

Bryan Law
MANUNDA Q 4870
30 August 2011

Anti Discrimination Commission Queensland
CAIRNS Q 4870

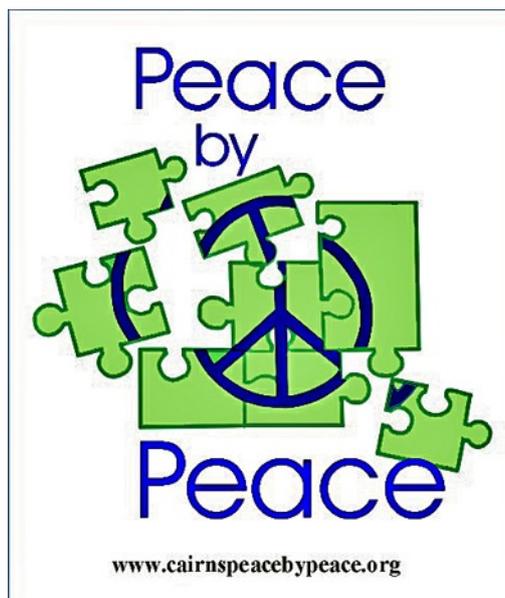
Dear Delegate,

4231529

Complaint against Mayor Brad Carter, CEO Evan Pardon, and the Rockhampton Regional Council.

CHRONOLOGICAL NARRATIVE
Rockhampton Peace Campaigning April 20 to July 8 2011

1. I am an Australian citizen and a veteran nonviolence activist and campaigner. My vocation is to create a social momentum for peace instead of war, and justice instead of exploitation. To reach its objective, my vocation requires effective participation in the political processes of society. I am well known in Cairns for my political activities. I am a practitioner of Gandhian and Christian nonviolence.
2. I have a small public profile in Rockhampton, having been active around peace issues there on several occasions since November 2005. The periods of activity coincided with events surrounding the Australian peace movement's response to Exercise Talisman Sabre (in 2005, 2007, and 2009). In 2010 I made a major personal and public commitment to campaign for three months in Rockhampton around Talisman Sabre 2011.
3. I maintain a public blog which explains and advocates nonviolence, and keeps a record of the various campaigns I participate in. www.cairnspeacebypeace.org



PRELIMINARY PUBLIC RELATIONS

4. In **April 2011** I did some pre-publicity on-line about my intention to carry out a ploughshares Action in Rockhampton in July. http://www.cairnspacebypeace.org/?page_id=438 In addition to publishing on the blog, I e-mailed the material to some 200 participants in Australian peace networks. It also went to selected media contacts.
5. Journalist Adrian Taylor from the Rockhampton Morning Bulletin (RMB) picked up the story, and it was run as front page news on **20 April 2011**. That article contains my first challenge to Mayor Carter and others to engage in public debate.
<http://www.themorningbulletin.com.au/story/2011/04/20/man-vows-to-attack-rocky-airport-bryan-law-chopper/>
6. The security aspect of the story was followed up in the RMB and on Seven television on **21 April 2011**. Seven carried stories on both its Rockhampton and Cairns news broadcasts.
<http://www.themorningbulletin.com.au/story/2011/04/21/authorities-to-meet-sabotage-acts-law-rockhampton/>
7. Because Rockhampton Regional Council (RRC) owns and operates the Rockhampton airport, and because the story was so prominent, I expected my comments and intentions would come to the attention of most political actors in Rockhampton, including both Councillors and Council officers.
8. On **7 May 2011** I took up residence at 22 Buckle St in Rockhampton to campaign for three months in resistance to Australia waging war, and preparing for war, as part of the US alliance. I was particularly focused on the war in Afghanistan.



THE POLITICAL PROBLEM

9. Exercise Talisman Sabre is a joint military training exercise conducted every two years between Australian and US forces. The heart of the exercise is conducted at the Shoalwater Bay Military Training Area some 50 kilometres north east of Rockhampton. In 2011 the exercise involved some 14,000 US troops and 8,500 Australian troops.
10. Exercise Talisman Sabre presents an important national opportunity to shine a critical light on Australian engagement in war in Afghanistan, and on the consequences of our military alliance with the USA.
11. I chose to exercise my political rights and take advantage of that opportunity by campaigning in Rockhampton around Exercise Talisman Sabre 2011.



Graeme Dunstan spruiks for peace at
 Rockhampton's East st Mall
www.peacebus.com

12. Political campaigning is the right of every Australian citizen. Political campaigning requires:
 - a. Gaining attention for a “problem” (War in Afghanistan, war in general), and putting forward a point of view about that problem;
 - b. Provoking, cajoling, seducing and persuading people to engage with the problem;
 - c. Encouraging people to adopt and pursue a way forward to resolve the problem (withdraw troops, de-militarise the US alliance).

MAYOR BRAD CARTER IS PART OF THE POLITICAL PROBLEM

13. When I arrived in Rockhampton, Mayor Brad Carter was making prominent public statements supporting Exercise Talisman Sabre. His statements ran counter to my campaign objectives.
14. ABC Report **5 May**, Mayor Carter meets US consul General.
<http://www.abc.net.au/news/stories/2011/05/05/3208179.htm?site=capricornia>
15. Rocky Morning Bulletin **19 May**, Mayor Carter seeks US military aid for airport.
16. As part of my campaign I decided to join that public political discourse, and thereby work to persuade people that peace is an option.

MY BEHAVIOUR – CHALLENGING DEBATE

17. One method of joining the political discourse was to refute Mayor Carter's statements and challenge him to a public debate. I made a press release on **23 May** to the Rockhampton Morning Bulletin (**attached**). The press release contained pungent observations about Mayor Carter prostituting Rockhampton to the US military.
18. Rockhampton Morning Bulletin published a story on 24 May 2011.
<http://www.themorningbulletin.com.au/story/2011/05/24/campaigner-wants-a-war-of-words/>
19. On **24 May** I sent the Mayor a personal letter (**attached**).

COUNCIL BEHAVIOUR – SHOWGROUNDS BOOKING

20. The Bulletin story included the information

“Now he [Bryan Law] has booked the James Lawrence Pavilion at the Showgrounds on July 4 – American Independence Day – for a public forum on Australia’s alliance with the US.”

21. I had booked the pavilion by telephone on **20 May**. I received a telephone call from a Council officer at the showgrounds on **24 May**, immediately after the newspaper article had appeared, and was informed that no booking had been recorded for such a meeting, and in any case the pavilion was busy that evening. I have no evidence that Mayor Brad Carter had anything to do with this misunderstanding, but it made me suspicious and uneasy. The easiest thing for me was to book a different venue, which I did.

COUNCIL BEHAVIOUR – MAYOR HIDES FROM DEBATE

22. I never received a written reply from Mayor Carter to my invitation. I did receive a telephone call purporting to decline the invitation on his behalf. It smelled to me like Mayor Carter was going to avoid public comment or engagement with me or my campaign on these issues.
23. On Tuesday **7 June** I met Mayor Carter briefly on the grounds of the Anglican cathedral, following the Rockhampton memorial service for slain police officer Damian Leeding. I reported on this event, on **8 June**, on my peace blog at;
http://www.cairnspeacebypeace.org/?page_id=889#comments
24. Of my contact with Mayor Carter, I wrote

“I spent a few minutes being told off by Mayor Brad Carter. Mayor Brad just wanted to pay out on me as a disgrace to humanity, and tell me that my issues ought be deprived of all Oxygen, and he wasn’t interested in meeting with me, talking to me, or engaging with me in any way, and that’s that. When I told him that 62% of Australians wanted troops out of Afghanistan by Christmas, Mayor Brad said “Well, I do too!” Really, that’s what he said. As Graeme noted earlier on, even Greg Sheridan wants troops out.”

25. In that post of **8 June** I also published my strategy for bringing Mayor Carter into public discussion, even though he might prefer not to do so.

“Next week is dedicated to making Mayor Carter join in a public debate about his craven warmongering ways. I want peace to be part of the community dialogue in Rockhampton before Talisman Sabre gets underway. Mayor Carter makes a good focus, and he has to appear twice in public next week where he won’t be able to avoid debate. He is the authentic voice of the RSL generation in Rockhampton, and I want to have at him (with love in my heart, of course).”



Margaret Pestorius with peace lanterns used for Cairns’ ANZAC Eve Peace Vigil
http://www.cairnspeacebypeace.org/?page_id=804

MY BEHAVIOUR – MAKING A SPECTACLE

26. On Thursday **9 June**, in company with my friend and colleague Graeme Dunstan, I made a media story by addressing the Western St Barracks of the Australia Defence Force. We got a story on WIN television that evening. <http://www.youtube.com/watch?v=XxcLUN2VYBA> (WIN news)
27. There were photos on-line that afternoon in the Rockhampton Morning Bulletin, and a small story in print the morning after. <http://www.themorningbulletin.com.au/photos/galleries/anti-talisman-sabre-protests-begin-rockhampton/#num=1&id=anti-talisman-sabre-protests-begin-rockhampton>
- <http://www.themorningbulletin.com.au/story/2011/06/10/activists-stage-first-anti-war-protest-rockhampton/>

There are also photos of the event taken by Graeme Dunstan. These are **attached** in **Appendix A**.



Front page story 10 June after the campaign's first display action



Rockhampton Regional Council CEO
Evan Pardon lays hands upon the
person of Bryan Law 14 June 2011

28. On Tuesday **14 June** Graeme and I made another media story by attending the public gallery of a meeting of the Rockhampton Regional Council, where I unfurled a banner critical of Mayor Carter's policies. It was a single act which briefly interrupted Council business.
29. I made a media release early that morning (**attached**) which refers to the discussion between Mayor Carter and myself on 7 June.
30. For a few moments on 14 June, CEO Evan Pardon attempted to man-handle me out of the Council chamber, but he quickly failed and desisted. Mayor Carter then adjourned the meeting, and had police called.
31. When Police attended I left peacefully. There were no charges laid. There were news stories on Seven and WIN television that night. <http://www.youtube.com/watch?v=Mn-Cu1MJiPM> (WIN news)
- <http://www.youtube.com/watch?v=yp71LmgYDUw> (Seven news)

There were photos on-line that afternoon in the Rockhampton Morning Bulletin, and a prominent story in print the morning after.

<http://www.themorningbulletin.com.au/photos/galleries/anti-talisman-sabre-protest-town-hall-rockhampton/#id=anti-talisman-sabre-protest-town-hall-rockhampton&num=1>

<http://www.themorningbulletin.com.au/story/2011/06/15/anti-war-activist-disrupts-meeting/>

There are also photos of the event taken by Graeme Dunstan. These are **attached in Appendix A.**

32. On Thursday **16 June** Graeme and I made a third media story by bearding Mayor Carter at a “meet the people” gig he organised for the “Yeppoon Central” shopping centre. Mayor Carter had publicised this event, asking residents to come and talk with him.



33. Mayor Carter once again refused to talk with me, but he had to talk with other citizens and answer questions from the media. A Council spokesperson labelled us “abusive”. There were news stories on WIN television and the Rockhampton Morning Bulletin.

34. You can see the WIN story here. After listening to the information content, check out the body language, and see if you can tell who’s being “abusive”.

<http://www.youtube.com/watch?v=fvDEtduEn1c>

<http://www.themorningbulletin.com.au/story/2011/06/17/anti-war-protesters-swamp-public-meeting/>

There are also photos of the event taken by Graeme Dunstan. These are **attached in Appendix A.**

WHY MAKE A SPECTACLE?

35. Three actions in a week was a public relations tactic calculated to create media interest and raise the profile of our campaign issues.

36. Political confrontation has “news value”, and we used very mild elements of confrontation in each action. Police were called or present at each action. However, no laws were broken, police gave no directions, and there were no significant material consequences arising out of our actions.
37. Our actions were acceptable media events in pursuit of a legitimate political campaign.
38. Mayor Carter didn’t want a public debate on the war, but in the Rockhampton Morning Bulletin of **17 June** he’s quoted as saying he

“did not support the war or conflicts in other countries, but it was vital Australia had a good defence force and Shoalwater Bay was an important training area”.

39. From my point of view that’s a welcome improvement in public comment from Mayor Carter, and a positive outcome of the campaign. It was important to our campaign that the Mayor respond to the issues. It’s testament to the effective conduct of our campaign that he (reluctantly) did so.

THE BROADER CAMPAIGN GOES ON

40. Meanwhile, other elements of our broader campaign were having an impact on public discourse and awareness. News stories about the resistance to Talisman Sabre continued as a prominent feature of local news.
41. On **18 June** the Rockhampton Morning Bulletin reported that I was under investigation by Rockhampton CIB. This came out of the Peace Preacher strand of activities, and was to do with my notice of intention to conduct a ploughshares action at Rockhampton Airport.
42. The temperature of public debate was rising. The week of 20-24 June was frantic with political and legal manoeuvring by various parties engaged in the issues of peace, protest, war and Talisman Sabre.

The war in Afghanistan must stop!

Some Hellfire missiles carry **thermobaric** weapons, or fuel air bombs. The bomb sucks out all the Oxygen from the air to sustain a fireball of intense killing heat. Vacuum and overpressure effects are enough to collapse buildings and lungs. A **Thermobaric** bomb kills every body nearby. A **Thermobaric** bomb does not discriminate between men, women, children, pets or livestock. Everyone dies together.

A Predator drone launches a Hellfire Missile

Isaiah 2:4:
 “They shall beat their swords into **plowshares**, and their spears into pruning hooks; nation shall not lift up sword against nation, neither shall they learn war any more.”

From the Old Testament, Isaiah the prophet is recognised by Jews, Christians and Muslims alike.

John 15: 12-14
 “This is my commandment, that ye love one another, even as I have loved you.
 Greater love hath no man than this, that a man lay down his life for his friends.
 Ye are my friends, if ye do the things which I command you”.

Would Jesus bomb the tribal villagers of Afghanistan and Pakistan?
 Would Jesus stand with the tribal villagers, with love and justice?
 How many more children must die before we act as true disciples?

The Hellfire explodes, killing and maiming some of the poorest true people of Earth. In 2009 there were 113 illegal drone strikes against bodies in 100 Pakistan. There is no state of War in Pakistan. The United Nations has not authorised military action in Pakistan.

Detail from campaign banner

COUNCIL ANNOUNCES TALISMAN SABRE 2011 GALA DINNER

43. On **20 June** the Rockhampton Regional Council announced tickets were on sale to the public for a “Talisman Sabre Gala Dinner” that Council was holding on 9 July.
44. In the Rockhampton Morning Bulletin Mayor Carter was reported as having said the dinner:

“would allow business people and members of the community to have ‘a great night out’ with entertainment from the US 7th Fleet Band as well as the Band of the First Battalion from the Royal Australian Regiment”.

45. The event was advertised on the Pilbeam Theatre web-site as:

“Be entertained by the US 7th Fleet Band and the Band of the First Battalion Royal Australian Regiment. Tickets \$120 which includes three course meal, beer, wine and softdrinks”.

<http://pilbeamtheatre.com.au/common/Pages/Display/multiloader.aspx?id=318>

46. After consulting my wife, Margaret Pestorius, I bought two tickets from the box-office of the Pilbeam Theatre, so we could attend the dinner and enjoy the entertainment. All reports were that both bands were excellent. Margaret’s first career was in Orchestra where she played viola. I was keen to see two really good big bands in her company.
47. We expected that a dinner party would also provide us with the social opportunity to meet, and talk with what for us is an untapped sector of potential networking and support. Military officers tend to be really well-informed about issues of war and peace, because they are fully engaged stakeholders in the war-fighting around which we campaign.

POLICE ARREST ME (UNLAWFULLY)

48. On **20 June** I was arrested by uniformed police for speaking at the East St Mall (even though I had approval for this activity under the Peaceful Assembly Act from the superintendant of traffic). That attracted a good deal of public attention, and has not yet been fully resolved through the courts. It may not be fully resolved for some time.



Sgts Mel Adams and Ewen Findlater discuss the Peaceful Assembly Act on 22 June 2011. We failed to reach agreement, but they didn’t arrest me (that’s something!)

COUNCIL BEHAVIOUR

- ESCALATING THE RETRIBUTION

49. On **22 June** I was hand-delivered a letter from CEO Pardon purporting to disallow my attendance at the dinner. No reason was given.
50. On **23 June** the Editor of the Rockhampton Morning Bulletin, in his editorial column labelled me a “public nuisance”, and my peace preaching at East St Mall as “noise pollution”. He admitted that he’d never personally witnessed my act.
51. On **23 June** Mayor Brad Carter again labelled me “abusive” in a Morning Bulletin story.



Around this time US and Australian troops are arriving and being seen in the streets.

These US Marines are at the East St Mall during one of the Peace Preacher performances.

52. On **23 June** I was hand-delivered a letter from CEO Pardon providing me with the reason of “concern for public safety” for cancelling my tickets, but without detail or further explanation.
53. On **24 June** Police lodged an application in the Rockhampton Magistrate’s Court to remove my right to amplification in the East St Mall.

THE POLITICAL ORTHODOXY

54. This kind of oppressive response by establishment stakeholders and agencies (shoot the messenger, belittle and marginalise a political opponent) is fairly common in what I call the oppressive society.
55. The intensity of the negative response in this week can be in part explained in part by the success of our campaigning. One month after commencing a campaign, with meagre resources available, and no official position, we had created a high recognition character (Bob Katter/Peace Preacher) who featured regularly in news stories and public debate.
56. From my point of view that debate exposed Exercise Talisman Sabre, the US alliance, and the war in Afghanistan to critical public scrutiny – in accordance with my campaign objectives.
57. Defenders of the orthodoxy mobilised a response calculated to minimise the public impact of my campaign. A lot of complaints were organised to police and the council. “Opinion leaders” condemned me personally. I was portrayed as dangerous, kooky, and offensive.

POLICE



Police prosecutor, Snr Sgt ewen Findlater, and Snr Sgt Mel Adams leave Rockhampton courthouse in disarray



It would be alright if he spoke just so long as no-one could hear him!

58. The Police chose to attack my right to Peaceful Assembly. Unfortunately for them they were totally wrong in law, which proved an embarrassment to them. Magistrate Mark Morrow turfed out their application after tearing strips of the police prosecutor. From the bench he spelt out the need to protect free speech and peaceful assembly.
59. The initiator of this failed police tactic, Snr Sgt Mel Adams, is also responsible on 21 or 22 June for advising the Council to discriminate against me, and ban me from the dinner. On the grounds of public safety (or so Council claims).

60. Snr Sgt Adams' failure was widely publicised on television, in radio and in the press. Council must have been aware of these findings.

http://www.youtube.com/watch?v=VFOA47dfEE8&feature=player_embedded (WIN)

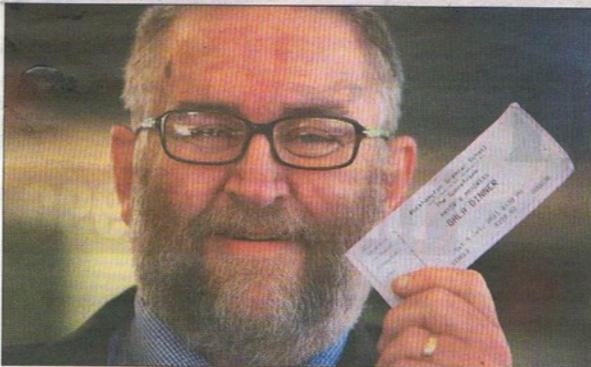
http://www.youtube.com/watch?v=JN7otYFVCvo&feature=player_embedded (Seven)

61. The advice provided by Snr Sgt Adams to Council was likewise deeply flawed, and Council must have known, or at least strongly suspected that the advice was flawed when Magistrate Morrow castigated police so strongly about their interpretation of the Peaceful Assembly Act.

62. Council chose not to evaluate police advice, nor to conduct any objective evaluation of public safety matters, nor to allow me to say anything at all in my own defence.

63. By so irresponsibly following flawed police advice, Brad Carter, Evan Pardon, and the Rockhampton Regional Council saw fit on 21 or 22 June 2011 to ban me from attending an event to which they had invited all members of the public, and for which I'd purchased tickets. In doing so they committed an impermissible act of political discrimination.

THE MORNING BULLETIN | Thursday, June 23, 2011 | 9



TICKET CONTROVERSY: Bryan Law shows the tickets he has for the Talisman Sabre gala dinner at Rockhampton Grammar School. PHOTO: CHRIS ISON, ROK220611CLAW1

No admission to Sabre ball for protester

By ADRIAN TAYLOR
adrian.taylor@cpmnews.com.au

HE has the tickets, but will Cinderella peace protester Bryan Law get to go to the ball? It seems not. Just a few hours after this picture was taken, the controversial anti-war activist received a hand-delivered letter from Rockhampton Regional Council chief executive Evan Pardon telling him he would not be admitted to the Mayor's Talisman Sabre gala dinner on July 9 under any circumstances.

Mr Law bought the \$120 tickets at the Pilbeam Theatre box office and said it was a cheap way to gain access to some of the top brass in the American military.

He denied that he would attempt to disrupt the ball which will feature speeches by senior US officials and performances by the US 7th Fleet Band from Yokosuka, Japan, and The Band of The 1st Battalion, The Royal Australian Regiment.

"People are being invited to buy tickets, which is just what I've done.

"I'm prepared to give written undertakings that I will not be disruptive."

And he hinted that he might issue a legal challenge.

"Political discrimination is against the law in Queensland. I think I am being banned because of my political views, which is illegal."

He said he had requested a meeting with Mr Pardon and would demand to know the grounds for the refusal.

But Mayor Brad Carter said the authority had taken legal advice about its duty of care towards those who paid good money to be entertained.

"It would be highly inappropriate to allow any possibility for disruption to the entertainment," he said.

"Mr Law's behaviour to date has indicated that he's abusive and I am not prepared to take that risk."

ABUSING THE PRINCIPLES OF NATURAL JUSTICE

64. Council initially refused to give me any reasons at all for their decision, and when they did give a reason it was four words in its entirety - "concern for public safety" - without any detail or explanation.

65. They refused to provide me with any opportunity to provide submissions about the matter.

66. They refused to give me any opportunity to correct any false information they were acting on.

67. They refused to review their decision or provide any avenue of appeal.

68. In the process of making and enforcing their discriminatory decision to ban me from the dinner, the Rockhampton Regional Council trampled all over the principles of natural justice and denied me a service I was otherwise entitled to receive.

IMPERMISSABLE DISCRIMINATION

69. Mayor Brad Carter has a right to political speech and agitation, as do all citizens.

70. In exercising this right, he has the common ability to use hyperbole. If he wants to label me "abusive", a nuisance, or an affront to humanity, he can. He is subject to the law for his speech in the same way all citizens are, but in reality political speech is given a fairly wide latitude. I often make use of those rights myself.

71. However as the Mayor of Rockhampton, Mayor Carter has sworn an oath to discharge his office faithfully according to the law – which includes abiding by the principles of natural and administrative justice. It is unlawful to discriminate against any person because of their political beliefs and activities.
72. When exercising his authority as Mayor, Councillor Carter must conscientiously strive to be fair. When arriving at a decision to ban a person from attending a public Council event, Mayor Carter must have due regard to all relevant matters, dismiss from his mind all irrelevant matters, and apply the same objective standards to all citizens without prejudice.
73. There is a world of difference between calling a political opponent “abusive” (during a political disagreement), and using executive authority to declare that person dangerous and ban them from a public political event because you don’t like (or have a visceral reaction to) their political behaviour.



US military personnel, Margaret Pestorius and other Christian peace activists socialise after the memorial service for WW2 troops at St Christopher’s Chapel 3 July 2011.

74. When Brad Carter and Evan Pardon used their executive powers to ban me from Council’s Talisman Sabre Gala Dinner they breached the Anti-Discrimination Act.

EVIDENCE

75. One piece of evidence for the political nature of Council’s decision can be found in e-mail correspondence between me and Councillor Stephen Schwarten (**attached**). Stephen is the Divisional Councillor for my Rockhampton address. The key relevant sentence is where Stephen explains the decision to ban me from the dinner.
76. Councillor Schwarten says “The article in Morning Bulletin has you clearly saying you would be wanting to use this social event to convey your views to US military top brass, which would be a political action that is contrary to event's purpose.”



Rockhampton Councillor
Stephen Schwarten



Rockhampton Councillor
Glenda Mather

77. Less compelling, but still revealing of the kinds of political activities being taken into account by the respondents in coming to their decision, is e-mail correspondence with Councillor Glenda Mather (**attached**). In her e-mail of 7 July, Councillor Mather appears to be saying that my political street-speaking, which includes reference to a proposed ploughshares action, is a principle consideration in Council’s deliberations.

78. Other evidence can be found in the text, video, and photographic record of the events of 14 and 16 July. That record conclusively shows there is no foundation in reality for any findings that my behaviour could be considered in any way a threat to public safety.

79. On **14 June** all I did was unfurl a banner with a political message at a meeting of the RRC, and didn’t leave immediately when asked. Some people might find such behaviour annoying, possibly even rude, but it can’t even remotely be considered dangerous.

80. The only element of physical confrontation on 14 June was not of my making. CEO Evan Pardon briefly man-handled me in an attempt to force me out of the Council chamber. Such an over-reaction, amounting to physical abuse, is a sign that Mr Pardon had lost his objectivity and sense of proportion on that occasion.



81. On **16 June** the record shows I didn’t even unfurl my banner. I just asked to talk with the Mayor, and he refused. One can see from the video and photographic record that it was Mayor Carter, not me, who adopted an aggressive body language and voice. I maintained a quiet and respectful demeanour. From his behaviour Brad Carter appears to have been personally affronted by my political behaviour. That’s understandable (politically) but it’s no justification for discrimination.

82. There is not the smallest indication in any of my behaviour on 16 June that could legitimately give rise to concerns about public safety.

83. Mayor Carter and CEO Evan Pardon crossed the line into illegitimate behaviour when they allowed their personal feelings to overbalance their objective duty. They made an official decision for personal reasons.

84. They made their decision outside due process.
85. They maintained and defended their decision through an active abuse of process.
86. The initial decision to ban my attendance was an act of political discrimination which has been even further contaminated by a complete disregard for the principles of natural justice.
87. It may have felt to Mayor Carter that I was abusing him, but the objective reality is that I was only disagreeing with him politically - and enjoying some success in the public contest of ideas and debate that is such an important part of politics. Being impudent is not a crime. Nor is it a threat to public safety.

MY ATTEMPTS TO COMMUNICATE AND CONCILIATE

88. Mayor Carter, CEO Pardon and the Rockhampton Regional Council refused to discuss their decision with me so I tried to communicate with them via telephone, personal enquiry, correspondence and through the media. Among other things I offered to guarantee my best behaviour for the dinner. This undertaking was published in the RMB (**attached**) on **23 June**. I was quoted in that article as saying:

"I'm prepared to give written undertakings that I will not be disruptive".

89. I did not then know what concerns the Council had about public safety, but I was certain that each and every one of them could be satisfactorily addressed. In the RMB article of **24 June (attached)** I was reported as saying:

"He contends that the decision to ban his is entirely political and has nothing to do with public safety as he has never been accused, charged or convicted of any public safety offence".

I was quoted directly as saying:

"I have never taken any action which could ever be construed in any way as a threat to public safety".

90. Just as the respondents paid attention to my comments in the RMB story of 20 April 2011, they must have paid attention to my public comments of 23 and 24 June 2011. It appears the respondents pay selective attention only to my public comments, and the process of selection is a biased one based on political prejudice.

OTHER PUBLIC EVENTS WHICH OUGHT HAVE CAUSED COUNCIL TO RECONSIDER

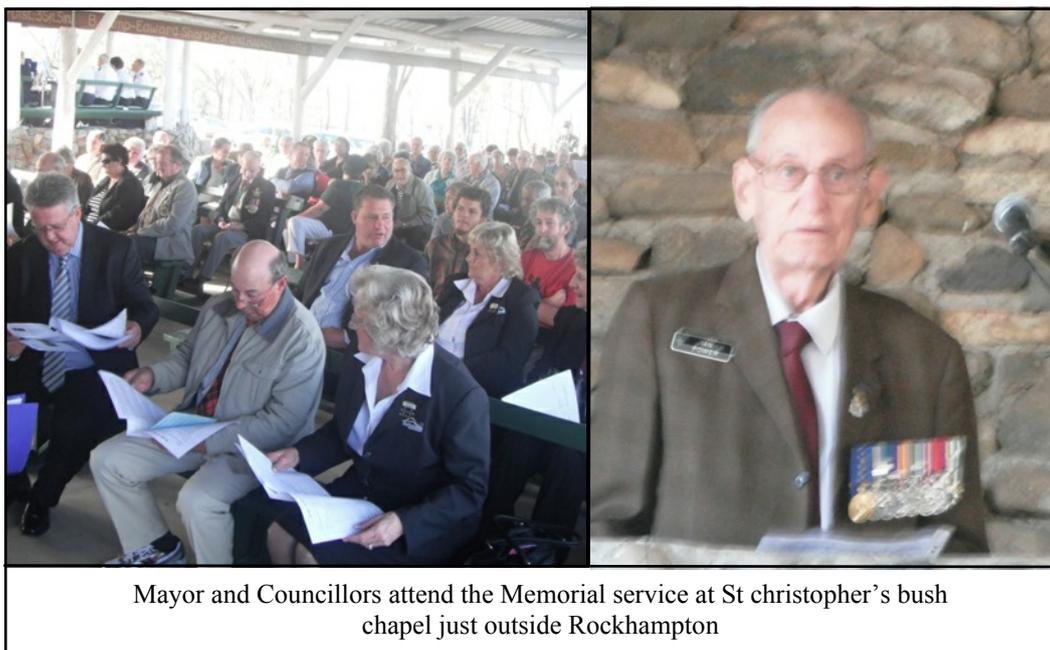
91. On **30 June 2011** Magistrate Mark Morrow struck out the police application against me under the Peaceful Assembly Act. It was a leading story on WIN and Seven television, and was also reported by ABC radio and the Bulletin.

http://www.youtube.com/watch?v=JN7otYFVCvo&feature=player_embedded (Seven)

http://www.youtube.com/watch?v=VFOA47dfEE8&feature=player_embedded (WIN)

92. Mel Adams was the police spokesperson under embarrassing circumstances, and Council really ought have questioned, given that she got things so wrong on the peaceful assembly matter, whether her advice might also have got it wrong in the closely related Talisman Sabre Gala Dinner matter.

93. On **3 July 2011** a small group of us attended a memorial service at St Christophers bush chapel just outside Rockhampton. The memorial was for Australian and US servicemen that had seen action and been killed in WW2. Mayor Brad Carter and four other Councillors attended.
94. http://www.cairnspeacebypeace.org/?page_id=1185
95. All of the elements that Brad Carter claims he was concerned to protect at the Talisman Sabre Gala Dinner were present at this service. Mayor Carter, dignitaries, US military personnel, even a band (the Rockhampton Salvation Army Band).
96. Brad Carter and Councillors witnessed first-hand my capacity for good behaviour at a public event... behaviour I'd promised to replicate at the Talisman Sabre Gala Dinner.



97. I'm confident that had there been an opportunity, all of Council's concerns about my attendance at the Talisman Sabre Gala Dinner could have been resolved. Council had many reasons and opportunities to implement a fair decision-making process, but chose instead not to do so.

CONCLUSION

98. I made every attempt practically open to me to seek resolution of this problem with Council, using civilised values, due process and procedural fairness. I was rebuffed at every turn.
99. At Council's direction I communicated with their legal representatives, but they were so opaque and obstructive that I quickly realised the futility. (Correspondence **attached**).
100. I do not understand, nor has Council said anything about, why Margaret Pestorius was banned from the Gala Dinner as well as me. I can only conclude that she was banned solely because she is married to me. The respondents have said nothing to suggest otherwise.
101. Margaret and I invested around \$30,000 on our combined campaign and presence in Rockhampton.



Margaret Pestorius is arrested by armed police for trying to use her ticket to attend the Talisman Sabre Gala Dinner. 9 July 2011

102. Attendance at the Talisman Sabre Gala Dinner was a desirable and valuable commodity (sold by Council as an entertainment service) which would have significantly enhanced our time in Rockhampton, and given us a valuable return on our investment.
103. Brad Carter and Evan Pardon's decision to ban our attendance at the dinner was a petty-minded, unlawful, ham-fisted piece of political bastardry that cannot be tolerated in a fair and democratic society.
104. The offence is made much worse by the manner in which Council closed off communication and refused to engage in any fair and timely review or appeal process.
105. I require Mayor Brad Carter, CEO Evan Pardon, and the Rockhampton Regional Council to acknowledge and apologise for their act of political discrimination.
106. I require the Rockhampton Regional Council to compensate me for the ancillary expenses wasted when we were prevented from attending the dinner. Around \$400.
107. I require the Rockhampton Regional Council to compensate me for the personal and social value of the opportunity unlawfully denied me. \$10,000.
108. I require the Rockhampton Regional Council to compensate me for the humiliation, stress, aggravation, injury to reputation, and the expenditure of time and trouble to rectify the discriminatory act and its consequences. \$25,000.

I hope this narrative is useful to the Commission, and the respondents, in understanding the unfair, discriminatory, and completely unnecessary decision by Rockhampton Regional Council to deprive me of an opportunity to attend the Talisman Sabre Gala Dinner on 9 August 2011.

Yours sincerely
Bryan Law
26 August 2011