

Australian state Labor government announces more police-state laws

Mike Head
8 September 2026

Under the guise of combatting gang-related violence, the state Labor government in New South Wales (NSW) is planning another barrage of legislation that can be used far more widely, including to crack down on anti-war and other forms of political dissent.

In a ministerial media release on Monday, Premier Chris Minns pledged to “hit criminal networks at every point.” He announced far-reaching police surveillance and “crime prevention” powers, together with laws to allow more teenagers to be prosecuted and imprisoned as adults.

Assisted by laws introduced by Prime Minister Anthony Albanese’s federal Labor government, the Minns administration is spearheading a repressive reaction to worsening social conditions and growing political discontent, clearly seeking to outdo the far-right One Nation and the Liberal-National Coalition.

Minns claimed that the legislation—his government’s third such package in recent months—is a response to “increasingly sophisticated” gang activity taking place across Sydney, which has produced numbers of shootings.

But the police powers and new offences apply far more broadly than gang violence. They extend to all activities designated by the government as Serious Criminal Offences. These can include any prescribed indictable offences, ranging from treason and terrorism to assault and property damage offences.

Under the latest wave of new laws, police will be able to forcibly seize and access mobile phones to download all their data and open encrypted messages, even previously deleted material going back for years.

NSW police will be able to compel access to citizens’ phones during arrests, roadside stops and other detentions. Full details are yet to be tabled. NSW Police Commissioner Mal Lanyon said the measures, combined with new digital forensic capabilities, would “give police the ability to crack encrypted devices and uncover evidence.”

The Labor government also plans to introduce Interim Serious Crime Prevention Orders (ISCPOs). These will allow police to prevent people from associating with named individuals, restrict where they can go and dictate what devices they can use, including apps and tech platforms.

Police will be allowed to impose these orders even if charges have not been laid against a person, or a person has been tried and acquitted. The orders can be based on mere “reasonable suspicion” of involvement or potential involvement in designated serious criminal offences.

Moreover, this suspicion can be based on hearsay evidence, that is, assertions by other people, rather than actual conduct. Police can utilise confidential intelligence, intercepted communications and reports from undercover provocateurs, agents or informants that would not normally be permissible in a criminal trial.

This is another serious overturn of essential legal and democratic rights, such as freedom of association, movement and assembly, and the centuries-old principle of being treated as innocent until proven guilty in a trial beyond a reasonable doubt.

Until now, such ISCPOs, first introduced by the previous Liberal-National state government in 2016, have been confined to people designated as high-risk offenders or convicted of terrorism-related offences. Once again, unprecedented powers imposed on the pretext of combatting terrorism are being widened.

The laws will also double penalties for non-compliance with the compulsory questioning by the NSW Crime Commission. Giving false or misleading evidence will carry a maximum of ten years imprisonment, and refusing to answer questions or obstructing an investigation will carry up to four years.

Under the Minns government, since March 2023, police already have been given vast powers. As a result, more people are being arrested and incarcerated than ever before and the number of young people in prison has increased at record rates.

None of this has stopped gang-related violence.

Working-class youth have been a particular target. In April 2024, the government created a stricter bail test for 14 to 17 year-olds, and in November 2025, it made it easier for prosecutors to rebut *doli incapax*, which presumes children aged 10 to 13 lack capacity to be criminally responsible.

Recent data from the NSW Bureau of Crime Statistics and Research (BOCSAR) confirms that adult incarceration reached an all-time high of 14,070 inmates this year and youth detention experienced a dramatic spike following major bail law changes.

The growth in imprisonment was largely driven by a surge in people being held on remand (awaiting trial without bail) rather than a rise in overall crime. By 2026, remandees made up roughly 46 percent of the total adult prison population, the highest proportion ever recorded in NSW.

Following the 2024 bail law amendments, youth detention numbers surged 34 percent in just two years, from 175 up to 234. Roughly 75 percent of juveniles in custody were held on remand, denied bail without a trial.

The surge disproportionately impacted indigenous minors, who now account for 60 percent of the youth detention population, despite making up only 8 percent of the state's youth.

To widen the net, the government is planning new offences supposedly targeting the use of online platforms to arrange serious criminal offences.

It will also introduce a new aggravated offence for conspiracy to commit gang-related murder, increasing the maximum penalty to life imprisonment. Conspiracy offences are notorious for permitting convictions for merely talking about doing something that would be a criminal offence, particularly statements made to undercover police provocateurs.

According to the government's media release, "these measures will help police target those suspected of involvement in serious criminal activity before offences happen." This amounts to punishing thought crimes or loose talk.

The government will spend an additional \$15 million to expand police technology capabilities to access, download and analyse encrypted devices and digital platforms. The 2026-27 state budget already allocated \$126 million for such technology.

Other legislation currently before parliament will strengthen police access to digital evidence and road toll camera images, and enable them to participate in driver's licence and other face-matching services that were authorised by the Albanese government in 2023.

In addition, the Minns government is extending for two more years a trial of police drone surveillance in the regional town of Moree, which has a high indigenous population, and is looking to expand it to other areas. "This is the first time drone technology has been used in this way in Australian policing," a press release boasted.

Aboriginal Legal Service NSW/ACT acting chief executive Sharif Deen said residents reported that the drones are regularly being deployed over areas of the town that are predominantly Aboriginal. This is causing fear in the community.

NSW prisons now hold record numbers of Aboriginal prisoners and the state has recorded the highest number of Aboriginal deaths in custody since records began in 1979—12 deaths in the year to June 2025.

As has happened for decades, repressive measures first imposed on indigenous people, such as "work for the dole" in the 1990s, invariably become models for wider use throughout

the working class as a whole.

The Minns government has defied objections by civil liberties organisations. In a press release, NSW Civil Liberties Council president Timothy Roberts stated: "We are looking at a future where police can demand your phone passcodes on the beat under threat of seven years in prison, using controversial forensic software to download your entire digital life, including encrypted and deleted content."

These developments cannot be separated from the barrage of laws adopted by the Minns and Albanese governments to stop protests against the genocide in Gaza and criminalise supposed "hate speech."

Last week, Minns doubled down on his defence of unconstitutional anti-protest laws that his government imposed to ban demonstrations against the genocide and the visit of Israeli President Isaac Herzog in February. Minns again falsely depicted the protests as antisemitic and violent, as Albanese has previously done.

Minns also justified the police rampage during the Herzog visit, which saw police viciously bash demonstrators to enforce the laws that a court later ruled an unconstitutional breach of an implied freedom of political communication.

The Minns government's latest measures are being drafted under conditions in which the Albanese government is expanding the already vast US access to bases across Australia and further integrating the US and Australian armed forces in preparation for what would be a widely-opposed and catastrophic war against China.

These developments are another warning of the willingness of the Labor governments, both state and federal, to impose police-state measures in working-class areas as social conditions deteriorate and political disaffection intensifies, as well as to outlaw all forms of oppositional political activity, tearing up basic legal and democratic rights.



To contact the WSWs and the
Socialist Equality Party visit:

wsws.org/contact