

Item 3.3

Progressing Action on Safety for Our LGBTIQ+ Communities

File No: S051491

Minute by the Lord Mayor

To Council:

"The tapestry of human rights is woven with threads of diversity, acceptance, and respect for every life to be equal, and freedom. To deny one thread is to unravel the entire fabric of our humanity."

"In the symphony of life, every voice deserves to be heard, every note cherished. LGBTIQ rights are the melody that fills the air, reminding us that diversity is the key to harmony."

These inspiring words were delivered by Tuisina Ymania Brown, Co-secretary general of ILGA World and Chair, TransEquality Council at the LGBTIQ+ Safety Summit Sydney I hosted at Customs House on Friday 9 February 2024. Ymania reminded us that we will only be truly safe when recognise our common humanity and respect and ensure the rights of all.

Sydney has always been a beacon for LGBTIQ+ communities across NSW, Australia and the world. We are a City with a solid foundation for activism and community building, the home of Mardi Gras and the host of WorldPride in 2023. Sadly however, in the last shining days of WorldPride, we witnessed horrific attacks on our LGBTIQ+ communities both online and in public.

In June last year, Nicolas Parkhill AM, the Chief Executive Officer of ACON, wrote to me proposing a statewide LGBTIQ+ Safety Summit to understand and combat this rise in hatred, discrimination, and abuse. Council unanimously agreed to endorse and host a Summit in collaboration with ACON, and we funded ACON to deliver training for Local Government staff through online training seminars.

Out of this proposal, we hosted 120 people from the LGBTIQ+ communities, academic experts, allied organisations and all three levels of government came together for this important event.

We heard many accounts from community leaders of the pain, anguish and sense of abandonment they felt when dealing with homophobia, transphobia and discrimination in our communities. People spoke about the failure of police to respond to calls for help, and the community's resulting lack of trust in the police. We also heard about the over-policing of LGBTIQ+ communities, as well as serious criticisms of police training. It was deeply upsetting to hear about these failures when it comes to combating abuse and discrimination.

A key theme that emerges from the Summit was the need for governments to work with and support the community in ensuring LGBTIQ+ community safety. This must include institutional accountability, and recognition of the dignity and diversity of the LGBTIQ+ community.

Jackie Turner, Director of the Trans Justice Project, crystallised this in her closing speech providing a community response to the Summit. Stressing the community's resilience, she said "We need to make sure our communities are safer but governments also have a role. We need to be stronger and sharper. Together I think we can win."

The NSW Government's response to the recommendations of the Special Commission of Inquiry into LGBTIQ Hate Crimes conducted by Justice John Sackar will be crucial to addressing hate crimes. Professor Asquith described the Inquiry as "a landmark moment in our work to eliminate hate crimes." In addition to its specific recommendations, "it has directed the NSW Government and NSW Police Force to lift their game on responding to the needs of our communities today".

Justice Sackar recommended that additional mandatory and ongoing training should be provided to NSW Police Force officers concerning the LGBTIQ+ community, developed with input from LGBTIQ+ representatives and organisations, and potentially provided by an LGBTIQ+ organisation. I am asking Council to call on the NSW Government to implement Recommendation 8 relating to police training without delay.

Dr Ellis referred to Productivity Commission data which showed that public perceptions of police integrity are at 10-year lows nationally. He suggested one reason was targeted policing methods, such as the use of drug detection dogs, so-called 'decency checks' and strip-searching. He asked what could policing look like at Mardi Gras, in queer spaces, and at music festivals, without drug detection dogs. This Minute asks Council to reaffirm its opposition to the use of such practices.

There was also a need to develop critical community infrastructure and capacity. Professor Asquith pointed out that the LGBTIQ+ communities led the work on hate crimes in Australia. "We need to do so again, and collaboratively with other communities that experience targeted violence," she said.

The City can play a role in supporting initiatives which could contribute to this community infrastructure. This Minute asks the CEO to investigate:

- the development of pathways to increase rates of reporting and improve the collection of information from LGBTIQ+ community members of acts of violence, discrimination, vilification, harassment and abuse in both the public domain and online.
- community-based legal, social and emotional support for individuals, in particular, the most marginalised and vulnerable LGBTIQ+ community members such as asylum seekers and sex workers, who seek redress for acts of violence, discrimination, vilification, harassment or abuse against them. Pursuing such action is often challenging and potentially traumatising. Many people may not do so, or give up without this support. Community legal centres are often the only support available to this community, and I am asking Council to support additional funding for our local Community legal centres targeted to support our LGBTIQ+ community, as well as advocacy for the NSW Government to increase their funding as well.
- support for community-led initiatives to keep LGBTIQ+ community members safe and supported. We heard several accounts at the Summit from attendees such as Dykes on Bikes about how it was often up to the LGBTIQ+ community to protect themselves from violence and abuse, and that governments need to do more to support these initiatives.

There was also a need to combat the misinformation, disinformation and prejudice which fuels transphobia and homophobia. Dr Ellis suggested that “pre-bunking” is one such strategy. He described it as a form of “attitudinal inoculation” to equip people with the knowledge to challenge misinformation through pre-exposure to accurate information. There was existing source material and infrastructure which could be used to develop LGBTIQ+ pre-bunking campaigns.

The opening of Qtopia, Sydney’s own centre of history and culture, on 23 February 2024 presents one such opportunity. Qtopia’s education and exhibition program is vital in contributing to a pre-bunking strategy.

Qtopia Sydney will also help realise one of the suggestions Justice Sackar made in the conclusion of his report. He suggested that the history recorded in his Report, and the broader historical context in which it takes place, should be the subject of “a comprehensive queer heritage project”.

Qtopia Sydney has written to me asking whether it would be possible for the City of Sydney to fund free entry to Qtopia on Sundays for 12 months. I propose that Council support this proposal and request the Chief Executive Officer to investigate a grant to enable this to happen. Doing so would not only enable more people to enjoy Qtopia, as well as attract more people to the Oxford Street precinct. It would also contribute to the implementation of a pre-bunking strategy and will align with the proposal in Justice Sackar’s report.

I would like to extend my sincere appreciation and thanks to those who attended and spoke at the Summit, particularly community leaders who shared their sincere and personal experiences with attendees. It is through these accounts that we have been able to better understand the urgency for action needed out of the Summit.

Progressing these actions requires the commitment of the community and government. If we succeed, we can all claim the Polynesian wisdom identified by Ymania Brown: “Tautai A’e”! “We Did It”!

Recommendation

It is resolved that:

- (A) Council note that in order to address violence, abuse and hatred directed towards LGBTIQ+ communities, governments at all levels must work in partnership with LGBTIQ+ communities and their allies;
- (B) the Chief Executive Officer be requested to:
 - (i) investigate the following actions, in consultation with LGBTIQ+ community organisations and report back to Council about how the City can support:
 - (a) the development of pathways to increase rates of reporting and the improved collection of information from LGBTIQ+ community members of acts of violence, discrimination, vilification, harassment and abuse in both the public domain and online;
 - (b) the provision of community based legal, social and emotional support for individuals who seek redress for acts of violence, discrimination, vilification, harassment or abuse against them - including funding for local community legal centres that support members of the LGBTIQ+ communities seeking redress for acts of violence, discrimination, vilification, harassment or abuse against them; and
 - (c) community-led initiatives to keep LGBTIQ+ communities safe and supported;
 - (ii) report to the next meeting of Council on the recommended response to Qtopia Sydney's request for funding to enable free entry on Sundays for a period of 12 months, noting that it would:
 - (a) increase community access to Qtopia Sydney;
 - (b) advance the implementation of a pre-bunking strategy as outlined in this Minute; and
 - (c) align with Justice Sackar's proposed establishment of a "comprehensive queer heritage project" in his report arising from the Special Commission of Inquiry into LGBTIQ hate crimes;
- (C) Council endorse the Equality Legislation Amendment (LGBTIQ+) Bill 2023 introduced into the NSW Legislative Assembly by Alex Greenwich MP and encourage people to lobby their Members of Parliament to support the Bill;
- (D) Council call on the NSW Government to implement Recommendation 8 relating to mandatory and ongoing Police Training without delay;
- (E) the Lord Mayor be requested to write to the NSW Treasurer and NSW Attorney-General provide increased funding for Anti-Discrimination NSW and Community Legal Centres in the 2024-2025 NSW State Budget to enable them to better respond to and assist with complaints of anti-LGBTIQ+ violence, discrimination, vilification, harassment and abuse;

- (F) the Chief Executive Officer be requested to write to the Office of Local Government requesting the introduction of mandatory training for all Council officials as defined in the Model Code of Conduct to ensure they are aware of their statutory obligations to ensure community safety for all, including the LGBTIQ+ communities; and
- (G) Council note that the Lord Mayor and Alex Greenwich MP, Member for Sydney, will write to the Minister for Police and the NSW Police Commissioner requesting action on the matters raised at the LGBTIQ+ Safety Summit, including police response to calls for help, trust in the police, over-policing, police training and the use of drug detection dogs.

COUNCILLOR CLOVER MOORE AO

Lord Mayor

Attachment A. Recommendation 8 of the Special Commission of Inquiry into LGBTIQ Hate Crimes Relating to Mandatory Police Training

Attachment A

**Recommendation 8 of the Special
Commission of Inquiry into LGBTIQ Hate
Crimes Relating to Mandatory Police
Training**

Special Commission of Inquiry into LGBTIQ hate crimes

Recommendation 8

For the reasons outlined in **Chapter 8**, I recommend that additional mandatory and ongoing training be provided to NSWPF (NSW Police Force) officers concerning the LGBTIQ community, including but not limited to training on the following topics:

- a. The indicia of LGBTIQ bias crime and the circumstances in which an officer should engage with the NSWPF Engagement and Hate Crime Unit;
- b. The importance of cultural awareness and the use of appropriate and inclusive language;
- c. Trauma-informed communication and engagement with partners, families, friends and loved ones of victims in the specific context of the LGBTIQ community; and
- d. The role of conscious and unconscious bias and the potential impact of bias on investigations.

Any such program should be developed with input from LGBTIQ representatives and organisations, and consideration should be given to whether better outcomes could be achieved through an in-person format, and by having this education delivered by an LGBTIQ organisation external to the NSWPF.