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Liberty Victoria Condemns Police Action At Occupy Melbourne Protest

6 December 2011

Liberty Victoria today condemned police interference with Occupy Melbourne demonstrators in the Flagstaff Gardens this morning, 6 December 2011.

At approximately 8.30 am, several police officers approached a female demonstrator who was wearing a small tent. This appeared to be the demonstrator's way of protesting against an instruction by Melbourne City Council that no tents should be permitted in the Gardens.

The police action, which was captured on a cell phone and posted on Youtube, shows a Council officer demanding that the demonstrator remove the tent. She refused, saying that the tent was her clothing. Upon this refusal five police officers began cutting the tent away from the demonstrator. This action involved the use of considerable force and continued despite the demonstrator's refusal to consent to the forcible disrobing. Finally, the tent was removed, leaving the demonstrator in only her underwear and in full public view.

Liberty President, Professor Spencer Zifcak, said that "if this bodily violation weren't so serious, it would be ridiculous".

"It is serious because it is unlawful, it is ridiculous because it is so unnecessary".

"The police action is in clear violation of the right to freedom of speech and assembly as protected in Victoria's Charter of Rights and Responsibilities".

"It is unconstitutional as it is in breach of the Australian Constitution's protection of the freedom of public and political communication".

"The use of excessive force by several police to disrobe a person plainly engaged in political protest is also deeply to be regretted, quite apart from being profoundly embarrassing to the person concerned".

Liberty requests that the Melbourne City Council and the Chief Commissioner of Police launch an immediate inquiry into the matter, the findings of which should be made publicly available.