



New South Wales  
Council for  
Civil Liberties

NSW COUNCIL FOR CIVIL LIBERTIES  
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### **The right to protest should not be curtailed**

The NSW Council for Civil Liberties has grave concerns with the actions of the Victorian Police in the arrest of Chris Breen. To our understanding Mr Breen has been charged with incitement under section 321G of the Crimes Act 1958 for involvement in a protest car convoy. We are equally concerned with the issuing of infringement notices and fines of \$1652 to 26 other participants.

On Good Friday the Refugee Action Collective planned a peaceful demonstration to highlight the living conditions for the refugees being held in the Mantra Hotel, Preston, The Mantra is being used as an Alternate Place of Detention (APOD). The purpose of the demonstration was to bring attention to the difficulties of maintaining social distancing and other hygiene concerns in the facility. NSWCCCL has already voiced [their concerns](#)<sup>1</sup> with the conditions in APODs.

Acknowledging the social distancing laws in place at the time, the protestors organised a car convoy with no more than two people in each car. The previous day a similar convoy had been held by the United Voice Union and although there were [threats made](#)<sup>2</sup> in the media by the Victorian Police, no arrests were made, as was appropriate for a peaceful protest

On Good Friday the Victorian Police acted otherwise, by arresting Refugee Action Collective member Chris Breen in his house, holding him for nine hours at Preston police station, seizing his electronic devices (including his son's) and charging him with incitement under section 321G of the Crimes Act 1958 for involvement in the car convoy. Police also issued infringement notices and fines of \$1652 to 26 participants in the [convoy](#)<sup>3</sup>.

NSWCCL has a number of concerns with the actions of the Victorian Police.

- We are concerned by the use of public health measures to respond to matters of political action.
- We are concerned with the precedent these actions could have for future rallies, protests or picket lines.

In order to maintain the civil right to protest in Victoria we make the following demands:

1. The charge against Chris Breen to be dropped.
2. The infringement notices be revoked.
3. The Victorian Police and Government approve future car convoys and other safe forms of political protest.

**Angela Catallo and Dr Martin Bibby, co-convenors, NSWCCCL Asylum Seekers and Refugees Action Group**

**Media requests: Angela Catallo via email to [office@nswccl.org.au](mailto:office@nswccl.org.au)**

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<sup>1</sup> <https://www.nswccl.org.au/nswccl-calls-for-release-of-those-in-alternative-place-of-detention-apod>

<sup>2</sup> <https://www.3aw.com.au/police-issue-blunt-warning-to-organisers-of-planned-protest/>

<sup>3</sup> <https://www.sbs.com.au/news/melbourne-refugee-protesters-fined-43-000-for-breaching-coronavirus-rules>