

**INQUIRY INTO GAY AND TRANSGENDER HATE CRIMES
BETWEEN 1970 AND 2010 - 57TH PARLIAMENT**

Name: Name suppressed

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Partially
Confidential

Inquiry into gay and transgender hate crimes between 1970 and 2010

26 February 2020

Dear Chair,

Here is an account of my personal experience of hate crimes perpetrated based on my sexuality.

1. I am a queer person living with HIV. My gender identity is non-binary (assigned male at birth) and am aged 35
2. I grew up in Albury NSW from 1985 to 2002, a great place for my parents, who had grown up in working class families, to try make a good life for me (and my yet to be born brother). Albury was an opportunity for middle class aspirations - the equalising effects of the suburb of Lavington, where I lived for the first nine years of primary and secondary school (1990-1999), gave our family a sense of security and familiarity.
3. At school I never fitted in - my interests were not aligned with the seasonal sports that the boys engaged in (cricket in the summer, football in the winter), nor did they align with the girls. I was lucky to find scouts - a gang of oddballs.
4. The chilling effect of having no solid friends at school, further isolating through my (at the time) fanatical Pentecostal upbringing. I was able to build resilience and find meaningfulness in my own company.
5. Despite having refuge in the primary school library or down by the creek that ran through the lower part of the school, I was heavily bullied for being different - what first started out as teasing, toward my late primary school years turned into vicious verbal attacks that sometimes led to school yard fist fights.
6. The first time I was physically assaulted specifically based on my sexuality was when I was 13 (the year was). It was an older dude from a different high school (Murray High School). The terror he instilled in me made me fear catching the bus home - so much so that I would often walk the 5km home instead of risking the threat of violence. I don't remember if we reported the violence to mine or his school, but these violent attacks that happened more than once were based on my sexuality.
7. But the bullying wasn't just on the way home. At one point in year 8) (or maybe it was in year 7), the head teacher for our year, put me at the front of my class (a total of 25 young people in our year, which made up the entire class) and gave every classmate the opportunity to tell me why they didn't like me so that I could modify my behaviour. This was an attempt to help but should have focused on what the others could do to be more accepting, tolerant and inclusive.
8. The school, Border Christian College, was part of the Seventh Day Adventist system. I felt like the school did not know how to make a queer young person feel safe (or in fact anyone who was different). I felt like and continue to feel like they had a duty of care to ensure my safety,

but instead allowed a situation that has resulted in contributing to significant trauma in my adult life.

9. I ended up moving with my family to another suburb in 1999 (we had outgrown the family home) and changed schools to better align with my studies in Japanese.
10. I was at Albury High School - a lot less bullying here, mostly because I had come out among my friends in year 10). Great relief. In fact, people had warmed to me more - one classmate said it was like I was wearing a mask before, but that people had only realised after I had come out.
11. However, word spread quickly, and I would find myself walking down the main street of Albury (Dean St) before or after school. People would yell abuse at me out of their windows as they drove past - always men, always in a group and never once did they get out and say it to me face to face. While slurs of "[My full name] you faggot and poofter" washed over me - because I did not know who they were nor did they really know me, I found it weird that people knew enough to call out my name before hurling homophobic abuse at me.
12. One day during year 11, while participating in the school's Cross Country long distance running event, an ex-pupil jumped a fence and bailed me up against a brick wall. We shared the same first name. He continued to punch me in the face and jaw, causing my head to bang against the wall behind me, chanting homophobic slurs and mouthing off about some crap about being offended we shared the same name.
13. I was shaken and there were two witnesses (my friends). We reported to the principal at Albury High School (where I was enrolled and attended). While the school had limited ability, given the perpetrator was no longer enrolled, the school did support me through providing counselling and suggesting I make a report to the police.
14. Rumour among the students was that the perpetrator was a part of a bigger gang that operated outside of Albury in and around Jindera. Gossip (which I still cannot substantiate to this day) was that the police weren't going to do anything about the incident due to the size of and nature of the gang. I don't know if I believe that.
15. I was in a difficult situation because I was not out to my parents, so I felt I could not disclose to them that the incident was motivated by homophobia. I cannot recall if I told the police about the motivation behind the violent attack, but I did make a report about the incidence.
16. I was asked by the police what action I would like to happen. I did not know what to say. I did not have enough knowledge about the potential courses of action the police could take. I did not have the courage to ask and my mum was encouraging me not to push the matter.
17. A number of weeks after the event, the police representative called me to let me know that the perpetrator had been spoken to and warned. At the time, I recall thinking I just wanted the whole thing to be over and to have nothing to do with the perpetrator.
18. The day after the call, I was heading toward the bus shelter and saw the perpetrator walking at a fast pace toward the school. He jumped the fence. I froze – I could not move, speak or think. I realised he hadn't seen me but then saw he had an Aboriginal student (who was one or two years younger than me) in his line of sight. As he started to attack the student, the bus driver from my route (who was rumoured to be ex-police or ex-military) jumped the fence and grabbed the perpetrator in a head lock with the perpetrator's arm in a position where it could be easily broken. The bus driver warned "you can fuck off or you can't wait here until

the police arrive". The perpetrator chose the former and ran off. I never saw the perpetrator again.

19. While the bus driver's behaviour was potentially unethical or at least questionable, it was effective. The perpetrator was no longer a student (but was still a minor). It made me feel safe while on his bus. Not one teacher said anything, no student did either. The student had been attacked was given support by the school.
20. But why come into the school to attack a student, when only days before the police had warned him about that very same thing? Was the police response adequate? I don't feel like it was, or at the least, it was ineffective.
21. I have been seeing a clinical psychologist since I was 15. I have had diagnosis of generalised anxiety disorder and borderline personality disorder. I have undertaken a range of evidence-based therapies including Acceptance and Commitment Therapy, Dialectical Behavioural Therapy and am currently doing Schema Therapy. I have spent tens of thousands of dollars and a lot of personal growth and commitment in working through the trauma. I feel like I am finally starting to feel like the person I was always meant to be.
22. In terms of redress, sure it would be great to be financially compensated for all the therapy I have paid for, but I'm not sure money is all that meaningful.
23. I would like an acknowledgement from Border Christian College, that they did not create a safe environment for me and failed in their duty of care. I would like an apology.
24. In terms of the matter I reported to the police, I don't know what I would want or expect. I have little faith in police, having had other traumatic experiences involving the abuse of their power, but these incidents occurred in other jurisdictions. I do think police, particularly in NSW, have way too much discretionary power and have failed in their commitment to making the community feel safe, like they once did.