



POLICING OF ZIM SHIPPING RALLIES AT PORT BOTANY NOVEMBER 2023 AND MARCH 2024

Tuesday 21 November

Legal Observers NSW (LONSW) fielded a team of observers at the protest at Port Botany on Tuesday 21 November. several hundred people gathered at the public boat ramp on Foreshore Road, Port Botany to protest Israel's ongoing genocide of Palestinians in Gaza. The crowd gathered from about 6pm on the large grass area, with many children, families and elderly people among them. Attendees had brought homemade Palestinian food to share with the crowd, and several people had brought picnic chairs that they were sitting on. There was a large police presence relative to the size of the crowd gathered. The police present were general duty officers, plain clothes officers, mounted unit officers, the public order and riot squad, and strikeforce raptor.

The protestors listened to speeches and chanted on the grass area. There were some police on the grass area, many more in the carpark. Thirty-two officers had formed a line across the entry to the boat ramp obstructing entry. At around 7:20pm, the crowd marched from the grass to the entryway where police were blocking the entry and exit. In response, a number of PORS officers in at least 3 PORS vehicles left the carpark and headed towards Sirius Rd. When it reached the exit, the crowd remained a safe distance from the officers and chanted 'let us march' while organisers negotiated with the police for the protestors to march. Police refused to facilitate the protestors marching on the road and refused to allow them to exit. The march then proceeded down a pedestrian path that ran parallel to Foreshore Road towards Sirius Rd.

When protestors arrived at Sirius Rd at approximately 7:45pm, they found that Sirius Rd and Foreshore Rd had already been blocked by police, leaving a contained area for the protestors. Legal observers noticed that many of the police officers had put on their armoured gloves and most of their BWV cameras were on back-capture mode, and some were recording. Legal observers also noted that at least one police officer had his baton in hand, rather than holstered soon after the march arrived at Sirius Rd.

Police proceeded to obstruct public access to the boat ramp and Sirius Rd. 32 police officers formed a cordon to refuse vehicles entry to the boat ramp carpark. People approaching on foot

from Foreshore Rd (as opposed to coming from the footbridge from the park) had to walk through this line of police to enter. A group of 4-5 young people asked a police officer if they would be able to drive out of the carpark. The officer told them they would not be allowed to do so until later.

A move on order was issued to the crowd without police providing a reason as they are required to do. No traffic was observed to be obstructed by the protest and there was no visible safety risk to any person. The only serious risk at that point was the cramped conditions imposed by NSW Police. The move on order was not audible to most protestors because it was issued at the same time as a speaker on the microphone. Despite this, police began making arrests on the basis of the order fifteen minutes later.

Police arrested protestors with significant force, including using wrist holds that made protestors scream in pain and pinning attendees to the ground. Current documented injuries and impacts include bruising and asthma attacks. An observer witnessed a police officer placing a knee on a protestor's face while arresting them.

Police forced the protest into a narrow footpath, creating the potential for dangerous crush conditions in a hundreds-strong crowd. Police then surrounded the protest ('kettling') and ensured there was only one bottleneck by which protestors could leave. These are dangerous conditions. Police also created a crowd crush by pushing the crowd into an adjoining fence, forcing some to climb the fence to avoid being trampled by police horses. Police kettled the crowd that included young children and elderly people. A very young child in a pram was kettled and police ignored protestors' cries that there was a baby in the crowd and for the police to stop kettling. The pram had to be lifted by protestors above the crowd for the child to be removed from the crush safely. Police saw this and continued to crush the crowd.

Police also created a crowd crush by pushing the crowd into an adjoining fence, forcing some to climb the fence to avoid being trampled by police horses. Police horses stormed into the crowd of kettled protestors who were unable to move away from the area. At least one person is reported to have been trampled by police horses.

Legal observers were assaulted by police, grabbed and pushed aggressively while either reasonably monitoring police action or complying with an order to move along. One observer was shouted at to move away from police while they were assaulting and arresting people. Police interfered with their ability to get arrestee names and dates of birth - screaming over them and the arrestee and moving the arrestee away.

Police were stationed at the boat ramp car park the following morning. At least 2 people who arrived in the morning to pick up the car of someone who was arrested were harassed and surveilled by police who took photos of the driver's and passenger's licences, the car number plate and the faces of the people in the car. A police car remained at boat ramp for several days after, ppl returning to retrieve cars were harassed and questioned by police, had their photos taken against their consent.

Sunday 24 March

Legal Observers NSW fielded a team of observers at the Port Botany ZIM Shipping Protest on Sunday 24 March.

19 protestors were taken into custody following last night's protest at Port Botany. Police used excessive force, throwing several protestors to the ground, using restraint techniques associated with restraint asphyxia, and violently pushing many. Police put cuffs on one protestor, who was a person of colour, so tightly that their hands went numb and did not remove the cuffs for 20 minutes after the protestor and an observer made them aware they were in pain. The observer spoke to 5 different officers, who each ignored her request to remove the protestor's handcuffs, saying that they did not have authority to do so. After 20 minutes, one of the officers sought out a senior officer and they used shears to cut away the handcuffs. The handcuffs were so tight that the officer removing them could not get the shears between the skin and the handcuffs for several minutes.

Police used non-compliance with a move on order as pretext for beginning to assault and arrest protestors. The move on order was given by only one officer and was barely audible even to observers standing 5 metres away. Most people in the 200+ crowd did not hear the move on order being issued and several of those arrested were not aware there was a move on order. Police moved in to arrest protestors less than 10 minutes after the move on order was issued. Arrests continued even as the crowd retreated in compliance with the move on order, with several protestors tackled to the ground and arrested even as they retreated from the road.

Several officers were observed wearing thin blue line patches, an iconography associated with fascist movements. Many of these officers were the most aggressive with protestors.

Police treatment of protestors after arrest

Amir

Amir is a queer person who was arrested at Port Botany in March 2024 and charged under the anti-protest laws. During their arrest, the police twisted their finger, spraining it, and banged their head on the police car, leaving Amir with serious bruising. When Amir was in the holding cell, the Sargeant repeatedly called them "a worthless faggot" and said they "deserve to rot in the cell". Amir was denied a jumper and blanket and access to clean water.

Kai

Kai is a trans protestor who was arrested at Port Botany in November 2023 and charged under the anti-protest laws. They had been arrested previously at a protest, many years ago, under their pre-transition name ('deadname'). They legally changed their name as part of their gender transition three years ago.

Upon being arrested at Port Botany Kai gave the police their details including their current legal name. Despite this, the entire time in police custody, police officers insisted on using their deadname for all interactions. They requested their name be changed in their paperwork multiple times, and police officers refused. They told police they had an ID listing their correct name in their bag, but they were ignored. They were pressured by police into signing documents listing the wrong name. They found the process humiliating, violent and malicious. At each court appearance following the arrest, their matter was listed under their deadname. They found it deeply distressing to have to keep responding to their deadname. Their lawyer requested for their name to be changed by the court on several occasions, beginning from their very first court appearance, when they were told that no, the court would not correct their name. In March 2024 – after they had been told their name should have now been corrected – they answered a knock on their door late at night to find a police officer, asking for them yet again under their deadname, for a bail check.

They responded with their correct name, provided their NSW Government ID to back this up, and a back-and-forth ensued. They were conscious that this officer was armed, far larger than them, and that they were home alone. Kai was forced to argue about their name and gender identity with an armed police officer, in the middle of the night, as a result of the anti-protest laws.

In the months since their arrest, Kai has had to take quite a few days off work to attend court, and quite a few more days off as mental health leave as a direct result of the immense stress of the anti-protest laws charges. They ended up dipping into negative leave balance. Kai has top surgery scheduled for later this year – which was scheduled a year in advance to allow time for leave accrual and savings. Now that they have had to use all of their leave because of the anti-protest laws case, they are seriously considering cancelling or pushing back their surgery because they do not have the leave they will need to recover.

Maria

Maria was arrested at Port Botany in March 2024 and charged under the anti-protest laws. All the protestors charged at this protest received bail conditions of residing at their address, not participating in unlawful protests and not going within 1km of Port Botany. However, Maria's paperwork listed a 24 hour curfew condition for her. She did not have any prior offences and her charges were the same as the other protestors. The curfew condition was not mentioned by police at Waverley Police Station when they explained the bail conditions to Maria before she signed the bail acknowledgement and she only became aware of it when police from Parramatta Police Station visited her home for a bail check.

When Maria's lawyer spoke to police at Waverley about the matter, they admitted they did not have a specific reason for including the curfew condition and it was possible it was added in error. However, police refused to change the condition and Maria had to seek a bail variation

from a Magistrate to get the condition removed. Maria was unable to leave home for 4 days as a result of the curfew condition, preventing her from being able to care for her sick father.