

Sent: Tuesday, 3 May 2005 12:31 PM

To: Committees

Subject: Inquiry - police powers of crowd control

INQUIRY: POLICE POWERS OF CROWD CONTROL

Responding specifically to the three terms of reference set down for the inquiry:

- Current police powers under legislation:

As a “ordinary citizen” the issue as I view it, is not whether there should be adjustments to the legislation, but rather that the police should be permitted to fully discharge their duties without interference and unwarranted criticism from either our politicians or various vested interest groups within the society. I would suggest that the majority of Australians, like myself, are very tired of seeing police actively prevented from doing what they are supposed to do, which is to maintain law and order.

- Whether there have been instances of misuse of current powers:

On the contrary, I feel the police are actively impeded in using their powers. I believe that by trying to respond to every criticism levelled at the police force and by not supporting police officers, as a society we have created a police force which is ineffective and worse still, perceived as such by large sections of society. This is in fact now feeding on itself and encouraging people to try criminal behaviour because firstly, they are likely to be able to get away with it entirely, and secondly, because even if they are caught, the penalties are negligible to the point of being a farce.

As an illustration of an incident concerning crowd control, I would bring to your Committee’s attention an event that occurred approximately one year ago, in the “prestigious suburb” of Red Hill. A private party was being held for two sixteen year old girls. The party was to be held from 7.30 – 11 pm, and attendance was strictly by invitation only. NO alcohol was being provided for the party. Having heard a few cautionary tales, the girls’ parents organised a couple of large University students to turn away unwanted guests, and a male parent also volunteered to provide assistance. At 7.30, swarms of uninvited young men tried to get in through the door. When turned away, they refused to take no for an answer, and tried to argue, harass and even sneak their way in through the back door. They sat around in cars a short distance away and started drinking. Getting concerned that the situation was getting out of control, the parents called the police. The police arrived and had discussions with the crowd. The young men appeared to agree to leave. The police then drove away and the young men returned to try to push their way in to the party again. Then, one of them threw a full bottle of beer from some distance away, at the University students. Given the possibility of injuries from such acts, the parents thought it best to summon the police again. When the police arrived, their proposed course of action was not to tackle the trouble-makers. Instead, they said that if things continued, they would shut down the party. In short, a perfectly legal and respectable event where kids were enjoying themselves would be halted in preference to actually taking action on a bunch of hooligans who appear to believe they have the right to force their way into private premises because they happen to want to do so. And just for the record, these

were not young men from “disadvantaged backgrounds” as sections of this society often try to argue. Some of the young men concerned came from Canberra’s leading schools.

If this type of incident can occur a couple of kilometres from Parliament House, where a need for security and keeping things under control is presumably well recognised and acknowledged, what kind of situation might arise in the rest of the country? We appear to be astounded that a “Redfern or Macquarie Fields” occurred, but the reality may be that such riots are far more likely than we realise.

Rather than continually placing police in impossible situations, I would suggest police are given more powers rather than less, and the presumption should be that the police will act with reasonable force and discretion unless proven otherwise, not the other way around as it currently appears to be the approach. Balanced politicians of all persuasions should have the intelligence to support the police along bipartisan lines, as they have to only look overseas at the many examples of societies where law and order has broken down, to understand that the controls this society assumes are all around are almost an illusion, and certainly quite fragile.

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