



Preliminary statement

Excessive use of force by Queensland Police Officers at Disrupt Land Forces protest event.

1 June 2021

Action Ready is extremely concerned about the excessive use of force against protestors as part of the Disrupt Land Forces events, including the use of a neck compression hold that carries with it extreme risk to health and safety.

On 1 June 2021, Action Ready fielded an independent team of eight (8) trained legal observers to observe police actions at a protest organised in reaction to the Land Forces International Land Defence Exposition, at the Brisbane Convention and Exhibition Centre.

Protest activities commenced from approximately 7am in the morning with small crowds forming at entrances to the convention centre. The protestors engaged in chants and speeches, and heckled attendees to the conference. At no time did protestors touch attendees.

A notice of intention to hold the peaceful assembly was made in accordance with the *Peaceful Assembly Act 1992* (Qld), and was not contested.

Action Ready has concerns about the following matters relating to the policing of the event:

1. Excessive use of force;
2. Use of handcuffs on compliant protestors;
3. Inappropriate use of directions and cautions; and
4. Tampering with accountability measures.

Some of the matters raised above may constitute unjustified limitations on the rights of Queenslanders under the *Human Rights Act 2019* (Qld) and the right to peaceful assembly as enshrined in the *Peaceful Assembly Act 1992* (Qld).

excessive use of force

At approximately 7:40am, observers witnessed an excessive and dangerous use of force that was not warranted in the circumstances. Observers noted the police response was immediately excessive and unnecessarily violent in the absence of resistance. The force exercised by officers would be inappropriate in any circumstance and risked serious injury.

Footage has been published by ABC News at this [link](#). In the footage, one police officer attempts to knock away the phone, and another officer appears to remove his badge.



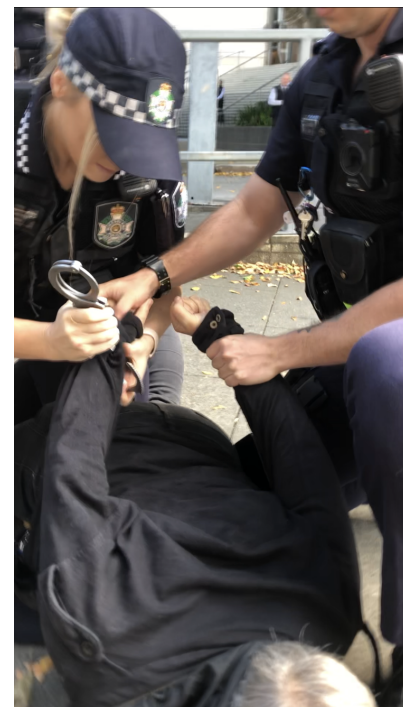
Screenshot from the video footage demonstrating excessive use of force and the use of an dangerous choke hold.

In addition, legal observers witnessed and recorded police officers shoving protestors, including a 12 year old girl who was holding a sign on the footpath. An attendee to the protest recorded experiencing the following: “Although all I did was chant and shout (I did not attempt to cross the police barrier), I was shoved by police officers quite a few times, hard enough to knock me to the ground on one occasion.”

use of handcuffs on compliant protestors

Legal observers noted multiple uses of metal handcuffs being used as constraints during arrests. Handcuffs were not used on all persons arrested.

The use of handcuffs or similar restraints on a non-compliant person is considered a Use of Force and should only be used under particular conditions. In the circumstances there were no threats that warranted restraints being used.



Handcuffs can cause ligament, arm or shoulder injuries, circulatory problems and severe bruising, particularly when people are being carried or moved by police. One person arrested at this protest informed police at the time of arrest that they had a shoulder condition but handcuffs and a painful compliance grip were still used. Another protester was told by police that he was “resisting arrest” while immobilised, and being held face down against the ground.

In the circumstances observed at the event we do not consider the use of handcuffs to be justified. We assert that handcuffs or zip ties should not be used for non-resisting arrestees.

inappropriate use of directions and cautions

noise abatement directions

The notice of intention for the peaceful assembly specified a timeframe until 5pm. At approximately 4pm, police officers commenced issuing noise abatement directions to protestors. Under the Peaceful Assembly Act, participants in an authorised peaceful assembly do not incur criminal and civil liability because of the obstruction of a public place. In the spirit of that provision, the issuing of noise abatement directions to participants engaging in an authorised assembly are inappropriate.

This is a novel use of noise abatement directions and an attempt by police to disperse protestors and suppress the event. Novel uses of the law to quash the right of peaceful assembly and freedom of political communication warrant scrutiny and may amount to the exercise of a power for an improper purpose.

cautions and threat of charges for swearing

On at least two occasions, protestors were cautioned for swearing, and others were threatened with a charge of public nuisance. Consistent with the High Court decision in *Coleman v Power*, charges and cautions relating to the use of “offensive” language cannot be used in the event of statements made in the course of exercising freedom of political communication. Such charges, cautions and threats of charges in such circumstances are entirely inappropriate.

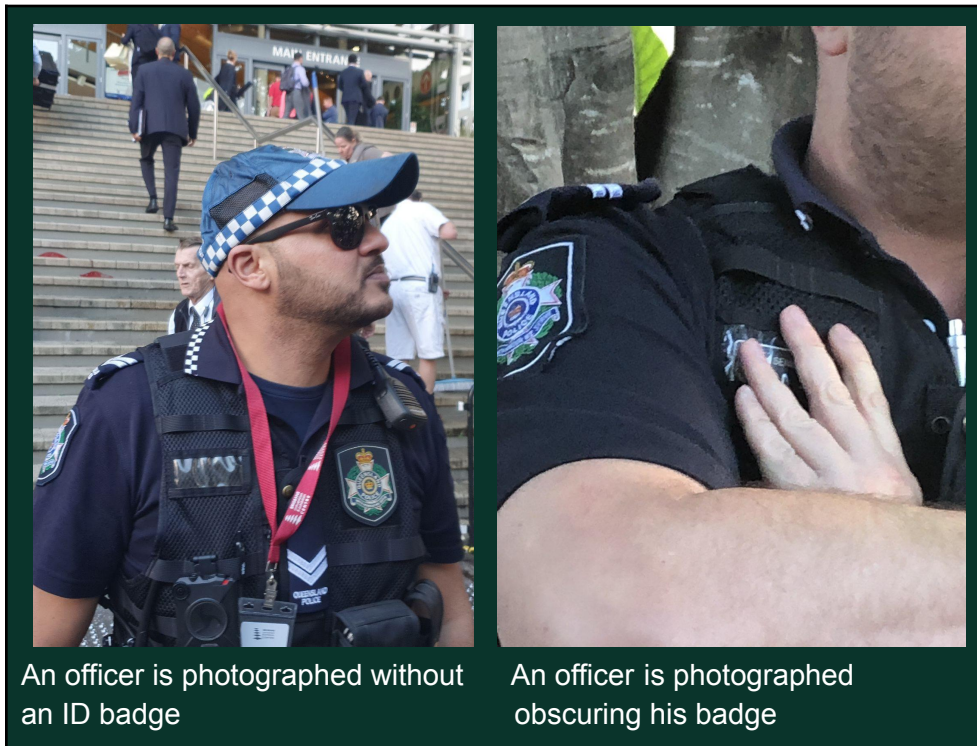
tampering with accountability measures

During an interaction with protestors, one police officer removed his body camera. When questioned by protestors, a legal observer recorded the officer stating, “it’s fucking broken you spastic”.

Firstly, police officers should not be removing equipment issued for the purposes of accountability. Secondly, the use of such language is entirely inappropriate, offensive and disrespectful. In carrying out public duties, and in accordance with the Queensland Police Service *Standard of Professional Practice*, police officers are required to:

- be transparent and open, and
- present professionally and demonstrate respect for all persons.

In addition, observers witnessed police officers obscuring their badge numbers, or failing to wear identification. Name tags are important accountability mechanisms. In obscuring their identification, police officers can act with impunity.



urgent recommendations

Actions are expected to continue over the coming days. We urge the Queensland Government and Queensland Police Service to condemn the actions of individual officers in carrying out arrests using extreme and dangerous force, and request that the officers responsible be prevented from attending further protest activities associated with the Land Forces convention over the coming days.

We acknowledge that removing individual officers does not resolve systemic practices, and urgently request that police officers cease using handcuffs and restraints against compliant protestors, cease the use of noise abatement directions and cautions or charges for swearing, and ensure that body cameras are turned on and functional at all times.

Action Ready is a volunteer-run collective made up of lawyers, law students and graduates, para-legals and persons interested in police accountability. We train legal observers in accordance with principles of independence and the overarching goal of protecting and enhancing the political space in which people have to engage in protest.

Action Ready acknowledges the Jagera and Turrbal peoples and recognise that sovereignty was never ceded. We recognise the tireless efforts of First Nations peoples in creating, protecting and enhancing the political space in which we take action. Always was, always will be Aboriginal land.