



Submission to:

**The City of Sydney's draft *Safe City Strategy*
*2007-2012***

February 2007

1. THE AIDS COUNCIL OF NSW INC (ACON)

ACON was formed in 1984 as part of the community response to the impact of the HIV/AIDS epidemic in Australia. Since 2000 ACON has been a health promotion organisation based in the gay, lesbian, bisexual and transgender (GLBT) community, with a central focus on HIV/AIDS.

ACON provides education, health promotion, care, support, and advocacy services for members of the GLBT community, including injecting drug users and Indigenous people, to sex workers, and all people living with HIV/AIDS (PLWHA).

ACON is home to the Community Support Network (CSN), the Positive Living Centre (PLC), the Lesbian and Gay Anti-Violence Project (AVP) and the Sex Workers Outreach Project (SWOP). ACON has an office in the City of Sydney as well as branches in Illawarra, Northern Rivers, Hunter and Mid North Coast.

2. OVERVIEW

The City of Sydney is to be congratulated for the development of the *draft Safe City Strategy 2007-2012*. ACON supports the principles, objectives and commitments to actions identified in the draft strategy. ACON has participated in a consultation process on the draft Strategy and supports the principles, action areas and target groups identified in the draft Strategy.

The submission provides feedback on the current *draft Safe City Strategy* and provides input and information on some the issues relevant to ACONs communities and sex workers. The submission outlines ACON/ SWOPs approach to community safety and provides feedback of the draft strategy, including suggestions for strengthening the draft document and comments on relevant sections and objectives in the draft. A specific section on issues identified for sex workers is also included.

3. ACON/ SWOPS APPROACH TO COMMUNITY SAFETY

As a community-based non-government health organisation, ACON has been actively engaged in advocating for the need for strategies to ensure that our communities are safe and actions to address the problems of homophobia, discrimination and violence often encountered Gay, Lesbian, Bisexual and Transgender people.

ACON has worked with the City of Sydney on a number of initiatives addressing safety for GLBT people and is host to the Anti Violence Project (AVP). The Lesbian and Gay Anti-Violence Project (AVP) was established in 1990 and has been a project of the AIDS Council of NSW (ACON) since 2001.

The AVP's mission is to eliminate hate-related violence against lesbian and gay communities. This is to be achieved by:

- Providing information, advocacy and referral services to survivors of violence.
- Monitoring violence against lesbians and gay men and carrying out research to identify the nature, causes and solutions to violence.
- Working in partnership with governments, communities and other community organisations to reform policies and practices to promote community safety and violence prevention
- Working with the wider community to change attitudes which perpetuate any form of violence.
- Mobilising the lesbian and gay communities to assert and defend their right to safety;

The AVP recognises that hate related violence against the lesbians and gay community takes many forms and can be driven by prejudice based on gender, transgender, race, HIV status as well as sexuality.

Through the AVP, ACON has worked with the City of Sydney on the development of the *Oxford St Safety Strategy* and is a member of the Oxford Street Safety Strategy Working Group.

It should be noted that violence is not just an issue for Oxford St and safety issues exist for GLBT people across the City of Sydney. The AVP will continue to monitor homophobic violence and support GLBT people across the City Of Sydney.

The Sex Workers Outreach Project (SWOP) is a non-government service funded by NSW Health. The service was established in 1990 and is now auspiced by the AIDS Council of NSW. SWOP's primary purpose is the promotion of the health, safety and wellbeing of sex industry workers in NSW.

SWOP currently provides outreach services focussing on sexual health and safe sex practices to brothels and street work locations. These services are delivered in the context of Occupational Health and Safety in the workplace. SWOP in partnership with WorkCover NSW, provides training workshops, resources and translated resources in order to address OH&S in the sex industry. SWOP also produces safety and crime prevention resources targeting the sex industry, and has run workshops for sex workers on crime prevention and safety.

In the setting of a sex services premises (brothel), sex industry workers and their clients' safety needs may be partially addressed within the OH&S framework. In addition, Council's requirements for development approval for premises include referrals to the NSW Police Force for CPTED evaluation, and a Plan of Management to address safety related issues. SWOP provides information and referrals on appropriate safety strategies for sex services premises.

In the setting of street sex work, SWOP works with sex workers, the Police, Safe House brothel staff, and partnership agencies to develop strategies to improve safety for street sex workers, their clients, and the community. A

range of initiatives have been developed to provide street sex workers with information and resources to reduce the safety risks relating to their work.

The City of Sydney commissioned a piece of research into safety issues for sex workers, utilising material provided by SWOP. The unpublished document “*Safety Issues in Sex Industry Settings*” November 2006, is the outcome. This piece of research provides an unofficial Crime Profile based on 266 reports of crime involving sex workers.

3. COMMENTS AND SUGGESTIONS FOR STRENGTHENING THE DRAFT

Sections 1 and 2 of the document, *Introduction* and *Background* provide information on the City of Sydney and the role of Local Government in responding to crime and safety issues. These sections of the *draft Safe City Strategy* could be strengthened by the inclusion of information on the community stakeholders that the city will develop partnerships with to implement the strategy. Similarly the roles of the police, council and other stakeholders should be explicitly spelled out with a focus on the different responsibilities of each agency. It is also important to highlight the contribution of key stakeholders such as business and the corporate sector, as they will play an important part in implementing the Safe City Strategy.

As it reads currently section 3.0 *Crime Profile* is somewhat fragmented and could benefit from some reordering. The evidence base outlined in this section could be more detailed and trends could be expanded and clearly explained through the inclusion of additional research (appropriately referenced). Suggestions for reordering of the section are as follows:

- That section 3.1 Crime trends is expanded to incorporate sections 3.2 Key crime categories.
- That section 3.5 Perceptions of Safety is inserted prior to the existing section 3.5. This will highlight the difference between actual crime and perceptions of crime.

- That the sections 3.3, 3.4 and 3.6 are combined to provide answers to questions such as: Where does crime happen? What kinds of crimes are committed? Who are the victims of crime and who commits crime?

Section 3.6 *Victim and Offender Profile* should be expanded to provide more details on both the victims and perpetrators of different types of crime. It would be interesting to include information in this section on crimes committed by residents of the city as opposed to crimes committed by visitors. The reference to young people as offenders without any acknowledgement of other individuals who commit crimes is potentially biased and also contentious. Public perceptions of young people as troublemakers may be strengthened by the structure of this section of the draft. Information on young offenders should be appropriately referenced and balanced by other evidence and available data that acknowledges young people are victims of crime¹.

Section 4 Aims, Objectives and Principles

Whilst ACON supports the principles, objectives and commitments to actions identified in the draft strategy this section could be strengthened by the identification and inclusion of targets and performance indicators. It is suggested that Section 5.0 *Monitoring and evaluation* could be moved into this section to situate evaluation as an important component in the development of the initiatives in Section 4.

Objective 1 Reducing crime and anti-social behaviour

The roles of the Police and council should be clearly delineated in the list of initiatives under Objective 1.

It should be noted also that the lists of actions in its current form read as a combination of both targets and initiatives. The document could benefit from this being clarified. (For example reducing steal from persons is a goal rather than an activity that the City will be undertaking).

¹ AIHW. *Australia's Young People: Their Health and Wellbeing 2003*. AIHW Cat. No. PHE 50. Canberra: AIHW.

The *City of Sydney Safe City Strategy* should encourage and advocate for links between the mechanisms of education, prevention, reporting of crime and law enforcement. This includes supporting and building opportunities for liaison between key stakeholders and communities.

Reporting of crime

The *draft Safe City Strategy* has a strong focus on crime prevention and should consider including strategies that recognise the importance of the reporting of crime as a deterrent and preventative measure. It is well documented that people from the priority groups (with the exception perhaps of older people) experience barriers to reporting crime to Police. ACON/SWOP recommends that the sections under *Crime Profile* acknowledge that much crime goes under-reported, particularly where the victims of crime are individuals from marginalised communities

Fear of reprisals from reporting as well as systemic barriers to reporting crime such as discrimination can affect the “perception of safety” for both marginalised communities and the wider community. To address this it is suggested that the City of Sydney develop a strategy for accessing information to inform the Crime Profile in relation to marginalised communities.

Consideration should also be given to the development of strategies and actions to address the reporting of crimes occurring in the context of marginalised communities. Examples of strategies that could be developed include the provision of assistance to individuals from the priority groups to assist them to feel confident in reporting crime to police and support to individuals who have reported crime. Where relevant, this should include strategies which strengthen the Police Liaison Officer Programs.

There are no comments on *Objective 2*.

Objective 3: Improving the look and feel of our public spaces

The City of Sydney should consider practical solutions to anti-social behaviour, including increased access to appropriate toilet facilities for marginalised and homeless individuals, and the general public.

Where individuals feel attached to communities, they develop a sense of shared responsibility, and are less likely to engage in anti-social behaviour, and are more likely to respond positively to interventions which build peer standards of responsible behaviour. A strategy that intends to address “anti-social behaviour” needs to include strategies which build social inclusion for these marginalised individuals as one of the means to support behaviour change.

Council should include representatives of marginalised communities in any consultation processes relating to the activation of public spaces, in order to balance the real needs of these people against the ‘perceptions of safety’ for those who are, according to the crime profile, in fact living in much safer circumstances.

Objective 4: Delivering primary prevention and early intervention initiatives

The Safe City Strategy should ensure that family and child care services are delivered in an inclusive manner and that GLBT families are respected and that services are delivered appropriately.

There are no comments on Objective 5.

Objective 6: Strengthening communities and increasing opportunities for people to engage in legitimate activities

ACON congratulates the City of Sydney on the identification of GLBT people as a key group in the strategy. ACON supports the development of localised prevention and community safety plans and recommends that GLBT people are consulted in the development of plans. Community safety plans at a local level should include GLBT people, and where relevant, recognise them as business owners.

GLBT people should also be consulted to develop initiatives to address assaults, both domestic and non-domestic, and should be included in initiatives to address DV.

GLBT people should be provided with an opportunity to identify themselves by including a question on sexual identity in all data collection processes and evaluation of community initiatives conducted by Council such as “safety audits”.

Objective 7: Advocate to higher Levels of Government for more resources aimed at crime prevention

There is a clear role for Council in advocating for the interests of GLBT people. Given the demographics of the City, Council has the opportunity to work with community organisations and advocate with all levels of government on issues such as violence, community safety, Gay and Lesbian Liaison Officers for NSW Police and the importance of government initiatives to address homophobia. Partnerships with community organisations will enhance the capacity for Council to effectively advocate on issues affecting GLBT people in the City of Sydney.

4. COMMENTS RELATING TO THE DRAFT SAFE CITY STRATEGY AND SEX WORKERS AS A POPULATION GROUP

The *Crime Profile* section at 3.1 states that between 2000 and 2004, “recorded rates of sexual assault and assault have more than doubled over this period”.

This is also the major proportion of crimes against sex workers (30.4%) as documented in “*Safety Issues in Sex Industry Settings*”, research commissioned by the City of Sydney in 2006. This piece of research also notes that 45% of all reports are from street sex workers and that 50% of the reports analysed took place in the City of Sydney, with 34% of perpetrators locations being from Sydney or the Eastern suburbs.

The crimes against street sex workers included sexual assaults, assaults, theft, and kidnapping. As is often the case with marginalised communities, these crimes go underreported in terms of formal complaints to the police, and hence do not find their way into the official statistics. *Safety Issues in Sex Industry Settings* documents the fact that crimes against sex workers go under-reported, where 49% didn't want their report passed on. As long as crime goes unreported it will impact on both real and perceived safety.

Section 3.5 Perceptions of safety and 3.7 Key crime and safety issues

This section states that those residents who have been surveyed and asked what they don't like about their area listed:

Drug and alcohol abuse

Crime

Community safety

Vandalism and graffiti

At 3.7 *Key crime and safety issues*, anti-social behaviour is described via a footnote as including:

Swearing, loud noise/verbal assault/defecation and urination/speeding cars in public spaces/and activities which impact adversely on neighbourhood amenity. It should be noted that most of these specific listed behaviours are the same behaviours (or perceived behaviours and their impacts) that residents have made issue of in relation to the presence of street sex work.

Street sex workers are extremely marginalised members of our community, who are generally homeless, with drug and alcohol issues, and socially isolated. They, like all people moving around in the public domain, need access to appropriate toilet facilities. The provision of appropriate facilities in public spaces may improve perceptions of safety and decrease anti social behaviour.

Objective 1 Reducing crime and anti social behaviour

Delivering localised crime prevention/community safety plans

This section talks about localised crime prevention and community safety plans, however does not elaborate on the proposed process for developing

these unique responses. Council consultation processes should ensure that people other than residents are included in the process, and also that key stakeholder representatives be included where appropriate. This would include SWOP in developing plans for areas which include sex work locations.

Objective 3 Improving the look and feel of our public spaces

At this section there is inclusion of discussion of CPTED (Crime Prevention Through Environmental Design) and referral protocols with NSW Police.

This will be implemented by council referring Development Applications (DAs) to the police for CPTED comment. Council also invite the Police to train their planning and other staff on CPTED to assist in implementing CPTED at the design stage.

The unpublished research commissioned by the City of Sydney, *Safety Issues in Sex Industry Settings*, documented that 9.8% of reports of crime occurred in parlours, where CPTED and the WorkCover NSW *OH&S Guidelines for Brothels in NSW*, if appropriately implemented should have acted as a prevention measure (eg back to reception “panic buttons” and monitoring of activity in the working rooms).

Sex Services Premises DA's are already reviewed for CPTED, as part of the process under Councils' DCP, however it's important to ensure that the Police are aware of WorkCover NSW *Guidelines for Brothels* also, and that the two documents are considered in CPTED reports on such DAs.

SWOP, as the original training service providers for WorkCover NSW on the *Guidelines for Brothels* should be supported to work with NSW Police CPTED trainers. Liaison on this issue would embed it within the training provided to Council officers. In addition, the Kings Cross Police Sex Worker Liaison Officer should be consulted to assist in the development of specific advice on CPTED for sex industry workplaces and sex workers.

Council should consider working with brothels to encourage them to review general CPTED recommendations and to ensure that they are continuously

implementing OH&S in these workplaces, including through reviewing Plans of Management and safe workplace practices.

Objective 3 Activation of Laneways and Public Spaces

This section discusses “contested spaces’ and speaks of balancing a range of views in developing solutions to these spaces. It makes reference to the option to design “out” some activities, while avoiding displacement to other areas.

It should be noted that in SWOP’s experience “designing out’ usually results in an activity relocating to locations where it is less suitable, and reduces safety for the individuals engaged in the activity. This initiative may impact in street sex work areas, such as St. Peters Lane area and William Lane in Darlinghurst where street sex workers solicit.

It is essential that Council consider the safety of marginalised, street present people in catering to the safety requirements of the community.

“*Safety Issues in Sex Industry Settings*” notes that 45% of all reports are from street sex workers and that 50% of the reports analysed took place in the City of Sydney, and 34% of perpetrator’s locations were from Sydney or the eastern suburbs. The crimes against street sex workers included sexual assaults, assaults, theft, and kidnapping.

One of the most violent murders in NSW recently was that of an Indonesian transgender sex worker who worked alone near Yurong St, away from co-workers. Rose Bay police reported an increase in sex work activity in their area command following the closure of St. Peters Street, as sex workers’ clients were displaced to new circuits which took them out of the traditional street work area, and away from the Safe House brothels. The sex workers were unable to use their safety strategies in the new locations, and serious crimes resulted, including a kidnapping and rape.²

² Reported by Rose Bay Police at SWOP’s Safety Network Meeting, 2000. Meetings were attended by Council’s SILO. Minutes held by SWOP.

SWOP recommends that both residents and key stakeholders be consulted in developing actions to activate laneways and public spaces, where designing “out” may be an outcome. These consultations should take into account the crime profile of the locations and seek to minimise harm to those who are identified as victims of crime. Such harm minimisation approaches would include consideration of the safety risks should displacement occur.

Objective 6 Strengthening communities and increasing opportunities for people to engage in legitimate activities.

This section lists priority population groups in the community that have been identified as having their own specific needs, as:

Aboriginal people

CALD people (20% of residents born overseas in NESB countries)

GLBT communities

Women

Older people

Sex workers as a sub-population group include an overrepresentation of people of Aboriginal background, CALD people, transgender people and women. The City of Sydney’s unpublished research *Safety Issues in Sex Industry Settings* documented that 83% of the reports of crimes came from female sex workers, 11% male sex workers and 5.3% transgender sex workers.

This overrepresentation of sex workers from priority groups as victims of crime indicates that Council should consider providing programs addressing the safety needs of sex workers, and activities which increase sex workers social inclusion, thus reducing vulnerability to crime.