

Powers that apply in the relevant area under emergency authorisation (LEPRA)

While police have indicated that if an emergency authorisation is given, they intend to only use the power to obtain identity and the personal search power, they can use additional powers without notice.

Power to obtain disclosure of identity

Police may require you to disclose your identity if they reasonably suspect that you have been involved in or are likely to be involved in a public disorder.

If you do not disclose your identity when asked by police, or give a false name or address, you may face a maximum penalty of 12 months imprisonment or a \$5500 fine.

Power to search persons

Police may stop and search you and anything in your possession without a warrant. In conducting the search, a police officer may

- (a) quickly run his or her hands over your outer clothing, and
- (b) require you to remove your coat or similar article of clothing and any gloves, shoes, socks and hat,
- (c) use a metal detection device, and

Strip searches are not permitted under the emergency powers.

The police officer searching you must provide you with their name and station, tell you why you are being searched and advise you that they can search you even if you do not consent.

You can say 'I do not consent to being searched' but you must still comply with the search. Resisting may result in further charges.

Power to search vehicles

Police may stop and search your vehicle and anything in it without a warrant. Police may only detain your vehicle for so long as is reasonably necessary to conduct a search.

Police may seize and detain your vehicle, mobile phone or other thing if doing so will assist in preventing or controlling a public disorder or provide evidence for the commission of a serious offence. Police may keep the item for a maximum of 7 days, with an additional 14 days if permission is granted by the Local Court. Police cannot compel you to unlock your phone.

Roadblocks

Roadblocks may be established in Sydney CBD by police. You may be stopped or searched at a roadblock and police may prevent you from entering the area. Police must not refuse permission for you to leave the area unless it is reasonably necessary to do so to avoid a risk to public safety or your own safety.

Directions police can give

Police may give a direction to a group of people gathered in the area to disperse immediately. Police must inform the people they're giving the direction to that the direction is given for the purpose of preventing or controlling a public disorder.

If you do not comply with the direction and don't have a reasonable excuse for not complying, you may face a maximum penalty of \$5500.

Powers that apply outside the relevant area

Police may also exercise the power to search you or your vehicle, require you to disclose your identity, and seize and detain your vehicle or phone - but not give a direction to disperse - before you enter Sydney CBD.

Police can only do this if they suspect on reasonable grounds that you intend to participate in the public disorder and they are satisfied that exercising these powers is reasonably necessary to prevent or control the public disorder.

Police must get approval from a police officer of or above the rank of Inspector to do so.

This power ceases to be in effect 3 hours after the approval for the emergency powers is granted.