



EVENT REPORT BY LEGAL OBSERVER TEAM

66 Records Label Launch, Collingwood

1 September 2018, Melbourne, Australia

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On Saturday 1st of September to the morning of Sunday the 2nd, 2018 Melbourne Activist Legal Support (MALS) fielded a team of nine trained Legal Observers at the 66 Records Label launch that took place at the Gasometer Hotel near the intersection of Alexander Parade with Smith Street, in Collingwood, Victoria.

Legal Observers were present in three shifts from 9.00pm on Saturday 1st until 4.00am on Sunday 2nd September. The team was present upon request by the event organisers after Victoria Police informed the event organisers that police would be attending the event.

The presence of independent Legal Observers at events which receive particular policing attention and media scrutiny is critically important. Having trained independent witnesses can be vital for providing objective evidence and accounts after the fact for public and legal purposes. Legal Observer event reports or *Statements of Concern* are often utilised by journalists, human rights bodies, police complaints departments and legal teams to ascertain contemporaneous evidence and objective data.

Organisers and legal bodies are acutely aware that any events and incidents involving young people of perceived African background are highlighted and subsequent media coverage can distort public perceptions and increase discriminatory and harmful associations. These associations are commonly utilised for political purposes by commentators including politicians. It is often the

case that media depictions or characterisations of an event can vary significantly from actual observed reports.

It is important to note that journalists and commentators were not present on the night and did not have contemporaneous eyewitness accounts of events as they unfolded. Having trained and independent observers at events such as these is something we would encourage under these circumstances.

MALS works closely with a range of human rights and legal bodies including community legal centres and teams are often made up of legally trained people, laws students and solicitors who volunteer their time for such events. Observers do not interfere with or hinder police work. Legal Observers closely observe the actions of police, private security and other parties in their interactions with members of the public, provide basic legal information to members of the public about their rights and responsibilities. Legal observers help ensure police and private security agents act according to their lawful powers and do not infringement upon the civil and legal rights of members of the public.

Legal Observers are identified by high-visibility vests with Legal Observer printed across the back and front.

Direct Observations

The Legal Observer Team on the night reported that the event was well organised, and the

attendees were peaceful up until approximately 2.20am on the Sunday just prior to when the event was due to finish.

Police patrols visited or conducted walk-throughs in the venue eight times over the night. Police were polite and communications with venue staff and legal observers were cordial during each patrol. There was no indications that any altercations would break out before hand.

The final police patrol was present when the initial fight broke out inside the venue.

At approximately 2.20am Sunday morning arguments and physical fights broke out amongst some event attendees. These fights began inside the venue and later broke out outside as people were exiting the venue.

The large crowd of approximately 200 people were outside the venue due to the event finishing and them being ushered outside. By 2.40am all attendees had left the venue. It is important to note that only a proportion of this crowd were actively involved in fighting. Others were trying to calm the situation or were in the process of leaving the area.

At 2:25 several PORT (Public Order Response Team) had arrived on site and began cordoning off the lanes to Alexander Parade.

At 2.41am Observers noted eight police vehicles stationed along Alexander Parade and Smith Street. By 2.45am an unmarked police 4WD and a police truck had arrived on site. And a line of 14 police were observed moving south down Smith Street.

Observers were not present at the location at the corner of Emma and Maton Streets when a car collided with the event attendees at approximately 2.45am but were present soon after. Three police

members immediately attended to the injured person.

Police cordoned off this area as police and paramedics attended to the injured person. The remaining crowd dispersed over the next 60 minutes.

By 3:31am only 10 people remained in the area who identified themselves as either friends or family of the injured person.

Observers remained on site until approximately 4.00am.

Commentary

MALS asserts, based upon our observations, that policing was at appropriate levels throughout the night of the event with regular policing patrols – commensurate with an event of that nature and size. Observers notes that police responded quickly to the incidents outside the venue and more police members and resources, including the Public Order Response Team were in attendance within minutes.

Based upon our observations at the event, the calls by some parties for more police resources, powers or numbers after this event are duplicitous.

It is untrue, as some media outlets have claimed, that “200 people were involved in the brawling. Whilst a minority of the crowd were involved in sudden physical assaults, most others were attempting to stop the fights or were moving away from the venue in the process of dispersing from the area.

The Legal Observers did not witness any evidence of ‘gangs’ or ‘gang like behaviours’ at the event. The physical violence witnessed by observers was

predominately between young men who were affected by alcohol.

Whilst the media commentary surround the event has been politicised by commentators almost immediately afterwards we wish to highlight some clearly evident factors missing from the public discussion of the event to date.

Alcohol is involved in approximately 60 per cent of all police attendances.ⁱ

Excessive consumption of alcohol is a major cause of physical and social harm. Victoria Police's own data indicates that the availability of alcohol, either in concentrated entertainment precincts or liquor outlets acts as a substantial driver of assault and related offences.ⁱⁱ

There is a considerable amount of research and data from the health, hospital and justice sectors about alcohol related harms and strategies about reducing it. The association between the violence that occurred at this event and the perceived ethnicity of those involved is not only simplistic and incorrect; it diverts attention away from evidence-based factors and their solutions.

Our thoughts go to the people injured on the night, their friends and family members.

MALS will field legal observer teams at future events upon request if capacity allows.

For further information about Melbourne Activist Legal Support please see <https://melbourneactivistlegalsupport.org/>

ⁱ Miller, Peter (A/Prof). 2013, Patron Offending and Intoxication in Night-Time Entertainment Districts (POINTED). NDLERF Monograph Series No.46. National Drug Law Enforcement Research Fund. Canberra

ⁱⁱ [\[PDF\] Policing Alcohol Harm in Victoria - Victoria Police](https://www.police.vic.gov.au/retrievemedias.asp?Media_ID=108141)
https://www.police.vic.gov.au/retrievemedias.asp?Media_ID=108141