



# POLICING OF ENVIRONMENTAL PROTEST IN NSW 2021-22

Legal Observers NSW has been monitoring the policing of independent protest in NSW through carrying out independent legal observing at protests and collecting first-hand accounts from protestors. This report collects case studies of the policing of environmental protest in NSW in 2021-2022, using data collected from observing, protestor accounts and publicly available information. Names of protestors have been changed.

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## Surveillance

### November 2021 Hunter Environment Centre

On 16 November 2021, NSW Police announced the formation of Strikeforce Tuohy in response to Blockade Australia protests around Newcastle. On 18 November 2021, Hunter Environment Centre was raided by police, with banners, corflutes and technology seized.<sup>1</sup> The Centre was identified as a potential operations base for Blockade Australia on the basis of physical surveillance carried out by police on individuals suspected to be involved in the protests, including police following individuals in cars and conducting stationary surveillance on them from police vehicles. A legal challenge to the validity of the police search warrant and raid is currently underway.<sup>2</sup>

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<sup>1</sup> <https://www.newcastleherald.com.au/story/7518134/police-raid-environment-centre-in-relation-to-protests/>

<sup>2</sup> <https://www.hunternvalleynews.net.au/story/8642655/hunter-environment-centre-raid-faces-supreme-court-scrutiny/>

## **27 March 2022 Property raid Sydney**

A property in Sydney was raided by police on suspicion of connection to BA protests. Police broke down the unlocked door with a battering ram, badly damaging the door. A phone and camping equipment were seized. Police detained and assaulted the occupant, who was not charged.

## **June 2022 Police visits to individuals prior to planned Blockade Australia action**

Between 21 and 28 June 13 people were visited in their homes by police and questioned about their knowledge of upcoming protest activity. For example, a person who lives in the Gosford area was visited by two police officers on 23 June.

Commissioner Karen Webb commented on the visits in response to a question in Budget Estimates:<sup>3</sup>

“A number of people associated with Blockade Australia were visited by police with a preprepared document asking a number of questions. The strategy was to encourage any participants or those who may have known participants who were attending any protest activities to submit a Form 1 to enable Police to facilitate a lawful protest. It should be noted that authorised public assemblies are recognised under Part 4 of the Summary Offences Act 1988. The legislative context in which these provisions apply encourage the mutual cooperation between protestors and police, where an authorised public assembly notifies the Commissioner of Police about the assembly. These people were identified through open-source information and/or police holdings. The strategy was approved by the Commander, Strike Force Guard.”

Several other individuals who received visits from police were subject to the same line of questioning. Police visited individuals in Sydney, Newcastle, and Wingham. Several individuals were asked by police if they knew that “protesting without a Form 1 is illegal”. Police also visited a backpacker hostel at 7 Wilmot St on 26 June and made the same enquiries of several individuals staying at the hostel.

When questioned by one of the individuals visited as to their purpose, police stated that they had been given a list of people to make visits to. The individuals visited included individuals

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<sup>3</sup> Portfolio Committee No. 5, Regional NSW and Stronger Communities Hearing Wednesday 31 August 2022, p. 15  
<https://www.parliament.nsw.gov.au/lcdocs/other/17795/AQON%20-%20Hon%20Paul%20Toole%20MP%20-%20Deputy%20Premier.%20Regional%20NSW.%20Police%20-%20received%2027%20September%202022.pdf>

connected to climate-related protest groups and family members of individuals involved in Blockade Australia.

## **19 June 2022 Colo raid**

On 19 June 2022, a group of people on a private property in Colo spotted two masked individuals in camouflage on the property.<sup>4</sup> When approached and asked about their identity and what they were doing on the property, the individuals did not answer. An unmarked police car entered the property and the two individuals entered it. The people in the car did not identify themselves as police. The people on the property surrounded the car and tried to stop it from leaving. The car then moved forward, hitting two people on its way away from the property.

Later that morning, about 100 police officers, many of them armed, arrived on the property with a dog squad, riot police and helicopters. About 40 individuals were detained during the raid, eight individuals were charged with offences, including a charge of planning to block traffic under the 2022 NSW anti-protest laws.

Forty civil society organisations expressed alarm at the surveillance exercised by police and the charges imposed on individuals only for engaging in planning of a protest action.<sup>5</sup>

## **Surveillance of Issue Motivated Groups**

“Issue motivated groups” are a classification used by NSW Police for “coalitions or groups of individuals whose actions are inspired by a common interest, goal or ideology”.<sup>6</sup> NSW has a Public Order and Events Intelligence Unit of 8 officers which is responsible for the centralised collection, analysis and dissemination of intelligence related to Issue Motivated Groups.<sup>7</sup>

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<sup>4</sup> <https://www.abc.net.au/news/science/2022-06-22/blockade-australia-climate-activists-police-raids-charges/101167102>

<sup>5</sup> <https://www.edo.org.au/2022/06/23/civil-society-groups-warn-against-police-overreach-in-nsw-climate-defenders-raid/>

<sup>6</sup> Budget Estimates 2023-24, Portfolio Committee No. 5 - Justice and Communities, Yasmin Catley MP, Hearing Tuesday 7 November 2023, Answers to Supplementary Questions on Notice P. 102, Question 426  
<https://www.parliament.nsw.gov.au/lcdocs/other/18855/ASQ%20-%20Hon%20Yasmin%20Catley%20-%20Police%20and%20Counter-Terrorism.%20the%20Hunter.pdf>

<sup>7</sup> ibid

# Intimidation prior to protests

## November 2022 IMARC visits

Police carried out visits to over 100 homes in NSW in the leadup to the IMARC conference in Sydney in November 2022. These homes were based on the identification of 93 persons of interest by NSW Police, with 28 people spoken to by Police. Police identified individuals involved in the 2019 Melbourne protests, members of Blockade Australia subject to current court-imposed bail conditions and potential Blockade IMARC protestors.

The Minister for Police at the time stated that the people visited “were advised that if a Form 1 had not been submitted to the NSW Police Force as outlined in the Summary Offences Act 1988, then this event may constitute an unauthorised public assembly” and “warnings were given with regards to the provisions of the new legislation under Section 144G of the Roads Act 1993, in addition to the Form 1 process in NSW”.<sup>8</sup>

In video footage of one of these interactions captured on 26 October 2022 during a police visit to the home of a student climate activist in Sydney, police made several misleading statements about the nature of a Form 1, telling people that “it is an offence to protest without completing a Form 1”. Individuals were told that “if you attend any unplanned protest or disruption event in Sydney between 2-4 November you may be committing an offence and will be arrested”. This is a concerning misrepresentation of protest rights in NSW. It is not an offence in and of itself to protest without a Form 1, nor is it an offence to participate in ‘unplanned’ protests. Submitting a Form 1 can provide protestors protection from obstruction offences that may occur during a protest, but that doesn’t mean protests that don’t have a Form 1 are illegal or an offence in themselves. The Form 1 regime was intended as a means of facilitating large gatherings, not for criminalising protests that don’t obtain a Form 1.

Those questioned included a 16 year old on their way home from a peaceful climate rally, the relatives of activists and university climate collective members. Several people were told that the police would keep coming back to their home until they were there to answer their questions. The vast majority of those questioned had no intention to protest at IMARC, with some not even knowing it was on.

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<sup>8</sup> First Sessions of the Fifty-Seventh Parliament Questions and Answers No 181 Wednesday 21 December 2022, Question 9159  
<https://www.parliament.nsw.gov.au/hp/housepaper/28960/QuestionsAndAnswers-LA-181-20221221-Proof.pdf>

Five activists across NSW were pulled over by police seemingly based on number plate identification and had their cars searched, with one having their car defected despite it having been recently serviced. Police justified the search as based on the suspicion that the relevant individuals would engage in unlawful assembly based on having previously participated in protest.

Police also misrepresented the nature of the Form 1 regime to IMARC protest organisers who did submit a Form 1, stating that they would be unable to receive the protections of the Form 1 framework due to putting it in less than 7 days before the protest. Police told organisers that they could be subject to obstruction offences and would not have Form 1 protections, despite police having stated their non-objection to the protest. Again, this points to a misuse of the Form 1 regime as a means to criminalise even protests that comply with the legislation.

### **June 2022 Blockade Australia visits**

Between 21-28 June 2022, 13 people were visited in their homes by police and questioned about their knowledge of upcoming protest activity.

One person who lives in the Gosford area was visited by two police officers on the evening of 23 June. They were asked a number of questions from a typed sheet, including whether they were aware of the upcoming Blockade Australia protests, whether they planned to attend, whether they understood the 'requirement' to have a Form 1 and whether they knew the penalties for blocking roads illegally. The person in question had no public connection to Blockade Australia.

Several other individuals who received visits from police were subject to the same line of questioning. Police visited individuals in Sydney, Newcastle, and Wingham. Several individuals were asked by police if they knew that "protesting without a Form 1 is illegal". Police also visited a backpacker hostel at 7 Wilmot St on 26 June and made the same enquiries of several individuals staying at the hostel.

When questioned by one of the individuals visited as to their purpose, police stated that they had been given a list of people to make visits to. The individuals visited included individuals connected to climate-related protest groups and family members of individuals involved in Blockade Australia.

### *Jane*

On 23 June at around 7.40pm Jane was visited at her home by 2 police officers from Gosford Police Station, one male one female. The male police officer filmed Jane with his body cam. The female police officer asked Jane several questions relating to planned protest activity in the week of 28 June. These included:

- Are you aware of the week of BA protests next week?
- Do you plan to attend the BA protests next week?
- Do you understand the requirement for a Form 1?
- Do you understand what happens if you block a road illegally?

The police officers did not ask Jane to attend the police station with them for enquiries. The police also did not specify that Jane was a suspect or witness in any relevant crime.

### *Miley*

On 23 June Miley was visited at her home by 2 police officers from Taree Police Station. One of the officers asked Miley several questions relating to planned protest activity in the week of 28 June. These included:

- Are you aware of the week of BA protests next week?
- Are you going to Sydney next week?
- Are you in contact with BA?

The officer then gave Miley a Form 1 and told her she could ring Crime Stoppers anonymously. Miley answered the officer's questions because the officer did not state that she had no legal obligations to answer the questions. At the time, Miley was on bail for a previous protest offense in March and subject to a 10pm-6am curfew and an obligation to report to the police station 3 times a week.

### *Danni*

In mid-June police visited the rural community where Danni lives and went to the door of one of her neighbours, asking if they knew Danni. The police said they had a file with Danni's picture and said that although Danni hadn't done anything wrong they were looking for her. Police asked Danni's neighbour where she lived. Police asked Danni's neighbour whether she had seen any BA posters at Danni's house. Police then asked Danni's neighbour to record her answers and she consented. Danni's neighbour was shaken by the interaction. Danni had not had any previous arrests and her only connection to protest has been assisting her son who had been arrested for protest action previously.

### *Hostel visit 26 June*

On 26 June at about 10pm four plain clothes police officers entered a hostel at 7 Wilmont St in Sydney CBD and spoke to several guests about the upcoming protests. They stated:

“We understand that people want to protest and there is a correct channel to do that with and that is a Form 1. That Form 1 allows you to protest. If there is a mass disruption and it is deemed an illegal protest that is deemed an offence... If you do go ahead with protesting tomorrow, you are putting yourself at risk of being arrested. If you go via the correct channels and peacefully protest then those things can be avoided.”

The guests were also asked if they understand that it’s “a criminal offence to enter, block roadways, tunnels, bridges and critical infrastructure” and asked if they wanted to provide their ID.

## **Bail conditions**

### **Condition of non-association**

Since 2022, there have been several instances of NSW Police imposing a bail condition on individuals who have participated in protest that requires them to "not contact or be in the presence of" any member of specific activist groups, such as Blockade Australia. This condition was imposed on 7 individuals by police after the 19 June 2022 raid on a property near Colo and subsequently removed by a Magistrate. A condition of not associating with a named list of individuals known to police as associating with protest groups was imposed on 20 individuals who took protest action with Blockade Australia and several who took action with Fireproof Australia. Often, the individuals did not know the individuals named in the list. These conditions were removed by a Magistrate.

### **Conditions prohibiting use of encrypted communications apps**

In June 2022, NSW Police imposed bail conditions on at least one Blockade Australia activist that would prohibit the use of encrypted communication apps such as WhatsApp and Signal. NSW police also imposed conditions forcing the activists to hand over any communications device to police and provide passcodes upon request. Digital Rights Watch labelled these conditions “deeply concerning and a huge overreach”.<sup>9</sup>

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<https://digitalrightswatch.org.au/2022/06/27/australian-digital-rights-and-security-experts-raise-alarmed-over-draconian-bail-conditions-imposed-on-protesters/>

# Police violence against protestors

## *Miley*

Miley took part in an action on a railway line near Port Botany on 25 March 2022. When Miley was on the train one of the Search and Rescue workers kicked her in the stomach in order to make her let go of her phone and then grabbed the phone from her.

Miley was taken first to Mascot Police Station and then Surry Hills Court Cells Complex. She didn't receive any food for 28 hours because there were no vegan and gluten free options and they wouldn't get her food out of her bag. Miley alerted police and Corrective Services that she was on a prescribed course of medications but she did not receive her medications when she asked.

## *Maria*

On 22 February 2022 Maria participated in blocking traffic at Spit Bridge by sitting on the road. A Senior Officer approached her from behind and grabbed her under her armpits, pinching both her breasts with his hands. When Maria realised this had happened, she yelled out in pain and told the Senior Officer he was hurting her breasts. He dropped her roughly to the ground in the gutter on the side of the road and Maria sustained a graze to her knee. Maria sustained bruising to her breasts as a result of the incident. A complaint that Maria made to the North Shore Police Area Command regarding the officer's behaviour was declined by the Commander and the determination made that "the actions of the police officer were appropriate at the time".

On 4 April 2022 Maria participated in blocking traffic on General Holmes Drive by sitting on the road. She was dragged off the road by a female police officer who dug her nails into Maria's left tricep area, causing localized bruising at the time and permanent scarring.

## *Robert*

On 28 June 2022 at around 8.40am Robert was walking down Macquarie St as part of a Blockade Australia march of approximately 100 people. Police began detaining participants and several people began running up the street away from police. As the march was dispersing, Robert was running along the sidewalk on his own when two police officers ran in front of him. One of the police officers pepper sprayed Robert in the face at a distance of approximately a

metre.<sup>10</sup> A nearby medic began assisting Robert, asking him to get on all fours so she could flush out his eyes with water.

One of the police officers stood next to them and said into his mic “we’ve got 2 of them”. As soon as Robert tried to stand up, the police officer tripped him over with his foot, causing Anton to fall down and stated “you’re under arrest for assaulting a police officer”. A TV crew tried to film Robert but the police officer told them to move away. Robert was then taken into custody.

## Mistreatment in custody

*Tim Neville and Max Curmi (real names used)*

Tim Neville and Max Curmi were arrested following the Colo raid on 19 June 2022. They were both denied bail by a Magistrate and held in custody at for 22 days before their hearing. During the time they were in custody, COVID-19 rules and a prison guard strike meant that inmates were placed in solitary confinement. Tim and Max both spent 17 days in solitary confinement.

*Jack*

Jack was taken into custody on 27 June 2022 at 8.40am for obstructing traffic in the Sydney CBD. He was taken to Day St Police Station where he was placed in a cell measuring 1x1.7m for about 12 hours. He wasn’t able to lay down or stretch and had to request access to a bathroom. At about 3pm Jack was informed that he would be refused bail and would be brought before the Magistrate the next day.

At about 4pm Jack was taken to Surry Hills Court Cells Complex. Jack was subject to a strip search on entering the Cells Complex. Jack asked that somebody observe the strip search but this request was denied and the search carried out by a single officer. The officer stated to Jack “this is my favourite part of the job” and “I can do whatever I want with you”.

This strip search was carried out in contravention of the Custodial Operations Policy and Procedures for searching inmates, which specifies that strip-searching must be conducted by at least two correctional officers and be supervised by an officer more senior than the one conducting the search. The Policy and Procedures also specify that searches must be conducted with due regard to dignity and respect.

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<sup>10</sup> Images of the immediate aftermath of the pepper spraying were captured by AAP  
[https://i.dailymail.co.uk/1s/2022/06/28/01/59599281-10958947-image-a-46\\_1656374562808.jpg](https://i.dailymail.co.uk/1s/2022/06/28/01/59599281-10958947-image-a-46_1656374562808.jpg)

While in custody at Surry Hills Court Cells Complex Jack informed Corrective Services officers that he had certain dietary requirements, including allergies to specific foods and veganism. The CS officers ridiculed his dietary requirements and refused to provide appropriate food, bringing Jack beef bolognese.

Jack was not given his Statement of Facts at any point. He only found out about his charges on a phone call with his lawyer on 28 June, over 24 hours after he had been detained. Jack was asked to sign his bail acknowledgment without having seen his Statement of Facts. After signing the bail acknowledgement, Jack was released.

As he was being released, a CS officer said to him “we are upholding a penal colony, for 234 years we have been running a penal colony, do not expect us to be out of practice”.

#### *Ryan and Adam*

Ryan and Adam who were held in Surry Hills Court Cells Complex on 29 June 2022 reported misogynist comments from a Senior Correctional Officer. The officer was reported to have made comments about female inmates including “Elizabeth would be good to fuck” and “I want to hump all of them” while walking past their cells.

#### *Liz*

Liz was held in the Surry Hills Court Cells Complex on 29 June 2022.

The managing Officer told Liz that she could not and must not read the bail acknowledgement before signing it. Liz was told by several officers that she would be put back in her cell if she tried to read her bail acknowledgement. When Liz did try to read her bail conditions, officers snatched the paper away and started to push her back to the cells. Liz witnessed another inmate be put back in the cell as retaliation for requesting to read the bail acknowledgement before signing.

The refusal to allow inmates to read their bail acknowledgement contravenes the Bail Act s33(5) requirement that the bail authority is to take reasonably practicable steps to ensure that the person granted bail understands the bail acknowledgment.

#### *Maria*

Maria was held in Surry Hills Court Cells Complex on 7 April 2022. She heard several of the CS officers yell “dirty protestors” when walking past her cell and the cells of other activists detained in the Complex.

Maria did not receive her charge sheet, statement of facts or any paperwork before her court hearing, despite asking for it four times. She had to ask the Magistrate to be brought her paperwork.

As Maria was being released from Surry Hills Court Cells Complex, a Senior Corrections Officer looked directly at her and said “I hope you lost everything in the Lismore floods”. Four CS officers standing nearby laughed at the comment.

### *Rebecca*

On 27 July 2022 Rebecca was carrying out independent legal observing at the Blockade Australia action in Sydney CBD with Legal Observers NSW. She was detained and taken into custody at about 9am on the basis of having obstructed a road.

While she was being detained, Rebecca told several of the officers detaining her that she had epilepsy and suffered from seizures that could be brought on by stress or insufficient food and water. Rebecca also communicated this on intake into Surry Hills Police Station. Two of Rebecca’s friends also visited Surry Hills Police Station to ensure that officers were aware of Rebecca’s condition.

At 5.30pm Rebecca warned a police officer near her cell that she was experiencing pre-seizure symptoms and was likely to have a seizure in the next half an hour. The officer did not take any action. At about 6.15 Rebecca again knocked on the door of her cell to alert a group of officers gathered nearby that her seizure was imminent. Almost immediately after, she experienced a seizure which lasted for about 15 seconds. During the seizure her head fell off the metal bench she was lying on and she struggled to breathe due to saliva accumulating in her mouth. After the seizure ended, Rebecca began coughing violently, which prompted the officers to come into her cell and sit her up. When her coughing finished, the officers closed the cell door and walked away. They did not ask what had happened or if Rebecca required any medical attention.

About 15-30 minutes later a Senior Constable opened her cell door to discuss bail arrangements. Rebecca informed him that she had had a seizure, to which he replied “no, I was told you had a coughing fit”. Rebecca requested an ambulance and the Senior Constable stated that it would only delay her release on bail.

An ambulance officer arrived 15-30 minutes after Rebecca’s conversation with the Senior Constable. He said to Rebecca that he “had been called for a coughing fit and yet here you are not coughing”. It was evident that he had not been made aware of Rebecca’s condition or that she had had a seizure. When Rebecca told him this, he clarified that she was not having any signs of confusion and provided her with two paracetamol tablets.

Rebecca's Custody Management Record contained no notes about her seizure, her conversations with police about escalating symptoms prior to the seizure or the attendance of the ambulance officers. Her notes stated "nil complaints" and "no issues", except for a note about Rebecca requesting pain relief at about 12pm and being told only ambulance officers could provide medication.

A complaint submitted to Surry Hills Police Area Command about Rebecca's treatment in custody resulted in a determination that police should have kept better records and advice being provided to the Custody Manager regarding the need for timely and accurate record keeping. However, in relation to the issue of insufficient monitoring of Rebecca, Superintendent Duncan determined that this issue "was not sustained" and officers provided "safe custody services" and "regularly monitored" Rebecca.

## **Misuse of stop and search powers**

Between 21 June – 1 July 2022, a number of people were subject to stop and searches on the pretext of a random breath test or checking their license and then questioned about their involvement in protest activity. One person was stopped in their car in Newtown on 27 June and told they had been stopped because they were driving a car with Victorian plates. They were then questioned about their reason for being in Newtown and subject to a search of their car and belongings. After finding a paint marker in the person's bag, the police questioned the person about why they had a marker. When the person replied that they were an artist, the police questioned them as to why they didn't have their drawings with them or a whiteboard to use the marker on. The police then charged the person with possessing a graffiti implement.

A number of stop and searches were undertaken on individuals in the vicinity of Addison Rd Community Centre in Marrickville. One person was pulled over in their car on 1 July while exiting the Community Centre and told that they were pulled over because of the "illegal protests of Blockade Australia" and that the police would do a breath test on them and search them and their car. The police officers asked the person whether they were involved in the protests and where they were travelling to. They searched the person's car and on finding swag poles questioned the person about what they were for and whether they were to be used for illegal protest. When told they were for a swag which was in the Community Centre, they asked if they could be let into the Community Centre to see the person's swag. The person declined to do so and the police left.

Another person was stopped in the vicinity of Addison Rd on 27 June 2022 and subject to a police search on the basis that police were “trying to prevent violent protest”. A police officer took the person’s phone and tried to put several passcodes in, before giving it back.

A community member delivering barrels to Reverse Garbage inside the Addison Rd Community Centre was pulled over by police, given a breath test and questioned about what the barrels were for and whether they were to be used in protest activity.

On 30 June 2022 several police officers entered Hurlstone Park Bowling Club and one of the officers announced they would be ID’ing several individuals in relation to “illegal protest”. One of the individuals had left their phone in the bathroom and a police officer seized the phone and refused to give it back to the individual on the ground that they couldn’t prove it was their property. When the person asked to unlock the phone to prove it was theirs, the police officer refused to hand it over and told the person they would have to say their passcode to the officer. The officer then stated that they had a request to seize the phone for evidence. The phone has not, to our knowledge, been returned to the individual.

#### *Arthur*

Arthur was stopped in their car in Newtown on 27 June 2022 and told he had been stopped because he was driving a car with Victorian plates. He was then questioned about his reason for being in Newtown and subject to a search of his car and belongings. After finding a paint marker in the person’s bag, the police questioned Arthur about why he had a marker. When he replied that he was an artist, the police questioned him as to why he didn’t have their drawings with him or a whiteboard to use the marker on. The police then charged Arthur with possessing a graffiti implement under Graffiti Control Act 2008 s5.

A number of stop and searches were undertaken on individuals in the vicinity of Addison Rd Community Centre in Marrickville.

#### *Delia*

Delia was pulled over in her car on 1 July 2022 while exiting the Community Centre and told that she had been pulled over because of the “illegal protests of Blockade Australia” and that the police would do a breath test on her and search her and her car. The police officers asked Delia whether she was involved in the protests and where she was travelling to. One officer asked her for her ID and took a photo of it. They then searched Delia’s car and on finding swag poles questioned Delia about what they were for and whether they were to be used for illegal protest. When told they were for a swag which was in the Community Centre, they asked if they

could be let into the Community Centre to see Delia's swag. Delia declined to do so and the police left.

#### *Amanda*

Amanda was stopped in the vicinity of Addison Rd on 27 June 2022 and subject to a police search on the basis that police were "trying to prevent violent protest". A police officer took Amanda's phone and tried to put several passcodes in, before giving it back.

An unknown community member delivering barrels to Reverse Garbage inside the Addison Rd Community Centre was pulled over by police, given a breath test and questioned about what the barrels were for and whether they were to be used in protest activity.

#### *Hurlstone Park Bowling Club*

On 30 June 2022 several police officers entered Hurlstone Park Bowling Club and one of the officers announced they would be ID'ing several individuals sitting inside having a drink in relation to "illegal protest". One of the individuals, Chester, had left his phone in the bathroom and a police officer with the uniform number B12175 seized the phone and refused to give it back to Chester on the ground that he couldn't prove it was his property. When Chester asked to unlock the phone to prove it was his, the police officer refused to hand it over and told Chester he would have to say the passcode to the officer. The officer then stated that they had a request to seize the phone for evidence. The phone has not, to our knowledge, been returned.

#### *Edmund*

On 29 June 2022 at about 1.30pm four people including Edmund were sitting on the grass in Wolli Creek Regional Park when several police officers approached them and told them they were being detained. Police escorted them to another area of the park. Edmund asked why he was being detained and the police officer escorting him said "because you are a member of an illegal organisation".

Edmund and the other male from the group were subject to a pat down search in the park. Police took the other male's phone. Overall, the group was detained for 30-45 minutes.

Police issued Edmund and the others with a move on order from the park, warning them not to return for 24 hours.

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