POLICING QUEER BODIES: FOCUSING ON QUEER EMBODIMENT IN POLICING RESEARCH AS AN ETHICAL QUESTION

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This paper takes up an ethically challenging position: it argues that it may be useful to explore how 'queering' heteronormative embodiment in public space may lead to certain types of policing practices. It argues that policing may involve ways of 'reading' particular bodies as 'queering' heteronormative ways of doing subjectivity, and that this may have implications for queer communities more broadly. In doing this, the paper challenges policing as somehow impartial by suggesting that more could be done for queer communities. Informed by literature about heteronormative police culture, hate crimes and embodiment, police-queer relationships, and ethical policing practices, this paper brings together these discomforting issues and suggests they are explicitly important for policing young people that 'queer' heteronormativity. The paper concludes with a call for 'embodying' criminological research to produce ethical policing practices with queer communities.

I INTRODUCTION

Ask any person that identifies as gay, lesbian, or transgender, and they will tell you that embodiment matters in how they experience everyday life. A young gay male, for instance, will tell you that having a body that enacts 'gayness' via 'visual (and transgressive) codes of camp and effeminacy'[1] is more likely to make your body the object of visual scrutiny, particularly in schooling spaces. The key issue in this situation is the degree to which members of the queer community, who identify as gay, lesbian, bisexual, transgender, transsexual, intersex, queer, questioning, do embodiment in ways that position them as *outside* dominant heterosexist ways of doing gender and sexuality. These bodies 'queer' taken for granted expectations about gender and sexuality: they disrupt the expectation that people ought to be properly masculine and heterosexual for example. The question arises then: why has embodiment not been interrogated as an issue that mediates policing practices with queer communities? This is a particularly

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1 M Barron and S Bradford, 'Corporeal Controls: Violence, Bodies, and Young Gay Men's Identities' (2008) 39 *Youth & Society* 237.

> taught recruits that dominant masculinity is necessary to performing their duties as cops … male students learned that it is acceptable to exclude women, that women are naturally very different from men and thus can be treated differently, that denigrating and objectifying women is commonplace and expected, and that they can disregard women in authority.[37]

This demonstrates that to be a proper police officer means doing embodiment in thoroughly masculine and heterosexual ways, and marginalising those bodies that fail to align with these norms.

Part of reinforcing these forms of 'macho' masculinities involves the denigration of bodies that 'queer' heteronormative ways of doing masculinity and sexuality. Myers, Forest and Miller notes that 'people who are seen as outsiders in the heterosexual hypermasculine context of policing (including straight women, lesbians, and gay men) may feel pressure to conceptualize gender in such a way that conforms to the ideal'.[38] The denigration of these 'outsiders' is made evident in recent research conducted in the United States and the United Kingdom that has found that police practice homophobic ways of thinking about gay, lesbian, and transgender people.[39] For example, Phillip Lyons et al found that their sample of 152 Texan police officers overwhelmingly endorsed homophobic attitudes.[40] In fact, 32% of officers agreed and strongly agreed with the statement that 'I think male homosexuals are disgusting'. In a further article reporting about the same study, Lyons, DeValve and Garner noted that among the 747 police chiefs in Texas, 62% believed that homosexuality is akin to 'moral turpitude' and 56% identify homosexuality as a form of perversion.[41] Recent qualitative research conducted by Amnesty International also highlights some of these attitudes: 'I know we are supposed to be tolerant but that's a bunch of bull, they should all be killed' (San Antonio police officer responding to a same sex domestic violence call).[42] Some researchers have even investigated the attitudes of criminal justice undergraduate and law enforcement undergraduate students in the United States and have found that they too are homophobic,[43] more so even than other disciplines within university settings.[44]

The homophobia demonstrated in research with police officers has made the relationship between the police and gay, lesbian, and transgender people a topic of

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37 Prokos and Padavic, above n 2, 454.

38 K A Myers, K B Forest and S L Miller, 'Officer Friendly and the Tough Cop: Gays and Lesbians Navigate Homophobia and Policing' (2004) 47 *Journal of Homosexuality* 17.

39 M Bernstein and C Kostelac, 'Lavender and Blue: Attitudes about Homosexuality and Behaviour Toward Lesbians and Gay Men Among Police Officers' (2002) 18 *Journal of Contemporary Criminal Justice* 302.

40 P Lyons et al, 'Police Judgments of Culpability and Homophobia' (2005) 1 *Applied Psychology in Criminal Justice* 1.

41 P L Lyons, M J DeValve and R L Garner, 'Texas Police Chiefs' Attitudes Towards Gay and Lesbian Police Officers' (2008) 11 *Police Quarterly* 102.

42 Amnesty International, *Stonewalled – Still Demanding Respect: Police Abuses Against Lesbian, Gay, Bisexual and Transgender People in the USA* (2006) 47 <http://www.amnesty.org.ru/library/pdf/AMR510012006ENGLISH/$File/AMR5100106.pdf> at 29 January 2008.

43 K D Cannon, '"Ain't No Faggot Gonna Rob Me!" Anti-Gay Attitudes of Criminal Justice Undergraduate Majors' (2005) 16 *Journal of Criminal Justice Education* 226; J M Olivero and R Murataya, 'Homophobia and University Law Enforcement Students' (2001) 12 *Journal of Criminal Justice Education* 271.

44 L A Ventura et al, 'Differences in Attitudes Toward Gays and Lesbians Among Criminal Justice and Non-Criminal Justice Majors' (2004) 28 *American Journal of Criminal Justice* 165.

concern in criminological research. Homophobia, however, intersects with a tense history evidenced by both over-policing practices (such as the 1994 police raid of the Tasty Nightclub in Melbourne)[45] and under-policing practices, where assistance is sought but the police response is minimal.[46] People identified as gay or lesbian were constituted as a moral threat to the sanctity of marriage and the family. This tension is multiplied by the only fairly recent decriminalisation of homosexual intercourse in the *Criminal Code*, and the policing of queer leisure spaces.[47] 'Queering' heteronormative sexualities, then, was historically identified and targeted as a 'condition to be policed, controlled and regulated'.[48] These issues have made how queer communities experience policing an important area of research concern.

While a range of issues are explored in relation to how the gay, lesbian, bisexual, and transgender communities experience policing, the discrimination they experience in their interactions with police is a key issue.[49] Fifty three per cent of Williams and Robinson's 354 gay, lesbian, and bisexual respondents living in Wales noted that they felt unprotected by the law.[50] In addition, one quarter of all respondents in this study stated that they had been discriminated against or harassed by police because of their sexual orientation. Wolff and Cokely conducted a content analysis of written incident reports about police collated by a Lesbian Gay Bisexual and Transgender (LGBT) advocacy group from 1990-2000 in Minnesota. They found incidences ranging from 'police acting disrespectful, rude, in an inappropriate manner, engaging in harassment, and denying services to victims, to officers acting as the actual perpetrators of anti-LGBT verbal harassment, intimidation, and physical assault'.[51] Research conducted in Northern Island by Radford, Betts and Ostermeyer found that issues like those in Wolff and Cokely's research made their lesbian, gay and bisexual respondents much less likely to report victimisation to police.[52]

These types of responses are reiterated in Australian research. A report by the NSW Police Service states that of the 259 gay and lesbian respondents to their survey, 82% suggested that they had not reported an incident of victimisation to police.[53] The main reasons given for not reporting involved the belief that police would not do anything and that they would not be supportive. These themes were also reflected in focus groups

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45 M Groves, 'Not so Tasty' (1994) 20 *Alternative Law Journal* 123.

46 R White and S Perrone, *Crime and Social Control* (Oxford University Press, 2005).

47 A Cherney, 'Gay and Lesbian Issues in Policing' (1999) 11 *Current Issues in Criminal Justice* 35; D Dalton, 'Surveying Deviance, Figuring Disgust: Locating the Homocriminal Body in Time and Space' (2006) 15 *Social Legal Studies* 277.

48 R White, 'Young People and the Policing of Community Space' (1993) 26 *Australian and New Zealand Journal of Criminology* 215.

49 Stormbreak Research and Consultancy, *Lesbian, Gay, Bisexual and Transgender Safety in Liverpool: A Report on the Research Findings* (2006) The City of Liverpool <http://www.liverpool.gov.uk/Images/tcm21-98011.pdf> at 29 January 2008.

50 M L Williams and A L Robinson, 'Problems and Prospects with Policing the Lesbian, Gay and Bisexual Community in Wales' (2004) 14 *Policing & Society* 213.

51 K B Wolff and C L Cokely, '"To Protect and to Serve?": An Exploration of Police Conduct in Relation to the Gay, Lesbian, Bisexual, and Transgender Community' (2007) 11 *Sexuality and Culture* 12.

52 K Radford, J Betts and M Ostermeyer, *Policing, Accountability and the Lesbian, Gay and Bisexual Community in Northern Ireland* (2006) Community Relations Council <http://www.community-relations.org.uk/consultation_uploads/NIPB_Policing_and_LGB.pdf> at 16 August 2007.

53 NSW Police Service, *Out of the Blue: A Police Survey of Violence and Harassment Against Gay Men and Lesbians* (NSW Police Service, 1995).

conducted recently by the Attorney General's Department NSW, with respondents noting prior negative experiences with police.[54] However, most respondents stated that they would report the incident to police despite this. Even more recently in *Private Lives* report, however, nearly half of all participants in all age groups stated that they disagreed with the statement that police officers treated them 'with courtesy and respect'.[55] The overarching theme in all this research, then, is that the threat of victimisation and harassment by the police, and limited police response to reports of victimisation by 'queer' people makes them less likely to report crime and victimisation and more likely to be suspicious of law enforcement processes.[56] So if we know this, why should we renew our focus on these issues in relation how people 'queer' proper heteronormative ways of doing embodiment?

V POLICING AND 'READING' AND DETECTING BODIES AS 'QUEER'

What is most interesting about the research outlined so far is that the role of the body in police-queer community relationships is overlooked. This is despite the fact that reading bodies as 'queering' dominant expectations of heterosexuality was undoubtedly somehow involved in policing work in historical contexts. That is, policing involved 'detecting' bodies that were discursively *inscribed*[57] as 'queering' heteronormativity. Laws criminalising homosexual activity could not have been applied to queer communities without some understanding of what these bodies looked like. Even more interesting, although a good proportion of police work involves policing bodies, the body appears to have been almost completely marginalised as a mediator of these interactions.

Although limited, research does indicate that reading bodies as 'queer' is a practice that police officers engage in. Pratt and Tuffin found evidence of a common discourse in New Zealand police officers' discussions of homosexual men in particular, this being 'effeminism'.[58] Homosexual men were described as visibly homosexual based on 'an effeminate way of speaking, an effeminate way of walking and standing (swinging the hips and bending the wrist), and, in the extreme, cross-dressing'.[59] An associated discourse, deviance, was spoken by the officers as being inextricably linked with gay males. Gay males were described as deviant by the officers because 'homosexuality was equated or juxtaposed with pedophilia, flashing, sexual promiscuity, and other sexual behaviors generally considered inappropriate or illegal'.[60] Police officers' associations of gay males with deviance in this study demonstrate how they have learned to 'read' male bodies as gay and therefore 'queering' heteronormative ways of doing sexual subjectivity. All this research demonstrates consistently that being a proper police

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54 Attorney General's Department NSW, *'You Shouldn't Have to Hide to be Safe': A Report on Homophobic Hostilities and Violence Against Gay Men and Lesbians in New South Wales* (2003) Lawlink New South Wales <http://www.lawlink.nsw.gov.au/lawlink/cpd/ll_cpd.nsf/vwFiles/Hide2BSafeExec.pdf/$file/Hide2BSafeExec.pdf> at 29 January 2008.

55 Pitts et al, above n 31, 52.

56 Amnesty International, above n 42; Wolff and Cokely, above n 51.

57 Foucault, above n 16.

58 A C Pratt and K F Tuffin, 'Police Discourses of Homosexual Men in New Zealand' (1996) 31 *Journal of Homosexuality* 57.

59 Ibid 61.

60 Ibid 63.

officer involves the consistent *iteration*[61] of heterosexual ways of being as normal and right, and marginalising all other ways of embodying sexuality as abnormal. This paper surmises that the disconnect between a 'macho' heterosexual police culture and bodies that 'queer' this culture requires further consideration.

Despite decriminalisation,[62] similar practices of reading and 'detecting' certain forms of 'queer', non-heteronormative embodiment actually constitutes part of contemporary policing work. 'Queer' sexual practices are directly subject to policing and regulation.[63] One of the main sexual practices regulated in this way is beat sex (Australian term) or cottaging (British term). 'Beats' or 'cottages' are primarily 'spaces where gay men "cruise" other men in the pursuit of desirous encounters' [64] and are considered "'diseased" places where "dirty" sex was transacted'.[65] These practices have long been the subject of legal regulation precisely because 'what were ostensibly "private" acts between consenting adults remained criminal in public on the basis that their visibility was deemed offensive to public morality'.[66] This is despite research that advises that these spaces are an important part of how men that use these spaces forge subjectivity as they 'offer a sense of freedom and lack of fear for patrons'.[67] Men involved in these sexual practices are therefore considered 'a particular type of sexual figure who is deviant, abnormal, suspect, and in need of regulation by the criminal law'.[68]

Most importantly, these bodies are visible in how they 'queer' heteronormative embodiment and law enforcement directly inform their policing of these practices with a discursive understanding of what it means to embody this. Dalton examines this process in an analysis of how 'police entrap gay men by mimicking gay bodily appearances, gestures and mannerisms'.[69] Analysing interviews with 20 men that had been detected by police in beat spaces, Dalton shows how police officers acted as *agent provocateur* and 'performed' 'as gay men' very effectively:

> This particular police officer was *au fait* with the codes of gay men. I read them [his signs] as authentic … We circumnavigated around each other a few times and then he … had on a checked shirt and a singlet underneath. He was standing in one of the walkways playing with his nipple. This turned out to be a police officer right! And then I went up to him and started to play with his other nipple. Then he flashes his badge.[70]

Daltons' work reveals that police officers are adept at 'reading' bodies that 'queer' heteronormative ways of doing sexual subjectivity. They are so adept in fact that they can enact this expertly. This certainly indicates that more work needs to be done on the

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61 J Butler, *Gender Trouble* (Routledge, 1999).

62 M Bull, S Pinto and P Wilson, *Homosexual Law Reform in Australia*, Trends and Issues in Crime and Criminal Justice No 29 (1991).

63 C R Leslie, 'Creating Criminals: The Injuries Inflicted by "Unenforced" Sodomy Laws' (2000) 35 *Harvard Civil Rights-Civil Liberties Law Review* 103.

64 D Dalton, 'Policing Outlawed Desire: "Homocriminality" in Beat Spaces in Australia' (2007) 18 *Law Critique* 375.

65 Ibid 380.

66 P Johnson, 'Ordinary Folk and Cottaging: Law, Morality, and Public Sex' (2007) 34 *Journal of Law and Society* 528.

67 S Magni and V Reddy, 'Performative Queer Identities: Masculinities and Public Bathroom Useage' (2007) 10 *Sexualities* 239.

68 Johnson, above n 66, 532.

69 Dalton, above n 64, 375.

70 Ibid 390.

degree to which these processes inform everyday policing, particularly that policing that happens in public spaces with young people that are highly visible in these spaces.

VI POLICING YOUTHFUL 'QUEER' EMBODIMENT IN PUBLIC SPACE: A CENTRAL CONCERN

Nowhere is it more important to interrogate the role of 'queering' heteronormative embodiment in policing than with young people. The various subcultures that young people are affiliated with make them highly visible, as the body is made and re-made as a key indicator of these affiliations. 'Youth – often expressed bodily – is nothing if not spectacular',[71] with bodily practices usually displayed in public spaces. The problem with this situation is that the embodiment of these highly visible, spectacular youth subcultures is most commonly enacted in the key areas in which interactions between police and young people are forged, such as shopping centres and strip malls.[72] Young people that 'queer' heteronormative subjectivities and involve themselves in these forms of subculture would undoubtedly make themselves more visible and perhaps more subject to police attention.

Doing embodiment in ways that 'queer' heteronormativity is identified, albeit briefly, as an important issue in research with young people. This concern is evidenced in recent research by the Attorney General's Department NSW,[73] with the majority of focus group participants aged 17 to early 20s noting:

> a close connection between safety, visibility, and appearance. They said that they usually think carefully about what clothes they will wear and whether it will make them look gay/lesbian. In addition to these kinds of small daily choices, clothing was said by some to be a bigger issue when they go away, for example to another city, their home town, or a country area. Not everyone agreed that they automatically tone down their appearance in such situations, but a number indicated that they give it deliberate thought because they want to avoid homophobic remarks or behaviour:
> – *'So much is about how we look. What does a lesbian look like?'*
> – *'Appearance, that's all strangers have to judge you on'*
> – *'I think, can I wear that gay shirt in Perth?'*
> – *'When I go away I take a whole new wardrobe'*.

For these young people, the 'queering' body is directly linked with the victimisation and abuse that they are subject to in their everyday lives. The performance of 'queering' embodiment is something that is meticulously managed by these young people as a key factor in maintaining safety and wellbeing, especially in public spaces.

More importantly, however, the life circumstances of queer young people more often than not see them spending significant amounts of time in public space. Queer young people experience multifarious forms of verbal, emotional, physical and sexual victimisation at the hands of their friends, school peers as well as the general public.[74]

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71 Barron and Bradford, above n 1, 235.

72 R White 'Curtailing Youth: A Critique of Coercive Crime Prevention' (1998) 9 *Crime Prevention Studies* 93.

73 Attorney General's Department NSW, above n 54, 16.

74 V Ellis and S High, 'Something More to Tell You: Gay, Lesbian or Bisexual Young People's Experiences of Secondary Schooling' (2004) 30 *British Educational Research Journal* 213; A Phoenix, S Frosh and R Pattman, 'Producing Contradictory Masculine Subject Positions: Narratives

Lynne Hillier et al, in *Writing Themselves In Again*, note that 38% of their 1749 young same sex attracted respondents reported unfair treatment on basis of sexuality.[75] School is identified in this research as the most dangerous place for queer young people, with 74% of young people who reported abuse in this study noting that it occurred at school. Examples of this abuse included threats to kill, being pushed down the stairs, being punched, thrown into walls, spat on, and being raped with objects to 'straighten them out'. Research from the United States by Savin-Williams shows that queer young people experience the following at higher levels than heterosexual counterparts: verbal abuse, physical assault, robbery, rape, and sexual abuse mostly by family members and other peers.[76] Savin-Williams also found that this victimisation lead to school related problems, running away, homelessness, substance abuse, mental health problems, prostitution, suicide, and conflict with the law. Homelessness most commonly emerges as a result of parental reactions to the 'coming out' process, where a queer young person discloses their sexual orientation to their parents for the first time. Hillier notes that disclosing this to parents is rarely a positive occasion, with no parents of the 748 same sex attracted young people that participated in the questionnaire 'celebrating' this disclosure.[77] Events like this can reasonably make the young person that 'queers' heteronormative subjectivity the focus of more police attention and intervention than their heterosexual counterparts.[78] Their bodies are marked not only as bodies in need of treatment (for drug addiction for example) and welfare but also as law and order problems (in relation to practices of 'survival sex' for example) in need of proper regulation. With young bodies being 'marked' in these ways, they could be 'reacted to as likely to be part of the trouble rather than as innocent victims'.[79] It seems appropriate, then, to move into a focus on how bodies are 'read' by police officers as 'queering' heteronormative sexual subjectivity for better and worse in policing practices.

VII EMBODYING RESEARCH FOR MORE ETHICAL POLICING WITH QUEER COMMUNITIES

In line with an understanding of ethics as 'thinking and theorizing about what is good and bad, and how people should live',[80] this paper calls for embodied research on how policing happens in queer communities. This paper argues that ethical policing practices are produced only by interrogating how bodies are 'read' as 'queering' heteronormative subjectivities in sociological and criminological research. To suggest a focus on embodiment in research processes is not new. Embodiment is considered an important

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of Threat, Homophobia and Bullying in 11-14 Year Old Boys' (2003) 59 *Journal of Social Issues* 179.

75 L Hillier, A Turner and A Mitchell, *Writing Themselves in Again: 6 Years on: The 2nd National Report on the Sexual Health & Well-Being of Same Sex Attracted Young People in Australia* (Australian Research Centre in Sex, Health & Society, 2005).

76 R Savin-Williams, 'Verbal and Physical Abuse as Stressors in the Lives of Lesbian, Gay Male, and Bisexual Youths: Associations with School Problems, Running Away, Substance Abuse, Prostitution, and Suicide' (1994) 62 *Journal of Consulting and Clinical Psychology* 261.

77 L Hillier, '"It's a Catch-22": Same Sex Attracted Young People on Coming Out to Parents' in S S Feldman and D A Rosenthal (eds), *Talking Sexuality: Parent-Adolescent Communication* (2003) 75.

78 Savin-Williams, above n 76.

79 B Hudson, 'Difference, Diversity and Criminology: The Cosmopolitan Vision' (2008) 12 *Theoretical Criminology* 275, 278.

80 Grayling cited in G Pavlich, 'Ethics, Universal Principles and Restorative justice' in G Johnstone and D W Van Ness (eds), *Handbook of Restorative Justice* (2007) 615, 615.

area of concern for social and sociological researchers more broadly,[81] with a focus in recent research on 'making and doing the work of bodies – of becoming a body in social space'. [82] That the criminological and sociological research on policing 'queer' communities continues to overlook this seems unusual, especially considering the historical interest in criminology in 'discovering' 'homosexual men and women as sexually and socially degenerate'.[83] Criminological research is not immune to having 'constructed a series of others who are outside the constituency of inclusion, justice and protection of law; a series of others who are outsiders who have struggled for recognition, and for participation in discourses of criminalization, justice and safety'.[84] In this instance, however, this paper argues that the discomfort that comes with 'reading' and enquiring about research participant bodies as 'queering' heteronormativity is a more productive and ethically sound research position to be working out of than marginalising embodiment. More importantly, research framed in this way may offer up more complex, multidimensional ways of challenging the homophobic attitudes that inform how police officers 'read' bodies as 'queering' heteronormativity.

The paper suggests that ethical policing practices can be better supported when criminological and social researchers 'bring the body back in'[85] to research about how queer communities are policed. In policing practices, where police protection can be allotted 'based on membership in certain categorical groups',[86] research that focuses on 'queering' heteronormativity may be useful in highlighting the diversity of embodiment and increasing police understanding and recognition of this diversity. Doing this may well enable officers to move beyond the idea, for example, that all gay men are 'effeminate' and 'cross-dressing',[87] and move towards an awareness of very mundane details which can assist in making more equitable, sensitive policing practice. This could be as mundane as training police officers to ask a transgender person how they would prefer to have their 'sex' recorded in police case notes, rather than simply making assumptions about this informed by conjecture. These types of clarification may make a sizeable impact on how policing relationships are forged between queer communities and police.[88] Thus, to continue to overlook this embodied experience in the lives of queer communities raises the question not only of how ethical policing practices are, but also the extent to which policing work is enacted in line with notions of diversity and pluralism.

Further to this, it raises the question of the effectiveness of policing practices when a more embodied research approach may enable more useful outcomes for the police as well as queer communities. For the current paper, 'reading' a body as visibly 'queering' heteronormativity is not necessarily counterproductive. Embodying research about

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81 L Buchholz, 'Bringing the Body Back in to Theory *and* Methodology' (2006) 35 *Theory & Society* 481.

82 B Turner, *The Body and Society* (Sage, 1996) xiii.

83 S Tomsen, 'Was Lombroso a Queer? Criminology, Criminal Justice and the Heterosexual Imaginary' in G Mason and S Tomsen (eds), *Homophobic Violence* (1997) 33, 33.

84 Hudson, above n 79, 288.

85 A W Frank, 'Bringing Bodies Back in: A Decade Review' (1990) 7 *Theory, Culture and Society* 131.

86 J Pollock, *Ethics in Crime and Social Justice* (Thomson Wadsworth, 2004) 154.

87 Pratt and Tuffin, above n 58.

88 M Couch et al, *Tranznation: A Report on the Health and Wellbeing of Transgendered People in Australia and New Zealand* (2007) Gay and Lesbian Health Victoria <http://www.glhv.org.au/files/Tranznation_Report.pdf> at 3 August 2008.

policing and queer communities may make available a range of information about these relationships that has been previously overlooked to avoid the discomfort of asking about this in research processes. For example, at present, data relating crime and victimisation to queerness recorded by police is minimal, if not almost invisible. This is particularly the case with statistical information, with initiatives like the Walksafe Queensland Anti-Violence Project working to increase information recorded by police about 'hate crimes' based on sexual orientation and gender identity.[89] Informing policing practices with notions of queer embodiment has the potential to improve this situation. These are just some scenarios that may be made possible by focusing on bodies that 'queer' heteronormative embodiment in research about how queer communities experience policing.

While all of these situations would undoubtedly require a rigorous sensitivity and professionalism on the part of the officers involved, they are certainly more productive outcomes than continuing the invisibility of sexual orientation in police records and police work. Given that police officers are vital 'in the realisation of fundamental modern values: freedom, security, safety, equality, justice',[90] shifting the focus onto visibly 'queering' bodies in doing policing research may well offer up more productive understandings of how to do this in relation to queer communities. Kleinig notes that this is vitally important 'where one's actions will impinge on the lives of others'[91] in the course of policing work.

VIII CONCLUSION

There is little doubt that bodies that 'queer' heteronormative sexual subjectivity are in some ways more visible than others, particularly in the case of the highly visible, hypermasculine bodies being constructed in gay culture.[92] This paper has argued that these bodies 'emit meanings' and can be 'read', and that this may be a point of interest in how queer people experience policing practices. Despite some research indicating that police too visually 'read' bodies as 'queering', based on ideas about 'effeminacy' in relation to gay men for example, the paper has demonstrated that criminological research on policing practices with queer communities is disembodied. That is, researchers shy away from engaging participants in discussions about whether or not they think 'queering' bodies are more or less targeted by police precisely because they behave in ways that disrupt heteronormative ways of doing sexual subjectivity. This paper contends that this is an unproductive research position to work from considering that 'the gaze of the law, conjoined with the legal imagination, produces a vision of homosexual subjectivity that is severely impoverished'.[93] It has attempted to map the intersectional nexus point of a complex skein 'of discursive elements that can come into play'[94] that together demonstrate the importance for further pursuing research at this nexus point. We can only gain a better, more detailed understanding of how queer

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89 Walksafe Queensland Anti Violence Inc, *Walksafe Queensland Anti-Violence Project* <http://www.walksafe.org/> at 3 August 2008.

90 T Prenzler, 'Ethics and Accountability in Law Enforcement' in S Hayes, N Stobbs and M Lauchs (eds), *Social Ethics for Legal and Justice Professionals* (2006) 124, 124.

91 J Kleinig, *The Ethics of Policing* (Cambridge University Press, 1996) 6.

92 D Ridge, D Plummer and D Peasley, 'Remaking the Masculine Self and Coping in the Liminal World of the Gay "Scene"' (2006) 8 *Culture, Health & Sexuality* 501.

93 D Dalton, 'Surveying Deviance, Figuring Disgust: Locating the Homocriminal Body in Time and Space' (2006) 15 *Social & Legal Studies* 277.

94 M Foucault, *The History of Sexuality: An introduction, Volume 1* (Penguin, 1990) 100.

communities are policed, and the impact of homophobic 'readings' of bodies that 'queer' heteronormativity, with further research that *works with rather than against* 'queering' embodiment.

It is important to note at this point what the paper is not saying. It is not arguing that we launch into a neo-Lombrosian project and attempt to link queer bodily characteristics with criminality. In addition, it is not proposing that criminological and social researchers rigidly stereotype and classify queer bodies in order to better understand policing practices. Rather, the author is interested in the ways that we might learn from exploring how police read certain bodies as 'queering' heteronormativity for better and for worse. Of essential importance for this paper, then, is 'bringing bodies back in'[95] to criminological and social research about gay, lesbian, bisexual, and transgender experiences of policing. It is challenging researchers to push the boundaries of acceptable research and to *embody* research about how policing happens so that more productive outcomes may be achieved for members of queer communities and for law enforcement.

[95] Frank, above n 85, 131.