

**INQUIRY INTO GAY AND TRANSGENDER HATE CRIMES
BETWEEN 1970 AND 2010**

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Date Received: 7 November 2018

SUBMISSION TO NSW PARLIAMENTARY INQUIRY ON GAY & TRANSGENDER HATE CRIMES (1970-2010)

Background of Writer

I, Sue Thompson, make this as my Submission to the Parliamentary Inquiry into Gay and Transgender Hate Crimes Between 1970 and 2010. It is with a certain sadness and discomfort that I make this submission and I would prefer it was not necessary, however, I respect and understand that sometimes there are bumps in the road and we must go back in order to continue forward, otherwise progress can be stalled, stunted, diverted or damaged. When it comes to issues of violence, its occurrence and impact, its reduction, prevention and official responses to it, progress is of the utmost importance.

My Submission will primarily address the following Terms of Reference:

That with reference to the May 2018 report of ACON "In Pursuit of Truth and Justice" and the progress made by NSW Police through Strike Force Parrabell, the Social Issues committee inquire into the response to gay and transgender hate crimes between 1970 and 2010 and current developments in policy and practice in relation to such crimes, and in particular:

1. The violent crimes committed in NSW between 1970 and 2010 where the victim of that crime was a member of the LGBTIQ community and where the relevant crime was the subject of a report to the NSW Police Force, and whether:

(a) there existed impediments within the NSW criminal justice system that impacted the protection of LGBTIQ people in NSW and the delivery of justice to victims of LGBTIQ hate crimes and their families, with reference to case studies of particular matters including but not limited to: Alan Rosendale, Scott Johnson, John Russell and Ross Warren;

(b) to the extent that past impediments are identified, how effectively these have been addressed by current policy and practice; and

3. Any other related matter

In relation to the 2nd Term of Reference, I spent many years dealing with those issues after several of us identified that major problem in the justice system. There were frequent injustices that would horrify a decent person. I sat on the HAD Committee as one of the NSWPS Representative along with Supt Gary Gilday. Several others on that Committee have become judges etc. I am unsure if anyone will take the time to go back and revisit that issue for the Inquiry, hoping it has been resolved in current day terms. The HAD Committee Report to the Attorney General is hopefully informative. If the Inquiry wishes to ask me any questions about this term of reference, please feel free.

My Submission is based upon my experience and expertise on gay and lesbian hate crimes and gay hate homicides gained during my 20 year career in the NSW Public Service with 12 years of that in the

NSW Police Service in Police Headquarters as the civilian NSW Police Gay/Lesbian Client Consultant (1990 – 2002) and my recent experience when involved in the Scott Johnson Inquests and in community meetings to assess and review the historical gay hate homicides. I have prepared a Timeline of Key Events in the Hate Crime Journey (1978-2018) [ATTACHMENT 1: TIMELINE] in order to place my submission in historical context and to provide details of numerous key events which I will not have time to actually cover in writing but might be able to in person, subject to health issues.

I am sure that the NSW Police are still implementing many positive proactive policies and programs to improve Police LGBTI relations and that there are many excellent senior and junior police supporting that process and with that commitment. The recent formal apology to the 78ers by Police Commissioner Fuller himself is one such significant positive step.

A former police officer, Kylie Cronin, one of the very talented, committed GLLOs who did the GLLO role for several years, sent me a message in the context of this Inquiry and said:

The gay hate crimes/murders have been a police stuff up from the time the incidents took place to date. Many years ago I worked with the now Police Commissioner Mick Fuller when he was Detective Sergeant at Kings Cross. He was one of the most 'by the book' and thorough investigators that I had the privilege of working with. He would not shy away from ownership of policing that could have been done better, particularly in relation to historical events.

I was recently made aware that Mick Fuller apologised to the LGBTIQ community in relation to the police brutality, particularly towards the

78'ers. That is of the character I remember of him. Although the 'sorry' was most welcomed, we need to ensure that the truth is preserved.

We know what happened and it is important that everyone else has the correct information. It is not only a significant part of LGBTIQ history but that of the NSW Police and Australian society and culture during that era. The truth should not be watered down as this demeans the victims, their stories and their truths. " Kylie Cronin 3/11/18 (with her approval)

My role in writing this submission is to identify areas where I believe there are problems that may have a significant detrimental impact on future progress and where shortcomings might be addressed. My submission is not meant to negate all the positive steps and all the good people in the Police. I am attaching a history and achievements of the Police approach to hate crimes 1990-2002 which I kept while in NSW Police. It details year by year the many excellent and often groundbreaking Police Service achievements during that era [ATTACHMENT 2: HISTORY & ACHIEVEMENTS IN IMPROVING POLICE GAY/LESBIAN RELATIONS AND REDUCING VIOLENCE AGAINST GAY MEN AND LESBIANS 1990-2002].

I am a lawyer by training (UNSW Arts/Law 1975-1979) and was admitted to the NSW Bar in December 1979. I worked in a range of government agencies where I developed investigation, policy, victimology, criminal profiling and research skills. I worked as an Investigation Officer for the NSW Ombudsman; Manager of the Community Welfare Act Implementation Unit for the Department of Youth and Community Services, Coordinator Juvenile Offender Mediation and Reparation Scheme for the Attorney General's Dept, Mediator for the Community Justice Centres of the Attorney General's Department, Case Assessor for the NSW Victims of Crime Compensation Tribunal and as the NSW

Police Gay/Lesbian Client Consultant. I am medically retired since a serious injury in 2002 and I manage serious disability issues related to partial/incomplete quadriplegia.

I was for many years a world recognised expert on gay hate crimes, gay hate homicides/murders and strategies to reduce gay and lesbian hate crimes and improve police gay/lesbian relations. My reputation was a result of my highly respected work and achievements in the NSW Police Service.

In this field I have conducted extensive research, received State and National awards, published research papers and articles, worked closely with victims of violent crimes, written policies, been a police media spokesperson, assisted in criminal investigations and police operations, coordinated High School interventions to target homophobia and hate crimes including murder committed by attending students, given evidence before the NSW Coroners Court, represented the NSW government at a senior level on hate crime committees and been a keynote conference speaker both in Australia and overseas. My knowledge in this specialist area is extensive and was well respected by the gay/lesbian community, police services and human rights agencies in Australia and overseas, government ministers and the international media until my injury in 2002 and medical retirement in 2003.

Submission Introduction and explanation of my ongoing involvement via the Scott Johnson matter and the focus on gay hate related murders

In 2007, after reading an article in the Sydney Morning Herald I reluctantly (given my injuries and daily difficulties) became involved in what I thought would be brief discussions with the investigative journalist/private investigator, Daniel Glick, who was working for the family of Scott Johnson whose body was found at the base of Cliffs at Blue Fish Point in Dec 1988. I formed the opinion that Scott Johnson was more likely the victim of a gay hate murder rather than a suicide given my experience (a) with similar cases of similar modus operandi where gay bashers used cliffs as a weapon; and (b) my work with teenagers in schools who had detailed knowledge of cliffs as a fascinating and convenient location for gay bashings which could easily become murders.

During the 1990s I listed cliffs as an actual murder weapon in my training and presentation overheads which I still have. It was my opinion in 2007 that the NSW Police perhaps just needed the Johnson family pleas and reports framed in language that the NSW Police might better understand and respond to. I thought I would be able to provide some brief advice and that would be the end of my involvement.

That was unfortunately not to be the case. I say unfortunate because I would have hoped that a positive resolution would have been achieved for Scott's family and also that I would not be in the position of an ex-employee commenting on my ex employer's current work. That is not ideal and it can understandably cause irritation to the ex-employer, the NSW Police. I have remained involved in that matter because I have felt it beholden on me as the possessor of unique historical knowledge to provide information and my impartial view regardless of my preference not to.

- I sent my first report to the NSW Police (Report Date 1/2/2011, Report length 9 pages) regarding the death of Scott Johnson on 2nd February 2011 offering my opinion.
- I wrote an updated version of that report in June 2011 for the NSW Police including an additional paragraph 1.4 with more details about murders at cliffs (Report Date 1/6/2011, Report length 11 pages). They provided both to the NSW Coroner in 2012 at the time when the Police supported the overturning of the suicide finding;
- I wrote my third report to the NSW Coroner in December 2016 (Report Date 9 Dec 2016, Report length 22 pages and with attachments a total of 119 pages); and

- I wrote my fourth report to the NSW Coroner in May 2017 which included 4 pages of additions to my 3rd Report (Report Date 24 May 2017, Report length 26 pages, no attachments).
- I also wrote directly to the NSW Police Commissioner and to the NSW Coroner in October 2014 and to the NSW Police Minister in November 2014 encouraging some kind of big picture intervention. I wrote those letters/reports out of my concern for the damage that could be done to the progress of police LGBTI liaison over the process of the Scott Johnson case. I genuinely hoped someone senior might find themselves able to resolve what was looking likely to become a debacle and that I thought was avoidable. I have always had great respect for the many fantastic police I have worked with over the years and the many excellent and inspiring senior police I have known in my career. I have often witnessed upper level senior police intervene and resolve situations that less senior police were unable to see or solve.

It has never been my desire to speak out in some type of opposition to the NSW Police. I do not do such a thing lightly. It is with sadness that I have found myself in this position and that I am now writing this submission to this Inquiry. I was employed by the Police for 12 years and my role was to keep them in the best possible light by strategising, advocating and designing authentic and genuine change where it was needed with a spirit of partnership, optimism and forward thinking. I still wish to see the police move forward and be seen in the best possible light for all the good and excellent work that they do every day including on these issues. They are an essential pillar of the community but with that role comes a great deal of responsibility.

I see my role in these matters as doing my best to be an impartial, objective observer and adviser/commentator providing advice with a commitment to pursuing truth, fairness and resolution. When the then Head of NSW Police Homicide kindly met with me in 2013 to advise me of the police findings and opinion in the Scott Johnson matter we discussed our views and differences. I explained to him that I believed that, on the balance of probabilities, Scott Johnson was most likely murdered. I explained that I could not understand the Police view if they were using 'balance of probabilities' and that while I was very loyal to the NSW police I was more loyal to truth and justice and that if police genuinely held that view then I would have no choice but to publicly state my opinion. Based on my public service and police service career I further explained that I was most concerned that the police would inevitably launch a type of "world war three battle" on the Scott Johnson matter.

I am a bridge builder, peacemaker and mediator by temperament. In my first report to the NSW police in 2011 I clearly stated that I did not think that fault should be laid at the feet of police for the original investigation and that it should be seen in the context of policing on gay issues in that era. The November 2013 NSW police report on Scott Johnson's death in several places seemed to have the intention of discrediting my opinion and my genuinely held views, sometimes with inaccurate statements and by misquoting my written words. I then had no choice but to eventually respond to those personal criticisms after they were drawn to my attention by journalists and to then address them in my third report to the Coroner.

When I worked at the Ombudsman's Office, the then Ombudsman George Masterman QC called me into his office one day in 1982 or thereabouts and said 'you achieve some of the best results in this office Sue but you mediate everything when you are meant to write wrong conduct reports to Parliament. I know you get some of the best results, the government departments admit their mistakes and fix their systems and the complainants are happy but you are not meant to arbitrate, that is not in our legislation. You are meant to report wrong conduct to Parliament'. I explained that I was not one to hit people over the head with a hammer when you could resolve a problem effectively and with systems change through consensus.

Even with Operation Parrabell I attempted to privately explain to Police the history of the rigorous, authoritative Police Service research conducted and published jointly with the highly respected independent federal Australian Institute of Criminology (AIC) on the gay hate murders. I do not understand why the police would not stand by their own research conducted contemporaneously while cases were actually happening, research which they were greatly applauded for and recognised for in the late 1990s and early 2000s.

To instead, nearly 20 years later, try to portray that research (which was conducted to an academic standard following a stringent research process of academic review and published as such) as 'Sue Thompson research' as if I was a Lone Ranger acting on my own behalf whilst employed by the NSW Police Service is incorrect and misleading. All work that I did during and as part of my employment with the police was closely scrutinised given it was work as the "gay and lesbian client group consultant". In fact, in my experience and opinion, my work was often more intensely scrutinised than other client groups. Any formal documents that I wrote for public release or publication were properly approved, authorised and endorsed as Police Service documents as one would expect. This was also certainly true with my work on gay hate murders where cases were always scrutinised and reviewed by operational police at Assistant Commissioner level. To imply that the research is somehow not formal NSW Police Service research is incorrect, ill-informed and misleading.

I have always chosen not to reveal much at all of the challenges and difficulties of my twelve years in police as the Gay/Lesbian Client Consultant, as that is an expected part of the journey with a challenging change agent job. This was also true in my 4 reports to the Coroner as it would have been unnecessary, superfluous and counterproductive but I consider that the terms of reference of this Inquiry mean it is beholden on me to provide an honest perspective on some specific issues regardless of my reticence. My 12 years in the NSW police would not have been nearly so successful if I had dwelt on the downside and the difficulties of that time. Instead, I chose to share them with supportive Assistant Commissioner level police who advised me of the best way to proceed each time I encountered such difficulties. They were some of the most decent, honourable and inspiring people I have met in my whole life and had the privilege of working with. Sometimes I also put those issues and problems in writing when I thought they needed to be formally recorded and submitted. I always attempted to have them addressed.

I loved working for the NSW Police, it was an organisation that attracted so many wonderful people. There were of course also many difficulties dealing with the issues of the gay/lesbian client consultant. I knew before I applied for, or started, my job in 1990, that would be the case - that was the whole point of the job. The challenge would be how best to deal with it and help move an organisation forward at an exciting time in history when that was its stated intention and commitment.

In my 4th Report to the NSW Coroner on Scott Johnson (**ATTACHMENT 9**), I detail many of the excellent police and others in this field of gay/lesbian hate crimes whom I had the pleasure of working with and being inspired by.

I also attach an Op Ed piece that I wrote in 2015 (**ATTACHMENT 3: Op Ed Hate Crime Violence in the 1980s and 1990s**) after Lateline's Emma Alberici interviewed Det Ch Insp Pam Young and Mike Gallacher, ex Minister for Police, on the Scott Johnson case. I wrote it to provide a personal account of what it was like working in that era on these violence issues, on the actual epidemic of Hate Violence in the 1980s and 1990s, on the role of Police Ministers in moving the Police Service/Force forward, on the good senior cops and the GLLOs. Perhaps most importantly I wrote it to articulate and put on record **"It is now time for historical truth to be honoured"**. This document with attachments is my Submission to further that goal.

Eight Main Issues in my Submission

My health difficulties mean that the tight timeframe for Submissions effects my ability to be more concise as I will not have time to edit carefully. Please accept my apologies.

I have prepared a Timeline, as part of my Submission. In it I summarise what I consider to be the key relevant historical events in gay/transgender hate crimes from 1978 to 2018 [**Attachment 1**]. I am not able to spend the hours to detail this in writing to the Inquiry and hopefully the summary timeline version is helpful. I could perhaps answer questions regarding the details in person.

In this submission I will address as concisely as possible these main issues (including attachments which also form part of my Submission):

1. My opinion of the **Operation Parrabell** report and my opinion of the dangerously **flawed current methodology** being used by the NSW police to reclassify gay hate murders retrospectively and the danger of continuing with such rigid narrow non-inclusive assessment methods and criteria.

My related concern that the NSW police seemingly misunderstood the **implications of the Coroner's findings in the Scott Johnson matter** (and what it should indicate to them in terms of the proper classification and identification of possible gay hate murders) as evidenced by their Parrabell Report which was published six months after the Coroner's Findings.

My related concern that their current and therefore possibly future process for such identifying/identification and classifying is out of step with others including (a) the NSW Coroner, (b) historical research by the Police itself conducted jointly with the independent criminology experts of the day, the Australian Institute of Criminology (AIC); (c) Prof Stephen Tomsen well-known and respected for his research expertise on gay hate homicides and (d) community standards and expectations as evidenced in ACON's Report "In Pursuit of Truth and Justice".

My related concern that despite the Police spending several years and a lot of human resources they still steadfastly believed that Scott Johnson's death was most likely a suicide, and that even after it was ruled death as a result of a gay hate attack, that they did not use this information to reflect upon their thought process, investigation and methodology, so as to rethink and review their whole Parrabell view before publishing the Parrabell Report six months later. In doing so they reclassified, retrospectively, many gay hate murders which the Police Service/Force had previously identified as such and which detectives had contemporaneously classified as likely or actual gay hate murders in the era in which they occurred, including the extremely brutal murder and dismembering of Stephen Dempsey which I would expect that Peter Rolfe of Support After Murder will make a submission on.

2. My experience and opinion of certain aspects of the **Scott Johnson** investigation and review and how that likely suggests an organisation out of step with the community and with many with expertise and specialist knowledge
3. the historical problem with the New South Wales police **treating the LGBTI programs/policy area differently from equivalent programs/policy areas** as evidenced by the historical different grading of positions and different levels of support and staffing resources before and during my

time in that role. I do not know if this is still the situation but it certainly needs to be examined. There are inevitable problems with continuing to flag to the organisation that one area (or client group) is less worthy or important than others. Senior officers pay attention and notice such difference, read into it what they will and then reflect it to their own troops consciously and unconsciously. Terms such as tokenism, poor cousins spring to mind. Actions will always speak louder than words and especially so in an organisational context. Differential support and resourcing engenders differential treatment generally and inevitably models 'acceptable' attitudes, policies, procedures, actions which may in fact not be acceptable but be discriminatory without anyone even realising.

4. My opinion, from 12 years of experience in the Police Service, that irrespective of the skills and genuineness of individual police it is important that a **corporate spokesperson on LGBTI issues** should be of sufficient rank to influence other senior police, to hold the big picture in focus and to disagree authoritatively when necessary ie needs to be above rank of or at the very least equivalent to region commander. A local area commander does not have sufficient weight or perspective.
Importantly, again here some assessment needs to be made of whether the rank is comparable for senior police doing equivalent corporate spokesperson jobs for ethnic, aboriginal, youth etc.
5. My observation that in the **Alan Rosendale** bashing, that relevant police records should be accessible from NSW State Archives given what recently happened with the Lyn Dawson case when Ombudsman's records were obtained despite even the Ombudsman's Office incorrectly saying there were no such records in existence.
6. A couple of short written descriptions of relevant historical events referred to in my Timeline including those related to the February 1995 Parliament House Launch of **Out of the Blue, A Police Survey of Violence and Harassment Against Gay Men and Lesbians** by then Police Minister Garry West. That event is relevant to the current police response and issues with violence research.
7. Some information from GLLOs during my employment with NSW Police eg some key results of the NSW Police GLLO Survey and a current quote from an ex police officer who was one of the great GLLOs
8. My suggestion that the Committee **formally request that either the NSW Library or National Library of Australia prioritise the setting up of an Australian/NSW Gay & Transgender Hate Crimes Collection** and that they gather, acquire, collect & make accessible certain documents, booklets, items, research, resources etc so that they are available for future research, historical access & accuracy. A thorough history can demonstrate the contemporaneous history of this violence, the research on it and the government response to it. Researchers, historians, media can then form their own opinions on any distance yet to go in addressing the problems. NSW has at one time been a world class leader on these issues. If accurate information & access to this information is eroded over time (which obviously can easily happen without safeguards in place) it is far too easy to re-write history and suggest it never happened or indeed as has been done with the Parrabell Report to say 'we have now had a closer look and it was not really as bad as people once said, it was only a "so called crime wave" '. I have a thorough, detailed, digital list of all documents, items etc in my personal collection.

1. ‘Strike Force Parrabell’s Report’ and ‘Coroner Barnes’ findings in 3rd Scott Johnson Inquest’ and the related implications for identification of gay/transgender hate crimes

1.1. It is important under the Inquiry’s terms of reference to examine Parrabell, as current Police policy and practice, and whether it effectively addresses gay hate related crimes. I wish to put on the record my opinion that Strike Force Parrabell is not accurately described as “progress made by NSW Police through Strike Force Parrabell”. While I understand it would be polite to say so, I cannot in the context of a Parliamentary Inquiry where I am referring to Parrabell’s Final Report. I fully understand that, without having access to all the information about it, it would be easy to believe the media reporting of the Parrabell Report at face value. I have no personal problem whatsoever of any kind with anyone involved in the work of that Strike Force, instead I am making my own objective observations about the Report produced, not the people or their presumably good intentions. Parrabell was portrayed as progress in the media with a lot of what I would call “media spin” attached to it but I consider that to be more misleading than factual or accurate. It is wise to remember that the NSW Police had, and to my knowledge still have, a very sophisticated and highly resourced 24/7 media unit (unlike anything most people would have ever encountered). It is important to understand Parrabell in its historical context:

1.1.1 Parrabell’s timing and the reasons for setting it up. Parrabell had started work in August 2015 (although its big media launch was May 2016). Parrabell was established after the extensive media coverage and growing momentum regarding Scott Johnson’s case and particularly the attention to the approx. 80 historical possible gay hate murders and the up to 30 of those which remained unsolved [see my Timeline attached]; it was soon after the NSW Coroner Barnes ordered a 3rd Inquest into the death of Scott Johnson (13 April 2015); soon after a senior female detective in charge of the Police Review of Scott Johnson’s death gave an unprecedented interview to ABC Lateline on the same day extolling the Police view that his death was suicide (13 April 2015) and that the then Minister was somehow to blame for listening to the Johnson family and requiring the Police to review the case (14 April 2015); established soon after the Coroner insisted that detective be removed from the case (21 Apr 2015) because of the appearance of bias which then led into the early retirement of a popular and respected officer; soon after Blackfella Films had started work on its feature length documentary ‘Deep Water the Real Story’. Further, Parrabell did its big media launch after Rick Feneley started his research and writing for an unprecedented approximate 30 page online indepth media event on the gay hate murders and the unsolved cases (March 2016) and another Rick Feneley article in the SMH (18 Apr 2016);

1.1.2 the fact that for the review of the old murders from 20-40 yrs ago Parrabell applied new criteria, applied it retrospectively and used criteria which is significantly more rigid and narrow and more in keeping with an evidentiary court standard than a police investigative standard which is not required for prosecutions but merely for the purpose of identifying crimes and crime patterns and better understanding them. I have previously documented my view on these

rigid narrow 'evidentiary standard' tests and my opinion of their inappropriateness for everyday policing, for assisting police in identifying potential motives, for identifying potential patterns so that we never return to the era of the 1980s where gay hate murders went predominantly unrecognised and thus unsolved [see Attachment.....]. Using narrow criteria makes it far too easy to return to an era where these crimes go undetected and thus unsolved again. It is naïve to think they will never happen again, we live in a challenging world where 'civilisation' is often a thin veneer until the surface is scratched. Current hate posters appearing in Townsville and Melbourne with a skeletal grim reaper of death state "they're queer, they're here but not for much longer" (Oct 2018 – Sydney Star). This morning a FB person took photos of someone in Sydney spray painting "Bash a Gay Today" on a wall (7 Oct 2018 – FB photos retained). A fortnight ago a friend's gay nephew and partner, when returning from a South Sydney football game, were harassed and intimidated for the entire journey on a Sydney Train by a carriage full of teenagers who had attended the game. No-one spoke up to assist them and they were extremely fearful and traumatised;

- 1.1.3 that Parrabell applied the new rigid criteria retrospectively to cases without the benefit of the information or expertise that was available contemporaneously at the previous time in history;
- 1.1.4 the fact that the Parrabell Report and its Flinders Review attempts to dismiss and set aside earlier, formal, joint NSW Government and Federal Government research is over-reaching and controversial. That research was conducted jointly by both levels of government from 1999-2000 and it was authoritative, formal, peer reviewed and published to academic research standards. Parrabell and the Flinders Review are not.
- 1.1.5 I refer to the formal joint NSW Police and Australian Institute of Criminology research on gay hate murders published in summary by the AIC in 2000 and launched by the Federal Justice Minister Amanda Vanstone [**ATTACHMENT 4 - Gay Hate Related Homicides: An Overview of Major Findings in NSW**, Jenny Mouzos (AIC) and Sue Thompson (NSWPS), Australian Institute of Criminology, Trends & Issues in Crime and Criminal Justice, No. 155 June 2000] and then published in full in a formal academic journal subject to strict academic research standards in 2001 [**ATTACHMENT 5 - Comparison Between Gay Hate Related Homicides and Other Male Homicides**, Jenny Mouzos (AIC) and Sue Thompson (NSWPS), Current Issues in Criminal Justice, Journal of the Institute of Criminology, Vol 12, no. 3, March 2001, University of Sydney, Faculty of Law],
- 1.1.6 The Parrabell and Flinders Review Reports contain many inaccurate statements about this history and the previous gay hate murders research and lists and the credibility of those.
- 1.1.7 The Australian Institute of Criminology's (Federal Government) lead researcher and co-author of the research was Jenny Mouzos who is now Dr Jenny Cartwright. She is a highly respected senior professional employed by the Australian Federal Police. "Her doctoral research in 2003 examined over 470

cases where women were killed in Australia over an eleven year period. Dr Cartwright was employed at the Australian Institute of Criminology, Canberra for ten years managing a number of monitoring programs (homicide, drugs, armed robbery and firearms), and has extensive experience in conducting research, particularly on the various risk factors for involvement in victimisation and offending. She has published widely and presented her findings both nationally and internationally. Dr Cartwright is currently employed with the Australian Federal Police as the Coordinator – Strategic Initiatives, High Tech Crime Operations (HTCO). Dr Cartwright leads three Teams: (1) Cyber Crime Prevention; (2) National Missing Persons Coordination Centre; and (3) Strategic Management”.

Quote from Family Online Safety Institute

<https://www.fosi.org/people/dr-jenny-cartwright/>

- 1.1.8 I would think Dr Cartwright would be available if the Parliamentary Inquiry wished to ask any questions of her regarding our previous published gay hate homicide research and the validity and credibility of it.
- 1.1.9 The outcome of the Parrabell Report i.e. that it drastically reduces and un-counts the numbers of gay hate murders when compared to much previous research, reducing them from the previous 37 independently AIC verified gay hate murders (8 unsolved) for a 10 year period (1989 to 1999); from the previous 74 found by Prof Stephen Tomsen in his Criminology Research Council grant work (19 unsolved) for a 20 year period (1980 to 2000); from the 8 unsolved which the Unsolved Homicide Team agreed to in 2013 in their report; from the previous “up to 80” documented by investigative journalist Rick Feneley in his extensive articles in the Sydney Morning Herald and SBS online (with up to 30 unsolved);
- 1.1.10 Its result is to rewrite history, wipe the slate clean as if it never existed and make up an entirely new narrative stating that in an approximate 24 year period there were in fact really only 27 or 29 gay hate related murders and only two or three remain unsolved.
- 1.1.11 I would anticipate that the Parrabell Report will not stand up to external scrutiny over time and be the subject of other criticism in other places. It would however be far more preferable and positive if Commissioner Fuller could himself find a way to move forward without letting a re-write of history stand as the Police public word on gay and transgender murders. I am not suggesting that Parrabell was an intentional attempt to re-write history but that is currently the end result. Without intervention it will continue to be an ongoing source of unnecessary unease and criticism. I am sure there are many talented senior police with excellent ideas for resolving this and strategically moving forward. As I quoted earlier from ex GLLO Kylie Cronin, “Fuller was one of the most ‘by the book’ and thorough investigators that I had the privilege of working with. He would not shy away from ownership of policing that could have been done better, particularly in relation to historical events”.

- 1.1.12 If it becomes necessary, but hopefully it will not, attention could be given by the Inquiry regarding the extremely long process of even finding an academic or academic review team who were willing to take on the role of reviewing the Parrabell Report. That process took approximately 18 months until finally the Flinders team agreed to take on the work. Some people have called this issue “the unmentionable background”. There was apparently much discussion of this in academic circles as many declined the task. I am aware that academics would be reluctant to talk about it openly or publicly, but some might be brave enough to make mention of it, if it was needed.
- 1.1.13 I keep trying to find a way to politely ignore the Parrabell report and Flinders review and make this submission but I cannot find a way to do that.
- 1.2 Most importantly Parrabell & Flinders do not use the same, or even similar criteria, measures, standards, reasoning or application of the balance of probabilities test as used by Coroner Barnes in determining Scott Johnson most likely died in a gay hate attack (Nov 2017). That is a fundamental flaw of Parrabell and the Flinders review. When the Coroner ruled on Johnson & showed that NSW Police were out of step with the reasonable application of the balance of probabilities test in regards to how to identify gay hate crimes, Parrabell & Flinders should have completely re-thought Parrabell, instead of staying with their pre Inquest views and Reports and seeming to hope that nobody would notice the incongruence.
 - 1.2.1 Parrabell becomes irrelevant and fundamentally flawed in light of the Coroner’s Findings in the 3rd Scott Johnson Inquest. Parrabell’s results are actually 2017 pre-Johnson Inquest Findings but are published post Johnson in 2018. Perhaps this is because neither Parrabell nor Flinders took full cognisance of the implications of the Coroner’s Findings for the issue of gay hate crimes generally. Perhaps they found them difficult to accept. Perhaps they did not accept them at all.
 - 1.2.2 Parrabell does not use a balance of probabilities type of test but instead looks for “evidence” and uses a 10 point BCIRF (Bias Crime Indicators Review Form). My view on rigid criteria and their appropriateness for Police operational & investigative work to better understand patterns and identify MOs & offenders has been well detailed previously. Rigid, narrow criteria for Policing purposes (not court trials) are appropriate only in countries where a further judicial penalty is applied by criminal courts if a bias finding is proven beyond reasonable doubt. Again, these narrow criteria are not useful at all in the early identification phase.

As I said in my 4th Report to the Coroner

“As the UK Law Commission’s Commissioner for Criminal Law said in a report reviewing hate crimes in May 2014 “the police and CPS may “flag” offences as hate crimes but they adopt a much less stringent test (based on perception not proof)”. It is basic common sense that Police records in these cases should be about flagging, not about only flagging what can be proved”.

- 1.2.3 Flinders, rather than properly addressing and dealing with the use of such criteria as some academic reviewers might have felt they should, instead chose to merely critique the police BCIRF form in a footnote, at footnote 20:

Whilst the NSWPF placed great faith in this instrument, the academic team were surprised to discover that scarcely any academic literature exists that has evaluated or critiqued this instrument. Indeed, our search efforts could not even locate one academic article. Nor could the NSWPF supply such an article when requested to do so. In the face of an apparent dearth of such literature, the academic team are reluctant to endorse these indicators. The academic team are not decreeing they are wholly deficient and needing to be dropped, but we would have liked to garner independent evidence that they are indeed 'best practice' for law enforcement. We note here that with few choices available (the UK model is over-inclusive because it pivots on victim perceptions), the NSWPF worked with this instrument despite empirical evidence for its efficacy.

- 1.3 Numerous of the cases which Parrabell has deemed 'no evidence of gay hate bias' or 'insufficient evidence of gay hate bias' are cases which actually had much more 'evidence' of being a gay hate crime than Scott Johnson's case which the Coroner found to be a gay hate crime in Nov 2017. Police should be making all efforts to flag and identify as many cases as possible as it ultimately helps them solve crimes. Ruling out murders that could be gay hate murders early on in an investigation is simply inexplicable, counterproductive and madness in my opinion. One of these that Parrabell ruled out is the murder and mutilation of Stephen Dempsey in 1994 – the investigating detectives always said this was a gay hate crime and still do (see Peter Rolfe likely submission). Another case where even a Coroner's findings are ignored by Parrabell / Flinders is Ross Warren – the NSW Deputy Coroner Milledge (a previous police officer) herself ruled this a gay hate crime in 2005.
- 1.4 Parrabell has actually been a modern day Police rewrite of an important part of history that the NSW Police itself once described completely differently at the time period when it was actually taking place and being witnessed by Police and the community. The NSW Police was once proud of its role in changing that history and addressing the huge amount of hate crimes and murders. Police Ministers were recorded repeatedly in Hansard talking about it. The Commissioner, Assistant Commissioners, Patrol Commanders and myself are recorded in the media talking about it hundreds if not thousands of times. We were describing events as they were happening, we were there, we were not re-writing it decades later. **(ATTACHMENT 9: WHAT IS A HATE CRIME OR ANTI GAY KILLING, THOMPSON v5 2017)**
- 1.5 Parrabell and Flinders even go so far as to imply that the previous history was a version of history that was somehow made up or exaggerated by individuals, hoping no-one will realise that it was the Police Service/Force at a senior level that said one thing in the 1990s and the same Police Service/Force that is saying something completely different now. I question what is the point, the purpose, the genuine anticipation of what outcome, what 'good will' is it likely to foster? When has rewriting history ever made the group that was historically disadvantaged feel happier about the history or the future together?

The NSWPS already spoke in 2000 and 2001 jointly with the world respected AIC. In my humble opinion rewriting history using completely different, much more rigid criteria and looking back retrospectively with that new criteria is unlikely to actually help with moving forward and building better relations – unfortunately I doubt it.

In 2018 saying things weren't really as bad in the 1980s and 1990s as we said they were in the 2000s is not likely to make many people feel very happy. It's sadly unlikely to work as an effective strategy / approach in any form of relationship counselling or relationship building. Without meaning to cause offence, it could be described as perhaps similar to saying not that many Jews were gassed in World War II as we originally thought or not that many aboriginal children were taken from their parents as we once said or maybe they weren't taken because they were aboriginal but because of some other reason.

If the goal (see Parrabell page 18) was "to bring the NSW Police Force and the Lesbian, Gay, Bisexual, Transgender, Intersex And Queer community closer together by doing all that is possible from this point in history", then this is probably not the best way to genuinely go about achieving it. It is a very good and important goal that everyone hopefully will be able to focus on after the Parliamentary Inquiry or indeed because of the Parliamentary Inquiry. Moving forward without telling the truth about the past is problematic. Presumably this is also why Commissioner Fuller himself made a recent apology to the 78ers because of the importance of acknowledging the past.

- 1.6 The criteria used to determine "gay hate bias" shifts throughout the Parrabell report and it is variously called "significant role" (page 55), "contributing factor", "determine if any gay hate bias was involved in the deaths", "dominant motivation" (page 37). It is unclear whether it is "significant", "contributing", "any" or "potential" (page 20). At page 21 "to be clear, NSW Police Force investigators assigned to Strike Force Parrabell applied a general tenet to case classification by answering a simple question: "is there evidence of a bias crime?". The use of the term 'evidence' is telling, too restrictive and in my opinion counter-productive for policing purposes. It is reasonable for court purposes or criminal trials but not for operational policing purposes of flagging crimes, understanding motives, keeping an open mind, identifying crime patterns and thus better investigation of crimes.

(ATTACHMENT 10: COMPARISON TABLE OF CURRENT POLICE BIAS INDICATORS v PREVIOUS POLICE GAY HATE HOMICIDE INDICATORS)

- 1.7 The current 10 NSW Police bias indicators in the Police Bias Crime Indicators Review Form are generic to all 'bias crimes':

- *Differences*
- *Comments, Written Statements, Gestures*
- *Drawings, Markings, Symbols, tattoos, Graffiti*
- *Organised hate Groups (OHG)*
- *Previous Existence of Bias Crime Incidents*
- *Victim/witness Perception*
- *Motive of Offender/s*
- *Location of Incident*
- *Lack of Motive*
- *Level of violence*

- 1.8 In the earlier joint Police and AIC research the list of possible indicators in gay hate related homicides were specific to gay hate murders. (This difference is important in part because it takes into account the historically high number of these murders at "beats". In my Training and Conference Overheads I identified that 61% of gay hate murders happened at home, 24% at beats and only 11% on a public street. By Parrabell using the current day generic bias crime indicators they may have missed the importance of beats as an

environmental indicator of a gay hate murder). See also later discussion in this section on the limitations of using a 'one size fits all' approach.

1.9 The original NSW Police and AIC indicators were used in the 1999 and 2000 research and were specific gay hate murder indicators developed and refined by Police then Police and AIC:

- *formal or informal admissions by perpetrators;*
- *anti gay/lesbian abuse;*
- *proximity to a known gay social club/venue;*
- *proximity to a beat (A beat is a meeting place for men who have sex with men, usually a park, bushland or beachside area. A sexual encounter may occur in the location or be arranged);*
- *information on motive from persons known to offender/victim;*
- *nature of injuries (for example sexual overtones to injuries, mutilation);*
- *frenzied nature of attack;*
- *time-related to major gay community event;*
- *absence of other motive;*
- *alleged sexual proposition / suggestion / advance by victim to perpetrator; and*
- *other indicators emerging after commonsense review of the circumstances (with a footnote 16 reference – which explains this term is used by NYPD).*
 - *[Note this final indicator was not in the 6mth earlier research summary published as an AIC Trends & Issues Bulletin 155]*

1.10 I am not physically well enough to provide a detailed review of Parrabell for the inquiry but will just comment on a few other serious factual errors which occurred despite full and accurate information being given to both Parrabell and to Flinders by me:

factual error - "During 2013 a number of articles were published in mainstream Sydney media together with a scholarly article published by the Australian Institute of Criminology (AIC) relating to 88 suspicious deaths with potential gay-hate motivations across NSW". (Page 17)

- Incorrect and misleading, the "scholarly article" was not published by AIC, it was certainly not published in 2013 but the summary in 2000 and the scholarly article in 2001.
- The initial summary of the joint AIC and the NSW Police research was published by the AIC in the Trends and Issues Bulletin, 155 in 2000. It was reviewed and approved by senior police at Assistant Commissioner level. It had the Police Service logo on it & the AIC's. It was launched by the Federal Justice Minister. See my comment at point 10.
- The scholarly article of the full research was published in an academic journal *Current Issues in Criminal Justice, Journal of the Institute of Criminology* March 2001. Note that it is not the same body as the Australian Institute of Criminology (AIC). It was reviewed and approved by senior police at Assistant Commissioner level which means it was approved and endorsed by the NSW Police Service itself and certainly not by any individuals such as myself.
- Neither Parrabell nor the Flinders team appear to have read the full academic peer reviewed published 32 page research. It is not even in the References.

- The NSWPS originally identified the 44 possible gay hate murders from 1989-1999. The AIC used its own homicide case files from the NHMP (National Homicide Monitoring Program) to review and independently assess the NSW Police 44 cases and removed 7 cases as having insufficient evidence to fit the criteria of “possible gay hate related homicide”. 37 of the original 44 cases were then jointly studied.
- There is an incorrect merging of completely different events in history. The so-called 88 deaths were initially recompiled in 2013 covering a 20 year period and bringing together the joint research of the NSW Police Service and Australian Institute of Criminology (deaths in 1990s) and the research of Prof Stephen Tomsen (deaths in 1980s and 1990s). Within two weeks we had already stated there were not 88 on the list.

1.11 factual error - “The focus of investigators was the list developed and published by the AIC”. (Page 18)

- Incorrect and misleading, the list was developed by NSW Police, not the AIC. This continuing rewriting of history suggesting someone else developed a list when it was actually the NSW Police Service who developed the list is very misleading. The List was developed while I was employed by the NSWPS and all such lists went through Assistant Commissioner level for approval and if there was any kind of sensitivity it would go higher. The list was independently reviewed by the AIC who reduced the cases that we would study from 44 homicides to 37 homicides for purpose of strict research (read methodology published with research).
- Incorrect again in that there was no list of the murders ever published with that research in 2000 or 2001.
- Again the summary of the Police and AIC research was published by the AIC in 2000 bearing both official logos and launched by the Federal Justice Minister and the full research was published in a scholarly article in an independent academic journal in 2001.
- I think Parrabell might be talking about the recompiled list of gay hate murders done by myself, Prof Stephen Tomsen, ACON and Peter Rolfe (Support after Murder).

1.12 Factual error - “On 30 August 2015 Strike Force Parrabell commenced a thorough investigative review to determine whether 88 deaths originally listed in a submission to the Australian Institute of Criminology, and commonly referred to by media representatives, could be classified as motivated by bias including gay-hate”. (Page 19)

- Incorrect, there were no 88 deaths originally listed in a submission to the AIC (covering a 23-25 yr period). There were 44 in the Police List/Submission to the AIC in 1999 (covering a 10 year period).
- The NSWPS originally identified 44 possible gay hate murders for the 10 years of 1989-1999. The AIC applied the NHMP (National Homicide Monitoring Program) independent files & dismissed 7 cases as insufficient evidence for strict research protocols. 37 were studied. 44 still were listed for Police & other purposes.
- Professor Stephen Tomsen conducted extensive research at the same time after being granted formal access to all Police and Attorney General files. He was granted Police approval by the Deputy Commissioner’s Senior Working Party on Police Gay / Lesbian Relations & Reducing Violence. That Working

Party comprised 3 Assistant Commissioners, various Police Branches, myself and Barrister David Buchanan (currently Banking Royal Commission) for ACON. Tomsen identified 74 possible gay hate related deaths 1980 – 1999 (55 solved, 19 unsolved).

- There is a conflation of completely different events in history.
The list to the AIC was from the NSW Police, it was in 1999 and it had 44 cases covering a 10 year period.
The so-called 88 deaths were initially recompiled in 2013 covering a 20 year period and bringing together the joint research of the New South Wales Police Service and Australian Institute of Criminology (10 years of deaths in 1990s) and the research of Prof Stephen Tomsen (20 years of deaths in 1980s and 1990s).
There were not 88, initially there were perhaps 87 but within 2 weeks we had refined, reviewed & reduced that and eliminated several.
Further refinements left us with a list in 2014 of 71 gay hate related murders from 1977-1999 (end). Of that 71, 21 were unsolved. The Flinders group were provided with that information in detail, importantly our revised number dating back to 2014.

1.13 Factual Error: “In 2002, the then NSW Police Gay and Lesbian consultant, Ms. Sue Thompson, identified 88 cases between 1976 and 2000 that potentially involved anti-gay bias. The death of Scott Johnson and five others in the *Strike Force Taradale* investigation were included in this list of 88 cases. More recently, there has been significant media coverage of a so-called ‘gay hate crime wave’ of the 1980s and 1990s in Sydney. A TV documentary and a fictional drama”. (Page 55)

- Flinders are incorrect. I identified the Police Service’s 44 cases to the AIC in 1999. I was medically retired in 2002.
- The list was for the 10 year period 1989-1999, not the 24 or 25 year period 1976 – 2000 as Flinders have said.

1.14 There was indeed a gay hate crime wave in that era. Anyone in or closely connected to the visible LGBTI community who lived and socialised in the community in that era, was aware of what was happening or was touched by the reality of it and would likely agree (see my document Op Ed **ATTACHMENT 3**).

1.15 Again I refer the Inquiry to my personal **digitised media collection of 2,400 newspaper** pages from 1990-2001 wherein word searches reveal these results in media articles where ‘optical character recognition’ could detect the search terms which I entered:

Violence = 2953 references
Bash = 1283
Attack = 1244
Murder = 1111
Minister = 673
Complain = 592
Thompson = 576
Commissioner = 489
AVP = 342
Panic = 179

- 1.16 I am not well enough or physically able to do any review of the 2,400 digitised pages that I now have in my collection but I am certain they will document senior police and formal Police Media Releases repeatedly making public formal statements about the violence and crime wave or equivalent phrases, including various Police Ministers in the media, in Ministerial Press Releases and also in Hansard. There will likely be many additional articles in my Collection where OCR could not read the word I was searching for. I would welcome any formal research or study of my recently digitised Media Collection (1990 – 2000).
- 1.17 To use the term “**so called** ‘gay hate crime wave’ is offensive and inflammatory and intentionally implies something might have been made up and should be viewed with suspicion or disregarded. It is a snide, dismissive, throw away, cynical, flippant term used by someone looking back from the comfort of the present to a time and place they did not witness or live through and were not part of (see my previous comments at 1.5).

I will go so far as to say that for such a term to be used in a formal review/report by anyone in the present day who was not there in the past that they are referring to - who did not live it, did not witness it, was not effected by it, did not lose friends to it, did not bleed because of it, did not live in constant fear because of it, did not have to deal with it every day of their lives or certainly every weekend and/or did not have the resources or will to adequately research it or report on it – is reprehensible.

The term “so called” is actually quite a serious and disrespectful insult to the many whose lives were effected or taken in that time and the many who worked tirelessly to bring about change and justice and to end the violence epidemic including the many excellent, upstanding, honourable senior police and civilians in the Police Service and the many courageous police in GLLO roles within the Police Service, the many supportive Police Ministers, the Anti-Discrimination Board, the LGBTI community, LGBTI community organisations and the other stakeholders on all sides of politics.

I have prepared a detailed Timeline covering some of the key historical events of the “so called gay hate crime wave” and the government, police and community responses to it. I bear witness to the fact that it was indeed a terrible crime wave. In my Timeline I have listed documents, dates, people, agencies and events so that anyone who might genuinely want to conduct an accurate historical review of that crime wave will have a summary document as a useful accurate reference point from which they can locate and drill down in to detailed documents and historical records. Over a period of years I have been in the slow process of cataloguing, archiving and digitising my own personal collection for my personal historical accuracy and reference.

- 1.18 Flinders seems to believe they can somehow hold themselves up as some higher authority and thus dismiss the status and authority of the previous State and Federal Government research which was conducted to a much higher academic research standard than their own. That earlier research was conducted with the expert independent national criminology body in Australia and at a time when understandably any such research would be under strict scrutiny. Also, importantly when such research is to be published in an academic journal it goes through stringent, rigorous research processes and review processes which took many months: Page 97 Parrabell/Flinders.

“At the same time, we do not find support for Mouzos and Thompson (2000) in their finding of 37 victims of gay hate homicide in the period between 1 July 1989 and 30 June 1999.

We found:

- 7 *gay bias* homicides in this period,
 - another 12 anti-paedophile animus homicides or 19 cases of animus-related homicides,
 - another 19 for which there is insufficient information to make a determination”
- The Flinders maths here should add to 38 not 37 (7+12+19 =38)– there are some basic maths problems.
 - **“We do not find support”** is another interesting term in a Review/Report. I have no idea what it really means, it does not seem to have any standard or measurable criteria applied to it. It is just a wildly broad, unexplained comment that tries to dismiss previous, now inconvenient, historical, formal, research in a short, unbiased sentence with no further explanation. It intentionally implies something is inaccurate and should be viewed with suspicion or disregarded. It is a snide, dismissive, self serving, throw away, flippant term.
 - As far as I can determine Flinders had no way whatsoever of even having any idea which 37 murders were studied in that 1999-2000 formal research, much less passing such judgement, nor do they explain their self-serving “we do not find support for Mouzos and Thompson”.
 - Minimising/ignoring the State & Federal government status of formal research is misleading and reckless in a formal Report/Review conducted for a Police Force. These were not “Mouzos & Thompson” findings, these were Australian Institute of Criminology and NSW Police findings with both official logos on the results. They were endorsed at senior level by both a State and a Federal department and they were then formally published in an academic journal.
That research was launched by the Federal Justice Minister Amanda Vanstone on 9th August 2000.
 - These were and still are formal findings of a State and a Federal Government Department, they are not the findings of two individuals speaking or conducting themselves as individuals. There is a fundamental misunderstanding or intentional misrepresentation of basic bureaucratic process and history in this comment and in the other attempts to portray that previous research as anything less than formal, historical, fully endorsed government research.

1.19 For emphasis I will repeat my earlier comments from 1.1.7 and 1.1.8 “The Australian Institute of Criminology’s (Federal Government) lead researcher and co-author of the research was Jenny Mouzos who is now Dr Jenny Cartwright. She is a highly respected senior professional employed by the Australian Federal Police. Her doctoral research in 2003 examined over 470 cases where women were killed in Australia over an eleven year period. Dr Cartwright was employed at the Australian Institute of Criminology, Canberra for ten years managing a number of monitoring programs (homicide, drugs, armed robbery and firearms), and has extensive experience in conducting research, particularly on the various risk factors for involvement in victimisation and offending. She has published

widely and presented her findings both nationally and internationally. Dr Cartwright is currently employed with the Australian Federal Police as the Coordinator – Strategic Initiatives, High Tech Crime Operations (HTCO). Dr Cartwright leads three Teams: (1) Cyber Crime Prevention; (2) National Missing Persons Coordination Centre; and (3) Strategic Management.

I would think Dr Cartwright would be available if the Parliamentary Inquiry wished to ask any questions of her regarding our previous published gay hate homicide research and the validity and credibility of it”.

- 1.20 There is a significant disparity in the clear up rates for gay hate homicides before 1990 and those in the decade after. Many of the possible gay hate related murders in the 90s were in general terms “solved” by which I mean the police investigated and identified an offender but for example the offender may have been found not guilty because there was insufficient evidence for a conviction.

Quoting from my attached 4th Report to the Coroner in the matter of Scott Johnson: **[ATTACHMENT 9 at p25-26]**

“From 1980-1989 there are 12 unsolved out of a total 27 anti gay hate related homicides ie 44% remain unsolved (ie clear up = 56%)

From 1990-1999 there are 6 unsolved out of a total 45 anti gay hate related ie 13% remain unsolved (ie clear up = 87%)

The percentage of unsolved anti gay homicides was more than 3 times higher in the ten year period before Jan 1990 when the NSW Police embarked on a formal program to improve police gay/lesbian relations. From that time I began monitoring the cases with a strong resolve to reduce the violence and murders. I encouraged reporting of violence, worked with detectives, set up GLLOs, was publicly supported in the media by Ted Pickering as the Minister who publicly condemned the violence. Highly respected senior police like then Chief Supt Alf Peate, Supt Darcy Cluff, Supt Ike Ellis stood strongly behind a widespread strategic program for change including work in schools. This can also be said as: The gay hate homicide clear up rate was more than 3 times lower in the decade before Jan 1990.

It is my opinion that it is time amends were made for that disparity, in the rare cases where it still can be. I believe Scott Johnson’s case is one such case.”

- 1.21 I have no respect for attempts (unintentional or intentional) to rewrite history or conduct revisionism. They are dangerous and we are required to do better if we are to respect history and preserve the basic and fragile tenets of ‘democracy’. The group that is rewriting history are the only ones who usually feel happy and self-satisfied with it unless the group that was the originally effected group do not know the facts of what happened previously. I have tried to say little publicly about this "Review" but I provided full formal information to those conducting it. Turning around in 2018 & saying 'oh by the way those murders weren't nearly as bad in the 1980s and 1990s as we formally said they were in the 2000s. We've changed the criteria now and therefore we've changed our minds on the numbers" does not sit well. I am aware that we live in interesting times when it comes to facts and accuracy but I have ample detailed historical knowledge on these issues. Any bridges that get rebuilt after this (as they must) will most likely be because of the forgiveness and olive branch offered by the originally disadvantaged and targetted group who suffered and lost friends and family members to these crimes. The "indicators" used in the 1990s to assess

if it was a gay-hate related homicide were appropriate to the day and the information emerging on these terrible crimes of prejudice, concurrently at that time. They were applied contemporaneously at a time when local police and detectives on the ground gave their views. To retrospectively apply new stricter criteria now without any contemporaneous reality is fundamentally flawed.

- 1.22 It is also important to realise that with the current Police hate crime methodology they are applying a 'one size fits all approach' to the specific crime of gay hate related murders/homicides and in my opinion it does not fit these cases well. It was not developed for this purpose and it is a poor fit. They are using a list of generic hate crime criteria based loosely and partially on an FBI type of strict Uniform Hate Crime annual reporting methodology. That type of rigid criteria and methodology was originally designed to get uniform reporting and statistics across all the American states into an annual report to Congress for general hate crimes. It is not nearly as effective in cases where there has been a murder/homicide.
- 1.23 One of the important things with anti gay murders is that the key witness to the crime is dead. The witness most able to tell what words the offender used & whether they were 'bias related' has been murdered. That is why it is important to not just apply a one size fits all methodology to these cases.
- 1.24 In the earlier 1990s methodology for identifying possible gay hate homicides we used the expertise gained from gay hate murder police investigations to identify the clearest indicators of a possible gay hate related murder/homicide.
- 1.25 The NSW Police compiled and kept up to date its first list of possible gay hate related murders throughout the 1990s. Detective Sgt Steve McCann started the list looking just at the city and eastern suburbs (South Region Homicide) and he said from 1987-1990 there were 7 likely gay hate murders with 5 unsolved. I continued it by working with operational police and detectives and it was approved by Assistant Commissioner level police who had the full organisational authority and seniority to do so. We then did formal joint research on the murders with the Australian Institute of Criminology (AIC) jointly agreeing to 37 homicides in the 10 year period of the 1990s alone. [The Police Service originally identified 44, the AIC reviewed that list and removed 7 for reason of there being inadequate independent information in their independent NHMP homicide case files].
- 1.26 For someone to say in 2018 'oh there wasn't really 37 (or 44) in 10 years like we said at the time ie 4 per year, in fact there were actually only 27 in 24 years ie 1 per year - I would not in any circumstances describe that as progress or a step forward for justice.
- 1.27 The summary of our joint research was published by the AIC in 2000. We wrote our full formal joint research (NSW Police and the AIC) and it was independently, rigorously, academically reviewed and then formally published in an academic journal in 2001. Previous formal research, independently conducted to rigorous research standards, does not get whited out or even worse, deleted, by reviewers' self serving, unexplained statements nearly 20 years later (see 1.18).
- 1.28 An academic, Prof Stephen Tomsen, in the same period published his research into two decades (1980s and 1990s). He had 74 cases for 20 years and we had given him full authorised access to all Police files, documents, Attorney General's, Coroner's files etc.

- 1.29 In 2013 he and I recompiled both our lists and confirmed there were over 80 possible gay hate related murders in that 20 year period. The Parrabell and Flinders Report does not even explain that it was Police who compiled the first list, in consultation with police on the ground and NSW Police who jointly wrote the research. Nor that Assistant Commissioner Police approved it... some inconvenient truths and facts are simply conveniently missing in the Parrabell Report.
- 1.30 The most telling reality check for Parrabell is that the death of young American Scott Johnson at Manly's Blue Fish Point in 1988 was considered a suicide by Police for 30 years (apart from a brief moment in 2011-2012 by Det Sn Cst Tim Wilson for the 2nd Inquest). If not for the NSW Coroner ruling that Scott's death was most likely by gay hate attack in November 2017, his death would certainly not fit within the new rigid police criteria, by any means whatsoever.
- 1.31 If Parrabell or Flinders had been asked to assess that case, using their current methodology they would have found it was not a gay bias or suspected gay bias case. It so much did not fit the Police criteria that police still called it a suicide until Nov 2017 when finally the Coroner ruled otherwise. There are many other cases with even more indicators that they were gay hate murders (which police actually said, contemporaneously at the time, were gay hate murders) which, in this revision of history, are now deemed not to be. (I have ample digitised media articles in which the NSW Police historically described the cases as gay hate murders. Also, the NSW Police provided their approved and regularly updated list of gay hate murders to the Attorney General's Homosexual Advance Defence Working Party from 1996 and during the years of that Committee).
- 1.32 One of the Flinders Review Team (who I am not naming here) informed me that he witnessed a very heated disagreement between the NSW Police Bias Crime Unit and Strike Force Parrabell with the Bias Crime Unit saying that it was not appropriate for Parrabell to apply the Police Force's current bias crime indicators retrospectively to historical cases where that data was not collected or looked for at that time. He asked me not to repeat that information when he told it to me.
- 1.33 After the Coroner's Nov 2017 Findings in the 3rd Scott Johnson Inquest I sent a message to one of the Flinders Review Team (who I had previously met with and emailed with) suggesting that the Coroner's Finding would have a huge impact on their Report. He responded by saying that it did not and that they were relieved that Scott Johnson was not one of the cases they reviewed. I am still shocked by that comment as it indicates to me a lack of understanding of the impact that Coroner Barnes' findings should have on the entire Police Force method for deciding if something is a gay hate crime or suspected gay hate crime. To ignore the Coroner's Findings and think they relate exclusively to the death of Scott Johnson with no wider impact is shortsighted, tunnel vision and misses the point.
- 1.34 The impact of the Coroner's findings is that the Coroner is demonstrating how to reasonably determine what is a gay hate attack. The Police Force is demonstrably out of step on this issue when current Police findings are examined against their own previous findings and those of others. It is not precise numbers that matter but the disparity of 'NSW Police numbers now' v. 'NSW Police numbers then' and the danger of that disparity.
- 1.35 The Parrabell version uses newly developed narrow criteria of a quasi-evidentiary court standard and applies it retrospectively to a time up to 40 years previous when that criteria was not gathered, considered or collected by investigating police.

- 1.36 Using that as a research practice might be adequate in certain informal in-house situations but not as a research technique when one is a government agency, especially a police force, and is seeking almost two decades later to publicly re-write one's own previous formal historical research and views that were articulated repeatedly and publicly contemporaneously at that time in history.
- 1.37 If we do not carefully and cautiously examine any attempts to go back many years later and replace/rewrite/whitewash history with a newly written narrative containing new 'facts' or revised findings that are very different to the ones we once told and recorded then we are very remiss. I expect that history would judge those who got away with doing that very harshly.
- 1.38 The disparity in numbers is evident if one examines these figures
- (a) NSW Police after 2 years of Strikeforce Macnamir reviewed Scott Johnson's death and held it a suicide
 - (Coroner disagreed, held it death as a result of gay hate attack)
 - (b) current Police Parrabell view
 - (27 murders in 24 years with 3 unsolved)
 - (c) Flinders Review of Parrabell
 - (29 murders in 24 years with 2 unsolved)
 - (d) The original 1990 list of murders in Police Sth Region by Dt Sgt McCann 1987-1990
 - (7 murders in 3 years with 5 unsolved)
 - (e) previous formal 1996 research conducted by Stephen Tomsen using police list of murders for 1986-1996
 - (31 murders in 10 years with 21 unsolved)
 - (f) previous 2000 and 2001 formal research by NSW Police and AIC for decade 1990-2000
 - (37 murders in 10 years with 8 unsolved)
 - (g) previous formal 1996 research conducted by Stephen Tomsen using police list of murders for 1986-1996
 - (31 murders in 10 years with 21 unsolved)
 - (h) previous formal 2001 published research conducted by Stephen Tomsen with a Criminology Research Council Grant 1980-2000
 - (74 murders in 20 years with 19 unsolved)
 - (i) NSW Police Service's previous 2001 list as approved at Assistant Commissioner level
 - (44 gay murders in 10 years)
 - (j) The re-examined, recompiled & conservatively reviewed list of possible gay hate murders by Prof Stephen Tomsen, Sue Thompson, Peter Rolfe, ACON in 2013 – 2015
 - (81 murders in 24 years with 28 unsolved)
 - (k) The even more conservatively reviewed list by Tomsen & Thompson in 2015
 - (71 murders in 10 years with 21 unsolved and extra 10 needing further research)
 - (l) The investigative journalist Rick Feneley extensive online report for SBS in Oct 2016
 - (88 murders in 24 years with 30 unsolved)
 - (m) The ACON Pursuit of Truth Report 2018
 - (88 murders with 30 unsolved)

TABLE 1.38 COMPARISON TABLE SHOWING NUMBERS OF GAY HATE MURDERS PUBLISHED/RECORDED BY NSW POLICE AND OTHERS				
Year Published/Written & Source Time Period covered	Which Years (Ave per yr)	Total gay hate murders (ave per year)	No. unsolved	Location
1990 Det Sgt McCann 3 Year Period	1987-1990 (2.3)	7 (2.3 per yr in 1 Reg)	5	Sth Region
1993 Thompson & Pol at AIC Conf 6 Year Period	1987-1992 (3)	19 (3 per year)		NSW
1994 S Tomsen to Police Wking Party 6 Year Period	1988-1994 (4)	24 (4 per year)		NSW
1995 PWU & NSWPS Out of The Blue 5 Year Period	1990-1994 (4.4)	22 (4.4)		NSW
1996 Dr Tomsen "Gay Killings" 10 Year Period	1986-1996 (3.2)	32 (3.2)	21	NSW
1997 Thompson Chpt in book "Homophobic Violence" ed Mason, Tomsen 7 Year Period	1990-1996 (3.7)	26 (3.7)		NSW
1997 Thompson in NSWPS "Purple Booklet" 12 Year Period	1985-1997 (2.7)	32 (2.7)		NSW
1999 Police & Thomp to AIC 10 Year Period	1989-1999 (4.4)	44 (4.4)		NSW
2000 Publ AIC T&I, Police/Thompson 10 Year Period	1989-1999 (3.7)	37 (3.7)	8	NSW
2001 Published Journal -AIC & Police 10 Year Period	1989-1999 (3.7)	37 (3.7)	8	NSW
Dr Tomsen Publ Hatred Murder Male 20 Year Period	1980-1999 (3.7)	74 (3.7)	19	NSW
2013 Feneley SMH Killing Fields 20 Year Period	1980-1999 (4)	80 (4)	30	NSW
2013 Police Unsolv Hom Unit Report 25 Year Period	1976-2000		8 (agreed of 30 put)	NSW
2014 ACON, Tomsen, Thomp, Rolfe 24 Year Period Very Conserv Review	1976-1999 (3)	71 (3)	24 (21 if v conserve)	NSW
2016 Feneley SBS Gay Hate Decades 25 Year Period			30	NSW
2017 Thompson to Parrabell 24 Year Period	1976-2000 (3)	71 (3)	21	NSW
2018 ACON In Pursuit Truth & Justice 25 Year Period		88	30	NSW
2018 NSW Police Parrabell Report 25 Year Period	1975-2000 (1.1)	27 (1.1)	3	NSW
2018 NSW Police Flinders in Parrabell 25 Year Period	1975-2000 (1.2)	29 (1.2)	2	NSW

1.39 I further refer the Inquiry to my Attached Report to Operation Parrabell [ATTACHMENT 11]

1.40 Finally, without formal intervention by NSW Police Commissioner Fuller (who has an excellent reputation for speaking honestly about mistakes of the past) or by this Inquiry, history will be re-written and changed in the press of a few key strokes. What I refer to as “the new 2018 Police Parrabell narrative of only 27 gay hate murders in 25 yrs (1975-2000) ie 1 per year” will silence, revise and replace “the original narrative once told forthrightly (a) by the NSW Police at a senior level that there were 44 possible/likely gay hate related murders in a 10 year period ie 4 per year”; (b) by the NSW Police themselves in joint research and publications with the Australian Institute of Criminology in 2000 and 2001 that there were 37 independently verified gay hate murders in 10 years ie 3.7 per year; and (c) by other respected criminology academics that there were approximately 80 gay hate murders in that 25 yr period or 3-4 per year”. Even now, each new article in the media since Parrabell launched its Report, uses the revised figures as if they are factual and calls them progress. One article to hand is The Sydney Morning Herald article of 22nd October 2018 <https://www.smh.com.au/national/nsw/gay-beat-to-tribute-bondi-s-marks-park-to-get-hate-crime-memorial-20181015-p509pq.html?fbclid=IwAR2HaszOBmqgFWoVKReumQj2Jwio7hhfQxFDLKKGLPS0rEIRcQ8jQcvAJqk>

2. The 30 yr police response to Scott Johnson’s death (1988-2018) and the Coroner’s 3rd Inquest into Scott Johnson’s death provide a window into the official response to gay and transgender hate crimes, the impediments, the current developments in policy and practice in relation to such crimes and their adequacy or inadequacy.

2.1 Given my significant disabilities I am not able to sit long enough to go through my four Reports to the NSW Police and Coroner on Scott Johnson’s death and narrow down the most pertinent parts for this Inquiry. There are numerous parts relevant to this Parliamentary Inquiry and I would appreciate if the Inquiry would please accept my Reports to/for the Coroner as Attachments which form an essential part of my Submission:

2.1.1 Sue Thompson 1st Report to the NSW Police on Death of Scott Johnson (Report Date 1 February 2011, Report length 9 pages). Sent to NSW Police on 2nd February 2011 offering my opinion [ATTACHMENT 6];

2.1.2 Sue Thompson 2nd Report to NSW Police on Death of Scott Johnson (Report Date 1 June 2011, Report length 11 pages). Sent to Police on 21 July 2011. This updated version included an additional paragraph 1.4 with more details about murders at cliffs. Police provided both to the NSW Coroner in 2012 at the time when the Police temporarily supported the overturning of the suicide finding [ATTACHMENT 7];

- 2.1.3 Sue Thompson 3rd Report to the NSW Coroner on Death of Scott Johnson (Report Date 9 Dec 2016, Report length 22 pages and with attachments a total of 119 pages) **[ATTACHMENT 8]**; and
- 2.1.4 Sue Thompson 4th Report to the NSW Coroner on Death of Scott Johnson which contained 4 pages of additions to my 3rd Report outlining the great historical contributions of some senior police, community members etc to an improved government and police response to hate crimes in the 1990s (Report Date 24 May 2017, Report length 26 pages, no attachments) **[ATTACHMENT 9]**.
- 2.2 I still have difficulty understanding or making sense of the MacNamir Police view on Scott Johnson's death and the certainty of that view being correct over many years, despite extensive enquiries, and despite information which I believe indicated that a likely finding could well have been that he died as a result of a gay hate attack – either by being pushed or chased or falling over the cliff during such an attack. The annoyance with the Johnson family was sadly even demonstrated and witnessed on the day the Coroner announced his formal findings on 30 Nov 2017. It is understandable that some police were surprised and, being human beings, some annoyed by the Coroner's Findings and did not expect them. I expect that the Johnson family and others might make formal Submissions to this Inquiry on several issues. I believe (from reading a Facebook post) that when the Johnson Team met with Commissioner Fuller in May 2018 the Commissioner made clear his acceptance of the Coroner's view and his commitment to a homicide investigation.
- 2.3 It is my observation that police detectives can inevitably sometimes be insensitive about how their actions impact on families and friends of murder victims. Sometimes they are brilliant with families and friends but sometimes they are not which is extremely traumatic for anyone dealing with the murder or death. To encounter police rudeness, antagonism, hostility or indifference on top of dealing with the murder of a loved one can greatly increase trauma in a way that most police would not understand unless they are very empathetic or have lost a loved one to murder. I am also speaking from some of my own experiences with police in dealing with the murder of a close gay family friend in 1989 (it was not a hate crime per se) which finally went to Supreme Court Trial in 2018.
- 2.5 There was clearly some later Police annoyance with me as a result of my 2011 Reports to the NSW Police which I believed were well received at the time and were provided by Police to the Coroner, however, this was at the time when they supported the overturning of the Coroner's 1989 suicide finding. Detectives Willing and Lehmann were both entirely professional in meetings with me in 2013 but the final Police Report of Det Supt Pam Young had several places where parts of my Reports were misquoted or my opinions portrayed in a particular way. Fortunately I am articulate and experienced. I addressed the inaccuracies in detail in my 3rd Report to the Coroner (**ATTACHMENT 8**). Those comments might have been expected to intimidate some people who might have then retreated but I will usually put facts and truth first.
- 2.6 One of my observations in regards to Scott Johnson's death is that Manly Detectives in 1988 would have almost certainly been aware of gay bashings in their area and in the Northern Beaches and aware of their occurrence at beats. Detectives did not work in isolation and crime briefings occurred at patrols as regular scheduled events. There were many modern day

policing strategies in place in the late 1980s. Manly Detectives had only recently arrested a group of four offenders in relation to assaults on eight gay men at various beats over a large Northern Beaches geographical area over three weeks in 1986 (arrests Dec 1986 with court cases taking an unusually long 3 years and involving one offender becoming a police informant in Dec 1987).

2.7

January 1987 – press report of the arrest

Three charged with assaults

SYDNEY: Three young men have been arrested at Manly for an alleged series of assaults on homosexuals in public lavatories.

Police said yesterday that the 17, 18 and 21-year-olds faced a total of 40 charges, including assault and robbery.

A spokesman said that in the past 12 months there had been a

series of assaults and robberies of homosexuals in public lavatories in Narrabeen, Reef Beach and other parts of northern Sydney.

The men arrested had been charged in relation to these assaults and others, including an attack several weeks ago on a priest while he was out jogging. They had been released on bail until Monday.

2.10 My point is that given bashings were known to be occurring in the area, given my experience that some young people in those days were even quite happy to boast to police about their gay bashing exploits (because some thought police were on their side and approved of it) it is hard to understand why those offenders weren't interviewed as to their

whereabouts and/or in case they had any knowledge of other possible gay bashing offenders who might have targeted that beat area. Gay bashings and serious anti gay violence were certainly known as a problem to police in that general area in that era and as was demonstrated with the four arrested, they travelled to many different locations to carry out their crimes even on the one evening. Police know that even where there is just one arrest there have usually been many more crimes committed, unreported and unsolved.

2.11 As I detailed to the Coroner, I learnt in 1990 when I first began my job in Police HQ that police were extremely well aware of beats in their Local Area Commands. Just as it was a high priority in many police areas so too dealing with beats issues became a significant part of my job. The first gay hate murder I had to deal with was during my first week in Police Headquarters. Det Sgt McCann rang me. It was the brutal bashing, kicking and stomping to death of Richard Johnson at Alexandria Park by local school students and ex students in the previous week. Unfortunately I will never forget that photo of Richard Johnson but much more unfortunate for Richard Johnson and his family and friends.

2.12 Murders were also a huge part of my job. In that first week I realised that murders could easily take place at beats because beat users were unlikely to report violence at beats and serial bashers could easily become murderers. Over time I realised that unless the Police Service found a better way of handling beats that there would continue to be murders. Fortunately in 1992 the Commissioner agreed when I took him a list of 51 quite serious complaints about Policing strategies at beats. It was an issue police took particular notice of.

2.13 The beat in and around Blue Fish Point was a notorious beat, well known to those who lived nearby included those in Army Barracks. I note the very first time investigative journalist Daniel Glick went there for research on his first Australian trip for Steve Johnson, the very first person he stopped to ask about the area was not gay himself but knew all about the beat from back in the day when he worked in the area. I am trying to convey this was a well known beat for a long period of time, most police are not fools and many have naturally inquisitive natures.

2.14 For example - 27th April 1977 Article "And to catch those breaking the law, they had to cover the peninsula's 34 beaches and 11 pools.... They have busted homosexual activities at North Head, arrested nude bathers at a number of beaches, worked in liaison with other police to arrest people on drug charges and have grabbed thieves red-handed..... "They did a top job," Detective Sgt W. Cooper, head of the Manly CIB, said yesterday



2.15 In my first report to the NSW police in 2011 I clearly stated that I did not think that fault should be laid at the feet of police for the original investigation into Scott's death in 1988 and that it should be seen in the context of policing on gay issues in that era. Regardless of my preference to offer a path of peace, the November 2013/2014 NSW Police Report on Scott Johnson's death in several places seemed to have the intention of intentionally discrediting my opinion and my genuinely held views, sometimes with inaccurate statements and even by misquoting my written words. I was not well enough to read the Police MacNamir Report but, after those personal criticisms were drawn to my attention by journalists, I ultimately responded to them in my third report to the Coroner in 2016.

2.16 I refer to one of those Police comments **"Without verification, Ms Thompson states that she is a world recognised expert on gay hate crimes and homicides"**.

Quoting from my response in my 3rd Report to the Coroner, 2016, at paragraphs

22. *I did not in my previous report claim in the present tense that I **am** a world recognised expert. That does not accurately portray what I wrote in my report to NSW Police in 2011. I specifically stated that for many years I **was** a world recognised expert. That distinction goes to the substance of my comment - "I was for many years a world recognised expert on gay hate crimes, gay hate homicides/murders and strategies to reduce gay and lesbian hate crimes. My reputation was a result of my highly respected work and achievements in the NSW Police Service". I again refer to what I said above in Paragraph 5 regarding the term expert.*

23. *To go further and address the current Police Force Report's possible aspersions on my genuine historical expertise in this area I submit a document which I maintained when working in Police (**Police GLL Program, History and Achievements – 31 pages**). In 1990 I was advised by senior public servants that I must protect myself going to work in such a sensitive job in Police as there would be many who would wish I would fail and work actively towards that end. I was advised to record everything, important phone calls, all meetings, all projects etc. That was advice which I took seriously, hailing from a background in law and as an Investigation Officer in the Ombudsman's Office. I formally opened registered police files on every issue I worked on. I kept detailed records. I was also aware that it is easy and sometimes tempting for an organisation or some within it to re-write history on sensitive issues without a formal traceable, searchable record.*

24. *That 31 page document is only a brief selective summary yet I trust will provide ample evidence of the international and national reputation I had on these issues, of the many areas where my expertise was sought and a timeline of my annual work and key achievements demonstrating this. When I was employed by the NSW Police, for the most part they appreciated my opinions, professionalism and impartiality and enjoyed their recognition and status achieved nationally and internationally through my achievements. I suggest it was my reputation that assisted the organisation in gaining much credibility on these issues. I am not a different person now to who I was then. Although I now have physical disabilities I do not have mental ones, professional or indeed moral ones.*

2.17 Scott Johnson's tragic death was at a gay beat in Dec 1988. It is Scott's death, the ensuing unprecedented Police and Coronial Inquiries, the TV documentaries (ABC then later SBS), the in-depth investigative media stories (SMH & SBS), the TV series and the Reports thereafter (Parrabell and ACON), that have led us to this Parliamentary Inquiry. If not for Scott's death in Dec 1988 the old gay hate homicides would never have come up again in this way. No-one would have felt the need to open the door of the time machine, the TARDIS or the Starship Enterprise and take current day police bias crime criteria forms and time-travel back with them into the past and attempt to say there weren't really on average 3.7 (AIC & Police) or 4 (Police) or 4.4 (Police) gay hate murders each year from approx. 1980 – 2000 as we once said but there were really only 1.1 (Police 2018) or 1.2 (Flinders 2018).

2.18 Scott was most likely pushed in terror over a cliff or chased over the edge. I will never forget watching the crime scene interview of one juvenile murderer at a clifftop as he explained matter of factly, just how easy it was to "just herd them over the edge". Beats have always been a challenging issue. To assist the Inquiry or anyone who gets stuck on that issue, I include some other sections from my 3rd Report to the Coroner.

Quoting from my 3rd Report to the Coroner, 2016 about beats and my knowledge of beats, at paragraphs:

55. *I spent 12 years dealing with beats and beat violence. I learnt, contemplated and discussed all the issues around beats continually. Firstly, because ambush murders were happening at them at alarming rates. Secondly, because they were singularly*

the most heated, emotional and difficult issue when training police, Police Commanders etc. Each time I trained police I had to almost wear body armour for the discussions on beats. It was legendary amongst the Police GLLOs who assisted me with training – ‘oh no here we go again, not beats, not again’. It was at times dramatic, for example when educating a large number of selected Patrol Commanders on beats in 1992 at the Sydney Police Centre as referred to in my previous reports. This took place at the request of Commissioner Lauer because of the seriousness of the complaints of police misconduct at beats and the spiral of escalating violence leading to murders:

harassment and intimidation by police at beats -> beat users fear of police -> bashings not reported to police -> escalation in number and brutality of bashings -> murder.

56. *It was an issue that many police felt very strongly about, to say the least. I knew a lot more about beats and why men went to them, than most people would ever know or want to know in their lifetime. I had no choice, it was a significant part of my job. I had to become an expert on beat users, police behaviour at beats and bashers’ MO at beats. It is possible that I might be one of the most impartial experts on beats. When I say “typically many gay men would go to a gay beat to celebrate some good news they had just received”, I say it because I know it to be a fact. That comment is not an unproven example. Most men never disclose that sort of sexual behaviour. Like many straight men don’t easily disclose cheating on their wives and girlfriends and especially if it means going to a beat.*
57. *I have always found it important in understanding beats and helping others to understand beats, to realise that beats are really about male sexuality rather than homosexuality (see further discussion below 61-67). It is useful to look at the common denominators in male behaviour rather than immediately lining up the assumed differences between straight men and gay men. In relation to the question of going to a beat to celebrate good news, the question to ask then becomes more appropriately ‘is it common or typical for men to want to have sex to celebrate some good news?’*
58. *There is also thrill, excitement and risk taking that can be a common or inherent part of masculinity as expressed by some men or indeed expected of men. That same drive can attract men who have sex with men to beats. For example a true story - someone might live next door to KKK, a previous famous men’s bath/sauna house in Kensington but prefer to go to the night time beat at Bondi*
59. *Also entering a gay venue, of whatever kind, whether hotel or sex on premises venue, requires varying degrees of social interaction or a confident mood, whereas a beat does not. Quick, free, anonymous, no performance anxiety, no expectations.*

And then further in my 3rd Report to the Coroner at paragraphs:

62. *The phenomenon of beats is often very hard to understand. Beats were an historical phenomena, in some areas they may still be. I spent countless hours and days training police about beats and dealing with their understandably*

emotionally charged response to them. Beats are a complex issue, a complex phenomena.

63. *The most effective way I learnt to explain beats was as follows in the next 3 paragraphs.*
64. *Beats are about male sexuality, not about homosexuality. They speak about men not about homosexuality. Generalising - in a heterosexual context women often create a moderating influence on male sexuality.... think courting and commitment. And my line that really made cops understand - Sue: "imagine for a moment, if there were special locations (eg clifftops, public toilets, parks) where women were willing to have free, anonymous, quick sex - no money, no questions, no dating, no dinner, no flowers, no niceties, no commitment....what do you think would happen...the traffic queues would block Sydney!" Cops: "YEAH DEFINITELY!". Sue: "well that is what beats are. No moderating female limits, but two men both happy to have free, quick, anonymous sex. (I am not suggesting that all heterosexual men would join those queues).*
65. *If police behave unprofessionally at beats then they create an atmosphere where men are too scared to report violence. Without intervention opportunistic bashers escalate into murderers and some into serial killers. And that was exactly what was happening. Many deaths remain unsolved, especially those in cliff areas where the murder could be misinterpreted or ignored as a suicide.*
66. *Also, out of the history of male homosexuality being a criminal offence, originally punishable by death in NSW and elsewhere (and still in many countries of the world) beats were inevitable. If you were gay or bisexual or wanted male male sexual activity you had to be secret, hidden, and surreptitious or be bashed, killed, murdered, lose jobs, lose families, lose everything.*

- 2.19 When I had the pleasure of training and working with the NSW Police GLLOs for twelve years we often used humour as a coping mechanism or just for the sheer light heartedness of it. We sometimes laughingly adapted the Star Trek phrase into **"TO BOLDLY GLLO WHERE NO-ONE HAS GONE BEFORE".**

It is my sincere hope that this Parliamentary Inquiry will foster some boldly GLLOing or boldly going forward.



3. There is an historical problem of the New South Wales Police treating the LGBTI program/policy area differently from equivalent program/policy areas as evidenced by the historical recurrence of different grading for co-ordinator positions with identical statements of duties and different levels of allocated staffing resources before and during my time in that role (1985-2002). This provides a window into the official response to gay and transgender hate crimes, the impediments of the past and a useful way to measure the adequacy or inadequacy of current developments in policy and practice in relation to such crimes.

3.1 Historically the NSW Police has at many points in history repeatedly treated the gay and lesbian program/policy/client group area differently to other equivalent areas. In my Timeline I have summarised some of these points in history.

3.2 Very briefly, when the NSW Police Service initially set up the Community Relations Bureau it established community relations positions for youth, aboriginal, ethnic, domestic violence. It is my understanding that it was the Hon Peter Anderson, Police Minister who insisted that the Police Service also establish a gay liaison role. It was Peter Anderson himself who told me this story at a government function. Initially a police sergeant who was doing aged liaison then became the aged/gay liaison person. This certainly caused some ripples in the gay and lesbian community and eventually representations were made to the Police Minister and a position, although not formally established, was advertised. Fred Miller, a previous MP himself, became the first full-time person in the position (1985 to 1989).

3.3 After Fred Miller retired the gay and lesbian community approached the Police Minister, the Hon Ted Pickering requesting that a formal position be established and advertised at a suitable senior level. I applied for that job at the end of 1989 and commenced work in January 1990.

3.4 After I had settled into my job I became aware that the equivalent client group positions for aboriginal, ethnic etc had identical formal statements of duties to my position but were graded one level above my position. I decided to wait for a year until I could demonstrate my skills and achievements and then draw the organisation's attention to this inequitable situation. At this point my job was a grade 8 (I had previously held positions up to a grade 9/10 in the public service). I wrote a detailed submission to the Hon Ted Pickering and he called myself and the then Human Resources/EEO Manager, up to his office, discussed the issues and they resolved that the job would be regraded.

3.5 Some years later, the Police Service would again increase the grades of the equivalent client group areas to grade 11/12 but leave the grading of my position at grade 9/10. At that point in time all the other client group areas were given additional staffing resources to their areas/issues but I was expected to carry an excessive and oppressive workload which I documented and wrote detailed submissions about from time to time.

- 3.6 At various times the various Assistant Commissioners who were Corporate Sponsors on gay and lesbian issues tried their best to get support from the organisation to remedy this situation but it proved to be very difficult. Assistant Commissioner Ike Ellis, OAM, well known for his strategic vision and negotiation skills on the most difficult issues decided that the best way to force/encourage the organisation's hand was to finally get the Lesbian and Gay Policy Statement And Action Plan approved through the Commissioner's Executive Team (CET) with an accompanying submission regarding appropriate resources for the lesbian and gay client group area. It was his goal to get that document finally approved before his retirement in 2000 but there were hurdles to leap.
- 3.7 Other equivalent client group positions had full-time staff working with them and they also had full-time liaison officers in the field who could carry a lot of the load of local policing issues.
- 3.8 In the gay and lesbian client group area I had one full-time staff member working with me for 18 months in the mid-1990s and then one of my bosses removed him from that position and refused to provide any replacement. That staff member was greatly respected by senior police as he worked mainly for the Commissioner on various senior level committees for some time before he worked for me. My boss's explanation of why he removed him from working for me was that "he was over invested in the position". I understood this clearly to mean that my boss's view was that because my staff officer was himself gay that therefore he was inevitably somehow "over invested". This would not have been a complaint that would ever have been levelled or voiced against someone who was aboriginal working on aboriginal issues, ethnic working on ethnic issues etc. That comment spoke a lot about the levels of prejudice and discrimination that were encountered.
- 3.9 While other client group areas had 2 to 3 full-time staff working for them I then had none. Nor did I have full-time liaison officers in the field like they had. The police GLLOs took on the GLLO role as an additional duty to their other full-time duties. Some were well supported in that role, some were not and some experienced discrimination. I was also the only client group consultant who trained their own liaison officers, the GLLOs in this instance, at the Police Academy. The workload of my job was ridiculous and excessive but I did my best to do as much as I could. I am attaching my work plan for 2000 which lists the major projects I was working on at that point in time **[ATTACHMENT 13]**. It is interesting to note that Project 1 related to Monitoring Gay Hate Homicides and maintaining the Police Service's Gay Hate Homicide List.
- 3.10 The response of one particularly difficult boss of our branch to my formal complaint about the untenable workload was to then make me do a formal weekly report to her of exactly what I was working on and needed to work on so that she would determine what she considered to be necessary and what could be left undone. For example, she considered that contact/liaison with the gay and lesbian community was unnecessary, a view that would never have been articulated on aboriginal or ethnic issues. These formal weekly meetings significantly increased my workload as I had to explain and be questioned on endless details. In my opinion the strategy was a form of punishment rather than a solution, an increase in control rather than support.
- 3.11 I am only repeating these stories to the Inquiry because they are important windows and provide insights which allow some measure of whether the organisation's response to

hate crimes is adequate or inadequate or in the wording of the terms of reference “to the extent that past impediments are identified, how effectively these have been addressed by current policy and practice”.

- 3.12 If we want to properly assess and understand how the Police Force responds to hate crimes it is very important to look at how the Police Force responds to and resources the coordinator position for LGBTI. If that position is still graded differently, provided with a different level of staffing resources and support then that inevitably indicates and reflects upon the Police Force attitude to related issues for that portfolio including hate crimes in the field. It is not possible to separate these things out. They are intrinsically linked and reflective.
- 3.13 I do not know have any personal knowledge at all whether this inequity is still the situation but it certainly needs to be examined by the Parliamentary Inquiry. I have not had any discussion with any current NSW Police Force employees at any time about it or any of the other issues covered in my Submission or related thereto.
- 3.14 There are inevitable problems with continuing to flag to the organisation that one area (or client group) is less worthy or important than others. Senior officers pay attention and notice such difference, read into it what they will and then reflect it to their own troops. Terms such as tokenism, poor cousins spring to mind. Actions will always speak louder than words and especially so in an organisational context. Differential support and resourcing engenders differential treatment generally and inevitably models ‘acceptable’ attitudes, policies, procedures, actions which may in fact not be acceptable but be discriminatory without anyone perhaps even consciously realising. That is the nature of discrimination and prejudice – assumptions become invisible.

4. My opinion that irrespective of the skills, commitment and genuineness of individual officers it is important that a Police corporate sponsor/spokesperson on LGBTI issues should be of sufficient rank to influence other senior police, to hold the big picture in focus and to disagree when necessary with sufficient weight to be heard ie needs to be of Assistant Commissioner level. A local area commander does not have sufficient weight or perspective despite their genuine intentions. Importantly, an assessment needs to be made of whether the rank of the LGBTI Corporate Sponsor is the equivalent rank to senior police doing equivalent corporate sponsor jobs for ethnic, aboriginal etc.

4.1 My twelve years of experience working in my role in Police Headquarters showed me time and again that highest level senior police officers were generally more able to hold a big picture view on sensitive issues. At times of some of the most serious problems in police gay/lesbian relations sometimes even the best chief inspectors or superintendents were not capable of having the same vision of a problem and how to solve a problem as was someone of Asst Commissioner, Deputy Commissioner or Commissioner level. On one occasion in 1990 I sat in Commissioner Avery's office with the Deputy Commissioner and region commander regarding a high-profile public relations disaster. Their different responses clarified something that I would witness many times:

- The region commander's view was that he did not think his Local Area Commander would have put someone in charge unless he trusted them, further that he could not determine what really happened until he had interviewed his Patrol Commander etc
- the Deputy Commissioner's view was that he could not determine what really happened until all the complaints were properly investigated by internal affairs
- the Commissioner turned to me and said "what do you need me to do to fix this situation".

4.2 Assistant Commissioner Alf Peate was an absolutely brilliant corporate spokesperson on gay and lesbian issues for many years. When he retired in March 1997 he said to me "things will be very difficult for you Susie for the next couple of years after I go. Please hang in there it will get better and you have achieved too many great things to give up". I actually had no idea how much Alf Peate had protected me and my job until after he was no longer there and my job then became very difficult to the point where I actually drafted a preliminary complaint to the Anti Discrimination Board at the end of 2001. It was not formally progressed because I was injured in March 2002.

4.3 It was the obvious effectiveness of my team work and work model with Assistant Commissioner Alf Peate that had decided the organisation to establish Corporate Spokesmen/women/sponsor for client group program/policy areas. Until that time they were

only used for things like Road Safety and key public/media issues in the Corporate Plan where the organisation needed quality control of key issues.

- 4.4 After Alf Peate retired there was no mention of a new corporate sponsor. I eventually decided to wait and use it as a kind of litmus paper test to see if anyone senior would realise that I no longer had a corporate spokesperson and that one needed to be appointed. I waited for 18 months and eventually went to paper in a submission to the Commissioner describing the under resourcing of my position, the extremely excessive workload and the fact that there had been no corporate sponsor for 18 months.
- 4.5 The Commissioner was visibly shocked and initially did not believe me that there had been no Corporate Sponsor for 18 months. He made a phone call to his staff officer to check and was informed that what I said was correct. He suggested a couple of officers who were definitely dedicated and committed supportive senior officers but I explained to him that it needed to be someone of Asst Commissioner level for them to be effective. I recounted various stories explaining how I had learnt that lesson.
- 4.6 My next corporate sponsor was Assistant Commissioner Ike Ellis and upon his retirement Assistant Commissioner Christine Nixon. Upon her resignation to head up Victorian police there was Asst Commissioner Garry Dobson. They were all excellent corporate sponsors.
- 4.7 The LGBTI portfolio is one of the most difficult for the Police organisation for many reasons. It is easy to underestimate the complexities of it and the importance of having enough seniority to oversight and support the portfolio and those undertaking work in it. In my experience there are many ways in which homophobia, prejudice and discrimination creep in without anyone being aware that they are factors. Some prejudices are much harder for people to see and recognise. On the many occasions when I needed support for difficulties that were happening in my role I sought the advice and guidance of Asst Commissioners.
- 4.8 The other important factor here is that the corporate sponsor for gay and lesbian issues should definitely not be less senior than the corporate sponsors for other comparable issues. To choose someone of a lesser rank regardless of how talented, committed or genuine they are is a recipe for organisational problems and differential treatment. It flags to the organisation a certain attitude and an assessment of priority and importance. That attitude will then be reflected in many other corporate decisions and actions, both large and small including in policies, practices and procedures relevant to hate crimes.
- 4.9 It is my strong opinion that the NSW Police Force needs to always ensure that this situation is equitable in practice and is visible as such.

5. It is my opinion that in the Alan Rosendale bashing, that relevant police records are likely to be accessible from NSW State Archives given what recently transpired with the Lyn Dawson case when Ombudsman's records were obtained despite even the Ombudsman's Office incorrectly saying there were no such records in existence.

- 5.1 My observation in relation to the **Alan Rosendale** bashing, is that relevant police records should be accessible from NSW State Archives given what recently happened with the Lyn Dawson case when Ombudsman's records were obtained despite even the Ombudsman's Office incorrectly saying there were no such records in existence.
- 5.2 My attention was drawn to the Dawson case when a friend saw my name in an article and asked if it was me. I then realised I was indeed the initial Ombudsman's Investigation Officers whose Case File Note had been published – indicating my concern about the case. I believe the same would be true with this matter. There will most likely be State Government records of some kind. The only thing is to find out the correct terminology for the correct police documents when making the request to State Archives. An experienced ex Internal Affairs officer should be able to advise the Inquiry of the correct documents to request.
- 5.3 In the context of my Historical Timeline (**ATTACHMENT 1**) I have occasionally pondered the timing in Fred Miller leaving on sick leave soon after the meeting that took place on the upper floors with senior police, however that is merely my pondering. Fred suffered mesothelioma and sadly passed away in 1992. I tried to ring Fred twice in early 1990 to thank him for his work and to ask him some questions but he did not ring back. I would be sure that a man like Fred Miller would have been very disturbed about the bashing witnessed by Simes and the discovery that Police were the bashers. This would be even worse if he found out that Alan Rosendale who was so severely injured was not going to be told that it was police. It is of course quite possible that Fred Miller was also never told of the existence of Alan Rosendale as the victim and only knew of Simes as the witness. Either way he would have been perturbed by this issue and it is conjecture of me to say but he could have found himself in the position of "tell" or "leave". We will never know the answer to that and I can only imagine how I would have felt if confronted with a similar situation that might make one's job (that one cared very much about as I am sure he did) untenable.

6. One of the key event periods in my Hate Crimes Timeline (Attachment 1) is the 1994 Australian Heads of Government Violence Prevention Award presented to NSWPS in February 1995 and the February 1995 launch by Police Minister Garry West of Out of the Blue, A Police Survey of Violence and Harassment Against Gay Men and Lesbians at NSW Parliament House. That launch is relevant to the current police response and historical issues with transparency and publishing of violence / hate crime research.

6.1 In the early 1990s, the NSW Police Service was conducting Community Attitude Surveys.

6.2 It was decided to also fund a survey on anti gay and lesbian hate crimes, people's experiences of with violence and their experiences and perceptions of Police. Tenders were opened and we selected Price Waterhouse Urwick (PWU) for the survey task. They ascertained, as the survey experts, the best methodology and that the best way to do a non self selecting survey was to administer one at a large gay and lesbian community event.

6.3 They prepared the survey format, conducted it at Mardi Gras Fair Day in February 1994, crunched the data and cross tabs and did a basic analysis of results. We then jointly analysed the results in comprehensive detail and crunched many more cross tabs to check significant results.

6.4 The Report was then written by myself and in a secondary role Jewly Sandroussi (Senior Consultant PWU) only because PWU realised at writing stage that they did not have sufficient level of understanding of gay/lesbian hate crimes to explain the results in a comprehensive way.

6.5 The key findings in the Out of the Blue Report [ATTACHMENT 14] were:

- Fear of victimisation for self/friends much higher than general community (90% v 56%)
- Lesbians were at least 6 times more likely than other Sydney women to experience assault in 12mth period
- Gay men were at least 4 times more likely than other Sydney men to experience assault in 12mth period
- High level of verbal abuse – 52% lesbians, 48% gay men
- High level of multiple victimisation (33% experienced >3 incidents in 12mths)
- Apparent motive in 70% cases was homophobia (robbery in only 7%)
- 72% of lesbians and 51% of gay men had modified their behaviour (hide sexuality, avoid locations, use streetwise or defensive strategies)
- 18% reported incidents to police (most didn't because believed nothing could be done or not important enough)

6.6 I will return to the rest of the Out of the Blue story below but will just add some further context to show that this was a period of much national interest in and scrutiny of the Police Service response to hate crimes.

6.7 Also in 1994, I was asked by the head of the NSW Police Media and Marketing Unit to prepare a submission for the Australian Violence Prevention Award describing my program and work and

our close co-operation with the lesbian and gay communities to reduce violence, crime and fear against the lesbian and gay communities. I prepared a detailed Submission. The entries from around Australia were assessed and the Australian Heads of Government awarded first prize jointly to the NSW Police Service Program 'Reducing Violence Crime and Fear in the Gay & Lesbian Communities' and to the NSW Lesbian and Gay Anti Violence Project. The result was a great honour for the NSW Police Service. The fact that first prize was shared between the Police Service & the community based AVP was a testament to a huge amount of change and achievement and an effective model of community based policing.

6.8 My 1994 Submission to the National Violence Prevention Award Committee (which is included at the back of the Out of the Blue Report) was later expanded upon and turned into a booklet known as 'The Purple Booklet' which I provided to conference participants when Joint Keynote Speaker with UK Home Secretary Jack Straw, at a UK Conference at Brighton in 1997 "Building Partnerships Towards Community Safety". It is formally titled **Improving Police Gay/Lesbian Relations and Targeting Hate Crimes Against Gays and Lesbians [1985 to 1997]**, Sue Thompson NSW Police Gay/Lesbian Client Consultant, NSW Police Service [ATTACHMENT 15]

6.9 1995 was the United Nations International Year of Tolerance – I only know that because it is on the inside front cover of the Out of the Blue Report. I witnessed a striking battle unfold between the Minister for Police and Emergency Services, the Hon Garry West (with his media adviser Mark Davis) and some managers / senior officers in the NSW Police Service on the issue of whether the results of the Out of the Blue Survey would be released to the public or kept hidden. I would not normally recount such an experience publicly, however, what transpired is relevant to the issues of the Inquiry. It demonstrated some starkly contrasting views within the then Police Service about whether one revealed the extent of the hate crime problem or tried to keep it hidden. I suspect some of those cultural issues would inevitably still exist in pockets and influence attitudes and actions on gay, lesbian and transgender hate crimes and related policies and procedures.

6.10 There had been much positive publicity about the Police Service doing the Violence Survey in 1994 and the lesbian and gay communities were understandably very interested to see the results.

6.11 Everything seemed to be going along smoothly as the deadline approached for the Launch of the Survey Report. The Police Minister himself wanted to launch it because of the long history of Police Ministers taking a stewardship and oversight role on the issue of gay and lesbian violence. They were concerned about it before the Police Service itself was concerned. That concern started with the Hon Peter Anderson and had continued with Police Ministers whether Liberal, Labour or National Party. That long history is described by me in other documents and in my Timeline.

6.12 The Hon Ted Pickering had launched The Streetwatch Report for the Gay and Lesbian Rights Lobby in 1990 and established the Government's Streetwatch Implementation Advisory Committee which reported to him. The Hon Garry West, Minister for Police and Emergency Services had launched the **Final Report of the Streetwatch Implementation Advisory Committee at Parliament House in June 1994 [ATTACHMENT 16]** and this would be the first opportunity for him (or any Police Minister in the world) to launch the Police Service's own research on anti gay/ lesbian violence. This was seen as a very positive step forward in police gay lesbian liaison and police gay lesbian relations.

6.13 The Survey report was formally approved through my Branch and Unit heads, the Commissioner up to the Minister. The Survey was then designed for printing by the Police Printing Service. The Launch dates had been set, Parliament House booked and invitations sent out.

6.14 **Out of the Blue, A NSW Police Survey of Violence & harassment Against Gay Men and Lesbians** was at the Galloping Press Printers at Earlwood the week before the launch when the printers rang our HQ Printing Service to say that they had received a call directly from Police Headquarters to pull the Report from print. I had no idea what was happening or why it was happening nor had I been informed. Over many phone calls I eventually discovered that one of my bosses, either our Branch boss or his boss's boss, our Unit boss, had stopped the printing. The initial reason he gave me was "we do not want the results made public". I explained that was not possible when the Police Service and Minister had approved everything and announced it would be released publicly and launched at Parliament House on a particular imminent date. I explained it would be a gay/lesbian community relations disaster of epic proportions.

6.15 He further explained that "the results should not be public, they should only be used as a management tool". I knew what that meant. It meant they should be hidden from public view and scrutiny – no transparency, no accountability. He (or whoever senior had instructed him or decided with him) did not want the extent of the violence and harassment made public. He (or whomever from the Police Service) did not want the community to have the power that truth and information bring with it. The ability to ask the government for action to address and reduce the serious violence was at stake. Without some statistical evidence, beyond that of the community, it would remain harder to argue for change.

6.16 I was in a difficult position which I described as being "piggy in the middle". I had kept Mark Davis of the Minister's Office informed of what was happening and he had sought the Minister's advice repeatedly through the ordeal. The Minister insisted that the Report would be printed and that he would be launching it at Parliament House as he had publicly announced. He eventually rang me and asked me to advise the Unit Head what he had said. The conflict escalated. The printers' deadline for getting 2,000 copies of the Report printed and delivered was quickly becoming impossible. Without the Report there would be no Launch. My boss advised me that he did not care what the Minister said and that it would be the Police Service who would make the decision. To and fro this continued with "piggy in the middle" feeling extremely uncomfortable and sensing with some dread that there would be a price to pay and that I would be the one to ultimately pay it.

6.17 To shorten the story, eventually the Minister rang my Unit boss directly and instructed him that the Report would be printed by Galloping Press and that the Minister would launch it at Parliament House on the Tuesday 21 February 1995 as he had announced. My boss was still declining to co-operate and declining to pay the printer which he thought was the trump card. The Minister responded that if the Police Service would not print the Report then the Minister would pay for the printing of the Report from his own budget or indeed out of his own pocket if necessary and that he would ring the Printers and authorise it immediately unless my boss would make the call. My boss finally agreed and the Report proceeded.

6.18 By this stage the Printer had advised that the only way of printing even a smaller number of the 60 page Reports was for him to bring his printers and staff in on the weekend and

pay them special rates. My recollection was that the price of the printing increased by \$1500-\$2000 as 4 staff were needed to work over the weekend to make printing plates and print the Report ready for Parliament House on Tuesday morning.

6.19 This story in my opinion, albeit occurring in 1995, gives some valid historical insight into how a policing organisation can deal with publishing hate crime statistics and the resistance thereto and complexities therein.

6.20 My job was made very difficult for some period after this incident and I thought it likely that some senior people remembered it for a very long time.

6.21 As I have mentioned previously, when describing the main points that I would cover in my Submission, there are many key events in the Hate Crimes Journey. I have listed them in my Timeline and I am able to answer questions on or describe them in further detail if required.

7. The role and support of the GLLOs cannot be underestimated as an informative litmus paper test for how well the NSW Police is travelling on LGBTI issues generally. This will also give useful information on how well the organisation is travelling in its policy and practice in dealing with gay and transgender hate crimes.

7.1 NSW Police LGBTI officers, known as GLLOs, are a key part of NSW police liaison with the LGBTI community, for building trust with the community, for encouraging the reporting of violence and for reducing hate crimes against the community. They work at the coalface and in the field. Sometimes they are also the support people for gay and lesbian police who encounter discrimination and prejudice.

7.2 It would be naïve to think that in 2018 discrimination, prejudice and prejudice related violence do not still exist and wreak havoc in people's lives and in our community. I am attaching two recent photos – one which I have taken from a newspaper website and one from an acquaintance's social media page.



From an acquaintance's social media page. She took this photograph on 7th Oct 2018 (while a man was painting it) and posted another photo with him in it.



Poster on street post in Townsville Sept 2018, available on Star Observer website

7.3 GLLOs are not full-time in that role like some other liaison officer positions. They are usually very committed and professional police with a passion for community policing, fairness and helping to make the world a better place. I count many of those whom I worked with as some of the best people I have met in my life.

7.4 I also witnessed over a 12 year period, the highs and the lows of performing that role. It could be incredibly rewarding and satisfying but also challenging and sometimes demoralising. Many of the cops who took on that role were remarkable people and great cops.

7.5 I refer to the twenty year old 1997 and 1998 GLLO workplace surveys. At this point in time I only have to hand the 1998 workplace survey (**ATTACHMENT 17**). Although the survey is 20 years old it is still valuable. It would be interesting to know how GLLOs would answer now.

7.6 Some of the key findings of that survey were

GLLO Role

- 46% thought management respond positively to the portfolio
- 48% thought management respond indifferently
- 6% thought management respond negatively due to extreme homophobia

Management respect for role

- 41% felt the commander gave the role high to very high level of respect
- 33% felt the commander gave moderate respect
- 14% felt the commander gave low to very low respect
- 12% did not know

Colleagues response

- 29% felt colleagues respond positively (this varies significantly by location)
- 44% for colleagues respond indifferently (location again)
- 26% said colleagues responded prejudicially to them due to their role

bigger problems

- 21% identified homophobic, unprofessional police as a major problem
- 17% identified there being no set time for the duties
- 15% identified having little contact with the LGBTI community

Time allocated, rostered or spent

- 84% given no set time by supervisor or commander to perform role (see locations)
- 24% use their own private time on duties each month

GLLO activities and crimes

- 51% had contact with gay and lesbian victims of crime
- 40% had contact with neighbour harassment
- 28% had contact with hate crimes against gays and lesbians
- 15% had contact with sexual assaults on gays and lesbians
- in five regions more than 30% of GLLOs had contact with gay and lesbian hate crimes (66% Hunter, 63% Endeavour, 40% Northern, 33% City Eastern and South-Eastern, 30% Greater Hume and Macquarie)
- 54% said there was a verbal abuse/homophobic abuse in the local environment
- 45% said there was physical abuse
- 24% said there was derogatory graffiti

Behaviour of Other Police Towards Gays and Lesbians

- 75% of field-based GLLOs think their colleagues exhibit prejudicial behaviour towards gays and lesbians
- 49% said colleagues told jokes
- 42% said colleagues made stereotypical gestures
- 37% said colleagues use derogatory names
- 33% said colleagues gave a different response to gay and lesbian clients as opposed to heterosexual clients

- 10% said colleagues exhibited prejudicial behaviour often/regularly to gays and lesbians
- 38% said sometimes to gays and lesbians
- 17% said hardly ever to gays and lesbians
- 35% said never to gays and lesbians

Behaviour of other police out of earshot of gays and lesbians

- 15% said colleagues exhibited prejudicial behaviour often/regularly
- 48% said sometimes
- 13% said hardly ever
- 23% said never

Customer Service

- 57% of GLLOs believed that a high proportion of police provide good customer service in 1998 compared to only 15.8% in 1992
- Only 3.8% believed that a low proportion of police provided good customer service compared to 44% in 1992

7.7 As another of those wonderful ex GLLOs and ex police officers recently said to me “being an Australian, an ex police officer, a gay woman, a victim of gay bashing, a gay and lesbian police liaison officer, a mother - I thank you for your hard work in having this heard. I admire your determination in having the truth documented. I am not sure where you get all that emotional energy from but keep it going - we all appreciate it”.

8. I recommend that the Inquiry formally request that either the National Library of Australia or the State Library prioritise the establishment and curating of a National Collection on Gay and Transgender Hate Crimes.

8.1 It is essential for a government library to gather, acquire, collect & make accessible certain documents, booklets, items, research, resources etc so that they are available for future research, historical access & accuracy. A thorough history can demonstrate the contemporaneous history of this violence, the research on it and the government and community response to it. Researchers, historians, social commentators, academics, students and media can then form their own opinions on any distance yet to go in addressing the problems. NSW has at one time been a world class leader on these issues. If accurate information and access to this information is eroded over time (which obviously can easily happen without safeguards in place) it is far too easy to re-write history and suggest it never happened or indeed as has been done with the Parrabell Report to say ‘we have now had a closer look and it was not really as bad as people once said, it was only a “so called crime wave” ‘.

8.2 I have a thorough, detailed, digital list of all documents, items etc in my personal collection.

In Conclusion

I am someone who dislikes conflict and dwelling on the past without the goal of moving forward with honour and authenticity so that together we can make the world a better place. I believe we need to get on with life and the living of it as it is a precious gift and responsibility. There are of course many who did not get this opportunity because they were murdered or severely traumatised and to them and their families, friends and communities we owe the debt of telling the truth. It is the very least we can do. When people's lives are erased it is essential to those left behind that their stories are not.

We must learn from the mistakes of our past or we will indeed repeat them. Democracy and the protection of life and liberty are beautiful, fragile, precarious things in our world.

I again quote from an ex GLLO (an ex police officer):

"We must learn and move forward. History has shown time and again that for this to happen the oppressed group needs to be validated by their history being accurately recorded – their history, their voices.

There are memories, facts and figures to support their stories but those that were the initial oppressors have recently moved the goal posts which has carelessly re-written their history. That is unjust and must be rectified, otherwise, people are being denied their own truth".

Finally, I thank the Members of this NSW Parliamentary Inquiry for all of your good works and good intentions over the years and for considering my Submission.

This quote from Malala Yousefzi speaks for me and my reason for making this Submission to the Inquiry.

"I raise up my voice – not so that I can shout, but so that those without a voice can be heard"

