

**SPEAKERS CORNER**

L&amp;C | 52/2/4-02 | #7805888

**RECOMMENDATION:**

**Council adopts the *Speakers' Corner General Policy* and confirms the designated area for Speakers' Corner continue to be located within Fogarty Park.**

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**INTERESTED PARTIES:**

Nil.

**EXECUTIVE SUMMARY:**

Council's *Speakers' Corner General Policy* outlines the management controls applicable where individuals may speak publicly and freely and specifies the designated location of the Speakers' Corner within Fogarty Park, Cairns City.

With the policy due to be reviewed, Officers have proposed some minor administrative changes and strengthened the wording around the intent of the policy being for individual free speech as opposed to protests or gatherings which are governed by the *Peaceful Assembly Act 1992 (Qld)*. Accordingly, the Policy is now being recommended for adoption.

**BACKGROUND:**

Speakers' Corner within Fogarty Park has operated without incident since its establishment in 2013. Prior to this, "Ray Jones Speakers' Corner" was located on the Cairns Esplanade near Fogarty Park. In 2009, following the adoption of the *Speakers' Corner General Policy* the Speakers' Corner was reinstated in Shields Street.

Subsequent changes to the Shields Street/ Lake Street precinct required the Speakers' Corner to be relocated. In October 2013, Council resolved to defer the matter to the City Centre Alive Steering Committee for direction. The Committee recognised the opportunity to return Speakers' Corner to its original location within Fogarty Park. Since that time, Speakers' Corner has continued to operate in Fogarty Park without incident and very low utilisation.

**COMMENT:**

The *Speakers' Corner General Policy* enables individuals to exercise their right to free speech without needing to navigate a formal approval process.

Minor amendments to the policy now clarify that Speakers Corner is intended primarily for individual use, and that groups seeking to hold a public assembly are required to

obtain approval from QPS.

Having the Speakers' Corner facility allows Council to direct people to a location where they have a platform to exercise their freedom of speech where there is a reduced likelihood of negatively impacting businesses and members of the public.

The General Policy outlines the following condition of use of Speakers' Corner:

- Debate is encouraged in a respectable manner.
- Speakers are allowed to speak for a maximum of one hour per day between 8:00am and 6:00pm.
- Speakers are not allowed to:
  - make slanderous statements
  - discriminate any identifiable race, gender, religion or nationality.
  - use obscene language or gestures
- There is to be no touting or distribution of business advertising materials.
- Sound amplification is not permitted.
- Speakers must not interfere with other approved activities within Fogarty Park or the surrounding area.

Groups wishing to organise a protest or public assembly must obtain appropriate approvals via the Queensland Police Service.

### **OPTIONS:**

#### Option One (Recommended):

Council adopts the *Speakers' Corner General Policy* and confirms the designated area for Speakers' Corner continue to be located within Fogarty Park.

#### Option Two:

Council does not readopt the Speakers' Corner General Policy.

### **CONSIDERATIONS:**

#### Risk Management:

The General Policy outlines the conditions of using the Speakers' Corner to manage potential risks associated with public discourse.

The General Policy will be in place for four years from the date of adoption.

#### Corporate and Operational Plans:

The Speakers' Corner General Policy aligns with the Corporate Plan Focus Four – Community and Culture: Provide spaces and programs for the benefit of the community.

**CONSULTATION:**

Nil.

**ATTACHMENTS:**

Attachments 1 and 2: *Speakers Corner General Policy 2026-2030*.  
Attachment 3: Map of Fogarty Park with Speakers Corner marked



Tim Dendle  
Executive Manager Community Spaces



Destry Puia  
Director Lifestyle & Community

### SPEAKERS' CORNER

**Intent** The intent of this policy is to allow any individual member of the public to speak in a public forum within a designated area of Fogarty Park.

**Scope** This policy applies to lawful individual free-speech activity in Cairns City.

### PROVISIONS

#### Designated Areas

Individuals may exercise their free-speech rights within a designated area at Fogarty Park. A location within the park is to be marked as "Speakers' Corner" and will have a list of conditions displayed. Use of this area by individuals is permitted without prior Council approval. The location has been selected to minimise impacts on pedestrian and vehicle movement, as well as to avoid potential conflicts with park bookings.

#### Conditions

Users of Speakers' Corner must adhere to the following conditions:

- Debate is encouraged in a respectable manner.
- Speakers are allowed to speak for a maximum of one hour per day between 8:00am and 6:00pm.
- Speakers are not allowed to:
  - make slanderous statements
  - discriminate any identifiable race, gender, religion or nationality, including antisemitism
  - use obscene language or gestures
- There is to be no touting or distribution of business advertising materials.
- Sound amplification is prohibited.
- Speakers must not interfere with other approved activities within Fogarty Park or the surrounding area.

Failure to comply with the above may result in police action.

Signage is allowed to be used however, immediately after the speaker has finished all items must be removed from display. At no time is any promotional material to be distributed.

Groups wishing to organise a protest or public assembly must obtain appropriate approvals via the Queensland Police Service available through [Protests and public assembly demonstrations | QPS](#).

This policy is to remain in force until otherwise determined by Council.

Director Responsible for Review:

Lifestyle and Community

ORIGINALLY ADOPTED: 13/05/2009

CURRENT ADOPTION: 15/04/2026

DUE FOR REVISION: 15/04/2030

REVOKED/SUPERSEDED:

Ken Gouldthorp  
Chief Executive Officer

## Attachment 2: Marked up changes

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CAIRNS REGIONAL COUNCIL

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General Policy

### SPEAKERS' CORNER

**Intent** The intent of this policy is to allow any individual member of the public to speak in a public forum within a designated area of Fogarty Park.

**Scope** This policy applies ~~to public assembly and lawful~~ individual free-speech activity in Cairns City.

### PROVISIONS

#### Designated Areas

~~All individuals may exercise their free-speech rights within a designated area at Fogarty Park. Members of the public will be allowed to speak within Fogarty Park.~~ A location within the park is to be marked as "Speakers' Corner" and will have a list of conditions displayed. Use of this area by individuals is permitted without prior Council approval. The location has been selected to minimise impacts on pedestrian and vehicle movement, as well as to avoid potential conflicts with park bookings.

#### Conditions

~~Users of Speakers' Corner must adhere to the following conditions: The public are allowed to exercise their rights of free speech and public assembly at the Speakers' Corner within the following conditions:~~

- Debate is encouraged in a respectable manner.
- Speakers are allowed to speak for a maximum of one hour per day between 8:00am and 8:00pm.
- Speakers are not allowed to:
  - make slanderous statements
  - discriminate any identifiable race, gender, religion or nationality]
  - use obscene language or gestures
- There is to be no touting or distribution of business advertising materials.
- Sound amplification is prohibited.
- Speakers ~~may~~ must not interfere with other approved activities within Fogarty Park or the surrounding area.

Failure to comply with the above may result in police action. ~~Public assembly is allowed within the designated area without prior approval from Council officers.~~

Signage is allowed to be used however, immediately after the speaker has finished all items must be removed from display. At no time is any promotional material to be distributed.

Groups wishing to organise a protest or public assembly must obtain appropriate approvals via the Queensland Police Service available through Protests and public assembly demonstrations | QPS.

This policy is to remain in force until otherwise determined by Council.

Director Responsible for Review:

Lifestyle and Community

ORIGINALLY ADOPTED: 13/05/2009  
CURRENT ADOPTION: ~~2015/04/20222026~~  
DUE FOR REVISION: ~~1530/04/20262030~~  
REVOKED/SUPERSEDED:

Attachment 3: Map of Fogarty Park with Speakers Corner marked

# Fogarty Park

