



New South Wales

Law Enforcement (Powers and Responsibilities) Amendment (Places of Worship) Bill 2025

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to amend the *Law Enforcement (Powers and Responsibilities) Act 2002* (*the Act*) in response to the decision of the Supreme Court of New South Wales in *Lees v State of New South Wales* [2025] NSWSC 1209 by limiting the circumstances in which a police officer may give a move on direction to a person in or near a place of worship.

Outline of provisions

Clause 1 sets out the name, also called the short title, of the proposed Act.

Clause 2 provides for the commencement of the proposed Act.

Schedule 1 Amendment of Law Enforcement (Powers and Responsibilities) Act 2002 No 103

Schedule 1[2] omits the Act, section 200(5) in response to the decision of the Supreme Court of New South Wales in *Lees v State of New South Wales* [2025] NSWSC 1209.

Schedule 1[3] provides that a police officer may, in relation to certain demonstrations, protests, processions or assemblies in or near a place of worship, give a direction under the Act, Part 14 to a person if the person is—

- (a) intentionally blocking, impeding or hindering a person accessing or leaving, or attempting to access or leave, the place of worship, or

- (b) harassing, intimidating or threatening a person accessing or leaving, or attempting to access or leave, the place of worship.

Schedule 1[1] makes a consequential amendment.



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This PUBLIC BILL, originated in the LEGISLATIVE ASSEMBLY and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

Legislative Assembly

Clerk of the Legislative Assembly



New South Wales

Law Enforcement (Powers and Responsibilities) Amendment (Places of Worship) Bill 2025

No. _____, 2025

A Bill for

An Act to amend the *Law Enforcement (Powers and Responsibilities) Act 2002* in relation to the power of police officers to give directions to persons in or near places of worship.

The LEGISLATIVE COUNCIL has this day agreed to this Bill with/without amendment.

Legislative Council

Clerk of the Parliaments

Tabling copy

The Legislature of New South Wales enacts—

1

1 Name of Act

2

This Act is the *Law Enforcement (Powers and Responsibilities) Amendment (Places of Worship) Act 2025*.

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2 Commencement

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This Act commences on the date of assent to this Act.

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Schedule 1	Amendment of Law Enforcement (Powers and Responsibilities) Act 2002 No 103	1
		2
[1] Section 200	Limitation on exercise of police powers under this Part	3
	Omit “subsection (3), (4) or (5)” from section 200(2).	4
	Insert instead “subsection (3) or (4) or section 200AA”.	5
[2] Section 200(5)		6
	Omit the subsection.	7
[3] Section 200AA		8
	Insert after section 200—	9
200AA	Directions in relation to places of worship	10
	A police officer is not precluded from giving a direction under this part in relation to a demonstration, protest, procession or assembly if—	11
		12
	(a) the demonstration, protest, procession or assembly—	13
	(i) is occurring in or near a place of worship, within the meaning of the <i>Crimes Act 1900</i> , section 214B(4), and	14
		15
	(ii) involves persons doing any of the following—	16
	(A) intentionally blocking, impeding or hindering a person accessing or leaving, or attempting to access or leave, the place of worship,	17
		18
	(B) harassing, intimidating or threatening a person accessing or leaving, or attempting to access or leave, the place of worship, and	20
		21
		22
	(b) the demonstration, protest, procession or assembly—	23
	(i) is not an authorised public assembly for the purposes of the <i>Summary Offences Act 1988</i> , Part 4, or	24
		25
	(ii) is not being held substantially in accordance with an authorisation under that part, and	26
		27
	(c) if the demonstration, protest, procession or assembly is occurring in, or on the premises of, a place of worship—the demonstration, protest, procession or assembly is not in accordance with the consent or authority of the person apparently in charge of the place of worship, and	28
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	(d) the demonstration, protest, procession or assembly is not occurring at or outside Parliament House or an office of a member of Parliament, and	32
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	(e) the demonstration, protest, procession or assembly does not form part of industrial action or an industrial dispute or campaign, and	34
		35
	(f) the direction is given only to the persons who are—	36
	(i) intentionally blocking, impeding or hindering a person accessing or leaving, or attempting to access or leave, the place of worship,	37
		38
	or	39

- (ii) harassing, intimidating or threatening a person accessing or leaving, or attempting to access or leave, the place of worship.

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