

Concerning increase in police power

Media Release

1st October 2020



Recently, we have shared media releases and updates relating to our concerns around police brutality and abuse of power against people with mental or emotional distress in Victoria; including a man being struck by a police vehicle and kicked in the head when he decided to leave a hospital after waiting over 24-hours for a mental health bed.

A new COVID-19 Omnibus (Emergency Measures) and Other Acts Amendment Bill has been introduced to parliament that will widen the role of law enforcement, increasing police power during this state of emergency introduced in Victoria due to COVID-19.

Police, and other emergency services, are given power in a state of disaster by the Minister for Police, Lisa Neville, who can appoint them as authorised officers who can enforce the new public health directions as a consequence of the pandemic.

As authorised officers, police are now able to arrest or fine people for acting against these directions, search homes and cars without warrants, and have an expanded ability to compel members of the public to give their personal details.

Prior to the Omnibus Bill passing, police were already using excessive violence against persons most vulnerable in society, including people living with mental or emotional distress.

We have previously raised concerns regarding police being untrained to de-escalate situations with people suffering from mental distress, and the damaging effects their violence has, not only on the person they're apprehending, but on all people living with mental or emotional distress. Police are both mentally and physically unprepared to deal with mental and emotional distress in the general public yet are normally first responders to these particular incidents.

However, with increased power in our society during an already distressing time for most, we are highly concerned about potentially violent over-policing on already disparaged vulnerable people due to lack of understanding and training, as well as this level of policing becoming normalised.

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It is even more problematic that Lisa Neville and senior police officers have stated repeatedly that it will be up to the discretion of the individual police officers as to when to issue fines, which is problematic for the already marginalised community of people with lived experience of mental or emotional distress.

From research we have recently completed around COVID-19 and its impact on mental health in Victoria, 75% of respondents stated their mental health was worse during the second wave of the pandemic; half contemplated or attempted suicide, and 37% are currently in isolation on their own. Understanding this, it is even more crucial for police to protect people in our society, especially to those who are most vulnerable, and understand the effects this increase in mental distress may have.

Our Chair, Chris Maylea states:

“The government already has all the powers it needs to detain people for mental health treatment, particularly if there is any risk of harm to the community. People experiencing mental distress need support, compassion and care, not detention.”

There is no evidence that people who seek mental health support are spreading the coronavirus and any suggestion that they are is stigmatising and dehumanising. We call on the Victorian government to apologise for this insinuation.

The detention of people based on their diagnosis already breaches their human rights. The government should be dismantling these systems of oppression, not expanding them.”