

'RIOT' AT MT. PANORAMA, BATHURST 2ND APRIL, 1983

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A. Background

Every Easter, Bathurst hosts the Australian Grand Prix Motorcycle championship at the Mt. Panorama racing circuit located 3 km from the town. The population of Bathurst grows to 70,000, about 30,000 of whom are motor cycle riders. Police numbers grow from the 25 normally stationed at Bathurst to over 500. The police contingent this year was made up of:

- (1) Bathurst Police (23)
- (2) Sydney Police, mostly from North Sydney, Liverpool and Terrigal (400-420)
- (3) Tactical Response Group (53)

Upon Mt. Panorama there is a police station, enclosed by 30 feet "anti-personnel" wiring commonly known as the "fort". At any time 100 police are on duty at the fort.

On the night of 2 April, the police numbers had increased to 120, including all members of the TRG. There were 40,000 spectators, about half of whom were camped on the mountain.

B. Causes of the Riot (1)

According to the 'bikies' the main reason for the riot was the actions of the police at the entrance to the race circuit on the preceding Thursday and Friday. They claim that the police:

- (1) Breath tested all persons riding motor cycles, and did not test many cars.
- (2) Searched most motor cycles, and motor cyclists upon entering and exiting the race area.

To check these claims I spent two hours outside the race circuit as the races finished. Of 112 motor cycles which were leaving 81 were breath tested, 80 of them were searched. Some of the searches took 45 minutes, and in

every case the police left the riders to re-pack all their luggage adding further to the delay. Sixty-five cars left, of which 5 were breath tested, none were searched.

During this period nobody was charged in relation to either the breath tests or the searches. However, this was not the case on Thursday and Friday nights. The motor cyclists were incensed at what they saw as a victimisation.

Of the 50 PCA charges heard in Bathurst Court on Tuesday, 42 involved motor cycle riders, 40 of them were apprehended on Thursday and Friday. The 8 PCA charges which did involve cars were simple PCA charges. Without exception, the motor cycle PCA charges involved secondary charges including negligent driving, driving in a manner dangerous, riding without a helmet.

It is difficult to know precisely how many of the searches uncovered any illegal activities, though 5 motor cyclists were charged with possession of Indian Hemp as they entered the race area. A good example is that of K (Case List No. 215, 6, 7). He rode up to the entrance, and was stopped for a breath test. The test was negative. The police then waved him to one side and searched his back-pack. In it they found 1/10 of an ounce of Indian Hemp in a cigarette. He was charged with Possession of Indian Hemp, smoking Indian Hemp, and possession of a utensil for smoking Indian Hemp. He was arrested at 10.30 p.m. Thursday night, and received bail at 11.30 Friday morning. He pleaded guilty and received a \$240.00 fine.

More serious is the case of M (Case List No. 153, 152, 151, 233, 234, 235, 236). He was charged with a range of offences including PCA, possession of heroin, supply of heroin, possession of Indian Hemp. He

remains in custody. All charges arose out of the breath test and search routine conducted by the police at the entrance to Mt. Panorama.

The motor cyclists gave two other reasons for the riot:

- (1) The involvement of the TRG. They claim that their dress, their high profile at the mount, and their treatment of motor cyclists were provocative.
- (2) The executive of the Motor Bike Riders Combined Action Group apportion some blame to the drunkenness of many at the mount.

The spark which caused the riot is described by the motor cyclists as follows:

A VW sedan drove through a crowded area of camping ground at great speed, hitting two tents and coming to rest after hitting a motor cycle. The owners of the bike were extremely agitated and were restrained by other motor cyclists while the police were called. The VW tried to leave but was stopped by placing bricks under the wheels. The police arrived and, prior to making any inquiries, arrested the owners of the motor cycle. The police left with their prisoners, leaving the occupants of the VW behind. Angry 'bikies' then turned the car onto its' side, and scuffled with the police. The police retreated with the VW owners to the police compound followed by an angry mob of motor cyclists. This occurred between 9.20 p.m. and 9.35 p.m. Friday night.

C. Causes of the Riot (2)

The police tell a very different story. Officially, they blame the riot on the drunken state and malicious intent of the motor cyclists. Many, they claim, come to the mountain only to cause trouble.

The police I spoke to outside the court agreed that drinking was the main reason for the riot, and that many motor cyclists were troublemakers, with a large grudge against the police. However, they also suggested some other causes for the riot.

- (1) The presence of the TRG

Two particular officers spoke with great bitterness about the behaviour of the TRG both before and during the riot. Apparently, they did not keep a low profile as ordered, and in fact actively provoked motor cyclists on Friday night. One officer told me:

"We all had a special area. Same with all the others from Liverpool and North Sydney. The Tactical Response Group went as they wanted, pushing some bikies to the limit. We'd be better off without them.....".

- (2) Insufficient Police

All police I spoke to agreed that one cause was insufficient police. Officially, the police stated that with more police the situation could have been dealt with more effectively. However, several officers suggested that with more police the situation would not have occurred. They argue that with more police:

- (i) As individuals they would feel more secure, and thus less likely to make rash decisions.
- (ii) The 'bikies' would be less likely to try their strength.
- (iii) Small conflagrations could be dealt with firmly so as to stop them spreading.

From the court appearances on Tuesday, it would appear that the police are correct in asserting that some motor cyclists are troublemakers. E. (Case List No. 43) was riding his motor cycle with an alcohol level of .200, dragging a 44 gallon drum behind him inhabited by 4 people. H. (Case List No. 56) was weaving through a crowd on his motor cycle, with an alcohol level of .150, carrying 9 pillion passengers. He and two of the passengers were naked. H. crashed into a group of policemen.

Both events occurred prior to the riot and tend to support police assertions that certain motor cyclists were determined to attract police attention.

I managed to speak to Constable B. one of the police who attended the accident involving the VW. He said that upon arrival at the accident scene police were abused and heckled, and pushed to charge the drivers of the VW. The owners of the car were being assaulted, and to protect them, the police arrested the owners of the motor cycle for serious affront and alarm. A fight then broke out, and they ran back to the protection of the police compound.

D. The Riot

Thus the stage was set. Inside the police compound were 120-130 police. Outside there were between 2,000 and 4,000 motor cyclists armed with beer cans, petrol laden toilet rolls, rocks, and bottles. Naturally, the two sides tell very different stories of the riot itself.

(1) Motor Cyclists

At 9.30 p.m. about 2,000 motor cyclists surrounded the police compound throwing some bottles, cans, rocks and toilet rolls. This occurred for about 45 minutes and the crowd then began to disperse. The motor cyclists are adamant that at this stage the 'riot' was over as people were going back to their camping grounds.

This was also supported by a Channel 7 TV crew I spoke to.

As the crowd dispersed, the TRG, in riot helmets and carrying shields and batons moved outside the compound. They beat their way through the first crowd lines forming a line about 20 feet from the compound gate. The crowd then grew to about 4,000 as a battle appeared to be looming. Bottles full of petrol were thrown at police for about 15 minutes.

The police then began a series of baton charges, arresting at random. The motor cyclists complain:

1. That the crowd was dispersing prior to the TRG action.
2. That arrests were made at random, with no discrimination between members of the crowd

who were throwing missiles and those who were trying to calm the crowd, assist the injured or were merely passers-by.

3. Police were brutal in their arrests, falsified evidence and bashed offenders once in the compound cells.

(2) Police

Bathurst police I spoke to were again very critical of the TRG actions. They claim that the crowd was dispersing, that there was no need for the TRG to leave the compound. They deny any brutality or falsifying of evidence.

Official police reports put the number of motor cyclists at 5,000. They claim that the TRG was sent out because the compound was being 'bombarded by a range of explosive devices including gelignite and molotov cocktails'. TRG officers claim that they only arrested individuals that they had seen throwing missiles at the compound. Further, they claim that those arrested were only charged with causing serious affront and alarm when far more serious charges could have been laid.

The police reports following the riot stated that batons were not used, and that over 80 police were injured.

E. The Aftermath

At court on Tuesday, certain facts became clear:

- (1) Many individuals were charged with causing serious affront and alarm, and with other subsidiary charges. Of the 51 charged with SASA, 25 were charged with other related offences including assaulting police, resisting arrest, malicious injury, assault and possession of prohibited articles.
- (2) Forty of those charged in relation to the riot pleaded not guilty claiming either that they were at the riot but not involved, or that their actions were not illegal. Seven of these made statements to the

court complaining of police brutality, random arrest and police verbal.

- (3) Only one individual was charged with throwing an explosive device; under S35, S57 1.A(1), of the Crimes Act (N.S.W) 1900. He pleaded not guilty: (Case No. 171-2).
- (4) Batons were used by the police. The Magistrate accepted this in the case of D. (Case No. 114).
- (5) Thirty-one of the 51 charged with SASA in relation to the riot were charged not for throwing missiles but for behaviour such as swearing (for example D. Case List No. 158) fighting (for example S. Case List No. 225) or assisting others who were injured (for example S. Case List No. 71).

It is interesting to note that of the 157 charged and 150 who appeared in court, only 11 were represented, only 9 were not motor cyclists.

For those who pleaded guilty to PCA, penalties:

ranged from: Fine \$100, disqualified one month.

to: Fine \$1,000 disqualified 5 years.

For those who pleaded guilty to SASA, penalties

ranged from: Fine \$100

to: Fine \$150

Those who pleaded not guilty had their cases adjourned until late May, June and July.

RECOMMENDATIONS

Thus far, recommendations for stopping a re-occurrence of the riot have centred around increasing penalties, increasing police or cancelling the races.

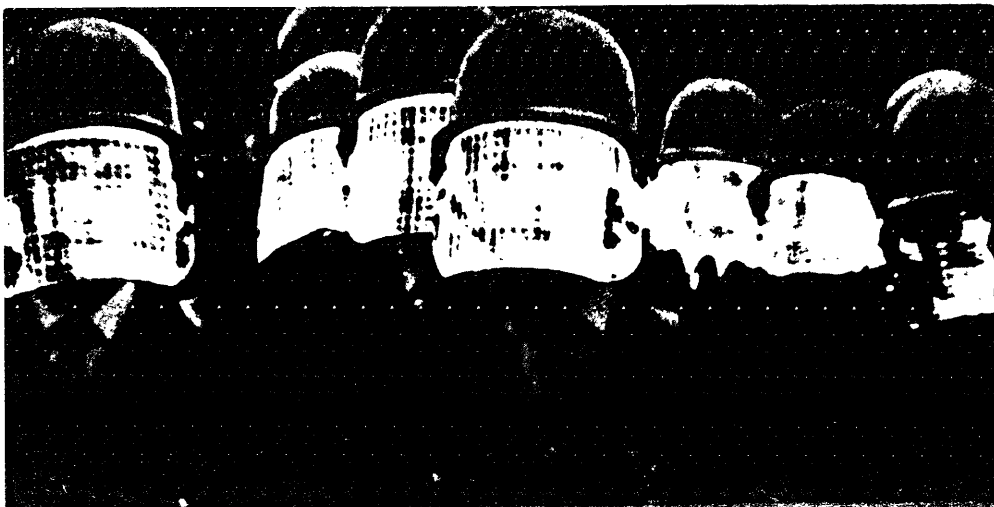
Increasing penalties would seem to be an illogical move. Penalties available for such offences as assaulting police, resisting arrest, malicious wounding and causing serious affront and alarm include gaol sentences and very heavy fines.

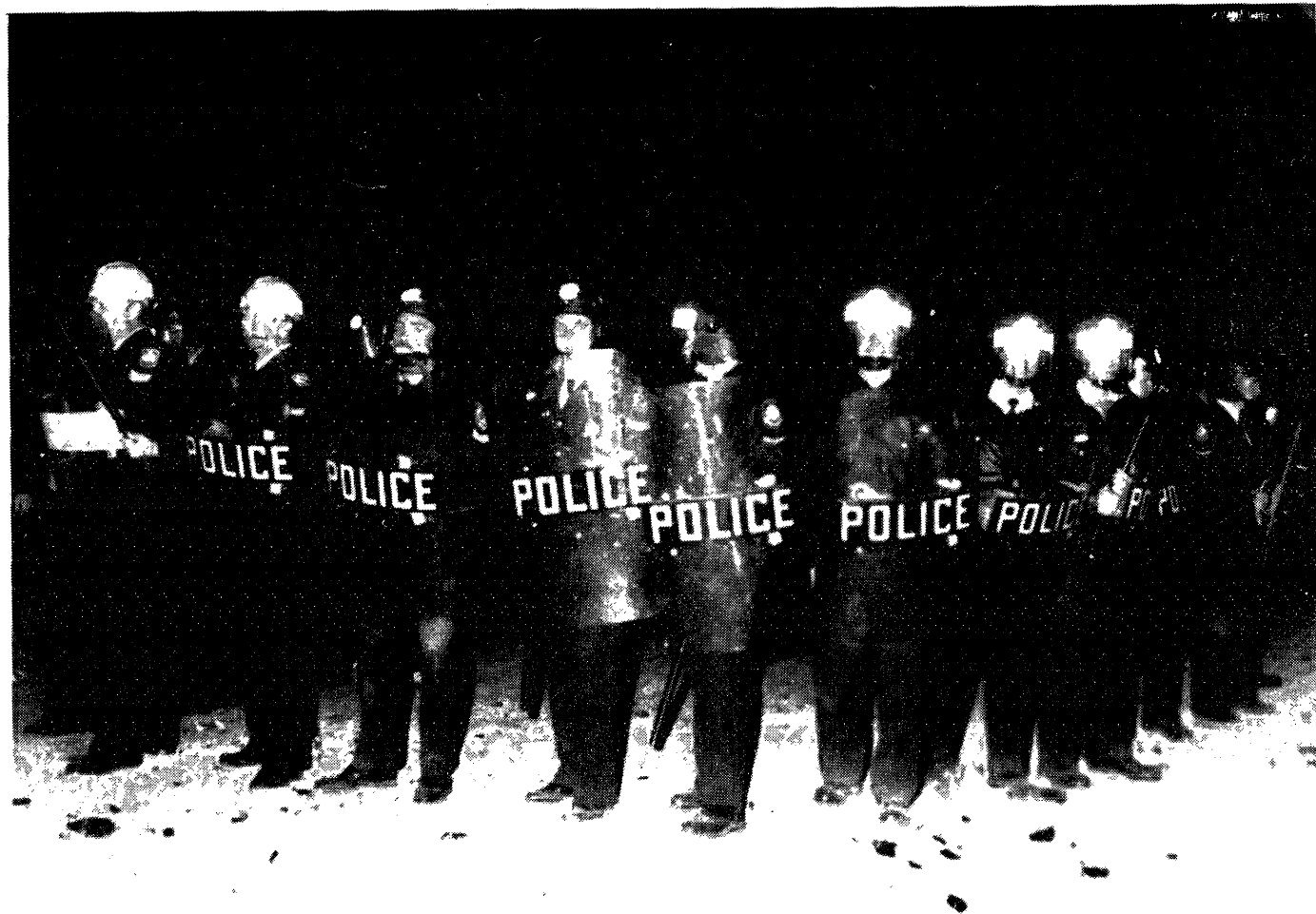
Increasing police I submit is a good idea - as long as those police keep a low profile, and ensure that trouble such as that of April 2nd does not occur.

The events at Bathurst confirm that the TRG are likely, by their very presence, to cause the types of conflagration they are trained to prevent. The TRG realized their critics' worst fears. They not only proved the most brutal and violent in the riot situation, but also showed themselves to have, to a large degree, instigated the riot itself.

I suggest consideration should be given to:

- (1) Having present a group of independent, impartial observers at the entrance to Mt. Panorama. These people should conduct a survey of police activities, and ensure that they are not biased against motor cyclists.
- (2) Banning alcohol from the mount. I believe that this idea, although hard to police, would considerably lessen the possibility of a riot occurring.





Mt. Panorama, 2/4/83. Photograph courtesy of John Fairfax and Sons.