

What are the Powers of Security Officers in Courthouses in Sydney?

If you are going to court for the very first time, you may want to [read our article on what to bring and how to prepare for your case being heard in a local or district courthouse in Sydney or NSW](#).

When you get to a busy court such as the [Downing Centre](#), you will see security officers running security checks near the entry to the courthouse.

Security officers have considerable power in courthouses, similar in many ways to the powers of police.

Powers to search

Security officers have the authority to perform searches.

So when you enter the courthouse, you may be asked to submit to a basic scanner search.

This may be either the kind where you walk through an electronic screening device or the passing of a screening device over your outer clothing.

Powers to make an arrest

Security officers also have the power to arrest a person on court premises, even without a warrant.

They may perform an arrest upon a person who is committing an offence, or who the officer believes on reasonable grounds has committed an offence.

They may use as much force as is reasonably necessary to exercise their powers of arrest.

Hindering, delaying or obstructing a security officer is a criminal offence.

Powers to confiscate

Security officers have the power to confiscate anything that they believe on reasonable grounds is a restricted item or an offensive implement.

An offensive implement is a very broad category, which includes anything that could be used to cause injury to a person or intended to injure someone or damage property.

A restrictive item includes weapons, firearms or any kind of knife at all.

This should be obvious, but if you are a person who carries a pocket knife it might be worth double checking you don't accidentally take it to court.

In addition, security officers can confiscate anything that may conceal a restricted item or offensive implement.

Possession of a knife in court premises carries the penalty of imprisonment for up to two years.

When you are in the courtroom, while it is okay to take notes, you can't film or take photos at all.

[NSW law](#) states that this applies to all court premises, which is not confined to the courtroom but includes all areas, including any entrance area, toilet, hall, corridor or even parking area.

Security officers can confiscate any recording device as well as film, tape or any other medium that has been used to unlawfully record inside court premises.

An exception to this is journalists who are using recording devices for a media report.

Any confiscated items must either be returned to you when you leave the courthouse, if they are legal and not needed as evidence.

However, they may be retained and passed-on to police if they are deemed to illegal.

Powers to request identification

Security officers have [the power to request identification](#).

They may ask for your name and address if this is unknown and if they believe on reasonable grounds that you are carrying a restricted item or have committed an offence.

However, this works both ways: security officers must also show you identification before exercising their power – for example, their certificate of identification, name or badge number.

They are mandated to carry identification and produce it on demand.

In fact, if they do not they could be facing a \$550 fine.

They must also give you the reason for their exercise of power and warn you that refusing to comply with their directions may be an offence.

In the courtroom

A security officer cannot use the above powers in a room where the court is sitting unless it is an emergency and there is not enough time to get a direction from the proper judicial officer.