



Media Release

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A need for greater police caution in response to COVID-19 public health order breaches

Redfern Legal Centre is concerned that people experiencing vulnerability are being caught up in the police crackdown of public health orders, and that officers may not be explaining the rules, giving directions and using cautions as a first response.

Samantha Lee, Redfern Legal Centre's police accountability solicitor said, "We have received multiple enquiries from vulnerable people issued with hefty \$1000 fines, or fined for not wearing a face mask, who are genuinely confused and struggling to follow the rules."

"This includes people living with complex mental health conditions, those who have lost jobs or were dealing with difficult family situations as a result of the health crisis, and people sitting alone who were clearly posing no public health risk at the time the fine was issued."

"A police caution should always be the first port of call. This is particularly important for communities already experiencing hardship, if people are not flouting the laws but just need guidance," Miss Lee said.

"We are also concerned about the impact of large fines on Aboriginal and Torres Strait Islander people, who may be propelled into debt and risk losing their licence as a result of an inability to pay."

Redfern Legal Centre says NSW Police Guidelines for COVID-19 offences require police to explain, warn and then decide to whether to issue a fine or a Court Attendance Notice.

"Unlike a parking fine, COVID offences have been a complex and rapidly moving beast. Since March last year, public health laws have been amended more than 60 times.

"The complexity of the law and offences make it very difficult for people to understand. Navigating appeal avenues can also be a challenge."

Redfern Legal Centre is calling on Revenue NSW to issue specific criteria for appealing COVID-19 fines, which is currently in place for other fines, but not COVID-19 fines.

Redfern Legal Centre provides a free legal advice service for people in NSW who have been issued a COVID-19 fine.

Samantha Lee, RLC Police Accountability Solicitor is available for interview. Contact Finn O'Keefe, RLC Communications Manager: 0424 548 019 | finn@rlc.org.au.