

**2022 Special Commission of Inquiry  
into LGBTIQ hate crimes**

**Before: The Commissioner, the Honorable Justice John Sackar**

**At Level 2, 121 Macquarie Street,  
Sydney, New South Wales**

**On Monday, 21 November 2022 at 10.00am**

**(Day 4)**

**Counsel Assisting:**

**Mr Peter Gray SC (Senior Counsel Assisting)  
Ms Christine Melis (Counsel Assisting)  
Mr Bill de Mars (Counsel Assisting)  
Ms Kathleen Heath (Counsel Assisting)  
Ms Gráinne Marsden (Counsel Assisting)  
Ms Meg O'Brien (Counsel Assisting)  
Ms Claire Palmer (Counsel Assisting)  
Mr Enzo Camporeale (Director Legal)  
Ms Kate Lockery (Principal Solicitor)**

1 THE COMMISSIONER: Yes.

2

3 MR GRAY: Commissioner, this is the first of the public  
4 hearings of the Special Commission of Inquiry into LGBTIQ  
5 hate crimes. The special commission is inquiring into  
6 deaths suspected of being LGBTIQ hate crimes in the 40-year  
7 period between 1970 and 2010. It is important for the  
8 Special Commission to have an appreciation of the  
9 prevailing realities and attitudes of the time and how  
10 various LGBTIQ community groups and advocates, and the  
11 police, responded in different and changing ways to the  
12 prejudice and violence that was occurring.

13

14 It is anticipated that the evidence of the witnesses  
15 to be called this week will assist the Special Commission  
16 to increase its understanding of, firstly, the social,  
17 legal and cultural factors affecting the LGBTIQ community  
18 in the 40-year period in question, including the  
19 decriminalisation of homosexual conduct in this State in  
20 1984, the AIDS epidemic and the upsurge in violence,  
21 particularly in the 1980s and 1990s. Secondly, the levels  
22 of violence perpetrated against the LGBTIQ community in  
23 that period at beats, in private homes and elsewhere, both  
24 as shown by the personal experiences of some of the  
25 witnesses, and also as documented in empirical data  
26 compiled in relation to that period.

27

28 Thirdly, changes in the relationship between the  
29 LGBTIQ community and the New South Wales Police and the  
30 changing nature of police responses to anti-LGBTIQ violence  
31 over that 40-year period. And, fourthly, the advocacy and  
32 campaigns on behalf of the LGBTIQ community in that period,  
33 including some of the hallmark changes to laws affecting  
34 the community.

35

36 The Special Commission will hear this week from the  
37 following witnesses: Garry Wotherspoon, a historian,  
38 activist and author of several books, including *Gay Sydney*;  
39 Brent Mackie, the director of policy, strategy and research  
40 and ACON; Ulo Klemmer, a beat outreach worker with ACON  
41 from 1989 to the mid-1990s; Les Peterkin, a gay man whose  
42 life experiences include both Sydney and country New South  
43 Wales, from the 1950s to the present; Barry Charles, an  
44 activist for the gay rights and gay liberation movement and  
45 co-convenor of the Gay Rights Lobby in the early 1980s;  
46 Gary Cox, a founding member of the committee of the AIDS  
47 Council of New South Wales, which is now ACON, in 1984,

1 co-convener of the Gay and Lesbian Rights Lobby in 1988 and  
2 1989, and author of the Streetwatch studies into violence  
3 against lesbians and gay men in the early 1980s and early  
4 1990s; Bruce Grant, co-convener of the Gay and Lesbian  
5 Rights Lobby from 1989 to 1991 and coordinator of the  
6 Lesbian and Gay Anti-Violence Project from 1991 to 1999;  
7 Carole Ruthchild, co-convener of the Gay and Lesbian Rights  
8 Lobby from 1989 to 1992 and contributor to the "Off Our  
9 Backs" report into anti-lesbian violence in the early  
10 1990s; Greg Callaghan, a journalist with the Sydney Morning  
11 Herald, author of the book "Bondi Badlands" and host of the  
12 podcast of the same name; and Dr Eloise Brook, health and  
13 communications manager at The Gender Centre, editor of  
14 Polare, a magazine for the transgender and gender-diverse  
15 community, and presenter of the podcast "Counting the Dead:  
16 an investigation of homicides against transgender people."  
17

18 Commissioner, there are two tender bundles which I  
19 seek to have received into evidence. The first is a bundle  
20 comprising the four reports which are referred to  
21 specifically in the terms of reference. That is to say,  
22 the ACON report entitled, "In Pursuit of Truth and Justice"  
23 published on 26 May 2018; the final report of  
24 Strike Force Parrabell, published in June 2018; the interim  
25 report of the Parliamentary Committee, published in  
26 February 2019; and the final report of the Parliamentary  
27 Committee, published in May 2021. These four reports will  
28 be relevant to all the hearings which the Inquiry will  
29 conduct. So I tender that bundle, comprising those four  
30 reports, and subject to your view, Commissioner, perhaps it  
31 might be marked exhibit 1.  
32

33 THE COMMISSIONER: I will mark it exhibit 1. Just before  
34 you continue, Mr Mykkeltvedt, I observe you are here. I am  
35 sorry that I didn't call upon you earlier. As a result of  
36 some applications made by or an application made by the New  
37 South Wales Police, I should note for the record that I  
38 have granted yourself and, in due course, Mr Tedeschi, who,  
39 I gather, will lead you on some occasions to appear?  
40

41 MR MYKKELTVEDT: Yes, that's correct.  
42

43 THE COMMISSIONER: While you are on your feet, I take it  
44 there are no objection to the reports and other matters  
45 which Mr Gray has recently referred to?  
46

47 MR MYKKELTVEDT: There's no objection.

1  
2 THE COMMISSIONER: Thank you very much. Thanks, Mr Gray.

3  
4 MR GRAY: If they might be marked exhibit 1.

5  
6 **<EXHIBIT #1 BUNDLE COMPRISING FOUR REPORTS, THE ACON REPORT**  
7 **PUBLISHED ON 26 MAY 2018, THE FINAL REPORT OF**  
8 **STRIKE FORCE PARRABELL PUBLISHED IN JUNE 2018, THE INTERIM**  
9 **REPORT OF THE PARLIAMENTARY COMMITTEE PUBLISHED IN**  
10 **FEBRUARY 2019, AND THE FINAL REPORT OF THE PARLIAMENTARY**  
11 **COMMITTEE PUBLISHED IN MAY 2021**

12  
13 THE COMMISSIONER: Thank you.

14  
15 MR GRAY: Thank you, Commissioner. Secondly, I tender  
16 five volumes comprising the tender bundle for this hearing.  
17 This tender bundle contains 11 witness statements - and I  
18 will come back to that in a moment - as well as various  
19 relevant publications, including academic articles and  
20 media reports, spanning the period from 1970 to 2022. The  
21 material in this tender bundle is directly relevant to the  
22 present hearing and also to the work of the Inquiry  
23 generally.

24  
25 Commissioner, in the case of one of the statements, a  
26 statement by former Police Officer Stephen McCann, the  
27 police have an application to make in connection with the  
28 two annexures to that statement; certain redactions were  
29 sought last week, and while it had been thought that an  
30 agreement had been reached as to what would be done about  
31 those proposed redactions, Mr Mykkeltvedt has an  
32 application this morning?

33  
34 MR MYKKELTVEDT: Yes, your Honour. I refer to documents  
35 136 and 137 in your Honour's bundle.

36  
37 THE COMMISSIONER: Which bundle?

38  
39 MR MYKKELTVEDT: That is the second of the bundles that  
40 has been referred to.

41  
42 THE COMMISSIONER: Yes. Which volume, though? Can you  
43 tell me?

44  
45 MR MYKKELTVEDT: I don't have the documents in the same  
46 form as your Honour does, but I understand it is volume 5.  
47

1 THE COMMISSIONER: Thank you.

2

3 MR MYKKELTVEDT: I am indebted to my learned friends.

4

5 THE COMMISSIONER: You said 136, 137? Yes.

6

7 MR MYKKELTVEDT: Yes. Those documents comprise two  
8 letters, a letter from Stephen McCann to the Commander of  
9 the Modus Operandi Section, dated 10 August 1991, and a  
10 letter from Stephen McCann to Chief Superintendent Norm  
11 Maroney, dated 15 April 1991.

12

13 On the weekend, at 6.00 pm, correspondence was  
14 received by my instructing solicitors seeking an agreed  
15 position in respect of some redactions and requiring a  
16 response by 5.00 pm yesterday. In the limited time  
17 available, some instructions were able to be sought and the  
18 position was put. Of course, those instructions were only  
19 able to be sought from one officer. The position has been  
20 reconsidered and, in essence, the Commissioner now seeks  
21 some additional time to consider the position.

22

23 The reason for that is that the questions around the  
24 potential impact of the tender of materials such as this on  
25 future investigations are complex. As your Honour has  
26 heard, future investigations may be impacted upon by the  
27 mere passage of time. Relationships can change,  
28 technological advances can occur and personal circumstances  
29 can alter.

30

31 The mere fact that particular information may have  
32 been published at some time, for example, in the context of  
33 an inquest, does not mean that republication of that  
34 information can have no impact on further investigations  
35 that might occur in the future.

36

37 In particular, that's the case where we are confronted  
38 with a situation such as the present inquiry, where a  
39 further publication essentially carries with it the  
40 imprimatur of this inquiry, and, in those circumstances, it  
41 is simply the case the Commissioner would seek some  
42 additional time to consider whether in fact an application  
43 should be brought in respect of that material, of course,  
44 supported by appropriate evidence.

45

46 THE COMMISSIONER: How much time are you suggesting?

47

1 MR MYKKELTVEDT: Two days, your Honour.

2

3 THE COMMISSIONER: I am not giving you two days,  
4 Mr Mykkeltvedt. As I understand it, and your evidence will  
5 no doubt direct itself to this issue, the two documents,  
6 first of all, are dated 1991 each.

7

8 MR MYKKELTVEDT: Yes.

9

10 THE COMMISSIONER: As I understand it, and I certainly  
11 stand to be corrected, they were both exhibited to an  
12 affidavit of a then-serving police officer, Mr Page, and  
13 they were annexures, if I am not mistaken, 52, or 53 or 54  
14 of his statement dated 2002. They were tendered before the  
15 Coroner and they were tendered without any objection by  
16 your clients, as then represented, by counsel.

17

18 I take it you, and those instructing you, will have  
19 read *Johns* in the High Court and will have read the  
20 question of whether something is in the public domain. As  
21 far as I am aware - and your evidence may show something to  
22 the contrary of this - these documents were made publicly  
23 available. The mere fact that they were, or perhaps have  
24 not been looked at for some years, doesn't mean they are  
25 not, and at all relevant times after 2002 or 2004 or 2005,  
26 whenever they were tendered before Coroner Milledge, have  
27 been forever and a day since that point in the public  
28 domain and accessible for anyone academic or anybody else  
29 who may have gone to have a look at it. I will give you  
30 until tomorrow, but in the circumstances - and 10 o'clock  
31 tomorrow morning.

32

33 MR MYKKELTVEDT: Yes, your Honour.

34

35 THE COMMISSIONER: In the circumstances, I must confess I  
36 find both the attitude adopted by your clients, given the  
37 very extensive efforts we have made to try to accommodate  
38 both sides and, quite frankly, I'd like to know tomorrow  
39 morning precisely what your position is, and I'll rule on  
40 it. But at the moment, unless there is some other  
41 argument - and if I may invite you and those instructing  
42 you to deal with the authorities that are relevant and  
43 precisely the basis upon which you say I should do whatever  
44 you now ask me to do. And what you are now going to ask me  
45 to do, I'd like by 5 o'clock this afternoon, in a letter  
46 from your side, if it is any different materially from what  
47 I understood the position was to be over the weekend.

1 Notwithstanding that some of us do work on weekends,  
2 Mr Mykkeltvedt, I am sorry to announce. If it is a  
3 different position to that which I thought was arrived at,  
4 tell me or Mr Camporeale by 5 o'clock this afternoon, or  
5 Ms Lockery, whichever, precisely what the basis is and  
6 precisely what additional retractions or redactions you  
7 require, and then you can address me tomorrow morning if  
8 there is to be any outstanding issue.

9  
10 MR MYKKELTVEDT: Yes, your Honour.

11  
12 THE COMMISSIONER: All right. Thank you.

13  
14 MR GRAY: Commissioner, with that reservation, perhaps,  
15 for the time being in relation to Mr McCann's statement,  
16 which, I think, is at tab 11 of the first volume of this  
17 tender bundle, I would ask that that tender bundle in its  
18 entirety would perhaps be Exhibit 2.

19  
20 THE COMMISSIONER: All right. I will mark it Exhibit 2  
21 and I will note for moment that I have not included  
22 annexures or references 136 and 137 for the moment in their  
23 entirety as part of Exhibit 1, and I will deal with that  
24 tomorrow morning.

25  
26 **<EXHIBIT #2 FIVE VOLUMES COMPRISING THE TENDER BUNDLE FOR  
27 THIS HEARING, INCLUDING 11 WITNESS STATEMENTS AND RELEVANT  
28 PUBLICATIONS FROM 1970 TO 2022**

29  
30 MR GRAY: Thank you, your Honour.

31  
32 THE COMMISSIONER: Thank you.

33  
34 MR GRAY: The third matter for tender is that I would  
35 formally tender three books. The first is a book called  
36 "Gay Sydney" by Garry Wotherspoon, published in 2016; the  
37 second is a book called "Bondi Badlands" by Greg Callaghan  
38 published in 2007; and the third is a book called "Getting  
39 Away With Murder" by Duncan McNab, published in 2017. So I  
40 wonder if they might perhaps become exhibits 3, 4 and 5.

41  
42 THE COMMISSIONER: Yes. Thank you. I mark those exhibits  
43 3, 4 and 5.

44  
45 **<EXHIBIT #3 THE BOOK "GAY SYDNEY" BY GARRY WOTHERSPOON,  
46 PUBLISHED IN 2016**

1 <EXHIBIT #4 THE BOOK "BONDI BADLANDS" BY GREG CALLAGHAN,  
2 PUBLISHED IN 2007

3  
4 <EXHIBIT #5 THE BOOK "GETTING AWAY WITH MURDER" BY DUNCAN  
5 MCNABB, PUBLISHED IN 2017

6  
7 THE COMMISSIONER: Mr Mykkeltvedt, I won't keep asking  
8 you, but if there is any problem from your point of view,  
9 please let me know.

10  
11 MR MYKKELTVEDT: Thank you.

12  
13 THE COMMISSIONER: Yes?

14  
15 MR GRAY: Commissioner, the list of anticipated witnesses  
16 for this hearing has been posted on the Inquiry's website.  
17 The first witness will be Mr Garry Wotherspoon. I will  
18 take Mr Wotherspoon's evidence this morning and thereafter  
19 my colleagues Ms Melis and Ms Heath, who are at the bar  
20 table this morning, and Mr de Mars, will adduce the  
21 evidence of the other witnesses. So I call Garry  
22 Wotherspoon.

23  
24 THE COMMISSIONER: Thank you. Is Mr Wotherspoon in court  
25 or is he outside? Do we know?

26  
27 Mr Wotherspoon, would you just kindly make your way up  
28 to the witness box and then we will deal with the  
29 formalities and while you are getting there, may I ask you  
30 do you wish to take an oath or an affirmation.

31  
32 <GARRY WOTHERSPOON, affirmed:

33  
34 MR GRAY: Q. Mr Wotherspoon, your name is Garry  
35 Wotherspoon, I believe?

36 A. Yes.

37  
38 Q. You have provided the Inquiry with a statement, dated  
39 14 November 2022, which you have signed?

40 A. Yes.

41  
42 Q. You are a writer and a historian and a former academic  
43 of the University of Sydney; is that right?

44 A. Yes, correct.

45  
46 Q. In the mid 1990s, you were a co-director of the  
47 Australian Centre for Lesbian and Gay Research at the



1 University of Sydney?

2 A. Yes.

3

4 Q. And the focus of your research and writing has been,  
5 generally speaking, the City of Sydney itself and its  
6 people and their lives; is that right?

7 A. That's right, yes.

8

9 Q. In 2001, you were awarded the Centenary of Federation  
10 Medal for your work as an academic researcher and human  
11 rights activist?

12 A. Yes.

13

14 Q. And if I may trespass upon your personal life to this  
15 effect, I think you were born in about 1940?

16 A. Yes.

17

18 Q. And so from early adulthood, let's say the age of 20,  
19 or thereabouts, you have been living as a gay man in  
20 Sydney?

21 A. Yes.

22

23 Q. In addition to that, you have, in your professional  
24 life as an academic and historian, researched and acquired  
25 information on, and written about many aspects of gay life  
26 in Sydney, New South Wales, indeed, not only in your own  
27 lifetime but in earlier times?

28 A. Yes. Historical, yes.

29

30 Q. I don't know if anyone is having this difficulty, but  
31 I wonder if you could just speak up a little bit. Thank  
32 you, Mr Wotherspoon.

33 A. Yes. Is that better?

34

35 Q. Thank you. Your statement lists a number of books  
36 that you have written and some of your other writings. You  
37 were born, I was unkind enough to ask you, in 1940, and you  
38 were born in Waverley and grew up in Maroubra?

39 A. In Maroubra in Sydney, yes.

40

41 Q. By the time you reached your teenage years or perhaps  
42 the mid or later part of your teenage years, did you begin  
43 to realise that your romantic or erotic impulses were for  
44 men rather than women?

45 A. Certainly probably by my mid-teens I knew, but  
46 certainly by my late teens I was willing to explore and  
47 find out what that meant.

1  
2 Q. At that time, which in your case was the mid- to  
3 late-1950s, how was that done? What was that like for you  
4 to begin that exploratory process in Sydney at that time?  
5 A. It was very difficult. Homosexuality amongst males at  
6 the time was illegal, and social attitudes being what they  
7 were, they also reflected a general condemnation of us. So  
8 one had to be very discreet, very cautious, about one  
9 exploring the possibilities of having an emotional - a  
10 sexual life.

11  
12 Q. And being cautious and discreet involved an element,  
13 did it, of secrecy or surreptitiousness?

14 A. Very much so. The gay world is very different. Most  
15 straight people have time to meet others at church socials  
16 or the pub or sports club. We couldn't do that sort of  
17 thing. How could you be open, because you didn't know  
18 whether a response might be violence against you.

19  
20 Q. I will ask you a bit about beats a little later, but  
21 was one of the ways in which you began to start this  
22 process of exploration that you have mentioned by going to  
23 beats?

24 A. Yes. Yes.

25  
26 Q. You were growing up in Maroubra. Where did you go?  
27 A. In my teenage years, my late teenage years, I used to  
28 go to Maroubra Beach a lot, and during the weekend you'd  
29 see men wandering off around the south end of the beach  
30 towards what was then called the Malabar Rifle Range. And  
31 I suppose eventually I got intrigued by why these  
32 attractive-looking men were all wandering around there, and  
33 one day I followed and discovered a beat.

34  
35 Q. I'll come back to that a little bit later, but apart  
36 from Maroubra Beach, by the late '50s or perhaps into the  
37 '60s were you becoming aware of other places in Sydney  
38 where similar kinds of opportunities arose?

39 A. Yes. Over the '60s, Giles Baths at Coogee was a place  
40 I learned about, and so I would certainly go there. Places  
41 like Hyde Park, even late at night in the late '50s, early  
42 60s, the Hyde Park fountain was a place commonly known as a  
43 beat, and so you would go there and you might meet others  
44 of similar inclination.

45  
46 Q. As I say, I will come back to the topic of beats a  
47 little bit later, but following your own career through for

1 the moment, you studied commerce at the University of New  
2 South Wales and you completed a Masters of Economics at the  
3 University of Sydney; is that right?  
4 A. Yes. Yes.  
5  
6 Q. While you were doing that, you began as a part-time  
7 tutor in 1970 in the Department of Economic History at  
8 Sydney University?  
9 A. Yes.  
10  
11 Q. And apart from one year spent in England, you were  
12 there for the next 26 years till 1996?  
13 A. That's right, yes.  
14  
15 Q. And you became, ultimately, by progression, a senior  
16 lecturer in that subject?  
17 A. Yes.  
18  
19 Q. You taught Australian economic and social history and  
20 minority studies?  
21 A. Yes.  
22  
23 Q. Were you able, initially, to write in an academic  
24 context about gay history?  
25 A. Certainly not initially, but once I had tenure and I  
26 probably couldn't be sacked from my teaching except for  
27 some major transgression, and because I was gay and living  
28 in Sydney and experiencing gay life, it seemed an  
29 interesting focus for me to turn my professional attention  
30 to.  
31  
32 Q. I think you were awarded tenure in 1975?  
33 A. In 1975, yes.  
34  
35 Q. Before that, apart from your caution in risking  
36 writing about such topics, was there any indication from  
37 your superiors or other academics at the university as to  
38 what their attitude was to writing about such a topic?  
39 A. Well, the professor of my department was quite  
40 homophobic and he said straight out to me once I started  
41 doing my research on gay stuff, "The big end of town  
42 doesn't like this, Wotherspoon, so you won't get far." On  
43 the other hand, the Merewether Building at Sydney  
44 University had a large number of staff who were gay or  
45 gay-friendly, so people like Dennis Altman, Lex Watson,  
46 Craig Johnson, people who were very active over the 70s in  
47 the gay movement and Sue Wills and Gaby Antolovich. So

1 there was a whole group of very supportive people there at  
2 that time.

3

4 Q. One of your, I think, earlier books, perhaps not your  
5 first book, was called "City of the Plain" and the subtitle  
6 was "History of a Gay Subculture", and was that in a way a  
7 forerunner or an earlier version of what later became "Gay  
8 Sydney"?

9 A. Yes. It was written - or it was published in 1991,  
10 and so it covered much of what we knew then. In the  
11 intervening probably 20 years since - 25 years after that,  
12 before Gay Sydney came out, a lot more research had been  
13 done, so I was able to avail myself of that, but also do  
14 some of my own research and bring the study up to date.

15

16 Q. And it was, in short, if I can focus on "Gay Sydney"  
17 being a more recent iteration of that work, it is a study,  
18 I think, but tell me if this is not getting it right, of  
19 the history of Sydney in terms of its gay life?

20 A. Yes. Partly because of the paucity of information,  
21 there is not a lot of material on the 19th century,  
22 although we certainly know from the late 19th century some  
23 information about where people of same sex attraction might  
24 meet, how they might live their lives, but it is mainly  
25 predominantly on Sydney from the 1920s. And the reason  
26 that it is from the 1920s, is from the 1920s, for the first  
27 time there became what you might call a public discourse  
28 about sex and sexuality.

29

30 Q. And that happened because of what factors, as you  
31 understand it?

32 A. Interestingly, it was because of birth control and  
33 women's bodies, and the public idea about how to create the  
34 perfect family. And so women were very involved, but also  
35 at that time a range of medical professions also became  
36 involved.

37

38 Q. In your own personal life, I take it that - well, I  
39 don't take it; I'll ask you. Were you openly living a gay  
40 life in your 20s and 30s?

41 A. Certainly in my 30s, yes. Yes.

42

43 Q. When did you, if I may ask you, tell your parents that  
44 you were a gay man?

45 A. When I had a long-term boyfriend, I thought it was  
46 best to explain to them why this person and I were living  
47 in a one-bedroom house.

1  
2 Q. That was, if I am not mistaken, not until the late  
3 '70s?

4 A. The '70s, yes, late '70s.  
5

6 Q. And that is because, is it, that even to tell your  
7 parents, even at that mature age, was not an easy thing to  
8 do in those days?

9 A. In those days it certainly wasn't, given that my  
10 parents had been brought up in a very different era and had  
11 both grown up in the country, so they had fairly  
12 constrained ideas about homosexuality.  
13

14 Q. May I ask you some questions about an expression that  
15 is used in the Terms of Reference for this Special  
16 Commission, namely the LGBTIQ community. I think you are  
17 aware that that expression is found in the Terms of  
18 Reference for this Commission?

19 A. Yes. Yes, it is.  
20

21 Q. What would you say to the Commission about that  
22 expression? That is to say, does it capture in your mind  
23 something which is clearly discernible or delineated, or  
24 are there complexities involved here?

25 A. It is a terminology that's evolved. In the early  
26 1970s, we just talked about "gay", "gay liberation", and  
27 that covered women and men. Over time, different subgroups  
28 have asserted their own separate identity, so it's  
29 gradually grown from, you know, gay, lesbian, bi -  
30 bisexual, trans, queer, and non-binary are some of the  
31 later ones, people who don't want to identify in any way in  
32 terms of their sexuality or gender identity.  
33

34 Q. And intersex of course is another one?

35 A. Intersex is another one, and there is even an A for  
36 asexual, sometimes.  
37

38 Q. Yes, so I think you put it in your statement in terms  
39 of there really being several or many distinct communities  
40 or groups, perhaps not distinct, but observable communities  
41 or groups within the concept of the LGBTIQ community?

42 A. Yes. And they are really distinct. We have  
43 commonalities, the commonalities being how wider society  
44 sees people of a different sexuality or gender identity,  
45 but it is a sort of umbrella that covers virtually all the  
46 people of different sexualities.  
47

1 Q. One thing you mention in your statement at about  
2 paragraph 26 is this concept of the change of language,  
3 perhaps in about the '50s and '60s, where the concept of  
4 "the homosexual" became part of common vernacular. And  
5 that was different from the period prior to then, and it  
6 has changed since then. What can you tell us about that  
7 language?

8 A. Probably from the late 19th century, the idea that  
9 there were two distinct sorts of sexualities, heterosexual,  
10 homosexual. That gradually emerged in the 19th century  
11 when there was a real push to classify everything, a push  
12 after Darwin, the development of science, everything had to  
13 have a classification. But homosexuality, because it was  
14 seen by the church as the ultimate sin, never really got  
15 the same sort of attention. So it was probably much later,  
16 from the 1920s, that the word "homosexual" even began to  
17 appear in any sort of publication, and even then in  
18 Australia, it certainly rarely got mentioned as a word.  
19

20 When Lord Beauchamp's divorce was going through, there  
21 was no mention about his homosexuality as being the grounds  
22 for his wife filing for divorce, so it was really only  
23 probably in the late 40s when the Kinsey Report came out  
24 that the word homosexual, and statistics about the amount  
25 of homosexuality that could possibly exist in a society,  
26 passed generally into public use. And it was still a  
27 crime, so most of the references to homosexuals were very  
28 derogatory or about its criminality.  
29

30 But the 60s, the sexual revolution, you started to see  
31 a different sort of way of seeing other forms of sexuality.  
32 If I could put it this way, the ideas of the New Left were  
33 very important. The old idea that society was a split  
34 between capital and labour, the old Marxist idea, was very  
35 much changed with the New Left, but there were other forms  
36 of oppression relating to sexuality, gender, colour, race,  
37 ethnicity, so the New Left ideas really took off, certainly  
38 in academia, and so the terminology about homosexuals  
39 changed from being derogatory to more just tolerant.  
40 Movies came out, Victim with Dirk Bogarde, movies like  
41 that. In Australia, the old terminology had been "camp",  
42 and people talk about "camp as a row of tents", and that's  
43 what "camp" actually meant. And so, "gay" came on with a  
44 new word "gay", but it meant something quite different,  
45 that you were going to be quite open about your sexuality  
46 and gender identity.  
47

1 Q. I think we have got a little bit ahead of where I was,  
2 but that, I think, tell me if I am wrong, that is the  
3 arrival of the word "gay", was a little bit later, more  
4 like the '60s and '70s?

5 A. Late '60s, certainly early '70s, yes.  
6

7 Q. Going before that, though, into the realm of more like  
8 the '40s and '50s, the immediate post-Kinsey period, you  
9 talk about reference being made to this kind of generic or  
10 disembodied concept of "the homosexual", and I had the  
11 sense you, but correct me if I am wrong, that that term was  
12 used in those times to, as it were, anonymise people who  
13 were homosexual, to de-individualise them and to refer to  
14 them as a kind of strange subset of people who weren't like  
15 other people?

16 A. They were certainly seen as a medical category. It  
17 was a pathology, yes.  
18

19 Q. Beats, I mentioned that I would come back to that  
20 topic. In the broad, if I could ask you that question to  
21 start off with, what is a beat from a gay man's  
22 perspective? What is a beat? What amounts to a beat?  
23 What qualifies as a beat?

24 A. A beat is a place where gay men, predominantly, go to  
25 meet other gay men. I suppose for the outside world, the  
26 best way to explain it, it is a gay version of lover's  
27 lane, except with a difference; you don't take your amorous  
28 partner with you there, you find one there. It is a place  
29 where you can go. If you're lucky you meet other people of  
30 same-sex attraction, but you can also, if really lucky,  
31 have sex there, and it is casual, consensual,  
32 non-commercial sex.  
33

34 Q. Technically, I think you tell us that any place known  
35 or that becomes known as a place where that might happen  
36 would constitute a beat?

37 A. Yes, that would be true. Something like the Hyde Park  
38 fountain. People couldn't always have sex there, but you  
39 could go to a place and you could meet people sitting  
40 around there at night having a drink; this was how you  
41 would meet other people.  
42

43 Q. And was there a distinction or a difference to be  
44 observed, at least in your mind or in the mind of others,  
45 between indoor areas and outdoor areas?

46 A. Yes. If the purpose was to have sex, it had to be a  
47 place that you could have sex discreetly. So public

1 toilets, places like that, often served that purpose. But  
2 outdoor areas like a walkway or a beach promenade or  
3 Malabar Rifle Range are places you could go to and have sex  
4 discreetly.

5  
6 Q. One of the documents that you refer to in your  
7 statement is a piece that you wrote, I think in about 2012,  
8 the heading to which is, "And The Beats Go On."

9 A. Yes.

10  
11 Q. It is one of the documents attached. I think it is  
12 tab 31 [SCOI.76820]. If it is able to be brought up on the  
13 screen. And you talk about beats in a little more detail  
14 in this document. I just wanted to ask you about a couple  
15 of aspects of it, not all of it by any means.

16  
17 But in the first few pages, the first three or four  
18 pages, you identify in broad or generic terms some  
19 different types of beats in Sydney over the years, the  
20 first of them being public baths.

21 A. Yes.

22  
23 Q. And could you just mention a little bit about how that  
24 type of beat first made its presence felt, perhaps a long  
25 time ago, and then into more recent times?

26 A. I think the attraction of baths is men in the nude  
27 wandering around in maybe a towel or something, and in  
28 terms of Sydney, the first probable reference publicly to  
29 it was in Havelock Ellis's book back in the 1890s or early  
30 1900s where he talks about the Turkish baths in Liverpool  
31 Street just near Oxford Street, where men go and have sex.  
32 Around the same era, in Oxford Street there was  
33 Mr Wigzell's baths, which were further up Oxford Street on  
34 the south side, and it was known then at the time where you  
35 could actually go and have sex with men. There were  
36 certain days which were "men only", and if you want a bit  
37 of cross-class sex and sexual activity, they have two  
38 nights a week where working boys could come in, working men  
39 could come in for two and sixpence.

40  
41 Q. If we scroll down to the next page on the screen, just  
42 a little bit further if we could, thank you very much. The  
43 second area or type of place where beats might emerge that  
44 you talk about in this document is parks and particular  
45 streets in the city?

46 A. Yes. I mean, in the late 19th century Hyde Park was  
47 notorious not only for homosexual sex but also for picking



1 up prostitutes, sex workers, along the Elizabeth Street  
2 side of it, where the homosexual activities was on the  
3 other side of it, the College Street side. So parks, the  
4 advantage of parks, I suppose, is that it is a place where  
5 you could have discreet sexual encounters in the bushes and  
6 things. Centennial Park is another park in Sydney which  
7 has been a major beat for a decade, I would say, but  
8 virtually any park out in the suburbs could well be a park,  
9 and there's a reason for that.

10  
11 Q. In Sydney, apart from parks, there were particular  
12 areas of the streets, at least in days gone by, such as, I  
13 think, Boomerang Street and others?

14 A. Boomerang Street no longer exists, but it was  
15 certainly a major beat. If you drove your car around  
16 there, you could certainly pick up people. The advantage  
17 was it was close to Hyde Park, so if someone wanted a quick  
18 encounter, you could possibly go over to Hyde Park. The  
19 other street that is quite notorious of course is  
20 Darlinghurst Road at what is now the National Arts School  
21 by the old jail. It was actually just simply known as "The  
22 Wall". It was a place where you could actually go and pick  
23 someone up.

24  
25 Q. If we scroll down to the next page, again, the third  
26 area that you talk about in this article is public toilets.  
27 And to some people, I think, historically, as I have read,  
28 the notion of men going to have sex in toilets has been  
29 something of - an idea that's not attractive. But for gay  
30 men, the world is a different place. Would you tell us  
31 something about that?

32 A. Well, yes. The illegality of homosexual contact or a  
33 way for meeting people meant that we had to be quite  
34 subversive in how we viewed what you might call the  
35 institutions of broader society and a place where men could  
36 go into and, if I may put it this way, have their penises  
37 out, was a very enticing way for gay men to make some sort  
38 of contact there. So public toilets have been very  
39 important, and certainly in Sydney, public toilets in parks  
40 and, if you want, I can come back to it later, but also  
41 once the city railway network was set up, public toilets  
42 there were a major place. A lot of people were passing  
43 through, and who knows what might occur.

44  
45 Q. Thank you. I won't take you to that document in  
46 detail any further, but you have provided it to the  
47 Commission; it is an attachment to your statement. One

1 thing which you mention in your statement, and I should ask  
2 you this, were beats attended only by gay men to meet other  
3 gay men or were there men who went to them who might not  
4 have seen themselves or be seen by others as gay?

5 A. Gay men certainly knew about them and certainly went  
6 to them, but when AIDS came and ACON was doing research  
7 about how to get the message out about how to have safe  
8 sex, they had something called "beat workers". Beat  
9 workers were men who went out to the beats. One of the  
10 things that came out of the research was that many people  
11 using beats in the suburbs were not gay men, or were men  
12 who wanted to have sex with other men but didn't identify  
13 as gay and wouldn't go anywhere near Oxford Street in case  
14 it sort of impugned them and gave people thoughts. So many  
15 of the people using suburban beats are actually nominally  
16 heterosexual married men who occasionally wanted a bit of a  
17 dalliance.

18  
19 Q. Just back to your own experience of beats, briefly,  
20 you mentioned early on in your teenage years discovering  
21 the beat at the south end of Maroubra Beach, and I think  
22 you also mentioned Giles Baths in Coogee, but what are some  
23 of the other ones that you became aware of, in the '60s,  
24 for example?

25 A. Centennial Park was certainly one. We used to play  
26 our sport there after school. Our school sport was there  
27 on a Wednesday afternoon. So you soon, after sport was  
28 over, if you dallied around, you often could meet other  
29 people for interesting encounters. Bondi Pavilion, I never  
30 went there myself but I knew about Bondi Pavilion as a  
31 place where men could meet other men and have a sexual  
32 encounter in the cubicles.

33  
34 Q. At this time - or perhaps if it is later, you'll tell  
35 us if it is later - did you become aware of some others,  
36 for example, Marks Park in Bondi?

37 A. Yes. Pub gossip in the gay bars, you would soon learn  
38 about where other beats were, and certainly Marks Park I  
39 knew about; I had been there once or twice. I learned  
40 about Manly, the beat at North Head, and I went there a  
41 couple of times during the day. I never went there at  
42 night; it was just considered dangerous. But you learnt  
43 about a lot of other beats too: Rushcutters Bay Park,  
44 places like that, St Leonards Park, Petersham Park.

45  
46 Q. Moore Park?

47 A. Moore Park, yes.

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Q. When you said a minute ago that - I think it was about the North Head beat, that to go there at night was dangerous, or that that's what you heard, what was it that you heard that was dangerous?

A. Well, there was no lighting, so it was more dangerous to try and simply to get there at night. It wasn't as if there were any sort of stories about it, no.

Q. There was also - and you mention this briefly in your statement - certain bars and certain hotels which were known as places where gay men could meet.

A. Yes. Because pubs had been forced to shut at 6 o'clock up until the early 1950s, people could only drink there. And so, certain pubs in the city became known as places you could go and meet other gay men. The Australia Hotel, a very smart hotel in Martin Place, the Long Bar at the back there. The advantage of it, it had two different entrances so if someone you saw and you didn't want them to know you were going in there, you could duck out the other way. Around in Castlereagh Street was the Carlton Hotel, Ushers was another hotel, and Pfahlert, up near Wynyard Park, was another hotel. These were known as places where - and these were very middle class, I would say, hotels. The other set of hotels were the ones in George Street from Circular Quay from, say, Circular Quay up to Town Hall where the Town Hall Hotel had a town hall. The Royal George down the bottom of George Street was mainly the Sydney Push, but the Belfields Hotel was known as a place to pick up sailors if you wanted to. All the pubs were generally known along there as "Salt Meat Alley". That was the place.

Q. And then you mentioned a couple also in your statement in the Kings Cross, Potts Point area?

A. In Kings Cross the Rex had long been a hotel for camp men, as they were called in those days, largely because the Cross had always had a fairly bohemian atmosphere from the 1920s onwards, and so it was a place where outsiders could go and not feel, you know, out of place. So the Rex was the main one there, but I think in the early 1960s, the Chevron Hotel opened there and it had a Quarter Deck Bar, another place you could go. A lot of young sailors would go there for a free drink, a bit of sex later and then a bashing.

Q. You talk in your statement about two dangers that came

1 to be associated with going to beats, the first of them  
2 being "bashers", sometimes then, in the language of days  
3 hopefully gone by, "poofter bashers".

4 A. Yes.

5  
6 Q. Before I come to your own experience, in terms of your  
7 research, you have gone back in time and found some  
8 materials, including newspapers, referring to that  
9 phenomenon, called in the language of those times of  
10 "poofter bashing", from a very long time ago?

11 A. Yes, yes. Look, there are references in 19th century  
12 and late-19th century newspapers that talk about, you know,  
13 the dangers of this. Probably the most explicit bit I came  
14 across was 1968, a reference in Newcastle, the Newcastle  
15 Morning Herald, or something.

16  
17 Q. We might turn that up. I think it is tab 94 in the  
18 bundle [SC0I.76856]. This is an article from the Newcastle  
19 Morning Herald, of 20 June 1968. Is that the one you are  
20 referring to?

21 A. That's the one, yes.

22  
23 Q. And the judge sitting at the Quarter Sessions made the  
24 observation that "hunting in packs had to stop". That's  
25 the one you're talking about?

26 A. That's the one I'm talking about, yes.

27  
28 Q. And the evidence apparently, according to the  
29 article in the top left-hand column, was that a pack of  
30 young men had hunted for homosexuals to attack, and if we  
31 scroll down a bit, a bit further towards the bottom of that  
32 page, under the heading "Bond Conditions", a couple of  
33 paragraphs down, we see that Constable Appleby, who  
34 possibly was the prosecutor, it seems, from the report,  
35 said that the defendants had gone from Blacksmiths, which  
36 was an outer suburb of Newcastle, into the city of  
37 Newcastle to Newcastle Beach, which is right in the centre  
38 of the town, to go "catting." Is that an expression you  
39 heard and tell us a bit about that?

40  
41 A. I've not come across it very often. I mean, it might  
42 well simply refer back to a catamite, who was sort of, you  
43 know, the passive person in a homosexual or sexual  
44 encounter. It probably passed into common usage in the  
45 interwar period and certainly the after-war period, but it  
46 is certainly not a common term we would have used here in  
47 Sydney.

1  
2 Q. A couple of paragraphs below, the article records that  
3 the defendants decided to visit the toilets at the eastern  
4 end of Newcastle and have fight with anyone they found, and  
5 the constable, Constable Appleby, said - that is, told the  
6 court, it seems - that it was generally known that men with  
7 homosexual tendencies were known to frequent those toilets?  
8 A. Yes, and it was clear that the police knew about this  
9 toilet as a place where homosexuals would gather.

10  
11 Q. That is an article in June 1968. Have you come across  
12 other materials, other newspaper articles or other  
13 publications that have told a similar story?

14 A. Probably the most prominent case in Australia is the  
15 Dr Duncan case in South Australia, Dr George Duncan. He  
16 was thrown into the Torrens River, which was a major beat  
17 in Adelaide and, unfortunately, being English, he never  
18 learnt to swim. And so, where it was fairly common  
19 practice for the poofter bashers to go and throw the  
20 poofters into the Torrens River and watch them come out  
21 bedraggled and wet, unfortunately for Dr Duncan, he didn't  
22 come out. He drowned. And so, the subsequent  
23 investigation named the three police officers who were  
24 involved in throwing Dr Duncan in that night. The three  
25 police officers subsequently - they left the Police Force.  
26 I'm not sure whether it was forced to leave or not, but  
27 certainly the case of Dr Duncan is the other best known  
28 case where police knew what a beat was and in this case  
29 they were actually involved in the violence. But, yes, in  
30 my own experience, I did have my - the first time I was  
31 actually bashed was outside a CAMP dance in Petersham, in  
32 Parramatta Road in Petersham, and I was bashed. I can come  
33 back to that later and talk about it.

34  
35 Q. We will come back to that, yes.  
36 A. I was bashed, and my partner and I, we got into a car  
37 to get away, to drive away, and we saw a police wagon. So  
38 we stopped the police wagon, and I said, "We've been bashed  
39 and back up there, there are the guys that have bashed us."  
40 And the policeman said, "Oh, you've got to report this at  
41 the police station," and all that. So, of course, I  
42 didn't. Having lived in the Eastern Suburbs, I didn't know  
43 where Petersham Police Station or any police station out  
44 there was, so we drove straight to the South Sydney  
45 Hospital and my partner's broken nose was attended to, my  
46 bashed face was attended to.  
47

1 Q. We will come back to that. Just before we leave the  
2 1968 Newcastle Herald article, if we could just have that  
3 back up again briefly, in the second column, if we just  
4 scroll up now, in the second column, the middle column - I  
5 was wrong before when I postulated that Constable Appleby  
6 was the prosecutor, because as we can see in the second  
7 full paragraph, the Crown Prosecutor was Mr Ashton, so Mr  
8 Appleby was giving evidence.

9 A. Yes.

10  
11 Q. And what Constable Appleby said in his evidence  
12 included this point of the newspaper, that there was no  
13 suggestion at all that Doyle was a homosexual. Constable  
14 Appleby said that each of the accused admitted that no  
15 steps were taken to determine whether the complainant was  
16 what they regarded as a "cat". The fact that he was in  
17 there at that hour was enough for them. Does that strike a  
18 chord with you either personally or in terms of your  
19 research?

20 A. I have come across other cases where a non-homosexual  
21 person inadvertently being at a toilet at a certain time  
22 can get bashed. I think the most recent one was a case in  
23 Randwick Park in Randwick, where a married man was doing  
24 his run, for the nightly run, stopped to have a pee at the  
25 toilet there and was bashed.

26  
27 Q. Thank you for that. I won't need to go back to that  
28 one again. Before we get to your own time and your own  
29 experiences, and just looking at your studies and your  
30 research, so far as you understand it, when gay men were  
31 bashed in this type of way, did they commonly report to the  
32 police?

33 A. Look, because really it were illegal up till 1984, you  
34 certainly wouldn't go to the police to report it.  
35 Otherwise they would want to know what you were doing there  
36 at that time, and your name would then be known to the  
37 police as someone, "Why were you there?", and you were  
38 potentially on their radar as a homosexual. So people just  
39 didn't simply go to police. It was often said in a bar,  
40 "If you ever get bashed, don't go to the police. They  
41 won't do anything for you".

42  
43 Q. By the 1980s and '90s, did that begin to change? And,  
44 if so, what was happening in the 1980s and 1990s that might  
45 have something to do with that?

46 A. I think there was a couple of answers to that.  
47 Institutions take a lot of time to change culture, and so

1 certainly the attitude of much of the gay community, even  
2 after the law had changed in 1984, wasn't necessarily, "Oh,  
3 you can go to the police now, they will all be different."  
4 And, to be quite honest, our general experience was that  
5 the police weren't particularly interested in gay bashings.  
6 And so, eventually we set up our own anti-violence project  
7 in 1990-91 to monitor what was actually going on, what was  
8 being reported, and what action was being taken in response  
9 to those reportings.

10  
11 Q. Was there a difference to your observation between the  
12 amount of coverage of such attacks in what I might call the  
13 gay press, on the one hand, and in the mainstream press on  
14 the other?

15 A. Yes. The mainstream press rarely - well, partly  
16 because this wasn't well-known, the mainstream press rarely  
17 reported on this. Much of homosexuality was simply  
18 reported as a criminal thing, but the gay press certainly  
19 became aware of it, and so there was increasing amounts of  
20 reportage in the gay papers about the violence and the  
21 beats and places to be aware of.

22  
23 Q. You were, in the '70s, '80s and '90s, working as an  
24 academic and a researcher and, I presume, keeping abreast  
25 of what was being published in the gay press about these  
26 and other matters; is that right?

27 A. Yes, yes. We did keep a record.

28  
29 Q. Are you able to express a view as to whether, apart  
30 from specialists such as yourself, gay people generally had  
31 a consciousness of the extent of the violence that was  
32 going on?

33 A. If you identified as gay, you would probably hang  
34 around Oxford Street and would read the gay press. But  
35 most men who are homoerotically inclined certainly didn't  
36 live that sort of life. They might live out in the suburbs  
37 with a partner or whatever. So the knowledge of the beats  
38 and their danger was probably fairly constrained and  
39 constricted to those who frequented Oxford Street or read  
40 the papers there. So general knowledge wouldn't have been  
41 terribly wide in either the homosexually inclined people or  
42 even in the wider community.

43  
44 Q. I want to move to the second type of danger that you  
45 referred to in your statement. The first being bashes, and  
46 the second being in your statement, you have suggested, was  
47 the police themselves. What was the danger that, as you

1 understood it, the police presented the the times we are  
2 talking about, first of all, the 1950s, 1960s, 1907s?

3 A. In my research, I came across a lot of evidence of  
4 police acting as agent provocateur. They would actually go  
5 into a public toilet and act provocatively and - to incite  
6 someone to make a pass at them and then act - arrest that  
7 person. The evidence goes right back into the 1930s and  
8 1940s. Even in passing, when Britain was considering the  
9 implications of the Wolfenden Report, a sociologist was  
10 commissioned to write a report on sex in public toilets,  
11 and he made a throw-away line, a comment that the CID in  
12 Sydney employs young attractive detectives to go into these  
13 toilets to act as an agent provocateur.

14  
15 Q. Is that something written in the 1950s?

16 A. That was late '50s, I think it was, yeah. And the  
17 interesting thing about that, of course, in 1952, the law  
18 was changed so if you actually solicited someone to commit  
19 a homosexual act, you were committing a crime. So  
20 technically all these policemen themselves were committing  
21 a crime and inciting someone to commit a homosexual act.

22  
23 Q. In a section of your statement at the beginning of  
24 paragraph 60, you give the reader, in summary form, a kind  
25 of account of the gay history of Sydney from the very early  
26 days, the colonial days, through to the present. I  
27 appreciate that in your book "Gay Sydney", you have written  
28 at much greater length on that very subject or on those  
29 themes.

30 A. Yes.

31  
32 Q. So we won't attempt to reproduce your book this  
33 morning, but I would like to just ask you a few things  
34 about some of the features of that history that stand out.  
35 One of them is, if I may suggest, that you make the  
36 observation - please don't take it from me, but express it  
37 yourself - that several of the institutions of society, in  
38 particular the religion or the churches on the one hand;  
39 medicine and health professionals for a second group; and  
40 the law, both the law-makers in parliament and police for a  
41 third example; all had attitudes which you might expand  
42 upon, which played into the way in which homosexual life  
43 was led in this State. Could you tell us something about  
44 those three institutions and how they played out?

45 A. The churches, certainly going back to the Old  
46 Testament, sodomy was seen as a major problem for people.  
47 Interestingly, people who choose to use the Old Testament



1 attitude to homosexuality are fairly selective. I mean,  
2 Jesus Christ complained about money lenders and things like  
3 that, but no one turns on the banks these days. So it's  
4 selective how people pursue and select their prejudices, so  
5 that's the point that I would like to make there. And so,  
6 the church has always had this attitude that homosexuality  
7 is a sin, a major sin. Some of the churches still today,  
8 the high Anglican and the Catholic Church, are like that.  
9 Many of the other churches have moved on and decided if you  
10 love someone, what is the difference, love is the most  
11 important thing. The medical profession is an interesting  
12 example. I mentioned before about, in the late 19th  
13 century, the classification of things starting to develop.  
14 And in the late 19th century there was the idea that there  
15 was homosexual and heterosexual. Havelock Ellis, in his  
16 book, decided, well, what he wanted really, if you look at  
17 nature, homosexuality exists in all animal species and  
18 humans are an animal species, so therefore it is something  
19 that congenital; it is not an acquired perversion or a  
20 vice. But the 1930s, Freud was coming from psychiatry and  
21 he was saying, well, it's just another form of sexual  
22 expression. He'd written a series of papers about it to  
23 the American Psychiatric Association; it is just another  
24 variation on the sexual theme. And then of course the  
25 Kinsey Report in 1948 was really most important, because it  
26 was the first time anyone had actually done any deep  
27 research, on a broad population base, on homosexual  
28 experiences. The homosexual stuff is merely one part of  
29 the Kinsey Report. The Kinsey Report is behaviour, sexual  
30 behaviour in the human male. So it talks about males going  
31 out with prostitutes or premarital sex, but the  
32 homosexuality one which is the one that really caused a  
33 stir. The evidence was that nearly or around a third of  
34 all males had had some form of homoerotic involvement to  
35 the point of orgasm in their lives. Now, that could be  
36 partly teenage experimentation, partly situational  
37 homosexuality, but it is a very high proportion. And so  
38 men, I think one of the things that law-makers took up,  
39 was, well, if a third of the population have had this sort  
40 of experience, is this the sort of thing we ought to put  
41 people in jail. So I think that was why the Kinsey Report  
42 was seen as very important. In the medical profession, it  
43 took a while for it to sink in. It got a lot of publicity  
44 in the Sydney newspapers. One of the headlines was "Sex  
45 Report is Dynamite", and so suddenly a whole range of  
46 people would now know that a lot of men were having  
47 homosexual experiences.

1  
2 Q. The headline, "Sex Report is Dynamite", did that  
3 reflect your understanding of the impact the Kinsey Report  
4 in fact made in Sydney?  
5 A. Well, actually it didn't, actually. This was 1948.  
6 In through the 1950s, it was the Cold War era and so there  
7 were other concerns. I mean, even the Police  
8 Superintendent of Sydney, Colin Delaney, in, I think, 1952  
9 or 1953, said the two greatest threats facing Australia are  
10 communism and homosexuality. Five years later, when he was  
11 actually Police Commissioner of New South Wales, he'd  
12 narrowed it down; it was just that homosexuality is the  
13 greatest menace facing Australia.  
14  
15 Q. Greater than communism?  
16 A. Greater than communism, yes. From his view. And he  
17 was a very staunch Catholic, so I think the Church's  
18 teachings had been embedded in him.  
19  
20 Q. So we had the churches regarding homosexuality as a  
21 sin, and we had the medical profession, at least up to some  
22 time in the 1950s or perhaps a bit later, regarding  
23 homosexuality as a?  
24 A. Mental illness.  
25  
26 Q. A mental illness or a sort of disorder.  
27 A. Pathology.  
28  
29 Q. And we had policemen, not only the police, seeing it  
30 as a crime?  
31 A. Yes.  
32  
33 Q. Indeed, not only seeing it as a crime, but --  
34 A. It was a crime.  
35  
36 Q. -- it was a crime. There were the amendments in 1952  
37 which, apparently because they'd been using the old  
38 soliciting law, which had originally been related to men  
39 picking up prostitutes or women soliciting men, they had to  
40 amend the law to make it very explicit that "with or  
41 without the consent of the other partner".  
42  
43 Q. You mentioned in the war years and the post-war years,  
44 the agent provocateur methods of police continued, and you  
45 referred to the case of Clarence McNulty, the editor of the  
46 Daily Telegraph. You talk about the Kinsey Report and its  
47 impact. You also talk in your statement, and I don't need

1 to be lengthy about this because these are matters which  
2 are matters of public record, but there were changes to the  
3 laws in this State in the 1950s and 1960s, as you refer to.  
4 What are some of the ones that stand out for you?

5 A. I think the main one that does stand out is the early  
6 1950s, the legal changes there. After the war - the war  
7 had certainly changed - I suppose it changed every country,  
8 but certainly in Sydney it was seen as the morals of the  
9 city had collapsed. American soldiers were here, women  
10 were throwing themselves at the American soldiers. So  
11 there was a sense after the war that the moral collapse  
12 brought on by the war had to be addressed in some way. And  
13 I think it was the Governor-General who actually made a  
14 broadcast in the early 1950s about the threats facing  
15 Australia, the threats facing outside, which was communism,  
16 and the threats facing inside, which was moral collapse.  
17 And I think that sets the general tone of why the laws, in  
18 New South Wales, certainly, were changed in the early 1950s  
19 to make it much more stringent about homosexual acts or  
20 soliciting for homosexual acts.

21  
22 Q. And thus the penalties were increased, I think?

23 A. The penalties were actually increased, yes.

24  
25 Q. And there was an amendment in the early 50s to make it  
26 clear, if it wasn't already clear, that even  
27 consensual homosexual activity was criminal?

28 A. And that was, yes. The non-consensual, strange at the  
29 time because it was already illegal, so consent seemed a  
30 strange thing. But sometimes you do get anomalies in the  
31 law. In the 1970s, late 1970s, the anti-discrimination  
32 laws were changed in New South Wales to protect people.  
33 You couldn't be - homosexuals couldn't be refused services  
34 or things, and yet, they were still criminals until 1984.  
35 So the law sometimes has its anomalies.

36  
37 Q. At the same time in society, other changes were  
38 unfolding as well as changes to do with attitudes towards  
39 homosexuality. And you have referred to this briefly in  
40 your statement as well. The youth culture, the world of  
41 rock music, the world of people living a more bohemian life  
42 in greater numbers and more obviously. Was that  
43 significant for the gay world?

44 A. Look, very much so. As a baby-boomer myself - I hope  
45 this doesn't sound like I'm being immodest - but we lived a  
46 very different life. We grew up after the war in a period  
47 of economic security, political stability, there were jobs

1 for everyone. And in 1961, the Menzies Government actually  
2 introduced something called Commonwealth scholarships. His  
3 view was that Australia was needing a much better trained  
4 workforce into the future because the world was  
5 industrialising, and things like that, but it meant a lot  
6 of younger people went to universities and not all of them  
7 did engineering or medicine or something like that. Many  
8 of them did the social sciences and so we are all  
9 inculcated with a whole range of new ideas, that things  
10 that had once been set in stone, or seen as set in stone,  
11 weren't necessarily set in stone; things could change. And  
12 so, the sexual revolution, women's lib, all these things  
13 started in the 60s from a generation who decided they  
14 didn't really want to live the sort of lives that their  
15 parents and grandparents had lived. I can understand why  
16 their parents and grandparents wanted peace and quiet, they  
17 had lived through the Depression, World War II, so for them  
18 they didn't want to rock the boat. But the young ones  
19 growing up with economic stability, who would get a job  
20 eventually, who weren't yet tied down with marriage or  
21 mortgage or things like that, we wanted to change the world  
22 to make it a different place.

23  
24 Q. So there was an atmosphere of upheaval generally, and  
25 not just in the world of attitudes to homosexuality?

26 A. It was very much all around the Western world. It was  
27 very much parts the industrial recovery, the post-war  
28 reconstruction, with plenty of jobs. In New South Wales, I  
29 think in Australia, the Australian Women's Weekly even  
30 introduced something called the Teenager's Weekly. We were  
31 new, affluent, young, and we had lots of money and we could  
32 spend it on what we wanted: Clothes, pop music, stuff like  
33 that. So the music of the younger people then was so  
34 different to what their parents had grown up and loved.

35  
36 Q. At about the time that Mr Delaney made those remarks  
37 apropos homosexuality and communism in the 1950s, in the UK  
38 the Wolfenden Committee in 1957 brought down its report  
39 recommending limited or partial decriminalisation for some  
40 homosexual acts. That presumably made the news in  
41 Australia?

42 A. It received very broad coverage here in Australia.  
43 The Herald, interestingly it was until well into the 1950s  
44 that The Herald could never use the word "homosexual" in  
45 its index, so "homosexuality" was referred to as  
46 "perversion." So it just gives you an indication of what  
47 you might call a good newspaper at the time, how it even

1 saw it. The Wolfenden report was actually into  
2 prostitution and homosexuality, but the homosexuality  
3 aspect of it was seen as very important here. Mind you, it  
4 took 10 years before the British Government would actually  
5 implement, and implement very limited decriminalisation.  
6 It had to be, I think, no more than two persons? Some  
7 terribly strange restrictions on what could actually occur.  
8 But certainly here it triggered a lot of interest in  
9 various groups, and one of the groups that was very  
10 important was the Council of Civil Liberties, which had  
11 often, over a range of reasons, had run-ins with  
12 authorities partly over censorship, certainly partly over  
13 police activities in dealing with average citizens.  
14

15 Q. In New South Wales, within a year or so after the  
16 Wolfenden report came down in the UK, there was a committee  
17 established by the Government of this State called the  
18 Trethowan Committee. Would you tell us about that?

19 A. Yes. Partly as a response to the Wolfenden report  
20 coming out, there was pressure on the New South Wales  
21 Government to do a similar thing here in New South Wales,  
22 to set up a committee to look at homosexuality. They had  
23 already set aside Cooma Gaol, the top level of Cooma Jail,  
24 as a place for homosexuals. But the committee's main  
25 purpose, I think so far as the government was concerned,  
26 was to find out the causes of homosexuality so that they  
27 could have a cure. The Wolfenden Committee comprised  
28 Professor of Psychiatry, Professor Trethowan; a couple of  
29 social workers. Interestingly enough, there were two  
30 Minister of religion and someone from Corrective Services.  
31 The report was never released.  
32

33 Q. The Trethowan report?

34 A. The Trethowan report was never released. It was  
35 announced that it had been completed in the early 1960s and  
36 that its release was imminent, but it was never released.  
37 And the story going around, and Professor Trethowan never  
38 denied this, was that what you might call the professional  
39 people on the committee, the psychiatrists, the social  
40 workers, had decided it really wasn't a problem of the  
41 homosexuals; it was a problem of society's attitudes to  
42 homosexuality. This of course didn't go down well with  
43 Corrective Services or the Ministers of religion, so the  
44 report was never released. It's never been seen.  
45

46 Q. A couple of other things in terms of the chronology.  
47 You have already mentioned, going back 30 years, that

1 Freud's view had become well known, namely that  
2 homosexuality should not be classified as an illness but  
3 rather as a variation of sexual function. And then you  
4 referred to Havelock Ellis, and then in 1972 homosexuality  
5 was removed from what is known as the DSM, the Diagnostic  
6 and Statistical Manual of Mental Disorders. What was the  
7 significance of that in your mind?

8 A. Look, I think it was very important. I mean, the push  
9 from the gay lib movement was to take on the institutions  
10 of society which penalised us or made us lesser citizens,  
11 and certainly the medical profession, with homosexuality  
12 seen as an illness, a pathology, this was one of the real  
13 stumbling blocks. So much of the early push from the  
14 gay lib movement was to have the stigma as a medical  
15 illness removed. So when the American and the Australian  
16 Psychiatric Association removed this stigma it was seen as  
17 a very important step. Suddenly, one of the institutions  
18 of society that had, you know, persecuted us or prosecuted  
19 us for so long was no longer an enemy.

20  
21 Q. Namely the medical profession?

22 A. Yes.

23  
24 Q. I wonder if I could ask you to tell us, if you know,  
25 when did the Sydney Morning Herald change from "perversion"  
26 to "homosexuality"?

27 A. I think it was probably the late '70s or '60s. I  
28 think it really was very late, yeah.

29  
30 Q. Let me ask you a couple of things before the break.

31 A. It was between home and honey, if you wanted to find  
32 out where it was actually not listed, you'd find it came to  
33 that. Home, homosexual and honey.

34  
35 Q. There was a noticeable hiatus between home and honey?

36 A. Yes.

37  
38 Q. Before the break, I just wanted to ask you a couple of  
39 questions about what was happening, as it were, on the  
40 ground in Sydney, in the '60s and '70s, and one of the  
41 things you talk about is the emergence of gay clubs.

42 Firstly, from origins, perhaps in private homes, as I  
43 understood it, and then burgeoning out into clubs. Could  
44 you tell us something about that?

45 A. Prior to the 60s, there was probably what you would  
46 call friendship networks, was the way which most homosexual  
47 groups maintain friendships and networks of friends. One

1 example was simply the Hyde Park Push, these guys that used  
2 to meet after 6 o'clock closing, get a bottle of wine and  
3 sit around there, and new people would come along. These  
4 friendship networks were a real way of sustaining our  
5 criminal, illegal society. Eventually in the 1960s and  
6 perhaps also reflecting those trends we were talking about  
7 before, about younger people wanting to change, some of  
8 these set up clubs. The Pollys, the Pollynesians, the  
9 Karingals, a range of them. And they probably represented,  
10 I suppose the best way of describing it, is "friendship  
11 institutionalised." They were very discrete. Membership  
12 lists were very private. Any correspondence was sent out  
13 in pre-smartphone days in plain brown paper envelopes. And  
14 so, people knew when dances or events were going to occur.  
15

16 Q. And then some of the clubs that you refer to - I won't  
17 mention them all by name, but you mention them in your  
18 statement - were mainly in the inner city, the eastern  
19 suburbs included in that, but some of them further afield  
20 in places like Petersham and Mascot; is that right?

21 A. Yes. For these clubs, you would have to find  
22 somewhere to rent a hall where there wouldn't be too much  
23 public attention. So the suburbs like Petersham and  
24 Mascot, you could easily rent a hall there. The further  
25 out west - I suppose partly Sydney being a fairly  
26 concentric city, most people came and socialised in and  
27 around the city. So that's why the clubs and the bars at  
28 the Carlton, the Ushers, and people who knew you from there  
29 would go to these dances or events.  
30

31 Q. And you speak about various clubs and bars emerging in  
32 Kings Cross and Oxford Street, in those areas, such as  
33 Ivy's Birdcage and Capriccio's and various others that you  
34 mention, and you talk about that area, the area around  
35 Oxford Street from Hyde Park all the way to Paddington-Town  
36 Hall, becoming known as "the Golden Mile". Is that Golden  
37 Mile meaning golden from a homosexual or gay point of view?

38 A. Gold for us, golden for gay, yeah. To be gay is  
39 golden, yes.  
40

41 Q. And the surrounding area was known, it seems, as "the  
42 ghetto"?

43 A. The ghetto, yes.  
44

45 Q. "Ghetto" sometimes has a forlorn or downtrodden sense  
46 to it, but in this case what was meant?

47 A. No. Look, I think - and this is a way minorities

1 re-use language. I mean, poofers are poofers, but many  
2 gay men are happy to call themselves poofers, and I think  
3 referral of the ghetto is very tongue-in-cheek. The world  
4 might regard it as a bad place but for us it's heaven.

5  
6 Q. The Golden Mile?

7 A. The Golden Mile.

8  
9 Q. You referred to, simultaneously with this and partly  
10 bound up with it, was the process of gentrification going  
11 on in those inner city areas generally, Paddington,  
12 Darlinghurst, Kings Cross and Potts Point, and of a gay  
13 media emerging. When was that happening?

14 A. Look, the gentrification is, I think, very important.  
15 It partly reflects the younger people, you know, the  
16 baby-boomer generation, they had grown up, had money. All  
17 these old terraces in Glebe, Paddington and Darlinghurst  
18 were there for the taking. You bought one, you did it up  
19 and suddenly you had a very smart townhouse. So a lot of  
20 the old prejudices of previous generations that these  
21 suburbs were just slums that ought to be done down, we saw  
22 them differently, or the baby-boomer generation saw them  
23 differently. And so, there was an increasing number of  
24 young people coming back into the city area, younger  
25 professional people, younger professional people who had a  
26 good education, who weren't constrained by ideas of  
27 previous generations, and this was an era of the sexual  
28 revolution. So a whole range of attitudes were changing  
29 very much about sex and sexuality. For women, the pill  
30 came in in 1961, and suddenly for a lot of women this was a  
31 major development. You didn't have to worry about whether  
32 he put his condom on or not. And so, it was a real era in  
33 which there was so much change going on and being gay  
34 wasn't seen, by this new generation, as such a terrible  
35 thing that it had once been seen as.

36  
37 MR GRAY: Commissioner, would that be a convenient time?

38  
39 THE COMMISSIONER: Yes, I will take a break for a quarter  
40 of an hour or so. Thank you.

41  
42 **SHORT ADJOURNMENT**

[11.24 am]

43  
44 MR GRAY: Mr Wotherspoon, can we just move on a little bit  
45 from where we were to bring ourselves forward eventually to  
46 the '70s and '80s.



1           One of the noteworthy events that took place elsewhere  
2 in the world, we had the Wolfenden Report in the UK in  
3 1967, but two years later in 1969 there were the riots in  
4 New York known as the "Stonewall Riots". Tell us about  
5 what happened, as you understand it, and also what the  
6 impact or significance was here?

7           A. The Stonewall Riots - I suppose nowadays we see it as  
8 a symbolic start of gay liberation. The Stonewall Inn was  
9 a bar in New York. It had suffered a lot of police  
10 harassment. They paid the police off, but the police still  
11 harassed them. And then one night the police decided they  
12 were too noisy, or something, and so the police tried to  
13 close the Stonewall bar.

14  
15           Well, this night, and this is the '60s, so there had  
16 been probably a new mentality developing, the patrons  
17 decided they weren't going to put up with it. And so,  
18 there was a riot. The police tried to close the bar, and  
19 the patrons started to stone and throw things at the  
20 police. They locked the doors and didn't let the police  
21 out.

22  
23           So the next night the police decided they would close  
24 the bar, and they tried to close it but more and more  
25 people came. So it just gradually escalated up from that  
26 night. So what became passed into, I suppose, mythology or  
27 urban stories, is the Stonewall Riots were seen as the  
28 start of fighting back against a range of attitudes of  
29 police in society against homosexuals.

30  
31           Q. In the United States, at that time, what was the legal  
32 position of homosexual behaviour?

33           A. Look, in most - virtually everywhere, it was illegal.  
34 But the laws in America were very strange. There was a  
35 whole range of laws which applied as much to heterosexuals  
36 about sexuality as they did to homosexuals, but the laws  
37 regarding homosexuals were just as restrictive as here.  
38 Much of it was, I suppose, anywhere in the Anglosphere, if  
39 we can call it the Anglo-Saxon world, whereas on  
40 continental Europe, Napoleon had decriminalised  
41 homosexuality in 1807 or 1808. So the Anglo-Saxon world,  
42 as a hangover from England and Henry VIII's laws, there  
43 really still had these attitudes to homosexuality.

44  
45           Q. In this State, in this city, 1970 saw the setting up  
46 of the Campaign Against Moral Persecution, or CAMP, and  
47 I think you were involved in that.

1 A. Yes, I was involved, yeah. We thought it was a very  
2 clever title, because CAMP had been "camp as a row of  
3 tents", the way in which we often referred to each other,  
4 so calling ourselves not gay, but "CAMP", was seen as a  
5 fairly Australian way of dealing with it.  
6

7 Q. What did CAMP do, the organisation?

8 A. We had a range of, I suppose, ambitions or plans to  
9 do. We wanted to, I suppose, re-change the way in which  
10 Australian society saw homosexuality. So it meant taking  
11 on the churches about how they saw us, but particularly  
12 taking on the medical profession. We didn't really want to  
13 be seen as mentally ill anymore, and so things like  
14 aversion therapy where - which was a way in which  
15 psychiatrists attempted to recondition your emotional and  
16 sexual responses, showing you photos of attractive men and  
17 giving you electric shock, I don't think it worked for many  
18 people, but I know some people said it's the best  
19 collection of homoerotic art they'd ever seen in their  
20 lives, so they thanked the psychiatrists. But the other  
21 aspect, of course, was changing the law, the law which  
22 criminalised us for being what we were. And so from - that  
23 was one of the main ways in which CAMP would take on law  
24 change, change the medical profession. It's hard to deal  
25 with the church, I mean the church is the church.  
26

27 Q. When you say "take on", do you mean by writing, by  
28 publishing, by lobbying politicians, or what?

29 A. Well, for changing the law, yes. Basically, lobbying  
30 politicians, petitions and things like that. But for the  
31 medical profession, we actually did confrontations. We'd  
32 actually confront a psychiatrist who was doing aversion  
33 therapy there - McConaghy - and in you'd go to his - he was  
34 at the University of New South Wales, so he had  
35 demonstrations on the lawns outside the library there.  
36 I think at one demonstration people even threw eggs at him,  
37 but it was one of those things where you felt you had to do  
38 something and you weren't able to do something.  
39

40 Q. Am I right to understand that the organisation that  
41 was at least initially known as Sydney Gay Liberation  
42 emerged from CAMP?

43 A. Yes. CAMP was set up in about 1970 or 1971, and very  
44 soon on the university campuses, the University of Sydney,  
45 New South Wales, ANU, Melbourne, CAMPus CAMP was set up, so  
46 "CAMPus CAMP" was sort of a good name for it. But within a  
47 year or so at CAMP itself, the main one here in Sydney, the

1 feeling was it wasn't radical enough, it was too reformed,  
2 it was simply doing very little to actually confront  
3 people, forcefully confront people, who we thought were  
4 persecuting us. So gay lib hived off. And so, many of the  
5 CAMPus CAMP groups, very quickly, because they were mainly  
6 young people, changed very quickly and we called ourselves  
7 gay lib.

8  
9 Q. We mentioned or you mentioned before the break that  
10 just at that time or slightly later in 1972, homosexuality  
11 was removed from the DSM, Diagnostic and Statistical  
12 Manual, and then in 1972, I think the same year, correct me  
13 if I am wrong, Dr Duncan was killed in Adelaide?

14 A. Yes. Both in the same year, yes.

15  
16 Q. The same year. And then in 1975, in South Australia,  
17 homosexual conduct was decriminalised, the first State in  
18 Australia to do it?

19 A. Yes, that was in 1975.

20  
21 Q. And that, I take it, was in part, a reaction to the  
22 Duncan murder?

23 A. The Duncan murder really generated an enormous amount  
24 of publicity. He was an English academic, he had come to  
25 Australia to teach at Adelaide University and ended up dead  
26 in a river there purely because he was a homosexual. And  
27 so, back in England there was an enormous amount of  
28 publicity about this, as well as publicity here in  
29 Australia. So it generated - I think the Premier of South  
30 Australia, Don Dunstan was quite sympathetic. His Premier,  
31 Peter Duncan, was also quite progressive. And so, they  
32 felt the time had come to simply change the law.

33  
34 Q. Back to this State a few years later, and 1978 brought  
35 the march down Oxford Street which is now usually described  
36 as the first Mardi Gras, although it may not have had that  
37 name, I think, at that time. But were you involved in that  
38 event?

39 A. Yes, I was involved. We often did various marches and  
40 demonstrations over much of the '70s. That day in June  
41 1978, we had a march through the Sydney of the morning,  
42 complaining about our treatment, we had a conference up at  
43 Paddington Town Hall that afternoon to talk about various  
44 human rights issues, and somewhere along the line someone  
45 said, "We should just have a parade or Mardi Gras down the  
46 street, Oxford Street, through the Golden Mile." We had a  
47 permit for all that. We had a truck with music playing off

1 the back of the truck and, when we got down, and we walked  
2 down the street saying, "2-4-6-8, gay is just as good as  
3 straight, stop these attacks on gay, women and blacks." So  
4 they represented, the chants we were doing represented the  
5 concerns of the community at the time. When we got to the  
6 bottom of Oxford Street, the truck went on to Hyde Park and  
7 they were still playing music, but strangely the police  
8 actually attempted to confiscate the truck and the music,  
9 tried to stop, even though we did have a permit to do that.  
10 And so, you know, a strange way, if the police had not  
11 interfered at that point in time it might not have been  
12 necessary for second, third, fourth, fifth, Mardi Gras, for  
13 what it has become today.

14  
15 Q. I won't ask you for your account of that day, and it's  
16 not my purpose in asking you these questions, but it is  
17 well recorded historically that there were outbreaks of  
18 violence that day, at that march between the marchers and  
19 the police. And one effect of that, I gather, is this  
20 right, at least as you saw it, that the Summary Offences  
21 Act was repealed in a year or so and replaced by the  
22 Offences in Public Places Act?

23 A. The Council Civil of Liberties, over much of the '60s  
24 'and 70s, had been very adamant about the police abusing  
25 the power of the Summary Offences Act against ordinary  
26 citizens. And so, what happened, because of the Mardi Gras  
27 and the violence that occurred, much of it was sort of  
28 captured on television, and when on the Monday morning the  
29 court cases in the civic central court in Liverpool Street  
30 where the cases were about to be heard, the police lined up  
31 across the front of the court and refused to allow anyone  
32 in, even though a magistrate, the presiding magistrate,  
33 said, "This is an open court. We must let the lawyers and  
34 people come in to the public gallery," and they didn't.  
35 Now, the amount of publicity of the violence on the  
36 Saturday night and what the police had done on Monday  
37 morning caused an enormous outcry. The Council of Civil  
38 Liberties, a whole range of lawyers, the legal counsel,  
39 even in Parliament, questions were asked about how can the  
40 police close the court when the magistrate has said the  
41 court is to be open? So it did generate - and I think this  
42 is presumably part of the legal profession - the need to  
43 change the law which the police were using.

44  
45 Q. Of course, the next big change in the law from the  
46 perspective of what we are talking about today was the 1984  
47 "decriminalisation", to speak loosely, of homosexual

1 conduct in New South Wales.

2 A. Yes.

3

4 Q. Briefly, if you can, that happened at not the first  
5 attempt or the second attempt, but I think there were  
6 several attempts; is that right?

7 A. Yes, there were several attempts at it. I think  
8 Barrie Unsworth - part of the problem was they wanted to  
9 have differential ages of consent. So the heterosexual age  
10 of consent, I think, was 16. They wanted to bring in a law  
11 that homosexuals could only do it in certain places, and  
12 the age of consent was 18. So within the gay community  
13 there really was argument on should we support a law which  
14 is clearly still discriminatory against us or, on the other  
15 hand, one step at a time? We'll take it this way and then  
16 push later for further law change.

17

18 Q. I think, is this right, there were one or two attempts  
19 or bills introduced into parliament before 1984 which for  
20 one reason or another were not passed?

21 A. Yes. There was an Unsworth bill and a Peterson bill;  
22 there two bills previously.

23

24 Q. And then ultimately in 1984, the then Premier Neville  
25 Wran introduced a private member's bill which was seconded  
26 by the Leader of the Opposition at the time?

27 A. Yes, I think that was a clever political move. It  
28 wasn't seen as any particular party. It was seen as  
29 reflecting changing social attitudes, where the leaders of  
30 both parties could see it as a step forward.

31

32 Q. And I think that Bill, which ultimately became the  
33 Act, did have embedded in it the differential age of  
34 consent, did it?

35 A. Yes, it did have. Yeah. And it took 20-something  
36 years to get differential age of consent actually removed.

37

38 Q. Now, at the time when that Act was passed, even  
39 allowing for the differential age of consent point, was the  
40 decriminalisation seen, as you saw it, both in the gay  
41 community and more widely, as a big change?

42 A. Earth-shattering is probably is a polite way of  
43 putting it, simply because suddenly we were no longer  
44 illegal. And that really was a major step forward. We had  
45 been illegal for centuries, and suddenly the world was  
46 different. It would take a long time for institutions to  
47 change their attitude, or society to change its attitude,

1 but suddenly it had statements of change.

2

3 Q. Before I get to the AIDS crisis which followed very  
4 soon after, did the decriminalisation, to your observation,  
5 provoke any change, either positive or negative, in the way  
6 that LGBTIQ people were treated in day-to-day life on the  
7 streets?

8 A. There had already been a change in the  
9 anti-discrimination law a few years earlier, so that had  
10 partly started the process. I think it was very gradual,  
11 any change in general attitudes to LGBTIQ or queer people.  
12 I think that takes a long time; generational change takes a  
13 long time. But there was a sense of freedom, there really  
14 was a sense of freedom for those of us who were open about  
15 our gender and sexual diversity. I am not sure whether the  
16 wider public necessarily saw it in any specific way. It  
17 was just a changed law for a small minority.

18

19 Q. What about any - and again, before we get to the AIDS,  
20 the arrival of AIDS, was there any negative response to the  
21 decriminalisation?

22 A. Well, there are certain elements of society which  
23 still regard us as degenerates or pervs. If I may mention  
24 his name, the Reverend Fred Nile from the Christian  
25 Democrat Party has often prayed for rain on Mardi Gras.  
26 There are a few elements of society that really can't  
27 accept social change, and so there certainly have been  
28 those that say nothing should be changed. But certainly  
29 for the gay community there was, you know, a sense of a new  
30 world possibly opened.

31

32 Q. And then almost before the ink was dried on the 1984  
33 Act, the world was afflicted by the AIDS crisis, including  
34 in Sydney. What was the effect of that, from your point of  
35 view, among those you moved with?

36 A. It was - initially, AIDS was called "GRID", the "Gay  
37 Related Immune Deficiency". So it was clearly a disease  
38 which was seen as being inherent in the gay community, even  
39 though now we know anyone, irrespective of age, gender,  
40 ethnicity, anything can get it. It is transmitted by blood  
41 and semen. So in the early days, it was seen as our  
42 disease, and we were the ones who were bringing this  
43 disease into society. So it certainly, I think, triggered  
44 a very adverse reaction over a wide range of people. I  
45 think the Medical Journal Australia even had one of its  
46 covers where it said "Degeneracy and Depravity Kills". And  
47 so, this from the medical profession. We were lucky at a

1 time we had, and certainly Federally, two doctors who as  
2 Health Minister, Neal Blewett, and Peter Baume as the  
3 shadow Health Minister, so very clearly they saw this as a  
4 public health issue, not a morality issue. So they were  
5 quite supportive of groups like ACON that the gay community  
6 set up themselves to look after the people in our community  
7 who had HIV/AIDS.

8  
9 Q. In 1987, the Grim Reaper advertising campaign hit the  
10 nation's newspapers and television screens. What was the  
11 impact of that as you saw it?

12 A. Once again, I think it created ambiguities. I mean,  
13 the wider world certainly needed to know that it wasn't  
14 only a gay disease; it could affect anyone. But it was -  
15 the gay community thought it was overkill, you know, the  
16 Grim Reaper knocking down and killing a whole family, so  
17 there was certainly ambiguity in the community about it. I  
18 think it was probably effective in broadening the wider  
19 community's, the Australian community's knowledge, that it  
20 wasn't just a gay disease, but it was an unfortunate way of  
21 doing it.

22  
23 Q. Are you able to express a view from personal  
24 experience or from what people have told you as to  
25 attitudes displayed of gay and lesbian people in Sydney in  
26 light of the Grim Reaper campaign?

27 A. I'd say it certainly heightened the overt abuse of  
28 homosexuals in Sydney. I mean, we would get car loads of  
29 young hoons driving around Oxford Street late at night  
30 yelling out, "Poofsters, poofsters. Get AIDS, die." Things  
31 like that. I think also for those poofster bashers from  
32 earlier years, who had always been there, whatever their  
33 purpose was, it gave them an extra, in their own mind,  
34 justification for what they were doing.

35  
36 Q. Was there, to your observation, in the 1980s, let's  
37 say from about the mid-1980s onwards, an increase in the  
38 level of violence that was LGBTIQ people were experiencing?

39 A. Very dramatically so. It sort of correlates with the  
40 broader knowledge of the wider society about AIDS and gay.  
41 So there was a massive increase in the amount of gay  
42 bashings. Dykes on Bikes, bless their soul, they even set  
43 up patrols around the gay areas of Oxford, things like  
44 that, to, you know, discourage hoons coming in from the  
45 suburbs and bashing people. I think you could say that  
46 these bashings and things did get reported to police.  
47 There was a feeling in the gay community that we weren't

1 getting any real adequate response. And so, I think 1990  
2 or 1991 we set up the Anti-Violence Project, which was a  
3 group of, I suppose, gay men and lesbians, to look at this,  
4 to look at what this represented, this massive increase in  
5 violence against us. We had a sociologist, Adam Graycar,  
6 who is now a professor of sociology. He came and talked to  
7 us. And the question we were all concerned with is: why  
8 are a certain group of young men so interested in bashing  
9 other people? And the discussion about it was toxic  
10 masculinity. What is it in terms of some men: domestic  
11 violence, homophobic violence, what is it in their psyche  
12 that they do these sort of things? I think the modern  
13 terminology for it is "toxic masculinity", and what we were  
14 discussing was how do you resocialise the young Australian  
15 male? And we had a variety of, I suppose, input to schools  
16 and things, like that which has been very slow again.

17  
18 Q. In about the mid-80s, in this State, there was a  
19 Police Gay Liaison Group set up. Do you remember that?

20 A. Yes, I think Sue Thompson would probably be the first  
21 person in it, or --

22  
23 Q. Or possibly Fred Miller?

24 A. Well, yes, you're right. Fred Miller had previously  
25 been the member for Bligh, Parliamentary, State Parliament.  
26 And he - of course, his constituents in Bligh was very much  
27 around the Oxford Street area. So he, as our political  
28 representative, was very aware of the concerns of the  
29 community about the violence. And I think he probably  
30 initiated the setting up of it. I think the first person  
31 formally appointed was Sue Thompson, within the Police  
32 Department.

33  
34 Q. That was a little later, I think, but --

35 A. Yes.

36  
37 Q. In about 1990. But, accepting that, those  
38 appointments of Fred Miller and later Sue Thompson and the  
39 existence of the Police Gay Liaison Group, what can you say  
40 about how effective that was or how well received it was,  
41 or how you saw it functioning?

42 A. From my perspective - and this is partly gay and  
43 partly academic - we didn't seem to get a great response  
44 from police. I think Sue Thompson herself can probably  
45 explain to you how things occurred at her level. We didn't  
46 seem to get great response, and that's partly why the  
47 anti-violence project was actually set up, because we



1 didn't feel that even though there had been gay liaisons  
2 set up, our concerns weren't actually being addressed.

3  
4 Q. One of the things that the Gay and Lesbian Rights  
5 Lobby did was to publish the "Streetwatch Report" in 1990,  
6 and subsequently other reports in a similar vein. Were you  
7 aware of those or involved in those at the time?

8 A. I was aware of them. I wasn't involved in the Gay and  
9 Lesbian Rights Lobby itself, but we knew, and they liaised  
10 with the Anti-Violence Project about getting material for  
11 the various reports that they put out, and those reports  
12 were done simply because we weren't getting any response  
13 from the police, adequate response.

14  
15 Q. And what was the idea of these reports? That the data  
16 is assembled, it's compiled for a report. What did you do?  
17 What was done with the report? With what in mind?

18 A. Like a lot of those reports, it would hopefully lead  
19 to change or increased awareness. So the reports were  
20 given to our local members of Parliament, they were given  
21 to various newspapers, they were given to various media  
22 organisations, simply so the public were aware of what was  
23 actually going on, what - the amount of violence that was  
24 actually being generated.

25  
26 Q. You mentioned earlier your own first experience of  
27 being bashed, which was back in 1970. And it happened in  
28 Petersham, where the hall was that you mentioned which  
29 could be rented out for dancing and other gatherings?

30 A. Discreet dances, yes.

31  
32 Q. Tell us about what happened, both the bashing itself,  
33 and tell us about what happened in the aftermath of that?

34 A. It is a story with a message. My partner at the time  
35 and I, we left the dance about 1.30, walked down the  
36 Parramatta road down towards my car. And there was a group  
37 off youths who were quite well dressed. They weren't  
38 thuggish-looking; they were just standing there. And as we  
39 were getting in the car, one of them said, "Can you tell us  
40 where Petersham is?" And they were gradually moving closer  
41 to us. And as I was about to get in the car, it was a very  
42 low-slung car, one of them reached over and punched me  
43 straight into the face. And so I fell down, and he jumped  
44 on me and started punching and kicking. The other group  
45 set on my partner and bashed him. The intriguing thing  
46 about it was when the bashing of me had ended on the  
47 ground, on the floor, the guy who was doing it to me said

1 to me, "No hard feelings, mate." Now, what did that mean?  
2 I mean, it meant it was sport or something to them, to bash  
3 someone, a bit of brutal activity and "No hard feelings,  
4 mate", and I've pondered for years and years and years on  
5 the meaning of that for him and for me.  
6

7 Q. You attempted to find the police, and you told us this  
8 earlier this morning, and the police wagon you found  
9 contained an officer who said they were busy and that you  
10 needed to go to the station?

11 A. The station, yes.  
12

13 Q. And then you didn't do that, you simply went to the  
14 hospital; is that right?

15 A. Yes. And it was a time when the Askin Government was  
16 pushing for law and order agenda. They were tired of  
17 having hippies and long-haired radicals on the streets  
18 protesting about the Vietnam War, and things like that.  
19 And so Askin was pushing a real law and order campaign for  
20 the upcoming election. And I had a friend who worked for  
21 The Bulletin, and he said, "Well, you really ought to write  
22 up what happened to you." And so it was published in The  
23 Bulletin about, you know, there is this violence out there  
24 in the suburbs where someone could bash you up and say, "No  
25 hard feelings, mate." That was published in The Bulletin  
26 and Brian Hoad, who was the editor of their Red Page, said  
27 to me - this is 1970 - "You shouldn't mention you are a  
28 homosexual and this was a CAMP dance you were leaving,  
29 because that be seen as, you know, putting you in a  
30 difficult position," and I didn't have tenure at my job at  
31 the university at that stage, so it was just mentioned that  
32 I was in Petersham, walking down the street, and these guys  
33 set on me. The article was published in The Bulletin on a  
34 Wednesday and The Bulletin had its re-issue, but then the  
35 article was republished on the Sunday, in the Sunday  
36 Telegraph, which had a far, far wider readership. And I  
37 think all hell broke loose because suddenly here was a good  
38 honest person, a teacher, no doubt, a young man, bashed in  
39 the street, and the police said, "You've got to go and find  
40 a police station to report it." So within two or three  
41 days I received a phone call from a policeman who said they  
42 would like to come and take a statement from me about the  
43 incident. And so we arranged it and they came, and at the  
44 time the person at the university in the room next to me  
45 was Ken Buckley, who was the president of the Council of  
46 Civil Liberties and Ken had a long and, I suppose you could  
47 call it, "uncomfortable" relationship with the police. He

1 was often - he was one of the people who was, I think,  
2 fairly instrumental in getting the Summary Offences Bill  
3 changed to be the new law. And so, when the police came to  
4 take my interview and I said, "I'd like someone to sit in  
5 with me", because Ken had said he would like to sit in on  
6 this, and the police came and I said, "Here's the person  
7 who is sitting in. It's Ken Buckley." And then the  
8 Sergeant said, "It's going to be like that, is it?" And I  
9 said, "Well, yes. It's going to be like that." So they  
10 took my statement and left it at that. And about a month  
11 or so later, the police got in touch with me again and they  
12 said, "We think we might have found people who could be  
13 instrumental in what happened to you," and I said, "All  
14 right." So they said, "Next Saturday night would you be  
15 free to come out and show us these people?" Well, they  
16 took me out to the CAMP dance at the Petersham Dispensary  
17 Hall and walked me through the Petersham Dispensary Hall,  
18 two uniformed police and a plainclothes detective, saying  
19 to me all the time, "Do you see anyone here? Do you see  
20 anyone here? Is that it?" And I said, "No." I mean, I  
21 think it was done directly just to humiliate someone who  
22 actually brazenly spoken out in public against them, but  
23 also to let all those people there know, we know you are  
24 here; we know what you are. And I was never invited back  
25 to the CAMP dance at Petersham.

26  
27 Q. The two articles that you have mentioned, could we  
28 just bring them up briefly, if that could be done. The  
29 first one is at tab 96, [SCOI.76855], which is the  
30 article in The Bulletin, headed, "No hard feelings, mate".  
31 And the subheading:

32  
33 *A tale for our times*

34  
35 Reads this way:

36  
37 *A night-time incident in a Sydney suburb,*  
38 *told by Mr Garry Wotherspoon, tutor in*  
39 *economic history at the University of*  
40 *Sydney. Read it. It's YOUR kind of law*  
41 *and order story.*

42  
43 That presumably was written by someone other than you?

44 A. Yes, a sub-editor wrote the headlines.

45  
46 Q. From what you were saying a few minutes ago, you  
47 understood that, I take it, to be a reference to the

1 then-current topic of law and order?

2 A. Law and order, yes.

3

4 Q. And the need for more energetic policing against --

5 A. Yes, a different sort of policing. Rather than  
6 spending enormous police resources on public protest, make  
7 sure you went after real violence in suburban streets.

8

9 Q. I won't ask you to read through the article, but it  
10 essentially gives a slightly longer account of the same  
11 story you have just given evidence about. And then the  
12 next one, which I think is part of the same tab 136 - no,  
13 sorry, it is tab 86 [SCOI.77278], is, I think, literally  
14 the same article?

15 A. That would be from the Sunday Telegraph.

16

17 Q. In the Sunday Telegraph.

18 A. Yes.

19

20 Q. It's exactly the same subheading about "it's your kind  
21 of law and order story".

22 A. Yes.

23

24 Q. What was the attitude of The Bulletin and the Sunday  
25 Telegraph in those days?

26 A. The Bulletin was seen as, I suppose, a fairly  
27 intellectual magazine. The Sunday Telegraph was just a big  
28 Sunday paper. But they were both owned by Frank Packer,  
29 and so that was how articles written in one could end up in  
30 the other. It was usually a one-way street from The  
31 Bulletin, because if there was enough interest generated in  
32 The Bulletin article, it might be then reprinted in one of  
33 the Packer papers.

34

35 Q. You mentioned that someone in The Bulletin, I don't  
36 know if you have named him today, but you have named him in  
37 evidence to the Commission, advised you not to mention in  
38 the story that it was actually a gay bashing?

39 A. Yes.

40

41 Q. And why was that, did he say?

42 A. Look, I mean, this was 1970. It was certainly before  
43 gay lib had arrived. So there was certainly homosexuality  
44 was still seen very much in the old manner of being  
45 degeneracy or mental illness or something like that, so  
46 there would be very little public sympathy for someone, if  
47 it was seen as just a sort of a poofter getting bashed up

1 on the street. So I think it was done quite specifically  
2 for The Bulletin not to mention that.

3  
4 Q. You wrote that second article, which we just looked  
5 at, at tab - I can take you to it. Sorry, if we could just  
6 have tab 97, [SCOI.76854], please. This is a story that  
7 you wrote about the matters that you have just told the  
8 Commission about.

9 A. Yes.

10  
11 Q. And you wrote it not so long ago, only in the last  
12 half a dozen years or so,?

13 A. Yes, yes.

14  
15 Q. But you never published it.

16 A. No, but it's gone into my records in the State  
17 Library, so that any future researchers who can come across  
18 it can know that there was a story behind the story, which  
19 actually explains that it was a CAMP dance and all the  
20 other things that occurred.

21  
22 Q. Yes. Fast-forwarding you 20 years to the late 1980s,  
23 you had a second experience of being attacked?

24 A. Yes. The second experience was my partner and I, we  
25 were just walking down Oxford Street and a group of young  
26 punks came out of a bar somewhere, saw us, bashed us and  
27 ran off. We weren't damaged all that badly, so it was just  
28 another night in the life of a gay man in a Sydney street.

29  
30 Q. Did you report it to the police or anyone else?

31 A. No. I would never report it. We didn't report that  
32 one. It was a small-scale incident, but also you didn't  
33 expect the police to necessarily pursue it.

34  
35 Q. And fast-forwarding again another 10 years or so to  
36 1997, there was a third time when you were assaulted; is  
37 that right?

38 A. Yes. That was also on Oxford Street. My partner and  
39 I, we'd gone up to Oxford Street to get a cab to go out to  
40 dinner, and these young guys have wandered up the street  
41 after us, bashed us and ran off.

42  
43 Q. And what happened this time in terms of the police?

44 A. This time within a matter of minutes there were two  
45 young police officers there. They were very sympathetic,  
46 very helpful. They said, "Do you want to go to hospital or  
47 anything like that?" And we said, "No, we weren't all that

1 badly beaten," and he said quite candidly, "Look, we don't  
2 think we're going to be able to catch these guys." But  
3 they were very sympathetic. They were young, young  
4 constables. They probably weren't all that long out of  
5 police college. So I think there really was a major  
6 difference in those years between, say, 1970 and 1997, on  
7 how police training had taken place. I think there was - I  
8 think - I'm not sure when, but I think training in the  
9 police college about multicultural society, that difference  
10 isn't such a major issue, would have been part of their  
11 training.  
12

13 Q. Now, on the same path, you refer in your statement to  
14 the admirable work of other individual police officers that  
15 you are aware of in the last 20 or 30 years. You mentioned  
16 Steve McCann, Steve Page and Sue Thompson. Do you want to  
17 say anything about those people?

18 A. Sue Thompson I knew personally through the gay liaison  
19 officer thing. The other two police officers, I didn't  
20 know, but in my research of gay bashings and stuff like  
21 that, I've come across things they have written and I am  
22 quite respectful and appreciative of their attitudes of  
23 what they've done.  
24

25 Q. I think lastly, Mr Wotherspoon, ACON produced a report  
26 in 2018 called - the title of which was, "*In Pursuit of*  
27 *Truth and Justice*". And I think you were involved at least  
28 at the outset in the process of that report. What happened  
29 there?

30 A. Yes. From - we had been aware of the amount of  
31 violence that was going on. Some of the court cases - I  
32 think the Scott Johnson case was probably one of the ones  
33 that reinvigorated our concerns and the awareness that  
34 these bashings had gone on and nothing had actually been  
35 done about the police investigation. So I think we had a  
36 meeting, of several what we called gay interest groups or  
37 stakeholders, whatever the terminology is. And so I wrote  
38 a thing called "Enough is Enough." There was so much  
39 already out there from journalists, from writers, Greg  
40 Callaghan's book "Bondi Badlands". All these things were  
41 giving us detail of these bashings that occurred, but  
42 no one had ever put it all together. So my suggestion was  
43 we get a dossier, we set up a dossier, with as much  
44 information from as many sources as we can, we put it  
45 together, and we use that as a document which we give to  
46 politicians, to newspapers, to anyone, just to make them  
47 aware that here is the data of what has occurred.

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Q. In the end, the ACON report took a slightly different approach. It didn't name the individuals who had been attacked, and that might be the subject of evidence another day, but what was the impact, at least for you and for others, if you could say, of the publication, the dissemination, of the ACON report?

A. Look, I think it was very appreciative in the communities that here was something that was highlighting what was occurring in our communities. I think it was also important that it set the tone of future possible investigations, that you could do it statistically, you could put all this data together, and here was a social problem that had to be addressed. So I think it was very important that way. I don't think it made a wider impact in the wider Australian community at all; I think those sorts of reports only make an impact on a small, direct - people directly affected: The legal profession, the gay newspapers, gay groups and things like that. And certain politicians did read it, yes.

Q. And then (indistinct)?

A. And (indistinct). And I think then partly it then led to the upper house, the Legislative Council's own decision to have their own investigation into this. If a private organisation, a small NGO can do this, is this more that we ought to know?

MR GRAY: Commissioner, those are the questions that I have for Mr Wotherspoon.

THE COMMISSIONER: Mr Mykkeltvedt, any questions?

MR MYKKELTVEDT: No questions.

THE COMMISSIONER: All right. Thank you. I notice the time, Mr Gray, and I also observe that Mr de Mars, counsel, is going to take the next witness and is working from home.

MR GRAY: Yes. I wondered if it might be convenient if the Commission would adjourn for an early lunch break and we could resume at 2.00. There needs to be some technical matters attended to before the next witness can be called, and it probably would be simpler to do that at 2 o'clock rather than quarter to one.

THE COMMISSIONER: What I will do is I will adjourn until

1 2 o'clock.

2

3

**LUNCHEON ADJOURNMENT**

**[12.29 pm]**

4

5

THE COMMISSIONER: Yes, Mr de Mars.

6

7

MR de MARS: Thank you, your Honour. I am appearing remotely to assist your Honour in relation to the next witness, who is Gregory Callaghan. I call Gregory Callaghan.

8

9

10

11

12

THE COMMISSIONER: Yes. Thank you. Can you come forward, please.

13

14

15

**<MR GREGORY CALLAGHAN, AFFIRMED**

**[2.00 PM]**

16

17

THE COMMISSIONER: Please sit down. And I am not suggesting you won't, but if you can try and keep your voice up just a little bit?

18

19

20

21

THE WITNESS: Sure.

22

23

THE COMMISSIONER: Thank you. Yes, Mr de Mars?

24

25

MR de MARS: Q. Your name is Gregory Callaghan?

26

27

A. Yes.

28

Q. And you are a journalist by profession; is that correct?

29

30

A. That's correct.

31

32

Q. Mr Callaghan, in connection with the inquiries the has Commission received, you made a statement of 17 November 2022; is that correct?

33

34

35

A. That's correct.

36

37

Q. In that statement, Mr Callaghan, you indicate in terms of academic qualifications that you hold two Masters degrees. Can you tell the Commission what those degrees relate to?

38

39

40

A. I did a Masters in English at the University of Sydney. When I became more established in my publishing career, I did a Masters in Media Studies at the University of New South Wales, that at that time had a media department.

41

42

43

44

45

46

47

Q. The current position you hold is as senior advisor and



1 deputy editor at the Good Weekend magazine; is that  
2 correct?

3 A. That's correct.

4

5 Q. Am I right that that is a publication that is  
6 distributed via both the Sydney Morning Herald and The Age  
7 newspapers?

8 A. It is a colour magazine insert that is published on  
9 Saturdays in the Sydney Morning Herald and The Age, yes.

10

11 Q. Could you outline for us the other positions you have  
12 held as a journalist in the past?

13 A. I worked at News Limited on The Australian newspaper  
14 for some years and then I moved over to the Weekend  
15 Australian magazine where I was a writer and then became  
16 deputy editor. And prior to that, I worked on magazines  
17 and newspapers, sometimes full-time, sometimes freelance,  
18 you know, and I spent 17 years at News Limited before I  
19 went to The Herald.

20

21 Q. It is the case, isn't it, that in your statement you  
22 indicate that you have lived in Sydney all your life?

23 A. I have, yes.

24

25 Q. And you also indicate you have been active in a number  
26 of LGBTIQ community social groups since the 1980s; correct?

27 A. I have, yes.

28

29 Q. And in addition to that, it's the case, I understand,  
30 that from 1979 you were going to Oxford Street which you  
31 described as so-called "golden gay mile" on an occasional  
32 to regular basis with friends or partners?

33 A. That's correct.

34

35 Q. And that you have also been a regular attendee of the  
36 gay Mardi Gras throughout the 1980s?

37 A. That's correct.

38

39 Q. Just before I get to asking you about the more  
40 substantive aspects, Mr Callaghan, the key work you have  
41 done in this area, if I could put it that way, in relation  
42 to gay crime matters, has been in the - commenced in the  
43 2000s in connection with your work for - well, in relation  
44 to the publication of Bondi Badlands; is that correct?

45 A. That's correct.

46

47 Q. Bondi Badlands was a book published in 2007; is that

1 right?

2 A. That's correct.

3

4 Q. There was some earlier work that you did prior to its  
5 publication that made it's way into print; is that right?

6 A. That's correct. I attended the inquest that was  
7 steered by Coroner Milledge in 2002, 2003. I wrote a story  
8 that was published in the Weekend Australian magazine, the  
9 first, to my knowledge, substantive feature, colour  
10 magazine feature, on the murders at Bondi, and that became  
11 the book. I worked on the book for about three or four  
12 years in my spare time.

13

14 Q. I see. Thank you. Just in terms of the extent of  
15 work that you have done in connection with issues in  
16 interest to the Commission, is it the case that the process  
17 of researching and producing the book and subsequent  
18 podcast, Bondi Badlands, involved you interviewing 50 or  
19 more people?

20 A. That's correct. At the very least, 50. I didn't  
21 count, but it would be at least 50 between researching the  
22 book and then the podcast, which introduced a number of new  
23 subjects and material.

24

25 Q. We will get to that in due course. In terms of the  
26 type of people the subject of interview, who did they  
27 include?

28 A. They included friends/family of the victims; people  
29 who knew what was happening in Sydney at the time; Bondi  
30 locals; locals who went to the Headland, knew the Headland  
31 quite well; members of the LGBT community who were aware of  
32 the crimes; experts who were collating information on the  
33 crimes. I also spoke to police officers. Most notably for  
34 Badlands and the podcast was Detective Sergeant Steve Page.

35

36 Q. And when you say the crimes and the deaths that you  
37 wrote about and researched, that the primary focus included  
38 the matters of Ross Warren, who disappeared in July 1989;  
39 is that correct?

40 A. That's correct.

41

42 Q. And also the death of John Russell, whose body was  
43 found at the bottom of the cliffs in the Marks Park area in  
44 November 1989?

45 A. That's correct.

46

47 Q. In addition to that, your work involved looking at a

1 number of other matters from the same era; is that correct?

2 A. That's correct.

3

4 Q. Whilst I am not attempting to suggest that these were  
5 all of the matters, but they included the deaths of Richard  
6 Johnson and William Allen in the Alexandria area; is that  
7 correct?

8 A. That's correct. I looked at a number of murders at  
9 that time.

10

11 Q. In addition to interviews of individuals, what other  
12 forms of research was involved in your research for the  
13 publications?

14 A. For the book, I did what any journalist does, and  
15 they, you know, go to their newspaper archives and, you  
16 know, you do a thorough research through newspaper stories  
17 at the time. You speak to members of the LGBT community  
18 who have followed the very dark story of these murders, and  
19 people such as Sue Thompson who have been collating  
20 information now for over 25 years. You speak to the people  
21 who know what they're talking about.

22

23 Q. Did you gain a degree of familiarity with the media of  
24 the era, if I can put it that way in terms of, in  
25 particular, newspaper media?

26 A. There was a lot of newspaper media. What is provided  
27 in my statement here, I should emphasise, is representative  
28 but not comprehensive. It would take weeks and months to  
29 track down every newspaper story, particularly newspaper  
30 stories in the LGBT press at the time, because there was no  
31 real archiving system that existed from that period. So  
32 those stories are very hard to obtain. So, yes, I did  
33 quite a bit of newspaper research as well.

34

35 Q. At the conclusion of your statement, you have referred  
36 and appended a significant number of newspaper articles.  
37 Are you saying that they are far from a complete record of  
38 the media at the time?

39 A. Yes. I need to emphasise that, that the selection of  
40 stories are representative of the themes; that is,  
41 suspected murders in the cases of Ross Warren and John  
42 Russell within the LGBT community, in the mainstream press.  
43 But there were many, many more stories that could be, you  
44 know, unveiled, had more time been available. These crimes  
45 were widely covered at the time.

46

47 Q. Thank you. You refer in your statement to the 1980s

1 as being "the best of times and the worst of times" for the  
2 LGBTIQ community. Could I ask you, in relation to that, in  
3 what sense do you say that they were the best of times?

4 A. They were the best of times because the community came  
5 into its own in the 1980s. As a result of the Mardi Gras,  
6 that first demonstration in 1978, in terms of the growth of  
7 businesses within the LGBT community, from the early '80s  
8 onwards, social groups, community groups. Oxford Street  
9 itself, the number of venues in the 1970s. Gay bars were  
10 tucked away, they were behind blackened windows, they were  
11 upstairs. What happened in the 1980s is the signage came  
12 down to street level. Basically, the community came into  
13 its own. There was a blossoming of LGB culture. Venues, as  
14 I say, businesses, social groups; that was the best of  
15 times.

16  
17 Q. And if I could speak to what you mean by the worst of  
18 times?

19 A. The worst of times was that this also coincided with  
20 the HIV/AIDS epidemic. From around 1981 by the mid-to  
21 late- 1980s, young men, full of promise, full of youth with  
22 their lives ahead of them, were dying. The community, to  
23 its credit, through organisations like the Bobby Goldsmith  
24 Foundation at that time set up support services. It also -  
25 we also became a lot more sophisticated in dealing, or the  
26 community groups did, I should say, in dealing with the  
27 media.

28  
29 Q. You refer in your statement to a particular article.  
30 I wonder if tab 69 [SCOI.77374] could be brought up on the  
31 screen. This is an article you refer to from 1 March 1992,  
32 with the headline, "Fun Conceals Grim Reaper", published in  
33 the Sun Herald, as I say, 1 March 1992. If we could just  
34 scroll down slightly. We see, I think, Mr Callaghan, just  
35 in the very introductory portion, a reference to the gay  
36 Mardi Gras having occurred "last night". Do you see that?

37 A. Yes. Yes.

38  
39 Q. That article, without going to all the detail, appears  
40 to repeatedly highlight the effect of HIV/AIDS on the  
41 community, on the gay community in particular. In terms of  
42 your reference to "best of times, worst of times", does  
43 this article appear to speak to that dichotomy?

44 A. Yes. In a kind of tabloid sort of populist way, it  
45 does. The media treatment of HIV/AIDS against this  
46 background of the Mardi Gras was patchy during that period.  
47 There were misrepresentations, even by the Sydney Morning

1 Herald, of people who were dying and watching the parade  
2 that was - there was a newspaper story - I am not  
3 expressing this very well. There was a newspaper story in  
4 the mid-1980s, published in the Sydney Morning Herald by a  
5 journal list, that the story outlined dying patients, dying  
6 HIV/AIDS patients at St Vincent's Hospital watching the  
7 parade. And the story was highly emotive, but it was also  
8 fictional, and that journalist was sacked. I give that  
9 example because there were many examples in the media of  
10 this kind of juxtaposition, and sometimes it was feeding  
11 some of the popular prejudice at the time. I think this  
12 story here was reasonably well-intended but, again, it can  
13 reinforce this idea that gay men in particular at that time  
14 were disease spreaders.

15  
16 Q. Is it your suggestion that there may be some nexus  
17 between that and the motivations of some of the  
18 perpetrators of violence at the time?

19 A. I have no doubt. I think that in their minds they  
20 were given a kind of perverse moral justification to bash  
21 and kill gay men because they were perceived at that time  
22 as the disease spreaders. So I don't think the bashers  
23 needed much of an excuse, but this gave them kind of, if  
24 you like, a social justification; they're doing society a  
25 favour by, you know, punishing gay men in various forms.

26  
27 Q. Thank you. You refer in your statement generally to  
28 the increased visibility of the gay community, and that the  
29 potential increased knowledge on the part of the public  
30 generally in relation to, in your words I think, where "gay  
31 men would hang out", and you refer to a particular part of  
32 Sydney. Do you see again the nexus between that increased  
33 visibility and violence that was occurring?

34 A. Oh, absolutely. You know, if you know where to go,  
35 and you want to commit a crime, then the crime rate is  
36 obviously going to go up. By this stage, by the 1980s, as  
37 I said, once Oxford Street had sprung to life, once those  
38 bars, once those venues was very visible, there was a huge  
39 upward trajectory of crime around Oxford Street. But there  
40 was also a huge increase in attacks on gay men, lesbians  
41 and transgender people across other areas of Sydney as  
42 well. One of the hot spots, for lack of a better word, was  
43 the Bondi Headland. Now, that headland, because of its  
44 geographical features, had long been a beat. And it was  
45 becoming better known to the wider community about beats.  
46 And, again, this coincided with the AIDS epidemic and also  
47 a rise in street crime, petty street crime in parts of

1 Sydney anyway. So, basically, the culprits knew where to  
2 go. They knew the back streets behind Oxford Street where  
3 exits from the bars were. They knew the bars, where some  
4 of the other venues were. So it was bees to the honey pot,  
5 really.  
6

7 Q. Mr Callaghan, in addition to referring to that  
8 increased visibility and its consequences, you also  
9 referred to the level and, if I can put it this way, the  
10 quantity of violence increasing at this time, late 1980s  
11 through to the early 1990s. You refer to the range of  
12 media that you attach to your statement. Without going to  
13 all of that material, I'd now just like to take you to a  
14 small selection of that material in relation to the levels  
15 of violence at the time and the manner in which it was  
16 being reported upon. If we can go to tab 65 [SCOI.76857].  
17 That's an article that you refer to in your statement as  
18 having been published on 17 December 1988 in the Sydney  
19 Morning Herald. Mr Callaghan, just on that date, 17  
20 December 1988, it's correct, isn't it, that that precedes  
21 most of the deaths that you were writing and subsequently  
22 wrote about? As in, it precedes late-December 1988  
23 death of William Allen, the July 1989 disappearance of Mr  
24 Warren, and the death of Mr Russell in November 1989. I  
25 just want to draw to your attention, with that frame of  
26 reference, first of all, we can see, I think, in the second  
27 paragraph, that the level of violence being reported at  
28 that point in time refers to nearly 30 attacks on  
29 "homosexuals", as the language is used in the article,  
30 having been reported to the gay and lesbian counselling  
31 service in just over a month. Do you see that?

32 A. Yes, I do.  
33

34 Q. In addition, the various acts of violence that are set  
35 out in the panel in the middle of the article with a map,  
36 certainly there seems to be a significant number of those  
37 in that vicinity of Oxford Street, the vicinity that you  
38 referred to in your statement; is that correct?

39 A. That's correct.  
40

41 Q. In addition, and consistent with what you've said  
42 about there being reported violence against gay men and  
43 also against women, I think we see, at about two-thirds of  
44 the way down that first column, an indication in terms of  
45 those reports, they included 22 men but also six women in  
46 the past month. That now appears to be reflective of what  
47 you have already told us; is that right?

1 A. That's correct.

2

3 Q. Notwithstanding that concentration of matters at the  
4 Oxford Street area, we also see, don't we, other areas  
5 referred to, including various inner west locations, but  
6 also further out west in the area of Bankstown. Does that  
7 reflect your understanding of the violence occurring in  
8 other areas as well?

9 A. It does. This is, bearing in mind, just a snapshot.  
10 Violence was happening right across Sydney, not just in the  
11 inner west; not just in the inner city, not just at the -  
12 well, the Bondi Headland really became a hotspot a bit  
13 after this story was published. This was '88, so we are  
14 talking 1989 with Bondi. But wherever there was a beat in  
15 the southern suburbs, the northern beaches, North Head, the  
16 western suburbs - this story alludes to Bankstown, but  
17 wherever there was a beat, there was violence and quite a  
18 significant up-tick. And bearing in mind when you read  
19 newspaper story that says "30 reported cases", that is a  
20 drop in the bucket because only a fraction of people, only  
21 a fraction of victims, went to the police at that time.

22

23 Q. Yes. Thank you. Could I take you to another article,  
24 on this occasion, to tab 63 [SCOI.76916]. It is different  
25 in nature because it is a letter to the editor of the  
26 Sydney Morning Herald. Can we have tab 63? If not, we  
27 can - if we just look, going down to the article, starting  
28 towards the bottom, "Gay Bashing", this is from the Sydney  
29 Morning Herald, 18 April 1989, so just to orientate  
30 ourselves, that is about four months after the last  
31 article, Mr Callaghan. If we go then up to the top to see  
32 the conclusion of that letter, that's a letter that has  
33 been sent from Mr Gary Cox and Jane Clements from the Gay  
34 & Lesbian Rights Lobby in Darlinghurst, and perhaps  
35 consistent with what you have been telling us, you'll see  
36 it refers to the organisation Streetwatch program revealing  
37 and alarming level of verbal abuse and physical assault not  
38 confined just to the - sorry, if we go back down:

39

40 *Not confined just to the inner city trouble*  
41 *spots, but also occurring in Western Sydney*  
42 *and regional and country centres. [And]*  
43 *not confined to gay men, but also lesbians,*  
44 *too, are frequently the victims of rape by*  
45 *teenage gangs.*

46

47 Bringing that to your attention, the evidence Mr Callaghan

1 has - as well as the mainstream media representations,  
2 there are instances of the community members themselves  
3 asserting their concerns in this manner letters to  
4 newspapers. Was that a feature at the time?

5 A. Yes. This is reflective. And what I didn't mention  
6 earlier, which this letter very accurately points out, is  
7 that violence was of course happening in regional and  
8 country areas as well. My reference point is Sydney, I  
9 grew up here. I know it. I was around at the time. I saw  
10 with my own eyes and heard with my own ears what was going  
11 on. Certainly, it was also happening in country and  
12 regional areas as well. I heard anecdotal reports at that  
13 time, and subsequently a lot of other pieces have come to  
14 light.

15  
16 Q. Could we then go to tab 120, [SCOI.76945], please. It  
17 may be difficult to read the detail of that, but that's a  
18 four-page front page in what is described at the top as the  
19 gay community's newspaper, the Sydney Star Observer, dated  
20 12 January 1990. So again, the same era. But is it that  
21 we were seeing the same concerns expressed directly  
22 through, for want of a better term, the gay media or gay  
23 press at the time as well?

24 A. Absolutely. I should say that the LGBT media at that  
25 time, which consisted of, in Sydney, the Sydney Star  
26 Observer, the broadsheet newspaper that later became a  
27 tabloid, Campaign, and other publications that kind of came  
28 and went from between the late 1980s and the early 1990s  
29 were at the forefront of reporting these crimes. As I said  
30 earlier, it's a shame that we don't have the archival  
31 material now, but they were certainly - because they were  
32 inside the community, they had the contacts, they weren't  
33 shy about reporting what was going on. You know, the  
34 stories like this, again, are representative of what was  
35 being unveiled in the media at the time, the LGBT media at  
36 the time.

37  
38 Q. And in this particular article, in addition to stating  
39 that gay assault and rape was at the time soaring, there is  
40 also an expression of proactivity, if I can put it that  
41 way, in terms seeing the third call, I think, reference to  
42 the Gay and Lesbian Lobby making an urgent call for police  
43 to increase patrols of the Darlinghurst, Surry Hills and  
44 Newtown areas. Was that a prominent feature of the gay  
45 media, again, if that is the right expression to use, at  
46 the time in terms of making those sorts of calls?

47 A. Yes. By around 1990, the police were starting to step



1 up to the plate and actually try and do something about the  
2 crime wave. By that stage, there was better liaison  
3 between the LGBT community and the Police Force. The  
4 Police Force attempted to put on street patrols around  
5 Oxford Street. It was the early days of, you know, the  
6 community and the Police Force actually working together  
7 for the first time. So that was a significant change.  
8

9 Q. I see. Thank you. Then if I could just take you to  
10 tab 59, [SCOI.76858], and this is the last article I will  
11 take you to in relation to levels of violence at the time.  
12 It is tab 59. Mr Callaghan, this again is from the Sydney  
13 Morning Herald, 4 March 1990. And so, just to draw a  
14 couple of things to your attention, as distinct from the  
15 first of the Sydney Morning Herald articles that we went to  
16 from, I think, December 1988, by this stage just a bit over  
17 a year later, we see some references in the dot points  
18 under "Attack Victims" to, first of all, a death which  
19 would appear to be a reference to that of Mr John Russell,  
20 I suspect, in the first dot point. And we also see a  
21 reference to the death of William Allen. Do you see those  
22 references?

23 A. I do.  
24

25 Q. In terms of reported numbers, in the second  
26 paragraph of the main article we see the reference to:

27  
28 *Gay activists say that packs - of up to 15*  
29 *youths - are responsible for 30 attacks*  
30 *each week.*  
31

32 I appreciate what you've said about the challenges of the  
33 numbers in terms of reported attacks, but did you see a  
34 much higher level still being referred to in terms of what  
35 it was that people in the community may have actually  
36 thought was happening in terms of numbers; is that right?

37 A. That's correct, yes.  
38

39 Q. Another thing perhaps to draw your attention and ask  
40 you about is in the fourth paragraph we see a reference to  
41 a form of protest action, in that there is a reference to  
42 500 people marching through the city and then taking some  
43 action at the offices of the Festival of Light. Do you see  
44 that reference?

45 A. I do.  
46

47 Q. What can you tell us about the extent to which over

1 time forms of protest action may have developed in response  
2 to the levels of violence?

3 A. Well, you know, a community is under siege, that  
4 community starts to get very angry. And what happened in  
5 1990, following the murders at Bondi, following the murders  
6 in Alexandria Park, the gruesome murder which led to  
7 convictions of Kritchikorn Rattanaajurathaporn, a Thai  
8 national, a young man who came to Australia, was only in  
9 Sydney four or five months, who was slaughtered on the  
10 Bondi Headland, there was a lot of community anger. So  
11 what happened - what started to happen from around the  
12 middle of 1990, and particularly through 1991, were a  
13 number of demonstrations, one of which - some of which were  
14 kind of semi-violent, one - I'm not sure if "violent" is  
15 the right word - but one of which involved red paint being  
16 splattered over public buildings. There was a  
17 demonstration in front of State Parliament. There was a  
18 demonstration down King Street numbering about 600 people.  
19 That followed the murder of Maurice McCarty, an Australian  
20 ballet technician who was murdered in Linthorpe Street,  
21 Newtown. It was almost like, "Enough is enough, we are not  
22 going to take this anymore." So there was this huge  
23 groundswell of anger, and hundreds upon hundreds of people  
24 turned out to demonstrations, and there are at least three  
25 that I know of.

26  
27 Q. Thank you. We might come back to some of those  
28 demonstrations in due course. In your statement, you say  
29 this:

30  
31 *At the height of the AIDS crisis, a lot of*  
32 *attackers claimed they were doing the*  
33 *community a service by killing gay people.*  
34

35 And you refer to some of the terminology that was used,  
36 that was appearing in the media, that you say created  
37 discrimination against gay men, and you place it in the  
38 context of the Grim Reaper advertising campaign. In  
39 connection with that, can I then ask that tab 81A be  
40 brought up on the screen [SCOI.77517]. I don't want to  
41 particularly dwell on these pretty terrible sentiments that  
42 are being expressed, Mr Callaghan, but just in order to, I  
43 guess, understand your point and to help me give it some  
44 emphasis, do you see that portion of the article on the  
45 right-hand side? This is is an article from, I understand  
46 it, May 1991. And if we see - sorry, is it possible to  
47 move across so we can see the - thank you. That gives an

1 account from someone described as, to use the language of  
2 the article, a "former poofter basher", given as "John, 21,  
3 from Sydney's Northern Beaches" and the expressed  
4 motivation in relation to what he was doing, was to do it  
5 to "teach them a lesson". And we see further down the  
6 article this person and what is described as his teenage  
7 gang thinking of themselves as self-styled vigilantes. And  
8 if we go further down, we can his reference to becoming  
9 paranoid that in the course of his bashing activities, he  
10 would catch AIDS. There is plenty of dehumanising and  
11 upsetting sentiments being expressed there, but is that the  
12 sort of sentiment that was coming through in the media in  
13 relation to the expressed motivation for the conduct at the  
14 time?

15 A. Absolutely. In fact, that piece is quite a nice  
16 microcosm of the attitudes in as much as it sums up one  
17 thing was that the nature of these crimes, the nature of  
18 this violence against gay men, in particular, was to, as  
19 this basher says, "To teach them a lesson", to knock the,  
20 you know, the homosexuality out of them, if you like, so  
21 that robbery did happen with these crimes, but robbery  
22 became almost an afterthought. It was just kind of the  
23 cream on the pie of the attack. I hasten to add, too, that  
24 we've got to talk about "bashers" and "poofter bashes" and  
25 so forth, but they kind of - to simplify, they actually  
26 fell into two categories. There were the hardcore people  
27 that were out there bashing people to a pulp, to within an  
28 inch of their lives, killing people, and then what I would  
29 call the recreational bashers. They would go be going out  
30 on a Saturday night, have a few drinks in their belly, they  
31 would be with their mates, have, you know, the guts and  
32 bravery of the group, of the little gang, or however many  
33 of their mates are with them, and they would go out and  
34 kind of spontaneously bash a couple of gay men to prove  
35 themselves to their mates and just have a bit of, you know,  
36 a bit of sport. But it's that type of violence tended to  
37 be, as I say, more spontaneous. Incredibly widespread at  
38 the time, poofter bashing was in fact a rite of passage for  
39 many young men. But that's one thing. The other category  
40 are the hardcore people, the really cynical, hateful people  
41 who went out to seriously do damage to gay men and anybody  
42 else who sort of crossed their path within the LGBT  
43 community, and they went out there and they killed with  
44 impunity.

45  
46 Q. We have already touched on, I think, Mr Callaghan, the  
47 focus of your work in connection with Bondi Badlands

1 relating to deaths that occurred in and around Marks Park  
2 and also some other deaths around the same era,  
3 particularly 1989s through to 1991.  
4

5 In your statement, you make particular reference to  
6 why it is that you consider the southern headland at Bondi,  
7 known as Marks Park, becoming, in your words, "an epicentre  
8 of violence and killings of gay men". I wonder if you  
9 could take us through the reasons why you say that that's  
10 the case?

11 A. Yes. The southern Headland at Bondi, from my speaking  
12 to locals who have been - gay men who have been living  
13 there since '70s, 1970s, it had been known as a gay beat  
14 right back until the 1950s, possibly earlier than that.  
15 Why was it a gay beat? Because it was close to a heavily  
16 populated area, but it was still a remote location. It had  
17 very poor lighting. There was no railing prior to the  
18 Olympics and the year 2000, when they actually put in a  
19 railing around the cliff face. There was no railing there.  
20 And there were well-known gangs, and when I describe - when  
21 I refer to "gangs", I'm talking about the hardcore gangs  
22 that I referred to a moment ago in that area, perpetuating  
23 street crime, but also targeting gay men on that headland  
24 late at night. It provided for them perfect camouflage at  
25 that time, just by way of the geography. It is a  
26 beautiful, remote headland, very close to the population  
27 centre, topped by a grassy verge known as Marks Park. Back  
28 in the late 1980s, there was a lot more vegetation around  
29 that the bashers would hide in. Their modus operandi was  
30 to hide in the bushes at that time, watch who was walking  
31 along the pathway in the moonlight, and then decide who  
32 they were going to attack. So it was the perfect place.  
33 And this was well-known. As a young gay man in Sydney at  
34 that time, I didn't live in the eastern suburbs, I hadn't  
35 been there, but I had heard of this place, Marks Park,  
36 where this violence was happening. And that was in 1989,  
37 long before I came to report on it.  
38

39 Q. In addition to what you've been able to tell us about  
40 Marks Park, you make a more general observation about beats  
41 more generally being known to be especially dangerous  
42 places. Is that something you can expand on in any way, to  
43 communicate why you understand that to be the case?

44 A. Well, beats were very dangerous places because, you  
45 know, they are hardly in the middle of George Street. So  
46 young people could - young men who wanted to have a bit of  
47 sport on a Saturday night could bash people and get away

1 with it and make an easy escape. They knew that the police  
2 wouldn't be around. They knew that the victims were  
3 unlikely to report injuries, even very serious injuries.  
4 So beats were particularly dangerous places, and I might  
5 add that it wasn't just gay men who were the victims of  
6 violence; sometimes it was young heterosexual men who just  
7 happened to be there but were mistaken for being gay. That  
8 actually happened around the Bondi, Tamarama to Coogee, the  
9 Headland around there, but it also happened in other beats  
10 across Sydney. They would be walking across a park  
11 unwittingly, and would find themselves a victim of these  
12 attackers, because the attackers just assumed they were  
13 gay. But why did - I am often asked why gay men went to  
14 beats, and, you know, they were dangerous places, but they  
15 were also places of community, and for some men who are  
16 still in the closet, bisexual men, it was a place where  
17 they could go without - they clearly couldn't go to  
18 Oxford Street where they might likely be seen, so they'd go  
19 to beats. So beats were often frequented by bisexual  
20 married men as well, but also people went there for  
21 community, for conversation, for company. They weren't  
22 just about sexual activity.

23  
24 Q. I think you made your observation there that your  
25 understanding is there would be a reluctance to report  
26 incidents of violence to the police. Are you able to  
27 expand on that and the reasons you would understand that to  
28 be the case?

29 A. Well, there was a very established distrust, for very  
30 good reason, of the police. In my podcast last year, I  
31 broke the story of a young constable who was working at  
32 Darlinghurst Police Station, who witnessed police bashing  
33 gay men in Centennial Park in the early 1980s.  
34 Furthermore, and even possibly even more disturbingly, when  
35 he tried to arrest someone for bashing a gay man, he was  
36 told by the station brass, "Oh, we don't arrest poofster  
37 bashers". And as a result of that, that young constable,  
38 that constable with a conscience who was trying to do the  
39 right thing, was absolutely ostracised by some of his  
40 colleagues at that station. So, you know, therein is the  
41 relationship between the gay community and the police in  
42 the 1980s. As I said earlier, that started to change at  
43 the very end of the 1980s, particularly the early 1990s,  
44 and it started to change in a very significant and, you  
45 know, encouraging way, but until that time there was an  
46 enormous amount of distrust between what we then called the  
47 gay community and the police. And we also have to remember

1 that looking back now, the 1980s were closer to the 1950s  
2 and early '60s in terms of the thinking, in terms of the  
3 prejudice, in terms of the misunderstanding, than the 1980s  
4 are to today, you know? So it's been a long path towards  
5 greater understanding and tolerance, but we were in a  
6 different paradigm at that time.

7  
8 Q. Thank you. We might come back to some of the matters  
9 arising out of your later work on the podcast in due  
10 course. You say in your statement - you refer to the  
11 attack and death of Mr Kritchikorn Rattanajurathaporn in  
12 July 1990, the man from Thailand that had occurred in the  
13 Marks Park area of Bondi, and you refer to publicity  
14 associated with that matter as having represented something  
15 of a turning point. First of all, can I get you just - I  
16 know it is a disturbing matter, but just in very brief  
17 form, to tell us what the situation was in relation to that  
18 death? And then I'll ask you about the turning point.

19 A. Yes. I should qualify that, because this is my  
20 perspective. This is my memory from that time. I  
21 remembered the Ross Warren disappearance, and basically it  
22 was widely thought, widely speculated, that he'd been  
23 murdered. I remembered the John Russell death. Again,  
24 this is a murder. This is what the community was saying at  
25 that time. This is what the LGBT community was saying:  
26 "John Russell and Ross Warren were killed." But somehow  
27 the police didn't see those murders as being worth  
28 investigating.

29  
30 In terms of the turning point, I think that it was not  
31 just one thing, a number of things. There was a Richard  
32 Johnson violent murder in Alexandria Park in January of  
33 1990. In July of 1990, Kritchikorn was murdered, and that  
34 struck another kind of, I guess, nerve within the community  
35 because, as I said earlier, he was a young man who came to  
36 Australia to make a new start, a perfectly innocent bloke  
37 who just, you know, was chatting, having an amiable  
38 conversation, again for company. My theory about  
39 Kritchikorn was that that night he was working in the -  
40 washing dishes in a Thai restaurant in Bondi. It would  
41 have cost him a fair bit of money to go via Oxford Street  
42 by taxi or bus or whatever the case may be, and furthermore  
43 he had language issues, so maybe he just wanted to have a  
44 conversation with one person in a beautiful environment,  
45 and that's what he was doing when he was killed. So, I  
46 mean, a combination of these murders - you know, I  
47 mentioned Kritchikorn because that at least led, thanks to

1 the sterling efforts, I should say, of Steve McCann from  
2 Waverley Police, led to a conviction and jail term. But  
3 there was a groundswell of anger. You know, Warren,  
4 Russell, Johnson in January of 1990. You know, the  
5 community had really had enough. And you know what?  
6 I don't think that - there was a growing sort of  
7 sensibility that, "We don't have anything to lose anything  
8 anymore. This is just out of hand".  
9

10 Q. You have already touched upon some of the protest  
11 action and proactivity that was at the very least emerging  
12 at this point, and you have already made mention of the  
13 protests that I think you have described as involving red  
14 paint. I wonder if we could have tab 114 brought up  
15 [SC01.77289]. You refer in your statement, Mr Callaghan,  
16 to this being an advertisement that appeared in the Sydney  
17 Star Observer on 5 April 1991. Self-evidently, this is an  
18 ad that refers to the event that you gave some evidence  
19 about earlier; is that right?

20 A. That's correct.  
21

22 Q. And first of all, plainly enough, it is expressed in  
23 strong terms, if I can put it that way, commencing with  
24 reference to "our blood runs in the streets", and it is  
25 also expressed in terms that are directed towards, if you  
26 like, institutions and institutional structures that are  
27 said to - in the second paragraph, "actively encourage  
28 violence against us". And just as a further reference  
29 point, we see, if we just stop it there, if we see the  
30 paragraph towards the bottom there, "Enough is enough", we  
31 see that the relevant event is going to take place on  
32 Monday, 8 April. Was it your understanding that there was  
33 some connection between that date and I think the  
34 sentencing of the offenders in relation to the Richard  
35 Johnson matter?

36 A. Probably. It was probably - it was probably a  
37 catalyst. As I say, you know, the groundswell of anger was  
38 building and, you know, with the - and I think a young  
39 doctor was one of the people who was charged for spraying  
40 the red paint over the public buildings. But, yes, to  
41 answer your question, certainly when the cases - when cases  
42 like that, the Johnson case, and so forth, resulted in  
43 convictions, and it was in the media, and they read about  
44 the nature of the murders, how vicious they were, no murder  
45 is - you know, no murder isn't violent, but there is  
46 something about these murders, these gay-hate murders,  
47 where the attackers tended to take - took joy in prolonging

1 the violence, making it - turning it into ultra-violence,  
2 making the mocking, insulting their victims as they bashed  
3 them to within an inch of their lives, or worse.  
4

5 Q. If we scroll down a little further on the page, we  
6 heard some evidence earlier, Mr Callaghan, from Garry  
7 Wotherspoon. I don't know if you were present and heard  
8 that evidence; did you?

9 A. Yes.

10  
11 Q. In giving some historical context, he referred to the  
12 Stonewall Riots, I think, in New York in 1969. And it  
13 would look as though, wouldn't it, that reference in the  
14 right-hand column to 1969 is an invocation, if you like, to  
15 those, to the Stonewall Riots; is that the case?

16 A. Yes, that's right.  
17

18 Q. If we can go then to tab 83 [SC01.77380] and look at  
19 some of the reporting on the relevant event, this is an  
20 article that you refer to in your statement as - well, you  
21 can see it was published on Monday, 8 April 1991, so the  
22 same day that the advertisement was indicating that there  
23 would be relevant protest action, in the Daily Telegraph  
24 Mirror. And we can see that it got prominent publicity,  
25 obviously enough, attracting a close to full-page front  
26 page in that publication. And we can see I think perhaps  
27 as a reflection of the strength of the protest, that would  
28 be one way, perhaps, to look at it, but also the view of  
29 those involved as wanting to attract attention to the roles  
30 of, as it was seen, of relevant institutions in what was  
31 happening that targets of the protest with the red paint  
32 included Parliament House, some of the churches, Downing  
33 Centre local court, and indeed some of the media  
34 institutions as well. We see a reference, I think, to  
35 Fairfax and Channel 10, amongst others, and in addition the  
36 Department of Education. Is there anything further you  
37 want to add to your evidence about the significance of this  
38 event in particular?

39 A. No. I remember when this happened and I remembered  
40 the - not that I'm, you know, a supporter of defacing  
41 public property, but I remember that something had to be  
42 done. You know, there had to be some sort of, you know,  
43 reminder that this violence is just basically, unbridled,  
44 and that our public institutions are failing a significant  
45 part of the community.  
46

47 Q. Just then in terms of the timing and chronology of



1 events, bearing in mind that that protest action was  
2 occurring on 8 April 1991, now I want to take you to some  
3 media that arose just a few days later, 14 April. If we  
4 can go to tab 70. Are you familiar with this article,  
5 Mr Callaghan? I think you refer in your statement as  
6 being published in the Sun Herald, and as I said, 14 April  
7 1991, and it is, as you can see, in effect a full page  
8 fairly prominent article in the paper. Are you familiar  
9 with that?

10 A. I beg your pardon? Could you repeat the question?

11  
12 Q. Are you familiar with this article?

13 A. Yes, I am. Yes.

14  
15 Q. One of the notable things about it is that it brings  
16 together, am I correct in saying this, a number of presumed  
17 deaths and deaths at the time. And, indeed, it would  
18 appear to coincide quite neatly with a number of the deaths  
19 that you subsequently wrote about in "Bondi Badlands"; is  
20 that correct?

21 A. That's correct.

22  
23 Q. We see, for instance, a reference to the death of Mr  
24 Wayne Tonks, to Richard Johnson, Mr Maurice McCarty and if  
25 we go down a little further we see reference to Mr William  
26 Allen, Mr Rattanajurathaporn, Mr John Russell, and the  
27 disappearance of Mr Warren. And I think in the course of  
28 your work, you looked quite closely at all of those  
29 matters; is that correct?

30 A. That's correct.

31  
32 Q. Do you see some significance to all of those matters  
33 being reported back then, in April 1991, in the one  
34 article? Do you see some significance to that having  
35 happened?

36 A. I'm sorry, I don't - I'm not clear.

37  
38 Q. I guess what I am trying to understand, what I am  
39 seeing whether you can make any comment on, is whether  
40 prior to this, do you know whether there had been some sort  
41 of collective look through the media at a whole range of  
42 deaths as opposed to bashings?

43 A. You mean a kind of story that reported on a collection  
44 of murders in the one story?

45  
46 Q. Yes.

47 A. Yes. I think that there were, yes. I don't think

1 this was by any means the first one. Certainly in the LGBT  
2 media, and I'm sure that there would have been other  
3 earlier pieces that would have mentioned collectively the  
4 murders of not just one. In the case of Russell, the  
5 murder of John Russell, it was only four months after the  
6 murder of Ross Warren. So news reports at that time would  
7 have, just by, you know, diligent reporting, would have  
8 mentioned these earlier, you know, the earlier cases.  
9 However, some of the more substantive features like this  
10 did report on the more recent at that time attacks. I note  
11 that O'Grady, who later became, I think, a Government MP is  
12 also in this story as being a bashing victim.

13  
14 Q. Yes, thank you. At that time in particular, April  
15 1991, you appear to be - this is perhaps a - well, what  
16 I am getting at is are we reaching what might be viewed as  
17 the height of the violence that was occurring around this  
18 time?

19 A. Well, I very much believe that the peak in the  
20 violence was between 1998 and around 1991, '92, into '92.  
21 That's not to say that the violence went dramatically down  
22 or went away after around maybe '93, '94, but certainly  
23 there was a decline. And I suspect there may have been a  
24 number of factors behind that, in the same way there are a  
25 number of factors that caused this kind of dramatic upsurge  
26 in violence over that sort of four-year or five-year  
27 period.

28  
29 Q. All right. If I can come back to the issue we were  
30 looking at in terms of the red paint protest, in terms of  
31 protest activity and action, proactive action that was  
32 initiated within the LGBTIQ community, I would ask if  
33 tab 81A, which was brought up earlier, could again be  
34 brought up [SC0I.77517]. This is an article. I think I  
35 may have described it as May '91 earlier. In fact, it is  
36 17 April 1991, the Daily Telegraph Mirror. You might  
37 recall in Garry Wotherspoon's evidence, Mr Callaghan, he  
38 referred to the Dykes on Bikes taking certain pro-active  
39 action at the time. It would appear that this appears to  
40 be an article that's consistent with what we heard from  
41 Mr Wotherspoon earlier; is that the case?

42 A. Yes, that's correct.

43  
44 Q. We have in that article, if we scroll down slightly,  
45 some indication of that group, what is described as  
46 "Lesbian Lobby Group Dykes on Bikes", at that stage  
47 engaging in a two-month-old street watch patrols on

1 motorbikes or by foot that were helping police in a number  
2 of arrests. This would appear to be an example of some of  
3 the pro-activity that was being generated within the  
4 community at the time; is that right?

5 A. That's correct. It was community under siege. So  
6 what you do when you're under siege is you look at ways of,  
7 you know, protecting yourself. This story talks about the  
8 Dykes on Bikes, but there were other - gay men were also -  
9 some - I know of one former police officer who was also  
10 organising street patrols. It was a community living in  
11 fear, and I don't want to make it sound like we were  
12 terrified to step out our front doors, it wasn't like that,  
13 but there were self-defence classes happening through  
14 community groups that were very popular at the time.

15  
16 Martial artists who were within the gay and lesbian  
17 community at that time were organising for tutorials in  
18 self-defence, so it was a community that wasn't necessarily  
19 just being passive or on the other side getting angry and  
20 splattering red paint or demonstrating along King Street,  
21 Newtown, or in front of State Parliament. It was a  
22 community that was looking after its own, but also looking  
23 after, in practical ways, defending itself.

24  
25 The gay gym, I remember the Fitness Exchange was  
26 organising fitness classes with a black belt karate person,  
27 you know, expert, so it was a community that was actually -  
28 it wasn't sort of on the back foot here. We were doing  
29 stuff, trying to fight back and reduce this crime wave.

30  
31 Q. Then just to move from what we have been doing in the  
32 sense of looking at some of the more detailed matters that  
33 were actually in the press over that period, late '80s,  
34 early '90s, if I can come back to your own work and  
35 reporting on relevant matters, Mr Callaghan, you have  
36 already told us how you attended the inquest that was held  
37 by Deputy State Coroner Milledge in relation to Mr Warren,  
38 Mr Russell and also Mr Gilles Mattaini, and that your  
39 attendance was part of - your work gave rise to the "Bondi  
40 Badlands" book. Now, you make some observations in your  
41 statement drawing on all of your experience in considering  
42 those deaths and their investigation about certain factors  
43 that you draw some conclusions about in relation to being  
44 common to instances of gay-hate violence. Can you tell us  
45 about those.

46 A. The profile of gay-hate violence, you mean?  
47

1 Q. Yes.

2 A. Well, the typical crime was - I'll start again, I beg  
3 your pardon.  
4

5 The trademark of these crimes was the cruel tormenting  
6 of the victim; the frenzied nature of these attacks. The  
7 unrelenting physical violence that the victims sustained.  
8

9 One of the newspaper stories that you kindly put up  
10 earlier referred to a "Clockwork Orange" style attack,  
11 you know, while I am loathe to refer to sort of something  
12 from popular culture, it's not too far from the truth.  
13 These were - had all the hallmarks of gay - what we call  
14 gay-hate crimes now, and a hate crime is just that. It is  
15 about sheer unbridled hate in which the victim is no longer  
16 a human being, this is not a crime of passion, this is a  
17 crime of hate, and it's where the perpetrators take  
18 enjoyment out of extending the violence that they  
19 perpetrate on victims and cruelly tormenting them, verbally  
20 and physically.  
21

22 Q. Mr Callaghan, you refer in your statement to, in  
23 addition to the work you have done as a journalist and  
24 author, to some things that you did in 2017 in relation to  
25 conducting some walks after being invited to do that by  
26 ACON. Can you tell us about what you did in that respect  
27 and why you did that.

28 A. Yes. I was contacted by ACON because they wanted to -  
29 so there were a number of things happening at the time.  
30

31 The Scott Johnson investigation, there had been an  
32 inquest in that year, too, earlier that year, which had  
33 found that he was the victim; he had been murdered,  
34 finally. But there were also - there was a new generation  
35 of people in the LGBT community who weren't aware of these  
36 crimes, you know, across Sydney at the time, but  
37 specifically at Bondi where there was also talk of  
38 establishing a memorial to the victims there. So I was  
39 invited by ACON to lead walks around the Bondi Headland  
40 and, you know, to be honest, I hate that place, I hate that  
41 Headland and, you know, it's - you know, I took people  
42 around because I thought --  
43

44 Q. Just take your time, Mr Callaghan, please.

45 A. The younger LGBT community should be aware of what  
46 went on here, that these people - lives should not be  
47 forgotten, and also, you know, there was starting to -

1 things were cranking up in the media as well. You know,  
2 these things, unfortunately, come in cycles. You know, you  
3 don't - things go quiet for a very long time and suddenly  
4 something happens and, you know, these dreadful crimes are  
5 in the media spotlight again. So there was a certain  
6 something in the zeitgeist was happening at that time.

7  
8 I wanted to, you know, share the stories of these  
9 people and the community at that time, and, you know what,  
10 what was actually very rewarding was a lot of people who  
11 would come on those walks, not just younger members of the  
12 LGBT community, but a lot of heterosexual people as well,  
13 you know, who may have been locals and they knew what went  
14 on there, or they wanted to, you know, find out, with  
15 respect, what happened there. So, yeah, so I took those  
16 walks. You know, it was only three or four a year for - I  
17 think for about three or four years we were doing them, but  
18 it's - you know, it's important that these crimes not be -  
19 apart from the fact that they need to be investigated  
20 properly, it's important that these crimes not be  
21 forgotten, you know, it's...

22  
23 Q. Thank you. There's one last matter I want to go to,  
24 Mr Callaghan. Before I do that, just as a matter of  
25 correction, I asked you a question early on about the, for  
26 want of a better term, the peak period of violence and if  
27 I can put it this way, I think you might have misspoken  
28 because you referred to a period 1998 through to 1991,  
29 1992. I assume you were referring to 1988 to 1991 and  
30 1992?

31 A. I'm very sorry, yes. Yes, of course. I meant 1988 to  
32 1992. I'm very sorry, I got that date wrong, yeah.

33  
34 Q. I just wanted to correct that for the record. Thank  
35 you. The last matter I wanted to go to was your most  
36 recent work in connection with the podcast. It has been  
37 produced. That also goes by the name "Bondi Badlands"; is  
38 that right?

39 A. That's right.

40  
41 Q. You referred to some of the additional work including  
42 some further interviews. Can I ask that tab 43 be brought  
43 up on screen, please [SC0I.77379]. Some of those  
44 interviews you have told us about included with it a former  
45 police officer, and was this gentleman known by his  
46 professional name, Senior Sergeant Mark Higginbotham; is  
47 that right?

1 A. That's correct.

2

3 Q. So in addition to the podcast, there were a couple of  
4 print stories that you have produced as a consequence of  
5 interviewing Senior Sergeant Higginbotham; is that right?

6 A. That's correct.

7

8 Q. The one that we have brought up on the screen is a  
9 full page headline called:

10

11 *Old beats of hate and horror*

12

13 I wonder if we can just go up to capture the date. Could  
14 I invite you, I am am sorry to do this on the run with you,  
15 Mr Callaghan, but to accept that it might be appropriate  
16 that your statement be amended slightly just in this  
17 respect, that this full-page article is dated 30-31  
18 October. I think at paragraph 40 of your statement, it  
19 refers to it being the 29th, but I think we just have a  
20 reversal of dates. There's been another article in this  
21 statement that reads as being 30 to 31 but in fact was the  
22 29th. Would you accept that is an appropriate amendment to  
23 make to your statement?

24

25 A. I do. Just to clarify, yes. So the heading is on the  
26 - I think it's on the wrong date. What happened was I did  
27 a news story during the week which was on the front page.  
28 Then, on the weekend, that following weekend, I did this  
29 feature in the, you know, Weekend News Review section. So  
30 they are actually two separate sections. One was a news  
31 story - in fact, I think there were three. There was a  
32 news story during the week, a news story in the paper on  
33 the weekend and the feature. So what I've done here is  
34 I've probably put the wrong heading against the dates,  
35 yeah. So I accept that, in short, yes.

35

36 Q. Thank you. I know you touched on this part earlier,  
37 but you referred to two particular aspects of what Senior  
38 Sergeant Higginbotham was able to tell you as having  
39 occurred in the early 1980s and I think, in particular, as  
40 revealed in the podcast and in this article, around 1983  
41 when Senior Sergeant Higginbotham was a very junior and a  
42 very young officer in New South Wales.

43

44 To come back, the article will speak for itself, but  
45 to come back to - can you take us back to that issue of the  
46 experience that Senior Sergeant Higginbotham relayed to you  
47 concerning the occasion on which he arrested a perpetrator

1 of gay-hate violence, and recount to us what the  
2 consequences were for Senior Sergeant Higginbotham.

3 A. Yes. So Mark Higginbotham was pulling up in his  
4 police car with his colleague and a man was staggering  
5 along the footpath, bloodied. He got out of his car, this  
6 was just in front of the station, and asked him what had  
7 happened. He said he was bashed. He was - it was evident  
8 he was gay and he had been gay-bashed, so Mark Higginbotham  
9 and his partner drove around the local streets whereupon  
10 they - sorry, they also took the victim with them, who was  
11 up to identifying his attacker. So they were able to  
12 locate the attacker within streets of the police station.  
13

14 They took the attacker back to the police station  
15 where Mark Higginbotham went through the processes of  
16 arresting him, whereupon the senior detective at that time  
17 came down and basically ripped into him and said, "What are  
18 you doing, we don't rest pofter bashers." It was too  
19 late. The arrest - the actual paperwork had been done, so  
20 this young attacker was arrested, and, as a result of that,  
21 Higginbotham suffered ostracism and prejudice at that  
22 station which made his life very uncomfortable. It was -  
23 he was basically labelled - well, in inverted commas, "a  
24 fag sympathiser". Higginbotham is heterosexual, but any  
25 type of sympathy towards gay men at that time was just not  
26 really on, at least at Darlinghurst Police Station. And  
27 what Higginbotham witnessed at Centennial Park was not  
28 police from one station, but a few stations, at least three  
29 stations, in the inner city, at that time, attacking gay  
30 men. This was 1983. Not 1953. Not 1963. Not 1973. This  
31 was 1983, only six years before the murders at Bondi and  
32 the murder wave across Sydney.  
33

34 Q. Thank you. Then just to go back to a couple of things  
35 in relation to Senior Sergeant Higginbotham, as well as  
36 being a serving member in Victoria, he is a qualified  
37 lawyer and works in the Police Prosecutions area; is that  
38 correct?

39 A. That's correct.  
40

41 Q. In your statement you describe him as being the first  
42 police officer to come forward in relation to police  
43 violence at the time, namely, the 1980s. Can I ask you  
44 whether you attach any significance to the fact that, in  
45 your understanding, he being the first officer to do so,  
46 that he is someone who is presently in Victoria and not a  
47 currently serving member of the New South Wales Police?

1 A. The second part of the question I'm not clear, sorry,  
2 can you repeat that?

3

4 Q. I guess what I'm coming to is in your experience or  
5 understanding, can it be challenging for officers who are  
6 currently within the New South Wales Police Force to, in  
7 effect, criticise its own conduct?

8

9 MR MYKKELTVEDT: I object to that, your Honour. The  
10 question is far too broad and this witness is not the  
11 witness to give an understanding of what is or is not  
12 challenging for New South Wales Police Force officers.

13

14 THE COMMISSIONER: I will allow that, but only in reference  
15 to this witness's understanding.

16

17 MR MYKKELTVEDT: Yes, your Honour.

18

19 THE COMMISSIONER: If you have an understanding,  
20 Mr Callaghan, that is one thing, if you don't, that's  
21 another, but I will permit you to give your understanding.  
22 Do you want the question asked again?

23

24 THE WITNESS: All I can say is that Higginbotham was the  
25 first police officer to come out on the record as saying  
26 that police were involved in gay bashings. He, now, has  
27 been working with the Victorian Police for some time. He  
28 suffered at the hands of other members of Darlinghurst  
29 Police Station at that time. He left the New South Wales  
30 Police - I can't recall, I apologise, but quite a few years  
31 ago and he established himself with the Victorian Police.  
32 I think that's as much as I can say, really.

33

34 MR de MARS: Those are my questions.

35

36 THE COMMISSIONER: Did I understand you to say that was  
37 the end of your questions?

38

39 MR de MARS: I'm sorry, I'm not sure if someone is waiting  
40 for me. I am not currently receiving --

41

42 THE COMMISSIONER: Just correct me if I am wrong, did I  
43 overhear you to say a minute ago that that was the end of  
44 your questions or have I misheard you?

45

46 MR de MARS: No, that is the end of the questions. Thank  
47 you, Commissioner.



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THE COMMISSIONER: Thank you. Mr Mykkeltvedt, any questions?

MR MYKKELTVEDT: No questions, thank you.

THE COMMISSIONER: All right. Thank you. Mr Callaghan, you may be excused. Thank you very much for your attendance this afternoon.

**<THE WITNESS WAS RELEASED**

MS MELIS: Commissioner that concludes the evidence for today. Tomorrow the Inquiry will hear from Mr Brent Mackie, Mr Barry Charles and Mr Les Peterkin.

THE COMMISSIONER: All right. Thank you very much. Then I will adjourn until tomorrow at 10.00 am. Thank you.

**AT 3.30 PM THE HEARING WAS ADJOURNED TO 10.00 AM ON TUESDAY, 22 NOVEMBER 2022**

'**40s** [1] - 187:8  
'**50s** [5] - 182:36, 182:41, 186:3, 187:8, 196:16  
'**60s** [11] - 182:37, 182:39, 186:3, 187:4, 187:5, 190:23, 202:27, 202:40, 205:15, 208:23, 234:2  
'**70s** [11] - 185:3, 185:4, 187:4, 187:5, 195:23, 202:27, 202:40, 204:46, 207:40, 232:13  
'**80s** [4] - 195:23, 204:46, 224:7, 239:33  
'**88** [1] - 227:13  
'**90s** [3] - 194:43, 195:23, 239:34  
'**91** [1] - 238:35  
'**92** [2] - 238:20  
'**93** [1] - 238:22  
'**94** [1] - 238:22  
'**and** [1] - 208:24

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## 1

**1** [7] - 175:31, 175:33, 176:4, 176:6, 179:23, 224:31, 224:33  
**1.30** [1] - 213:35  
**10** [5] - 177:9, 178:30, 201:4, 217:35, 236:35  
**10.00** [2] - 245:18, 245:20  
**10.00am** [1] - 173:22  
**11** [3] - 176:17, 179:16, 179:27  
**11.24** [1] - 204:42  
**114** [1] - 235:14  
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