

# Australia: Sweeping security powers for G20 summit in Queensland

**Ellen Blake****1 November 2013**

With the bipartisan backing of the Labor Party, the Queensland Liberal National Party government is utilising next year's G20 summit in Brisbane, the state capital, and the northern city of Cairns to impose security measures that set new police-state precedents.

The previous federal Labor government of Julia Gillard, supported by the former state Labor government of Anna Bligh, announced the summit back in 2011, and allocated \$370 million to pay for it. According to police commanders, the November 2014 world leaders' summit will involve the biggest peacetime security operation the state has ever seen. More than 5,000 state and federal police from across the country and New Zealand will be deployed.

The Defence Force will control key sites, likely to include airports and exclusion zones around conference venues. Drones will conduct surveillance of protests for the first time in Australia, with Premier Campbell Newman's government hoping to acquire second hand ex-military drones used in the US-led occupation of Afghanistan.

With the support of the Labor opposition, the G20 (Safety and Security) Act was rushed through parliament this week, overturning many basic democratic rights. It declares special security areas, gives police wide strip search and detention powers, allows police to declare "prohibited persons," and creates offences for actions such as interfering with G20 events and refusing to comply with police directions.

Labor's only criticism was that the legislation did not go far enough. Opposition police spokesman Bill Byrne told parliament: "I am somewhat surprised that some of the offence provisions have quite light sentences attached and I consider the boundaries of the restricted and declared areas to be minimalist."

The laws are clearly directed against anticipated demonstrations. They give police the power to strip search any person, and stop and detain any vehicle, that they suspect of carrying a "prohibited item" within a "declared area" during the G20 summit. Among the list of prohibited items are banners, placards, loud hailers and other "communication devices," along with "graffiti instruments," glass bottles and metal cans.

Assemblies can be banned if they could "disrupt" any part of a G20 event, which may include making any noise that could be heard during a summit activity. Police must be notified of any proposed assembly at least 48 hours beforehand.

People can be declared, and publicly branded, as "prohibited persons" or "excluded persons" without any prior notice, or right to challenge the decision.

Mass detentions are envisaged. People can be detained without warrant or charge, and held in a "processing facility" for any "time reasonably necessary" to decide whether to charge them with an offence. If charged, they will be refused bail, almost without exception, for the duration of the summit, reversing the normal presumption in favour of bail.

Reversed burdens of proof also apply requiring individuals to prove they have a "lawful excuse" to possess a prohibited item. Fines for newly-created offences, such as climbing on a building, are as high as \$11,000.

In "restricted areas," including around the South Brisbane Convention Centre, police can search premises without a warrant. Residents deemed security threats can be forced out of their homes. Thousands of residents in "declared areas" of Brisbane, stretching from South Bank to Fortitude Valley, will have to obtain and carry police ID cards.

During a token one-hour "debate" on the G20 bill,

Police Minister Dempsey said the state government had rejected recommendations from a parliamentary committee to require the police to demonstrate a specific intent by demonstrators to “disrupt any part of the G20 meeting”, before they banned an assembly. The government also opposed a recommendation requiring the police commissioner to give reasons for declaring someone a “prohibited person”—making it virtually impossible to challenge the decision in a court.

While the government claims that the powers are needed to protect G20 participants from terrorism or violence, the brief parliamentary discussion was dominated by concerns about likely protests. One government MP warned that about 250,000 people joined protests at the 2009 London G20 summit, and several MPs referred to the arrest of 1,100 demonstrators at the 2010 G20 in Toronto.

These latter references, accompanied by derogatory remarks about “rabble rousers,” “rent-a-crowd” and “anarchists,” are ominous. In Toronto, the authorities exploited window-breaking by the “Black bloc” group, which had all the characteristics of a police provocation, to violently attack protesters and carry out mass detentions.

The government dismissed out of hand objections by lawyers and civil libertarians. Queensland Council of Civil Liberties vice-president Terry O’Gorman described the legislation as “a draconian bill that in effect goes a long way to suspending basic civil liberties for the duration of the G20.”

These powers will cease after the G20 concludes, but they set benchmarks for future use. One MP foreshadowed similar measures for the 2018 Commonwealth Games on Queensland’s Gold Coast. Already, a pattern has been set over the past 15 years of using major political and sporting events in Australia to impose such provisions—from the 2000 Sydney Olympics to the 2007 Asia Pacific Economic Cooperation summit in Sydney and the 2011 Commonwealth Heads of Government Meeting in Perth.

Courts have thrown out legal and constitutional challenges to extraordinary police powers at these previous events, underscoring the lack of any legal protections of essential democratic rights—such as freedom of speech, assembly and association—and the readiness of the ruling class to ride roughshod over

fundamental rights. (See: “Australia: Bipartisan political praise for police violence at APEC summit”).

The G20 meeting—which brings together government leaders responsible for ongoing wars, invasions, mass surveillance, and worsening social inequality—is now being exploited as another testing ground for methods of repression directed against mounting social and political discontent.



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