

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

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**Submission to the NSW Parliamentary Committee on *Gay and Transgender Hate Crimes between 1970 and 2010* by Craig Hollands regarding Peter David Watchirs D.O.B. 16<sup>th</sup> October 1962, died 18<sup>th</sup> September 1989.**

I make this submission in respect of Peter Watchirs who died on 18 September 1989 and whose death I do not believe to have been suicide.

I am gravely concerned that the Interim Report of the Gay and Transgender Hate Crimes between 1970 and 2010 Inquiry (Report 52, February 2019) does not properly address the role of the NSW Police Force in the injustice facing the LGBTQI+ community during the period of inquiry. The NSW Legislative Council's Committee has a duty to make all relevant findings. With respect, the evidence is overwhelming, yet none of the recommendations in the Report address the need for a judicial commission of inquiry. An inquiry that has the power to compel police witnesses and others to explain why certain deaths weren't investigated thoroughly; an inquiry that can compel them to answer why evidence was lost, why leads weren't followed and why, for decades, the NSW Police Force largely treated the members of the LGBTQI+ community as undeserving of justice and as lesser citizens than the general population.

In the years before 1989 and too many since, when Peter Watchirs died the police and judiciary were not the friends of the LGBTQI+ community. I feel it would not be farfetched to say the police and judiciary were institutionally contemptuous of the community; this is evidenced by the weakness in prosecution cases against those accused of hurting or killing members of the Community, but also decisions as to the sentences of those who were successfully prosecuted for such crimes.

The prevailing social attitude of the time, post legalisation of homosexual sex and also in the midst of the onslaught of HIV/AIDS upon the gay male community in particular, I believe was at a heightened pitch of homophobia and hostility towards the community. In my opinion, in turn, this attitude of hate and fear permitted an increase in abuse and assaults on gay men as well as making for inadequate and biased police investigations of crimes involving members of the community. Police investigations and Coroners' inquests and inquiries conducted in such an atmosphere and bias, unconsciously held or not, resulted in deaths of gay men being attributed to accidents, misadventure and suicide; the exception being the Ross Warren investigation, and the brave findings of Her Honour Magistrate Milledge.

Peter Watchirs died in September 1989 in the vicinity of a popular beat, a gay cruising place. Peter's death was caused by injuries associated with a fall from a height, a cliff top at South Head. A Government Information (Public Access) Act 2009 application determination by the NSW Police Force shows the NSW Police Force did not investigate Peter's death and instead only recorded him missing in a missing person's file before he was found. Information from the Coroner remains outstanding but I am gravely concerned that Peter's death is one of many suspicious deaths written off as suicide by the NSW Police Force.

Peter was my ex-partner and was at the time of his death in a new relationship. I was living in London when I was informed that Peter had died. I was without the means to return to Australia to participate in his funeral or memorials. Communication regarding the aspects of Peter's death and the police investigation and Coroner's findings was disclosed by third parties. I feel now as I did then that the police investigation and Coroner's inquest and conclusion was inadequate and hastily performed, and without opportunities to scrutinise the finding of suicide. I am concerned that due diligence was not performed by the police and judiciary at all stages of enquiry and determination of outcome.

Thirty years on I still remain troubled by and concerned about the performance of the NSW Police Force and the Coroner, as well as the outcome and attribution of a suicide classification for Peter's death. I do not wish to squander an opportunity for justice for Peter.

I strongly believe that today's LGBTQI+ community is shaped by the past and affected by historic hate crimes and the shameful misconduct of justice inflicted upon victims and survivors. Greater effort is required by the NSW State to provide justice for affected loved ones and clarify the extent of the gay and transgender hate crimes in the 4 decades from 1970, of which the Committee has heard just a fraction. Not one victim should be left behind.

The State of NSW should apologise to the community and the impacted individuals for the performance of the police and judiciary during this period. The community, friends and families still grieve and remember the loved ones lost to hate and they continue to wait for healing through truth.

I trust that the Committee will explore Peter's case more closely and that in so doing it will prompt reexamination of how his case was handled by the NSW Police and Coroner. Additionally it is my desire that this submission adds weight to the LGBTQI+ community's hoped for broader outcome; that the Committee's findings are that all unsatisfactory police and Coroner's findings are reviewed and where appropriate the cases reopened. Actions and not just words from the Committee that the community seeks and would welcome; that would show that the inequality of justice applied by the State in the past is corrected, and provides hope to the LGBTQI+ community of today that they too will receive equality in the provision of justice by the State as granted to the wider community.