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Aboriginal and Torres Strait Islander, legal and human rights organisations are calling on Premier Andrews to ensure greater police accountability following recent concerning incidents of police violence.

In just one week, there have been alleged incidents where a man has had his head stomped on, a woman was dragged out of her car and an Aboriginal man was spear tackled off his bike by members of Victoria Police. The announcement that IBAC, the independent police watchdog, will investigate the horrific arrest in Epping on Sunday is appropriate. Independent investigation of police misconduct should be the norm, not the exception.

Nerita Waight, CEO of the Victorian Aboriginal Legal Service:

"Incidents such as the ones we have seen over the last few weeks further erode public confidence in police. There are systemic issues within Victoria Police that need to be urgently addressed, otherwise we will keep seeing the same types of incidents over and over again. Both historic and contemporary relationships between police and Aboriginal communities have been fraught, and a commitment to addressing systemic racism and ending impunity is crucial for moving towards a more just, equal and safe future for everyone, in which Black lives truly matter."

Police violence across Victoria has been happening at a time when Victoria Police have been handed unprecedented, significant and wide reaching powers to enforce public health directions.

Monique Hurley, Senior Lawyer at the Human Rights Law Centre:

"Police should never be given a free pass for violent and heavy handed behaviour. The Andrews Government must ensure police are not above the law by guaranteeing independent investigations when police cross the line and do wrong. The status quo of impunity whereby police investigate the actions of other police officers must end if the public is ever to have trust and confidence."

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Members of Victoria Police have a duty to de-escalate where possible, and to act reasonably and responsibly. All too often, incidents involving police misuse of their powers are referred to the police's Professional Standards Command for investigation, which is code for police investigating the actions of other police officers.

Jeremy King, Victorian State President of the Australian Lawyers Alliance:

"Victorians are quite rightly shocked at the violent and dangerous behaviour exhibited by Victoria Police over the last few weeks. These cases need to be independently investigated and those involved held to account so the community can have faith that the police are not above the law."

Anthony Kelly, CEO of Flemington Kensington Community Legal Centre:

"The Andrews Government should invest in non-aggressive, care-based alternatives to police when responding to people experiencing a mental health episode. The current Royal Commission into our mental health system provides an opportunity to shift funding from policing people into jail, towards supporting them in the community."

Nerita Waight, CEO of the Victorian Aboriginal Legal Service:

"The Government also needs to seriously reassess whether police are the appropriate first responders in instances where people need medical care and support because they are experiencing a mental health crisis. Health and public health issues - such as the pandemic - need health and public health responses, not a police response."

Premier Andrews must also withdraw all COVID-19 related police powers as soon as the states of emergency and disaster end. There is a risk that this extraordinary extension of intrusive policing could become the new normal, and any proposed,

permanent increased powers must be subject to careful and proper scrutiny.

Increased police powers - and police discretion - open the way for racialised and discriminatory policing, too often experienced by Aboriginal and Torres Strait Islander people. All the above measures must be complemented by a commitment to address systemic racism in Victoria Police from the very top.

Recent events also highlight that there is broad police discretion, and a lack of regulation, for when police turn on their body worn cameras, with the police officers involved in spear tackling an Aboriginal man from his bike not activating their body worn cameras. There needs to be clear and publicly available guidelines on the use of body worn cameras, limits on discretionary use by police officers and penalties for failure to activate their cameras.

Nerita Waight, CEO of the Victorian Aboriginal Legal Service:

"The Victorian Government must take the necessary steps: ending police investigating police; independent police oversight bodies referring incidents for prosecution in all cases where there is sufficient evidence; increasing accountability, including through greater regulation and accountability with respect to body worn cameras."

If people have experienced or witnessed problematic policing related to COVID-19, they can report it to: covidpolicing.org.au.

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**Victorian
Aboriginal
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