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## Police airport powers recommendations strike balance between security and human rights

Australian airports will be safer and the rights of individuals better protected if a raft of recommendations are applied to the Police Powers at Airports Bill, according to the Law Council of Australia.

The Law Council has welcomed the recommendations to the *Crimes Legislation (Police Powers at Airports) Bill 2018*, outlined in a report released today by the Parliamentary Joint Committee on Intelligence and Security (PJCIS).

Notably, nearly all the Law Council's proposed amendments aimed at improving safeguards for the community and ensuring police powers are not misused were included in the report.

Law Council President, Arthur Moses SC, said the recommendations clearly defined how and under what circumstances the expanded police powers at airports could be applied.

"These recommendations would temper potential misuse of police powers and enhance transparency and accountability. They would also allow for expedited judicial review of move-on directions, and ensure the right to peaceful assembly and protest," Mr Moses said.

"Under the recommendations, police would be required to record the number of occasions on which an identity information direction is issued and this would have to be made publicly available on an annual basis. This would also apply to move-on directions.

"The powers police can exercise at airports must always be balanced with the rights of ordinary citizens to travel freely. The use of police discretion will be key and must be scrutinised.

"We call on the Australian Parliament to promptly adopt these recommendations."

The Police Powers at Airports Bill introduces new powers for police constables and protective services officers working at major airports throughout Australia, including the ability to issue move-on directions in order to safeguard aviation security.

Under the proposed laws, an individual could be ordered to leave an airport, or to not take a specified flight, for a period of up to 24 hours.

Police will also have the power to direct a person to move on from an airport or prevent them taking a flight if reasonably suspected to have committed, be committing or intending to commit an offence punishable by at least 12 months imprisonment, if this is necessary to safeguard aviation security.

It also expands the existing power that constables have to direct a person to produce evidence of their identity in specified circumstances.

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**Patrick Pantano**  
P 02 6246 3715  
E Patrick.Pantano@lawcouncil.asn.au

**Anne-Louise Brown**  
P 0406 987 050  
E Anne-Louise.Brown@lawcouncil.asn.au