



POLICING OF 27 JULY PALESTINE ACTION GROUP RALLY AT NSW LABOR CONFERENCE

Legal Observers NSW fielded a team of observers at the Palestine Action Group rally at the NSW Labor Conference at Sydney Town Hall on 27 July.

Police wrongfully arrested a protestor after a counter-protestor intervened in the rally. The counter-protestor ran through the crowd and hit several people on the way, including hitting one elderly person in the ribs. He tried to rip a protestor's watermelon flag from their hands and then left the crowd. Police advanced towards a protestor who was near the flag and tackled him to the ground, with five police officers holding him down.

In the process of bringing the protestor to the ground, a police officer pepper sprayed him at close range in the face. An officer was observed holding a pepper spray canister near the protestor's face and the protestor was heard saying "ow my eyes". Another police officer was observed to put his knee on the protestor's back. Police pushed away several protestors standing nearby. The protestor was eventually released by police and police did not confirm what charges they would be bringing against him.

Throughout the protest police told individuals around Town Hall to move to the form 1 designated protest area. These were enforced as 'police orders,' where on several occasions threats of arrest, force and actual force was deployed by police pushing and dragging protestors towards the designated area. These orders were not formal police directions to move on but were enforced as such. No names, stations, or reasons for the exercise of the powers were given. Therefore, either the police considered their directions to be formal, and failed to follow the requirements of LEPRA to lawfully exercise a formal power - or the directions were not formal, and police enforcement of the directions was not lawful. In this case, failing to comply with them would not constitute an offence and the individuals were within their lawful rights to remain where they were. It is not unlawful for a protestor to be outside the zone indicated for the protest in a Form 1.

LONSW documented 3 instances of this occurring. In one instance a protestor was chanting outside Town Hall. They were in a public space that was not restricted and were not in a position

to cause any obstruction to traffic or pedestrians. Seven police officers surrounded the protestor and directed him to move towards the main rally. No reason for the direction was given. Police officers motioned for the protestor to move and then formed a line and walked in a way that pushed the protestor back and forced him and others to be moved away from the place he was standing, which was a public place in front of Town Hall.

In a second instance, 2 protestors that were carrying small signs were standing outside the QVB. They were silent, and not obstructing others in this public space. They were similarly surrounded by police and asked to move towards the main protest. They voiced their concerns to police about feeling “harassed” and “intimidated” to which police replied “that’s not my problem.” They were then threatened with arrest and physical removal. Shortly after, police forcefully moved the protestors, dragging them by their arms.

In a third instance, a protestor was sitting on steps away from the protest. They were visibly no longer participating in the protest and were in distress due to a personal issue. The protestor was not obstructing anyone or posing a risk to safety. Police issued a move on order and threatened physical removal if the direction was not complied with. The protestor was then only able to comply with assistance from onlookers to move away from the area, despite still being in significant distress.

Multiple protesters reported to observers being turned away at the police line and told to go back and join the crowd when they tried to leave the protest. Throughout the protest, police maintained a tight boundary of about 50 officers around the protest and directed protestors to stay inside it. In effect, the protesters were kettled for the duration of the event, as police treated any movement outside or even near the boundaries of the area described in the form one as unacceptable transgression, despite such movements being completely lawful and reasonable. At the end of the protest, police used police horses to push protestors off barricades on the edges of the footpath. The protestors were not causing an obstruction or doing anything illegal. Police did not issue any directions to protestors but instead used the physical proximity of the horses to get them to move off the barricades.

Earlier that day at 8am, a police officer gave a move on order to two protestors outside Town Hall who were standing on the pavement and chanting. The officer did not provide any justification for the move on order and did not give his name or place of duty, even when asked by the protestor. Several police officers escorted the two protestors away from the area to George St. When the protestors asked if they could go to the QVB or Woolworths the officers said no. A riot squad officer told them to go to Macdonalds. Eventually, an officer escorted them to QVB. During the main rally, a sergeant addressed the protestor by name and when the police superintendent was asked about this, he stated that the entire local police force knew who the protestor was and what their name was. This was very upsetting for the protester who had never been arrested or charged with an offence, and could not see a reason that “the entire local police force” should know their name. Having had a string of hostile and/or intimidatory interactions with police across the day, this final comment caused the person (who suffers from PTSD) to experience a panic attack, which other protesters supported them through. Upon

reporting these interactions to legal observers afterwards they were still visibly, physically shaking. Several pro-Palestine protestors have been told similar things by police in the past, and these interactions are intimidatory as they insinuate that the person is being actively surveilled by police, whether or not such active surveillance may in fact be taking place.