



## Special Commission of Inquiry into LGBTIQ hate crimes

### Statement of Garry Wotherspoon

14 November 2022

This statement made by me accurately sets out the evidence that I would be prepared, if necessary to give to the Special Commission of Inquiry into LGBTIQ Hate Crimes as a witness. The statement is true to the best of my knowledge and belief.

#### A. Introduction

1. My name is Garry Wotherspoon. I am a writer and historian, a former academic at the University of Sydney and a former NSW History Fellow. In 1995-1996, I was a Co-Director of the Australian Centre for Lesbian and Gay Research at the University of Sydney. The focus of my research and writing has been the city of Sydney, its people, and their lives.
2. In 2001, I was awarded Australia's *Centenary of Federation Medal* for my work as an academic, researcher, and human rights activist.
3. As both an historian and a gay man, I have acquired information on, and written about, many aspects of gay life in NSW over the past century or so, with my own personal experience covering the past six decades. My work has been published in Australia, Britain, France, Germany, and the USA. A full list of my publications is attached. (SCOI.76815)
4. A select list of my books on gay history and life include:
  - a. *Through the Gay Looking Glass: The Many Lives of Clive Madigan* (Carlton Publications, Sydney, 2020);
  - b. *Gay Sydney: A History* (NewSouth Publishing, Sydney, 2016; shortlisted for the Queensland Literary Awards);
  - c. *Hairy, Chunky and Gay: A History of the Harbour City Bears* (Harbour City Bears, Sydney, 2012);
  - d. *Making a difference: A History of Positive Life NSW* (Positive Life NSW, Sydney, 2009); and

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- e. *Street Seen: A History of Oxford Street* (co-authored with Clive Faro, Melbourne University Press, Carlton, 2000; shortlisted for the NSW Premier’s History Awards);
  - f. *Who’s Who in Gay and Lesbian History: From Antiquity to World War II* (co-authored with Robert Aldrich, Routledge, London, 2000);
  - g. *Who’s Who in Gay and Lesbian History: From World War II to the Present Day* (co-authored with Robert Aldrich, Routledge, London, 2000); and
  - h. *City of the Plain: History of a Gay Sub-Culture* (Hale & Iremonger, Sydney, 1991).
5. Among my other writings are the following documents:
- a. ‘*And the Beats Go On*’ (2012) (**SCOI.76820**);
  - b. ‘*Gay Hate Crimes in New South Wales from the 1970s*’ (2017) (**SCOI.76825**), which appeared as Appendix I to the ACON report, ‘*In Pursuit of Truth and Justice*’ (2018); and
  - c. My submission to The Standing Committee on Social Issues of the Legislative Council of the Parliament of NSW on The Response to Gay and Transgender hate crimes between 1970 and 2010 (November 2018) [Submission No 14] (**SCOI.76808**).

**B. Personal history**

6. I was born in Waverley on [REDACTED] 1940 and grew up in Maroubra.
7. My education started at Maroubra Junction Public School, before I moved to the Woollahra Opportunity School, and then again to Sydney Boys High School.
8. I reached my teenage years in the 1950s. Although I knew by then that I had homoerotic inclinations I would not yet have identified as “camp” or “gay” or even “homosexual”. I just liked men, I didn’t care what the word was!
9. In the 1950s, exploring one’s emerging sexuality was a fraught and dangerous process. Homosexual conduct was still illegal. I soon learned to live an important part of my life below the radar of public awareness. Socialising was very different for me than it was for my heterosexual friends – it was surreptitious and cautious.
10. I started using “beats” in my late-teens. I explain the concept of beats, and discuss my use of them, in Section D below. Using the beats introduced me to older people who had already established a gay social life that I could tap into. I learned how to quickly read what was going on at a bar and where the gay bars were. Being in Sydney’s eastern suburbs made this easier, as I lived close to and was familiar with Oxford Street. By the late 1960s, Oxford Street had

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begun to take on a vibrant “camp” life, elements of which had originally emerged in Kings Cross but subsequently moved to Oxford Street for the reasons explained below at [100].

11. After graduating from high school, I studied Commerce (Economics) at the University of New South Wales (UNSW) and worked at the Commonwealth Bank in their Economic Research Department. I then completed a Masters of Economics (Economic History) at the University of Sydney.
12. While finishing that degree, I started as a part-time tutor in the Department of Economic History in 1970. Aside from one year spent in England, I worked at the University of Sydney from then until 1996, becoming in turn a full-time tutor, a senior tutor, and then a lecturer, and finally a Senior Lecturer. I taught Australian Economic and Social History, and Minority Studies.
13. I found academia to be a welcoming environment in which to be an openly gay man. Universities played an important role in the elevation of issues related to gay rights from the 1970s and 1980s. My office was located in the well-known Merewether Building (which housed the Departments of Government, Political Economy and Economic History), which became a key base for activism, with staff like Dennis Altman, Lex Watson, Sue Wills, Craig Johnston, Kate Harrison, Ernie Chaples, Steve Tomsen, Antony Green and Robert Aldrich, among others. These individuals sat at the centre of the gay political movement and also led developments in university courses and high-quality research. In the late 1970s, a group of gay academics formed GUTS, the Gay Union of Tertiary Staff.
14. Despite that, I only felt able to write about gay history once I had been awarded tenure at the University in 1975. Prior to that, there was pressure to write about more “scholarly” or “serious” topics in the field of economic history. Even after I had tenure, the professor of my department twice blocked my promotion because he considered that gay history was not a “well-regarded subject matter”.
15. The gay community, meanwhile, was very receptive to my work on gay history and culture. It was a topic that had never been given proper academic attention before. Until the 1970s, almost the only written records about “camp life” came from court reports and newspaper reports. This meant that the focus was always on the criminality of homosexual life.
16. I instead drew on recorded interviews I conducted with gay men, which are now archived in the State Library of NSW. I wanted to know, “How did people who were same sex attracted manage their social lives? What were their lives like?” *City of the Plain* was one of the first urban histories in the English-speaking world about a gay sub-culture.

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17. Thankfully, over time, academia developed to treat gay history, culture and life as a topic worthy of serious study. In mid-1988, the Australian Gay History Project commenced, facilitating the delivery of papers by young researchers on issues of significance to the gay community. The success of these seminars (and the associated publications, the first of which ran into a second print run within weeks) encouraged university staff to pursue a then-radical idea for an Australian university – the establishment of a centre for research on LGBTIQ issues.
  18. It followed that in 1994, the Governor-General of Australia, Bill Hayden, launched the Australian Centre for Lesbian and Gay Research at the University of Sydney. It was one of only three in the world, with the others located at the University of Amsterdam and the City University of New York.
  19. Even though I was “out” at the University and involved in gay research and activism, I didn’t tell my family that I was gay until the late 1970s, when I was nearly 40. I had my first serious boyfriend, and thought it was probably about time they should know. When I told my mum, she just said, “We always knew!”
  20. After over twenty-five years of teaching at the University of Sydney, I took a redundancy package in December 1996. I was very tired of teaching, although I still enjoyed the research and writing aspects of academic life.
  21. In early 1997, I was appointed as a NSW History Fellow, a position I held until late 1998. This fellowship was awarded to a scholar (or scholars) for the purpose of researching a specific subject and (hopefully) publishing a book. I held the award jointly with fellow scholar Clive Faro, and the result was *Street Seen: a History of Oxford Street*.
  22. I have continued to research and publish books, although my career has taken me in other directions as well. I have worked as a speechwriter for several NSW politicians, including Sylvia Hale (while she was a member of the NSW Legislative Council for the Greens), Clover Moore (when she was Lord Mayor of Sydney) and David Shoebridge (while he was a member of the NSW Legislative Council for the Greens). I have been commissioned by various bodies to document their history. I also worked in 2001 to 2002 as a Research Coordinator at Amnesty International.
- C. The Uniqueness of the LGBTIQ Community**
23. I am aware that the Terms of Reference for this Special Commission refer to “the LGBTIQ community”. While that expression, and other similar expressions, are often used, in fact there are many distinct groups, or “communities”, within such general overall expressions. These

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communities are very different from other ethnic or cultural communities, on many levels.

24. First, we are not born into our communities, as, say, a person of Greek or Vietnamese or Jewish background is. We usually only develop a sense of our sexual or gender identity around the onset of puberty. This is when we may become aware that there are others like us, and conscious that we are, in that sense, part of some sort of “community” that we should perhaps seek out.
25. Second, we are very much a non-contiguous community. By that I mean that, apart from those men who identify openly as gay and socialise in a predominantly gay environment (for example, in and near Oxford Street), we were and are scattered throughout the state. We could be living anywhere, without gay neighbours or gay delicatessens or gay community centres or gay churches nearby.
26. Thirdly, there has not always been a “gay” identity. In the 1950s and 1960s, it became increasingly common to talk about “the homosexual”, as a person. This reflected a clear change from the pre-war period, where people spoke of individuals who would indulge in certain acts or commit various crimes. However, it was only after gay activism developed, in Sydney from around 1970, that many gay men developed a sense of being proud of being different, willing to openly identify as “gay” and not live closeted lives.
27. Using the term “gay” to describe same-sex attracted people was popularised by the gay liberation movement that started in America. While the term “camp” was used by many older same-sex attracted men in the 1970s, the term “gay” was more popular amongst the younger generation and tended to signify a pride in your sexual orientation.
28. The emergence of a gay identity in Sydney is tied closely to gay history generally, which I discuss in section E below.
29. Finally, the construct of an “LGBTIQ community” (or some variation on the acronym) only started to emerge in the late 1970s. There is a great diversity within the LGBTIQ community, but there is an interest in creating a sense of political unity amongst our different identities. It conveys the sense that there are many of “us”, and that we can’t be ignored by politicians or lawmakers.

**D. Beats**

30. I am aware that this Special Commission is inquiring into a number of deaths which occurred at gay beats. This section describes the nature and operation of beats in Sydney, based on my

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research as a historian as well as my own experiences as a gay man in Sydney.

31. Beats have long been important in the lives of sexually active men with homoerotic desires, denied the many ways in which heterosexuals could meet each other. Beats are a gay “Lover’s Lane” - a place to go for casual, consensual, non-commercial sex.
32. They were also quite often simply a place to meet other people of similar sexual orientation, which was important in a world where your values and lifestyle were often suspect and for a long time illegal. Sometimes beats would open the door to informal friendship networks, or were even a place to fall in love. Some people have met their life partners at beats.
33. Technically, any place known to be a place for picking up other men would constitute a “beat”, but the term has generally – although not always – been confined to outdoor areas where meetings and pick-ups took place. However, indoor settings such as the toilets of train stations, hotels, restaurants, and coffee shops, are in many cases beats. The toilets at the City Circle railway stations were particularly popular indoor beats – a railway station is a place where a lot of people travel through each day, so there are a lot of possibilities for sexual encounters.
34. There have always been a large number of outdoor beats around Sydney. The locations of outdoor beats are chosen because they fulfil necessary criteria. First, they would have to be secluded in some way if sex was to occur there; so, parks, a public toilet, quiet walkways off the beaten track, would be likely spots. Secondly, there would be something that provided a legitimate reason why men could be there casually, or a place one could easily strike up a conversation with another person – for instance, a place where one could see a scenic view, or admire a piece of statuary, or ask for a light or for the time. These were the opening moves in what might or might not become a pick-up, depending on the response from the other party. It is a case of “your move, my move”, and see what eventuates.
35. Beats were, and remain, particularly important for men who want to have sex with other men, but who do not wish to be seen or identified in any way as “homosexual” or who are still coming to terms with their sexuality. Such men may avoid the Oxford Street area and other areas well-known as areas where gay men congregate. Married men in the suburbs were and are major users of beats. These beats may well provide their only contact point to other similarly-inclined men.
36. One does not arrange to meet men at beats. The whole purpose of going to a beat is to have anonymous sex. It may be the case that a group of men could go there together to find a sexual partner separately, but it would be most unlikely to arrange to meet someone there. Generally,

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names are not exchanged unless of course you want to see that person again.

My own awareness of beats

37. I first used beats as long ago as the late-1950s, perhaps 1957 or 1958. The first beat I discovered as a teenager was at the south end of Maroubra Beach, heading around to the rifle range. I noticed a large number of men walking around the path to the headland, as if heading to some known venue, and followed their trail.
38. Once I started going to gay bars, in the 1960s, bar chatter made me aware of several other beats in Sydney. By the mid-60s, I was aware of the existence of beats at numerous locations around Sydney, such as Rushcutters Bay Park, Moore Park, Marks Park near Bondi, Alexandria Park, North Head, and Giles Baths in Coogee. I only have personal knowledge of these beats operating from the 1960s to the 1980s, when I gave up the beats, although I have no reason to believe that they did not operate both before and after that period.
39. From 1968 to 1969, I was living in Waverley and used the beat at Giles Baths quite frequently. Giles Baths was located at the northern end of Coogee Beach, between Coogee and Gordons Bay. There used to be a sports area on the top level of the baths building where you could play handball or sunbathe. Stairs led to an enclosed pool below, right on the rocks at Coogee, which was used by naked male bathers. Gay men would gather there in the hope that sooner or later they would catch someone's eye. From there, you would find a secluded place around the rocks for (uncomfortable) sex.
40. I attended the beat in North Head, Manly, twice. The first time was in the late 1970s and the second time was in the early 80s. Both times I went there on my own, on a weekday, for a few hours in the daytime. I was given directions by someone who had been there before. It is a secluded place and not one that could be easily found without either having been there before or without someone giving you very specific directions.
41. I was told to walk from Manly Beach around to Shelley Beach, up the road to a bush path. You follow that path up and at a certain point you can see an old sandstone brick wall that was about ten feet tall. There is a gap in the wall, which you go through. There are then one or two paths leading into a nature reserve. Once you go there, you find a convenient spot and wait for a suitable man. Some people would go towards the cliff, some in rock clearings or little clearings within the bush lands.
42. Both times I went there, I stayed there until about 3:00pm. Both times, there would have been about 20 men there throughout the day.

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43. I know about other beats by reputation only. For example, I never went to the beat at Rushcutters Bay Park, but was aware of its reputation as a very dangerous place, reinforced by stories in the media of a murder that occurred there.
44. I didn't use beats often and wasn't a "beat queen" – an expression used to describe a gay man who uses beats frequently. I had completely given up beats by the mid-1980s, both because I had met my partner and also because AIDS made using beats less safe.
45. I tended to prefer the bar scene. One such bar was the Quarterdeck Bar, downstairs at the Chevron Hotel in Kings Cross. The Chevron Hotel opened in 1960, and Quarterdeck Bar almost immediately became well-known as a pick-up place for gay men. Another popular bar in Kings Cross was the Rex Hotel, which was a well-known gay place since the 1950s.
46. Hotel bars at Kings Cross offered the safety of relative inconspicuousness. Unfortunately, young sailors who wanted free drinks and then maybe someone to bash for the night were also often in attendance. It could be, as Oscar Wilde noted, "like feasting with panthers."

"Poofter-Bashers"

47. There have always been dangers associated with beats. There were and still are groups of marauding youths, now known as "poofter-bashers". These were invariably young men, and they often frequented beats and bashed men they suspected of being homosexuals.
48. It is difficult to know when "poofter-bashing" started or became common. I certainly wasn't aware of the dangers of bashers when I first started using the beats in the late 1950s, although that isn't to say bashing weren't occurring. People at bars would tell you to be careful, but that was more a warning not to take strangers home.
49. In my research I located an old newspaper article from the *Newcastle Morning Herald* dated 20 June 1968, which reported on a court case in which a Judge sentenced a group of five men for an assault on a man in the toilet block of the Newcastle surf club pavilion. **(SCOI.76856)** The Court was told that the "pack of young men had hunted for homosexuals to attack", an activity they referred to as "catting", based on the use of the slang word "cat" to describe a gay man. Police gave evidence that they had decided to go to a toilet because "it was generally known that men with homosexual tendencies were prone to frequent those toilets."
50. From this, it seems that bashing was a common activity or sport for some young men from at least the 1960s, but it may well have begun even before then. It is also evident that police knew at least something about these violent activities.



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51. Typically, any gay man so bashed would simply not report the matter to the police, since to do so would be to draw both unwanted attention to oneself, and unwanted questioning about what one was doing at such a place at such a time. For as long as homosexual conduct was criminal, there was a general sense amongst gay men that police were not there to protect them. People would talk in bars and say, “Don’t go near the police.”
52. By the 1980s and 90s, the gay newspapers were publishing news of these attacks, which raised the consciousness of members of the gay community about the violence that was occurring at beats. However, it was only rarely that details of this surfaced in the mainstream newspapers reporting at the time. It would usually only be if the man died as a result of the bashing that there would be publicity, as occurred in the case of 33-year-old Richard Johnson, who was murdered in Alexandria Park in inner Sydney in 1990.
53. Because of the lack of mainstream media coverage, the risk of a being attacked or bashed may not have been widely known among all those who might wish to go to a beat – such as men who did not openly identify as gay, or suburban married men who used beats.
54. While the dangers of poofster-bashers have long been known by frequent users of beats, it has only been in the twenty-first century that the scale of the violence that was occurring at beats started to be fully appreciated, particularly during the peak of violence in the late 1980s and early 1990s. The coronial inquests into the deaths of Ross Warren, John Russell and Giles Mattaini (by Coroner Milledge in 2005), and Scott Johnson (by Coroner Barnes in 2017), revealed more about the gangs that were targeting gay beats in the Northern Beaches and Eastern Suburbs, as well as police indifference to the deaths they caused.
55. The historical context of ongoing and increasing violence against the LGBTIQ community, at beats and elsewhere, is referred to in Section E below.

Police

56. But there was a second source of danger, besides marauding youths. There were also the police themselves. The police, as enforcers of the laws and embodiments of prevailing social attitudes, had little tolerance for what they saw as perverts, degenerates, effeminates and paedophiles. Police knew that gay men used toilets as beats, reflected in the high proportion of police arrests for homosexual behaviour that took place in public toilets known to be beats (see also [49] above). Police also had at least some knowledge of the attacks by “poofster bashers” that would regularly occur in close proximity to beats: again, see [49] above.
57. Police would often set out deliberately to entrap gay men by acting as *agents provocateurs*. As

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long ago as 1935, police are reported to have given sworn evidence that their vice-squad had arrested a hundred and fifty men for homosexual offences in one lavatory in Hyde Park in Sydney. One policeman used to act as decoy within, while the other observed from outside. (See *Gay Sydney* at p 54) That is, police publicly admitted to enticing men to commit a crime.

58. It has gradually been revealed that some police officers were themselves “poofter-bashers”. There was, for example, the well-publicised case of Dr Duncan in Adelaide who in 1972 was thrown into the Torrens River by a group of men believed to be senior vice squad officers. The banks of the Torrens Rivers was at that time a popular beat. Police culture, based on my experience and research, would not have been different in any other State.
59. In Sydney, there is the case of Alan Rosendale who was beaten at the Moore Park beat in 1989. A third-party witness recorded the assailants’ numberplate and a police liaison officer later told him it belonged to an unmarked police car. As reported in an article in the Sydney Morning Herald on 19 January 2015 by Rick Feneley, Rosendale believes that he was assaulted at the hands of the “Hoodlum Squad”, a group of undercover police officers known for terrorising gay men at beats. (SCOI.76892)

**E. Sydney’s gay history**

60. I have researched and written about Sydney’s gay history for over 40 years now. This section provides a summary of Sydney’s gay sub-culture from the early days of the colony, particularly as it assists in understanding the context in which ongoing and increasing homophobic violence occurred from 1970 to 2010. A fuller treatment of this history can be found in my book *Gay Sydney: A History*.
61. Sydney has a long association with homosexuality. Homosexuality was classed as a crime in all Australian states until the last quarter of the 20<sup>th</sup> century. The legal constraints on homosexuality were originally taken from ecclesiastical law, reflecting the attitudes of the Christian churches to homosexuality.
62. Occasional amendments to the laws relating to male homosexuality in NSW over the nineteenth and twentieth centuries drew varied public responses. The introduction of the *Criminal Law Amendment Act 1883* (NSW) followed nearly twenty years of discussion and ten formal attempts to amend and consolidate laws relating to sexual activity between males, prompted by an increase in the number of convictions of men for crimes relating to sexual behaviour. The 1883 Act formally removed the death penalty, and the last man to be executed for sodomy in Sydney was possibly Thomas Parry, hanged in 1839.

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63. Four decades later, in 1924, New South Wales reduced the penalty for buggery from life imprisonment to 14 years. The *Crimes Act 1900* (NSW), which had consolidated existing legislation as at 1900, now included in Part III the provision that “*Whosoever commits the abominable crime of buggery, or bestiality, with mankind, or with any animal, shall be liable to penal servitude for 14 years*”. There was little public comment about these changes to, or consolidations of, existing laws. Homosexuality was still not openly discussed.
64. These laws provided the legal framework within which male homosexuals lived out their “illegal” lives. Wider society knew little about homosexuality during this period. It was not a topic to be discussed at respectable dinner tables, nor did it often appear in print or film until well into the 1930s. Even the word “homosexual” did not enter general circulation until the late 1920s.
65. In the early days of the colony, individuals from every class were charged and convicted of homosexual acts, including sailors, public servants, farmers, merchants, various tradesmen, and even a “sea captain”.
66. The 1879 trial of bushranger Andrew George Scott, known as Captain Moonlite, was widely covered by the press and revealed that Scott had shared a deep romantic connection with James Nesbit, one of Scott’s gang. Prior to the trial, Nesbit had been shot and killed during a confrontation with police. At the trial, Scott became agitated any time Nesbit’s name was mentioned, displaying “intense emotion”. Such overt displays of his feelings about Nesbit, and what it implied about their relationship, were considered scandalous at the time.
67. By the end of the nineteenth century, Sydney’s population was around four hundred thousand and the city had a flourishing homosexual life. Oxford Street featured, even at that time, as a haven for homosexual men. Men seeking safe places for homoerotic contact could go to the Turkish Baths in Liverpool Street near where it met Oxford Street. There was also Charles Wigzell’s Turkish Baths at 143 Oxford Street, open to “men only” on Monday and Thursday afternoons and all day Tuesday, Wednesday, Friday and Saturday. The opening of the new department stores on lower Oxford Street early in the twentieth century provided opportunities for homosexual men to find jobs near these attractions. There were also beats near this area, as well as a favourite local pub for gay men in Bourke Street, Surry Hills.

The interwar years

68. Sydney remained a quaintly parochial city during the interwar years. Victorian attitudes and social mores prevailed until well into the twentieth century. Religion and the law supported this

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emphasis on conservatism and conventionality. The city's many homosexuals were largely isolated in the interwar years and had little sense that thousands of other people like themselves were out there. Labelled as "camp", "poofers" or "poofs", "queens", "fairies", "sissies", or possibly "girlies" or "pansies", negative attitudes to homosexuality were so strong that a majority saw themselves as outcasts or perverts.

69. However, although most Sydneysiders undoubtedly conformed, or paid lip-service, to conventionality and respectability, significant numbers did not. Sydney in the 1920s and 1930s had its share of social "deviants" – its bohemians, writers, drinkers, and creative artists. Many homosexuals were part of this community of social deviants, although it was difficult to live this sort of life and still operate within social institutions.
70. Others lived lives much the same as the heterosexually inclined majority. They lived in the suburbs and held down jobs, paid off mortgages, and formed transitory and long-term relationships. They also needed to avoid attention which might lead to prosecution or persecution, loss of job, ostracism by friends and relatives. Lives were lived precariously, in fear of discovery. One false step could mean exposure and gaol, or the necessity of moving. And to satisfy their sexuality, these homosexuals needed access to a world hidden from their heterosexual counterparts, the world of the beats.
71. Many went to great lengths to hide their homosexuality from society. This meant that any meeting place for the homosexually inclined had to offer the safety of relative inconspicuousness. Hotel bars, such as the Long Bar in the Australia Hotel on the corner of Castlereagh and Rowe Street, fulfilled this requirement nicely. City restaurants including Shalimar, the Latin Café, Mockbell's and Pelligrini's similarly attracted a homosexual clientele, as did the cafes, Cahill's and Repin's, in Market and King Streets respectively. In more out-of-the way places, a few nightclubs such as Black Ada's became known as homosexual meeting places. Unlike Berlin and Paris, however, Sydney lacked an area with a clearly homosexual ambience and a range of openly homosexual venues like those found in European cities at the time.
72. The theatre in Sydney was another place where homosexuals might gather without attracting undue attention. Here they might play a creative role, as actors or directors, or simply be friends or lovers of cast members. Any theatre would have its homosexually inclined circle of regulars, as did many of the city's musical societies. Private ways of meeting other people, such as introductions through friends and at "camp" parties, were also important.

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73. The beats that operated during this period were generally well-hidden from public gaze. Although the “males only” bathhouse was less common in Sydney during the interwar period than during the 1970s, two were particularly significant: the old Turkish Baths, at the Oxford Street end of Liverpool Street, and Giles Hot-Sea Baths, which opened in 1928 at the northern end of Coogee Beach. The Bondi Beach Bathing Pavilion, constructed in 1920s, was an additional place where sexual encounters occurred. Other well-known beats included Archibald Fountain in Hyde Park, and Boomerang Street below St Mary’s Cathedral. Specific public toilets in suburban areas (where many homosexuals lived hidden away) were also beats. For instance, the toilets in Petersham Park and those in the park at St Leonards were well-known meeting places.
74. Although most homosexual men lived, like their heterosexual counterparts, throughout the spreading suburbia of Sydney, specific areas including Darlinghurst, Woolloomooloo, Kings Cross and Potts Point were home to more homosexuals than, say, Strathfield or Maroubra. Inner-city suburbs attracted a higher-than-average proportion of male homosexuals and were safer places to live. They had a high level of rental accommodation (including boarding houses and fashionable new blocks of “flats”), a transient population, and a reputation for less than total social conformity.

The 1940s and World War II

75. Two events in the 1940s had major effects on the lives of men with homoerotic desire. They were World War II, and the publication of Alfred Kinsey’s *Sexual Behaviour in the Human Male* in 1948.
76. The war acted as a catalyst for dramatic changes in social behaviour, in particular sexual behaviour. Wartime conditions presented many opportunities for the development of same-sex relationships, including within the sex-segregated institutions of the military. Most of the established venues for homosexual men continued to trade, including the Long Bar in the Australia Hotel, and the Carlton, Ushers, and Pfahlerts hotels. Wartime trade boosted their clientele enormously. Large numbers of servicemen also frequented the so-called “salt-meat alley” pubs along George Street (especially the Belfields), which remained major places for picking up other homoerotically inclined men. New nightclubs were established where drag artistes might appear (Lea Sonia was a major attraction at Maxine in Oxford Street Woollahra, as was Harry Foy at the Zeigfeld Club in King Street).
77. The beats flourished during the war. The Turkish Baths in Liverpool Street, Giles Baths at Coogee and the dressing sheds at Bondi Pavilion, like their counterparts in San Francisco, all

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attracted servicemen among their homoerotically inclined clientele. The nearby Domain was also a much-favoured cruising place at night. The sexually charged atmosphere of the times meant that “cruising” for other men was no longer confined to the strictly defined territory of the beats and was now possible even in the city’s streets.

78. It is hard to gauge the impact of the Americans. Sydney did not become an American village like Brisbane, despite hosting large number of US personnel. Many of the American soldiers were often far more sophisticated than the locals, especially those from the major cities like New York, Chicago or San Francisco who were familiar with homosexual bar life. Many fitted well into Sydney’s camp scene, and much information about homosexual life overseas was passed on this way. The word “gay” used in its modern sense might well have made its first appearance in Sydney during the war. Certainly, American servicemen used the words “fairy” and “queer” here in this period.
79. During the war years, police continued their harassment of homosexuals, often acting as *agents provocateurs* to gain convictions. This issue received its most public airing in 1943 with the case of Clarence McNulty, the Editor-in-Chief of the *Daily Telegraph*. After a long hearing, he was eventually discharged by the magistrate.
80. The end of World War II had important repercussions for the homoerotically inclined, creating new threats to their status. Foremost among these was postwar reconstruction, the shift from a war-oriented economy to a peacetime one. The concept of “reconstruction” was based on the “desirable” model of the nuclear family: husband and wife and children living in suburban bliss, usually in a double-fronted fibro or brick cottage or semi. This society, of course, had no place for deviants – social, sexual, political, or otherwise. Nowhere in Australia’s past had such a homogeneous society ever existed; but this did not stop advocates from invoking a mythical past to legitimize their vision of the future.
81. In 1948, the Kinsey Report on male sexuality was released into this environment (the Kinsey Report on female sexuality was released in 1954). The 1948 report drew attention to the possible levels of homosexual activity in the wider community, and to the existence of a hard-core of the male population whose sexual preferences were exclusively same sex.
82. It is perhaps no accident that the increased concern on the part of society's moral watchdogs regarding increased levels of homosexual activity came at the same time as publication of the first documented evidence of the levels of this activity.
83. Conservative churches vocally denied the legitimacy of homosexuals as human beings, as when

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the Catholic Church tried to stop homosexuals even appearing before the *Royal Commission into Human Relationships*, set up by the federal government in 1974. Other religious institutions including Christ Church St Laurence (located in George Street near Central Railway) and St James Church (at Hyde Park) were discreetly tolerant of homosexuality.

84. The homophobia that prevailed in the postwar years also reflected particular aspects of Australia's culture. Historically, "masculinity" and "male honour" have been viewed as an important element of Australia's traditional national identity, personified by the "rugged ANZAC". This cultural norm is stronger amongst certain socio-economic groups. This might help explain why some males despised others who were not "acceptable types", and feel justified in perpetrating violence against them

#### The 50s and 60s

85. Homosexuality in the postwar years attracted increasing police attention, with one newspaper referring to "a police war on this nest of perverts" and quoting police sources as showing a sharp increase in homosexuality and "sex perversion" in Australia.<sup>1</sup> An article in *Truth* in 1948 crystallised the way these concerns were being expressed: "The increasing number of sex perverts in Sydney...is causing grave concern not only to the public at large but also to the judges who are charged with the responsibility of administering justice."<sup>2</sup> (SCOI.77299) Such commentary reflected the concerns of conservatives and moralists who considered that the war had torn apart society's moral fabric and it had to be mended. Cold War rhetoric amplified this dynamic and led to increased anxiety in certain groups concerned about society's moral and political future. The Catholic Superintendent of Police in Sydney, Colin Delaney, declared in 1958 that homosexuality was "the greatest social menace" facing Australia.
86. In the 1950s, a new series of crimes relating to homosexuality were introduced, and penalties for a range of homosexual offences were dramatically increased. For example, while charges under the old Section 4 of the *Vagrancy Act* had a maximum sentence of six months gaol, the new Section 81B – its nominal replacement, as the Attorney-General explained – had a twelve month prison term attached. Another example was an amendment to section 80 of the *Crimes*

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<sup>1</sup> *Daily Telegraph*, 'Police War on Sex Perverts', 15 December 1948 at page 10 quoted in G Wotherspoon (1989), 'The Greatest Menace Facing Australia': Homosexuality and the State in NSW During the Cold War', *Labour History*, May 1989, No. 56, pages 15-28 at page 17.

<sup>2</sup> *Truth*, 20 June 1948 at page 7 quoted in G Wotherspoon (1989), 'The Greatest Menace Facing Australia': Homosexuality and the State in NSW During the Cold War', *Labour History*, May 1989, No. 56, pages 15-28 at page 17.

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*Act 1900*. Prior to November 1951, the provision had read: “*Whosoever attempts to commit the said abominable crime [of buggery], or assaults any person with intent to commit the same, shall be liable to penal servitude for five years*”. In November 1951, the words “*with or without the consent of such person*” were inserted after the words, “*with intent to commit the same*”. This change thus made it very clear that even consensual homosexual activity was criminal. Concurrent with this were moves to isolate homosexuals in the state’s prisons; government-funded enquiries to discover the “causes” of homosexuality (so a “cure” could be found); and the suggestion in state Parliament that male homosexuals be put into annexes of the state’s mental hospitals.

87. Significantly, the courts were increasingly told that homosexuality was a form of illness, and that this ought to be taken into account in considering sentencing.
88. However, the medical profession also allowed such barbarities as aversion therapy and psychosurgery, and treated homosexuality as pathological.
89. In short, to many in the legal and medical professions, as well as the mainstream churches, gay men were either criminal, sick or sinful – if not all three. To express one’s sexuality in the postwar years was to court either persecution or prosecution. In such an atmosphere, it is little wonder that many homosexuals, particularly those of an artistic bent, chose to flee the country.
90. But there were other more positive developments and undercurrents as well. The attempts to stamp out homosexuality generated unprecedented publicity, not only in newspapers, but in parliaments, in medical journals, in academe, in government enquiries, and within government departments. This resulted in the development of a serious “public discourse” about homosexuality for the first time. The developments of the 1970s – of changing perceptions, in time leading to changes in attitudes and, subsequently, in the law – clearly had their origins in the questioning that began in this earlier postwar period.
91. It was also a time of physical rebuilding and expansion in Australia’s major cities. In 1956, Sydney’s city rail loop was finally completed, when the “dead ends” at St James and Wynyard were joined via a new station at Circular Quay. Public toilets here provided new facilities for homoerotically inclined men.
92. Mass migration was another important development. Recent arrivals from Greece, Italy and eastern Europe, initially single men, were labelled as “reffos” or “wogs” by longer-term residents. Officially they were “New Australians” and they began to recreate their own “old world” cultures in “new world” communities in the 1950s in the inner-city suburbs vacated by



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the native-born. There were exotic new attractions for men who desired other men.

93. More broadly, a youth culture with its own language, clothing, and music emerged in the late 1950s in Sydney, as in much of the western world. Up until this time, the fashion and music preferences of Sydney's youth differed only marginally from those of their parents. But from the early 1960s, new forms of music, new sexual standards, and new fashion styles started to appear. Articles that began to appear in various popular magazines around Australia during the 1960s were also important in this widening debate about homosexuality. In parliament, in the courts, in police reports, in newspapers, in the sex manuals, in novels, or in medical literature, it was becoming increasingly common to talk about "the homosexual".
94. This reflected a clear change from the prewar period, during which it was only specific sole individuals who were perceived as indulging in certain acts, or committing various crimes. It was part of the process of the creation of a "homosexual" identity, which was reinforced by the release of books and European movies featuring homosexual characters. This phenomenon of "defining" homosexuals into existence was mirrored at the level of the individual, who began to think of himself as a homosexual, and act accordingly.
95. Friendship networks and an emerging club scene also played a major role in the social lives of homosexual men during this period. These were two of several factors that contributed to the development of a new homosexual identity at this time.
96. Politically, the issue of homosexuality was live on the social agenda. In 1957, the UK Wolfenden Committee released its report recommending limited decriminalisation for some private homosexual acts. This report provoked several organizations in NSW, particularly the Council of Civil Liberties, to agitate for a similar initiative here.
97. In 1958, the NSW Government established the Trethowan Committee to look at issues related to homosexuality in society. Many interesting details on camp life and the identity of homosexual men was accumulated by this study (For me, it seemed like 'the holy grail' of gay research). The imminent release of the Trethowan Committee's report was subsequently announced in early March 1963. However, the report never saw the light of day. It was reported that the government chose not to release the report on the basis that the "professionals" on the committee were not convinced that homosexuality itself was the problem, but rather society's attitudes to it. The government decided this view was unacceptable and refused to release the report.

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Changing times – 1960s and 1970s

98. One of the first prominent gay clubs was Knights of Chameleons, founded in 1962. It was preceded by the discreetly named North Shore Ball Committee, an informal group of friends who organised a range of social events.
99. Other clubs soon followed, including the Pollynesians in 1964, the Boomerangs in 1967, and the Diggers, the Chelsea Players, Tiffany's, Regals, Sundowners and Karingals over subsequent years. Secrecy remained an essential element in these friendship networks and clubs. These clubs were mainly located in the inner city, the eastern suburbs, the lower North Shore and in suburbs such as Petersham or Mascot, where halls could be rented for events.
100. The commercial gay scene continued to grow around Kings Cross, and then Oxford Street from the late 1960s and through the 1970s. Kings Cross had enjoyed a long-existing "camp" nightlife but the increased presence of American soldiers there on "R&R" (rest and recovery) leave from Vietnam meant it was increasingly dominated by drugs, prostitution and drunkenness. Also, since rents were far cheaper in Oxford Street than in the Cross, new bars began to open there. These bars included Ivy's Birdcage and Capriccio's. The opening of Flo's Palace, Patches, Tropicana, the Ox, Pete's Bar and Palms followed in the 1970s.
101. Around this time, the area around Oxford Street, from Hyde Park to Paddington Town Hall, became known as "the Golden Mile", and the surrounding area was "The Ghetto". Here, there were bars, restaurants, clubs, saunas, sex-on-premises venues, and other retail outlets that catered for the emerging gay community. The increasing numbers of men with homoerotic desires who began to congregate together started to see themselves as "homosexual" or "gay".
102. Another factor leading to a higher profile of Sydney's gay communities in the 1960s and 1970s was the process of gentrification. Increasing numbers of gay men continued to move to traditionally blue-collar suburbs around Oxford Street, such as Darlinghurst, Woolloomooloo, Kings Cross and Potts Point. A gay media emerged, with papers like *The Star Observer*, *Campaign*, and *OutRage*, as well as numerous newsletters and smaller publications catering for individual groups. These publications directed attention to the city's gay life and the increasing number of men now participating in it. Several parts of the gay press were explicitly aimed at fostering the idea of a gay identity and community.
103. This incredible concentration of activity within a relatively short space of time, in a discrete geographic area, all occurred in a city where male homosexual activity was still illegal. It helped to create a sense of gay identity; there was now a definite area where the new gay man could

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feel at home, in territory that was clearly stamped in his image. It was no coincidence that these developments unfolded against the major social movements of the 1960s and 1970s, including counter-cultural revolution, the sexual revolution, second-wave feminism, student power and the anti-war movement.

104. In 1967, ten years after the publication of the Wolfenden report, the UK decriminalised private homosexual conduct. The change in law had in part been achieved through the efforts of the UK Homosexual Law Reform Society, which was established after it became clear that the government of the time was disinclined to respond to the recommendations of the Wolfenden Report.
105. Decriminalisation in the UK brought a sense that change was occurring in the post war years and was a major impetus for the same to occur in Australia. Decriminalization in New South Wales, in 1984, was, however, just the first step in the gay community achieving equal rights. The age of consent was still higher for homosexuals, and limits were imposed on where sexual acts could occur. For the gay community in Australia, there was a real question as to whether we should say no to decriminalisation if the law was still inherently unequal.
106. In June 1969, the Stonewall Riots occurred in New York. The Stonewall Inn was a bar in New York frequented by gays and transgender people. It was operating illegally but police took money from the owners so operations were allowed to continue. One night, police entered the premises and attempted to close down the bar. People fought back and the next night more police attended, as did more patrons. This happened for three or four nights running and became a symbolic event for the gay community. Although several gay rights organisations previously existed in the US, it was the Stonewall riots that elevated the issue of gay rights in America.
107. In 1970, a new group, the Campaign Against Moral Persecution (CAMP) was set up in Sydney. I was a member in 1970 and 1971. Its main objectives included law reform, challenging the medical profession in relation to aversion therapy and psychosurgery, and promoting awareness amongst Australians that homosexuals were actually “just like everybody else”, except for what they might do in bed. CAMP held its first public meeting in February 1971. An article I wrote about this event was published in the Bulletin on 13 March 1971. **(SCOI.76853)**
108. By early 1972, some members of CAMP, including myself, hived off to form Sydney Gay Liberation. Its main leaders were Dennis Altman, Lex Watson and Sue Wills. Over the next year, several “gay liberation fronts” were established (or replaced the CAMPus CAMP groups) at the

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University of Sydney, the University of the NSW, the Australian National University, Melbourne University and Newcastle University.

109. Being involved in the CAMP and Gay Liberation groups generated a sense of optimism and belief that change was happening. A wide range of experts – academics, criminologists, civil libertarian lawyers, even growing numbers of the medical profession – increasingly argued that homosexuality no longer deserved a criminal status. But the lawmakers themselves were reluctant to act, and what existed for a long-time was in effect state sanctioned homophobia.
110. In 1972, homosexuality was removed from the Diagnostic and Statistical Manual of Mental Disorders (DSM). This happened first in the US and then in Australia. The works of Havelock Ellis, Sigmund Freud, and Alfred Kinsey were crucial to this development.
111. Ellis, a one-time resident of Australia, argued that nothing in nature proved that homosexuality was unnatural, indeed the opposite was the case, and that homosexuality was invariably congenital. Thus both moral censure and legal prohibition were inappropriate responses.
112. Freud's view, published in 1935, was that *"homosexuality is nothing to be ashamed of, no vice, no degradation; it cannot be classified as an illness: we consider it to be a variation of the sexual function."*
113. To me, the removal of homosexual from the DSM represented an important symbolic change.
114. In 1975, South Australia became the first state to decriminalise homosexual conduct. Don Dunstan, the SA Premier, was bisexual and had a personal interest in changing the law. The Attorney General, Peter Duncan, was also very progressive. The terrible murder of Dr George Duncan in 1972 (which involved police) also played an important role in changing attitudes in South Australia. South Australia became the "beacon on the hill" for other states.
115. In NSW, there were ongoing demonstrations in Sydney demanding equal rights for homosexuals. One of the protestors' catch-cries was "stop police attacks, on gays, women and blacks". This highlighted that police were perceived as the enemy by many in these emerging social movements.
116. The tension between police and the gay community culminated in the notorious first Mardi Gras on 24 June 1978. The event started as a peaceful march down Oxford Street from Taylor Square to Hyde Park, and ended in Kings Cross with police wading into the marchers with their batons, leading to 53 arrests. The first Mardi Gras became Sydney's version of the Stonewall Riots.

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117. On the following Monday, at Central Court where the cases of those arrested were to be heard, the police blocked entry into the courtroom, ignoring the presiding magistrate's orders. Such was the outcry over this police intimidation that the Council of Civil Liberties, numerous lawyers, and even politicians condemned the police for their heavy-handedness.
118. Within a year, the *Summary Offences Act*, which gave police the powers they had abused, was repealed and replaced by the *Offences in Public Places Act*.

The 1980s and 1990s

119. Early in 1984, after prolonged pressure on politicians (including the establishment of a caravan, the "Gay Embassy", outside Premier Wran's Woollahra home), a private member's Bill to decriminalise homosexual acts was introduced by the Labor Premier Neville Wran. The Bill was seconded by the Liberal Leader of the Opposition, Nick Greiner, and passed on a conscience vote, albeit with an unequal age of consent.
120. Our response was, "Eureka! We are no longer criminals!". I remember Lex Watson had a party, but there was still an underlying sense that equality had not been achieved. We were aware that those aged 16 to 17 who were same-sex attracted did not have the same rights we had, and the "homosexual advance defence" still existed. Nevertheless, it was an important first step.
121. Decriminalisation should have been the marker for a new period of tolerance for homosexuals, leading to gradual acceptance. However, a new tragedy occurred at the same time as the final push for law reform.
122. Although we did not know it at the time, the appearance of what was at first called GRID (Gay Related Immune Deficiency), later HIV/AIDS, would turn back the clock as far as acceptance was concerned. Although anti-gay violence long predated the onset of HIV/AIDS, such hate violence certainly increased after the first diagnoses in 1982.
123. Although we now know that HIV/AIDS is an infection contractable by anyone, irrespective of age, gender, ethnicity, or sexuality, it was a disaster for progress on LGBTIQ acceptance, because it was first diagnosed here in the gay community. Homophobia became rife and was legitimised by a sensationalising media, politicians, academics and even parts of the medical community. For example:
- In May 1983, Sydney's *Daily Mirror* ran the headline "*AIDS: The Killer Disease that's expected to sweep Australia.*"

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- Fred Nile, a Christian fundamentalist member of the NSW Parliament, demanded that homosexuals be proscribed from entering or leaving the country, and that all gay venues be closed.
  - In June 1983, the *Medical Journal of Australia* had a cover showing a skull and an x-ray, and carried the headline, *“The black plague of the eighties... perhaps we’ve reached a situation like this to show us what we’ve known all along – depravity kills!”*
  - In 1987, Professor Lachlan Chipman at Wollongong University asked in his regular column in the *Illawarra Mercury*, *“Did homosexual activists deliberately poison Australia’s blood supply?”* and concluded that *“it is the irresponsibility of male homosexuals where the historical blame lies.”*
124. One of the most notorious “national education programs” was the 1987 “Grim Reaper” campaign. In the advertisement, a figure of death with a scythe in one hand bowls a ball down a lane at a bowling alley. He knocks over all the skittles, which are characterised as a group of average Australians (men, women and children) waiting for death to strike.
125. At the time, I understood that it was crucial for the government to communicate an important public health message, but the advertisement implied that any family was in danger of becoming infected by HIV/AIDS when the reality was the disease was transferable by blood transfusions and sexual transmission. Many in the gay community protested vehemently against the “Grim Reaper” campaign on the basis that it amplified discrimination, incited tension within the gay community, and provided extra justification for homophobic violence. The timing was so unfortunate too – the gay community had so recently pushed for law reform and been partially successful. Suddenly, we were perceived as the carriers of this dangerous disease.
126. Political organisations within the gay community swiftly shifted from law reform to the AIDS crisis. They attempted to drive the message that HIV/AIDS was a public health issue, not a moral issue. Fortunately, the federal and state health ministers at the time were doctors and agreed that HIV/AIDS was a health issue. This made it easier for the medical profession to address the crisis on those terms.
127. The crisis also led to increased cooperation between the gay community and government. To some extent, this had increased in the 1970s when lobby groups had liaised with government agencies in connection to anti-discrimination legislation and project funding. As Dennis Altman put it, HIV/AIDS forced governments to recognise gay organisations (which they had previously

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ignored) and support such organisations with state resources.

128. The 1980s and early 1990s represented the peak of homophobic violence in NSW. A report by the NSW Anti-Discrimination Board in 1982 had already highlighted the issue of discrimination and violence against the gay community, but over that coming decade violence was ongoing and increasing. There were constant reports in both the gay press and the mainstream media about increasing discrimination and violence against gay men, trans women and lesbians.
129. Many of these attacks, and some of the most brutal, occurred at beats. Parts of the police force did respond to the escalating epidemic of violence that was occurring – a Police-Gay Liaison Group was set up in 1985, and a Police Gay Liaison Officer was appointed in 1988. In the early 1990s, in the face of the still escalating violence and the resulting public outcry, the police set up a special taskforce to address violence occurring in the Oxford and Flinders Street areas.
130. But to some members of the community, these responses seemed inadequate. For example, Dykes on Bikes ran their own street patrols in the Oxford Street area. The Gay and Lesbian Rights Lobby published *The Streetwatch Report* in April 1990, and this led in June 1991 to the community setting up its own specialised group to monitor violence, the Lesbian and Gay Anti-Violence Project. The Lesbian and Gay Anti-Violence Project had the idea that what was really needed was the re-socialisation of the Australian male. It was clear that those who were doing the violence thought that they were doing the right thing by their sense of identity, and this needed to change.
131. Such was the concern about the way police were perceived as failing to adequately handle gay hate crimes that some members of the gay community even set up a vigilante group, called *One in Seven*. One evening in late 1990, a banner was hoisted on light poles outside the Darlinghurst Court House; its message was “THIS SUMMER, FIGHT BACK. BASH THE BASHERS.” It lasted for only three hours before police took it down, but it reflected the growing mood of concern about apparent police indifference to the violence against gay men, lesbians and trans women.

**F. My own experiences of homophobic violence**

132. The first time I experienced homophobic violence was in 1970, when my companion and I were leaving a “camp” dance in the Petersham Dispensary Hall in Parramatta Road, Petersham. It was about 12:30am and we were walking back to our car. A group of young men were standing on the footpath. They were well dressed and we paid them little attention.
133. However, when we were getting into the car, two of them started baiting us into non-sensical

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conversation. What happened next is very muddled in my mind. One of the young men took a dive towards me and hit me full in the face with a clenched fist. There were more blows until I was left lying in the gutter, in a headlock, face pressed to the asphalt. Bizarrely, my assailant ended the exchange there, and said to me, “No hard feelings, mate?” I have puzzled for many years over what was in his mind when he said that.

134. While I did not watch the assault on my companion, when the young men had left I saw that he had a broken and bleeding nose, and two quickly blackening eyes.
135. Beaten and bleeding, we drove off to find the police. Eventually, we found a police wagon and stopped to report what had happened. However, we were told that they were “busy”, and that we had to go to the police station to report it. There was not even an offer of help, or any indication that they recorded our report. Given the cavalier attitude of those police officers, we didn’t even bother going to a police station. We sought treatment in hospital, and began the process of recovering physically and psychologically from the incident.
136. I wrote an article about this incident soon afterwards, and it was published in the *Bulletin* magazine on 5 December 1970. (SCOI.76855) There was then more publicity in the *Sunday Telegraph* on 6 December 1970. (SCOI.77278)
137. Despite my opinion that this was obviously a gay hate crime – we were selected as victims when we left a known camp venue – I never mentioned in my article that this was a gay bashing. This was 1970, fourteen years before the decriminalisation, and a period when I didn’t expect a story about a gay bashing to engender much sympathy. Instead, I framed my article about police accountability for dealing with actual crimes, at a time when police were primarily concerned with “long-haired radicals” and protestors.
138. Because of this publicity, police contacted me and told me they wanted to take a statement from me. I attended the police interview with Ken Buckley, President of the NSW Council of Civil Liberties and someone well known to police for publicly highlighting police failings. The police sergeant immediately said, “Oh, so that’s what it is going to be like.”
139. About a month later, police rang me and said they wanted me to come with them to a place where I might be able to identify my attackers. But the police took me back to the camp dance at the Petersham Dispensary Hall, and I was walked through the hall, crowded with gay men and women, by two uniformed officers. Of course, the attackers were not there. It was an exercise by the police in “we know all about you and your type” – both a humiliation for me, and an embarrassment for anyone attending the dance that night.



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140. Many years later, perhaps only about four or five years ago, I wrote another article entitled, “The Story behind a Story”. That article has never been published, but I wrote it to keep amongst my own personal papers. (SCOI.76854)
141. My second experience of bashing took place in the late 1980s, on Oxford Street. A group of punks accosted and bashed my companion and me but fled quickly – it was a busy street – and we weren’t badly hurt. I didn’t even go to police on this occasion.
142. The third time was also on Oxford Street, on Sunday 20 April 1997. Once again, the perpetrators were a group of youths. My partner and I were coming from our home in Darlinghurst to catch a taxi to Bondi for dinner with friends. A group of three men walked along Darlinghurst Road, punched me, and quickly fled back down Darlinghurst Road.
143. People gathered to help us. Someone might have called police because very soon two young police officers were there. They were very helpful and asked if we needed to go to hospital (we didn’t), although they did let us know that there was little chance of catching the youths who had fled.
144. The response from the attending police in 1997, following the third bashing, was very different from that of the police in 1970. The 1997 case involved younger policemen and occurred 13 years after homosexual acts had been decriminalized. These young policemen would have joined the police force in an era when Australia had become a more multi-cultural society and “difference” was not perceived in such a negative way.

**G. The Special Commission of Inquiry**

145. This Special Commission of Inquiry is the product of many years of work and campaigning by members of the gay community and our allies. Despite the indifference of much of the police to the deaths of gay men, the admirable work of individual police officers who have relentlessly pursued the truth about the deaths of gay men and trans women ought to be recognized. Steve McCann and Steve Page were two officers whose tireless and diligent work led to various cases being reinvestigated and sent to new coronial hearings. Sue Thompson, in her role as the Police Gay/Lesbian Client Consultant from 1990 to 2002, advocated fearlessly for the safety of the LGBTIQ. There were also those who exposed what was going on inside the police force, including Duncan McNab and Mark Higginbotham.
146. Academics and journalists picked up and carried on this work. Together, Stephen Tomsen, Gail Mason, Thomas Lynch, Greg Callaghan, Dan Glick and Rick Feneley accumulated a huge body of material that revealed the extent of the epidemic of gay hate crimes that occurred in Sydney

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from the 1970s onwards. Before this, much of the community's knowledge about the murders of LGBTIQ people, and the police indifference to it, was fragmentary. It was these people that started the process of pulling together the threads of this dark period of our history into a unified narrative. The journalists brought this issue into mainstream consciousness, without which there would have been no political will for any official response to this period of our history.

147. In my mind, one of the most significant steps towards the creation of this Special Commission was ACON's report *In Pursuit of Truth and Justice* in 2018.
148. The genesis of this report was a meeting attended by representatives of a number of the LGBTIQ community groups, and myself, in April 2015. I wrote and distributed a document highlighting the need to collate all the information we had about the spate of LGBTIQ hate crimes in Sydney into one "Register of Victims", which we could then use to lobby parliamentarians to take action. (SCOI.76828) This idea morphed into the work led by ACON in reviewing and reporting on the initial list of 88 suspected anti-gay homicides compiled largely by Sue Thompson and Stephen Tomsen.
149. Without ACON's report, I doubt there would have been the Parliamentary Inquiry into Gay and Transgender Hate Crimes, that would ultimately go on to recommend this Special Commission of Inquiry.
150. This Special Commission of Inquiry is of great importance, not only to the LGBTIQ community but to all of us. Public inquiries allow citizens to know what is done in their name. There will finally be a spotlight on the police inaction at the time - on all the times when they simply wrote off the deaths of gay men as accidents or misadventure. Those deaths will finally be given the attention they deserve.
151. Every city has dark times in its past. But that past needs to be revealed and acknowledged. It is only then that we can move on, hopefully, to a better place.

Signature:



Name:

GARRY WOTHERSPOON

Date:

14 November, 2022