

# Ugly stain of homophobia continues to pollute Sydney



**KEVIN WALLER**

**T**HE SENTENCING of offenders for serious crimes is a slow, painstaking process. The judge delivers his oration more for the Appeals Court than for the audience, careful to refer to every facet of the case which may influence his decision.

As for the accused persons themselves, they are only ever concerned about the bottom line, not about the laborious process of reasoning which brought about that final result.

These reflections came to me as I sat in the Supreme Court recently and listened to Justice Wood sentence three young men for the murder in July 1990 of a Thai national, one Krichakorn Rattanaajaturathaporn. Having got themselves nicely primed on alcohol and marijuana, the three youths, one of them a schoolboy, went out on an expedition one described as "poofster-bashing".

They went to a park near Bondi Beach which they knew to be frequented by homosexuals, attacked one man with a hammer and stole his leather jacket, and then attacked and beat the Thai. He was either thrown from the cliff-tops or knocked over, or perhaps fell trying to escape his assailants. He bled copiously before his fall, and died of his injuries.

I had an interest in the case, as I had committed the accused for trial; and I was interested in the fact that a jury of 12 ordinary Australians, no doubt filled with that bigoted racialism that such people are often accused of, was nevertheless able to convict two Australian lads of murdering a Thai homosexual. The other had pleaded guilty shortly after the trial began.

Justice Wood did not miss them. The three were sentenced to 20 years' penal servitude, with minimum sentences to be served of 13 years in one case, and 12 years in the two others. It is a chilling experience to hear persons being given release dates in 2004, by which time one may well be dead. On the other hand, they are certainly better off than their victim.

In January, 1990, eight teenagers obtained the telephone number of Richard Johnson from the wall of a toilet in Alexandria Park. He was lured to the toilet block and bashed to death by the youths. All were convicted of either murder or manslaughter and sentenced to terms of imprisonment of up to 18 years, with the highest minimum sentence being 10 years.

The sentencing judge took

account of a request for leniency by the jury, but said that general deterrence was the most significant factor in the case. In December 1988, William Emanuel Allen had been bashed and kicked outside the same toilet block. He was able to make his way home but died there of his injuries. There were no arrests as a result of this killing.

In January 1987, Raymond Keam was found beaten to death outside a toilet block in Alison Road, Randwick. No evidence was obtained to incriminate any individual but at the inquest evidence was given by several youths that they were aware of, or had participated in, several attacks of this kind. One of their number would lure a victim to a car or secluded spot, where the unfortunate would be attacked and robbed. Sometimes they would escort him to an automatic telling machine and force him to withdraw money and hand it to them.

It is noteworthy that most of the assailants were schoolboys.

In 1989, the body of John Alan Russell was found at the base of cliffs at south Bondi, in the same region where the Thai victim was located. The inquest returned an open finding. Police are investigating other similar attacks in the same area and are also

“Boys who do this are afraid of their own sexuality.”

inquiring into the disappearance of Ross Bradley Warren, a Wollongong radio announcer, as being possibly related. One young man interviewed admitted being involved in more than 50 gang assault and robberies on homosexual men.

These attacks and others like them have caused great concern in the community over recent years, particularly, of course, in the gay community. Homophobia is an ongoing problem for gay men. However, in the first case mentioned, although the Thai victim was alone at night at a recognised gay beat, Justice Wood said that he had no idea whether the deceased person was a homosexual. "Every victim is entitled to be treated on the same basis, irrespective of racial characteristic or sexual preference," he said.

Of great concern is that these vicious assaults have been carried out by adolescent males, many still at school, and many with no criminal record. Why do they do it?

Dr Rod Milton, forensic psychiatrist, says the cause is to be found in adolescent turbulence. Young men are in a state of change and have anxieties about their own sexuality. They are suggestible and subject to gang influence. "Boys who do this

are afraid of their own sexuality," he says. "They feel that the best way to attack their own fears is to attack others of the same kind." He says that the open flaunting of homosexuality, as in the Gay Mardi Gras, may inflame this hostility.

One other matter which became apparent from investigations into these deaths was the obvious reluctance of homosexual victims to come forward, either because they believed they would be unsympathetically received by police, or because they did not want their homosexuality exposed.

In 1990, a committee was formed under the auspices of the Minister for Police to make recommendations aimed at reducing the incidence of attacks. It reported in February.

Programs of education and training, funded by the NSW Health Department, had already been introduced. More were called for. An amendment to the Anti-Discrimination Act to outlaw homosexual vilification was requested, as were further research and the gathering of statistics.

Sue Thompson, the Police Gay and Lesbian Client Group Consultant, advises that the mobile police van at Taylor Square still exists, but it is hoped that a community policing centre, staffed by volunteers, will take its place. Information will be taken, and victims referred to police or other appropriate bodies. A more user-friendly approach is envisaged.

A survey carried out by police at Surry Hills found that 60 per cent of assaults reported were gay-related, reduced to 43 per cent after more concentrated police effort. Other initiatives have been introduced, like the carrying of whistles to draw attention to a threatened bashing, and "safe place" triangles placed at the front of buildings. There have been more police foot patrols, always a popular measure.

The Gay and Lesbian Rights Lobby is unable to say whether the incidence of gay bashing has increased or lessened, as much of it remains unreported.

It has, however, conducted a recent project aimed at discovering how much violence is directed at lesbians by heterosexual males. It is "pretty frequent," according to a spokeswoman. The report of that project, entitled *Off Our Backs*, was released on Monday. Persons wishing to find out more should contact the Lesbian and Gay Anti-violence Project on 360 6650.

The death of Cyril Olsen, whose battered and trouserless body was found floating in Rushcutters Bay on August 22, is believed to be gay-related. The problem is being addressed, but it is far from over.

Kevin Waller, formerly a magistrate and, from 1988 until his retirement in January, NSW State Coroner, is chairman of the Victims' Advisory Council.