

20 December 2018

Reply to Questions on Notice from the Standing Committee on Social Issues, Gay and Transgender Hate Crimes Between 1970 and 2010.

Questions on Notice

Question 1. Are you able to give us-not now-a list of relevant papers that you have had published over the years? (Khan, p. 3)

Peer reviewed publications

2008 'Hate Crimes against Lesbians and Gay Men in New South Wales: Accumulated Knowledge of Victimization via Five Reports' Law and Society Association Australia and New Zealand (LSAANZ) Conference 2008 'W(h)ither Human Rights' 10-12 December University of Sydney (refereed conference paper.)

1997 'The Criminal Justice Response to Gay Killings: Research Findings' *Current Issues in Criminal Justice*, vol 9, no. 1, pp 56-70. (Co-authored with Tomsen, S.)

1996, 'The Gay (?) Victim on Trial: Discourses of Sexual Division in the Courtroom.' in, G. Mason & S. Tomsen (eds.) *Homophobic Violence*, Hawkins Press, Leichhardt.

1995 "'Roll a Fag' and Go Free": Competing Discourses of Sexuality and Sexual Identity'. *Journal of Interdisciplinary Studies (JIGS)*, vol 1, pp 49-56.

Academic manuscripts - examined

2005 'Anti-gay' Violence, Criminal Justice and Victimhood in New South Wales. Doctoral thesis, unpublished manuscript.

1995 'Homosexual Provocation: The Courtroom as an Arena of Gender Conflict in Australia'. Honours thesis, unpublished manuscript.

Publication – chapter in an edited book, non-peer review

2000 'In the Family Way: Hunter Gay Activism and the NIB case' in, Jim Wafer & Erica Southgate (eds.) *Out in the Valley: Hunter Lesbian and Gay Histories*, Newcastle History Monograph No. 15, Newcastle Region Library, Newcastle.

Question 2. Do you know if any papers have been presented that deal with the impact ... the advertising campaign that the Government, with all good intentions, ran with regard to the impact of HIV? (Khan, p. 3)

This question, when reading over the transcript, is quite broad but also focused on HIV education and its effect on the community. I recommend a paper on the creation of the Grim Reaper Campaign and a monograph on HIV activism in Australia. I have also included a paper on community-based education programs for gay men and men who have sex with men.

Padula, M. 2006, 'The AIDS Grim Reaper Campaign (A)' The Australian and New Zealand School of Government, Case Program 2006-90.1.

Power, Jennifer, 2011, *Movement, Knowledge, Emotion: Gay activism and HIV/AIDS in Australia*. ANU Press <https://press.anu.edu.au/publications/movement-knowledge-emotion>

Dowsett, G.W 1990, 'Reaching Men who have Sex with Men in Australia. An Overview of AIDS Education: Community Intervention and Community Attachment Strategies' *Australian Journal of Social Issues*, vol. 25, no. 3, pp. 186-198.

Question 3. Dr George, could you take on notice to see if you could find something about the linkage between HIV and violence? (Mallard (Chair) p. 3)

There is a paucity of such research in Australia on this topic. A search on Google Scholar locates sources of men's violence against women where HIV is a co-factor though most of these studies are not Australian. NSW Government bureaux and community violence reports did not take HIV/AIDS into consideration, though it might be included in 'other' category (see my submission to this committee). A 2009 report from the USA which has a limited discussion of HIV/AIDS and violence may be of some interest and is referenced below.

Tomsen, S and Sarre, R, 1997, 'Violence and HIV/AIDS: Exploring the link between homophobic violence and the perception of HIV/AIDS as a 'gay disease', in G. Mason and S. Tomsen (eds.) *Homophobic Violence*, Hawkins Press, Leichhardt.

Waters, Emily *Lesbian, Gay, Bisexual, Transgender, Queer and HIV-affected Hate Violence in 2009: A 20th Anniversary report from the National Coalition of Anti-Violence Programs [USA]*.

https://avp.org/wp-content/uploads/2017/04/2009_NCAVP_HV_Report.pdf

Question 4. Also the *Star Observer* unfortunately is not digitalised historically so if you could provide those articles you talked about a minute ago regarding the victim accounts of police being involved in entrapment – (Mallard, Chair, p.4)

I have attached some copies of original pages from the Sydney Star Observer (the newspaper has had a number of names) (Appendix A) along with typed copies of articles, with commentary (extracts for my doctoral thesis), from The Star along with some quotes from a report on homosexual discrimination in NSW by New South Wales Anti-Discrimination Board, 1982, *Discrimination and Homosexuality*, (Appendix B).

Question 5. Did any magistrates or judges in their judgements or findings comment on police behaviour toward any people? (Mallard, Chair, p. 4)

In response to this question I revert to my original answer, 'Not from my memory, no'. In hindsight I was confused by the follow-up question and incorrectly thought of an exchange in the journal *Current Issues in Criminology* between Prof. Steven Tomsen (a witness to this Inquiry) and myself with Greg Woods, QC, who represented the defendant in *R v Bonner* (NSW Supreme Court, 19 May 1995) that does not relate to any comments made by a member of the judiciary or a magistrate.

Sincerely,

Dr. Allen George

SYDNEY STAR OBSERVER

No. 96, Friday 13 January 1989

Bustings and entrapment

POLICE/GAY RELATIONS TAKE A DIVE

Despite glowing reports in the straight media that 'Sydney's homosexuals now say the police are great' (*Daily Telegraph*, 21 December 1988), relations may be heading for a dive following allegations of entrapment, physical assault, falsification of statements and anti-gay abuse.

The allegations were made to the *Star Observer* in the course of inquiries into three separate incidents.

One concerns a case of entrapment at Bondi Beach on the Wednesday before Christmas, and two involve arbitrary

detention and harassment by Transport Police at Central Railway Station, first in October 1988, and again on New Year's Day.

An eyewitness described how two police at Bondi Beach set up a youth in the men's toilets,

tackled him to the ground, handcuffed him and dragged him away with the words, 'You're under arrest because you're a filthy fag'.

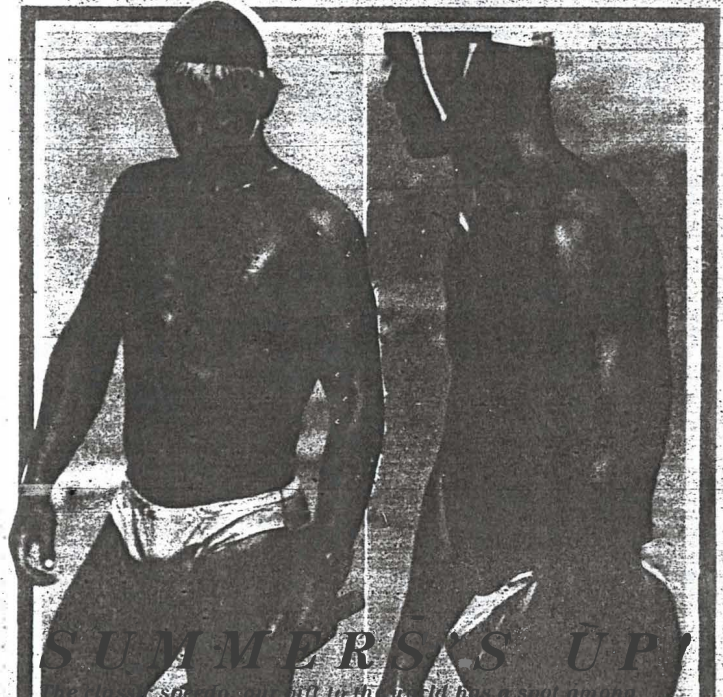
Horrified by the calculated nature of the entrapment, and concerned about the outcome for the unfortunate youth in court and at home, the witness says he is prepared to swear an affidavit about what he saw and heard.

In the two incidents at Central Railway Station there are striking resemblances, though they happened two months apart.

In October, uniformed Transport Police, acting on a complaint, went to the men's toilets, and grabbed the first person they found, despite the protestations of the complainant they had got the wrong person.

Nevertheless, they took the person they had nabbed to the Eddy Avenue Police Centre. He alleges he was assaulted, and a false statement, incriminating himself and the complainant was concocted under duress.

Although no charges were laid, he was told they would keep his confession in case they ever saw him there again.



Australian inventions in the Powerhouse Museum — and it sure beats Vic's Mowers and Hills Hoists! Photographer Steve Schmidt has scoured beaches and surf carnivals for three years now, helping to give our Nylon Icon worldwide fame, and finding enormous popularity for his surfer and lifesaver cards.



On New Year's Day the Transport Police struck once more. This time, over a belt worn by a young man washing his hands after using the men's toilet.

He had purchased it from a Centrepoin boutique, where it was openly on sale. Described by the boutique's owner as a novelty item, it incorporates a pair of mock handcuffs into the buckle.

The young man was taken to the Police Centre where, he says, police verbally and physically abused him, threatened to keep him in the cells overnight on charges of possessing an offensive implement, but finally let him go after recording his name and

address, which they would keep for their own purposes. A complaint has been lodged with the Minister for Police and the State Ombudsman.

The *Star Observer* has provided the Gay and Lesbian Rights Lobby with details of the allegations. Co-convenors Jane Clements and Gary Cox said they will be pressing Police Liaison Unit head Fred Miller for a full explanation.

Efforts to contact the Liaison Unit have so far been unsuccessful, with no one at the Police Department able to say when Fred Miller would be available, and no one willing to act in his absence.

The allegations cast

doubts on the rosy picture of relations with police given by Fred Miller in an interview in November (*SSO* 92).

They also raise questions about the effectiveness of a liaison unit which has taken a 'hand-aid' approach to solving problems with police attitudes, preferring to deal only with specific allegations made by the individuals directly involved.

In the light of events such as these, it is hardly surprising gay men and lesbians are suspicious of police, and frequently reluctant to lodge complaints, even to a civilian official such as Fred Miller. (See centre pages for full details.)

Terrence Bell

ALSO PRESENTS MELBOURNE'S

RED

SUNDAY JANUARY 29 1989

PARTY TICKETS AT THE OXFORD

NEWS

WHERE ARE THE CRIMES?

There are two kinds of poofter bashers — but only one has the power to arrest you. Three recent cases involving police entrapment, physical assault, abuse and falsification of statements, raise the old issue of police/gay relations with new urgency. **TERRENCE BELL** reports.

A fourth story is a timely reminder of how to handle this kind of harassment — persevere. Police charges against a gay man two years ago were dismissed just before Christmas.

Entrapment at Bondi Beach

The case of entrapment at Bondi Beach is disturbing for the apparent determination of police to incite a person to commit a crime, the age of the victim, and for the fact that in NSW, the practice of police entrapment is still not illegal.

The *Star Observer's* informant, "John" — who wishes to remain anonymous at this time — said he was using the men's toilets at Bondi Beach at around 3.45pm on Wednesday, 28 December, when he heard someone going along and tapping discreetly on all the cubicle doors.

Feeling the after-effects of the previous night's curry, John said he didn't pay much attention, and assumed it was merely someone "checking the place out".

At the cubicle next to John's, the soft knock was answered by what he described as a very young voice: "It's occupied". A second knock got the same reply. Then John heard the cubicle door open. A

lengthy silence followed, perhaps five minutes, and then another voice said loudly, "I'm a policeman. Come with me."

According to John, things began to happen very quickly. There was a sinking groan, and a flurry of "drop the bundle" activity. Then the commanding voice again: "Stay there. You fucking stay there."

Although he doesn't know for sure, John thinks the youth attempted to make a break and run, screaming something like "Help me! Help! Help!", as if he thought it was bashers.

John said he could hear what was happening, and he wasn't going to go dashing out there. But he eventually got himself together, and left the now completely deserted toilet.

Outside, he came upon two men in their late twenties, one blonde, one dark-haired, wrestling a youth to the ground. They were dressed in beach clothes, and as they struggled to

hand-cuff the youth, John said he saw what appeared to be a standard police issue revolver tucked into the board shorts of the blonde man.

Dragging the youth away, the blonde man said loudly — John thinks it was more for his benefit than anything else — "You're under arrest because you're a filthy fag."

Speaking to the *Star Observer* the day after he witnessed this chilling incident, John said, he is prepared to write a statutory declaration concerning what he saw and heard if the as yet unidentified victim of entrapment needs support in any future legal action.

He said he was concerned at the devastating and possibly far-reaching effect such an experience could have on a young person and his future life.

Whatever else can be said, this incident makes a mockery of claims that police are on the streets protecting innocent youth from "perverts", and may prompt people to wonder who the real perverts are.

It should be noted the 1982 Anti-Discrimination Board Report, *Discrimination and Homosexuality*, recommended police cease both the use of decoys and other entrapment practices, as well as routine surveillance of public toilets except on receipt of a substantiated complaint.

It also recommended the law be changed to make evidence obtained by entrapment inadmissible in court.



Lawrence Blackburn

Central Railway Station (1)

At Central Railway Station on New Year's Day, the Transport Police (now part of the NSW State Police) got more than they expected when they took on New Zealander Lawrence Blackburn, as he dried his hands under the blower in the men's toilets.

Lawrence explained to the *Star Observer* the two police were dressed very casually, and their "What are you doing with that belt, mate?" approach didn't go down very well, as he did not take kindly to being accosted by strangers in a public toilet.

The belt which attracted their attention incorporated a set of mock hand-cuffs as the buckle, and had been purchased from a Centrepoint boutique. The proprietor describes it as "just a belt", a novelty item, and can't understand what the problem was.

Neither did Lawrence Blackburn. He said it was like a Kafkaesque nightmare when he was hauled from the men's toilet and frog-marched down the Eddy Avenue concourse to the nearby Transport Police Room, even though he told the police he would walk with them.

At the station, surrounded by at least seven men in casual dress, Lawrence was told to remove the belt. When he asked why,

Lawrence said he was thrown to the floor and held there by an officer putting his boot heavily on Lawrence's chest.

Then it was up against the wall and spread 'em, as he was frisked. Miami Vice Style.

He told how he was asked repeatedly, "Are you into gay S & M?" while one of the police continued to slap the belt menacingly into his hand, and another

indignation changed to compliance, which appears to have saved him from further humiliation.

It may possibly have saved him from formal charges as well (possession of an offensive implement), but not before the police took his name and address. Lawrence said the police told him they would keep these details for their own purposes even though no charges were laid and no official record was kept.

His advice to anyone who finds themselves in a similar situation is to keep calm, be polite, observe everything that happens, and write it down as soon as possible afterwards.

Lawrence has no regrets about making formal complaints to the Minister of Police, the Police Commissioner and the State Ombudsman, and was definite about the need for other people to do the same.

"If they allow it to happen to them, they're allowing it to happen to anyone else", he said.

"Only through constant public complaints can the NSW Police force be cleaned up."

"I'm bloody tired, and I feel pretty stressed out, but I've still got my self-respect."

Lawrence also contacted the *Sydney Morning Herald* which ran his story prominently and sympathetically on 3 January.

'A policeman would have to be a fool to physically abuse someone for no reason other than that they hate gays. Who would put their career on the line for that?'

(Mr Phil Holder, vice-president of the NSW Police Association to the SMH on 3 Jan.)

thrust an umbrella forward in a manner "suggesting sexual penetration".

Lawrence said they taunted him with offensive jokes about New Zealanders and sheep.

When he realised the police weren't doing it by any rules he understood, Lawrence Blackburn's

BEEN BASHED?

OR HASSLED

BECAUSE YOU'RE GAY OR LESBIAN?

SOMETHING SHOULD BE DONE!

Together we can stop violence against gays and lesbians! Streetwatch is a violence monitoring project of the Gay & Lesbian Rights Lobby. We want to know when and where.

SYDNEY GAY & LESBIAN SPORTS ASSOC.

AUSTRALIAN GAY CELEBRATION GAMES 1989

WHO ARE THE CRIMINALS?

Central Railway Station (2)

The SMH story prompted another young gay man, Mark Watson, to tell the *Star Observer* what happened to him at Central Railway Station in October 1988.

He had been sitting down (the only way to use a toilet) for only a few minutes when he heard voices outside, someone complaining to the police about "poofters" peering over the partitions in the cubicles towards the end.

The police went along and were kicking at each cubicle door in turn. When they got to my door it came open, the lock had already been broken.

"I stood up and pulled up my pants, and two uniformed policemen said 'You're coming with us, with no explanation.'"

Mark said there was another man with them resembling a conservatively dressed, middle-aged Englishman. This man, he said, told the police Mark wasn't the one, and pointed to the cubicles at the end.

According to Mark the police paid no attention, and took Mark and the other man to the Eddy Avenue, Police Centre. There Mark and the two officers went into the lock-up, and the questions started.

Mark said first they asked him what he was doing there, and then if he was afraid of the police.

"I forget which question it was, but the first time I gave a denial, the older one punched me in the stomach. The younger one also poked me in the chest, but it wasn't really a punch. After that I decided to go along with what they wanted me to say."

Mark said the police officers then coached him in a story which incriminated both him and the other man. Mark was taken from the lock-up and the story was told to another policeman.

"He asked me 'Is this true?', and I said it was. I didn't want to get into any more trouble."

Mark said while he was writing out the statement he could overhear the police making loud remarks about "how gays never learn".

When he finished, the police took him out into the public area where the man who complained had been waiting and told the man what Mark had written, before taking Mark back inside. Mark said he didn't see that man again.

Police charges dismissed

On 22 December 1988 at Castlereagh St Local Court, Magistrate Mr F Mackenzie dismissed three charges of Resisting Arrest, one of Assaulting a police officer, and another of Behaving in an Offensive Manner brought by police against Mark Fraser.

Back inside the police took Mark's driver's license — to check him out — and looked through Mark's bag, asking if he had any gay pornography.

Mark was finally allowed to leave and no charges were laid. He said the police told him they would keep his signed statement, and if they ever saw him again things would be very different.

'Relations with the police cannot be improved by glowing press reports. After acknowledging the extent of the problem, police training must be a priority.'

(Mr Gary Cox, co-convenor of the Gay and Lesbian Rights Lobby.)

The charges arose from what Mark claimed in evidence was an unprovoked attack upon him in Darlinghurst Rd, Kings Cross, around midnight on 29 October 1987 by four men who turned out to be detectives in the Consorting Squad.

Mark claimed the detectives swore at him during the attack and repeatedly called him "poofter" and a "cunt".

Mark sustained serious injuries to his face and upper part of his body. His friend who had been accompanying him also suffered a blow to the face.

When his friend, Mr G Loveridge, tried to get help from uniformed police at Kings Cross police station, the uniformed officers were told by the detectives they were from the Consorting Squad, upon which the uniformed officers told Mr Loveridge "not to be such a baby", and they returned to Kings Cross police station.

Mr Fraser claimed he was then subjected to further assaults both in Fitzroy Gardens and in a police car on the way to Sydney Police Centre, where he was charged. His wounds were not treated.

Upon release, Mr Fraser went to the home of Mr Loveridge and was photographed. He was then taken to casualty at St Vincent's Hospital.

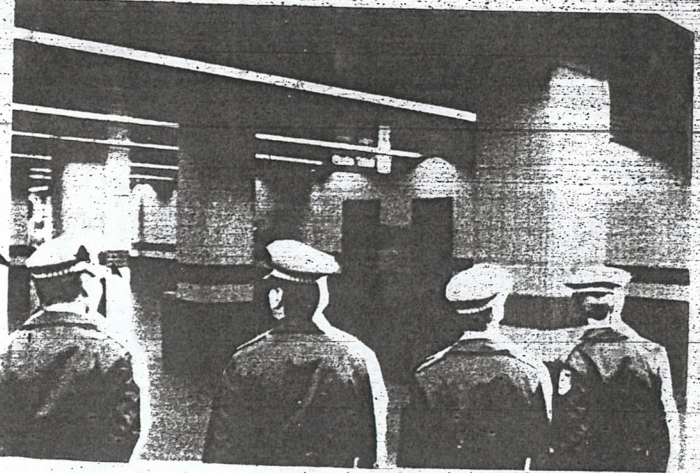
Subsequently, Mr Fraser attended his general practitioner and a physiotherapist at St Vincent's for the pain and stiffness of his neck and back muscles.

Mr Fraser and Mr Loveridge complained to the Police Internal Affairs Section where statements were taken and an authority for police to view his hospital file supplied.

Mr Fraser obtained representation from the Macquarie Legal Centre. Mr Roy Walden acted as his solicitor, and barrister David Buchanan appeared for him in court.

The case went for five days of hearing throughout 1988. The court heard evidence from the four detectives who claimed Mr Fraser had made an unprovoked assault upon them and that they did not see Mr Loveridge.

The detectives denied assaulting Mr Fraser or ever knowing he was gay. Police also called an independent witness, a waiter from the Bourbon and Beefsteak restaurant, Mr Sbrano. Police did not



SCENE OF POLICE HARASSMENT: CENTRAL RAILWAY TOILETS

call either of the officers approached for assistance by Mr Loveridge.

Mr Fraser and Mr Loveridge gave evidence, as did Mr Fraser's doctor. Also admitted into evidence was the St Vincent's Hospital file, photographs of Messrs Fraser and Loveridge taken that night, and the bloodied shirt Mr Fraser had been wearing.

In dismissing the charges, Mr Mackenzie said he could not be satisfied Mr Fraser had acted in an offensive manner, nor that

he had assaulted anyone, nor that police had been acting in the execution of their duty so as to make resistance by Mr Fraser to police an offence of resisting arrest.

The Magistrate ordered that police pay Mr Fraser \$3,312 legal costs.

Asked afterwards about the lessons from the case, barrister David Buchanan said it showed NSW police still engage in poofter bashing. It also illustrated the importance of immediately recording injuries sustained as the result of a

bashing.

Perhaps most importantly, the case showed how essential it is that people who are bashed persevere with the lengthy and stressful processes of making a complaint and fighting unfounded charges.

In addition to his complaint against the detectives and the uniformed police who failed to intervene, Mr Fraser will be taking legal advice on further proceedings — this time for damages for assault.

BOOMERANGS

6TH ANNUAL MARDI GRAS HARBOUR CRUISE

SAT. 11TH FEBRUARY 1989

\$18



COCKTAILS: on board
DEPARTS: CIRCULAR QUAY
JETTY 2 at 8pm

TICKETS: - BOOKSHOP DARLINGHURST
- GREED SISTERS EMP.
(178 King St Newtown)

INFO: GERALD 5501926
CHRIS 511050

PLEASE PURCHASE YOUR TICKETS EARLY AS LAST YEAR MANY MISSED OUT

SHOW LIGHT SUPPER STRICTLY B.Y.O.G.

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Mardi Gras' most popular SPORTING EVENT

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Police deny entrapment — 'Beat up' says Miller

Following allegations of police entrapment and harassment of gay men, as reported in the last issue of the *Sydney Star Observer*, the NSW Anti-Discrimination Board and the Gay and Lesbians Rights Lobby have approached the NSW Police Department for an explanation, and are seeking a face-to-face meeting with Transport Police.

The allegations arose out of three incidents: a case of apparent entrapment at Bondi Beach just before Christmas; and separate incidents involving Transport police at Central Railway Station, in which two gay men say they were detained without being arrested or charged, and were subjected to physical and verbal abuse.

The *Star Observer* articles were tabled at a meeting of the Police-Gay Lesbian Liaison Committee on Thursday 19 January, by Steve Mark, acting President of the NSW Anti-Discrimination Board.

Copies of the articles were also sent to the Minister for Police by Independent Member for Bligh, Clover Moore, calling on the Minister to investigate the allegations.

Following dissatisfaction with its handling of the matters, the performance of the NSW Police Department's Lesbian Gay Liaison Unit once again has been pushed into the spotlight.

Gary Cox, co-Convener of

GLRL, told the *Star Observer* that Liaison Unit officers had been uncontactable until January 9, more than a week after the two incidents which occurred over the Christmas-New Year period.

Other police, he said, were not prepared to deal with the matters during the time that Liaison Unit officers were unavailable.



Fred Miller

According to Mr Cox, when he finally established contact with Fred Miller, the unit's Coordinator, he was told the Unit had been aware of at least one of the cases — it was reported prominently in the *Sydney Morning Herald* on 3 January — but

had been waiting for a complaint from GLRL before initiating any action.

Up until the January 19 Liaison Committee meeting, Mr Miller had still not made any direct approach to the Transport Police, and had not identified or interviewed any of the police who might have been involved in the incidents alleged to have taken place at Central Railway.

Mr Miller had, however, established that a person was arrested and charged with offensive behaviour at Bondi Beach. The arrest took place around the time of the event reported in the *Star Observer*.

He has refused to provide any further information to either the *Star Observer* or GLRL, which might help establish whether they are one and the same event, even though both organisations hold information which might be of assistance in any legal defence against such charges.

Mr Miller told the *Star Observer* he had not heard of any instances of police entrapment since he joined the Police Liaison Unit in 1985, and described the *Star Observer* story as a 'beat up'.



Vocalist Vanetta Fields at the launch of ACON's 12th single 'Out Living, Out Lasting' at Kinsella's on 18 Jan. Yours for \$7.99 at Disco City and Central Station Records. (Pic: Glen Andersson)

He said police in charge at Bondi had assured him entrapment was not used there, as local officers had been specifically instructed not to use the practice in order to make arrests. He added, that if necessary, the instructions could be re-stated.

Terrence Bell

Shark Island Picnic

As part of the 1989 Sydney Gay and Lesbian March and Festival, the AIDS Council of NSW is hosting a picnic on Shark Island in Sydney Harbour.

Apart from promising to be a fun and relaxing day surrounded by spectacular harbour views, it will be an opportunity to meet and talk with members of the ACON Committee and staff and to pass on suggestions for improvements on existing campaigns and services available through ACON.

Those attending are asked to bring their picnic lunch. Liquid refreshments and entertainment will be provided.

A ferry will leave from Circular Quay (No 6 Jetty) at 11am, Sat 4 February. It will depart Shark Island at 5pm for the trip home.

ACON advise booking early (tickets \$10) as places are strictly limited to 160 people (ph 211 0499). In case of bad weather, ring for confirmation.

MARK (DAVO) DAVIES
Died 31.12.88
Loved & remembered by his family and friends at the Oxford Hotel

KNIGHTS OF THE CHAMELEONS
announce the passing of
TOM O'CONNOR
(formerly of Burwood, Sydney)
at the
Southport Hospital (Qld) 12.1.89

ILLAWARRA AREA HEALTH SERVICE
Equal Opportunity Employer
Applications are invited for the following position. Please quote position number when applying. Applications in writing stating relevant details of experience and the names and addresses of two referees should be addressed to:
The Personnel Manager
ILLAWARRA AREA HEALTH SERVICE
P.O. Box 2015, Wollongong 2500

Community Health Service
HEALTH EDUCATION OFFICER
Sexual Health Clinic
Position No 4949CH

The Sexual Health Service of Illawarra Health Service is seeking for a health education officer to research and develop programs addressing risk prevention for the prevention and non-recurrence of STDs in the Illawarra and Shoalhaven areas.

Duties: Identify educational needs of target populations and develop appropriate educational materials; identify service needs and coordinate educational development; coordinate necessary administrative duties and program professional development.

Essential: Tertiary qualifications in health education or related discipline. Proven experience in research and development of educational services programs working with target populations. Current driver's license.

Desirable: Knowledge of local area. Ability to work independently.

Essential: Current Australian Citizenship. AIDS 5111 Certificate (in 1984 or 1985).

Applications close: 10th February 1989.

The Illawarra Area Health Service in caring for the health of its employees and patients, encourages a non-smoking environment.

SYDNEY STAR OBSERVER

We're looking for a full-time
OFFICE ASSISTANT
to start as soon as possible.

This position is responsible for maintaining office supplies, telephone answering and reception duties, keeping records of receipts and payments, providing secretarial support to the Editor and Advertising Manager, servicing classified advertisers, filing and general office duties.

SEMINAR REPORTS FROM SOCIAL ASPECTS OF THE PREVENTION OF AIDS (SAPA) RESEARCH PROJECT AND WOLLONGONG UNIVERSITY AIDS RESEARCH PROJECT

★ Report back on the research project undertaken jointly by the AIDS Council of NSW and the School of Behavioural Sciences at Macquarie University which looks at the social and sexual lifestyles of over 500 men who have sex with men, and their implications for AIDS prevention strategies. SPEAKERS: Gary Douseff and Sue Kippax.

Appendix B. Abstracts from Doctoral Thesis manuscript citing articles from the *Sydney Star Observer* and the NSW Anti-Discrimination Board.

Abstract 1

The mistrust by homosexual/gay men toward police was warranted, and anecdotal evidence presented in *The Star* by community members served to reinforce this. The following report was published in 1981, appearing as a reproduction of a Statutory Declaration made by a 'gay person', who requested his name be withheld, outlining an incident of harassment by police:

On the night of Friday 3 April 1981, at 11.02pm, I was sitting talking with three friends in a public bar of the Fountain Hotel, Kings Cross. I had consumed four alcoholic drinks during the evening, between 8pm and 11pm. These were: one Scotch and dry ginger ale, and three middies of draught beer. I considered myself to be fully sober.

A man dressed in a safari suit then approached me. His demeanour was one of considerable hostility. Without identifying himself in any way, he asked me my age. I replied, truthfully, that I was old enough to be in the bar. When he repeated the question I told him my date of birth.

At that point another person stepped behind me and grabbed my arms. The two men then dragged me off my chair, across the room and out of the bar. Despite the fact that I was offering no resistance, a head-and-throatlock [sic] was applied to me which prevented me from speaking, and indeed from breathing for a period. Outside, I was detained on the footpath with a number of other people.

When I was able, I asked one of the detectives, of whom there were now a large group, what I was being charged with. He said: "You are not being charged." I asked "In that case, what right do you have to hold me?" He did not reply. I continued: "I am not drunk. You have no right to hold me unless you are arresting me." Again he did not reply.

I asked "What is your name." He said: "Shut up you little poof" and pushed me into one of several "paddy-wagons" which were parked nearby. Some other people from the bar were put into the van after me, and the vehicle then began moving along Darlinghurst Road.

At frequent intervals the "paddy-wagon" stopped, and other people of both sexes were forced inside. Some of these were drunk, but some were definitely sober. One bewildered man said that he had just been walking along the road from his home to get some milk. A number of aboriginals, both young and old, were also put in, and the detectives seemed to treat these with particular contempt.

More and more people were piled into the van, and were forced to sit on top of each other. I made a count and confirmed that there were a minimum of seventeen persons in the van, and probably several more. Another person's count reached twenty-three. People of different sexes were forced to sit over each other without regard to common decency. One person was unable to either sit or stand, and had to remain in a king [sic] of painful crouch.

The van eventually reached Darlinghurst police station, where it was parked. We were left there for a long time. I was inside the van for almost one and a half hours altogether, from 11.05pm till 11.29am [sic]. The heat and air were very bad. One person became sick in this unpleasant atmosphere, and was unable, because of the crush, to avoid vomiting over those adjacent to him. Another person developed violent tendencies, and had to be restrained by those around him.

Finally we were led into the police station. I again asked what offence I was being charged with. No reply was given. Another person, who seemed to me completely sober, said "Unless I am charged I am going to leave." He was forcibly prevented from doing so. The officers on duty would not give their names, or say what section of the law we were being held under. The uniformed officer who appeared to be in charge as number 598. Officers ignored all questions put to them about our situation. When one man persisted in questioning an officer despite this, he was told: "Be quiet, or you'll be dealt with." After our names and addresses were taken and our portable possessions removed, we were put in various cells. The cell I was in was only a little overcrowded, but the floor was dirty and the blankets were not clean. I therefore remained awake, seated upright. At five a.m. we were released (Anonymous 1981, p. 5).

This statutory declaration served as an example of what could be expected from police when living an open gay life in the inner-city area of Sydney, particularly in the precinct of the notorious Darlinghurst Police Station. Similar evidence of police harassment of homosexual men appeared in other editions of *The Star* that year (eg Ellis 1981, p. 15; Stewart 1981, p. 13) and elsewhere (New South Wales Anti-Discrimination Board 1982).

Abstract 2

On the night of Saturday, 28th February, [1981] somewhere between 20 and 30 male homosexuals were taken into custody and detained after a raid on the Bottoms Up Bar, Rex Hotel, Kings Cross.

They were held under the Intoxicated Persons Act (1979) which allowed police to take into custody anyone they feel to be acting in a 'disorderly' manner as a result of intoxication (from alcohol) or who they fear may be at risk of injuring themselves or others as a result of this intoxication. Those taken into custody may be held until police are satisfied they are no longer intoxicated, or until a period of eight hours has elapsed. Those taken at the Rex were held for eight hours (*The Sydney Star* 1981a, p. 1).

Abstract 3

Published reports signalled that it was not uncommon for police to use physical violence against homosexual males, particularly at beats. Under the headline 'Police raid beat and bash youth', in 1984, it was noted how two policemen drove their paddy wagon across a park with its lights off to catch users by surprise (*The Star* 1984e, p. 6). After physically assaulting men in the men's toilet, the officers moved into the women's toilet where they found three men. After ordering two of the men out of the area, the third, described by a witness as a 'teenager', was held by:

... the older of the two cops "who sported a greying clone-like moustache" holding on to the youth by the hair or the scruff of the neck ... while "tapping him not lightly by any means on the lower abdomen with his night stick, and all the while asking the same question, 'What are you doing here?'" (*The Star* 1984e, p. 6)

The witness and the author of the article drew a picture of a police officer acting with over-zealous authority and a sadistic show of power. The young man was said to have a look of

horror on his face and to have lost the power of speech as he was observed to be unable to answer police questions.

Abstract 4

Paul Mortimer, a 25-year-old man, had been drinking in the Taxi Club, Flinders Street Darlinghurst, on 5 May 1985, when he was approached by two detectives who were alleged to have asked him questions about the murder of a drag queen (Wendy Wayne). The officers claimed Mortimer refused their request and left the club. The detectives said they followed him out onto the street to ask more questions but Mortimer refused and then swore at them, this action leading to his arrest. In court, Mortimer claimed that he was approached and harassed by two drunken men in the Taxi Club who kept demanding he go outside where he would be 'fixed'. The two men (and perhaps a third) attempted to grab Mortimer but he managed to get away from them. He said he ran to Darlinghurst Police Station to make a complaint when the two detectives turned up, physically assaulted him and demanded he sign a false statement, which he did to escape further violence. In court the magistrate ruled Mortimer's statement inadmissible and on balance found that he did not give the statement voluntarily. While it was not found that the police had extracted the statement by force, Mortimer's lawyer claimed the inference was there. Mortimer made a complaint to the New South Wales Ombudsman over the detectives behaviour and by the end of 1987, the two police officers had been found to have engaged in actions which 'could be calculated to bring discredit on the Police Force' (*Sydney's Star Observer* 1987b, p. 6) with both dismissed from the force. Details of the incident and court proceedings are drawn from (*The Star Observer* 1985c, p. 5; Turner 1985a).

Abstract 5 – Here are a number of claims of police entrapment as outlined in victim reports to the New South Wales Anti-Discrimination Board report, *Discrimination and Homosexuality* (1982).

I was in the Town Hall station toilets. I saw a handsome man exposing himself in the toilet. He followed me out of the toilet and into an umbrella shop. I said, 'What a hunk of meat you've got.' I was then arrested by the handsome man and another policeman who came out to help with the arrest. I was handcuffed and taken away (New South Wales Anti-Discrimination Board 1982, p. 376).

Some policemen were reported to have gone beyond just exposing their penis as a means to elicit a response from a would-be offender:

I was in the toilet at Belmore Railway station. I saw a young man in there, he had an erection and he encouraged me. When I responded he invited me into a cubicle and then said he was a policeman. He took me outside where 2 other arrested men were waiting in the car (New South Wales Anti-Discrimination Board 1982, p. 376).

Homosexual men made claims such as these:

I was in the toilets at Town Hall station in 1977. I was arrested as I came out. In the car on the way to the police station the policeman told me that if I paid \$52 bail, I would not have to appear in court. I refused. I was charged and later convicted of offensive behaviour. I was fined \$50. I didn't do anything. I only

went to the toilet to urinate (New South Wales Anti-Discrimination Board 1982, p. 362).

Another man claimed:

I was in Green Park in 1972. The police came up to me and said, 'You're a poofter. What's your name? Where's your driving licence? You're a professional man, aren't you? Where's your wallet.' My wallet had \$50 in it. The police took the money out, gave me back the wallet and told me to 'piss off' (New South Wales Anti-Discrimination Board 1982, p. 362).

Harassment could take the form of verbal threats and implied or actual violence. Such was the experience of one woman:

In 1978 I was caught with a male companion painting lesbian slogans on a wall in Newtown. The police said – 'man-hating dyke – penis lover – why don't you shave your legs'. I was hit a few times. They told me that they were protecting society from people like me. There were 7 or so policemen involved in this behaviour. One of them kept patting his gun now and again (New South Wales Anti-Discrimination Board 1982, p. 360).

Harassment could also take the form of being accused by the police of another non-sexual offence:

I was in a parked car alongside Green Park in 1975. The police came over, they said, 'We suspect you of carrying drugs'. They pulled the car apart. They were arrogant and rude, and they didn't give a damn about any damage to the car. They said, 'You'd better move on. We don't want to see you here again or we'll arrest you.' I asked them what for, and they said, 'for being poofters' (New South Wales Anti-Discrimination Board 1982, pp. 360-61).

These two examples highlight the manner in which police could harass suspected homosexuals on the street. Such harassment could also extend to being picked-up and detained in cells without any charge being laid:

I was in a gay bar in 1975. The police came in and closed all the exits. All the women in the bar were allowed to go. All the men were taken to the police station in paddy wagons. No one was charged. We were just held for 4 hours and then told to 'piss off' (New South Wales Anti-Discrimination Board 1982, p. 362).