

# Tackling racist crime also needs an attitude change among police

MENACHEM VORCHHEIMER

October 23, 2009

[Comments 17](#)

Standing recently in the foyer of Melbourne's Supreme Court, I met the uncle of Liep Gony. Liep was murdered in September 2007 by two white men, who had gone seeking "a nigger to take their anger out on". They had beaten Liep to death with a metal pole they had taken with them. While we dare to admit it, Liep Gony's murder is a race-based murder, and it happened in Melbourne, Australia. At the time of Liep's murder *The Australian* newspaper asserted it was gang related. The then immigration minister Kevin Andrews asserted Liep's murder was linked to a failure of Sudanese people to integrate. Such statements only served to deny the reality: that we had allowed our prejudices to culminate in the murder of Liep Gony, whose only crime was that he was born with dark-coloured skin.

My trip to the Supreme Court was one of solidarity and support. I wanted Liep's family to know that their pain was not singular, and that the crime that took Liep's life was a crime against all person's of decency and standing. However, I was not prepared for what Liep's uncle told me. While acknowledging my sentiments and support, he stated he was deeply hurt. The hurt centred on the cold and indifferent nature of the defence counsel. Liep's uncle said that he could not understand why counsel for the defence referred to the perpetrators by name, but Liep as the "Sudanese boy". Liep is a person. Liep has a name. The act of denying Liep, the victim, an individual identity, was to add fuel to the fire of pain, that Liep, being Sudanese, and for that matter all Sudanese, are different, are not individuals, and not embraced as members of our society.

I had spent close to a year lobbying for change in legislation dealing with hate crime, a change that was then before the Victorian Parliament in the form of the Sentencing Amendment Bill 2009. The Sentencing Amendment Bill 2009 is to require that a court must have regard to a motivation of hatred or prejudice against a group of people in sentencing a offender.

In my lobbying efforts I had carried with me a copy of an article outlining Liep's murder. It was confirmation of a reality that I knew existed, but few wanted to know about. Liep's case, like that of Richard Plotkin, the Rosebud man who in September 2008 was set alight by a group of young men with a negative disposition towards Richard's mental illness; and the murder in January 2008 of Victoria University researcher Dr Cao by a group of young males who had gone out "curry bashing", articulated that there are people in our society who feel it was fair game to attack someone because of their difference.

The Sentencing Amendment Bill 2009 is not, as some have tried to assert, about providing greater protection under law to one class of people at the expense of another. It is about providing greater protection to all of us, of our right to live and enjoy a pluralistic and diverse community, where we can openly celebrate our culture; heritage; religion; sexual orientation; physical/mental ability; gender and/or the like with the knowledge that under law an attack motivated by hatred or prejudice against that attribute is regarded as heinous and deserving of punishment for that act alone.

The next, and perhaps most important step, requires a cultural change in the ranks of Victoria Police.

Victoria Police as an agency has a history of indifference towards bias crime, a fact to which for example many members of the homosexual community will attest.

Victoria Police is the front line of our law enforcement. They are agents of legal and moral code. The attitude and disposition of members Victoria Police to crimes of bias and prejudice have a profound impact on the way the rest of society responds to such events. When Victoria Police change its attitudes towards bias crimes and its victims, so will society.

With concerted leadership from Victoria Police, perhaps the next time one of us comes across a person who looks a little different, rather than categorise him, as the defence counsel did of Liep Gony, by his native origin, Sudanese, we will learn to ask his name, and seek the ground of commonality, rather than continue to sow the seeds of difference and division that have failed generations before us.

## An Orthodox Jew, Menachem Vorchheimer was racially abused and bashed by football club members in 2006.

### Comments

17 comments so far

»»«

*»I would like to thank Menachem Vorchheimer, as an Orthodox religious person for acknowledging the level of homophobic violence that gay men are subjected to in this country.«*

*»According to a University of Queensland study , 4.3% of Australians would not want a neighbour of a different race, compared with 24.7% of Australians who would not want a gay neighbour.«*

*»Put simply, while Australia is neither a racist or homophobic country overall, it is five times more homophobic than it is racist.«*

*»The racist murder of Liep Gony was shocking, but at least there was outrage, while a constant toll of anti-gay murders and attempted murders in this country every year is yet to lead to a serious debate about homophobia in this country.«*

*»It seems anti-gay-hate is the prejudice we're prepared to live with.«*

*»3 out of 4 Australians are not homophobic, but where are they when the 1 out of 4 are making our lives hell?«*

*»Menachem is also right that anti-hate crime laws protect all of us. A non-Jewish person attacked by anti-semites who have mistaken him for a Jew is as much a victim of a hate crime if he had actually been Jewish. The same goes for the many heterosexual men who have been bashed in this country by homophobes on the assumption that they were gay. And if a heterosexual person is ever murdered by a gay person and the motive is a hatred for their sexuality, I have no problem with that person being charged with a hate crime.«*

*»However, as long as gay and lesbian Australians are treated differently in other laws (adoption, marriage) homophobic thugs will be reassured in their belief that they are merely enforcing societies standards.«*

»»«

**AndyP** | St. Peters - October 23, 2009, 9:30AM

»»«

*»There are a lot of frustrated and angry white people on the bottom rungs of our society. They have found themselves, for whatever reason, shut out of the general well-being of the rest of the community. History tells us that when you have such people you get the emergence of right-wing extremist groups who prey on them by giving them simple explanations for why they are where they are. These are the ones that John Howard and Pauline Hansen competed over in a race to the bottom. They have been given none too subtle messages that it is asylum seekers, dole-bludgers and Muslims who are responsible. These are the sorts of messages, given for political gain, that feed the rage and anger of those at the bottom.«*

*»John Howard understood this deep instinctive need to attack the weak and exploited it brilliantly to retain a tainted power. The results are now apparent in the increasing incidence of physical attacks on racial minorities and verbal attacks on asylum seekers. They are symptoms of the same cultural sickness. We need political leaders from both sides who will make it clear, over and over again, that such scapegoating is totally unacceptable.«*

»»«

**lesm** | Balmain - October 23, 2009, 9:52AM

»»«

*»The defence counsel's referring to the victim as a "sudanese boy" has absolutely nothing to do with racism but is a standard defence strategy. Their aim is to make the defendants seem more human (hence referring to them by name), while making the victim less so (by not referring to him by name) in order to reduce the emotional response of jurors to the crime. This courtroom tactic would have been employed regardless of the race of the victim.«*

»»«

**Karyn** | Melbourne - October 23, 2009, 10:37AM

»»«

*»Menachem Vorchheimer is a member of humanity who I believe should be celebrated and commended for not only fighting back without ever losing his dignity, but for shining a light on some uncomfortable truths in a very courageous manner.«*

»The people who assaulted Menachem were linked to the Victoria Police force, and only because of Menachem's tenacity to not sway when less resolute others would, did it come to public attention. Let us also not forget the neanderthal-like mentality of Victorian Police over the continuing racist attacks on people perceived to be Indian, or from the sub-continent. I remember one police officer helpfully pointing out that, 'Indians should act less Indian by not talking in Hindi, or Urdu (or other dialects)'.«  
 »Menachem, for you to take a horrible event of personal injustice, and to transform that into a continuing wider battle for valuing the humanity within all of us displays what a fine addition your spirit is to not only our time, but history as well.«

»»

**Steve Stonerson** | A beautiful, insignificant rock somewhere in the universe - October 23, 2009, 10:53AM

»»

»A poignant truth told from the heart of a victim. It is very true that unless the politicians and the police change their attitudes towards this menace, we are going to see more of such incidents in the future.«

»»

**Tackling racist crime also needs an attitude change among police** - October 23, 2009, 11:45AM

»»

»I think as a society this type of response of Bill Amendments to take into motive is barking up the wrong tree. How does one establish a motive? Does the attacker need to say something derogatory based on race, or will the race, sexual orientation etc of the victim be considered as evidence enough? Also, what will the sentencing be - is a race attack any worse or not than a homophobic attack? What about the white people who get attacked by thugs - will the sentencing be lesser here because the victim is white? Really, society gets what it is prepared to accept. Just ENFORCE the current law, bashing ANYONE, regardless of race, religion, sexuality, age, size, gender, ginger, bad fashion sense, whatever ! should be UNACCEPTABLE BEHAVIOUR and merit a full stiff sentence.«

»»

**Mazwegian** | Melbourne - October 23, 2009, 11:59AM

»»

»another victim of multiculturalism, i really don't understand why the government continues this failed policy.«

»@andyP, if you actually went out on a friday night you might realise that alot of anti social behaviour is caused disproportionately by aboriginals, islanders, middle easterners and africans. So i find it kind of offensive that you choose to single out whites, when you clearly don't understand the issues.«

»»

**Ezekiel** | Melbourne's west - October 23, 2009, 12:04PM

»»

»Sorry Ezekiel, I didn't mention "whites" anywhere in my post. I must think that "aboriginals, islanders, middle easterners and africans" who are Australian citizens ARE Australian. Australians with European backgrounds bash gays too, but I am happy to say I have never heard of a gay bashing in Australia perpetrated by an asian or indian person.«

»»

**AndyP** | St. Peters - October 23, 2009, 1:09PM

»»

»"The Sentencing Amendment Bill 2009 is not, as some have tried to assert, about providing greater protection under law to one class of people at the expense of another".«  
 »Menachem, I understand what you are trying to say here, but I don't agree. Case in point: a family loses a son b/c of idiots going 'gay bashing'. Another family loses a son due to a violent pub brawl not of his making, started by idiots who just wanted to fight. Under what I understand to be the proposed legislation, the penalties for these two acts could be different, however, the straight victim in this case is no less dead than the gay victim. Ergo, justice is different for the two victim's families.«  
 »I would instead rather see high, across the board non parole periods for violent crimes etc.«

»»

**Nick** | Melbourne - October 23, 2009, 1:25PM

»»

»Before people ask for racial sentencing & stronger terms perhaps they should ask themselves if they're prepared to pay the significant extra tax costs of longer term incarceration or perhaps an

*appeal based on a hash sentence served by a different race Judge.«*  
*»In lower socio-economic classes there will always be bogans looking for a victim - regardless of race/age/religion/sexual orientation/etc to bash. The best way to deal with this is to attack the bogan mentality through increased higher education & higher employment.«*  
*»PS. Mr Vorchheimer, did your basher's know that you were a Jew? Or perhaps you were a randomly picked out victim, just like most victims are.«*  
 »»«

sheepy | Melbourne - October 23, 2009, 2:27PM

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»*We had allowed our prejudices to culminate in the murder of Liep Gony.* «

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