

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

**Before: The Commissioner,
The Honourable Justice John Sackar**

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

On Friday, 25 November 2022 at 10.00am

(Day 8)

Counsel Assisting:

**Mr Peter Gray SC (Senior Counsel Assisting)
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Mr Enzo Camporeale (Director Legal)
Ms Kate Lockery (Principal Solicitor)**

1 THE COMMISSIONER: Yes.

2

3 MS MELIS: Good morning, Commissioner. Commissioner,
4 before I call the first witness, I wish to make a brief
5 observation.

6

7 THE COMMISSIONER: Yes.

8

9 MS MELIS: And that is this: So far in the Inquiry's
10 investigation of suspected hate crimes between 1970 and
11 2010, no lesbian deaths have been identified. However,
12 this does not mean that this Inquiry does not acknowledge
13 and seek to further understand the violence, harassment and
14 prejudice experienced by lesbians in that period.

15

16 Ms Carole Ruthchild is being called to illuminate for
17 us the issues that were faced by members of the lesbian
18 community, particularly in the late 1980s and early 1990s.
19 Those assisting you, Commissioner, reiterate again that if
20 anyone in the public knows or has any information of a
21 suspected lesbian death, or indeed other death, to please
22 contact the Inquiry.

23

24 THE COMMISSIONER: Thank you.

25

26 MS MELIS: Commissioner, I call Carole Ruthchild.

27

28 THE COMMISSIONER: Thank you.

29

30 <CAROLE RUTHCHILD, affirmed [10:02 am]

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32 THE COMMISSIONER: Yes, Ms Melis.

33

34 <EXAMINATION BY MS MELIS

35

36 MS MELIS: Q. What is your name?

37

38 A. Carole Ruthchild.

39

40 Q. Ms Ruthchild, you are retired?

41

42 A. I am.

43

44 Q. You made a statement to this Inquiry dated 7 November
45 2022; is that correct?

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47 A. I did, yes.

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49 Q. You have that in front of you?

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51 A. I do.

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Q. Please feel free to refer to it as you need.

A. Thank you.

Q. Prior to your retirement, Ms Ruthchild, you were employed by the New South Wales Attorney General's Department as a senior policy officer; is that right?

A. That's correct.

Q. Can you please tell us what kind of issues you advised upon and some of the projects you worked on?

A. So a lot of my work was related to victims of crime. That was the main area I worked on, but also women in the criminal justice system, so women who were in prison or that kind of involvement, and also members of the LGBTI community. I had carriage of a major project from when I commenced employment with the Department, which was the establishment of the New South Wales Victim Support Scheme, which replaced the old Victims Compensation Scheme.

Q. Yes. I see you also worked on the 2017 amendments to the Marriage Act 1961 providing for same sex marriage; is that right?

A. Yes, I did. That was more or less the last project I worked on, and it was very personally satisfying to me to work on that, because there were a lot of changes that needed - consequential amendments to New South Wales legislation that arose from the passage of the same sex Marriage Act (Cwth), and we were the first State to enact those changes, so it was a very satisfying project to work on.

Q. You immigrated from the United Kingdom in 1988; that's right?

A. I did, yes.

Q. Just focusing on your time in the UK for a moment, you say that you were active in the women's movement in the UK from the late 1970s; is that right?

A. Yes.

Q. Can you just tell us a little bit about that and what your focus was in the women's movement at that time?

A. So, again, my particular area of interest and focus was on violence against women. There were obviously a number of areas that were - where women were disadvantageded and discriminated against, but that was the area I focused

1 on. And there was a lot of community activism around that
2 issue at the time, and I did participate in the first, the
3 very first Reclaim the Night march in the UK in 1977, and I
4 later was instrumental in establishing the Leicester Rape
5 Crisis Centre.

6
7 Q. From about the mid-1980s, you then became involved in
8 the lesbian and gay movement in the UK; is that right?

9 A. Yes, that's right.

10
11 Q. Again, can you just briefly tell us a little bit about
12 your involvement in that movement.

13 A. Yes. I mean, it came about because there wasn't a lot
14 of - there were crossovers between lesbians and gay men. I
15 mean, there was only one pub where we could go. But
16 generally speaking, we led separate lives, and then
17 gradually it kind of dawned on some of us that we needed to
18 be more involved with each other, and so I became a member
19 of Leicester Lesbian and Gay Line, which is a telephone
20 support and advice line for lesbians and gay men.

21
22 Q. Could you just give the inquiry some of your
23 impressions around any violence, harassment, prejudice of
24 lesbians around the mid-'80s in the UK? And I note in
25 particular you describe a particular incident that happened
26 to you and your friends in your statement. If you could
27 also please, in those reflections, describe to us what
28 happened there?

29 A. Yes. There was a lot of things happening around that
30 time. Harassment was a thing that happened constantly, I
31 mean, to women generally who were out alone or with other
32 women, and there was a lot of - a lot of hostility when it
33 was apparent that you were a lesbian. And this one
34 particular night, I was on a bus going home from a night
35 out with my - the woman I shared a house with, a lesbian
36 household, and we were just sitting minding our own
37 business, but there was a group of people, men and women,
38 who - it was a Saturday night, so they'd obviously had a
39 few drinks - and they just started getting really
40 antagonistic, and a friend of mine, one of us, she was -
41 she had stood up and she had her glasses - she was shoved
42 and her glasses were knocked off her face and trampled on,
43 and when trying to get the bus driver to stop, the bus
44 driver didn't want to - didn't want to stop. Oh, he did
45 stop, but he wanted to keep going, and he wouldn't ask the
46 people who had been the offenders to get off the bus.
47 Instead, we had to get off the bus, and we didn't want to,

1 but we were very close to home, so we thought, "There's no
2 point in hanging around." So, you know, not only were we
3 harassed and attacked, but we were kind of seen as the
4 fault, the problem.

5
6 Q. You reflect in your statement after detailing that
7 incident that whilst that took place in the UK, it was
8 certainly in keeping with situations you would later hear
9 of in New South Wales. Can you just tell us, just
10 elaborate on that, Ms Ruthchild, and what you meant by
11 that?

12 A. Well, I mean, we have a very similar society to the UK
13 and with a lot of the same prejudices and, you know, views
14 on what's right and proper. So the experiences were very
15 similar: harassment when you were out in public. If you
16 weren't there with a man, you were seen as fair game,
17 really, and even if you were with another woman or even
18 three or four other women, men seemed to think it was their
19 right to come and kind of want to buy you a drink or that
20 kind of thing, as if we were just sitting there waiting to
21 be - to have a man come and buy us a drink. And so - and
22 there weren't many places for lesbians to go. Like, we
23 didn't have any bars of our own. There would be nights in
24 particular bars we could maybe sometimes have that
25 different people would run, and we didn't have the kind of
26 geographical community that gay men did. There was quite a
27 lot of lesbians who lived in Newtown at the time, but it
28 wasn't quite the same. So it was just a difficult time.
29 Women, lesbians, often had to - they might lose custody of
30 their children, for example, if there was a custody
31 dispute. There was anti-discrimination provisions,
32 clearly, in terms of employment, but religious schools
33 were, and still are, able to discriminate against gays and
34 lesbians in terms of employment. So life was very
35 difficult. I don't want to - we didn't have to hide. It
36 wasn't like, you know, in the 1950s, but it still, in a
37 way, being able to be more public could often, you know,
38 draw attention.

39
40 Q. Thank you. Of course, after moving to Australia, you
41 moved to Sydney?

42 A. Yes.

43
44 Q. At that time from 1988, you became involved in the gay
45 and lesbian movement here in New South Wales?

46 A. I did, yes.

47

- 1 Q. And that included serving on a voluntary basis as the
2 co-convenor of the New South Wales Gay and Lesbian Rights
3 Lobby?
4 A. That's correct.
5
- 6 Q. And that it was between 1988 and 1992?
7 A. Yes.
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- 9 Q. And you were co-convenor firstly with Bruce Grant?
10 A. Yes.
11
- 12 Q. Yes, who the Inquiry has already heard from. You were
13 also one of two New South Wales representatives to the
14 Australian Council of Lesbian and Gay Rights between 1993
15 and 1996; is that right?
16 A. Yes, that's right.
17
- 18 Q. And that was a national body?
19 A. Yes.
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- 21 Q. What kind of issues was that body looking into at that
22 time?
23 A. Well, it was just issues that were - especially things
24 that were of a more national focus. I mean, at that time,
25 there was a Gay and Lesbian Immigration Task Force, but
26 there was no right to bring a same sex partner to Australia
27 in the way that heterosexual people could. And one of the
28 issues, particularly for the Tasmanians, was the fact that
29 male homosexuality was still illegal in Tasmania. In New
30 South Wales at that time it was legal for men over 18, but
31 not under 18. So there was still discrimination there, but
32 in Tasmania it was completely illegal. And Rodney Croome,
33 who was one of the Tasmanian reps on the ACLGR, the
34 Australian Council for Lesbian and Gay Rights, and I,
35 attended the UN Human Rights Conference in Vienna in 1993
36 and Rodney gave a statement to the Assembly on that issue.
37 And so, it was - that was really a very big issue for us
38 all at the time.
39
- 40 Q. You have also had involvement as a member of the
41 Managing Committee of the Lesbian and Gay Anti-Violence
42 Project, between 1992 and 1994?
43 A. Yes, that's correct.
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- 45 Q. You were chair of the Sydney Star Observer between
46 1992 and 1993?
47 A. Correct.

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Q. You were also involved in Black + White + Pink between 1997 and 1999, promoting reconciliation in the LGBTI community; is that right?

A. That's right, yes.

Q. Can you tell us a little bit more about that?

A. Well, we wanted to draw attention to the fact that there were First Nations people who were also gay or lesbian or transgender, for that matter, and that I, in particular, felt - and one or two other people - that it was our responsibility as members of the broader gay and lesbian community that we looked at the issues of racism and discrimination that existed for First Nations people.

Q. The body of work that you have participated in, in the gay and lesbian movement, culminated in you entering the Gay and Lesbian Rights Lobby Hall of Fame in 2008?

A. It did, yes.

Q. Ms Ruthchild, going back to your time as co-convenor of the Gay and Lesbian Rights Lobby, did this include you also going and attending forums around the State and talking about the issues affecting lesbians?

A. Yes, it did. Yes.

Q. We have managed to find one such forum that you attended. If we could please go to tab 110, [SC0I.76845_0001]. This is an article that appeared in "Lesbians on the Loose", and can you tell us what Lesbians on the Loose was?

A. Lesbians on the Loose was a magazine formed in, I think, around 1990.

Q. Yes.

A. Because prior to that, there was no lesbian publication generally. The person who founded it was very keen that there should be a lesbian What's On, but it also included articles of interest to lesbians.

Q. It was --

A. It came out monthly.

Q. A monthly publication, thank you. This article was in the October 1990 edition and describes a forum that was arranged in the Illawarra Hotel in Wollongong, entitled:

1 *Out of the Closet -Into the Fire?*

2

3 And:

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5 *[Lesbians] and gays turned up in force*
6 *ready to discuss the issues of*
7 *intimidation, violence and the alleged*
8 *Wollongong closet syndrome.*

9

10 What was the Wollongong closet syndrome?

11 A. I think that was a term that the Wollongong lesbians
12 liked to talk about and possibly gay men, that it was -
13 meaning that it was harder for gays and lesbians to be open
14 about their sexuality in Wollongong because it is much
15 smaller than Sydney.

16

17 Q. Yes. In other words, you mean attending this forum
18 also highlighted, did it not, that these sorts of issues
19 and issues facing lesbians was not just a city-centric
20 issue, but an issue that was across all of the State?

21 A. Yes, including Wollongong.

22

23 Q. The article is written by a Julie Price. Do you know
24 Julie Price. Who is she?

25 A. She is now my wife. At the time she was my partner.

26

27 Q. You are quoted in this article, in that second column,
28 you pointed out that:

29

30 *Homosexuals are not to blame for*
31 *homophobia. Violence is used by society to*
32 *remind homosexuals of our place in society.*

33

34 Do you see that?

35 A. I do.

36

37 Q. And that was an opinion you held at the time?

38 A. Yes.

39

40 Q. The article goes on to say that:

41

42 *Violence for lesbians is more often on the*
43 *everyday scale of always being one of a*
44 *less than accepted minority. On a wider*
45 *scale violence takes forms such as children*
46 *being taken from lesbian mothers, lesbians*
47 *being sent to institutions, and receiving*

1 *lower marks at Uni if a lesbian is out to*
2 *certain lecturers.*

3

4 You have already mentioned the effect of children being
5 taken away from lesbian mothers, but some of those other
6 examples that have been highlighted in this article,
7 Ms Ruthchild, was that also your understanding of the types
8 of prejudice that was experienced by lesbians?

9 A. Yes. I mean, they're just examples that are, you
10 know, across all aspects of society, lesbians were
11 certainly subject to discrimination and poor treatment on
12 occasion. Not all the time, but, yeah, it was certainly
13 something. And when it's something that you know can
14 happen, it impacts on the way you behave and present
15 yourself and it's - you know, you're concerned that it
16 might not go well for you if you were to come out.

17

18 Q. It is of interest that one of the attendees, a
19 Mr Peter Cullen, in that first column:

20

21 *... offered a cleverly worded justification*
22 *for the existence of homophobia in*
23 *Wollongong, viewing Mardi Gras as bad press*
24 *with its 'Queens on machines, lesbians in*
25 *leather and the Sisters of Whoever.'*

26

27 Do you see that?

28

A. Yes.

29

30 Q. What was your response to that?

31

A. Well, I mean, you know, it's kind of said to be
32 humorous, and is humorous, but, I mean, he was really
33 saying that - and I went on to point out, I think, that
34 he - he was blaming, and he said, "If only we didn't behave
35 the way we did then we wouldn't have any problems," and, I
36 mean, the whole point of having the Mardi Gras was to say
37 that - I mean, the very first Mardi Gras, which was before
38 I moved here, was very violent, and mass arrests, and the
39 people who had been arrested were named in the Sydney
40 Morning Herald. And so, you know, that's how it was. I
41 mean, you couldn't be out and open and not get bad
42 response. And that was - you know? So when Mr Cullen went
43 on to sort of blame us for it, it was a bit rich because in
44 fact you could be - you could experience discrimination and
45 harassment no matter what you did, whether you were
46 outrageous or just perfectly looked just like anybody else
47 and, you know, they just happened to know.

1
2 Q. Yes. Thank you. That article can now come down.
3 Thank you. Now, Ms Ruthchild, during your time with the
4 Gay and Lesbian Rights Lobby, you were obviously aware of
5 the Streetwatch project and the report that came from that
6 project?
7 A. Yes. The actual collection of data was sort of coming
8 to its end as I joined the committee, but the report
9 obviously was published, I think, a couple of years later.
10 I think it was 1991.
11
12 Q. 1990.
13 A. 1990, yes. So it took a while to collate the stats
14 and --
15
16 Q. We have already heard evidence from Dr Cox about the
17 survey and the statistics. In particular, that out of the
18 67 responses that were received through the Streetwatch
19 survey, only four were received from lesbians, and that was
20 through Lesbian Line. You're aware of that?
21 A. Yes.
22
23 Q. I asked Dr Cox what he thought of the reasons for such
24 a low number of lesbian responses, and I ask you now also,
25 Ms Ruthchild, why do you think the number of responses was
26 so low to that survey?
27 A. Well, you know, it's hard to say, but one of the
28 obvious differences is that, as you said, all the lesbian
29 respondents to the survey came through Lesbian Line, and
30 Lesbian Line only operated once a week on a Friday evening,
31 whereas the Gay and Lesbian Counselling Service, which was
32 the other service people could report to, that was open
33 every night for the same number of hours each time. And
34 most of - I think most of the people who did respond said
35 they had read about it in the gay press, whereas Lesbians
36 on the Loose didn't exist at that time. It hadn't started.
37 So the lesbian community was much more - was smaller, not
38 necessarily in number, but it didn't have the same kind of
39 visible presence that the gay male community did, and so it
40 was harder, I think, to reach lesbian attention in the same
41 way.
42
43 Q. Yes. But even so, in the responses that were
44 received, they were reported on in the Sydney Morning
45 Herald on 24 November 1988. If we could please pull up
46 tab 66 [SC01.76889_0001]. I understand, Ms Ruthchild, that
47 within this article it is not yourself being quoted, but

1 Ms Jane Clements, who was the co-convenor with Dr Cox prior
2 to yourself.

3 A. Yes.

4

5 Q. But I wanted to take you to this just to understand
6 the nature of the incidents that were being reported by
7 lesbians to Streetwatch and your understanding of those.
8 The article talks about several incidents in which lesbians
9 have been attacked in inner city suburbs and were reported
10 through the Gay and Lesbian Counselling Service since its
11 monitoring earlier this month, but I suspect that was
12 really through Lesbian Line itself?

13 A. I would say so, yes.

14

15 Q. Some of the instances included one instance involving
16 four men attacking four men with broken bottles outside a
17 hotel in Rozelle three weeks ago, and that led to
18 hospitalisation. Do you see that, in the first column?

19 A. Yes.

20

21 Q. That is an example of physical attacks on lesbian
22 women?

23 A. Yes, it is. An extreme one.

24

25 Q. Ms Clements goes on to say in this article that the
26 incidents have happened in Newtown, Leichhardt, Rozelle and
27 Annandale, areas where lesbians socialise. Were they areas
28 that you understood to be consistent with where lesbians
29 would socialise?

30 A. Yes.

31

32 Q. Is that where those sort of one-night bars would pop
33 up, et cetera, that you were talking about?

34 A. Yes, possibly in Newtown and possibly in others. But
35 often it was just - it would be an area where some women
36 would just go. They wouldn't necessarily have a specific
37 night.

38

39 Q. She also says that often the assault on lesbians is of
40 a sexual nature. Do you see that?

41 A. Yes.

42

43 Q. And that was in keeping with your understanding that a
44 lot of the assaults would be sexual in nature?

45 A. Yes.

46

47 Q. She said that the male attackers seemed to be offended

1 that these women were not sexually interested in them,
2 thinking they could convert them to heterosexuality through
3 forced intercourse?

4 A. Mm. That's - yes.

5
6 Q. One of the other differences that Ms Clements points
7 to in this article between attacks on gay men and lesbians
8 is this, that while gangs of men go out on poofster bashing
9 missions, lesbian bashing is a more spontaneous occurrence.
10 Is that right?

11 A. Yes. I mean, at that time there were lots of examples
12 of gangs of young men coming in to specifically -
13 especially in Darlington because it was known that that
14 was the kind of centre of the gay community, and seeking
15 out gay men to bash. They would go to other places, but
16 the gangs usually went to those kind of - sometimes they
17 would go to gay beats, but yes, definitely. Whereas with
18 lesbians - no one went out lesbian bashing in the same way.
19 It wasn't - that was more opportunistic. They'd see
20 someone and it might be they thought they were just women
21 and they could try and pick them up.

22
23 Q. Yes.

24 A. Or maybe they'd realise, "Oh, they might be lesbians.
25 We will harass them and maybe if we're" - and if they were
26 rebuffed, that's often when things would get more serious.

27
28 Q. Ms Ruthchild, with the fact that there were only four
29 responses of the 67 responses provided to Streetwatch,
30 would you agree with me that that didn't provide a clear
31 picture of the nature of the problem amongst lesbians
32 through that report?

33 A. Definitely. I mean, because it didn't - I mean,
34 because it - I mean, four examples. You can't really
35 expect to make any wider conclusions from that size.

36
37 Q. Yes. Just to draw that out a little bit more, if we
38 could please go to tab 109 [SCOI.76844_0001]. This is
39 another article in Lesbians on the Loose in the May 1991
40 edition, titled:

41
42 *ANTI-GAY VIOLENCE*
43 *Is it a lesbian issue?*
44

45 And it appears to be an opinion written by a Stevie in
46 which you are also quoted, Ms Ruthchild. Of interest here,
47 the topic that is being explored, is this:

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Attacks against lesbians and gay men have reached crisis levels with bashings becoming a daily occurrence in the Oxford Street, Darlinghurst area alone, with at least five gay related murders committed during the past 12 months.

Do you see that?

A. Yes.

Q. The author says:

What strikes me about all of these articles is the absence of information about lesbians. The reports of bashings are all by men.

Do you see that?

A. Yes.

Q. So at this time there actually was not a report or any study or research that had been conducted in Australia relevant to violence against lesbians?

A. Well, we - we work - this was 1991. We would have been conducting Off Our Backs at the time, but it wasn't completed.

Q. Yes. We will go to that in just a moment. The author ponders why it is that an increasing number of lesbians will tell you stories about friends who were bashed, but there are no official statistics, and she outlines four points, and I just wanted to take you to those to see if you agreed with them and if they are consistent with your opinions. Firstly:

There is no geographical part of the city which is well known to straight people as a place where lesbians can be found...

A. Yes.

Q. And I think you have already told us that that was the case?

A. Yes.

Q. Secondly:

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As gays become more visible the level of violence increases, so if lesbians were more visible more would be victims of violent crimes.

A. Yes, I think that's what we did see.

Q. And you do say in your statement, Ms Ruthchild, at paragraph 37 that:

Lesbians were also becoming more visible in society at this time.

And I take it you were meaning the late '80s, early 1990s?

A. Yes. I was meaning after I had arrived in Australia, yes.

Q. You specifically mention that:

More lesbians began working in coalition with gay men and many existing gay organisations renamed themselves.

Can you give us some of those examples that you have put in your statement?

A. Yes. So originally we had the Gay Mardi Gras and that became the Gay and Lesbian Mardi Gras which also had its first lesbian president in 1988 and there were other - so the Gay Counselling Service became the Gay and Lesbian Counselling Service.

Q. Thank you. You also mention that:

In the 1995 New South Wales state election, the seat of Bligh had its first openly lesbian candidate in Susan Harben.

A. Yes, who had also been a subsequent president of Mardi Gras.

Q. Back to the article, one of the other reasons for lack of statistics is put as this:

Violence against women is something that we have all lived with for so long that we don't have the same reaction to gay men who

1 *suddenly wake up to find themselves victims*
2 *of violence.*

3
4 Firstly, do you agree with that?

5 A. Yes. I mean, I think that women experience of being
6 harassed by men when they're out, just by themselves with
7 other women, is something we've all known about. Men
8 commonly associate just with men. So it is a very
9 different experience and, again, I mean, the types of
10 bashings that were happening at the time where gangs of
11 young men were coming in to Darlington specifically to
12 target gay men - I mean, they were very violent and, as it
13 says, there were murders.

14
15 Q. Yes.

16 A. So, you know, it was - I mean, the way that men react
17 to other men and the way they react to women is different
18 generally. I mean, men often, if they don't agree with
19 other men, or don't like them for some reason, they resort
20 to physical violence. That's what they do. I know some
21 gay men have also been raped because they're seen as, you
22 know, they're not holding up the side as a proper man. But
23 with women, men target women usually in a sexual way so
24 they usually persist in that, in the way they might target
25 lesbians, so it's a different MO.

26
27 Q. Yes. I guess also linked to that is that final point
28 that:

29
30 *Lesbians may be unsure about whether they*
31 *were bashed because they are lesbians or*
32 *simply because they are women.*

33
34 A. Yes, and I think the men often are not sure; they're
35 just a woman that doesn't want to be bothered or harassed
36 or, you know, picked up. And so, they interpret that -
37 they may think, "Oh, you must be a lesbian." But it's more
38 about being independent and autonomous, and men often don't
39 like that.

40
41 Q. In this same article, Ms Ruthchild, are you quoted,
42 however, as saying:

43
44 *I am convinced that there is a high level*
45 *of anti-lesbian violence but it is*
46 *impossible for us to know what to do if*
47 *lesbians won't come forward and tell us*

1 *what is happening ...*

2

3 Do you see that?

4 A. Yes.

5

6 Q. As you have already mentioned, at this time of this
7 article in May 1991 the Off Our Backs Project was
8 progressing?

9 A. Yes.

10

11 Q. We'll go on to that now and talk about that in a
12 little bit more detail. That article can come down now.
13 Thank you. Is it fair to say, Ms Ruthchild, that there was
14 a real need to gather statistics around anti-lesbian
15 violence around the early 1990s because there were just no
16 real statistics that were apparent?

17 A. Yes, that's correct.

18

19 Q. The Off Our Backs Report was a survey questionnaire
20 that was distributed to lesbian groups and venues in the
21 early months of 1991; is that right?

22 A. Yes.

23

24 Q. And 42 responses were received?

25 A. Yes.

26

27 Q. I should also add that the survey was publicised and
28 included in Lesbians on the Loose.

29 A. Yes.

30

31 Q. I want to take you now to that report, Ms Ruthchild,
32 and that is at tab 21 [SC0I.76803_0001]. This is "The Off
33 Our Backs Report, A Study Into Anti-Lesbian Violence", and
34 it was published in 1992; is that right?

35 A. Yes.

36

37 Q. Ms Ruthchild, what was your involvement in this
38 report?

39 A. Well, I wrote the introduction to the report and I was
40 part of - there was a group set up to talk about once the
41 data had been collated, to talk about how we might present
42 it. We had someone writing it, but, yeah, I was part of
43 that process, and part of setting it up with Kerrie Cheers,
44 who worked at the Anti-Violence Project.

45

46 Q. We might just turn over to the foreword at page 3,
47 please. This is a foreword by Clover Moore, the member for

1 Bligh. She says in the first sentence:

2
3 *This is the first Report published in*
4 *Australia that looks solely at the nature*
5 *of violence against lesbians.*
6

7 Would you therefore describe this report as a seminal
8 report, Ms Ruthchild?

9 A. Yes.

10
11 Q. Was the results of this property used to justify the
12 needs for both legislative and policy change and even
13 policing reform?

14 A. Yes.

15
16 Q. If we just keep going across to the introduction
17 starting at page 6, please, Ms Ruthchild, this was the
18 introduction that you then penned?

19 A. Yes.

20
21 Q. Can I please ask you to read the first paragraph of
22 the introduction?

23 A.

24
25 *In a society in which women are defined in*
26 *relation to men - as somebody's wife,*
27 *daughter or girlfriend - it is hardly*
28 *surprising that lesbians are rendered all*
29 *but invisible to the world at large. In a*
30 *world where heterosexuality is not just the*
31 *norm, but actively prescribed, and where*
32 *same-sex relationships have no legal or*
33 *social standing, lesbians, if acknowledged*
34 *at all, are institutionally confined to*
35 *single status and defined merely as women*
36 *without men. Assumed to be either looking*
37 *for a man or to have become bitter through*
38 *a failed (heterosexual) relationship, we*
39 *are portrayed as unhappy, lonely, tragic.*
40 *We are seen as "available" and are expected*
41 *to welcome the advances of men, no matter*
42 *how intrusive or insensitive, any time,*
43 *anywhere. Verbal abuse is a daily reality.*
44

45 Q. Thank you, Ms Ruthchild. I just also want to
46 highlight in that introduction, if we just scroll down to
47 the penultimate paragraph starting with, "While

1 anti-lesbian violence", you, in this paragraph, have
2 singled out some of the more obvious differences between
3 gay and lesbian attacks and differences that could be seen
4 between the Streetwatch Report and the Off Our Backs
5 Report. Do you see that?

6 A. Yes.

7
8 Q. Could you just explain to us those differences as you
9 put them there?

10 A. Well, gay men were - still are, as it happens - they
11 are usually on their own or with one other person, and it's
12 usually by gangs of young men in one-off street-based
13 assaults. That's as I was describing before. Whereas
14 almost half the lesbians surveyed in Off Our Backs was by a
15 single attacker, and most of those reports were - or the
16 biggest group, actually, not most - were still
17 street-based. A third of the respondents to the report
18 experienced ongoing campaigns of harassment and more than a
19 third occurred at the woman's home or place of work or
20 study.

21
22 Q. Yes.

23 A. So it was by someone who knew them, in other words,
24 and who targeted them knowing that.

25
26 Q. Yes. And that was quite a significant difference,
27 would you say, between gay attacks and lesbian attacks?

28 A. Yes. As I said earlier, the gangs of young men who
29 would go out - I mean, the gangs of young men going to
30 target gay men, it's reminiscent, certainly in England, we
31 used to have that happen with men from minority
32 communities. They were known as "Paki bashers" because we
33 had a high Indian and Pakistani population. It was the
34 exactly the same kind of thing; they would go looking for -
35 and they would pick on just one or two, so they would
36 always be in the minority. And it was always the same with
37 this, just a different version of it. Whereas men didn't
38 go looking for lesbians. They just would sometimes come
39 across them.

40
41 Q. Yes.

42 A. And it may just have been a couple of women who
43 weren't lesbians but who weren't responding to their
44 invitations and then they'd get angry.

45
46 Q. Well, let's have a look at some of the real-life
47 experiences that were reported through the survey and made

1 their way into this report. If we could please go to
2 page 8. These are the real-life stories. I might just
3 take you to a few of these, Ms Ruthchild. You have also
4 put them in your statement. The first story involved:

5
6 *Five men yielding a broken bottle [and*
7 *attacking] a 23 year-old lesbian in*
8 *the street; outside a lesbian venue. The*
9 *assailants stated that the right man would*
10 *make her straight. The survivor sustained*
11 *serious lacerations but did not contact the*
12 *police or medical services, featuring*
13 *further victimisation.*

14
15 So that's an example of a serious physical assault?

16 A. Indeed.

17
18 Q. The second story relates to a:

19
20 *A 22 year old lesbian, whilst walking with*
21 *her partner, [being] verbally harassed by a*
22 *man yelling abuse such as "dirty fucking*
23 *dyke" [and] then [punching] her to the*
24 *face, causing concussion. Her partner*
25 *contacted the police and was told a car was*
26 *on its way to assist. [But] following a*
27 *2 hour wait, the women gave up contacting*
28 *the police further.*

29
30 Was this scenario of the experience of lesbians' contact
31 with police something that you had become aware of through
32 other stories that you had heard, that police were not
33 necessarily coming to the aid of lesbians in a timely way?

34 A. Yes, and I think it was - I mean, it wouldn't have
35 been all the time, of course, but it was certainly
36 something that did happen. Perhaps it was seen as low
37 priority. I mean, we can't know why in that particular
38 case that happened, but it certainly wasn't an unknown
39 experience.

40
41 Q. And just finally, the second-last story there relates
42 to:

43
44 *Three men who lived next door to a lesbian*
45 *couple, subjected the women to a four month*
46 *period of verbal and physical harassment.*
47 *The harassment included threatening phone*

1 *calls and graffiti attacks. The women felt*
2 *nothing could be done to stop the*
3 *harassment and did not seek assistance.*

4
5 Is this an example of the ongoing nature of harassment that
6 you previously described?

7 A. Yes.

8

9 Q. Going over the page now to page 9, there is a summary
10 of the results of the Off Our Backs Survey. Again,
11 Ms Ruthchild, you have detailed these in your statement.
12 I just wanted to take you to a few of them. The results
13 showed that 91 per cent of survivors were verbally and/or
14 physically or sexually assaulted. Do you see that?

15 A. Yes.

16

17 Q. And that 25, or 59 per cent, of incidents occurred
18 between 6.00 pm and 3.00 am?

19 A. Yes.

20

21 Q. Is that consistent with lesbians going out, for
22 example, at night?

23 A. I would say so, yes.

24

25 Q. The characteristics of the survivors were that almost
26 all, 98 per cent, identified as lesbian?

27 A. Yes.

28

29 Q. And they were aged - 38 per cent were aged between
30 30 to 39, and 48 per cent were between 20 and 29?

31 A. Yes.

32

33 Q. In terms of the characteristics of assailants, the
34 results showed that 88 per cent involved males only and in
35 four cases both men and women were present, with women
36 either observing or contributing to the verbal abuse of the
37 survivor?

38 A. Yes.

39

40 Q. Consistent with what you have already told us,
41 Ms Ruthchild, 38 per cent of assailants were known to the
42 survivor?

43 A. Yes.

44

45 Q. Assailants were aged between - sorry, 31 per cent of
46 assailants were aged between 21 and 25?

47 A. Yes.

1
2 Q. Significantly, 100 per cent of survivors stated they
3 felt they were attacked because they were lesbian or
4 perceived to be lesbian, and in 74 per cent of those cases,
5 the assailants spoke to the survivor and used specific
6 anti-lesbian abuse?
7 A. Yes.
8
9 Q. So that was a sure way of knowing at the very least --
10 A. Exactly, right. Yes
11
12 Q. -- that it was motivated by hate?
13 A. And I'd say that women who responded to the survey did
14 so because they saw it as because they were lesbians,
15 rather than there was any doubt, and that's why we have
16 100 per cent stating that. They could tell.
17
18 Q. Thank you. Just a couple more points. Over the page
19 at page 10 - and this is with respect to post-assault
20 action - 42 per cent of survivors contacted friends or
21 lovers. Only 10 per cent reported the incident to police
22 and 4 per cent sought the services of a counsellor. Now,
23 with respect to the reports to the police, the results
24 showed that of those who did report, 10, or 24 per cent,
25 felt nothing could be done and 8, or 19 per cent, cited "no
26 women police officers available" as the reason for not
27 reporting. And, finally, 10 per cent of incidents involved
28 alleged police abuse and 35 per cent believed police would
29 not take the report seriously?
30 A. Yes.
31
32 Q. Given those particular findings, Ms Ruthchild, were
33 specific recommendations coming out of this report directed
34 to police reform with respect to responses to attacks by
35 lesbians?
36 A. Yes.
37
38 Q. And what did those recommendations - what was the
39 nature of those recommendations?
40 A. We recommended that the police amend crime reports to
41 record prejudice-related information where relevant --
42
43 Q. Yes.
44 A. -- and include relevant crime data with other crime
45 report statistics - sorry, prejudice-related crime data
46 with other crime report statistics; that there be female
47 officers, more female officers, appointed, and that

1 training on anti-lesbian harassment or violence be provided
2 at every police station in New South Wales, and that gay
3 and lesbian liaison officers, as they were called then, be
4 appointed on a gender-equal basis.

5
6 Q. Yes. And eventually some of those recommendations
7 were picked up, particularly appointing more gay and
8 lesbian liaison officers in both city and country areas; is
9 that right?

10 A. Yes, certainly.

11
12 Q. As well as establishing local police community
13 meetings to develop strategies to deal with anti-gay and
14 lesbian violence?

15 A. Mm.

16
17 Q. And, you have also outlined in your statement, other
18 initiatives included adopting a recruitment target of
19 40 per cent female officers?

20 A. Yes.

21
22 Q. Was it pleasing to you to see that some of those
23 recommendations were in fact picked up?

24 A. Definitely. And I think if we look at the situation
25 we're in now - I mean, it's - you know, it's almost
26 unrecognisable of where we were then. I mean, it's
27 certainly not perfect all the time, but it's just been a
28 quantum leap in the change to the way gay and lesbian
29 people, lesbians especially, perhaps, are now viewed by
30 society in general, including the police, as part - as
31 members of the community.

32
33 Q. Yes, thank you. The report was launched, and we have
34 a couple of launch parties that we have found in the
35 periodicals. If we could please bring up tab 107
36 [SCOI.76833]. This is again an article that appeared in
37 Lesbians on the Loose in 1992, titled:

38
39 *Anti-violence report launched.*

40
41 And if we scroll down a little bit, we can see a photo of
42 yourself, Ms Ruthchild?

43 A. Yes.

44
45 Q. And Ms Kerrie Cheers?

46 A. Yes.

47

- 1 Q. And she was from the Anti-Violence Project?
2 A. Yes.
3
4 Q. And next to you was Gigi Legenhausen?
5 A. Yes.
6
7 Q. What was her role or involvement?
8 A. She ran sort of a social bar and she - I think we may
9 have launched it at her bar. I can't quite remember that.
10
11 Q. Yes. Just - yes, sorry?
12 A. Yes. So, yeah, she was a well-known figure in the
13 lesbian community at that time.
14
15 Q. It appears here this was, I guess, more of an informal
16 launch of the report at Soho Bar in Potts Point on
17 6 September?
18 A. Yes. I think we had a community launch for lesbians
19 as well as the official one with the police, the
20 then-Police Minister.
21
22 Q. You spoke at that launch?
23 A. Yes. I'm sure I did.
24
25 Q. You are quoted in this article, Ms Ruthchild, as now
26 the former co-convenor of the Gay and Lesbian Rights Lobby,
27 where you stressed the importance of acknowledging that:
28
29 *... violence against lesbians is specific,*
30 *and should not be categorised with violence*
31 *against gay men or heterosexual women.*
32
33 Do you see that?
34 A. Yes.
35
36 Q. That is obviously an opinion you held at the time?
37 A. Yes.
38
39 Q. And one that was confirmed to you through the results
40 of the Off Our Backs Report?
41 A. Yes, it bore that out. And that was one of the
42 reasons this was so important, because we - you know, we
43 couldn't prove anything either way, and when everything is
44 only anecdotal, then it's difficult to know the actual
45 case.
46
47 Q. If we just scroll down a little bit again, please.

1 Just under that photo, you will see the three lines under
2 the photo - not the names, but the actual article itself.
3 A. Yes.

4
5 Q. You are quoted as concluding by saying some words.
6 Could you read those out to us, please?

7 A. I said:
8
9 *alone our voices can only be a whisper -*
10 *together they become a roar.*

11
12 Q. Thank you, Ms Ruthchild. As you have already
13 mentioned, the Off Our Backs Report was also launched by
14 the Police Minister Ted Pickering on 21 September 1992, and
15 we have that at tab 106, please [SCOI.76836]. This
16 appeared in the November 1992 issue of Lesbian on the
17 Loose, and appearing there with the minister is the new
18 co-convenor Deborah Taylor?

19 A. Yes.

20
21 Q. And the Anti-Discrimination Board president, Steve
22 Mark?

23 A. Yes.

24
25 Q. And Steve Mark went on to become chairperson for the
26 Streetwatch Committee for implementation of all its
27 recommendations; is that right?

28 A. That's correct.

29
30 Q. Including the recommendations made by Off Our Back?

31 A. Yes, the Minister referred that report to the
32 committee.

33
34 Q. Thank you. Mr Pickering is quoted in this report as
35 saying that he was particularly concerned about the lack of
36 reporting to police, and acknowledged that there had been
37 problems in the past, but said there is now a better
38 relationship between the police and the lesbian and gay
39 communities and, in this regard, he praised the efforts of
40 Sue Thompson, police gay and lesbian client group
41 consultant?

42 A. Yes.

43
44 Q. You worked with Ms Thompson at the time you were
45 co-convenor?

46 A. Yes, we did. We worked very closely with Sue, yes, in
47 time to --

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Q. And it was a very productive relationship?

A. Very productive, yes.

Q. Thank you. That article can now come down. Thank you. Ms Ruthchild, those are my substantive comments. I wanted to give you the opportunity to give the Inquiry any reflections you might have, or any changes that you have seen since the launch of the Off Our Backs Report that you might like to share with us.

A. Well, as I mentioned a few moments ago, I feel that we live in a - it's like a different world now. And that doesn't mean to say that hostility, harassment and discrimination have all gone away, but I think that over the - it's 30 years ago now since that was all taking place. As a result, even though when, perhaps, we saw a spike in attacks and increase in hostility with people coming out, in the long run that's made people realise, "Well gay and lesbians are part of the community, they're here, they're like us." And it doesn't mean that there aren't still people who don't like that fact, any more than there are still people that, you know, have other groups of people they don't like, but the fact is we do live in a different world and it's far better. I mean, you only have to look at when the same-sex Marriage Act went through and the national survey that was taken. Almost two-thirds of people who responded to that national survey agreed that gays and lesbians should be able to be married. So, you know, that's an indication of just how far we've come. I mean, no-one was contemplating such a thing back in the early - late '80s or early 90s. So, yes, it's a different place.

Q. Thank you, Ms Ruthchild.

MS MELIS: Those are my questions, Commissioner.

THE COMMISSIONER: Thank you. Thank you very much. You may step down. Thank you so much.

<THE WITNESS WAS RELEASED

MS MELIS: Commissioner, before we adjourn, there is just one matter I need to address, and that is the addition of a further article to Exhibit 2, and that is an article by Stephen Tomsen, dated 2002, and titled:

1 *Hatred, Murder and Male Honour:*
2 *Anti-homosexual Homicides in New South*
3 *Wales, 1980-2000*

4
5 THE COMMISSIONER: Thank you.

6
7 MS MELIS: Unless there is any objection to it,
8 Commissioner, we would propose that it be added as tab 33A
9 to Exhibit 2.

10
11 THE COMMISSIONER: Does that cause any problems? Thank
12 you. All right. I will add that to Exhibit 2. Thank you.

13
14 MS MELIS: Commissioner, that otherwise concludes the
15 evidence for this hearing block.

16
17 THE COMMISSIONER: All right.

18
19 MS MELIS: The Inquiry is next set to sit on 5 December.

20
21 THE COMMISSIONER: Yes. Ms Richards, I will adjourn until
22 5 December. As at present, I think it is Superintendent -
23 if that is the correct description, and perhaps it isn't.
24 Assistant Commissioner?

25
26 MS RICHARDS: Assistant Commissioner.

27
28 THE COMMISSIONER: Assistant Commissioner Crandell will be
29 giving evidence that day. The staff of the Commission will
30 confirm arrangements and there will be an announcement on
31 the public website. We will certainly be in touch to make
32 sure that everyone knows who is meant to be here as and
33 from the 5th.

34
35 MS RICHARDS: Thank you, Commissioner

36
37 THE COMMISSIONER: Thank you. In those circumstances,
38 I will adjourn at the moment until 5 December.

39
40 **AT 11.00 AM THE COMMISSION WAS ADJOURNED TO 10.00 AM ON**
41 **MONDAY, 5 DECEMBER 2022**

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