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## JUSTICE AT LAST - INCITEMENT CHARGE AGAINST ZOE BUHLER DROPPED

“One of the most shameful episodes in Victorian law enforcement has reached its rightful conclusion today with the incitement charge against Zoe Buhler being dropped,” said Morgan Begg, Director of the Legal Rights Program at the Institute of Public Affairs.

In September 2020, Zoe was arrested by Victoria Police officers in her home, in front of her family, and charged under section 321G of the *Crimes Act 1958* (Vic) which makes it an offence to “*incite a person to pursue a course of conduct which will involve the commission of an offence.*”

Today, Victorian government prosecutors applied to the Ballarat Magistrates Court to withdraw this charge.

“It is simply not good enough to just drop the charges now, Zoe should never have been arrested and her case should never have spent two years languishing in the courts. Justice delayed is justice denied, and the process has been the punishment,” Mr Begg said.

The charge against Zoe was based on social media comments about a proposed protest of the Victorian Government’s lockdown rules. It was alleged that these comments would incite others to breach section 203 of the *Public Health and Wellbeing Act 2008* (Vic), which at the time, made it an offence to fail to comply with public health orders, such as orders prohibiting public gatherings.

“Victorians will not soon forget the image of a pregnant Zoe being arrested in her home because police took issue with a social media post about an anti-lockdown protest,” Mr Begg said.

The Institute of Public Affairs supported Zoe’s legal fight and welcomes today’s long overdue outcome. IPA research has consistently exposed how the rule of law has been undermined as part of the Victorian Government’s excessive and arbitrary public health response.

“No Victorian should ever be arrested in their home for peacefully expressing an opinion about the government,” Mr Begg said.

“The rule of law means all people are subject to clear rules that are predictably enforced, fairly and equally. Victoria’s pandemic rules were unclear, draconian and unjust.”

“It is the duty of the government now to grant an immediate amnesty for all Victorians who were fined and charged under the covid rules for exercising their basic rights and freedoms,” said Mr Begg.

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