

MEDIA RELEASE

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**Greater transparency needed around fines policing public health**

Guidance to NSW Police issuing COVID-19 public health fines must be made public and fines should not be issued to children to prevent people being further disadvantaged during the health crisis.

Redfern Legal Centre is calling on NSW Police Commissioner Mick Fuller to release any Standard Operating Procedures and guidelines provided to the NSW Police on the application of the new Public Health Order directions.

“Police have been given powers to enforce some of the most complex public health laws ever implemented in NSW, coupled with one of the heftiest on-the-spot fines,” Redfern Legal Centre police accountability solicitor, Samatha Lee said.

“While social distancing measures are essential, fines have a strong likelihood of further disadvantaging people already experiencing hardship.

“The public has a right to know that police have been issued with clear and rigorous guidance to ensure that these new powers are being fairly and consistently applied.

“We know from recent Law Enforcement Conduct Commission hearings investigating the use of strip search laws, that without clear and rigorous guidance for police, inconsistencies and potentially unlawful application of the law can occur.”

Redfern Legal Centre is also calling for the children (10 to 17 years of age) to be exempt from being issued a public health fine.

“Under the criminal procedure law, penalty notices can not be issued to children (10 -17 years of age) but this age limitation does not apply to offences under the Public Health Act,” Ms Lee said.

Jane Sanders, principal solicitor at The Shopfront Youth Legal Centre is also calling for children to be exempt. Ms Sanders states, “Hefty fines will have a disproportionate impact on children, because they can’t afford to pay. Fines are a punitive measure and police should utilise other options available under the Young Offenders Act.”

Redfern Legal Centre has released a factsheet on police powers and COVID-19 available here:

<https://bit.ly/covid-19NSWpol>

**Samantha Lee, RLC police accountability solicitor is available for interview. Contact Finn O’Keefe, Redfern Legal Centre Communications Manager: 0424 548 019, [finn@rlc.org.au](mailto:finn@rlc.org.au).**

**Jane Sanders, principal solicitor at Shopfront Youth Legal Centre is available for comment: 0418 407 290.**