

Submission:

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Topic: Police using discretionary powers to punish Free Speech people through bias-based arrest.

- Those Provisions which allow for the discretion to move a citizen along are not required to be exercised prior to making an arrest.
- A police officer can take offence to an opinion being expressed by way of placard, t-shirt or other forms of unregulated media.
- There is no requirement for this officer to simply move the protester on out of the shared public space.
- The officer can arrest a person using various sections of the Police Powers Act and can construct excuses afterwards which the arrested person has to then defend in a culture which is historically and currently rigged against him or her.

As one part of the defense against unnecessary or unlawful arrest it might be gainful to ask: “and did the arresting officer first warn you to desist or to move on to another place?”

This is the limit to our submission. We are restrained from commenting further. We have several such arrests being prepared for hearing in the Appeals Court.

Thank you (*lillian lawson geddes*) 5th July 2006