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From Victim to Villain in a Single Bound

Taking Matters Into Her Own Hands

by Caroline Layt

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Caroline Layt: I told the Police my side of the story and that I felt I had been victimised. I thought I would be listened to but I was told I was being charged and arrested for assault.

I decided to write this article after being harassed by a local teenager in the town near where I live and having the incident treated negatively by police when I defended myself.

In my solicitor's opinion the police could have taken my statement and let me off with a warning that my action had been at the lower end of the assault scale.

I am twenty-six-years-old a post-operative woman. I transitioned in 1995. Before I transitioned I played competitive sport in my local area and was often written up in the local paper. I also mixed socially with the locals on social occasions.

Unfortunately there was that one percent (there always is), who over the last six years thought it was okay to victimise, abuse and vilify me. These have either been teenagers or young adult males. Lately it has been the former and unfortunately the aggressive one percent is always the most vocal.

The first two years were the hardest. Teenagers and young adults congregate around shops in the shopping malls in my area and if I passed they would mutter things under their breath. If there were enough of them they would scream insults at me from a safe distance. Because of my sporting background and the fact that I am a strong person physically I would sometimes ask them what their problem was and then tell them what I thought of them and their comments. On other occasions I would ignore them but if I had already had a bad day then sometimes I would react and give them back some of their abuse.

As the months went by the harassment grew less and less, partly due to the fact that I had a new partner (also M.T.F.). It was harder for them to pick on me when there were two of us. Also, as time went on, we became less of a novelty and the young louts moved on to victimise someone else. Still, the abuse flared up from time to time and occasionally my partner and I would have to put up with their bigoted attacks.

My partner moved to the U.S.A. two years ago on a working visa and met and married a wonderful American man but she and I remain best friends. She mentioned that she had moved forward in her life and I hadn't as she had moved away and started a new life for herself. She is never harassed or victimised and nobody is aware of her past. I agree with her totally.

Since my partner moved to the United States I have been verbally abused every three months or so, usually during school holidays. Eighteen months ago I went to the local policeman and told him I was being harassed by the local teenagers. I told him the circumstances leading to my victimisation and he told me there was nothing he could do. I asked him what would happen if I were to take the law into my own hands. He told me that if I hit them I would be charged with assault. He told me the same teenage louts were harassing his teenage daughter. I am sure he took action on her behalf and warned the teenagers off but I realised that I would have to fend for myself as the local police were not going to do anything to protect me, thanks to their own bigotry.

I was abused again about three months ago and again defended myself. I told the teenagers I was going to the Anti-Discrimination Board over their harassment and they 'dropped off' when I told them this.

On 3rd January 2002 I was very tired from lack of sleep and physical exhaustion having been fighting bushfires. We had lost a house and two sheds on our property and I didn't really have a Christmas-New Year holiday in 2001-2002. As a result my patience was stretched thin and when some teenage boys started to harass me, one of them screaming out "Oh yuck, there goes that f***ing drag queen", I told him he was an idiot and to pull his head in, but then I thought "he is a dickhead ... who cares what he thinks" and went back to my shopping.

A little later I walked past the teenagers again and they glared at me. I returned the favour. As I walked towards my car the one who had yelled out had a smart ass look on his face and held his cigarette a few inches from my face. I was very tense with the cigarette burning so close to me and several of his friends only three metres away (I had been assaulted by five teenagers in Roselands under similar circumstances). I punched him three or four times to the head and body and when I realised his friends were not joining in, I stopped hitting him but held him up against a wire fence. He told me his father was a bikie and he would get him on to me. I let him go

and walked back to my car and he started to abuse me again. I told him to be careful what he said and that I hoped the incident would teach him a lesson.

When people heard what had happened, many told me the teenager was a troublemaker and had got what he deserved. They told me he had been expelled from school and had bullied other kids. Unfortunately I am not allowed to use this information in court.

The Camden Police were contacted by the teenager and his family on Thursday 3rd January and the police waited until Saturday to contact me at 8:30pm to come to Camden Police Station at 9:00pm. My Solicitor and I believe they did this as I would have less chance of finding legal representation on a Saturday night than during the week.

I told the police my side of the story and that I felt I had been victimised. I thought I would be listened to but I was told I was being charged and arrested for assault. I couldn't believe it. I was fingerprinted, photographed and locked up for an hour and a half. When I was fingerprinted the Senior Constable filled in the forms as 'male' gender, I corrected him and said "I am not male". He changed the forms to 'female' without apologising. He was as professional as he had to be, yet I felt I was being punished, not for the act I was supposed to have committed, but for being transgender. In my solicitor's opinion the police could have taken my statement and let me off with a warning that my action had been at the lower end of the assault scale.

The days of 'Bumper' Farrell bashing gays and transgender people may be over but I feel the police force have a long way to go before gay, lesbian and transgender people are treated equally by the police. Homophobia and problems with transgender have not yet been treated adequately within the police and these issues need to be addressed, especially in country and regional areas.

What is the solution? I could move, as my partner did, but I have four dogs and I can't afford to rent a large house at the moment. I would love to move to the Wollongong area as I teach aerobics at two fitness centres there. I love the people and as they know me only as a woman I have no problems. I teach school children aerobics in Wollongong and I have never had any problems there. They refer to me as 'Miss' as they see me as a woman. I socialise in Wollongong with friends from the gym. I would never socialise in my home area as I know there is no point and I would be victimised by some bigoted idiot. It is like living in two worlds.

I will be \$2,750 out of pocket (solicitor's fees) due to the victim having become the villain.

The system is flawed and needs revision.

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