carrying or using a dangerous article.
- Specified places for metal detector (wanding) to be prescribed by the Police Offences Regulations 2024, with such places to include the following:
 - Public transport hub - including bus station, jetty, airport, car park and stop/set down facility for public transportation,
 - Public passenger vehicle - within the meaning of the *Passenger Transport Services Act 2011*,
 - Retail and shopping precinct – including shopping centre, shopping mall, retail strip,
 - Venue where sport is played or exhibited,

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- Entertainment precinct – including licensed premises or other area where persons are gathered for the purposes of entertainment or an event,
- Medical or health facility, or any place where medical or health services are provided,
- Education facility – including school, university, TAFE establishment, technical institute or any other place, building or service for the purpose of education or teaching,
- Place of worship – including any place where individuals or a group congregate to perform acts of devotion,
- Place of business or service provider, whether public or private,
- Any associated car park/set down area for the purposes of access or egress, or within a prescribed place.