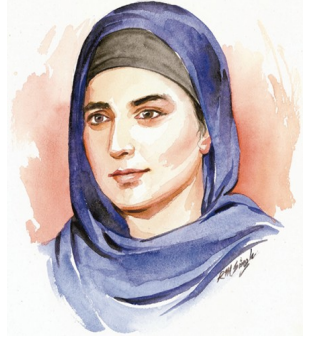




**UNITED
SIKHS**



Recognize the Human Race as One

WP-1.1 'Carrying of the Kirpan'

***An Explanation of the WA Police Policy
Regarding the Sikh Kirpan***



Policy

It is the policy of the Western Australia Police that members provide services that are accessible, equitable, culturally appropriate, and meet the needs of Western Australia's culturally and linguistically diverse population. This includes respecting the cultural and religious beliefs of diverse groups within the community.

Introduction

This guide has been created to help Sikhs understand the Western Australia Police Policy regarding the Sikh Kirpan.

The policy was a result of much discussion between the Sikh Community and the WA Police identifying a consistent stance adopted by the WA Police position on the matter. These discussions led to the Policy **WP-1.1 'Carrying of the Kirpan'** being released on 15 July 2009. This policy is now available to all Police Officers across the State to assist them in understanding the WA Police position regarding the Kirpan.

It is our hope that this guide will help Sikhs in WA understand the legal Implications of wearing the Kirpan.

UNITED SIKHS would like to publicly thank the WA Police Commissioner and the Police Force for their assistance in this matter. Their vision of equality and adherence to their mission statement has been commendable.

The Kirpan

All *Amritdhari* (initiated) Sikhs are mandated to wear the 5 articles of faith which are: Kes (uncut hair), Kara (iron/steel bangle), Kanga (wooden comb), Kacchera (prescribed undershorts) and Kirpan (sword). For Sikhs these religious articles have deep spiritual and practical significance.

The Kirpan encapsulates an initiated Sikh's solemn obligation of upholding dignity and human rights for all. It denotes courage and self-reliance, the capacity and readiness to always defend the weak and the oppressed. It helps sustain one's martial spirit and the determination to sacrifice oneself in order to defend truth, oppression and moral values.

WP-1.1 'Carrying of the Kirpan'

"Depending on its construction and/or design a Kirpan may fit the definition of a controlled weapon under the Weapons Act 1999.

However, where a Kirpan is carried/possessed for the purpose of religious observance it would generally meet the threshold required to satisfy a lawful excuse for its carriage or possession, under section 7 of the Weapons Act 1999.

This lawful excuse does not exempt a person who carries or possesses a Kirpan in a manner that could reasonably be expected to cause someone to be injured or disabled; or cause someone to fear that someone will be injured or disabled (Section 7(2) of the Weapons Act 1999).

Where a Kirpan does not fit the definition of a controlled weapon, but is possessed or carried with the intention of using it, whether or not for defence; to injure or disable any person; or to cause any person to fear that someone will be injured or disabled by that use, it is an offence under section 8 of the Weapons Act 1999."

Comments about the Policy:

- The Kirpan is allowed to be carried for the purpose of religious observance.
- Under the *Weapons Act 1999 (WA)* Section 7(2) there are two instances in which the carriage of the Kirpan will be considered an offence:
 - (a) If the Kirpan is carried in a manner that could cause someone to be injured or disabled, or
 - (b) If the Kirpan is worn in such a manner to cause someone to **fear** that someone will be injured or disabled.
- Should you choose to wear the Kirpan externally, keep the Kirpan clearly visible. However when wearing it in this manner please take into account the specific time, place, and circumstance so as to avoid any contravention of (b) above.
- Carrying a Kirpan for self defence is not a lawful excuse as per section 7(3) of the *Weapons Act 1999 (WA)*.

The Kirpan Card and General Comments

- The Kirpan Card is not a licence to carry a Kirpan. It is an educational brochure in a card form to promote awareness of a religious belief.
- Only an *Amritdhari* (Baptised/Initiated) Sikh who adorns the other 4 Kakkaar, namely Kes (uncut hair), Kara (iron/steel bangle), Kanga (wooden comb), and Kacchera (prescribed undershorts) can carry a Kirpan without committing an offence under the *Weapons Act 1999 (WA)*.
- The Kirpan Card will not protect you if you are using the Kirpan to injure or disable a person or to cause any person to fear that someone will be injured or disabled by such use.
- The Kirpan Card does not allow you to carry the Kirpan onto an aeroplane (domestic or international).
- If ever asked about the Kirpan, please do not refer to it as a symbol. Rather, refer to the Kirpan as one of the five mandatory articles of faith that is not carried as a weapon of offence, but as a reminder of a Sikh's duty to uphold dignity and human rights for all.

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Images of Sikh Man and Woman on Front Page Courtesy of R.M. Singh