It is easy to think that the decriminalisation of homosexuality in Australia was accompanied by a widespread shift in societal attitudes rejecting homophobia.\(^1\) Such a belief, according to the prominent political scientist Henry Mayer, is mistaken. Mayer in 1972 opined, ‘Law reform, of course, is but a first step. It is obvious that it is not the most important’.\(^2\) Mayer’s thesis concerns commitment to pluralism and cultural diversity and, more specifically, to the right of homosexual citizens ‘not to be treated as outcasts’.\(^3\) His position that legislative reform is subordinated to cultural reform contains an appreciation that the long-established and deeply-entrenched hatred and vilification of homosexual people will not disappear simply because legislation criminalising homosexual behaviours has been reformed. That is to say, cultural reform removing homophobia is more complex, challenging, and time-consuming than law reform decriminalising homosexuality.

The reality of this appreciation is reflected firstly by the fact that legislation decriminalising homosexuality in most Australian jurisdictions generally has been followed with legislation proscribing discrimination on the ground of sexual preference; and, secondly, by the continuing arguments over persistent homophobia, including the current debate over full equal rights for homosexual citizens. This article explores the struggles between diverse cultures asserting differing values within society.

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1. Homophobia can be defined simplistically as the irrational fear of and hostility towards homosexual behaviour and those expressing or supporting such behaviour.
3. Ibid.
Homophobia: A Clash of Cultures

Homosexual acts between men were illegal under the English law imported into Australia from the earliest European settlement. The law provided the death penalty for sodomy, although this eventually was reduced to whipping and imprisonment with hard labour. In South Australia (SA), this status quo was maintained until 1965, when the conservative Liberal Party government was voted out of office on the cusp of a trend emerging across the West that promoted individual rights and social tolerance. The newly elected and more socially progressive Australian Labor Party government heralded an era of sweeping cultural reform, often under the influence of Don Dunstan, first as Attorney-General and then in the late 1960s and for most of the 1970s as Premier.

Australian homosexual law reform was initiated in SA in 1972, and was given full effect with further legislative amendments in 1975. The liberalising process which saw the decriminalisation of homosexuality did not occur without a conservative reaction, and the homosexual culture continued to be subjected to homophobic attacks. Dunstan, perhaps because of his parliamentary record on citizen rights, but also for having been the subject of an exposé in 1979 detailing an alleged homosexual relationship (despite having been twice married), became entangled in one such attack.

While SA was the first jurisdiction to establish statutory equality in the criminal law regardless of gender or sexuality, this human rights achievement has not always been acknowledged in its political record. There are three relevant social history books, each giving critical consideration to the reform achievements of the Dunstan governments during the 1960s and 1970s; all three present argu-

ments concerning morality and purported mistakes by the Dunstan governments in this regard. Essays published on homophobia in SA focus on the emergence of homosexual culture in the pre-war period, and on efforts during the 1960s and 1970s for the decriminalisation of homosexuality.

Further information on homophobia is found in police and archival records, and in mainstream press reports. Following the advent of gay liberation in the early 1970s, the gay community press provides another source. Detail from within homosexual culture is provided by the oral histories recorded in the late 1970s by historian John Lee, whose forty-two interviewees offer reflections on experiences from the early decades of the twentieth century through to the late 1970s. These sources establish the principal agents of homophobia both before and after the decriminalisation of homosexuality.

The Police and the Press before the 1970s

An analysis of the Lee interviews reveals dominant themes of persecution by the press and the police, as recounted over many instances. Police practices of harassment, entrapment, assault and verbalising are identified as common occurrences. One of Lee’s interviewees, Sid, discusses his arrest in 1941 following the post office’s accidental delivery of his correspondence with a

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9 Lee, ‘Male Homosexual Identity’.


11 My thanks to Lee’s literary executor, Ian Purcell, for access to the complete interview transcripts. For further detail on Lee’s work, see Dino Hodge, ‘Adelaide’s Flowering Homosexual Culture: 1939–1972’, *Flinders Journal of History and Politics*, (In Press).
pen-pal to a wrong address, which led to the exposure of his personal life. A police raid at Sid’s home uncovered an address book and a couple of photos of men with erections. On this basis, the police visited one of Sid’s friends and explained to him that,

[Sid] had been arrested and confessed to having sex with other male persons…
[The police then] got him to sign this document—which he didn’t read—and which made up the case. Had no truth in it at all.12

Both men were sentenced to two-and-a-half years for buggery. The risk of such arrest meant that one’s name would be reported in the avidly-read ‘pillory column’, as the daily newspaper court reports were known. In Sid’s case, the press, ‘made great mountains out of molehills…they had huge headlines…[and] inferred in big letters that I had hundreds of addresses and I was the head of an international sex ring’.13 The opening sentence of one front-page report declares, ‘A novel and sensational “vice ring” threatens the entire Commonwealth’.14

Such public exposure, especially when turned into newspaper beat-ups, created a drastic impact on family relations and social standing, often leading to ostracism and loss of employment.15 As Peter ‘A’ poignantly describes,

There was nothing you could do once you were caught. It was just this frightful fear hanging over your head. …Oh, it would hang over everybody. ‘Cause it wasn’t just a handful of people, there were hundreds and thousands of people in Adelaide at that time who were camp.16

It is difficult to estimate actual numbers of people. In 1945 the male population of SA totalled 310,813 and, if an estimate of four per cent is used, this suggests more than 12,000 men may have been affected by the criminalisation of homosexuality.17

The Rise of Homophobia

We can be certain, however, that developments surrounding World War Two gave additional impetus toward homophobia. Concern over the spread of com-

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13 Ibid.
14 ‘Sensational Vice Ring Alleged’, Truth, 14 June 1941, 1.
munism and associated threats to security emerged and a nation-wide police operation was established in 1939 to monitor ‘activities thought likely to lead to violence, terrorism or subversion’. The Subversive Section focused surveillance primarily on members of the Communist Party of Australia and others believed to be engaged in or suspected of subversive activities. Homosexual men were of particular interest to the police. The fear was that homosexual men holding positions of power or in jobs with access to sensitive information could be subjected to blackmail by communist spies.

In SA, then Commissioner of Police, W.F. Johns, took this threat very seriously. In 1947, Johns led national discussion in which he nominated sexual crime—specifically homosexuality—as an agenda item for the annual national conference of state Police Commissioners. Johns subsequently sent a memo to the South Australian Minister for Police, recommending that homosexual men be segregated in an institution or colony. In his annual report to the South Australian Parliament in 1947, Johns then reiterated his proposal and was pleased that the Adelaide News editorialised immediate endorsement. Johns tabled his continuing concerns as the leading item on his agenda for the 1948 national conference. The 1949 conference reviewed the varying administration in each jurisdiction of the Subversive Section, and a standardised approach was adopted with all states forming a Special Branch.

In his research into 1950s policing practices, historian Graham Willett found homosexuality came to be regarded as a vice holding its own status, and concluded that, ‘across Australia, in the early 1950s the police had started to

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19 W. Johns, ‘Minute to Police Medical Officer’, 15 April 1947, State Records South Australia (SRSA), GRG 5/2, Unit 233, File 1708/1944.
22 W. Johns, ‘Items Submitted by the Commissioner of Police, South Australia, for Discussion at Commissioners’ Conference, Wellington, NZ’, 26 October 1948, SRSA, GRG 5/2, Unit 248, File 1546/1948.
see homosexuality as a major problem'. In SA, men who were thought to be ‘loitering’ or who were suspected or known to be homosexual had Special Branch files, later known as the ‘pink files’. Special Branch was consulted routinely by federal and state government departments and organisations to vet those seeking or already in employment, which may involve access to sensitive material. Information on individuals who had not committed any offence in law could be, and was, used to deny people employment.

This opprobrium was reflected in the mainstream print media in SA with repeated reports throughout 1948 and 1949 on the rising incidence of ‘sex perverts’ and on the number of charges of gross indecency between men, culminating with an editorial urging a Government inquiry and declaring, ‘[t]he public will not be satisfied until it is made’. In the ensuing debate, one letter to the editor sought the death penalty for ‘perverts’. The press continued its campaign, worrying about ‘perversion parties’ and what might be ‘the best method of treating perverts’, reporting:

A high police official answered that question this way: ‘One has to be careful of one’s subject at all times, but I am confident that in quite a few cases a taste of the lash would effect a rapid cure…[and] would help them to forget their ideas more quickly than talks and psychological treatment’.

In May 1949 the South Australian Government announced the establishment of an inquiry, and the Report of the Committee on Treatment of Sex Offenders released in 1952 advocated that:

there should be no relaxation of the activity of the police to detect and bring offenders before the court. …The police are of opinion that a good deal could be done to discourage homosexuality if these people could be dealt with in a way similar to that applied to reputed thieves. We agree with this view.


Despite accepting the report’s recommendations, the Government did not proceed with the expansion of police powers.\(^{32}\) Still, the press persisted in voicing its concerns: ‘South Australia—the state with the highest incidence of sex crime in the Commonwealth—is expected to maintain its unsavoury record this year’.\(^{33}\) Willett believes the lack of informed debate about homosexuality in the mainstream press at this time reflects a deliberate decision by those who controlled the press, citing a 1962 essay on the press in Australia by historian Kenneth Inglis, who explains,

> editors certainly do exclude newsworthy stories because they are deemed too nasty, too ‘controversial’.

...All the papers received on 30 June 1960 a report of a debate in the [English] House of Commons about whether the law should permit homosexual acts between consenting adults in private. The two morning papers in Sydney reported some of the arguments. The *Advertiser* allowed South Australians only two sentences, under the heading ‘Vice Vote’.\(^{34}\)

When the law in England was subsequently amended in 1967 to decriminalise homosexuality, the press coverage in SA included one report,

> Any move to legalise homosexual acts between consenting adults in South Australia appears to be a long way off. A poll of SA parliamentarians today indicates no member is likely to introduce legislation similar to Britain’s controversial homosexual law.\(^{35}\)

The five parliamentarians interviewed for the article did not include then Attorney-General Don Dunstan, who in 1965 had already secured Cabinet agreement to decriminalise homosexuality but was unable to proceed due to lack of Caucus support.\(^{36}\)

Reports prior to the 1970s generally were limited either to concerns about controlling homosexuality or to dramatic revelations about ‘perverts’. A readership perspective on reports in SA is provided by one of the Lee interviewees, Peter ‘B’, who moved from Sydney to Adelaide in 1962,

> We used to buy the *Advertiser* and find out who was in trouble. It was pretty

\(^{32}\) *SAPD*, 13 November 1952, 1340–1341.

\(^{33}\) ‘SA’s Sorry Record’, *Truth*, 24 January 1953, 3.


\(^{35}\) ‘MPs Cool about Sex Law’, *News*, 3 January 1967, 10.

bad news. In fact, you got more publicity here than in Sydney. You would be most unfortunate to have a case about a homosexual published in a Sydney paper—it just wasn’t newsworthy—but it certainly was here.37

During this era, homosexual men experienced widespread persecution by the police, notwithstanding a failed attempt by police to secure greater powers to control homosexual activity. Men were frightened of public exposure and ridicule by the media. Mainstream press coverage concerning homosexuality before the 1970s failed to focus on relevant issues or to inform debate, choosing instead more dramatic elements that would capture the public imagination.

**A Minor Public Sensation**

In 1972 the random cases of death by drowning of Adelaide University law lecturer Dr George Duncan marked the changing balance of power between these parties, although there was not any concomitant improvement in the quality of media reports or of police-community relations. Mainstream press reports about police practices in regard to homosexuals had been scant and biased, and the annual reports tabled in Parliament by the Commissioner of Police did not contain worrying information that would attract publicity. However, Duncan’s death attracted public attention. Dunstan, then South Australian Premier, reveals in his memoirs that Duncan died at the River Torrens, in an area that ‘was known to be frequented by homosexuals, and also those who regarded “poofter-bashing” as a sport’.38

Then Police Commissioner McKinna, who was on the verge of retirement, denied any involvement of police officers at the homosexual ‘beat’ meeting spot. Public disquiet grew when Professor Horst Lucke, the head of the Department of Law at the University where Duncan taught, felt compelled to release publicly his letter to Commissioner McKinna, challenging denials of police involvement.39 Subsequently, the Attorney-General called for a report, and the Advertiser editorialised its support, demanding, ‘what steps are being taken to reassure the public of the integrity of the Police Force?’40

The incoming Police Commissioner, Harold Salisbury, called in the New Scot-

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38 Dunstan, *Felicia*, 201.
Following a two-month investigation, a brief media release announced that the investigation had been carried out meticulously, and, on the evidence submitted to the Crown Solicitor, the decision had been made that there were inadequate grounds for prosecution. In his annual report to Parliament, Salisbury later stated,

[a] minor public sensation resulted when [three police] members were questioned in the course of a police inquiry following their refusal to answer questions at the Coroner’s hearing, and when they also refused to answer questions put to them by a Senior Police Officer, they were suspended from duty and have since resigned from the Force.

Dean Jaensch, a senior academic in politics at the Flinders University of South Australia and press commentator, termed the New Scotland Yard report a 'non-conclusion'. Consequently, a considerable amount of ill-feeling was generated, as noted in a subsequent report published in the Canberra Times: ‘Homosexuals in the State have been even more bitterly anti-police in their attitudes since this event than they were before’.

**Partisan Media**

The Canberra Times report was indicative of a number of reports about SA originating from outside the state and which over coming years would augment or, worse, contrast with reports originating from within the state. This suggests a comfortable relationship had developed between the police and the press in SA. Furthermore, the press failed to maintain its independent, critical role essential for the healthy functioning of a modern democratic state.

The South Australian media made a respectable effort to report on Duncan’s murder, seeking justice for an innocent victim, and also supporting calls for the decriminalisation of homosexuality. However, the murder could not force a less biased or more forthright and informative reporting about homophobia.

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The coverage of possible police involvement in Duncan’s murder was, at times, patently protective of the police, in contrast with the investigative and more accurate reporting published by interstate presses. South Australian journalist John Miles wrote a series of three articles entitled ‘The Homosexual Scene in Adelaide’, with the second of these, ‘When Police will Act’, focusing on police attitudes and activities. Miles unquestioningly repeats police statements without introducing other viewpoints, reporting,

Police say they spend relatively little time in the detection of homosexuality. … Police 'pay attention' to known premises where homosexuals often congregate, but apart from the occasional arrest for a fight 'when someone tries to get off with someone else's boyfriend’, little police action is taken.47

A more insightful article was published the following day by another South Australian journalist, Greg Walker, who opens his report with a statement about the current circumstances,

[t]he appalling and pointless death of the brilliant Dr George Duncan has highlighted the plight of the homosexual in our society. It raises the distasteful spectre of 'poofter-bashing', the pitiless spectre of loneliness, blackmail, exposure, social and employment discrimination and police prosecution that haunts every homosexual.48

In contrast to the Lee interview, the report did not attempt to identify the perpetrators of the assault, blackmail and exposure of homosexuals. Instead, its focus shifted onto the ‘harsh’ law under which ‘one man having sex with another faces a maximum penalty of ten years in gaol and a whipping’, and reported on the potential of homosexual law reform. The Advertiser did, however, publish an editorial about the ‘mystery’ surrounding Duncan, and questioned the statement of the outgoing Police Commissioner that ‘no evidence exists to implicate any member of the police’.49

The interstate press was more forthright. One report in the Nation Review pursuing the identity of Duncan’s murderers declares,

However, it has never been a mystery to homosexuals. Vice squad activity at Adelaide’s beats has been of such a vicious intensity over a long period of time, that stories constantly circulate amongst homosexuals about these

49 ‘Duncan Mystery’, Advertiser, 2 June 1972, 5.
confrontations.\textsuperscript{50}

Paul Foss, editor of \textit{Woroni}, the student newspaper at the Australian National University, flew to Adelaide to research the issue, meeting lawyers, University of Adelaide staff and, with the assistance of the South Australian branch of Campaign Against Moral Persecution (CAMP), interviewing homosexual men. Foss did not publish his entire report due to consideration of libel laws. He wrote about police decoy work, arrests and police assaults against innocent homosexual men. One of the men Foss interviewed also recounted how an allegedly trumped-up charge of loitering brought against him had been withdrawn unexpectedly five weeks after Duncan's death.\textsuperscript{51}

This interstate reporting was pursued by Adelaide journalist Stewart Cockburn, who decries, ‘the serious thing about all these allegations and innuendoes is that their reputation as members of Australia's finest law-enforcement agency is being tarnished without any evidence.’\textsuperscript{52} Cockburn, in a previous community debate on the decriminalisation of homosexuality in 1967, observed that

> In the US, the UK and sometimes in Australia, police have been accused of 'harassment, entrapment and brutality' towards homosexuals. ... Only a few score cases [prosecuting homosexuals] seem to come before SA courts annually. This tends to support the view that the police are not abusing their responsibilities.\textsuperscript{53}

After Foss's report, Cockburn considered it necessary to talk with homosexual men about such accusations. His report, ‘SA Police Bitter over Gossip’, found in favour of the police,

> Homosexuals in SA are bitter at what they claim is a history of persecution against them by police and by the community in general. However, news that the SA Police Association is considering suing sections of the student and interstate Press for allegedly defamatory articles about the Duncan case reflects a growing bitterness of what they consider an unwarranted general campaign against them going far beyond the evidence. ... [I]t is time to say bluntly that much of their material is based on unsubstantiated statements by un-named informants, on inaccurately researched facts from which


\textsuperscript{51} Paul Foss, ‘No One could have Done More’, \textit{National U 8}, (1972), 1–2.

\textsuperscript{52} Stewart Cockburn, ‘Students to Hit at Duncan Case’, \textit{Advertiser}, 28 July 1972, 3.

\textsuperscript{53} Stewart Cockburn, ‘Sex Deviate in Local Focus’, \textit{Advertiser}, 16 August 1967, 2.
unwarranted deductions are drawn.54 Cockburn was being disingenuous: he was fully aware that homosexual activity was illegal, and that men discussing such behaviour risked arrest arising from self-incrimination—and this in a period when outcomes of such disclosure could be dire and lacking the protection of modern anti-discrimination legislation.

A Police Retreat?

The public profile on the plight of homosexual men following Duncan’s murder had some positive outcomes. It led to an increased public awareness of the issues and contributed to informed public debate. In turn, this fostered the climate that culminated in the 1975 amendments to the criminal code. The early 1970s also saw the establishment of gay liberation in SA, nurturing the emergence of a community empowered for the first time by the capacity to publicly represent and defend itself. A year after the murder, interstate media reported that

[t]he police department is being circularised at frequent intervals and asked for an update on police thinking towards homosexuality. Police commissioner Salisbury is sympathetic, if unwilling, to do very much.55

Lee’s interviewees also reported an internal crack-down on police abuse of powers, and detailed the community’s perception that police harassment had reduced dramatically. Furthermore, at least two cases of homosexual indecent assault charges pending court hearing are recounted as being withdrawn in the immediate fall-out.56 Lee writes that during this period ‘repressive police activity at the beats all but ceased’, and reveals that representations in the mid-1970s by gay activists to Commissioner Salisbury resulted in his assurances that the laws about sex in public places would be applied by the police only ‘in limited circumstances, and then, in a non-discriminatory way’.57 That is, rather than sending out patrols to public places known to be sites where people meet, the police would act only when people engaged publicly in sexual activity attracted attention, irrespective of their sexuality. However, Lee reports that this ‘by and large good situation ... came to an end in the late 1970s’, which he observed coincided with Dunstan’s resignation as Premier.58

56 Lee interview with Dennis and John ‘B’, August 1980; and David, October 1980.
57 Ibid.
Dunstan resigned on 15 February 1979. In April, the lead story in the monthly newsletter of the Adelaide Homosexual Alliance (AHA) expressed concern about ‘police going back to their dirty tricks’. It posited that this was due to the fact that following Dunstan’s retirement, the police ‘will be free to start petty harassment of the citizenry again, without fear of being stood on from “up top”’. An AHA delegation met in May with an Assistant Police Commissioner, who advised that plain-clothed police officers were present at beats in response to complaints from gay men about bashesings and robberies. By June, the AHA had received more details of further cases, ‘which indicate beyond a shadow of a doubt that the South Australian Police are deliberately entrapping homosexual men’, and following AHA consultation with its membership, the Attorney-General and various organisations, including the Commissioner for Equal Opportunity and the Council for Civil Liberties, the AHA decided to pursue its negotiations with the police.

By the time of their meeting with Police Commissioner Laurie Draper in July, one of the cases involving a charge of offensive behaviour had been dismissed by a magistrate who criticised these police actions. The AHA pressed their case with the Commissioner, and later reported to their membership the Commissioner’s explanation that the arrests were the work of ‘a special troubleshooting plain clothes branch’, and that the Commissioner had agreed to issue a directive reiterating disapproval of entrapment methods.

The Police/Media Maelstrom of ‘The Family’

Whatever retreat on the part of the police that may have occurred during the 1970s, a reversal became apparent immediately upon Dunstan’s retirement as Premier. Furthermore, throughout the 1980s, the police were at the core of a new drama that began to unfold with serious ramifications for the gay community and for Dunstan. Both were to have direct experience of the aphorism, ‘facts have never been allowed to get in the way of a good story’. The media, too, was central to this drama.

During the 1980s, the presence of the Human Immunodeficiency Virus (HIV)

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introduced a situation that played out dramatically in the Australian media. A new minority group, being those people either infected with the virus or who had developed the associated condition Acquired Immunodeficiency Syndrome (AIDS), were forced to confront both their own health status, and the public’s confusion, fear, ignorance and rejection. Historian Paul Sendziuk discusses this situation, recalling that the phrase ‘the gay plague’ became the most prevalent identifier of the syndrome in the first few years of the epidemic, and that in ‘other instances, the supposed “fact” gays caused AIDS was used to justify sheer prejudice and violence towards homosexuals’.64

Notwithstanding the nation-wide impact of the AIDS crisis, the mainstream press coverage in SA surrounding the murder of a young man started to ring further alarm bells for South Australia’s gay community in 1983. By late July, an article pointing out the similarities between that murder and the murders of three other young men entitled, ‘Homosexual gang could be killers of 4’, was seen by the gay community to further inflame hostility arising from entrenched myths of homosexual male paedophile predators.65 The day following the article’s appearance, graffiti was sprayed on the door of the Gay Community Centre (GCC), and the gay community press later reported a consequent surge in ‘poofter-bashing’ assaults.66 Within a week of the article’s publication there was another fire at the GCC, while a third fire gutted the gay coffee lounge, Raffles.67

The community press specifically attributed these fires to the homophobia fanned by the ‘anti-gay attack over the past few months’, contained in articles published by the mainstream print media.68 An editorial in the community press in August 1983 worried about the ‘tunnel vision’ of the mainstream press in re-vitalising homophobia through its coverage firstly of HIV and additionally, ‘now the disappearance of a number of teenage boys in Adelaide’.69 In November

69 Editorial. ‘The Firing Line…We’re in It’, Catch 22, issue 18 (August, 1983), 2–3
1983, an editorial bluntly expressed the community’s fears about the effect of media coverage contributing to the backlash, concluding,

If the murderer of Richard Kelvin is gay then the whole gay community will be made to bear the guilt. … To dive for the closet would be to play into the hands of those who would delight in closing that closet door behind us.\textsuperscript{70}

By September 1984, the community press was lamenting that all issues pertaining to the gay community, the ‘anti-homosexual “forces” have had a field day over the past month or so and this has been reflected by almost daily media reports’.\textsuperscript{71} Indeed, by 1988 mainstream media reports transformed what had started as a ‘homosexual gang’ into ‘a group of older homosexual men (perhaps some of eminent standing) who lured, drugged, then sexually abused as many as 200 young men’, and the moniker ‘The Family’ was adopted. Police briefings given to the mainstream media supplied material, which was used in press attacks on the community.\textsuperscript{72}

The community press, in turn, complained that the mainstream media had ‘consistently used unsubtle inferences, lurid headlines, unnamed sources and unsigned articles to produce what could well amount to a media creation’.\textsuperscript{73} A subsequent critical review of the media coverage on this topic from March 1982 to March 1990, including analysis about the derivation and usage of the moniker ‘The Family’, establishes the community’s allegations over the mainstream media’s invention as accurate.\textsuperscript{74} During the 1980s, the press in SA lacked investigative reporting into police actions, and perpetuated a bias towards capturing the public imagination at the expense of factual reports and informed debate.

**Gay Community Action**

In a new major offensive, the activist organisation Gay Community Action (GCA) issued a media release in August 1989 calling for a top-level independent inquiry into ‘the way police have handled matters relating to an alleged
homosexual gang, referred to as The Family’. The GCA declared that the police had failed to substantiate their claims and theories—as had been commented upon by the State Coroner at an inquest of March that year.\textsuperscript{75} Appended to the GCA’s media release was an analytical compilation of print media reports to substantiate its argument.\textsuperscript{76}

Adelaide’s three major newspapers immediately ran front-page stories, all of which contained police denials of responsibility for originating the term ‘The Family’. The lead story of the News opportunistically and uncritically reiterated rumours, including the suggestion that ‘a hard-core group has existed for up to 20 years, with other participants coming and going’.\textsuperscript{77} However, the Advertiser uncritically reported on its interview with the police officer heading the investigation team, Detective Sergeant Trevor Kipling, together with Assistant Police Commissioner Colin Watkins and another senior officer, who confirmed that abductions had commenced as early as 1973 by a group in which ‘principal members of the gang numbered three, at most four’. Kipling was also dubiously reported as asserting that ‘police had received good cooperation from homosexuals, and the issue of sexual preference was not relevant to investigations. It was a matter of lifestyle’.\textsuperscript{78}

While Kipling was asserting cooperative relations, the gay community was experiencing significant frustrations in its dealings with the police. Malcolm Cowan, president of the Gay and Lesbian Counselling Service (GLCS), wrote in March 1989 to the Police Minister raising concerns about the marked increase over the preceding year of arrests using police entrapment.\textsuperscript{79}

Subsequently, the GCA arranged a meeting in July 1989 with the minister, John Klunder, at which they tabled a GLCS report detailing both the increase in entrapment cases and the associated ‘harassment and humiliation that people


\textsuperscript{76} Kenton Penley et al., \textit{Does ‘The Family’ Exist?}, 1989, DHCL GR 199.


\textsuperscript{78} Nick Cater and Robert Ball, ‘Police Outline Their Investigations on “The Family”’, \textit{Advertiser}, 21 August 1989, 1, 21.

have been subjected to, either before or after they have been arrested'. For more than two years prior to the GLCS report, the Counselling Service had been futilely seeking a Police/Gay Liaison Unit similar to existing police arrangements with the Aboriginal Liaison Unit and the Multicultural Liaison Unit, together with ‘a non-discriminatory application of the law, consistent with the principles of community policing’. These GCA representations also failed, and over the following two years there was no line of communication, direct or indirect, between the Police Force in SA and the gay and lesbian community.

**Motivations**

The gay community was endeavouring to establish dialogue over unacceptable policing practices and was also actively complaining about the way police were managing the murder investigations. Simultaneously, they persisted in efforts to correct the continuing misinformation in South Australian media, especially in the three mainstream newspapers upon which the general public relied for balanced reporting.

> The worst stories were repeated with relish in *The News*, the *Sunday Mail* and, to a less extent, *The Advertiser*. The press stories around the killings had magically adjusted the ages of the victims so they were all referred to as ‘boys’, thus reinforcing the erasure of any distinction between homosexuality and paedophilia. The gang had also developed a magical number of nine members, some of whom were ‘highly placed’ or ‘prominent’ and thus able to protect other members.

The media did not seem capable of providing balanced, factual or critical analysis on a gang situation which the police had later asserted dated from 1973 (and not reported upon until a decade later) and entailed two hundred young male victims. Despite this alleged volume of crime, just one man had been charged and convicted on one count of murder. Again, interstate press

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81 Ibid.


reporting presents quite a different perspective on these issues. In late 1989
Sydney journalist John O’Neill filed a report stating that:

[...]these and other events during the past 10 years raise serious questions about
the ethics of the Adelaide press, the quality of police investigations and the
administration of justice in South Australia. …But also under question is the
competence of the police. If, as they say, up to 200 young men have been
abducted and raped, as well as five killed, why have no other arrests been
made? To the outside observer, Adelaide appears in the grip of homophobia—a
city which has lost its head.84

O’Neill’s report prompted the GCA to again demand an inquiry into the way
that police handled matters, restating concerns that ‘the whole gay community
in Adelaide had come under suspicion and that the reputation of prominent
known homosexual people had been shamefully and outrageously slurred’.85
Don Dunstan was one such prominent citizen who, in the course of the media
coverage of the murder investigations, had been libelled. The Sunday Mail
claimed, in a lead story on the ‘thrill killings’ and alleged rapes at the hands of
‘The Family’, that new information suggested the destruction of Special Branch
files containing names of ‘Family’ members entailed ‘interference in high places’.
More specifically, it reported that former Commissioner Salisbury had revealed
the names of at least two ‘Family’ members had been on the Special Branch
files, most of which ‘were destroyed 10 years ago on the direction of the then
Premier Mr Dunstan—just one year before the first torture killing by the vicious
homosexual gang’.86

In the view of the GCA, a doubly self-serving motivation existed for the police
in that, ‘[perpetuating the] myth about “highly placed homosexuals” not only
endorsed homophobia, but also let the police off the hook for not having made
any real headway in solving the cases’.87 O’Neill offers alternative, though
likely complementary, reasoning. Firstly, he describes how Don Dunstan, in
the nine years of his second premiership during the 1970s, had appointed ho-
mosexuals to his staff, to the judiciary and to government posts, giving political
opponents ammunition of ‘a gay cabal that was running the state’. O’Neill then

85 Gay Community Action, “Independent” Article Vindicates Claims’, Media Re-
lease, 6 December 1989, SAGLA, LGCA Box 2, File: Gay Community Action/
Lesbian and Gay Community Action.
86 ‘Salisbury Tells: Files on “The Family” Destroyed’, Sunday Mail, 18 Decem-
ber, 1988, 1, 2.
87 Miller, ‘Did We Manage’, 107.
discusses the sacking of Commissioner Salisbury by Dunstan over misleading the Government about police files held by Special Branch on 40,000 people, some of which included records on reputed homosexuals. O’Neill concludes, ‘[o]ne can only speculate about the suspicion and resentment of the Dunstan government and its reforms harboured by the police, given that it was widely believed that the premier himself was homosexual’. Substance for O’Neill’s speculation is found in the memoirs of Bob O’Brien, a member of the murder investigation team led by Kipling, released in 2002 and dedicated to Kipling. Despite the police eventually rejecting the myth of ‘The Family’ and Kipling’s denial of police involvement in its creation, O’Brien’s book is entitled, ‘Young Blood: The Story of the Family Murders’.

Furthermore, even though Kipling eventually asserted that prominent members of the community were not involved, O’Brien still implicates Dunstan’s appointment of John Bray to the position of Chief Justice in 1967. Police Commissioner McKinna was determined to stop the nomination and informed then Premier Frank Walsh that Bray was homosexual. Dunstan prevailed and Bray became Chief Justice. This was not Dunstan’s first clash with the police; a review of Hansard reveals that, as an opposition backbencher between 1953 and 1965, Dunstan asked more questions critical of police activities than any other member of parliament. Later, in 1978, discussion on Bray’s appointment as Chief Justice had been stymied during the inquiry into Salisbury’s sacking, and no doubt this would have fuelled police suspicions of cover-ups and protection.

O’Brien develops his thesis by linking Dunstan’s appointment of Bray to the origins of ‘The Family’.

89 O’Neill, ‘Crimes and Whispers’.
91 Cater and Ball, ‘Police Outline Their Investigations’.
92 Dunstan, Felicia, 115–116; 133.
The changing world and the activities of Don Dunstan in the 1960s and 1970s with his appointment of a reputed homosexual to a senior position within government began all kinds of rumours about prominent people. It also set the scene for stories of prominent people within Adelaide's society being involved in the boys' murders and rumours about the existence of a high-level 'Family' began to spread throughout the city.95

On Bevan von Einem, the only man convicted of any of the murders, O'Brien concludes without substantiation,

[V]on Einem also had many associates. They were part of his 'extended' family; not a blood family but some of them were linked through the abuse of boys and the spilling of young blood. Obviously, there were others close to von Einem at the time who have not spoken out or have only told half the story. They were von Einem's 'extended family' of deviates and were probably involved intimately with the murder.96

Another insight into police motivation is found in other reminiscences, reported a decade after Salisbury's dismissal by a local policeman, Terry Potter,

It seems hard now to imagine that most police considered homosexuals a threat to society, still harboured suspicions of dark left-wing conspiracies and saw any civil libertarian move a direct assault on their integrity. …Many saw the elected Dunstan Government as in the vanguard of those forces. They saw Dunstan as the person who had legalised homosexuality.97

Indeed, in 1976, Commissioner Salisbury had spoken publicly about 'agents of darkness' planning the destruction of marriage and the family way of life 'by subtle, insidious means, such as permissiveness and pornography'.98 At the 1977 national meeting of the heads of Criminal Investigation Bureau sections, an agenda item was 'introduced by South Australia whose delegate felt very strongly regarding the erosion of police powers', complaining that 'our culture is in a state of siege, with every traditional moral standard being put into question. Some have already been displaced whilst others are under assault'.99 Delegates endorsed South Australia's recommendation to the Police Commissioners' national conference to formulate methods for 'monitoring of trends and developing ideologies related to erosion of police powers etc and their adverse

96 Ibid., 260.
98 ‘Police Chief Hits at “Dark Forces”’, Advertiser, 4 August 1976, 1.
99 South Australian Police Department, 'Item 5f (Item 23) '78 Conference', 1978. SRSA, GRG 5/2, Unit 849, File 14/1/342401.
effects on law enforcement’.100

The day after the Sunday Mail report in December 1988 libelling Dunstan, the Advertiser published details of an interview with Salisbury in which he denied any knowledge of ‘the so-called Family’ during his term as Commissioner. Dunstan immediately sued the Sunday Mail for libel and, after protracted negotiations during which the Sunday Mail persistently dissembled, secured a settlement of $50,000 plus $10,000 costs.101 In May 1991 the Sunday Mail printed a front-page apology unreservedly withdrawing the details contained in its report.102

The heat in the police/media nexus giving expression to homophobic ignorance and hatred finally was doused.

For South Australia’s homosexual citizens, the actions of those who had accepted responsibility to provide protection, information and leadership, proved at times to be reprehensible, and caused much unnecessary grief. For a half a century under the mantle of public interest, the police and the press sought to demonise and to discriminate against homosexual men, simultaneously forming and enforcing dominant public attitudes about the place of homosexual men within society. The desire to do one’s job and to do it well may have indeed provided personal motivations for such behaviour; self-interest, ambition, revenge, and greed, however, cannot be dismissed. Nor can the irrational hatred and fear implicit in homophobia be understated.

Societal changes during the late 1960s and 1970s ushered in the ground-breaking decriminalisation of homosexuality in South Australia. Notwithstanding the hiatus that the Dunstan premiership engendered, this was not immediately accompanied by a widespread rejection of homophobic attitudes. The established agents of homophobia reacted with devastating effect throughout the 1980s—still with impunity but not without challenge—as the changed status of a set of citizens no longer criminalised introduced a new dynamism to the fight. Even so, two decades were to pass before the police and the media were resisted convincingly.

The efforts by many activists in contesting homophobia proved worthwhile. In

100 Ibid.
101 Mary Venning and Wallmans Solicitors, ‘Letter to Don Dunstan’, 17 May 1991. Flinders University of South Australia, Dunstan Collection, Defamation/Libel Cases Box 35.
1993, the South Australian Commissioner for Equal Opportunity presented an award to the Lesbian and Gay Community Action Coalition recognising their successful negotiations with police to establish a network of liaison officers for improving access to services and addressing hate crimes. During the 1990s, Don Dunstan spoke at gay rights rallies and at memorial commemorations for Dr Duncan. For the state of South Australia, as elsewhere in the country, there was a gathering momentum in further denying homophobic outlooks and in promoting full equality for all citizens.