

D/2015/353156

ISSUE

Request for Commissioner's Instruction for changes to the NSWPF Handbook chapter 'Beats'.

BACKGROUND

The Performance Improvement & Planning Command (PIPC) is responsible for the maintenance and updating of the NSW Police Force Handbook. On the 8 July 2015 PIPC received a phone call and email from the Corporate Sponsor for Sexuality and Gender Diversity, Superintendent Anthony Crandell, (**Tab A**).

In it Superintendent Crandell documents recommended changes to the NSW Police Force Handbook chapter, 'Beats', primarily to reword the chapter title to 'Sex in Public Places' and to alter the focus from a crime issue to one of public safety.

The previous chapter information will be archived and is attached (**Tab B**). A Commissioner's Instruction (CI) has been drafted to announce this change (**Tab C**).

COMMENT

It is appropriate to change the 'Beats' chapter to reflect the current community and corporate approach to this issue.

RECOMMENDATION

Forwarded for approval to publish the Commissioners Instruction.

[REDACTED]
 G.J. McPhee
 Sergeant, [REDACTED]
 Enterprise Risk Management Team
 Eaglenet: [REDACTED]
 17 July 2015

1. Manager Enterprise Risk Management Team

Supported

[REDACTED]
*W.S. HAMICIDJ
 20 July 15*

2. Commander, Performance Improvement & Planning Command

Recommended.

21/7/15

TONY FERGUSON
 COMMANDER

3. Deputy Commissioner, Corporate Services

On behalf of For consideration of proposed chapter.

[Redacted] (MAYO VIDEKA).
Executive Officer
Deputy Commissioner 23/7/15.
Corporate Services

4. Deputy Commissioner, Field Operations

Supported. Accuracy of content has been confirmed with Superintendent Crowdell.

[Redacted] 12/8/15
Executive Officer
Deputy Commissioner
Field Operations

5. Deputy Commissioner, Corporate Services

Supported. [Redacted]
D.W. Hudson 13/8.

6. Commissioner

Supported. [Redacted] 10/9/15
Mary-Louise Battilana
Director
Office of the Commissioner

7. PIP

cc: Commander Surry Mills LAC.

Please action. [Redacted] 15/9/15

TONY FERGUSON
COMMANDER

8. ERM

Noted, forwarded for appropriate action [Redacted]

W. STAMILLON Insp.

9. Request sent to H. Morley by Eric 16 Sep 17/9/15 [Redacted]

EMERGENCY
a. Sep

G-CI-Beats - Sex in Public Places

FROM/CONFIRM ACCURACY WITH:

- Jacqueline Braw, Operational Programs [REDACTED]
- Sgt Garry McPhee, Performance Improvement & Planning Command [REDACTED]

APPROVAL:

- Superintendent Anthony Crandell

SCHEDULED FOR:

- ?

PHOTOGRAPHS:

- Nil photographs

[Commissioner's Instructions]

CI 15/

**'Beats' chapter of the NSW Police Force Handbook renamed 'Sex in Public Places'
[MAINHEAD]**

In order to better reflect policing issues relating to the use of public places for the purpose of organising or engaging in sexual activity, a change has been made to the NSW Police Force Handbook by renaming the 'Beats' chapter 'Sex in Public Places'.

Police are reminded that the term 'beats' refer to particular public areas used by men seeking other men for a range of activities, some of which may be sexual in nature, and may result in minor offences such as Wilful Exposure. At times however, these men are at risk of becoming victims of more serious offences such as robbery and bias crime. Other offences also occur in these locations such as drug use/supply, theft etc. The focus of police should be public safety with any response to complaints based upon the nature and seriousness of alleged incidents. Whilst action should still be contemplated for the detection of minor offences, including Wilful Exposure, the overriding priority should be deterrence by way of uniformed presence rather than using tactics of undercover or covert operations. The policing of beats requires sensitivity, which is inconsistent with the use of homophobic language or related behaviour. Actions taken should be non-discriminatory and target the behaviour, not the actual or perceived sexuality or gender identity of those involved.

All staff should now familiarise themselves with the revised instruction.

[SIGNOFF]

Deputy Commissioner N Kaldas APM

Field Operations

Enquiries: [REDACTED]

File no: D/2015/334883 **[END]**

Crandell email July 2015

REVISED 'BEATS' CHAPTER OF THE POLICE HANDBOOK
Anthony Crandell
to:
Garry Mcphee
08/07/2015 15:55
Cc:
Jacqueline Braw, Shobha Sharma
Show Details

HI Garry,

After some committed editing by Jackie Braw, please find attached a document intended to update and replace the 'Beats' Section of the NSWPF Handbook. If you have any questions or concerns please let me know.

Regards

Archived 8 July 2015

'Beats'

(Reviewed 20 November 2012)

- [How is a Beat Identified?](#)
- [Increased reporting of crimes](#)
- [Minor offences including wilful exposure](#)
- [More serious offences](#)
- [Partnership approach](#)
- [Purpose of Policing Beats](#)

The term 'beat' is used to describe a public location such as a park, beach or public toilet where men meet to negotiate and/or engage in social or sexual contact with other men.

Men using beats do not necessarily identify as homosexual. Available research and descriptive evidence suggest that many beat users identify as bisexual or heterosexual despite the homosexual nature of their activities.

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How is a Beat Identified?

Beats are public areas where a range of activities are undertaken. It is often difficult to identify whether an area is a beat. In addition, beat users tend to be discreet whilst at a beat to avoid unwarranted attention from those using the area for more traditional purposes. Beats are often identified by members of the public or members of certain occupations such as security guards and rangers who then contact police. Reasons for making contact often relate to litter, noise or movement of people and vehicles in the area.

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Purpose of Policing Beats

A range of illegal activity occurs at beats. Crimes range in seriousness from wilful exposure and theft from motor vehicle through to homophobic assault and murder, robbery and drug possession and/or supply. The seriousness of the activity being policed should dictate the response.

Local Area Commanders

Be aware of beats in your area; ensure an appropriate level of police response is provided. Crime prevention strategies should be employed to promote safety for all users of the area.

Crime Managers and Crime Coordinators

Consider the number and nature of complaints received in relation to a beat before making a decision to instigate a police response.

Guidelines for the Effective Policing of Beats can be obtained from the Sexuality & Gender Diversity: Working with Gay, Lesbian, Bisexual, Transgender and Intersex People intranet site.

These can be used to guide operational responses which will vary considerably depending on the seriousness of offences occurring at the location, the nature of the geographical location and complaints received about the use of the location as a beat and/or in relation to assaults in the area.

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Minor offences including wilful exposure

For minor crimes such as wilful exposure the aim of policing beats is the deterrence of anti-social and inappropriate behaviour. Crime prevention through High Visibility Policing is the preferred policing strategy. Consequently, priority should be given to using marked vehicles and uniformed officers when patrolling beats.

It is not recommended that plain clothes officers and covert operations be used in relation to investigating complaints of obscene exposure. Where covert operations in relation to obscene exposure are required, they are not to be conducted without prior written approval from the Local Area Commander.

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More serious offences

More serious and/or ongoing offences such as assaults and theft from motor vehicle may require a more significant policing response. If this is the case the Local Area Commander may authorise a covert operation. Where a covert operation involves relevant issues, such as homophobic assaults, the Senior Programs Officer (Gay, Lesbian, Bisexual, Transgender and Intersex Issues), Operational Programs, is available to provide advice and can be contacted on [REDACTED]

In response to all offences officers must be advised, either verbally or through operational orders, of the following:

- they are not to incite or encourage unlawful conduct or behaviours
- evidence obtained via entrapment/agent provocateur may be excluded by the courts and so these strategies are not to be employed
- due to the sensitive nature of policing beats the integrity of officers' conduct is paramount
- homophobic language or behaviour is not to be used.

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Increased reporting of crimes

Professional effective policing of beats may lead to an increase in reporting of crimes including violent crimes in these locations and the subsequent apprehension of otherwise undetected assailants.

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Partnership approach

There are a number of examples of good practice projects involving a partnership approach to managing beats with the overall aim of harm reduction and safety. Police working in partnership with local council officers, staff from the NSW National Parks and Wildlife Service, Area Health staff and officers from key non government organisations such as ACON (formerly AIDS Council of NSW) have demonstrated that collaboration can produce effective strategies to manage beats.

Gay and Lesbian Liaison Officer

Where available, the Gay and Lesbian Liaison Officer should be consulted in the planning and implementation of strategies to manage beats, especially where relevant issues are involved such as homophobic assaults and/or a partnership approach is being considered. The Senior Programs Officer (Gay, Lesbian, Bisexual, Transgender and Intersex Issues), Operational Programs, is also available to provide advice and suggest examples of good practice.

[The Sexuality & Gender Diversity: Working with Gay, Lesbian, Bisexual, Transgender and Intersex People intranet site](#) should also be consulted.

'Sex in Public Places' (formerly 'Beats')

(Reviewed 8 July 2015)

How is a beat identified?

Increased reporting of crimes

Minor offences including wilful exposure

More serious offences

Partnership approach

Purpose of Policing beats

Sex in public places on a consensual basis is not a common occurrence, however may involve members of the opposite sex or members of the same sex.

In Australia, the term 'beat' is sometimes used to describe a public location such as a park, beach or public toilet where men meet to negotiate and/or engage in social or sexual contact with other men.

Men using beats do not necessarily identify as homosexual. Available research and descriptive evidence suggest that many beat users identify as bisexual or heterosexual despite the homosexual nature of their activities.

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How is a beat identified?

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Purpose of Policing Beats

Historically, beats have been scenes of crime ranging in seriousness from wilful exposure and theft from motor vehicles through to homophobic assault and murder, robbery and drug possession and/or supply. The seriousness of the activity being policed should dictate the response. However, at all times an overriding mission for policing of beats should be to ensure public safety and security.

Local Area Commanders

Be aware of beats in your area; ensure an appropriate level of police response is provided. Crime prevention strategies should be employed to promote safety for all users of the area.

Crime Managers and Crime Coordinators

Consider the number and nature of complaints received in relation to a beat before making a decision to instigate a police response.

Guidelines for the Effective Policing of Beats can be obtained from the Diverse Sexuality, Sex and Gender: Working with Lesbian, Gay, Bisexual, Transgender and Intersex People intranet site.

This information can be used to guide operational responses which will vary considerably depending on the seriousness of offences occurring at the location, the nature of the geographical location and complaints received about the use of the location as a beat and/or in relation to assaults in the area.

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In response to all offences officers must be advised, either verbally or through operational orders, of the following:

- they are not to incite or encourage unlawful conduct or behaviours
- due to the sensitive nature of policing beats the integrity of officers' conduct is paramount
- homophobic language or behaviour will not be tolerated under any circumstances.

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[^Top](#)

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GLLOs (Gay and Lesbian Liaison Officers)

Where available, GLLOs (Gay and Lesbian Liaison Officers) should be consulted in the planning and implementation of strategies to manage beats, especially where relevant issues are involved such as homophobic assaults and/or a partnership approach is being considered. The Senior Programs Officer (Diverse Sexuality, Sex & Gender), Operational Programs, is also available to provide advice and suggest examples of good practice.

[The Diverse Sexuality, Sex & Gender: Working with Lesbian, Gay, Bisexual, Transgender and Intersex People intranet site](#) should also be consulted.