



Mark Speakman
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MEDIA RELEASE

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COVID-19: EMERGENCY LAWS INTRODUCED TO PARLIAMENT TO BOOST COMMUNITY SAFETY

The NSW Government will introduce an emergency Bill to Parliament today comprising a broad range of amendments to existing laws to help combat the spread of COVID-19.

Attorney General Mark Speakman said the Government is acting swiftly to ensure we are as prepared as possible to respond to the evolving threat of coronavirus, while reducing the risk of further transmission in the community.

“Our number one priority is the health and safety of the people of NSW,” Mr Speakman said.

“These necessary changes will mean that essential public amenities can continue to operate effectively while maintaining the wellbeing of our frontline workers and the broader public.”

The *COVID-19 Legislation Amendment (Emergency Measures) Bill* will make the following changes:

- **Health:** The proposed health amendments empower police to take immediate action on suspected breaches of COVID-19 public health orders, including returning those in breach to their residence or place of quarantine. NSW Health will have more flexibility to use private health facilities when urgently required and streamline the establishment of State Vaccine Centres to better manage the flu season and thus, better manage COVID-19. The Mental Health Tribunal will be able to conduct inquiries by telephone, adjourn an inquiry for 28 days (up from 14 days) and extend existing community treatment orders for a further three months.
- **Justice:** Amendments to the *Criminal Procedure Act*, the *Evidence (Audio and Audio Visual Links) Act*, the *Crimes (Domestic and Personal Violence) Act* and the *Jury Act* aim to ensure NSW courts can continue to deliver justice with fewer people required to physically attend court. The Supreme and District Courts will have greater discretion to order judge-alone trials reducing the need to summon large numbers of potential jurors. Vulnerable people will be exempt from jury summons. A greater reliance on technology, including increased use of audio visual links and pre-recording evidence

of key witnesses, will also help maintain social distancing in our courtrooms, as will the extension of provisional Apprehended Domestic Violence Orders from 28 days to six months.

- **Corrections:** Amendments to the *Crimes (Administration of Sentences) Act* will create a power for the Governor to make Regulations determining a class of offenders for potential conditional release on parole. These extraordinary measures are only to be used to respond to the threat of COVID-19, and would allow the Commissioner of Corrective Services to prioritise vulnerable offenders and others who pose a low risk to the community for consideration for conditional release. Offenders sentenced for the most serious offences cannot be released under these changes. Any conditional release would be subject to strict parole conditions, as well as any other requirements the Commissioner considers appropriate, including home detention, pre-approved schedule of movements and electronic monitoring. In addition, the Commissioner may prohibit or restrict any person from entering or visiting correctional facilities.
- **Planning:** Amendments to the *Environmental Planning and Assessment Act* will ensure that any development that protects the health, welfare and safety of the community during the pandemic can proceed without the normal development approvals.
- **Better Regulation:** In response to panic buying and stockpiling, an amendment to the *Retail Trading Act* will allow supermarkets to stock their shelves and trade throughout the Easter long weekend and ANZAC Day this year, ensuring food and other essential items are available at standard retail prices. When combined with the decision to lift the supermarket delivery curfew, customers should have greater confidence that essential goods will be available from well-known, trusted suppliers. The Bill will also protect staff from being compelled to work on these additional days; it will be their choice to work and earn additional income, or to enjoy the holidays.
- **Local Government:** The *Local Government Act* is being amended to allow councils to hold official meetings electronically, rather than physically. The Act is also being amended to give the Minister for Local Government the power to postpone the September council elections for 12 months, with a possible further extension to 31 December 2021.
- **Community Services:** More than 100,000 Working With Children Check (WWCC) clearances are due to expire in the next six months. This includes teachers and medical staff who require a WWCC. Changes to the *Child Protection (Working with Children) Act* will enable the Children's Guardian to extend clearances where appropriate to help prevent any disruption to services because of COVID-19.

Mr Speakman said these reforms will provide public authorities with the legislative powers they need to respond appropriately to this once-in-a-century crisis.

“The threat posed by COVID-19 is rapidly evolving, and the needs of families, businesses, workers and governments are changing every day,” Mr Speakman said.

“These temporary measures will help ensure we are ready for any development. If urgent action is required to ensure the health and safety of the people of NSW, this Bill will help to empower the relevant experts and public bodies to make tough and swift decisions in the best interests of the community.”

The Bill will be available on the NSW Parliament website [here](#).

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