

Policing the Transgender/Violence Relation

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Introduction

This article arises out of preliminary research¹ conducted in Sydney between May and July 2000 into transgender experiences of violence and safety². The data was generated using two methods, structured interviews and focus groups. Interviews were conducted with various key informants. The key informant interviewees were: a Gay and Lesbian Liaison Officer with the Attorney-General's Department; the Coordinator of the Sydney Gender Centre; a Senior Policy Officer in the Department of Women; an Information and Support Worker for the Sex Workers Outreach Project (SWOP); and three members of the New South Wales Police Service (a Police Sergeant and Shift Supervisor at Kings Cross Station; a Senior Programs Officer with the Community Safety and Crime Prevention Section of the Operational Programs Branch; and a Police Gay and Lesbian Client Consultant). The transgender focus group,³ made up of eight individuals, met on two occasions in July at the Sydney Gender Centre. In an attempt to recruit transgender participants for our focus

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2 The term *transgender* is a term of the 1990s. It reflects the emergence of new communities, greater visibility of their members and, to some extent, an uncoupling of life journeys from medical regulation. In the early 1990s the term was utilized to name a multiplicity of gender experiences that lay between the medically imposed categories of *transvestite* and *transsexual*. The term *transvestite* was first coined by Magnus Hirschfield (1910) and the term *transsexual* by David Caudwell (1949). The latter term was popularized by Doctor Harry Benjamin (the so-called 'father' of transsexualism) throughout the 50s and 60s (1966). The medical use of the term 'transsexual' coincided with the development of sex reassignment surgical techniques. In contrast to this transgender sought to capture and to respect gender identities irrespective of a desire for sex reassignment surgery (SRS) and/or hormonal treatments. *Transgender* has also been used, and increasingly so, as an umbrella term to include all persons who cross gender boundaries, from the post-operative self-identified transsexual to the episodic cross-dresser. It is in this broader context that our usage of the term is to be situated. However, it should be noted that the meaning of the term remains unfixed at the community level. For a discussion of trans terminology in the 1990s see, for example, Feinberg (1992, 1993); Bornstein (1994); the Sydney Gender Centre (1994); Nataf (1996); Wilchins (1997); Califia (1997); Cromwell (1999).

3 Our focus group participants were Clare, Karen, Kirk, Laura, Mary, Pauleen, Sarah and Steven. In order to protect privacy the names used here are not the real names of focus group members. In the first focus group meeting which took place on 12 July 2000 all participants were present except Sarah. In the second focus group meeting which took place on 19 July 2000 only Karen, Kirk, Pauleen, Sarah and Steven were present. All extracts are taken from the transcripts of those two meetings.

group we placed an advert in the transgender magazine, *Polare*. We received little response. The group was finally recruited through the Sydney Gender Centre. Participation in the management and the provision of Gender Centre services turned out to be a link between all members of the focus group. This gave the group a specific community (and one might add stakeholder) focus. At the same time the focus group had a diverse composition. Two were (female to male) transgender men and six (male to female) transgender women. They represented a wide range of sex/gender identifications, experiences and practices. Of our eight participants three, Clare, Mary and Pauleen identified as transsexual, while five participants preferred to use the term transgender. However, a certain degree of interchangeability was apparent in participant usage of these terms. One participant, who had been transgender 'for over forty years', had only crossed over on a full-time basis three years ago and characterized her earlier self as a 'cross-dresser'. Of the other seven, six (including both transgender men) had been living as members of the opposite sex on a full-time basis for between fifteen and thirty-eight years. One participant had recently started the process of transitioning. The group had a diverse age range, between 30 and late 60's. The group was racially and ethnically mixed. One transgender woman was of Polynesian origin and another a *Sistergirl*.⁴ The remaining six participants had Anglo/Celtic and Mediterranean backgrounds.

There is a need for caution in developing a critical analysis of the violence/transgender relation and policing from this data. First, given the size of our sample and the number of interviews conducted it is neither possible nor our intention to make any general claims about the nature and extent of violence against transgender people. Second, the analysis offered here of current survey data on violence against transgender people does not seek to challenge claims made by transgender people about their experiences of violence or contest the extent and degree of violence suggested by survey reports. Our objective is to explore and reflect upon the politics of violence and identity through which the issues of violence and safety are being generated in a particular context. These include struggles over access to the police provision of security and safety services. The sites and techniques of mapping violence, the methods of reportage deployed by activists and the police practices of recording violence are, we argue, all process through which transgender identities and politics take shape.

The first part of this article focuses upon the use of victim surveys. We examine the politics of victim surveys in the transgender context. We explore the ways in which the now accepted modes of thinking about violence, social exclusion and policing that give shape to, and are reproduced in, the deployment of victim surveys are being (re)produced in relation to transgender/violence with particular problematic effects. Of special interest is the way victim surveys and police suspicion of the nature and form of the transgender/violence relation serves to produce and consolidate transgender identities around and through violence and at the same time challenge its significance. Reporting to the police and

4 The term '*Sistergirl*' is preferred by many Aboriginal persons in preference to 'Indigenous transgender person'. *Sistergirls* feel that the term 'transgender' should only be used for bureaucratic reasons, as it does not reflect the diversity of that community. The First National *Sistergirl* Forum saw much debate about the term. Often these discussions were between *sistergirls* of traditional or semi-traditional backgrounds and *sistergirls* living in urban areas and major cities. The discussions revealed some uncertainties about the ownership of personal identities and whether some people were claiming an identity that could rightly be called their own without fear of offending another identified group. In the end, it was agreed that '*sistergirl*' is inclusive of two 'subgroups': 'sister' and '*sistergirl*'. 'Sister' may be used as a word for someone who identifies as gay, but it was felt '*sistergirl*' would apply to someone who clearly has transgender elements in her identity and life (Costello & Nannup 1999).

practices of recording are the focus of the second part of the article. Here we examine our data to explore the institutional context of reporting and the politics of violence and identity that inform understandings and practices. We draw on our key informant data to explore police perceptions and attitudes and our focus group transcripts provide the data through which we analyse the transgender perspectives. Drawing on the analysis of the research data we offer some tentative conclusions, suggesting a number of changes that might improve transgender/police relations while at the same time issuing some cautionary notes in respect of such changes.

A Background to Politics around Violence

Over the last two decades a substantial literature has emerged documenting previously unrecorded violence against gay men and lesbians (see, for example, Groth & Burgess 1980; Herek 1984; Berk 1990; Herek 1990; Cox 1990; Comstock 1991; Herek & Berrill 1992; Harry 1992; Lesbian and Gay Anti-Violence Project 1992; Levin & McDevitt 1993; Mason 1993; Lesbian and Gay Anti-Violence Project 1994; GLAD 1994; Baird et al 1994; Sanroussi & Thompson 1995; Jenness 1995; Mason & Palmer 1996; Jenness & Broad 1997; Mason 1997; Jenness & Grattet 2001). Gay and lesbian community activists have looked to statistical evidence, in the shape of victim surveys, to promote and legitimate demands for adequate statutory and police protection. This politics of violence has met with some success. In New South Wales the accumulated evidence and the activism of a large and well-organised gay and lesbian community have led to increased access to State resources. This has included a variety of police education strategies, specific deployments of police patrols, more effective investigations into violent crimes against gay men and lesbians, and the widespread establishment of Gay and Lesbian Liaison Officers within the Police Service (Tomsen 1993; Thompson 1997). Indeed, in 1995 the New South Wales Police Service conducted its own survey into the extent of violence against gay men and lesbians in Sydney. The study found that lesbians in the sample group were six times more likely, than other Sydney women, to experience physical assault in a twelve month period, while in the case of gay men the ratio was four to one (Sanroussi & Thompson 1995:5).

While gay and lesbian politics around violence has produced benefits in terms of access to police and criminal justice resources it has generated some problematic effects. Baird, writing in the context of gay and lesbian political struggle in South Australia comments, '[t]he minority group model meant that in the representation of our demands to police, we were placed in a position where, as individuals (and communities), we were *only* lesbian or gay, thus compromising our ability to claim more general identities' (Baird 1997:128; see also Sedgwick 1990). This draws our attention to the ways in which sexual identity comes to dominate understandings of violence to the exclusion of other dimensions of identity and, we would add, violence. In particular it offers to conjoin violence to unified gay and lesbian identities producing a regime of ontological separatism, dividing sexual identity from gender, race, ethnicity and so on (see Mason 2002:ch 3; Phelan 2001). While this is a politics that seeks to develop an awareness and understanding of violence in order to reduce violence it may paradoxically produce new limits to our understanding and impede the provision of effective security services. It is with this note of caution in mind that we begin our analysis and critique of the police/ transgender/violence interface. We turn first to an examination of the uses of victim surveys in the context of an emerging transgender politics of violence.

Transgender Politics and Violence

In contrast to the well-established use of victim surveys by lesbian and gay organisations, until recently the politics of violence within the transgender community has largely relied upon anecdotal, autobiographical and biographical accounts of violence. This approach has gained a new high profile and political significance by way of the Hollywood biopic of the life of Brandon Teena, 'Boys Don't Cry' (1999). Of significance here is the way the film serves to mark new developments within transgender activism and, in particular, a focus on violence. This has not only heightened awareness of violence against transgender people but given new visibility and form to transgender anti-violence activism.

Victim surveys, though still rare in the transgender context, are an increasingly important feature of political engagement (see Jenness & Broad 1997; Cunneen et al 1997; Jenness & Grattet 2001). To date the GenderPAC's *First National Survey of Transgender Violence* (1997) undertaken in the USA offers the most extensive victim survey and is the first published national survey dedicated to the study of violence against transgender people.⁵ Drawing on 402 questionnaire responses this study found that 59.5% of respondents reported being a victim of harassment or violence, 33.6% had experienced harassment in the last 12 months, 14% reported being raped and 16% reported assault in the previous year (GenderPAC 1997:1-11). In the Australian context, transgender activists within New South Wales have been pioneers producing two reports that seek to document transgender experiences of violence (Perkins et al 1994; Hooley 1996).⁶ The first New South Wales report conducted by Perkins focused specifically on sexual violence, being part of a more general inquiry into sexual health of transgender people. The study, which was based on 146 completed questionnaires, found that of 157 incidents of sexual assault reported by 71 respondents 62% of the sex workers reported incidents of rape (42% single and 19% pack rape) while 33% of the non-sex workers reported rape (Perkins et al 1994:39). The fact that the report differentiates between sex and non-sex workers might be viewed as having considerable significance suggesting that a large percentage of transgender women have worked in the sex industry, giving a particular form to their experience of violence. The second New South Wales report conducted by Hooley concluded that there was 'a very disturbing picture of public and domestic violence against transgenders' having found that 59% of a sample of 89 had experienced assault, 37.8% had been assaulted 1-5 times and 54.4% had been sexually assaulted (Hooley 1996:28-33). Moreover, the Hooley report found that 5 transgender persons reported having been raped by the police (1996:29). Hooley's report has an added dimension including important data on experiences of safety. In relation to experiences of safety in public places Hooley found that of her sample 19% (17) never felt unsafe, 23% (20) hardly ever felt unsafe, 38% (33) sometimes felt unsafe, 13% (11) often felt unsafe and 7% (5) very often felt unsafe. From this data Hooley concluded that 'while only a minority felt threatened most of the time, in all 80% felt unsafe in public at least some of the time' (1996:28).

While all these surveys contain important information about transgender experiences of violence they are both individually and collectively problematic. All might be challenged on the basis of now familiar arguments that criticise the (small) sample size, the methodology used to gather the data, the specific composition of the sample obtained and the particular focus they bring to the analysis of the data. Other challenges appear to be more specific to the

5 Information with regard to violence against transgender people has also been compiled in the UK and USA in the context of studies primarily concerned with violence against lesbians and gay men. In the USA see NCAVP 1999. In the UK see Plant et al 1999.

6 A third unpublished report was also produced in 1997 by Shan Short. This report unlike the previous two contains anecdotal rather than statistical evidence of violence.

transgender context. A particular problem with the use of victim surveys within a transgender politics of violence was pinpointed in our interview with the Coordinator of the Sydney Gender Centre. In response to a question about the nature and extent of violence against transgender people she explained:

It's a difficult one ... to be factual about ... it's because we're a very small community. We get lots and lots of anecdotal information around this. Not a lot of serious studies have been [done], although there's been a couple of serious studies undertaken but there's not a great breadth of those and because we're a small community. You tend to be working with quite small sample groups so it's not as easy to arrive at figures for us as it might be say for the gay and lesbian community which are both quite significant communities in terms of numbers. But in terms of life experiences there's very few transgender people that aren't going to report some violence in one of the contexts that we define it, whether it's about physical violence [or not]. Certainly those levels seem to be fairly high ... it's very unlikely that you're not going to experience, some verbal abuse somewhere or some contentious attitudes or whatever, on a fairly regular basis. I think yeah, it's really quite hard to give an exact percentage figure around that. I've often quoted others that are saying that violence is about 125 times more frequent and we're talking about physical and verbal abuse combined against the transgender community than it is against the average person in the street. But it's very hard to verify those figures and those figures have kind of been anecdotal rather than specifically pin pointed.

Here the method of truth found in victim surveys, statistics, is given particular importance. This appears by way of a contrast between statistics and anecdote, which is presented as a contrast between facts (and something less than facts) about violence; between truth and something less than truth.

The focus upon statistical truth generates particular problems for a transgender politics of violence. This appears in the context of the distinctions drawn between transgender and other identity-based claims for recognition. The problem here is that 'statistics as truth' functions in the context of competing claims for limited police services and criminal justice resources. Victim surveys with their focus upon statistical knowledge will be problematic for a transgender politics due to the size of the transgender community. The relatively small size of the sample groups threatens to question either the 'truth of the method' or the 'truth of the victim's experience'. It is in this context that the observation that 'violence is about 125 times more frequent' has particular significance. It captures the logic of 'truth' at work.⁷ In victim surveys statistical truth is deployed in order to record the exceptional nature of the group and individual experience of violence. In the statement 'violence is about 125 times more frequent' these economies of recognition are deployed and offered as a solution to that perceived weakness.

This draws attention to, perhaps, the central feature of victim survey reports. They appear to be driven by a demand to demonstrate exceptional violence and violence as exceptional. 'Violence is about 125 times more frequent' is the formulation of a political claim not merely for access to police and criminal justice resources. It is also a claim made in the context of limited resources and in the context of other identity-based struggles for access to those resources that also deploy the logic of exceptional violence. In this context the demands of exceptional violence offers to manage access to those limited resources producing a hierarchy of victims. It also threatens to produce exclusions by way of (re)producing ontological separatism (Phelan 1995, 1997; see also Valdes 1995). Thus gender violence against women is separate from homophobic violence, is different from violence against transgender people.

7 The figure of 125, the origins and source of which seems, from our enquiries, to be unknown has gained some cultural momentum. For example it was quoted to us by our police interviewees.

The politics that demands exceptional violence produces other effects. It turns other violence into 'average' or normal violence. Normal violence is a violence that has been recognised, rendered visible, in contrast to exceptional violence that is hidden. The exceptional/normal binary produces some contradictory effects. The new visibility of exceptional violence tends to produce the relative invisibility of 'normal' violence. The 'exceptional' and the 'normal' produces a hierarchy, respectively, of 'everyday violence' and 'abberational and intermittent violence'. Through the connection with identity transgender is being made known by way of the inevitability of exposure to violence and constant vulnerability to violence. Exceptional violence as the norm of transgender experience draws attention to the ontological importance of violence for transgender (Stanko & Curry 1997; cf Brown 1995). In the context of a politics for access to State security services this transgender identity is being forged in the context of a claim for official recognition (Bower 1994).

Another issue arises in the nexus that is forged between transgender and exceptional violence. The logic of exceptional violence is a totalising logic that not only consolidates statistical data but also threatens to consolidate the diversity of experiences. By way of this totalising logic victim surveys tend to present their statistical findings homogeneously as violence produced by, and in relation to, transgender status. This is often despite the fact that the data reports the significance of a variety of other factors such as age, ethnicity, sexuality, class, and (trans)gender identification upon experiences and perceptions of violence. The erasure of these nuances under the sign of transgender distracts attention from the useful insights the data offers into specifics of the diversity of transgender experiences of targeted violence (see Stanko 2001).⁸

The GenderPAC study offers a good example of the problems generated by the demands of an economy of the 'exceptional'. The study provides data on violence that is organised by way of several aspects of identity including sexual orientation (Heterosexual, Bisexual, Lesbian/Gay, 'Questioning'), transgender orientation (Crossdresser, Drag Queen, Drag King, FTM Transexual, MTF Transexual, Transgender M, Transgender F, Intersexed; Stone Butch, Nellie Queen) and race/ethnicity (White, Native American, Multi-Racial, African-American, Latina/o and Asian/Pacific Islander) of respondents (1997:9).⁹ The analysis and conclusions drawn erase these aspects of transgender subjectivity from the violence statistics and thereby erase what might potentially promote understanding of the nature of violence against transgender people. A similar effect threatens to compromise what we can learn about perpetrators. This same study provides information with regard to the race/ethnicity and gender of perpetrators. We learn, for example, that 68% (274) of violent incidents were perpetrated by whites and 84.1% (339) by men. However, little is made of this data (GenderPAC 1997:17). The totalising logic of claims of excessive violence against transgender people is also a totalising logic of prior 'transgenderised' bodies.¹⁰ In this process of marginalising aspects of the data victim surveys undertake important strategic work to produce transgender as a total identity position based upon violence. It is ironic that at the same time as a project promotes visibility by, and in the name of, official recognition it threatens to obfuscate the experience of violence.

8 The Perkins et al study (1994) factors only 'age' into an analysis of sexual assault. The US GenderPAC study (1997) factors 'age' and 'class' (by reference to income levels) into its analysis of violence.

9 The Perkins et al study (1994) also provides information about the geography/ethnicity (White Australia, Aboriginal Australia, New Zealand, Polynesia, South East Asia, East Asia, Southern Asia, Africa, Eastern Europe, Southern Europe, Northern Europe, British Isles, Latin America, Mixed with Anglo-Celtic, Mixed: other) and sexuality (heterosexual, Homosexual, Bisexual, Asexual, Gay, Not clear) of the sample without factoring this information into the statistics about experiences of violence produced.

10 This term is extrapolated from the work of Kimberley Crenshaw (1989, 1995).

If we turn to the Australian survey data we find evidence of the impact of the logic of exceptional violence and totalisation at work. For example, the Hooley report, while recording that 80% of respondents felt safe most of the time, concludes that this is evidence of a widespread experience of unsafety. Another problematic reading of data is found in the Perkins report. The conclusions offered suggest a high correlation between experiences of sexual violence within family relations, the sex work careers of transgender people and high rates of sexual assault. This might easily be read as a victim blaming perspective. More specifically it threatens to (re)produce the violence experiences of transgender people as evidence of identity as a pathological state rather than as the various accumulated effects of economic marginality (a common impact of transitioning from one identity to another often connected to the loss of a job due to discrimination)¹¹, the consequences of social pressures to undertake sex reassignment surgery, the problems of gaining access to State medical facilities and the high cost of private surgery that can best be funded by sex work when other forms of paid employment are denied.

At the same time it is important not to forget that these victim surveys are produced in a specific political context. In part they do offer a knowledge that is otherwise absent from State institutions of security or which is mis-recognised. More specifically they appear to operate as a prerequisite for any focused consideration of the specific experience of transgender people within police and criminal justice settings. Thus the GenderPAC study points to the importance of statistical data in attempts to get transgender included in local hate crime legislation. Likewise the Perkins study is also framed in terms of legitimating access to police service resources. The report recommends that 'consideration be given to having a 'hate-crime' loading in sentences for violent offences ... against transgenders' in view of the 'appalling levels of violence against transgenders' found in the study (Perkins et al 1994:74). Statistical data of exceptional violence appears to be a prerequisite for any official consideration of the specific nature of violence experienced by transgender people in their relations with the State (cf Jenness & Broad 1997).

The politics that fuses identity and violence, that demands that the ordinary nature of violence be represented as exceptional and the demands that totalise and thereby obfuscate important aspects of the experience of violence is, at least in part, a reflection of a logic that informs police and other institutional practices which determine access to State services and resources. Our structured interviews offer some evidence in support of this claim. It is to be found in the context of responses given by our police interviewees to questions concerning the extent of violence against transgender people. In response to this general question one interviewee, a Police Sergeant and shift supervisor at Kings Cross Police Station, explained:

I had a discussion with our intelligence officers prior to coming here today just to get a ball park idea. So we have a number of the prostitution areas in Kings Cross. All the different zones, of who works what particular section or beat or whatever. There's a particular section on which the trans, transgender workers ... probably report. It's hard to say whether they report less or whether less happens. I don't know. There's nothing statistically that would support that they're anymore affected than anybody else, any higher levels of assaults or whatever than other groups of prostitutes in our area. There's nothing substantial to confirm anything there ... Nothing to substantiate any extraordinary differences in this community.

11 The Perkins et al study (1994) in comparing employment levels before and after gender crossings found that, with the exceptions of sex work and pornography, employment levels fell significantly after transitioning (factory work down from 40 (27.4%) to 11 (7.5%); service industry down from 38 (26%) to 15 (10.3%); sales work down from 47 (32.2%) to 8 (5.5%); skilled trade down from 31 (21.2%) to 10 (6.8%); office work down from 34 (23.3%) to 16 (11%), at p 24).

It is evident from this passage that transgender experiences of violence are to be authenticated by the compilation of statistics and that in the absence of that data there is police suspicion regarding levels of violence against transgender people. More specifically the epistemological work of statistics seems to be to record the exceptional nature of violence, thereby rendering it visible as violence against transgender people.

Before we leave this extract we want to draw attention to another important point that relates to the management and more specifically the erasure, of knowledge about violence against transgender people in the police service. Of particular interest here is the reference to 'sex work'. Here 'sex work' provides the context through which transgender people are known to the police. Transgender experience is reduced in this instance to a very specific and potentially criminal experience. This threatens to make violence against transgender people doubly invisible. First, 'sex workers' functions as a single category that offers to erase the specificity of the transgender experience of sex work and violence within that context. Here, violence against transgender people appears to be the same as other violence, made ordinary, and thereby in need of no particular consideration. Second, the transgender experience reduced to the context of 'sex work' threatens to put all other transgender experiences of violence out of the frame of knowledge and threatens to make other violence against transgender people invisible.

The 'sex work'/transgender connection produces other institutional effects. While it provides a certain visibility, by way of a particular location, the Kings Cross area of Sydney, it appears to have limited effects in terms of service provision. Thus our Police Sergeant interviewee suggests that there is no need for specific provision for transgender people. This is on the basis that Kings Cross Station has specific links with the Sex Workers Outreach Project (SWOP) which includes a transgender worker and three gay and lesbian liaison officers based at the Kings Cross station. Here the assessment of transgender needs occurs through the conflation on the one hand of transgender with sex work and on the other hand with homosexuality. This position is also, at least in part, informed by the logic of exceptional violence. This informs suggestions, made by our two other police interviewees, that there's not enough work for a transgender liaison officer and that such a post cannot satisfy the need to prioritise police services when resources are limited.

A second extract from our interview with the police offers an instance where the police explain their response to a specific report of transgender violence:

Police Officer 1: There was a case just recently where the Gender Centre contacted me about a transgender person who had been assaulted. They thought it was a transgender related bashing. I contacted the commander just to assist in the development of policy. I wanted to find out more about what was happening out there. I rang the commander and had a good chat to him. He looked into it and found that it actually had nothing to do with the person being a transgender. The person was a drug supplier and there had been ...

Police Officer 2: Deal gone wrong ...

Police officer 3: Dispute ...

Police Officer 1: Thank you. That's the word that I was looking for. Then when I relayed that information back and they went out to see the person to keep in contact and make sure that that person's okay they actually did come across the person dealing in drugs and thought okay this is what we're looking at here. So it's really, it's really tricky.

Various aspects of the police reaction to this incident are of interest. In the first instance this is a case of self-disclosure by a transgender person. More specifically it is a report in the first instance to the Gender Centre. The individual who was 'bashed' and the Gender Centre both appear to have defined the incident in the context of transgender. However, in the final analysis, and irrespective of the irrelevance of motive in determining criminal responsibility, transgender

is erased in the explanation offered by the police. Of particular interest is the assumption of the mutual exclusivity of violence associated with drug dealing and violence against transgender people. The either/or logic erases transgender. More specifically the part (drug dealing) stands for the whole (transgender) which is thereby produced merely as a sign of deviance.

It is perhaps useful at this point to reflect upon the different political uses of statistical data to which we have drawn attention. In the first police extract above it is important to note the point of departure for the police. The police characterise the problem not so much as the failure of the police to pay due attention to the data on violence against transgender people that already exists in and under their existing reporting schemes, but as the failure of those who experience violence and more specifically their failure to report violence. While we acknowledge that low levels of reporting may have significance there is a need for caution here. First, police demands for data and more specifically statistical data that reports the exceptional nature of violence against transgender people fails to take account of the particularly marginal position transgender people occupy. Second, it is also important to note the way the focus on the failure of the victim threatens to remove from view the failure of the police to take their own data seriously. This points to the conceptual and institutional limits of the police information systems. Taking the social and political position of transgender people as a point of departure perhaps a better way forward is for the police to take their own data more seriously and to examine the ways in which their own reporting and recording systems erase the transgender experience under other categories, including categories of identity. Our data suggests that one of the problems is that the police operate with totalising categories, such as 'sex worker', 'drug user' and categories of identity such as 'women', 'gay', 'homophobic' that render it difficult to record the specifics of violence against transgender people. Once established, within the institution of police service provision, these categories and identities are deployed, much like 'transgender' in victim surveys, to confirm their significance and explanatory power. While these categories may make forms and patterns of violence institutionally visible that have in the past been institutionally invisible this should not be the end of their role in police intelligence. It should be their point of departure, promoting the need to take seriously the specifics of violence, not promoting new gaps and silences creating new mis-understandings of violence. Our research suggests that there is more need to explore the way data is produced, collected, stored and utilised in developing police service knowledge of violence and the consequent decisions relating to resource allocation. This may help to break an impasse that is particularly problematic. On the one hand the example drawn from our interview with the police demonstrates the way in which existing categories that account for the transgender/violence relation (in this instance the conflation of transgender, 'sex work' and 'drug user') in different ways erase the transgender experience of violence. On the other hand victim surveys undertaken by transgender activists in their attempt to gain official recognition tend to foreground transgender status in explaining incidents of violence thereby eliding other important aspects of subjectivity and experience that are important in making sense of violence and in responding to it.

Policing and Reporting Violence

In this section we want to turn to the specific question of reporting violence. Our police interviewees suggested that the lack of reports of transgender violence by transgender people is a key problem, making it difficult to say if transgender persons experienced more or less violence when compared with other groups.¹² Here we focus on data from the key informant interviews and the focus group meetings that examine the issue of reporting violence by transgender people.

Our police interviewees offered various explanations for possible under-reporting. One explanation suggested that police knowledge was not so much evidence of under-reporting as an effect of the dispersal of reporting across a wider range of institutions providing safety and security services. Much violence against transgender people takes place in the workplace and near the home by colleagues and neighbours respectively. As such it is not perceived of as police business. Reports of this type of violence, it was suggested, might be channeled through the Anti-Discrimination Board (cf Chapman & Mason 1999) or Housing Authorities. They never become known to the police. The problem here is identified as one of information flows in a multi-agency context. Two other explanations have a different focus:

... what puts a lot of people off reporting crime is that I don't want to be in the police station for the next three hours. And I think that has a huge role to play. I mean I've had my car windows smashed twice out here. I haven't reported it once to the police because I don't want to be bothered, you know, going to the police station. You're out. You want to go home.

Another suggestion was that low expectations of an arrest, flowing from a complaint, would affect a willingness to report. Both of these connect low levels of reporting with perceptions about the limits of the capacity of the police to provide speedy and adequate safety and security services (cf Garland 2001). Other police identified reasons for non-reporting focus on ontological issues. These included, the victim's perception that s/he will not be believed; the trauma of reporting; the knowledge that a consequence of reporting will involve the need to reveal something that is intimate and personal, including disclosure of a victim's sexual and/or gender identity; and the fact of victim involvement in the incident.

The police also suggested a number of factors that promote reporting. Again these were informed by a range of considerations. Some reinforce the marginality of the police in the provision of safety and security provision. For example, reporting due to the need for verification in the context of insurance claims points to the importance of private security provision in protecting against the negative consequences of insecurity. Reporting in order to facilitate access to health care points to the growing interconnection between different security service providers. The context in which reports were made to access police services focused upon violence proximate to the victim's home where the perpetrator is known to the victim: 'if it's near your home you're more likely to be inclined to [report]'

While several factors cited by the police were echoed by the focus group members the latter introduced factors that the police did not mention. A particular difference was the expression of an almost universal experience of negative police attitudes. The most common reason given for non-reporting is to be found in the comment, 'I wouldn't because there's no point, they don't take you seriously'. Members of the group went on to give more detail about their negative experiences with the police that led to this state of affairs. In the wake of an arson attack on his home one of the group, Kirk, went to the police. He explained:

The police were ... classic. I had to go down to the police station to make a statement and I said to the guy that I was transgender. He said, 'oh you want to be a girl do you?' and I said, 'No, I've been there, done that, didn't like it, you know, changed sex'. I tried to make light of it because you know, you take the power away from them and give it to yourself ... if you can laugh at yourself. They don't laugh at you because it'll not achieve anything. I just said to him, 'Look I've got to go to the toilet. Can I go?' He said 'which one would you use?' I just looked at him and I said 'you've got to be kidding haven't ya?' ... I had a beard you

12 There appears to be little generally in the way of statistics about levels of reporting of violence against transgender people. The GenderPAC (1997) and Perkins et al (1994) studies make no mention of reporting levels.

know. He said 'oh the ladies are around there'. I said 'you might use the ladies sweetheart but I'll go here'. From that moment on, because I called him a sweetheart, he was an absolute pig. I had to go to a kind of inquiry for the fire because ... people were involved. He told me that I didn't need a solicitor. When I got there the coroner said: 'oh I can't let you speak because you don't have a solicitor'. I said 'but the coppers said I don't need [one]. He [the copper] made it so hard for me.

Furthermore, the police failed to make any arrests:

I knew who it was. Everyone knew who it was but the coppers couldn't find him. They could never find him and when he'd boasted about murdering someone already I, I actually took what he said very, very seriously because even if he's only ... does half of what he says he's gonna do that's enough. That's too much uhm, but no coppers don't listen to you.

This lack of confidence in the police was also informed by earlier pre-transition experiences. He described an experience of an encounter with the police when living as a woman in the following terms:

I got raped at 18 because they wanted to send me straight. I went to the police and the police said to me, 'he who lays with dogs should expect to get fleas', that's what I got. So from that moment on I knew the police were never gonna help me.

These observations point to the continuing impact of experiences, perceptions and expectations of general bias against gender and sexual minorities in the policing and criminal justice system, to the trans and homo-phobia (Wotherspoon 1991; Tomsen 1993; French 1993) of those institutions, and to the impact of particular masculinities still pronounced in police culture and law (Cherney 1999),¹³ which give form to police harassment and intimidation (see, for example, Cox 1990; Comstock 1991; Baird et al 1994; GLAD 1994; Baird 1997)¹⁴. These factors may be exacerbated for transgender people due to constructions of 'multiple deviance'. Thus, for example, and as already indicated, there may be a tendency on the part of the police to conflate or equate transgender with 'sex work'. However, the problems are not limited to factors of gender and sexuality. Karen, our Sistergirl offered her experience of the police in the following terms:

I mean generally the police doesn't have a good rapport with the Aboriginal/Torres Strait Islander people. So why would Aboriginal Torres Strait Islander people want to go to a police station. They were used in the first place as military to try and get rid of us.

And speaking of a past, though post-transition, negative police experience:

I was locked up ... and it was a long weekend ... [until] the following Tuesday. They didn't let me make a phone call to my family. They called me every name under the sun. 'Aids carrying boong' you know 'coon'. All those names. Basically they tried to degrade me by, you know, by their words.

Here Karen draws attention to the impact of race and ethnicity upon the experiences and perceptions of policing. In particular she points to the ways in which Aboriginal persons, were/are conceived historically as offenders rather than legitimate victims and the negative effects that flow from that. A key feature of these experiences is the multiplicity of criteria of social inclusion and exclusion that give form to the transgender experience of accessing the police.

13 The Perkins et al study (1994:58-59) found that 34.2% of its 146 transgender respondents reported discrimination by the police and 26.7% reported that it occurred in police stations.

14 In the study by Jill Hooley (1996:29) 5 transgender respondents reported having been raped by police officers. Moreover, the GenderPAC study (1997:12-13) found that 5% of the 233 separate incidents of violence reported by 402 transgender respondents occurred in police precincts, cells or cars.

Another key feature of police experiences focuses upon ontological threats associated with the revelation of transgender identity within the police station. While these may be similar to the reporting experiences of gay men and lesbians (Cox 1990; Comstock 1991; Lesbian and Gay Anti-Violence Project 1992; Mason 1993; Baird et al 1994; GLAD 1994; ALRC 1995; Stanko & Curry 1997; Police Lesbian and Gay Liaison Committee 1997) the fear of disclosure for transgender people is also different. The two transgender men group participants articulated their concerns in the context of rape. While rape was the act of violence they most feared both stated that they would not go to the police station if raped. Steven explained that 'there's no way I would walk into that station and say I've been raped as a man, as a transgender man'. The reasoning behind this received further elaboration:

Number one, why should I have to walk in there and educate them? I've just been raped or bashed or stabbed. Why should I have to as a tranny boy walk in there and say and educate the policeman or whoever, the police woman that I am transgender when I'm suffering all these, all these other pains? So no I wouldn't even step into the police station. There's no way ... because, you know, especially if you've been raped then you've gotta go and get checked ... So being transgender and walking in there with a beard ... they'd just think I was a freak. I mean, look at this guy he's got a vagina you know. He's got a fucking vagina, he's got a fucking ... Why would I want to face that uhm, suffering the pain that I'd be suffering at the time so that's my answer on that ... it's the revealing, it's saying I'm a man with a vagina. You know it's like it's saying, uhm, it's like it's none of their fucking business whether I've got a vagina or a penis anyway.

Kirk: Rape's rape isn't it.

Steven's explanation draws attention to reporting as a context in which the police provide another experience of the violence of social exclusion. It is given potentially devastating significance as it occurs in the context of an experience of extreme violence. It is a gendered experience of violence both by way of the act of rape and the police response to that rape. It relates to both pre-transition and post-transition identities. Kirk's response, 'Rape's rape isn't it', suggests that the expectation is that police inability to deal with the gender of the victim will result in failure to take violence seriously.

While the police pointed to the way a multi-agency approach might reduce police knowledge of incidents of violence focus group members point to a different effect of multi-agency security provision. The negative experiences with one security agency may colour a person's perceptions about the provision of services by a wide range of security providers. Thus group members explained their failure to report to the police by reference to negative experiences with hospital staff, the Housing Commission and the railway police. For example, Sarah who at the time she transitioned was an employee of State Rail related her reluctance to report acts of violence to her experiences with the railway police. She explained 'I've had railway police trying to make trouble for me and come to places where I've worked and want to search me and strip search me and things like this for nothing, for no reason whatsoever'. Another group member, Kirk, spoke of problems he had encountered with the Housing Commission after receiving death threats, having 'fag' written all over his yard and house, having his windows smashed and bottles thrown at him in the street. As a result he contacted the Housing Commission. After noting the experience of one of the transgender women members of the group who had experienced no problems with the Housing Commission he commented:

I think if you're a woman yes you'll never have a problem with the Housing Commission. If you're a bloke and because I identify as a man they said to me, 'but you're a bloke. What would you be scared for?' You know ... when someone says they're gonna take you out the back and they're gonna rape you and cut you up into little pieces whether you're a man or woman you've got to take that serious these days. When they leave messages on your phone

number, on your phone ... For 2 weeks [the Housing Commission] told me they couldn't do nothing you know, I just got to the stage where I said 'I don't care. You tell me where I can go now, whether it's in the middle of Whoop Whoop?'

The police and transgender data raises some important issues around improvements in reporting. First, any attempts to improve reporting must take seriously the multi-agency provision of security services. Interventions that target the police alone will miss the mark of improving safety and security provision. Second, the specific role of the police within that context needs further examination. In turn, targeted changes to reporting procedures that take account of the existing use of police by transgender people may provide the best context in which to develop good practice. Finally, in developing new reporting procedures and practices the multiple basis of the transgender experience of social exclusion must be taken seriously.

Conclusions

In this article we have interrogated a transgender politics that is emerging in the context of competing claims by other marginalised groups for scarce resources. It is not our concern to challenge transgender claims about the incidence and degree of violence. Further, we are well aware that the political and institutional context and its particular demands are not of the making of transgender activists who seek access to services otherwise denied transgender people. The resort to statistical truth and the will to document 'exceptional' violence that a transgender politics of violence participates in is, at least in part, a product of contemporary politics of access to criminal justice services. It is also, our data suggests, an aspect of police practices giving form to police suspicion as to rates of violence against transgender people. In part our objective is to point to the limits of this political landscape not only for transgender politics but also within the context of a wider landscape of identity politics. In part, our concern is directed toward the way that a politics of 'exceptional' violence serves to 'transgenderise' the phenomenon of violence experienced by transgender people. That is to say, we wish to caution against the dangers of homogenising transgender people in thinking about violence. Currently, this proves to be an effect both of contemporary transgender politics and of police attitudes and the conceptual and institutional limits of police information systems. Again its significance is not particular to the transgender context but has general significance for identity politics in the context of policing.

While better education and a multi-agency approach to reporting are certainly worthwhile endeavours, our analysis suggests that there is a need to avoid the danger of reducing transgender people's experience of violence to transgender status. That is to say, it is necessary for interventions to recognise the many differences between transgender people, differences that run along axes of race, ethnicity, class, age and sexuality, as well as differences between transgender women and transgender men, and the different meanings the term *transgender* has, including its relationship to surgery, for different people. Furthermore, a focus on the place where reporting is to occur or on the person to whom a report should be made should not blind us to the question of how reporting is subsequently processed. We need to direct our attention to the conceptual and institutional limits of police information systems. If police databases are to be capitalised in furtherance of more effective operational practice, investigation and prosecution then it is necessary that prevailing categorical imperatives with their either/or binary logic be addressed. Perhaps a good point of departure would be to return to the police data to examine the intelligence on violence against transgender people that is buried in the existing information systems.

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