

## Item 11.6

### Notices of Motion

#### Recent Police Intimidation of Peaceful Protesters in the City of Sydney

By Councillor Ellsmore

It is resolved that:

(A) Council note:

- (i) on 21 November 2022, Council passed a motion acknowledging that the right to protest is fundamental in a democratic society, and condemning harsh police practices with respect to protesters;
- (ii) in December 2022, the Lord Mayor wrote to the NSW Attorney General, the NSW Shadow Attorney General, the NSW Minister for Police and the Commissioner for Police:
  - (a) to express support for the right to peacefully gather, meet, and assemble in NSW;
  - (b) to express the City's support for the repeal of protest laws which had been introduced in April 2022; and
  - (c) to call on the NSW Police to cease pre-emptive and heavy-handed policing of protests, of climate protests;
- (iii) the catalyst for the motion of 21 November 2022 was the arrest of Violet Coco, who was arrested for peacefully protesting the climate emergency on the Sydney Harbour Bridge;
- (iv) since this motion passed, there have been numerous instances of arrest and detention being used against peaceful protestors. Examples include:
  - (a) on Friday 17 February 2023, a peaceful student rally was held at Martin Place. The protest was held outside the Martin Place offices of the Commonwealth Bank and the Reserve Bank of Australia, with the aim of highlighting the record profits reported by Australia's major banks while the living standards for young people are falling. At midnight that night, police went to the home of one of the organisers - University of NSW SRC Education Officer Cherish Kuehlmann. She was arrested and placed in custody for several hours, before being released; and
  - (b) anti-war campaigner Stephen Langford has been sticking an A4 note to the statue of Governor Lachlan Macquarie, quoting an 1816 directive from Macquarie ordering the killing of Aboriginal people by British troops. It has been reported that Stephen was later arrested outside the front of Sydney Town Hall and taken into custody, and charged with graffiti offences; and

- (v) police bail conditions are regularly imposed following arrests at peaceful protests, with a common condition imposed that a person charged is banned from a 2km radius of the CBD. The Deputy Lord Mayor's Office has been advised that in both Cherish and Stephen's cases these police conditions were imposed, and subsequently varied or removed completely by a Magistrate;
- (B) Council reaffirm its support for peaceful protest, and its opposition to heavy handed policing; and
- (C) the Chief Executive Officer be requested to provide advice to Council about additional, practical steps the Council could consider, to support the right to peaceful protest. This could include but is not limited to: the development of clear advice or a guide for groups or individuals seeking to organise a peaceful protest on public land, about how they can do so; provision of a standard letter or advice affirming the Council's support for peaceful protest which groups can use in discussions with police; and convening a forum or other discussions between Council and police to discuss the changes to policing noted above.

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