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# Legal Observer Team Report

**world economic forum protests**

**melbourne september 11 – 13, 2000**

Report for public release  
March 2001

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**Legal Observer Team Report  
World Economic Forum Protests**

Report for Public Release  
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Pt'chang Nonviolent Community Safety Group Inc.

Also published by Pt'chang:

**A Psychologist's Report on the Post Traumatic Effects of Police Violence on Protestors at  
the World Economic Forum.**

December 2000  
Available from Pt'chang

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## About Pt'chang

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Pt'chang is an all-volunteer, not for profit, community group that has two basic functions:

One function is to organise and facilitate Nonviolent Community Safety Projects which have particular aims and objectives and their own timeframes. The Darebin Community Listening Project and the Yarra Creating Safety Together Project are two such initiatives of Pt'chang.

Secondly, Pt'chang assists grassroots organisations and community groups create safety in a wide variety of areas and situations by providing training, resources, support, conflict resolution and trained teams of nonviolent peacekeepers or legal observers upon request. Pt'chang is inclusive group that is open to anybody committed to its aims.

Pt'chang is independent of all governmental, political, religious affiliations. This reflects our role as impartial mediators, observers or peacekeepers. Pt'chang is part of the Australian Nonviolence Network and Peace Teams Info-net, an international network of organisations, which place unarmed civilian observers and peace teams in conflict zones around the world.

Pt'chang involves people with skills and experience in a wide range of areas including community development, community health, law and legal theory, social work, psychology, conflict resolution, counselling, and nonviolent social change.

Pt'chang's work is firmly based on the principles of nonviolence, social justice and community development.

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# 1. Introduction

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This public report details the observations, experiences and findings of the Pt'chang Legal Observer Team for the three days it was present at the protests outside the Crown Casino complex in Melbourne, Australia between Sunday September 10 and Wednesday 13, September 2000.

The Crown Casino/hotel complex on the banks of Melbourne's Yarra River was the venue for the World Economic Forum's Asia Pacific meeting, a gathering of international business leaders, government representatives and a variety of guest speakers, which had become the focus of large scale community protests against the impacts of economic globalisation. The World Economic Forum is a private organization based in Geneva and the meeting in Melbourne was the first such forum to be held in Australia. The projected scale of the protest movement, the level of response planned by the Victorian Police and various private security agencies was destined to hold the attention of local and international media and the wider Australian public. Victorian Police confirmed in August 2000, that officers, heavily equipped with riot gear were conducting baton and crowd-control training exercises at Melbourne's Showgrounds. According to Police spokesperson, Kevin Loomes, police were being trained for "*worst case scenarios*". "*But they won't be wearing protective gear unless the whole thing gets out of control and they have no option.*"

Pt'chang Nonviolent Community Safety Group Inc. began organising an independent Legal Observer Team in June 2000 in preparation for an event that proved to be one of the largest political protests in Australia's modern history.

Pt'chang's knowledge and understanding of the important role of impartial international observers in conflict zones around the world led us to surmise that a well-organised and independent Legal Observer Team may significantly reduce the potential for the abuse of the civil, political and human rights of people present at the event.

It was seen by the organisation that a team of trained Legal Observers, with a particular mandate to observe, record and monitor arrests and the actions of the Victorian Police and private security personnel at the World Economic protests would positively contribute to the safety of all people present at the event.

For Pt'chang, the key to the effective citizen observation and monitoring of police/security forces is bringing the behaviour of these forces into the open for public and governmental scrutiny and action.

The following makes for some startling and horrific reading. It details actions by individual Victorian Police officers, which were not meant to be seen at the time nor scrutinised afterwards. It details the nature and human impact of some of the most excessively violent and blatantly inappropriate command-directed police actions in recent Victorian history.

A version of this report was submitted to the Victorian Ombudsman in December 2000. This is a public version of the same report with the names of police officers removed. It is to be distributed nationally and internationally, and is our contribution to the ongoing efforts of numerous non-governmental and human rights organizations to expose abuses of the civil, legal and human rights of citizens at the hands of official military, police or security organizations.

By doing so, we share the hope of eventually preventing them.

*The Legal Observer Team Report was written and produced by Melissa Noonan, Lin Padgham, David Shields and Anthony Kelly.*

## 2. Executive summary of findings

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The Pt'chang Legal Observer Team present at the World Economic Forum at Melbourne's Crown Casino Complex, September 11 – 13, made two major observations regarding the behaviour of the Victorian Police Force and security employed by a variety of private security agencies. Each of these is outlined below

### 2.1 A culture of summary punishment

*"Let's kick some feral butt"* A statement by a police officer heard and recorded on Tuesday 12 September. (*Incident Report #65, L. Scarfe*).

The Legal Observer Team found that there was a culture of sporadic, violent and abusive behaviour amongst large numbers of individual Victorian police officers and, to a lesser extent, private security personnel, who were on duty during the three-day event. These acts of violence and abuse were often isolated, single incidents and not necessarily part of a command-directed crowd control measure as described in greater detail in the following section.

This sporadic violence included, but is not limited to:

- Individual acts of personal verbal abuse by police officers and private security directed at members of the public;
- Verbal abuse of a sexist and homophobic nature by police officers and private security directed at members of the public;
- Verbal threats by police officers to physically harm or even kill members of the public;
- Acts of sexual harassment and sexual assault in a variety of forms by police officers to members of the public;
- Acts of physical assault that included, punching, kicking, shoving, elbowing, pushing, grabbing hair and eye gouging, perpetrated by individual officers against members of the public;
- Acts of physical assault by small groups of police officers towards individual members of the public whilst those individuals were effectively in police custody;

The acts outlined above were seen to be committed by a large number, but certainly not all of the estimated 3000 police officers present. Some police officers were observed engaging in violent or abusive behaviour on several different occasions. Police officers who were observed engaged in these types of behaviours were from mounted, special, and 'ordinary' police units. Security personnel were primarily positioned inside the main police area-cordon and consequentially had a relatively low level of contact with the public.

Other observations point to this behaviour being in some ways *condoned* by senior police. Violent, abusive behaviour by police was repeatedly observed by the Legal Observer Team to be overlooked and, in some cases, encouraged or perpetrated by senior police officers. Consistent attempts by members of the Legal Observer Team to report or attempt to identify individual police officers to commanding officers on site were repeatedly stymied. Officers in charge of units would often refuse to talk with Legal Observers, quickly remove the individual officers involved out of public view or back into the Casino Complex, and were observed on several occasions to deny, defend and even congratulate such police officers who had been violent or abusive.

The vast majority of these acts of violence and abuse were in no way connected to attempts by police officers or security personnel to secure an arrest. Nor were any of the observed or recorded acts mentioned in this report carried out in the context of self-defence or at a time when individual police were in physical danger. In fact, upon analysis of the Incident Reports, it seemed to be particularly, younger, more vulnerable people that were targeted by police officers.

All of these acts of individual violence and abuse appeared to be highly personalised, often highly aggressive and, to all observable purposes, entirely inconsistent with reasonable, appropriate or effective police crowd-control methodologies.

A police officer who states *"You're dead, mate!"* or a male police officer who suggestively rubs his baton against his face toward a young female protestor are not carrying out 'normal police duties'. The officer who quickly punches a protestor in the face whilst passing them in a crowd, or the group of plain clothes officers who throw an individual down a flight of stairs are not following appropriate police procedures. In particular, many statements made by Police that were recorded by Legal Observers indicate this attitude of 'punishment' amongst some police officers. One police officer, when brandishing his baton was heard saying words to the effect of: *"I love smashing fucking feral faces with this thing, I smashed three people's faces this morning"*. Another Police officer was reported as saying *"I don't give a fuck mate, you're next"* after he had informed about a protestor who had been injured. Another was observed saying *"Fuck off moll, you shouldn't be here"* as he held a woman around the throat. *(Details of these incidents below)*

The extent, frequency and consistent nature of these individual acts of violence and abuse, which began early on the morning of Monday 11 September and were recorded consistently throughout the next three days, indicated a clear pattern or 'culture' amongst some Victorian Police at the Crown Casino complex that the Legal Observer Team concluded to be one of antagonism, intimidation and 'punishment'.

## **Conclusion**

It is the conclusion of the Pt'chang Legal Observer Team, that, in the almost complete absence of police attempts to arrest individual protesters who broke the law, individual police officers were taking opportunities afforded by the chaotic nature of the event, crowd numbers, isolation or the lack of accountability to senior police, and effectively meting out their own 'summary', extra judicial punishment' to individual protesters. Buoyed by, and perhaps made fearful by the media-generated myths of 'violent S11 protestors' and briefed by their commanding officers of much the same, some police officers were able to take full advantage of every opportunity to assault, intimidate and harass individual protesters whilst on duty.

## **2.2 The Victorian Police's use of coercive crowd-control tactics**

Victorian Police crowd-control tactics deployed at the World Economic Forum protests outside the Crown Casino Complex altered radically on the morning of Tuesday 12 September. Police tactics changed from predominately that of area-denial and containment throughout the Monday to the targeted use of extreme coercive force that began with a formation baton charge on a peaceful, sitting human blockade at 07:30 Tuesday morning and was repeated on a different scale that evening at 19:30.

The array of 'sub-lethal' weaponry deployed by the Victorian Police was relatively less than that available to their counterparts in Seattle, USA, (at a large scale protest at the World Trade Organization meeting) where the use of rubber-bullets, CS gas, hand-held pepper spray canisters, flash-bang grenades, armoured personnel carriers, marker dye and water cannon resulted in multiple serious injuries of protestors, legal infringements and human rights abuses at the hands of the Seattle police departments (*Bodzin, 1999*). However, the choice by Victorian police to use long, side-handled PR-24 'riot' batons, full body 'riot protection' gear and mounted police lines as the primary coercive tool here in Melbourne was by no means a less severe one.

The use of a combination of surprise, formation baton charges with mounted police as rear containment lines, with the apparent goal of clearing people in front of access points was observed by the Legal Observer Team to have been entirely unjustified, excessive and unprovoked.

These tactics resulted in multiple serious injuries to members of the public present and, as noted by Legal Observers, served to have to have significantly escalated the level of disorder and conflict at a previous calm and relatively ordered crowd situation.

Legal Observers present at each of the formation baton charges on Tuesday 12 testify (*refer to section 6.3.1 below*) that the protestors present were behaving in an entirely peaceful and calm manner, in the hours leading up to and immediately prior to the Force Response Unit and mounted police manoeuvres.

Australian and international criminological research has shown that, in the vast majority of cases, it is the police's use of violent, coercive crowd-control techniques and strategies which instigates violence and civil disorder at large protests such as those seen at the World Economic Forum in Melbourne.

According to researcher, Steve Wright, who cites evidence from similar protests, nonviolent episodes could be much more easily pushed into violent confrontation once the police's repressive weaponry was either in evidence or actively deployed. (*Wright, 1992*)

Work undertaken by the Richardson Institute, for example, showed that when so-called "sub-lethal" weaponry is deployed by police, such as charges with long batons, a series of dysfunctional effects are produced that serve to destabilise the conflict, rather than to control it. In effect, the use of repressive technology and crowd control tactics by police, not only raises the likelihood of serious human rights abuses occurring, but also has the effect of escalating the conflict and precipitating the deployment of even more coercive weaponry and tactics.

In November 1994, the Ombudsman Victoria stated in the Investigation into alleged excessive force by the Victorian Police against demonstrators at the Richmond Secondary College on Monday 13 December 1993, that: *"My concerns is that such tactics [use of batons by police] be avoided where practicable for in addition to having the potential to create a spontaneous violent reaction they also have the potential for sowing the seeds for future disorder and greater levels of violence."*

### **Behaviour of Protestors**

Whilst the role and mandate of the Legal Observer Team was not to observe actions or behaviours of members of the public present at the event, in the context of these police baton charges and the use of mounted police lines it is worth noting that the only aggressive behaviour from protestors observed over the three day event actually occurred immediately *after* these highly coercive police actions – at times when people were visibly shocked, upset and angry at the level of force used against themselves and others near them. This behaviour from protestors was predominately shouted abuse and, at one stage, a plastic water bottle and a piece of banana thrown over the police lines.

Legal Observers also noted on several occasions that whenever an incident of overt aggression took place, other protestors nearby would act to calm or prevent that person taking further aggressive action. It appeared to members of the Legal Observer Team that protestors were exhibiting an incredibly high degree of self-discipline and self-moderating behaviour *despite* the brutal and highly provocative actions of the police.



The term 'riot' conjures up images of senseless, unruly behaviour. Central to the understanding of the term 'riot' is the concept of collective violence. However, according to Veno and Veno (*Police Riots and Public Order, 1989*) the definition of situations as being riotous depends upon the police perception of a number of pertinent but subjective factors. These include size, location crowd demographics and perceived rowdiness and stereotypes of the subgroup. The fact that it is the police alone who are responsible for defining situations as riotous and in which to deploy high levels of force assumes great social and political importance. Consequently, police can be accused, rightly or wrongly, according to Veno and Veno, of manipulating public order events to result in or appear as a riot when in reality, there is little threat to public order. The reasons posited for such actions include the servicing of internal police goals, pressure to carry out vested interest or political objectives, the facilitation of requests for greater resources or the covering up of inappropriate crowd-control management.

It is the considered opinion of the Legal Observer Team that people present at the site of these large scale police tactics did not constitute a 'riotous' or otherwise unmanageable crowd.

### **Use of Batons**

The use of long, side-handled batons wielded by the members of the Force Response Unit and mounted police during these actions and in other 'smaller' actions was observed consistently by Legal Observers to be highly dangerous and excessive. Batons were commonly wielded from above the officer's head in a striking, downward motion or from the side as akin to a sword strike. Batons were commonly targeted toward and connected with the person's head, face, neck, and back. Recorded First Aid and hospital injury reports reflect this. Batons were sometimes used 'flat' and held horizontally in front of the officer at about chest height and were used in effect to push or shove people in front of the officer. On several occasions batons held like this were still used to hit people in the head, face and neck area with extremely high levels of force.

Mounted police officers were consistently seen wielding batons high above their heads, and bringing them down hard upon the heads, necks and shoulders of people standing on the ground below them.

Advice to Victorian Police from the Office of Forensic Medicine (10/09/1990) and contained in "the Victorian Police Defence Tactics – Operational Survival Instructions" makes clear that the use of batons is potentially hazardous and blows to the person in areas of high risk are unpredictable and should be avoided. The areas to avoid are stated as being the head, face, and front of neck, back of neck, abdomen, kidney region and spinal region. The areas of the human body recommended for baton blows are "limbs, shoulders, chest and buttocks" and the advice warns that the danger areas should only be used *when lethal force is justified*.

### **Punching, kicking etc.**

Added to the list of protestor injuries suffered during these police actions were those resulting from police officers punching, kicking, and dragging and in some cases, standing upon people. Observer reports point to the majority of these actions being conscious and deliberate additions to the use of batons to coerce or punish protesters rather than just actions that occurred in the confusion of the police manoeuvre.

### **Mounted Police**

Other serious injuries resulted from protestors being pushed or trodden on by police horses being used in incredibly close proximity to sitting or standing rows of people. The use of mounted police lines is a common crowd-control method in Victoria, having been used at a wide range of political protests and rallies. At the Crown Casino Complex, and particularly during the surprise baton charges by the Force Response Unit, tight lines of police horses, ridden side by side, with no room between each horse, were utilised as rear containment lines. Whether as a deliberate

tactic or as a miscalculation by commanders, these mounted police often very effectively *trapped* protesters between advancing Force Response Unit officers wielding batons and curtailed efforts by protesters to escape, move out of the way or avoid being trampled.

### **Conclusion**

The Legal Observer Team strongly asserts that the Victorian Police command decisions to deploy the level of force observed during these attempts to clear access points was both entirely unjustified and unprovoked and poorly and dangerously executed. The decision to use the fully equipped Force Response Unit, with full body and face protection, and lines of mounted police to carry out a simple objective of clearing an access point stands out as particularly unjustified when a procedure of arresting people engaged in unlawful obstruction could have been implemented with no injuries to people and nor threat towards individual police.

It is the conclusion of the Legal Observer Team that the use of batons, surprise formation charges and the use of containment lines of mounted police a) was potentially lethal and resulted in an incredibly high level of serious personal injuries amongst protestors present at these incidents; and b) served to create a highly emotive, dangerous and provocative climate during and immediately after each manoeuvre.

## 3. Legal Observer Team Mandate and Protocols

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### 3.1 Mandate

As stated in the Roles and Responsibilities document which was distributed to all parties prior to the start of the protest, *the Legal Observer Team will observe, record and monitor arrests and the individual actions of the Victorian Police and private security personnel during the three-day event.*

*In particular the Legal Observer Team will:*

- *Distribute information on legal rights to members of the public at the S11 protests;*
- *Observe monitor and record details of interactions between police/security personnel and members of the public;*
- *Take photos and/or video or arrests if they occur;*
- *Make a detailed written account of the arrest;*
- *Collect the name, number and/or a physical description of the arresting officer;*
- *Find out the whereabouts or follow the arrested person to the police station;*
- *Work with the S11 Legal Support Group to monitor, support, or contact the arrested person whilst in custody.*

In practise, due to the extremely small number of arrests by the police during the event, the 'arrest monitoring' and in-custody support components of the outlined roles became less crucial than the *monitoring and recording of interactions between police/security and members of the public.*

The Legal Observer Team worked in co-operation with the S11 Legal Support Group, an independent network of lawyers, barristers and para-legals from diversity of Victorian law firms, private practices and Community Legal Centres. Legal Observers were able to consult with, and at times work alongside legal workers also performing legal observer roles.

### 3.2 Protocols

- a) All information collected by the Legal Observer Team will be confidentially and for the use of the S11 Legal Support Group
- b) Volunteers with the Legal Observer Team will treat all people with respect and courtesy throughout the event;
- c) Volunteers with the Legal Observer Team will not engage in any protest actions, civil disobedience, or illegal activities whilst on duty or identified as part of the team during the S11 actions.
- d) Volunteers will not interfere with, or hinder police officers, and maintain a reasonable distance away from arrest incidents. However, the Legal Observer Team volunteers will seek the best possible vantage point to observe arrests and police-public interactions at all times.
- e) If one or a few people become isolated in a potentially arrestable situation behind a police cordon, members of the Legal Observer Team will seek police authority to accompany or remain with those people until their arrest or removal:
- f) During all liaison with the Victoria Police, the Legal Observer Team will not discuss nor disclose any details or information regarding any other group, individual, or action;
- g) Pt'chang Legal Observer Team will communicate with all groups, individuals, and organizations involved in protests against the World Economic Forum to the best of our ability.
- h) The Legal Observer Team cannot provide legal advice or ongoing legal support.

## 4. Independence and Impartiality

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The perceived and actual independence and impartiality of the Legal Observer Team was a critical aspect of our ability to perform our role. The Team's independence and impartiality was established and maintained in a variety of ways;

Pt'chang as an organisation remained financially and politically independent of all groups and organizations involved in the protests against the World Economic Forum. Pt'chang did not join or become a part of the S11 Alliance or any of the protest networks established in the lead-up to the World Economic Forum protests.

The Legal Observer Team established and maintained open communication with all groups, individuals and organisations involved in the protests at the World Economic Forum to the best of our ability.

The Legal Observer Team met with and established communication with the Victorian Police, Protective Security Division, Police Special Events and Police prosecutors, the Crown Complex head of security, the S11 Alliance, Friends of the Earth, the AWOL network and a range of other protest groups prior to and during the event.

Firm confidentiality protocols were established (see above) that prevented Legal Observers from discussing or disclosing information about one group to another, but maintain open dialog with all parties. The Legal Observer Team role was not one of mediation or communication.

Legal Observers were instructed, according to established protocols, not to engage in protest actions, civil disobedience or illegal activities whilst on duty.

Also, Legal Observer was not to intervene, interfere with or hinder police officers, and were to maintain a reasonable distance from arrestable situations.

## 5. Operational Structure and Issues

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### 5.1 Operations

The Legal Observer Team assembled 45 trained volunteer Legal Observers with a range of prior experience in para-professional legal duties, academic legal studies, or nonviolent peacekeeping.

The Team established a 24-hour communications base on the Southbank Promenade opposite Crown Tower's eastern entrance and staffed a roster that began at 18.00 on Sunday 10 and finished at 20.00 on Wednesday 13, September.

Legal Observers worked in pairs, identified by bright 'day-glo' vests with 'Legal Observer' written across the back and front. Carrying cameras, clipboards and incident report forms, Legal Observers patrolled the entire protest site that spanned the area between Queensbridge and Clarendon Streets on the south bank of Melbourne's Yarra River, ensuring a constant presence throughout the event. (*Refer to map on page 14*)

The team had a UHF radio communications network that consisted of a base radio and six portable hand-held units. This allowed for effective area coverage across the site and allowed the Observers to be contacted by other organizations to request Legal Observer presence as 'incidents' occurred.

## 5.2 Incident Reports

The Legal Observer Team collected 202 Incident Reports over the three days. These included victim statements, witness statements and Legal Observer reports of incidents directly after they occurred.

All Incident Reports included the time, date and location of incidents, the name and signature of the Legal Observer and were designated a reference number. (See *Appendix 1*) These details have been used as annotation in this report when particular Incident Reports are referred to or quoted.

Incident Reports also collected the key features of the incident, identification of the officer(s) involved, the charges (if any), a record of any first aid or medical intervention or legal support, a record of photo or video evidence available and the name and contact details of any witnesses to the incident.

Despite particular effort being made to collect incident reports of as many interactions between police and members of the public as possible, the sheer size of the event, and the vast numbers of incidents meant that that only a portion of actual police – protester incidents were actually recorded. Nonetheless, the 202 incident reports collected by the Legal Observer Team represents an extensive and we believe comprehensive sample of actual incidents which occurred during the three days of protests.

Site map here...

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## 6. Day by Day Summary of Incidents

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### 6.1 Sunday 10 September

The Legal Observer Team was on-site to set up from 15:30 on Sunday. The team established a 24-hour communications base and office on the Southbank Promenade opposite Crown Tower's eastern entrance and began staffing an Legal Observer roster at 18.00 on Sunday.

#### 6.1.1 Police use of area-denial devices

Initial site observations included the Police's use of extensive area-denial devices surrounding the entire Crown Casino complex. Temporary 3-metre high wire fencing with concrete bases was used as the main cordon around the boundaries of the Crown area. The police area-cordon extended from the southwestern corner of Queens Bridge, along Queensbridge Street to Whiteman Street, along Whiteman to Clarendon Street and then down to the start of Kings Bridge that crosses the Yarra. Kings Way, the thoroughfare that crosses the Yarra and extends through the Crown complex, was blocked by plastic road barriers north of the Yarra and at the point where it passed over Whiteman Street. The Yarra Promenade that covers the banks of the Yarra along Crown's north boundary was inaccessible to the public and patrolled by police.

The police area-cordon had approximately 12 entrances for both vehicle and pedestrian access around the Crown complex which were commonly blocked by orange or white plastic road barriers. Some of these were filled with water, others were left empty to be moved easily

#### 6.1.2 Police presence on-site.

Large numbers of police were evident behind barricades, predominately staffing the entrances in the area-cordon or patrolling areas behind this cordon. Actual police numbers on-site at any one time were not possible to ascertain. There was no police presence on the streets on Sunday evening. When a Legal Observer went around the police lines on the Sunday evening, an estimated 75% of police officers had no name badges on their uniforms or hats. Police, when spoken to, through the cordon fencing, were generally uncommunicative but not hostile. Sunday night was quiet with virtually no interactions between police, security and the few protest groups then on site. No incidents were recorded by the Legal Observer Team.

#### 6.1.3 Aerial surveillance

The Victorian Police helicopters were observed conducting aerial surveillance sweeps of the Crown Casino complex area and surrounding district. Helicopter-mounted crowd monitoring equipment (FLIR) were being used to feed live images direct to the newly established Police Operations Centre at the Victorian Police Centre. This surveillance continued non-stop during the next three days with two helicopters interchanging mid-air after refuelling breaks and crew changes. At times, aerial surveillance was focused on a single area, with the police helicopter hovering relatively low over that area. Generally however the helicopter engaged in broad area sweeps or maintained a position above the Crown Complex.

#### 6.1.4 Video Surveillance and Monitoring

The Police Operations Centre was linked to 23 different video surveillance sources which included live video from VicRoads (the Victorian traffic authority) traffic cameras installed on major roads in the vicinity of the Crown Casino Complex, video cameras installed throughout Melbourne's central business district by the City of Melbourne under its 'Safe City' strategy, and Crown Casino security cameras.

Police also monitored Television broadcast from CNN and other Australian news services at the Operations centre *“to see what is going out to the public and to take remedial action if there is any misinformation,”* according to Inspector Peter Ferguson, head of Police Communications Division. (D24) Traffic and Operational Support Department.

## **6.2 Monday 11 September**

On Monday morning large numbers of the public began to arrive from 0600. The weather at that time was cold and rainy with strong gusty winds. The weather cleared later in the morning.

As the morning progressed there were increasing numbers of reports of incidents police abuse, assaults and use of excessive force, but contrary to the initial expectations of the Legal Observer Team, there were no reports of arrests. The Legal Observer Team was extremely busy and additional volunteers were called in and put on extra shifts. There was a strong sense that we were having difficulty covering all areas where incidents were occurring.

During the day a number of World Economic Forum delegates could be seen being taken into the Crown Complex by motor launch across the Yarra River. Private helicopters could also be seen periodically bringing people into the Complex via the Crown complex's rooftop helipad.

There was widespread concern and astonishment expressed by many people regarding the level of aggression being shown by police, and the fact that most police officers had removed their identification badges.

### **6.2.1 Major Incidents during Monday 11 September**

#### **Clarendon and Whiteman Street intersection**

**Location: Corner of Whiteman and Clarendon Street's.**

**Time: Approx 0800**

**Duration: Approx 10 minutes.**

#### **Overview of Incident:**

Protesters were peacefully blockading at the Police area-cordon entrance at Whiteman and Clarendon Street intersection. Police on foot as well as police mounted on horses charged into the protesters in an attempt to secure access into the police area-cordon. Legal Observers witnessed several people being punched in the face and on other parts of their bodies by police officers. People were kicked, hit with batons, and pushed down onto the ground. Police horses were also ridden into the crowd, and in one report a female mounted police officer, identified as Sergeant [name withheld], reached down from her horse and dragged people below her by their hair. Most of the police officers involved were not wearing identification nametags and did not respond with this information when it was requested by Legal Observers.

#### **Detailed Reports of Incident:**

One male protestor described that his arms were linked and police were pushing their hands into his face to push him back. He said that they were gouging at his eyes, and that police officers pushed their elbows into his throat. When he requested the identification number of one police



officer, this officer was pulled to the back of the line by his superior. (*Incident Report #4, Legal Observer: D. Balterham*)

In Incident Reports 5, 6, & 7, Legal Observer, C. Ravin described two mounted female police officers whom he identified as Sergeant [name withheld], and [name withheld], driving their horses into the crowd. Sergeant [name withheld] was described as dragging protesters by their hair.

Rama Cronin (*Incident Report #8*), a Legal Observer, witnessed 16 police officers moving into the crowd and watched several people nearly being trampled. He saw one person fall down and was reporting this to the First Aid team when he saw the police backing horses in to the crowd, forcing people up against the barrier.

There was also a report of two people, a woman and a man, being beaten by a police officer. Initially the man was beaten, then his female friend was pushed to the ground and beaten also (*Incident Report # 9, Legal Observer C. Ravin*).

In another report a man witnessed a mounted officer, identified as Senior Constable [name withheld], hit two women with his closed fist as he passed them. The witness asked for Senior Constable [name withheld] ID number and was refused. He also asked several other officers for his number and was also refused. He made this request several times and was then approached by [name withheld] and kicked in the stomach. (*Incident Report #12, Legal Observer V. Toy*)

Another police officer identified was Senior Constable [name withheld]. In Incident Report #13A, a male victim, also a witness, reported that he saw a female protester punched in the face by police, and also saw other people being punched when the police line broke. One tall male officer grabbed his hand and twisted his thumb around, apparently in an attempt to break it. He was quoted as saying “*You’re dead mate!*”. The witness stated that throughout the incident, protesters were chanting “No Violence”. He reported police punching and kicking people. He stated that the protesters stood their ground until the police stopped doing this, that the protesters stayed calm and did not want to break the picket. He also reported that, subsequent to this, police were throwing themselves back over the fence and throwing punches at protesters. This man also reported that, at another blockade, 15 police officers tried to break through lines of protesters. He saw someone being hit in the face and reported this to an officer who yelled at him “*I don’t give a fuck mate, you’re next!*”. The protestors were also chanting “No Violence”. (*Incident Report #13, Legal Observer E, Griffith*)

A Legal Observer also reports that, following this incident, people with broken ribs had been attended to by First Aid. (*Incident Report #10 Legal Observer I.Kenny*)

### **Whiteman Street under Kings Way**

**Location: Under Kings Way overpass on Whiteman Street.**

**Time: 09.20**

**Duration: Approx 20 minutes.**

#### **Overview of Incident:**

People were blockading to try to prevent a bus-load of Forum delegates from getting through the police area-cordon. Police had two lines including 12 mounted police on horses, with the protesters in the middle. There were also between 20 and 50 other police at the scene.

The horses were charged into the line of people picketing the entrance. Most police officers were not wearing their identification badges. People reported being punched, knocked over close to police horses’ hooves, having their hair pulled by police officers, and being pushed up against the fence. Police were reported to be pushing in both directions with the protesters trapped in between. Some injuries were sustained by protesters.

### **Detailed Reports of Incident:**

Some police identified at the scene were: [ 5 names withheld]. Also Chubb security [name withheld] was there. (*Incident Report #18, Legal Observer D. Balterham* )

There was an account of someone being dragged along and assaulted by police. A Legal Observer witnessed a woman having her hair pulled by a police officer. She also reported that one young woman had her foot cut open by a horse's hoof. She also saw another man with a badly bruised forehead after being assaulted during the incident. (*Incident Report #19 Legal Observer: S. Allison*)

A Legal Observer reported that one protester was punched in the face by police. She also reported that one woman had her helmet pulled painfully tight around her neck by police. She also commented that there was great danger in the way that the police horses circled around protesters, with one woman falling inches from a horse's hooves. (*Incident Report #20 Legal Observer: I. Kenny*)

This incident was also witnessed by Cloe Beevers, a member of Pt'chang who was at the scene. Angela Jameson, a Legal Observer, substantiates the above statements in her report. (*Incident Report #21, A. Jameson* )

### **Clarendon Street**

**Location: Corner of Whiteman and Clarendon Street's.**

**Time: Approx 09.50**

**Duration: Approx 20 minutes.**

### **Overview of Incident:**

Protesters were blockading a car. A large number of police on foot moved in to unblock the car. Mounted police then charged the crowd. Throughout this incident batons were used by police to beat protesters. Other reported acts of violence including the elbowing, hitting and kicking of protesters by police. Some serious injuries were sustained and ambulances had to be called to treat injured people.

### **Detailed Reports of Incident:**

Adam Beeson, a Legal Observer (*Incident Report #23*) witnessed the following:

*"A group of approximately 8 police in light blue raincoats worked their way into the crowd. About 5 minutes later about 45 police who had been assembled on the footpath opposite the Casino ran into the crowd with their batons drawn and raised. They surrounded the car. About 10 minutes later 8 police horses charged into the crowd led by an officer who I believe to have been Sergeant [name withheld]. There was no warning given. The officer identified as Sgnt [name withheld] then urged his horse on ferociously, as did a female police officer on horseback next to him. The officer identified as Sgnt [name withheld] spun his horse around 360 degrees a number of times. The other police horse followed him in. Both mounted police then pushed their way back out, in conjunction with the officers on foot. I saw one young guy with a serious head wound, he had long hair, a beard, a wound just above his nose. He emerged from the crowd, he had blood pouring down his face. He was attended to by First Aid on the opposite footpath".*

A First Aid report (*Incident Report #23A*) states that a woman was bitten by a female police officer during this incident, and sustained bruising as a result. Another Legal Observer, Nesya Hughes (*Incident Report #24*) reported that police pushed people off the car they were blockading. They also smacked, hit, and elbowed protesters, as well as charging and striking

them with batons. Protestors were also kicked by police. The mounted police charge was also described. This report states that two men needed ambulances called after being hit in the face by police officers. One needed stitches. Both were taken to hospital. There were apparently several other injuries but these were not all able to be recorded by the Legal Observers at the scene.

## **World Trade Centre Carpark**

**Location: Carpark at rear of World Trade Centre (Between Victoria Police Centre & WTO)**

**Time: 12.00**

**Duration: Approx 5 minutes.**

### **Overview of Incident:**

Protestors attempting to blockade a bus-load of delegates. Police charged with batons, and punched, and grabbed protesters. Protesters were split off into rows by police. Some were then pushed between the bus and a row of police horses, and trapped there. None of the police were wearing identification.

### **Detailed Reports of Incident**

Isabelle Kenny (*Incident Report #42*) reported that two people were concussed due to having received baton strikes to the head. One was taken away by ambulance. She also reported that at least one person was arrested but she was unable to ascertain the charge, because the police would not tell her nor allow her near the person. When she stated that he was legally entitled to First Aid attention the police replied that he was "OK". Isabelle wrote in her report:

*"The police were unapproachable. Their hackles were up. I obeyed all their directives so as not to antagonise the situation. (They seemed to clearly see me as part of the protest)".*

Anthony Kelly, a Legal Observer, took several reports from this incident (*Incident Reports, #43, 44, 45*). In *Incident Report #44* he recorded that a woman was verbally abused and grabbed around the throat and pushed with the flat of a baton, resulting in her sustaining minor bruising and experiencing feelings of nausea. The woman reported that the police called her a "*Fat bitch*" and "*Fat cow*". The commanding officer was identified as Inspector [name withheld].

Legal Observer, Vanessa Toy, as described in *Incident Report #47*, had a man report to her that he had been in the front line of protesters and seen police approach in a long line, pushing and throwing punches at the protesters. He said he was punched at least twice in the face, and had his index finger grabbed and twisted by a police officer whom he believed was trying to break it. He received First Aid attention for a blow to his forehead and his injured finger.

## **6.2.2 Other individual incidents on Monday 11 September**

There were 38 additional incident reports taken by the Legal Observer Team during Monday 11 September that were not connected to the major incidents reported above.

The most numerous type of reports, of which there were ten (*Incident Reports 14, 26, 28, 31, 39, 41, 48, 49, 52, 55*), were of police hitting, kicking, using batons on and grabbing the throats of protesters on blockades.

The next most numerous type of report was of police violence against an individual who was either relatively isolated from other people (*Incident Reports 24A, 36, 53, 56, 57*), or who was dragged by police from the crowd, taken behind police lines and then assaulted (*Incident Reports 17, 33, 38, 50*). There were nine such reports on Monday.

The people assaulted were not arrested (and in fact were not usually reported to be engaged in arrestable activity). Rather it appeared to observers that at times, individual police officers had decided to mete out summary punishment in order to intimidate and punish participants.

There were also eight reports of the use of excessive force, where police had either tried to move protestors, tried to get World Economic Forum Delegates or others through a blockade, or charged a blockade with batons with no discernable objective. These reports included descriptions of the polices' use of batons to the chests and heads of protestors, as well as the pulling of hair. (*Incident Reports 15, 27, 29, 32, 35, 37, 52A, 52B*).

In the vast majority of the cases above it was not possible to identify individual police officers, due to almost all police having removed both hats and name badges.

### **Individual incidents include the following:**

Around 0800 on the corner of Whiteman and Clarendon Sts, a person was assaulted by a police officer identified as Sergeant [name withheld], resulting in the person receiving a bleeding nose and broken glasses. (*Incident report #57, Legal Observer A. Kelly*).

08:00 East Side of Main Gate, Police Entrance Point. Legal Observer Carolyn Shurey (Incident Report #3) received a witness statement from a female protester about some cars with Forum delegates trying to get through a human blockade. Police surged forward, pinning two rows of protestors onto the car. The woman witnessed an older police officer, who was not wearing I.D, kicking a protester who was unable to move.

08:40, Under Kings Way, on Whiteman Street, a woman was punched in the face by a police officer. (*Incident report #14, legal observer E. Griffith*).

09:15 Under Kings Way, a man reported being taken by police, having his head bashed against concrete walls and being kicked in the testicles. The police officer was named as Sergeant [name withheld]. (*Incident report 17, Legal Observer E. Griffith*).

09:30 – 10:00. Haig Street underground carpark blockade. Anthony Kelly, Legal Observer (*Incident Report #22*) received a witness statement from a man who saw a plain-clothed police officer jump over a police barrier from the police side, run approximately fifteen feet into the crowd, and punch a woman in the side of her face with a closed fist. He then continued running to jump over another police barricade into the underground carpark and back into the Crown Complex.

09:30-10:30. On Flinders Street, a woman in the back seat of a moving police car was observed being hit by an angry-looking policeman (*Incident Report #24A, witness statement taken by legal observer N. Reading*).

11:30, a woman was observed being grabbed by the hair and pulled over the police barricade. The woman later reported that she was pulled by her hair over the barricade and some distance along the ground, and then had her left arm jerked behind her back. Police continued to hurt her despite her saying "*I'm not fighting, please don't do that, you're hurting me*". She was led through the Casino by a security guard and released through another entrance. (*Incident report #33, legal observer Deb B., later information taken by legal observer L. Padgham*).

12:00, WTC carpark: A woman was observed being kicked in the chest while picking up a hat just in front of the police line. (*Incident report #41, observation by legal observer E. Griffith*).

1400, Kingsway overpass, a man was pushed backwards over a road barrier to the road approximately 2.5 metres below. An officer identified as Senior Constable [name withheld] was noted as being involved. (*Incident report #36, taken by legal observer A. Kelly*).

15:30, Queensbridge and Southbank, a woman, was grabbed from behind around the throat by a police officer. The woman said "*Let go of my throat*". The police officer replied "*Fuck off moll, you*".

*shouldn't be here". The police officer flicked her in the face as he let her go. (Incident report #49, observed by legal observer A. Kelly).*

16:15, ramp to Crown carpark, a man was observed trying to climb over the railing into the police area. He was dragged over the railing by six police, then another four police joined and pulled off most of his clothes. He was then dragged to a stairwell out of sight. The man said he was bashed in the stairwell and threatened by police with further violence if he returned to the scene. *(Incident report #50, taken by legal observer R. Cronin).*

18:05, Kings Way, Crown entrance ramp, a woman and a man were repeatedly hit, then the man was lifted off the ground by the neck, kicked and kned in the back. *(Incident report 52 taken by legal observers J. Symons and C. Shurey).*

19:00. corner of Queensbridge and Whiteman, a member of the public reported that an unidentified man was attacked by a group of police officers who hit him with a baton, pushed him to the ground, pulled his hair and ground his face into the bitumen. *(Incident report #56, taken by legal observer Melissa Noonan).*

## 6.3 Tuesday 12 September

### Summary of Incidents

On Tuesday there was a significant escalation of violence by the police. Particularly during two major police crowd-control surprise charges involving both Force response Unit and Mounted Police at 0700 and again at 19:30.

The day was fine and warm and during mid-morning the trade unions arrived, swelling the numbers of protesters. By evening there were smaller numbers of people. Between 19:30 and 20:00 there was another baton charge by police, evidently in order to clear a path to escort delegates from the Forum. There was widespread shock and concern expressed by people at the extent of the injuries sustained by protesters, and at the level of apparently planned and condoned police brutality.

### 6.3.1 Major Incidents on Tuesday 12 September

#### Force Response Unit Baton Charge

**Time: 07:00**

**Location: Queensbridge\ Whiteman\ Power St**

Approximately 60-100 protesters were sitting with linked arms, mostly with their backs to the barricade at Queensbridge St and Whiteman St. when, without any prior warning, the police staffing the barricades moved aside and approximately 200 FRU police in riot gear charged the protesters. Protestors were punched in the face, the back of their head, kidneys and backs. *(Incident Report #64, - Liz Scarfe)* . Batons were widely used to beat protesters repeatedly around the head and shoulders *(Incident Report #61- M.Noonan, #65-Liz Scarf, 66-L. Scarfe,67-D. Balterhan).*

One protester reported that without warning he had riot police, who had approached him from behind, standing on his head, and was dragged about forty meters from the blockade. When he

asked the police if he had done anything wrong or if he was being arrested, he received no reply (*Incident Report #70a-Legal Observer: B. O'Neill*). He said the police retreated as a bus carrying Forum delegates approached, but then he was jumped upon by 3-4 police who held him down, kicking and punching him about twelve times as the bus passed. He also complained that he saw no name badges, which was a recurrent complaint received from protesters who wished to identify individual officers.

Protesters were also stepped on and kicked repeatedly, including in the head and genitals (*Incident Report.# 65-L.Scarfe; 66-L.Scarfe; 70b- B.O'Neill; 70c-B.O'Neill; 71e*), and one woman had a horse stand on her foot for about one minute, while she screamed for it to get off (*Incident Report #70-M. Noonan*). Another protester was grabbed by the neck and had his face ground into the road, resulting in bleeding and bruising to his forehead (*Incident Report #62, M. Noonan*). The unprovoked nature of the attack reportedly surprised the protesters, as did the apparently aggressive attitude of the police, exemplified by a report of one policeman saying "Let's kick some feral butt" (*Incident Report #65, L.Scarfe*).

### **Force Response Unit Baton Charge**

**Location: Queensbridge/Power St**

**Time: 19:35**

At 19:22 on the Queensbridge/Power Rd blockade, about 40 police joined the 30 already there staffing the gates, where they formed lines. Some police left a few minutes later. Approximately 100 protesters were present, gathering peacefully in front of the water-filled barriers. At 19:40, without any warning, approximately 150 Force Response Unit (FRU) riot police sprinted towards the blockade from within the Casino grounds. The uniformed police moved aside very quickly as the first 10-15 FRU police jumped over the barricade, beating the first row of protesters with both fists and batons. 3-4 riot police leaned over the fence and beat protesters with batons from above, as the rest of the assembled police stormed through the barricade and over the protesters. Within 10 seconds of the riot police appearing, protesters with bloodied heads were observed. In the next five minutes, riot police belted protesters with batons and fists apparently indiscriminately, forming a wedge, then a corridor, through the blockade and up Power St. They joined with the mounted police who had charged the protesters from the opposite side, sandwiching the protesters between swinging police batons and horses (*Incident Report # 103-I. Lees*). During this mounted charge, horses were seen rearing up, with their hooves then coming down on people (*Incident Report # 103a-M. Noonan*).

At least ten people who had been trapped inside the police wedge were beaten with batons(*Incident Report # 103- I.Lees*). One protester put his hands in the air and walked slowly away saying "I'm leaving", but was repeatedly struck by police with batons. His hands were grabbed by police as he was hit on the back and was grabbed from behind and swung into a wall (*Incident Report # 103c- M. Wade*). Other protesters were thrown under police horses or violently through police lines.( *Incident Report # 103- I. Lees*).

Protesters had their heads forced onto the road and their faces ground into the asphalt (*Incident Report # 103a-M.Noonan*). Police shouted "Move! Move! Move!" as they beat and kicked people to the ground (lincident Report #103d-A. Kelly). Police pulled a woman who had fallen over by the hair for approximately ten metres, then hit her as they screamed at her to get up. (*Incident Report # 103J-S. Gale*). One report was received from a man who told three riot police who were hitting a man lying on the ground, to " Let him go! He's not resisting! Let him go!" One of the police then turned around and started swinging at him, hitting him forcefully on the right hand. When the man continued to plead with them to stop, the riot policeman chased him down the street while the other two continued to beat the man on the ground (*Incident Report # 103x-M.Noonan*).

Another protester saw people being hit in the head and bodies and pleading with the police to stop, which they did not. He was then hit on the leg himself by a baton by a police officer, fell to the ground, was kicked and punched by police and kicked by a horse as the police pulled him up. He was then hit in the arms and chest before being pulled away by other protesters (*Incident Report # 103k-S.Gale*). After experiencing similar violence, one protester walked up Power St to a police car and asked for an ambulance, where he was told to "fuck off you cunt-etc" and "you were standing in the road" by police (*Incident Report #103 Legal Observer:-M.Heath*).

12-14 buses drove through the police corridor into the Crown Casino, leaving ten minutes later with delegates onboard. The police retreated back inside the area-cordon fencing at approximately 20:15.

At all times, the protesters remained peaceful, despite being visibly hurt, angry, and in shock. The only protester violence observed by a Legal Observer at this incident were pieces of banana being thrown at police and verbal abuse which only occurred after the baton charge. Neither the ordinary uniform, Force Response Unit nor mounted police appeared to have any form of identification displayed. (*Incident Report # 103- I.Lees*).

Legal Observers collected 27 reports from this one incident, all describing large amounts of unprovoked and extremely excessive violence against peaceful protesters. The injuries resulting from this incident were extensive, ranging from cuts, grazes and bruising, to broken bones, concussion and severe shock. One person was reported unconscious (*Incident Report # 103m-S.Berryman*).

### **6.3.2 Individual witness reports of the Tuesday FRU baton charge.**

#### **Statement by Legal Observer Ingrid Lees**

*"Mary Heath and I had been at this location since about 7:10/7:15pm As legal observers, we were watching police movements and numbers. When we first arrived, the situation appeared stable (as compared to other blockades). Approximately 20 to 30 uniform police were behind the water-filled barricades, and approximately 100 protesters were gathered peacefully in front of them. At about 7:20 pm, about another 40 police came in, stayed for a few minutes, and then left again. Unsure of what was happening (or where the delegates' buses would leave from) we started to head towards the Yarra to the blockade closest to the S11 stage. When level with the Crown Casino driveway, I noticed a line of pairs of riot police, face masks on, all facing the site we had just left. Previously, when we had seen the group of riot police, I had counted approximately 150 of them. I would say that this line included an equivalent number of riot police. Still unsure of what would happen, we were going to continue on to the 'stage' blockade, when very suddenly a group of about 10 police close to the Queensbridge fence turned and began walking very quickly towards the Power/ Queensbridge site. We turned back and returned to our original location. One or two minutes later, at approximately 7:35pm, the entire line of riot police absolutely sprinted towards the blockade. The uniformed police moved aside. This happened VERY quickly. The first batch of riot police, about 10 to 15 of them, jumped over the barricades. On the side that I could see, two or three riot police came over the fence, leaned down into the crowd, and started belting away at protesters with full force with their batons. Within only about ten seconds of my first seeing the riot police running towards the blockade, a protester came stumbling out towards me, half his face covered in blood.*

*For the next five minutes, the riot police charged out into the crowd, belting away at protesters apparently indiscriminately. Police formed a wedge into the crowd which they then formed into a corridor running down Power St.. Police on horses came in front of the riot police, finally finishing the corridor formation. In those five minutes, I saw LOTS of incidents of excessive and highly*

*unnecessary force. I saw one girl repeatedly hit by a baton directly in her abdomen, until she was several metres back from the edge of the crowd. I saw too many people with too much blood on their faces. At least ten people in the section in which I was, were thrown out of police lines, having been trapped inside. Some were thrown under the horses. All had been hit with batons and were evidently in deep shock. – Shortly afterwards, 12 to 14 buses accompanied by a strong police vehicle presence drove out the between the police lines. The police retreated at approximately 8:15pm. During this time, the police maintained their lines, and protesters remained peaceful, despite being obviously hurt, angry and in shock. The only things I saw thrown at police inside the area of the Crown Casino, were pieces of banana and verbal abuse. No uniformed police, riot police nor those on horses appeared to have ANY form of identification displayed.”*

*(Incident Report #103-I.Lees)*

### **Statement by Legal Observer, Mary Heath**

*”I think I need to say by way of introduction that I had been on shift as a legal observer since 12.00... and had been due to knock off at 18:00,so by the time this happened my partner in legal obs and I were heading back to base. To my knowledge there were several other Legal Obs folk present during this baton charge. I was paired with Ingrid Lees (from Adelaide) who lodged a separate incident report describing what she saw. She and I had been on the far side of the Casino for much of the day but immediately prior to this baton charge we had left our position on the Spencer St Bridge because the blockades there and along Spencer St in front of Planet Hollywood which we'd been observing for some hours had all agreed to abandon their blockades and been seen off by the police smiling, waving, laughing. Workers and other folk had immediately begun exiting the Casino site on foot unimpeded (ie there were plenty of ways to leave the site without dealing with a blockade at this point in the day).*

*We walked around the building toward King's Way. The blockade at Clarendon and Whiteman was still active but not very sizeable. We continued past places where there had been blockades earlier in the day around the car parks in Haig St and Haig L. Nothing was happening there, blockades abandoned. Under the Kings' Way overpass things were very tense and there were a fairly sizeable number of people spread across two exit points. There were a good number of LOs there after a while so we continued toward Legal Observer Team Communications base. We arrived at Queensbridge and Power at some time around 19:00.*

*Jeremy Urquardt (Adelaide) was one of the LOs onsite at that time and he was speaking to everyone with any kind of camera and asking for their contact details. A few commercial photographers refused, but his incident report will have included the rest. He told me that shortly before we arrived numbers at Queensbridge and Power had been down around 20-50 protesters (ie the opportunity to force an exit corridor there with minimal confrontation had been available but had not been taken up). By the time we arrived there were more than that and numbers were rising. Things felt tense but it was hard to say confidently what would happen next, just as it was difficult to say whether anything would happen in King's Way.*

*I identified police movements as follows:*

*19.22 police massing just inside barricade (ie numbers noticeably increased)*

*19.25 police form lines (inside the barricade and in front of those blocking the exit point there)*

*19.27 change front line officers, a large number leave (ie a dramatic drop in police numbers, by about 50-100) In retrospect I think this was the reverse of a warning: I would have thought it was more likely to be interpreted as a sign the situation was de-escalating.*

*We took up what we thought was the best vantage point in which we could expect to hold a position, which was on the Yarra side of the exit point, ie on the right hand side of the exit as you faced the Casino. We were about 2m away from the point where the exit point (closed with*



*plastic water filled barricades) ended and a concrete barricade with a high wire fence on top of it began, and were pressed against the concrete barricade. At this point there were no more than 300 activists at the blockade. Perhaps 100 of them were making any attempt to blockade the exit point, the others were milling around rather than engaged in linking arms, etc.*

*19.40 Force Response Unit police, fully equipped with riot clothing, helmets, visors and batons, sprint out of the casino. There were too many to count. An ABC journalist said 200-300 - I would certainly have said at least 200. The first riot police mounted the barricade and leaned out beating people over the heads with batons. The first one, closest to us, had a name tag on but I could not read it from where I stood. S/he (I think he) stood on top of the plastic barricade, held the wire fence with his left hand, and hit as many people as he could reach from that point at least 1m above them, with heads being the main target.*

*The first man to stagger out toward us had blood over half his face. People were thrown out or crawling out dazed and wounded from inside the police wedge. It was quite clear from where we stood that batons were being wielded inside the wedge and that people were being kicked by the police. Yet the police lines were so tight that those who were able to escape mostly had to do so by crawling out between their legs as best they could. Police with their batons extended formed a corridor on the outside of this wedge. Mounted police came from the other direction (ie from Power St) to form another line between between us and the police line.*

*I could hear the sounds of running feet as what seemed to me to be hundreds of uniformed police come running out through the corridor created by the riot police. People were still inside the police wedge and crawling or being thrown into horses, crawling between horses' legs with metal guards on them attempting to get away from the police. Many were bleeding, all were shocked. I personally spoke to and witnessed the injuries of people with lumps already forming on their heads and faces. I saw a number of people bleeding from head injuries. The horses were frightened and trapped between two masses of people.*

*Ten minutes passed while vehicles drove in and formed a mass inside. Jeremy Urquardt took the names of any police he could find name badges on during this time. I had a conversation with a print journalist from the British Telegraph whose name is recorded on my incident report. More motorbike police than I thought possible led off and 12 buses followed them out of the Casino.*

*I took an incident report from one man in particular who had been a witness to the beating of someone who was later taken to hospital, and many other incidents since after the baton charge more Legal Observers were sent to the site to take reports.*

*There was definitely no warning before the charge, and there was nothing visible that a warning could have been made with (megaphone, microphone). We were there before it began and there was absolutely no incident in the crowd before the riot police came over the barricade."*

### **6.3.3 Other Incidents on Tuesday 12 September**

On Tuesday there were 34 reports received of incidents in addition to those relating two major incidents. The most common type of incident was of police violence against individuals who were part of a crowd of protesters. There were thirteen such reports, again including descriptions of the use of batons to the heads and upper bodies of protesters, in some cases leading to bleeding from the head (*Incident Reports 74, 75, 77, 78, 79, 80, 80A, 81, 87, 90B, 91A, 92, 92A*). Sometimes those assaulted were people in the back lines of blockades; at other times police officers reportedly came over the barricade in a group, hitting, punching, kicking and pulling hair

of protesters. Mostly officers could not be identified due to lack of hats or name badges.

Between 02:00 and 02:30 on Tuesday morning, Kings Way overpass, police officers were hosing down people with fire hoses as the officers were filling the hollow barricades with water. In one case two females, who were apparently tourists unconnected with the demonstration, were hosed down. The incident only stopped when the Legal Observer reported the incident to a senior officer. *(Incident report #58, S. Berryman).*

06:45, Crown Entrance opposite Exhibition centre, a man on a bicycle lay on the ground in front of a group of men in suits, as symbolic protest. The men turned out to be plain-clothed police, who kicked him, hit him with a metal rod *(possibly an extendable baton which are mostly carried by plain-clothed CIB)*, stood on his face, pulled his bike helmet strap tight around his neck, handcuffed him and took him into the Casino carpark. He was verbally abused, harassed and body-searched. He was threatened with arrest for allegedly assaulting an officer. He was later asked by police officer D.S. Murray if he wished to make a complaint. He felt intimidated and unsafe and replied that he wasn't sure. *(Incident report #60, legal observer: M. Noonan).*

07:50, Queensbury square, person dragged over the barricade and punched in the face. *(Incident report #72, legal observer I. Kenny).*

Around 08:30, Power St and City Rd., two female officers charged their horses into a group of protesters who were standing around, for no apparent reason. *(Incident report #76, legal observer: L. Padgham).*

08:30, Queensbridge St. main stage area, a police officer was observed indiscriminately hitting protesters on their arms and heads. *(Incident report #77, Legal Observer: I. Kenny).*

08:30, Queensbridge St. main stage area, a man reported being choked by several police officers who twisted his collar around his neck and held his nose to prevent him breathing. Bruising on the man's neck was observed. *(Incident Report #77, Legal Observer I. Kenny).*

08:30. Queensbridge St., Camera snatched from legal observer by police officer and legal observer hit in the face. *(Incident report #77, taken by I. Kenny).*

08:30. Queensbridge St., Protester hit hard with baton by a police officer, resulting in blood pouring profusely from the protester's ear. *(Incident report #78, legal observer L. Bennett).*

11:55. Kings Way, under bridge, police officer observed standing on the head of a woman who was lying on the ground. *(Incident report #82, legal observer: C. Evans).*

12:00, Spencer St., near the aquarium, a man (name withheld) tried to stand in the way of a delegate leaving the area, but protesters were few and the delegate successfully pushed past. Police then ran to the man and he was pushed into a pole, resulting in his being taken to hospital and receiving four stitches. *(Incident report #84, legal observer: M. Wade).*

16:00. Haig St., a protester was approached from behind and grabbed by four police officers, then taken into the Casino grounds behind the police lines. One of the police officers was identified as Senior Sergeant [name withheld]. *(Incident report #90A, legal observer: M. Wade).*

17:00. Haig Lane, a protester tried to stop a security guard from scaling the wall into the Crown Casino carpark. Police hit him on the back of the head with a baton, grabbed him by the hair and banged his head on the barricade. *(Incident report #99, legal observer M. Noonan).*

There continued to be reports of individuals being forcibly taken behind police lines and in some cases physically assaulted. One officer who was identified as having dragged an individual into

the Casino grounds was Senior Sergeant [name withheld]. In this case it is unknown whether the person was assaulted. In another incident a policeman was reported as having deliberately stood on the head of a person who had been pushed to the ground.

14:00. tunnel on Kings way, two young women were approached by police officers in the tunnel on Kings Way, where a police officer reportedly held a baton under one of the women's faces and said: *"I love smashing fucking feral faces with this thing, I smashed three people's faces this morning ... I love this part of my job and get paid for it"*.

As they approached the end of the tunnel she was told *"Get out of my face you fucking slut"*. (Incident report #88, legal observer M. Noonan).

15:40. Clarendon Rd., a man was pulled from the blockade into the police area, was punched and kicked by police, then thrown back into the street area. (Incident report #90, legal observer M. Wade).

16:00. Clarke and Haig St., four police jumped the barricade, grabbed a male and a female protester and dragged them towards Clarendon St. An additional 10-15 police then jumped over the barricade and also started manhandling the protesters. An additional 8-10 police jumped over and pulled out their batons. The charge was led by an officer identified as Sergeant [name withheld] (question of-spelling). (Incident Report #94, legal observer M. Noonan).

16:30. level 2 carpark, man arrested by police, no reason given. (Incident report #92A, legal observer C. Ravin).

## **6.4 Wednesday 13 September**

There were considerably fewer people at the site on Wednesday. There was noticeable tension, fear and concern amongst people present regarding the prospect of further police assaults and serious injuries.

### **6.4.1 Major Incidents on Wednesday 13 September**

#### **0700. Spencer St Bridge**

Approximately 60 protesters were on the Spencer St Bridge in three groups forming picket lines at 0700. Police in full riot gear began rounding up protesters and pushing them towards the north end of the bridge. A large group of police came from the other side of the protesters, hitting them with fists and batons (Incident Report # 133- V. Toy) and dragging them by their hair off the bridge. Protesters reported being surrounded by police and being violently pushed back and forth between them (Incident Report # 131- P.Ekke). One protester received blows to the back of the head and was dragged approximately 50 metres (Incident Report # 132- P.Ekke).

The polices' behaviour was reportedly physically intimidating and aggressive, with police screaming contradictory commands at protesters, and pushing and hitting the protesters with batons as they held up their hands, crying "Peace." (Incident Report #133- V.Toy). This incident was also witnessed by a Reuters cameraman.

#### **Woman run over by police vehicle 17:50 Queensbridge and Power St.**

Protesters were dancing and sitting at the intersection of Queensbridge and Power St. when a dark-coloured sedan approached from Power St. People stood in front of the car in order to stop

it. A male plain-clothed police officer got out of the passenger seat and identified himself when asked, by flashing his identification card.

The protesters stood and sat in front of the car and to the sides of the car, indicating that they wouldn't let the car through. One protester said, "*Just because you're police, doesn't mean we'll let you in.*" The police officer retorted, "*Either we go in this way or another gate,*" to which the crowd responded, "*Well, go in another one then.*"

The officer got back into the vehicle and the protesters surrounded the front and sides of the car as it began creeping forward, although there was room behind it to reverse. The protesters were shouting and gently rocking the car when it accelerated suddenly, running over the leg of one female protester. The car stopped on her leg as the protesters shouted for it to stop, then it rapidly accelerated in a cloud of smoke and screeching wheels down Queensbridge St.

Approximately 20 police then approached from behind the barricades with their batons drawn, poking and threatening protesters away from the injured woman and surrounding her for approximately ten minutes before an ambulance arrived and took her to hospital.

The police kept their batons raised at the ready in front of them for a further five minutes after the ambulance left.

The incident was widely reported in the media with this account compiled from several incident reports. (*Incident Report #148- K.Cooper;149- J.Edge and 150- Melanie*)

### **18:10 Haig Lane Baton Charge**

Protesters were blocking Haig Lane when buses containing Forum delegates arrived. Police formed a line and charged the protesters without warning, punching them in the stomach and chest with closed fists, batoning them in the ribs, dragging them by their clothes and, in one reported case, by the throat, to the side of the road (*Incident Report #155, M Noonan*).

One report was of a woman in a nuclear bomb costume who was thrown to the ground without warning. She was repeatedly pushed to the ground while being told to stand up, and stomped on at least six times before being dragged across the street with half of her costume coming off. She was visibly terrified and screaming. When she tried to crawl out of her costume, she saw and felt a police officer's boot on her head (*Incident Report #157- J.Edge*).

### **18:15 Clarendon /Whiteman St Gate**

A male protester was sitting with 4-5 others against the barricade when a car approached. The police officer asked him to move and he complied. The police opened the barricade from behind them, then one officer pulled the man up by the hair and dragged him across the road. He was grabbed by the testicles and dragged further over in order to allow the car through the gate (*Incident Report #156- M.Noonan*).

## **6.4.2 Other Incidents on Wednesday 13 September**

There were fifteen additional incidents reported on Wednesday, which was fewer than on Monday and Tuesday, although it is unclear whether this was partly due to smaller numbers of Legal Observer's on-site for that day.

A police officer identified as [name withheld] was reported twice by protesters in relation to sexual harassment. At one point he took his baton, rubbed it against his face and used it

suggestively. At another time he was reported blowing kisses and making suggestive comments to protestors.

Incidents Reports on Wednesday mostly recorded less violence than those on previous days, although one report involved a man being struck in the ribs with a baton by a police officer and being taken to hospital by ambulance. Two arrests were reported - one for tampering with a vehicle and one for obstruction of the peace. The man arrested for the latter offence had multiple bruises and a split lip with blood around his mouth.

## **7. Legal Observers interactions with Police**

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### **7.1 Police Liaison Meeting Prior to event**

Pt'chang Legal Observer Team held a meeting with senior Police on 5 September prior to the beginning of the protests. At this meeting Legal Observer Team representatives clearly outlined the roles and mandate of the team, and provide copies of the Legal Observer Team Protocols document.

At this meeting it was specifically requested by the Legal Observer Team for senior police to ensure that all police officers on duty during the operation at the Crown Casino complex would be briefed on the Observer Team's role and mandate. This request was to ensure that police on the ground were aware of and understood our role and also to ensure the safety of members of the Legal Observer Team. Representatives highlighted that Legal Observers would not be deliberately placing themselves in arrestable situations or participating in the protests in any way.

Chief Inspector Bob Graham, Operational, Planning and Coordination, who was present at the meeting, assured the Legal Observer Team representatives that this briefing would occur.

Despite this assurance, on several occasions during the event, Legal Observers were abused, or physically pushed by police officers. A camera was taken from a Legal Observer on Tuesday morning by a Police officer and at other times, as described below, pushed and manhandled.

At other times it was observed that the presence of a Legal Observer had a deterrence effect. Protestors often remarked that police would behave noticeably less abusively whilst a Legal Observer was in sight, but that verbal harassment of protestors would continue once the Legal Observer walked away. It was also noted by many Legal Observers that some Police would remove their own nametags when approached by a Legal Observer. The often high level of resistance by police to questioning by Legal Observers also indicates some awareness of our role.

Overall, Police communication with Legal Observers on-site during the protests ranged from friendliness, to ignoring to hassling and interference.

### **7.2 Individual incidents of harassment by Police**

**Statement by Legal Observer Melissa Noonan**

**Date: Wednesday 13th September 2000**

**Time: 17.45**

**Location: Clarendon Street**

*"I was on duty as a Legal Observer during Wednesday afternoon. I had been on patrol around the Clarendon Street barricade and had been taking down incident reports from earlier incidents during the protest from protesters there. Whilst I was attending to this I observed about eight police officers running toward a lone man across a small park area to the right hand side of the barricade. The park area had grass to both sides of a gravel path.*

*I got out my camera and ran towards the scene to take photographs of the police as they attempted to catch and detain this man. I was running alongside the group of police and some other protesters who had also come over to observe what was happening. The police had managed to grab the man and were dragging him along by the arms back towards the Casino. In my attempts to take photographs and run along the path I was tripped up by someone's foot in front of my own and I could not avoid falling heavily down onto the gravel path, severely grazing my right hand, both arms, particularly my right arm, and my left knee. When this occurred my camera flew out of my hand along the ground. I remember feeling quite afraid at that point of being trampled by the crowd as I needed help to get up. I was immediately assisted by some protesters who helped me up and supported me to sit to the side of the Clarendon Street barricade.*

*I then made enquires as to where my camera had gone. One of the protesters handed it to me, and said that he had seen a police officer pointedly kick the camera away when I had dropped it, and had been going to pick it up, but the protestor had quickly picked it up before he got to it. To all appearances it had seemed to be an attempt by the police to confiscate the camera.*

*Another interesting reflection of this incident was that at no stage did any of the large number of police in the area make any inquiries as to my health, despite the fact that it was quite apparent that I was bleeding and injured. My impression was that they appeared totally indifferent to this, if not some officers actually appearing to be pleased that I was injured, despite my being fully identifiable as a Legal Observer. In sharp contrast I was almost embarrassed by the degree of concern, assistance and general care shown to me by the protesters who were at the scene including rapid first aid and treatment of my injuries."*

**Statement by Legal Observer Melissa Noonan**

**Date: Wednesday 13th September 2000**

**Time: Approx 18.15**

**Location: Haig Lane**

*"Less than half an hour after the above incident, I heard over the radio that Legal Observers were needed around the corner at Haig Lane. Myself and Anthony Kelly, another Legal Observer with whom I was working, immediately attended the area. As I approached the carpark area, a police line including police officers in front and police on horses behind formed. This essentially meant that I was on the other side of the line to where most of the protesters were.*

*As I walked towards the front of the line to observe what was happening, I noticed that a young man was being dragged off by some police, away from the main blockade and back from where I had come towards Clarendon Street. I got out my camera to take photographs of this and was suddenly grabbed forcefully by a male police officer and shouted at "Get out of the way!". He then dragged me forcefully from behind the line where I had been standing and shoved me aggressively to the front of the line. As he was shoving me I stated loudly and clearly "But I am a Legal Observer". He did not pay any attention to this and said something to the effect of "Get out of my sight" as he pushed me into the crowd. I then attempted to take a photograph of the officer, and asked him for his name, rank and station, however he quickly turned his back and disappeared behind the police line and then walked away so he was out of sight.*

*None of the other police who witnessed this event were prepared to tell me who he was, and when I tried to go back to where I had been, to try to see what had happened to the young man I had originally been tracking prior to this, they blocked my path and would not allow me access."*

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