

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

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Partially
Confidential

My name is Pancho Mulongeni, I am making a submission that occurred on the 2nd of August 2019 in the Royal Botanical Gardens.

Description of the incident

At around 4pm in the afternoon I had just said goodbye to a South African tourist I had met on Macquarie Street and with whom I strolled in the gardens. I then decided to walk towards the State Library. I headed towards that direction on one of the various paths and I noticed many people walking and running about. One such individual was a tall, bald man who had a black vest and earphones. He had been running and then stopped. We were on a narrow path close to the Calyx. I passed him, he was headed away from the Calyx, whereas I believed the exit was close to the Calyx. I soon realized this was not the exit and I turned to walk back. At this point, the man and I were walking in the same direction. The path was narrow and only had room for about two people walking side by side. When I caught up with him, I was not given a chance to pass: suddenly I felt myself go down, fast and I was covered in soil. I screamed. Panting, I looked up to see the man who towered over me, though he was a few metres away. I uttered the words “why did you push me?”. All I remember next was seeing him raise the middle finger and call me “faggot”. I do not recall if he walked or ran away.

I managed to get up and ask for help. The first passer-by was suspicious of my question of the police number, but I guess that was expected – I was a black man in the park, who would believe me that I was attacked. I then walked out and found two friendly German tourists who told me they had seen a man in the singlet walk away quickly. They gave me the police number and I called (I did not have enough battery on my phone to use the internet for the purpose of the police number).

The police officer who answered my call was courteous and understanding. A team would be with me shortly and I waited no more than 15-20 minutes before the officer and his colleague showed up at the steps of the State Library. They were attentive to my story and we walked to the place where it had occurred. I was so lucky I was pushed where I was, because there were some rocks nearby where I could have fallen and a metal piece that could have injured me. The police took my statement, including my description of the assailant, the verbal abuse and my belief that my gender non-conforming presentation led me to be vulnerable (I was dressed in a non-masculine way).

That Friday, Saturday and Sunday, I made sure I danced as much as possible, in the clubs with the LGBT community. I had to connect with my people, because I was just attacked for being queer. For me the best antidote was to party as much as I could.

However, at the time, I did not think the incident had done much harm, after all I was not hurt physically. On the following Monday attempted to seek help for the incident, in terms of counselling at the Psychology service on campus, but it was full. I then only saw counselling about two-three weeks later, at my appointment at the sexual health clinic. At the time, I did not particularly focus on the incident, but rather on my more pressing issues of the PhD deadlines and prior concerns that the counsellor and I were discussing.

In a way, I blame myself for not having accessed help sooner. The incident did alter my behaviour, in so far as I sought to socialize in the early hours of the morning as a coping mechanism. Over time, this eroded my ability to work during the day, as my sleep patterns were changed. And my PhD did not progress as could have. Ultimately, I decided to withdraw from my PhD, because I had lost the trust of my academic advisors. Had I addressed the attack appropriately, perhaps the story could have been different.

At the ACON offices, I had the privilege of telling my story and writing this submission. I also discovered there is a dedicated victim hotline in NSW, which I was entitled too. I do not recall the police officers telling me about this and that I needed my police report number to access it. I do commend the police officers, though, for sending through a follow up email on the night the incident happened:

Hi Pancho,

I have completed the Police report and have informed the duty Inspector. We will follow up with the CCTV in the morning as a priority. Your report number is . If you need anything further please get in touch. I will let you know how I get on with the investigation.

Kind regards

I am glad he took the steps to follow up. Today, I would like to follow up with the case, but I assume it remains unsolved due to a lack of CCTV footage, given that I never heard back from the police.