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## NSW Ombudsman Face coverings and identification

The Attorney General tabled a report by the NSW Ombudsman Bruce Barbour in Parliament yesterday following the Ombudsman's review of the use of new police powers authorising officers to require people to uncover their face for identification purposes.

As part of the review, the Ombudsman examined whether the new powers allow police to verify people's identity while still being mindful and respectful to issues such as religious beliefs.

**“This can be a challenging area for police”** said the Ombudsman. **“Officers have to be able to verify the identity of people in certain circumstances, such as random breath tests and other roadside stops. At the same time, it is important they are aware of and pay respect to the religious and cultural beliefs of all in our community.”**

During the review, we gathered information from:

- the NSW Police Force, including individual officers who had applied, or were likely to apply the law
- the Community Relations Commission
- individuals who routinely wear an item of clothing to cover their face, and the organisations who represent them
- public submissions in response to an issues paper
- academic literature, media reports and similar legislation in other jurisdictions
- government agencies other than police in NSW and around Australia that require people to uncover their face.

There were only eight registered uses of the powers during the review. Most uses involved Muslim women wearing a face covering. In all cases, the women removed their face covering, sometimes after additional privacy had been provided. After examining these cases, and other information from our consultations, we concluded that the laws do enhance the identification process. Many women we spoke to during the review told us they had a strong preference for a female officer viewing their face.

We have made a series of recommendations to:

- enhance privacy for those the subject of an identification check
- where practicable, make a female officer available to conduct a check.
- further educate the community and police officers about the provisions of the law and how it can be applied in practice

The Ombudsman will continue to monitor the NSW Police Force response to his recommendations. The report can be accessed at the NSW Ombudsman website ([www.ombo.nsw.gov.au](http://www.ombo.nsw.gov.au)).