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HOMOPHOBIC VIOLENCE A NSW POLICE RESPONSE 17/6/93

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HOMOPHOBIC VIOLENCE - A N.S.W.POLICE RESPONSE 17/6/93

1. HOMOPHOBIC VIOLENCE - HISTORICAL PERSPECTIVE

1.1 Historical Background

Homophobic violence has existed for probably as long as there has been a perception that homosexuality was a sin deserving of social punishment or a crime warranting legal intervention and penalty. The Middle Ages shows the perfect example of homophobic violence. The term "faggot" in reference to homosexual men arises out of this period of history. Its actual meaning is a "bundle of sticks used to light a fire" and it was used to describe the use of homosexual men as 'human' sticks to help light the fires which burned witches. These so called witches were often women who were unmarried, not attached to men and who pursued their own careers (eg herbalist, medical practitioner etc). In those days these women were viewed as unnatural, unacceptable and not proper persons of their gender.

Joan of Arc, if one reads some more searching academic works, was persecuted partly because she wore men's clothing and refused to sign a declaration that she had acted wrongly and would never don britches again. Once imprisoned she apparently agreed to not partake in the habit any longer so as to avoid execution and suffer imprisonment instead. Eventually, whilst in prison she once again acted in an unwomanly manner, donned britches and was burnt at the stake for her act of 'deviance'. Even today women who wear trousers or pants to the workplace are often viewed as less credible, sometimes labelled as lesbian but fortunately not burnt at the stake in a literal sense.

Homophobic violence has existed for centuries and traditionally law makers and law enforcers have participated in this violence. Laws have often made homosexuality a criminal offence and in such a climate, law enforcers such as the police, were encouraged to mete out local 'justice' themselves through harassment, violence or the more subtle mechanism of neglect.

Today Police organisations are thankfully taking their first steps towards turning this situation around and are standing in the position appropriate to them - that is as upholders of community safety, a safety deserved by all, including gay and lesbian members of the community.

From a National perspective, NSW is leading the way in this regard and from a world perspective NSW is now one of the world leaders along with various states of America. Yet even as a world leader in this area it is important to keep an honest perspective and to view this paper with that perspective in mind: - there is a lot of homophobic violence in the community, there is a clear goodwill and commitment from senior levels of the Police organisation to take action, there are many police on the street who perform professionally, empathetically and who work well with the gay and lesbian communities and there is a lot of homophobia in the organisation, as in any organisation and any group made up of average prejudiced people.

1.2 Police Awareness

The NSW Police Service first became concerned with homophobic violence around 1985 after the then NSW Police Force was reoriented towards service delivery, community co-operation and what is now called community-based policing. The motto 'Police and Community working together to reduce violence, crime and fear'; the new organisational name - 'NSW Police Service'.

At that time, community relations became a key issue and full-time positions were established

to assist the Police Service in moving away from entrenched prejudice and towards a service accessible to all in the community, a service sensitive to diverse groups and needs. Liaison officers were set up for the areas of Aboriginal, Ethnic, Youth and Gay/Lesbian Community Relations. Different issues affect these different groups and different strategies are needed to overcome institutionalised police bias and long-standing gay & lesbians wariness of some members of the community.

Once some of the more blatant examples of organisational prejudice began to be addressed and the seed of goodwill was seen to show signs of growth then one of the issues of greatest relevance to the gay & lesbian communities could be addressed, which was anti-gay and lesbian violence or homophobic violence.

The types of crimes which may arise as homophobic include - gay bashing, lesbian bashing, neighbourhood violence/threats/ harassment, abusive phone calls or letters, gay hate murders, extortion at public toilets, blackmail, robbery with threats, drugging and robbery, domestic violence (involving previous heterosexual liaisons, spouses, partners and family reprisals).

1.3 Gay Hate Murders

Since 1987 there have been at least 19 Gay Hate Murders committed in NSW alone. The common aspect in each of these murders has been the motive - hatred of someone on the grounds of their perceived homosexuality. The offender has often been a total stranger who has lain in wait for an unsuspecting victim and for example pushed them off a cliff, as in the Bondi Cliff murders; or who has won the victim's confidence and then lured them to their home or a secluded location and bashed them to death with the nearest heavy object; or as is becoming more frequent the victim and offender are acquaintances, the victim has made a sexual advance to the non-gay acquaintance who, instead of saying a simple 'No', has bashed or stabbed the victim to death. To all accounts this is a fairly severe response to a sexual advance. Recently when a police officer commented on this type of murder that "they do take risks", the appropriate response was "Do you think so? Imagine if all women responded in that way to every sexual advance". The officer seemed to then realise the severity of the situation.

Homophobic violence is not confined to the inner City, to Oxford Street, to Newtown. It exists in exclusive apartment blocks in Sydney's prestigious North Shore where a lesbian couple is victimised and harassed for 2 years by their wealthy neighbour and puts up with it until it finally ends up in a brutal assault on both women. It exists in Bellbird, Mudgee, South Kempsey in the form of gay hate-murders. It exists in Wagga Wagga and Bega where blatant threats are conveyed in the local newspaper. It exists in suburban and country life, in NSW and in other states and appropriate policing strategies are the responsibility of all Police Services.

2. NSW POLICE RESPONSE - PATROL LEVEL

The NSW Police Service response occurs at two levels, at the organisational/strategic level in Police Headquarters and at the operational level where constables, sergeants and Patrol Commanders in local areas can make or break the professional reputation of the Police Service and commence the healing process for a crime victim or further victimise them.

At this stage of Police-Gay & Lesbian Relations it is still mostly true that strategies/initiatives are developed at a Headquarters level and then implemented by Patrols, according to their capacity, commitment and recognition of a need for action. There are also the occasional outstanding areas where local level Police or Police Commanders themselves take a proactive stance on homophobic violence and achieve excellent results in local crime prevention,

community consultation and confidence building.

This paper will first examine operational or local strategies and then the more strategic or organisational actions.

At a Police Patrol or Station level the central strategy has been the establishment since 1990 of Police Gay & Lesbian Liaison Officers. These are officers performing general police duties but also available as contact officers for gay/lesbian members of the community. From the initial four inner-city Police Patrols in February 1990 to nineteen in 1992, there are now 48 Patrols with such officers across the State, or a little less than 1 in 3 Patrols. Patrols have all been selected or nominated according to - high gay and lesbian population, visible gay and lesbian population, ongoing problems of violence, as a result of community request or by the initiative of an officer with a commitment to improved police service to an often neglected section of the community.

These officers function differently in different Patrols. In 3 inner city, 1 suburban and 1 country location they hold regular community consultations with local gay & lesbian residents, businesses etc to monitor homophobic violence and to conduct joint problem solving sessions. These Anti-Violence Consultative Groups have achieved such results as - the establishment of the Mobile Police Van at Taylor Square, in the heart of gay Sydney; the community based Whistle Project where people in the Oxford Street area carry whistles and blow for assistance or to intervene in a crime; the Safe Place Project, where venues or businesses who are offering a gay friendly haven to crime victims display a Safe Place Sticker, these can be seen at gay bars and even at McDonalds; joint community and police operations to catch particular offenders eg a flasher who preys on women leaving lesbian venues, bashers who frequent certain areas; and a myriad number of other locally relevant, jointly developed, crime detection or prevention strategies.

In other patrols these police might go to a crime victim's home and provide care and support after an incident; intervene in neighbour harassment/threats to halt its escalation, address local schools on the issue of homophobia and violence; talk to elders of an ethnic/aboriginal community if local kids are targeting local gay/lesbian residents for harassment or property vandalism.

The targeting of homophobic violence does not rest solely with GLLO officers, as it is a Patrol responsibility under the management of the Patrol Commander. The Commander is responsible for the provision of policing services, for good order, peace and safety in the neighbourhood. Included in this responsibility is homophobic violence, a fairly new discovery for many police - new because it has often been hidden by a lack of reporting, a lack of responsiveness to reports or by a blaming of gay and lesbian victims rather than of the perpetrators of violence against gay & lesbian victims.

In the context of this newness, and given the historical hostility between police and the gay/lesbian communities, the Liaison Officers have a role in educating their police peers towards improved gay sensitivity on the one hand and on the other they have a role in educating the gay/lesbian communities towards trusting the police, reporting violence and expecting a professional service. These police might hire a bus on World AIDS Day and drive those living with HIV/AIDS to a picnic spot for lunch. They might attend a Drag Show as a Special Guest and match sense of humour with a witty Drag Queen so that whilst being laughed at they can also earn the respect of the audience and convey a changed image of the Police Service. They might attend a meeting of the Gay Business Association or provide security at a National Lesbian Conference. Their attendance at this type of community event can have a huge impact on people's willingness to trust police, report crime and feel safer walking down the street. As a gay man once said after one of their regular small town

meetings with Police - "for the first time in my life I have felt safe walking down the street and that it's OK to be who I am".

From an overall Police Service perspective, Police Gay/Lesbian Relations is still in its infancy. Eight years is a short time in terms of an organisational commitment to address the needs of a much maligned, victimised, and misunderstood section of our community. Eight years is simply a beginning, a step down the path towards professionalism, accountability and public trust.

As the Police Commissioner, Tony Lauer, stated at a recent National Conference on "Keeping the Peace - Police Accountability and Oversight":

If a police organisation in the 1990s is to be truly effective; it is to become a police force of the people - mirroring the composition of society and reflecting its views, aspirations and demands - then it needs constantly to be exposed to society's changing influences and cognisant of its own professional parameters.

It needs to be forever conscious of the need for change.

It needs to be mindful of the fact that good police administration is directly linked to levels of public trust and that such trust is inextricably intertwined with accountability.

We are not just accountable to the Ombudsman. Nor are police merely subject to the traditional complaint investigation process, or simply reactive to the banner headlines of the media.

It is a much broader and complex proposition than this.

Accountability affects all aspects of policing; it is the lynch-pin in the police service's drive to lift its public image and improve effectiveness.

What has happened in NSW over the past decade is that - in trying to market ourselves to the people; in trying to steer away from the past; from an insular, introspective police force to an outgoing, responsive police service - we have, in effect, deliberately attracted the attention of all manner of interest groups and organisations; all to whom we are now variously accountable.

("Keeping the Peace - Police Accountability and Oversight", Hotel Nikko, 20 May, 1993, A. R. Lauer, Commissioner of Police).

Mr Lauer in his speech was inevitably referring to the gay and lesbian communities amongst others. It is true that the Police Service has accountability to this part of the community, an accountability to respond to the needs of gays and lesbians, to be sensitive, professional and to reduce homophobic violence. This accountability often requires pro-active initiatives, rather than reactive waiting for the gay & lesbian communities to suddenly acquire trust in police after years of mistrust and fear.

3. NSW POLICE RESPONSE - HEADQUARTERS/STRATEGIC LEVEL

To effectively deal with the issue of homophobic violence a strategic approach commenced in 1990 with a program aimed at Police Headquarters influencing/achieving change at various levels of the community which would impact on homophobic violence.

3.1 Phase I

In Phase I of this program the mission was "to mobilise the Police Service, the Gay & Lesbian Communities and the Wider Community to awareness, understanding, commitment and action on homophobic violence".

3.1.1 Objectives

The objectives of this Phase were:

- (i) to increase awareness and understanding of homophobic violence at key levels of Police, Community and Government
- (ii) to improve police responsiveness to homophobic violence in crucial locations and on significant crimes
- (iii) to demonstrate senior level Police commitment to reducing violence, crime and fear in the gay & lesbian communities
- (iv) to increase use of policing services by gays and lesbians and increase expectations of Police sensitivity and responsiveness
- (v) to increase Police accountability at Senior and Operational levels.

3.1.2 Strategies

In Phase I the strategies included:

1. Police Gay & Lesbian Liaison Officers were established in critical locations as previously referred to. These officers provided a local focus and local assistance for gays and lesbians in need of police assistance.
2. Anti Violence Consultative Groups were set up in critical locations after repeated reports of violence were received by the Client Group Advisor in those locations.
3. The Police Minister in 1990 gave credibility to homophobia as a serious issue when he agreed to a request by the Police Service to launch a report on Violence Against Gay Men and Lesbians (primarily focussed on gay men). This Report, the Streetwatch Report, was prepared by the Gay & Lesbian Rights Lobby. The media launch by a Liberal Government Police Minister, fascinated the media, focussed their attention on homophobic violence, gave it credibility as a serious issue and created a phase of intense media interest and coverage.
4. Close rapport was developed with the media during 1990-92 in an attempt to change their often blatant homophobia and blaming of gay & lesbian crime victims. An extensive amount of assistance was provided to facilitate coverage of issues by TV current affairs programs, radio, newspaper, popular magazines (such as Penthouse, Rolling Stone, GH) and TV serial programs such as GP and Country Practice.

In a 3½ year period over 140 interviews have been conducted with the mainstream press by the Client Advisor.

5. The Police Service initiated the focussing of Government attention on homophobic violence by requesting the Police Minister to form a Government and Community Committee to look at anti-gay/lesbian violence. This Committee, known as the Streetwatch Implementation Advisory Committee, has met since 1990 and presented the Police Minister with its first Report in 1992. The work of this Committee, under the auspices of the Police Minister and chaired by the Anti-Discrimination Board, has ensured a wider Government response to homophobic violence with initiatives being developed by the Department of Health, Department of School Education and

Department of Housing.

6. A marketing and education campaign was implemented and targeting both the gay and heterosexual communities in an attempt to open Police doors and change community attitudes using Police as role models and advocates for change. This included:
 - an education campaign within the gay/lesbian communities to encourage use of Police Services. This message was conveyed by Posters and Leaflets which were widely distributed.
 - an advertising campaign in key gay/lesbian publications to encourage reporting to Police and to identify the Police Client Group Advisor and the Police Liaison Officers. These advertisements are on-going and have appeared in gay newspapers, gay & lesbian magazines, the Mardi Gras Guide, Gay & Lesbian Travel Guides, Gay & Lesbian Business Directories.
 - a State wide mail out poster campaign of community groups, neighbourhood/local community centres and government offices. Posters were accompanied by a letter from the then Police Commissioner.
 - the regular issue of Police Media releases on homophobic violence.

7. A great emphasis was placed on working with the Department of School Education because of the involvement of numerous school age boys in the murders of gay men. Following two murders connected to the one school in 1990, a school program was immediately initiated by the Police Client Group Advisor. The program content was developed by the Advisor, 2 Police Youth Officers, 2 Local Youth Workers (one of whom was Mr. Shane Brown another presenter the conference and Family Planning Association.

The intervention was run under the auspices of Police Crime Prevention Workshops and utilised 10 Police and 6 Youth Workers in a 3 day intensive program which addressed Homophobic Violence as a sole topic. It was jointly facilitated by Police and Youth Workers and was a startling success.

Eventually the Department of School Education in 1991 set up a working group of their training personnel, a teacher and the Police Client Advisor to turn the school model into a comprehensive training package available for school use as a six hour module.

Work was also undertaken with the Catholic Education Office in 1992 which led to the inclusion of a segment on homophobia and violence in the AIDS package under the topic "Rights & Feelings of Others".

8. The Police Service assisted in putting the issue of homophobic violence and the need for Police Gay/Lesbian Liaison on the agenda both nationally and internationally.
 - In 1991 the then Police Commissioner presented a paper on "Prejudice, A Barrier to Professionalism" to the Conference of Australasian and South Pacific Police Commissioners.
 - Ongoing assistance has been provided to Police, Community Groups and Members of Parliament in Western Australia, Victoria, Queensland, South Australia, Tasmania, ACT, New Scotland Yard and New Zealand, regarding

establishing formal Police Gay/Lesbian Liaison.

- International media stories of NSW Police strategies on Homophobic Violence have featured in the London Times, NZ Herald, The Swedish Times, French TV, Japanese TV, Italian and Irish newspapers.
9. 1990-1992 were the years of visible symbols of Police Commitment:
- A Mobile Police Van was placed at Taylor Square in late 1990, every Thursday, Friday and Saturday night and continues to this day.
 - Police presented the Mardi Gras Association with an award for crowd control and safety. The Police Officer presenting it received 5 minutes applause.
 - Police contributed \$5,000 to the Truth or Dare Video developed by young people to stop the homophobia and violence of their peers.
 - Police ran stalls at World AIDS Day and at Mardi Gras Fair Day which is attended by 15,000 people, took peoples photos on a Police bike for \$5 and gave proceeds to an AIDS Charity.
 - Police formally objected to the development application of an Amusement Parlour on Oxford Street which they believed would increase homophobic violence. They spent half a day being cross-examined in the Land and Environment Court on homophobic violence.
10. Extensive community consultation, liaison and networking was and is an essential strategy and a necessary part of building co-operation and trust. This consultation encompasses gay and lesbian community leaders, community groups and the many individuals who require assistance in coming forward to report crimes.

3.2 Phase II

The Police Service is currently in Phase II of its program for change. The Mission of this phase is "Police working with the gay and lesbian communities with increased responsiveness achieved through formalised organisational change". This phase is more inwards looking and involves structural reforms, its objectives are:

3.2.1 Objectives

- (i) to provide a comprehensive training strategy for Police Service personnel on the needs fo the gay and lesbian community and gay and lesbian victims of crime.
- (ii) to identify structural organisational reforms relevant to improved customer service.
- (iii) to identify organisational practices detrimental to improving Police Gay/Lesbian Relations.
- (iv) to assist other organisations in formalising their strategies for reducing homophobic violence.
- (v) to develop a formal organisational response to homophobic violence

3.2.1 Strategies

Phase II includes the following strategies:

1. A co-ordinated training strategy is being implemented which will provide heightened

awareness of homophobia, homophobic violence and increased sensitivity to the needs of gay and lesbian members of the community.

This strategy currently has six strands:

- A Patrol Commanders' Workshop was held in December 1992 for Commanders in areas where there is homophobic violence or complaints about Police. 38 Patrols were identified through monitoring of trends and patterns over a 3 year period.
 - An On The Job Training Package was completed in February 1993 on "Police Relations With the Homosexual Community". It is available for use in Patrols and is the first such Police package.
 - 50 Patrol Training Officers have been trained in the use of the package and can run it at their Patrol if they feel capable of effectively handling the course content.
 - An article was written in the Police Issues and Practice Journal, titled "Dealing With Difference" which addressed various community groups and their needs and focussed also on gay and lesbian community issues and homophobic violence. Each of the States 16,000 Police receive a copy of this Journal.
 - All Police Gay/Lesbian Liaison Officers now attend a 5 day training course at the Goulburn Academy which is co-facilitated by the Client Advisor and an Academy Lecturer. This is the first formal Police Academy course to address gay/lesbian issues in Australia.
 - All Police Recruits receive some basic coverage of gay/lesbian issues in the Recruit Training Course.
2. A Senior Level Working Party on Improving Police Gay/Lesbian Relations was established in 1992 to identify problem areas and issues and develop remedial organisational strategic and reform. This Working Party is the first of its kind. It is chaired by the Commissioner's Chief of Staff Officer or another senior officer, attended by relevant Assistant Commissioners (Professional Responsibility, Education and Training) and regional representatives.
- This Working Party is examining key strategies and was the impetus behind the training strategy. It has identified 30 strategies for consideration by the Police Service and will develop formal organisation positions in a wide range of strategies to improve service delivery
3. The number of Police Gay/Lesbian Liaison Officers has been dramatically expanded during this Phase to ensure local attention to homophobic violence.
4. The formalising of the Homophobia Package with the Department of School Education has enabled that Department to more properly address homophobic violence with its students without requiring Police personnel to initiate or run programs.
5. A Survey of Violence Against Lesbians was conducted by the Police Service in 1992 via a UNSW Social work student on placement. 300 women were surveyed at a National Lesbian Conference and a draft report has been compiled which shows some

disturbing and interesting findings. It is the first such survey of its size on anti-lesbian violence and assists police community and government in understanding & responding to these times.

6. A Violence Forum was organised by the Police Service in April 1993 and was attended by several senior and operational police, relevant government departments, local government and Parliamentary representatives and gay and lesbian community organisations. The Forum's aim was to bring all players up to date with the vast range of community and government strategies now targeting homophobic violence and to plan future directions. Two working parties were established by senior police to further examine police service delivery and hate - crime issues.

7. Attention is being given to the issue of formalising relevant Hate Crime data collection at either Patrol or organisational level, with further community education on the need and purpose of reporting crime. A strategic response to the data at Patrol level and monitoring of the effectiveness of crime prevention strategies will be addressed.

4. THE FUTURE

After the second phase and the developing of proposed or formal organisational positions on service delivery and homophobic violence the third phase will involve a police service policy on Police Gay/Lesbian Relations which will give signification attention to Homophobic violence.

Police Commissioner Lauer went some distance recently in summing up where the Police Service aims to be

To many in the community we are moving from being a traditional represser of freedom and public expression to a champion of the down trodden, a representative of the maligned and underprivileged in society - an advocate for the community".

(Nikko Conference)

Some few would say the Police Service has gone too far in responding to homophobic violence and the needs of gay and lesbian members of the community and they vocally express this view. Some powerful conservative lobby groups try to pull the Police Service back from its program for change. Some others say the Police Service has done nothing on the issue and has not changed - they also are only a few but they also are vocal. Most acknowledge the huge movement forward and the distance yet to go. Irrespective of political agendas, the Police Service is moving down the path of change. It has purposefully taken the lead in creating a momentum for change on homophobia and homophobic violence. Now that this momentum has a life of its own the Police Service must continue to lead the way or at least to move with the change. Regardless of its chosen position as leader or follower, move it

inevitably will.

ATTACHMENT

NSW POLICE SERVICE**AVAILABLE RESOURCES ON HOMOPHOBIC VIOLENCE**

1. Police Service Posters
 - "Stop the Bashing, Report the Violence"
 - "Threats and Violence, Don't Put Up With It"
2. Newspaper/Magazine Articles on Homophobic Violence 1990-1993.
3. Police Service Training Packages on Police-Gay/Lesbian Relations
 - Police Relations With the Homosexual Community
 - Workshop for Patrols Commanders
 - Academy Training Course for Police Gay/Lesbian Liaison Officers
 - Policing Issues & Practice Journal, January 1993, Vol 1, No.1
4. History of Police Gay/Lesbian Relations - Chronological Summary
5. Overheads
 - Gay Hate Murders
 - Homophobic Crimes
 - Other
6. Examples of Police Service advertisements in the gay/lesbian press
7. Reports on Violence Against Lesbians and Gay Men
 - 'The Streetwatch Report, A study into Violence Against Lesbians and Gay Men' 1990
 - 'The Off Our Backs Report, A study into Anti-Lesbian Violence' 1992
 - 'NSW Police Service-Survey of Violence & Harrassment Against Lesbians ,1992
 - 'Report of the Streetwatch Implementation Advisory Committee' 1992
8. Report of the Gay & Lesbian Violence Forum NSW Police Service April 1993
9. Information Card on Police Gay/Lesbian Liaison September 1993
10. List of Police Gay/Lesbian Liaison Officers.
11. Other Training Resources
 - 'Violence Against Homosexual Men & Women' A module of 6 lessons for Presentation of a unit of working on Homophobia, NSW Dept of School Education.
 - 'HIV/AIDS Education in Catholic Schools K-12, Catholic Education Office, Sydney.