

## North Swanbourne Beach Users Association

P.O. Box 35, CLAREMONT 6010

SUNDAY TIMES, JANUARY 1, 1989

23

# Nude sunbathers busted

## Law faces bare facts

THE long arm of the law finally caught up with well-known campaigners for nude bathing in WA, Rex Gate and Kathy Wilkinson.

The couple, both aged 54, were arrested while sunbathing naked on Port Beach on Friday.

Rex and Kathy were put in the back of a paddywagon, taken to Fremantle police station and charged under Section 104 of the Police Act for bathing without

a proper bathing suit.

Both face a maximum fine of \$40.

Police released the couple on \$50 bail. They are due in Fremantle Court on Wednesday.

Rex has been campaigning for nude bathing in Fremantle for more than eight years.

He said there were already "free" beaches at Broome, Port Hedland, Dampier, Carnarvon, Mandurah, Bunbury, Esperance and Swanbourne - so why not Port Beach?

Rex said Swanbourne Beach was too crowded

and had no proper facilities for nude bathers.

"You simply can't get on to Swanbourne, it's always full. It's the most popular beach in Perth," he said.

"The beach attracts a lot of tourists. It's world famous. But if your favorite pub or golf course is always crowded you look for somewhere else to go, which we did. Port Beach is an ideal location.

"We believe in justice. Why should people have to put up with

'being deprived of an important public asset because the authorities will not examine the issue with an open mind.

"Nude bathing is an optional thing, we're not trying to force it down people's throats.

"The wowers of WA are costing this country a fortune and making us a laughing stock in the eyes of the world."

Rex claimed most West Australians were not opposed to nude beaches.

Rex and Kathy were remanded on bail to appear in court on April 18<sup>th</sup>. Both have been using the beach for many years and have been seen

several times by Port Authority rangers and Police without action. In case you don't know about section 104 of the Police Act, I have reproduced it below.

104. No person shall bathe, unless in proper bathing costume, near to or within view of any public wharf, quay, jetty, bridge, street, road, or other place of public resort, between the hours of six in the morning and eight in the evening; and any person who shall offend against this regulation shall, on conviction, forfeit and pay a sum not exceeding forty dollars; and any constable may take into custody any person who shall commit any such offence within view of such constable.

Bathing prohibited within certain limits. Amended by No. 25 of 1934, s. 32; No. 123 of 1935, s. 3.

Quaint isn't it.

The amendments only refer to changes in the amount of the fine. Otherwise the law was last reviewed in 1902 and obviously written for that era. For instance what about bathing nude outside the hours mentioned?

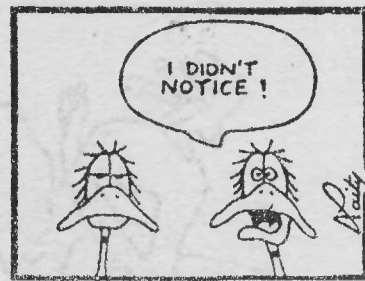
It is out of touch with modern community attitudes and as such it is strange the Police should use it, since other laws may be more pertinent. Someone suggested it was to create a precedent with the intention of eventually reforming the law. But surely it is not necessary to subject the public (Bex and Kathy in this case) to the rigours of a court and the costs involved, to justify law reform?

We have been told that law reform is a tedious process and it is too often only applied to more contentious (sometimes politically expedient) issues. Other states have shown that changing the relevant laws is relatively simple so there is no good reason why the present antiquated regulations should continue.

Previous attempts locally to prosecute against nudism have failed. The Supreme Court of W.A. concluded "nudity per se is not obscene" (Crown Vs Valle, 29-11-83) and "nude exposure does not offend contemporary standards" (Crown Vs Boon, 5-8-83). The Minister of Police (Carr 15-10-84) has admitted they can't successfully prosecute at an accepted or designated free beach.

What with progress in Rockingham, I feel the time is ripe for a concerted push towards amending the state laws to allow public nude bathing in designated areas. At the same time our beach at North Swanbourne will need to be designated since it is classified vacant crown land, ie. state controlled. Also a free beach at Fremantle (in Port Authority land) and Parakeet Bay at Rotto (Rottnest Island Authority land) for the same reason. Once legal we can demand facilities equal to other popular beaches.

# RAT RACE



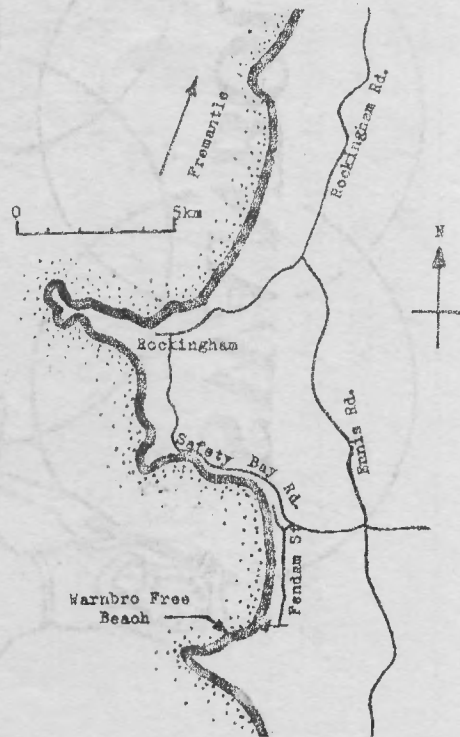
## WARNBRO FREE BEACH — LEGAL !!!

It seems certain that Warnbro free beach will be legalised in February. This will be the first legal free beach in the metropolitan area and, I hope, a signpost on the path through the mire of red tape and intolerance. To get there go south from Fremantle via Cockburn Rd. or Rockingham Rd., turn left at Ennis Ave. just before Rockingham, turn right into Safety Bay Rd., left into Hokin St., left into Fendum St., right at the end and up to car park no. 3. Walk down the dunes and walk south about 500 m. There are no toilets or tap water (yet) but it is quiet, safe for kids and friendly (aren't we all?).

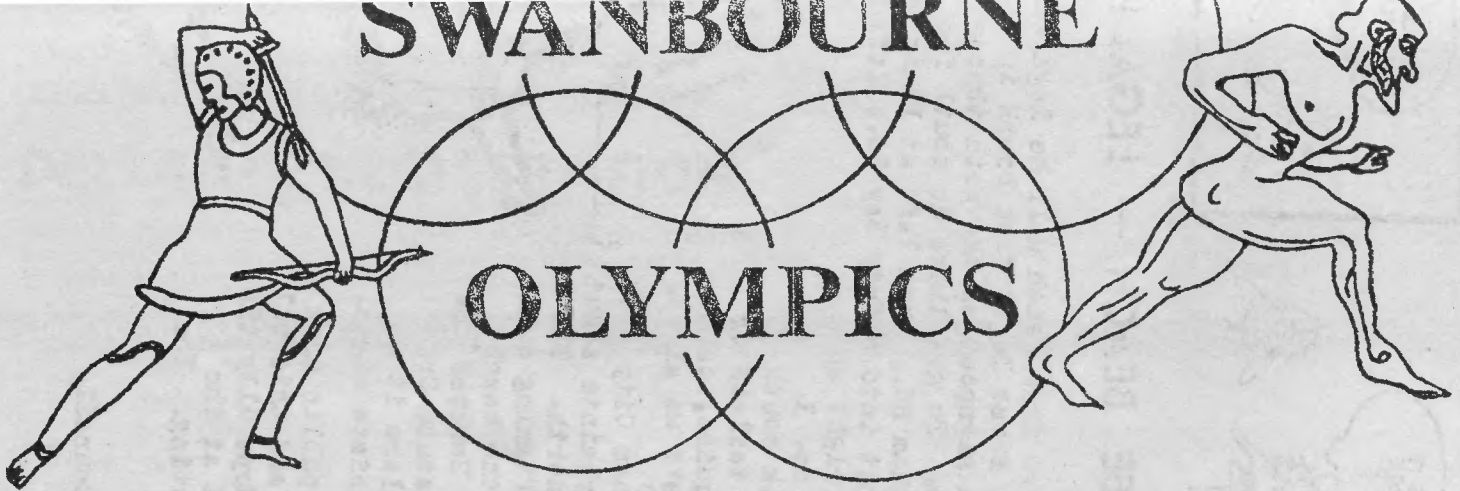
Late last year the Rockingham City Council received three complaints about nudists wandering too far north. The Council's Health and Town Planning committee recommended closing the beach using rangers and police. However the full Council, led by the astute Cr. David Winter, voted to declare it a free beach and erect appropriate signs.

To change the by-laws the public must have 3 weeks notification and this will expire on 1st February. Hopefully the exercise will be finalised at the following full council meeting. You can help by writing to :-

Town Clerk,  
Rockingham City Council,



# SWANBOURNE



You are most welcome to join with us in the seventh Olympic Games to be held at North Swanbourne Beach. Remember, photographs (still) of the events are OK but due to popular demand, NO VIDEOS or movies and for photos other than the events, ask first. It's only polite.

DAY: SUNDAY 19<sup>th</sup> February 1989

COMMENCES:

10.00 am

DRESS:

IMMATERIAL

SOME OLYMPICS SPONSORS  
Noodies (Glen Forrest)  
PREFERRED ATTRACTIONS  
(Les Cook)

## PROGRAMME OF EVENTS

FOUR LEGGED RACE (all)  
(four legged people handicapped)

SAND SCULPTURE (kids) (adults)  
(create your fantasies)

SWIM THROUGH SWANY (M) (F)  
(drowning is cheating - and messy)

BEST BUM (M) (F)  
(the rear in front is top bottom)

SPUD AND SPOON ACT (adults) (kids)  
(not mashed please)

FLOUR SACK STRUGGLE (adults) (kids)  
(without flour this time)

FILL 'ER UP MATE (all)  
(six to a team - no containers)

SAND SKI RACE (all)  
(four to a team - follow the leader)

SHOTPUT (2kg of sand) (all)  
(safer than cow pats)

TUG-OF-WAR  
(in the water - if not too rough)

During the lunchbreak, Kim will show us why aerobics is so popular.

## THE

GREASY SPIT, LIMP SALADS and WARM DRINKS

## OLYMPIAN LUNCHEON

A SUCCULENT LUNCHEON PREPARED FOR YOU ON THE BEACH DURING THE OLYMPICS

BEEF-ON-THE-SPIT, FRESH SALADS AND FRUIT SALAD, ALL FOR ONLY \$11-00

TICKETS MAYBE OBTAINED FROM THE KIOSK OR THE BIKE.

GET YOUR TICKETS NOW!

WARNBRO CONTINUED . . . .

Council Avenue,  
Rockingham. 6168

and demand legalisation of Warnbro free beach. Use whatever reasons you feel would apply but do it before the end of the month. Also you can sign the petition in the Swanbourne beach kiosk. Remember, beaches are for the public and we as nudists are also the public and as such have equal rights. Don't ever think of yourself as others would portray us as second class citizens. You pay taxes and you use a public beach and you have equal rights to beach facilities. Don't let the turkeys keep you down.



Why not visit the beach soon. They need your support and it will give you practice for when the push comes for Swanbourne or Wanneroo, etc. Also the Council needs to be shown that there is a definite necessity for a free beach. The combination of a legal beach in the metro area and Rex and Kathy winning their case will be very strong ammunition to attack the apathetic State Government after

the state election on February 4th. Speaking of which, do you know how your candidates stand on the issue of public nude bathing? By all means ask them. Put more generally the issue is one of freedom of choice and should not be a political decision.

VOLLEYBALL

We lost one volleyball post in last winter's storms. The other was stolen by our resident vandal (whom we know) but please don't ask why; I can't comprehend that weird level of stupidity either.

Thanks to the many helpers who fronted up early Christmas eve - the new poles are in and running. There were costs involved so if you play and haven't contributed yet, it would be appreciated. After all, what other beach can you play volleyball all day all summer for \$2.00. It has to be top value.

The game is for everyone so join in the fun. Tuition is free and it is a great ice breaker.

P.S. There are a couple of frisbees in the volleyball bag for kids.

## SUNTANS

To all newcomers - WELCOME \*\*\*. Don't the brown bodies look great. But in case you haven't realised it yet there is no fast way to suntan. On the other hand, it's quick and easy to get a sunburn. Although bums and boobs don't seem to be any more sensitive than the rest, any white skin must have protection. Oils (factor 4) are insufficient to start with; you will need a factor of 10 to 15 depending on your skin type. Faces are more sensitive so take extra care, especially lips and noses. Colourful zinc cream is fun and effective. A hat is necessary for long hours in the sun and maybe an umbrella.

Remember TAN SLOWLY. A sunburn means lack of personal caring, a possible skin cancer and at the very least, we won't see you for a few days (sob sob). Have fun in the sun.

## SUNSEEKERS AND APPOLLO NUDIST CLUBS

Sunseekers is having an open weekend on February 11th and 12th. If you haven't seen a club before now is your chance. There is a large pool, sauna, BBQ, volleyball, tennis, miniten, etc., large grassed areas amongst shady jarrah trees. BYO lunch and drink and enjoy a day in the hills with other nudists. There is a cost of \$5-00/day/unit which goes towards pool improvements (a unit is a family, couple or a single). Contact Carol on 295 4346.

Appollo has its swim nights every second Sunday in the month at 6-9 pm and every 4th Sunday at 3-6 pm. It is held at Vital Health Studios, 340 Scarborough Beach Rd., Osbourne Pk. and you can use the facilities of squash, sauna, spa, pool and gymnasium. The cost is \$6-00 and enquires can be made to Bob on 390 7008.

The 2nd Sunday of February is the 12th - see Sunseekers above - make a full day of it.

