**Issues Paper: Questions for consideration**

Ombudsman review of police powers related to face coverings and identification

You may use this document as a guide to help you with the preparation of your submission.

## Introduction

The Ombudsman is reviewing how police use new laws related to face coverings and identification (Part 3 Division 4 of the *Law Enforcement (Powers and Responsibilities) Act 2002*). In this document, we list all of the issues discussed in our issues paper, released in December 2012 and available from our website in English and Arabic. You may want to use this document to save your comments and then email or post the document to the Ombudsman. You are welcome to answer some or all of these questions and provide information regarding any other issues you would like to raise. If you would prefer to provide your comments through a telephone call or a meeting with Ombudsman staff, please contact us on **(02) 9286 1000**.

**Optional**

Your name:

Organisation:

Contact Details:

Personal accounts of police requiring removal of a face covering

1. Were you ever requested or required by a police officer to remove a face covering for identification purposes before the new law came into effect on 1 November 2011? If so, please provide an account of your experience and any issues or concerns that arose.

Type your response here

1. Have you been requested or required by a police officer to remove a face covering for identification purposes since 1 November 2011? If so, please provide an account of your experience and any issues or concerns that arose.

Type your response here

Standard Operating Procedures

1. In your view, is there a need for the NSWPF to develop SOPs related to the new law. If yes, what matters should be addressed in the SOPs?

Type your response here

Safeguards relating to privacy

1. In your view, should police officers be required, as a matter of policy, to offer privacy to a woman wearing a face covering for religious reasons, as far as reasonably practicable, when officers require removal of such a face covering under section 19A LEPRA?

Type your response here

Viewing of a person’s face by an officer of the same sex

1. In your view, should LEPRA be amended to require that, where a person requests that a police officer of the same sex be made available to view their face, such an officer should be made available, if reasonably practicable.

Type your response here

1. In your view, what further guidance or directive, if any, should be provided to police officers regarding whether to offer an officer of the same sex to view a person’s face and how to respond if a person makes such a request?

Type your response here

Warnings

1. In your view, should LEPRA be amended to provide an additional warning to a person who refuses to remove their face covering (when required under section 19A) that the person’s failure to comply with this requirement may result in their arrest?

Type your response here

Other comments/additional information

1. Type any additional comments/suggestions in relation to the new legislation here

When completed, your submission may be sent:

By email: review@ombo.nsw.gov.au
(please include Face coverings and identification review in the subject line)

By Fax: 02 9283 2911

By mail: Summary Offences Amendment Review

 NSW Ombudsman

 Level 24, 580 George Street

 SYDNEY NSW 2000

Please provide your submission by **Wednesday 20 February 2013.**