

D/2021/712187

OFFICIAL: Sensitive

Issue:

Approval of revised Chapter on Beats in Police Handbook.

Background:

The policing of 'Beats', public locations where men meet other men to arrange or engage in social and/or sexual activities, has historically been challenging for police. In the past, policing practice was not always helpful and at times, hostile. Men who became victims of crime at these locations were reluctant to trust the police and therefore did not report these crimes.

Policing practice has improved and is now governed by policy direction and guidelines outlining clear expectations of police, stipulating a specific focus on high visibility policing and strong partnerships with community agencies. Policy direction has evolved significantly since the first memorandum in 1995 and is now contained in the Police Handbook.

This guidance is currently under Chapter S and called 'Sex in Public Places'. Prior to this title, it was called 'Beats' under Chapter B. The move to 'Sex in Public Places' was made in an effort to demonstrate to police that the behaviour being policed is not specific to homosexual activity but refers to any activity causing offence under the law.

The Police Handbook is routinely reviewed to ensure operational responses are appropriate, contemporary and effective.

Comment:

At recent LGBTIQ Stakeholder meetings (23 July 2020 and 21 April 2021), the policing of Beats and assaults occurring in these locations were raised as concerns. Further, in the context of social distance policing due to COVID-19 and the NSW Parliamentary Inquiry into Gay and Transgender Hate Crimes 1970-2010, policing practice in Beat locations is being scrutinised.

It is timely to review the content of this Chapter including its title and location in the Police Handbook. It is imperative that police can access this guidance easily and that the guidance is very clear.

Consultation with members of the GLLO Advisory Committee, Region Sponsors and Commanders, in metropolitan and regional locations, was conducted in order to assist in the review of this particular section of the Police Handbook.

Consultation recommended that the section be moved back under Chapter B, titled 'Beats', to facilitate ease of access.

Additional content in the revised Chapter explains the historical context and links to the NSWPF Strike Force Parrabell final report. It also clarifies the purpose of policing these locations in a little more detail, directing police to focus on a consistent approach to policing regardless of the sexuality or gender identity of the individuals involved.

The revised content is attached at Tab A.

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Recommendation:

The Corporate Sponsor, Sexuality, Gender Diversity & Intersex, approve the revised Chapter: 'Beats' for inclusion in the Police Handbook to replace the current 'Sex in Public Places' Chapter.



Jacqueline Braw
Senior Policy & Projects Officer
Sexuality, Gender Diversity & Intersex
Crime Prevention Command
e/net

14 May 2021

A/Manager, Programs Development Team, Crime Prevention Command

Supported. Previous content 'Sex in Public Places' contained in chapter 'S' of the Police Handbook should refer the user to chapter 'B' of the Police Handbook and the contemporary 'Beats' information.



Tegan GARDINER
A/Manager
18/05/2021

A/Commander, Crime Prevention Command
Chapter returned to Manager, PDT for amendments.



Natalie ANTAW
A/Supt.
21.05.2021

Corporate Sponsor, Sexuality, Gender Diversity & Intersex
Commander Capability, Performance & Youth Command

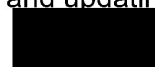


Endorsed. Appropriate internal and external consultation has occurred. Handbook to be updated.

G. Talbot
Assistant Commissioner
CPYC
10 June 2021

A/Manager, Policy and Programs Team

Noted, to be forwarded to Governance Command, CPYC, for inclusion and updating of the Handbook.



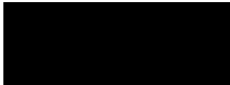
Tegan Gardiner
A/Manager
Program Development Team
Crime Prevention Command
16/06/2021

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A/Commander, Governance

Noted. Police Handbook to be updated accordingly by Risk & Compliance Team.



A/Superintendent Sean Hannen
16/06/2021

Risk & Compliance Team, Governance Command

Handbook update has been completed and a blueportal job submitted to WebUnit to move the page to Chapter B.

A discussion has been had with Snr Policy Officer (Sexuality, Gender Diversity & Intersex) regarding a Sponsor-level announcement of the chapter revision by best means - we suggest article published in the Police Monthly to highlight the importance of policing in this space.



L.M. Morris
Sergeant
Risk & Compliance

Tab A

Beats

(Chapter reviewed and updated on 20/04/2021 [Bi-annual Review])

Historical Background:

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.

Historically, these locations were targeted by perpetrators of violence to assault men who were perceived to be vulnerable. During the 1970s, 80s, 90s and into the 2000s, a number of high profile deaths and disappearances of gay men, many linked to 'beats', were documented, forming the basis of the [NSW Police Force Strike Force Parrabell](#), a review of 88 deaths between 1976 and 2000 and a NSW Parliamentary Inquiry into Gay and Transgender Hate Crimes 1970-2010.

During this period, the relationship between gay men and police was not positive, compounded by fear and hesitation to report crimes that were occurring at 'beats' to police.

To respond to a growing concern that assaults against men using 'beats' were not being reported and investigated, the NSW Police Force issued a Commissioner's Circular in 1995 to all officers, outlining clear expectations of police with a focus on high visibility policing to enhance community safety and support professional interactions with police. This approach to policing 'beats' was aimed at encouraging reports of assaults by gay men. This Circular is the precursor to the current NSW Police Force policy on 'Beats', contained in this Chapter.

Safety, Prevention and Disruption:

The purpose of this approach to policing 'beats' is to prioritise the safety of all users of public spaces and prevent assaults and other serious crime from occurring at these locations.

This policy aims to ensure that all users of public spaces are treated with respect and dignity.

The policy is a guide on policing 'beats' where each matter should be dealt with according to the seriousness and circumstances of the offence. The aim is to disrupt criminal behaviour in addition to keeping all users of public spaces safe.

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

Policing of sex in public places should be consistent regardless of the sex or gender identity of people involved. This Chapter on 'Beats' focuses on men attending locations to meet other men because of the historical nature of this behaviour and the continuing risks associated with men at 'beats'.

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

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. Historically, beat locations were chosen because they allowed men to meet without being detected in an environment where men having sex with men was regarded as criminal and not socially approved. Beat users were, and continue 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 this contact often relate to litter, noise or movement of people and vehicles in the area and sometimes lead to complaints. In contrast, men who use beats rarely make complaints, even when they become victims of crime.

Tab A

Purpose of Policing Beats

Historically, beats have been scenes of crime ranging in seriousness from wilful exposure and theft from motor vehicles through to hate motivated (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. In general, policing responses should be similar regardless of the sex or gender identity of those using these areas. Police should be aware however, of the increased vulnerability of men using beats, including the risk of hate motivated crime and the reluctance of some men to report crime.

Police Area Command/Police District Commanders

Be aware of beats in your area; ensure an appropriate level of police response is provided. In particular, Commanders should ensure appropriate responses to reports of assaults in these areas. Crime prevention strategies should be employed to promote safety for all users of the area.

Be aware of intelligence reporting and appropriate language used in these reports. For example, 'suspicious homosexual activity' is inappropriate language – rather, if needed, the report should describe 'sexual activity'. Describing the activity as homosexual is unnecessary.

Crime Managers and Crime Coordinators

Consider the number and nature of complaints received from members of the public, security guards or rangers in relation to a beat before deciding to instigate a police response. Consider intelligence that points to the commission or suspicion of offences occurring at beats targeting beat users.

Operational responses 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.

Minor offences including wilful exposure

For minor crimes such as wilful exposure the aim of policing beats is disruption: the deterrence of anti-social and inappropriate behaviour. Crime prevention through a highly visible police presence 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 inappropriate behaviour. Where covert operations in relation to wilful exposure are required, they are not to be conducted without prior written approval from the Police Area Commander/Police District Commander.

More serious offences

More serious and/or ongoing offences such as assaults and theft from motor vehicles may require a more significant police response. If this is the case the Police Area Commander/Police District Commander may authorise a covert operation. Where a covert operation involves relevant issues, such as hate motivated (homophobic) assaults, the Senior Policy and Projects Officer (Sexuality, Gender Diversity and Intersex), Performance and Program Support, 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
- 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

Tab A

Increased reporting of crimes

The professional 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 offenders.

Refer to the [Sexuality, Gender Diversity and Intersex Portfolio Page](#) for further tips on approaching and responding to men at beats.

Partnership approach

There are 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 Services, 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.

GLLOs (Gay and Lesbian Liaison Officers, now LGBTIQ Liaison Officers)

Where available, GLLOs should be consulted in the planning and implementation of strategies to manage beats, especially where a partnership approach is being considered. Region Sponsors and the Corporate Sponsor, Sexuality, Gender Diversity and Intersex, as well as the Senior Policy & Projects Officer (Sexuality, Gender Diversity and Intersex), Performance and Program Support, are also available to provide advice and suggest examples of good practice.

The [Sexuality, Gender Diversity and Intersex Portfolio Page](#) is also available for guidance.