

The Origins of the Homosexual Law Reform Society of the ACT, July 1969

Graham Willett 27 July 2019

I want to add my acknowledgement of the traditional custodians of this land, the Ngunnawal people. And to remember their histories of oppression and resistance which have done so much to shape this place.

My name is Graham Willett and I will be chairing tonight's discussion. I am a historian of gay and lesbian Australia (and a little bit of BTI, more recently) and have been working in this field since I came out in 1979.

I first stumbled across the Homosexual Law Reform Society of the ACT in the early 1990s when I was starting work on my history of the gay and lesbian movement – as a PhD, later published as *Living Out Loud* by Allen and Unwin in the year 2000.

I have to say I did not imagine that I would still be talking about it 25 years later. I dare say our panellists were expecting even less that they would be talking about 50 years after they set it up.

I want to give a little background to help people understand where the organisation came from.

In 1969 it was against the law, in all states and territories, for men to have sex with each other – and sex was defined very, very widely. It was also against the law for one man to proposition another man for sex. And it was against the law for a man to hang around in a public place on the off-chance another man might wander by who he could proposition for sex.

These were laws that were both stupid and unjust and not surprisingly, and rightly in my view, many men defied them.

But they were not dormant laws. On the contrary, the police in the ACT were active in seeking out offenders and prosecuting them.

As late as the early 1960s, we have newspaper reports (complete with names and addresses, I might add!) of men who were arrested in public places in what we would call police entrapment. On one occasion a man asked another man whether he was a cop – the other man evaded the question, but when he felt a hand on his leg he revealed that, yes, he was, a cop, and promptly arrested the first man.

And to give you some sense of what it might mean to be arrested and exposed in the newspapers, we have the case of the man who was charged with both indecent assault on a male AND with attempting to commit suicide. Another stupid and unjust law.

And so it was that when Person B and Person W (not their real names!) found each other at the public toilet in Garema Place one night in February 1969 they decided it would be wiser to go somewhere a bit private. They got in a car and drove out to a quiet dirt road near Yowani Golf Course. Just as things were getting interesting, a police car pulled in behind them. They were both arrested.

And then something odd happened. When they came to trial, Person B was acquitted, but Person A was sentenced to two years gaol. This striking fact, reported in the pages of the *Canberra Times*, caught the attention of a number of people, among them Dr Thomas Mautner – which is where our story begins.

There were at the time those who were starting to question these laws. Bill Hayden, for example, spoke of the need for decriminalisation in an early speech to parliament. And when the Law Council published a draft Criminal Code for the ACT in 1969, it was widely criticised for proposing to leave the laws against homosexuality in place. So, there was talk.

But the HLRS went beyond talk. It took action.

The people who founded the HLRS would probably today be referred to as 'allies'. But that doesn't really work in 1969. There was no one to be allied with. It would be a year before homosexual people began to stand up publicly on their own behalf, with the formation of the Campaign Against Moral Persecution in Sydney (formed mid-1970; publicly announced in September); and other year again till a Canberra branch was formed.

The HLRS was first organisation in Australia to speak out for homosexual rights. And its public meeting, held on July 27 1969 at Red Cross House on Hobart Place (gone now – no memorial plaque there then) should be recognised as the founding moment of a movement that has changed laws and attitudes beyond anything anyone could have imagined that night.

And it is that organisation that we are here to hear about tonight.