

An Open Letter to Cr Ron Humphrey regarding the action initiated against Pt Impossible and Southside Clothing Optional Beaches on the Surf Coast

14 August 2006

Dear Cr Humphrey,

We write to you in regards to the recent motion to request revocation of clothing optional status of Pt Impossible and Southside beaches, initiated by you at the Surf Coast Shire council meeting held on 18 July 2006. The minutes of this meeting have been read and reviewed by members of the Victorian nudist community, and we can honestly say your comments have caused great concern to our members. Since you failed to involve anyone from the nudist community in completing your research prior to presenting this motion, we can only comment on the information provided to us via public sources and through discussions with parties close to the issue.

The Victorian nudist community is gravely concerned about the information and statistics you claim support your stance in your speech to council and in subsequent responses you have sent to questions asked by representatives of our community. We are also concerned about your perpetuation of the myth that attempts to link the legitimate activities of nudists on the beach with the inappropriate activities of non-nudists near (but not on) clothing optional facilities (specifically, car parks and toilets are the two common data points).

For years the nudist community has been tainted by a perception that the lack of clothing automatically indicates a willingness to participate in inappropriate behaviour, or that legitimate nudists are the sources of undesirable activity. The reality is quite the opposite, as seen by those that have actually spent time at the beaches. Nudists actually adhere to a higher standard of behaviour than you will find on a textile beach - since inappropriate behaviour is not only unacceptable from a cultural/legal/societal perspective, nudists are also unable to tolerate even the slightest indication of inappropriate activity because of how it will be perceived to be associated with our community.

The end result is that nudists can not and will not turn a blind eye to unacceptable behaviour in their vicinity, which can result in unsafe situations for our community members. Unlike textile beaches, nudists are often willing to take extra steps to protect and preserve the facilities and the environment we are lucky to have access to. Nudists are victims twice over - once by being unfairly associated with depraved behaviour that does not involve the nudist (and has not happened on the beach itself); and secondly by being forced into unsafe situations just to protect our existing facilities. You state in your speech that councillors owe a duty of care to your constituents, yet the nudist community is seeing very little concern for our safety being shown.

In your speech supporting your arguments to have clothing optional status revoked, you make a number of statements that have certainly warranted closer investigation by our group. In the interests of brevity, only a sample is provided here:

- You stated "**for many years there have been far too many incidents of depraved behaviour on our beaches**". Our discussion with local police representatives revealed they do not appear to share your concern about the level or cause of any perceived problems around the two beach areas. Specifically in relation to Pt Impossible and Southside, claims of "sexual attacks" were flatly refuted. Local police confirm a log is kept of all calls and "call outs", so it would appear either you or the police are factually incorrect. A search of CrimeStoppers online also failed to reveal records of any attacks.

- You stated **"I'm not sure how this activity fits in today's society of political correctness particularly on public land"**. We are unsure how nudism, a global lifestyle choice adopted by millions around the world, has anything to do with being "politically correct". We're sure you have a personal opinion on this, but the community is willing to have an open discussion about the facts and not opinions (although we do have an opinion about the real drivers behind this action that we'd be more than happy to share if it were appropriate to do so).
- You stated **"It's about the "honey effect" in that it attracts others to an area for subversive reasons"**. By this logic, we anticipate the imminent closure of a number of fast food venue carparks, and surf beach carparks (for example) late on Friday nights, since (as you say yourself) "we [councillors] have a duty of care that we owe to our constituents". Clearly non-nudist venues are not facing a usage reclassification like you are proposing here, unless you are also planning to call for rezoning or revocation of license of the next pub that has a fight spill into the street.
- You stated **"How can we as councillors guarantee the safety and wellbeing of our residents and visitors given the resources needed for constant surveillance?"**. The same argument could be mounted against any community group or individual that holds activities that might attract undesirable attention. It's more common to see an 18th birthday party in a town hall "gate-crashed" resulting in death or injury than to see reported attacks on any beach (clothing optional or otherwise).
- You stated **"We have a duty of care that we owe to our constituents that we must respect and honour"**. We certainly agree that there is a duty of care, and would appreciate greater concern about the safety and well-being of the legitimate nudists who are using the facilities in the Shire, who also deserve that same duty of care.
- You stated **"It's not just within the confines of these beaches where an unacceptable level of depravity is occurring; it has and continues to spill over into family beaches with depravities trawling these beaches for their pleasure"**. The first half of this statement has not been substantiated by any facts, and certainly the research we have conducted with the local police raises questions about the validity of such a statement. No verifiable information has been provided to support the second part of the statement either – it would be naïve to ignore the possibility that **all** beach users (regardless of clothing status) face potential problems with undesirable behaviour on their patch of sand. To suggest inappropriate conduct is completely isolated to two (small) clothing optional beaches is unjustifiable.
- You stated **"we will ... be the nudist capital of Victoria"**. This statement, although presented in a negative context, was actually quite useful and positive. Many locations in Europe generate millions of dollars in tourist revenue from nudists who are willing to spend money to travel and stay in quality, safe locations. Likewise, a common theme on the Victorian forums has indicated that the Surf Coast is a preferred destination for interstate nudists, who believe the Victorian beaches are great quality and the nearby towns are worth visiting. Those same travellers would take their tourist dollars elsewhere (such as Mornington or to other states) should these beaches not retain their status. Being the nudist capital would likely do good things for the Shire, on multiple levels.
- You stated **"They [sexual attacks] cause trauma particularly in those most vulnerable. Our Children"**. This is the first mention of children as a specific argument prop, which on the surface attempts to tie sexual attacks with trauma in children. The argument is not based on any fact, as supported by our research into police statistics relating to sexual attacks; specifically, the lack of incidents reported relating to children on

the two beaches in question. Children are already exposed to issues far more dangerous than simple nudity – if we had to choose between preventing a child seeing someone unclothed, or preventing that child being threatened with a knife (in school?), the choice is obvious. Although the example is extreme, in the United States death or injury by knives in schools is more common than sexual attacks on **any** beach.

Since safety appears to be the core theme of your argument, perhaps some consideration should be given to the Monash University research paper "Feasibility of Identifying Family Friendly Beaches along Victoria's Coastline" report of December 2002, where it is suggested that safety can be really be improved by "**the establishment of community partnerships to devise, implement and monitor a local crime prevention plan**". This stance was supported by the Crime Prevention Department (CPD) of the NSW Attorney General's Department. The nudist community welcomes such an approach, and encourages local and state government to work with us towards a common goal of improving the facilities for everyone. At no point is it stated anywhere that safety is improved by redefining what type of people are allowed to use the beaches.

The research paper also suggests that the most effective method for the reduction of crime and undesirable behaviour is through modification of the physical environment. Specifically, "this approach seeks to design locations in such a way as to counteract [location] factors by considering issues such as adequate lighting, layout of buildings and barriers, circulation patterns, territorial delineation, and control of physical deterioration". Titled "Crime Prevention Through Environmental Design" (CPTED), it asserts that crimes may be more likely due to design features such as the risk of detection, the risk of being reported, the ease of escape, and the accessibility of authorities to the victims immediately following the crime.

Therefore, according to the Monash University study and the Crime Prevention Department, Pt Impossible and Southside would be safer and more attractive places to go by dedicating resources to improving access, car parking, lighting, and providing facilities that allow for better access to authorities and assistance. Just like burglars don't like floodlights, making the venues more inviting to legitimate users through the provision of quality facilities and services would result in reduced inappropriate behaviour. The best way to combat inappropriate behaviour is to get more people on the beach so that visibility is higher – don't forget these are **clothing optional** beaches, reducing the number of attendees by eliminating legitimate nudists can not improve the situation.

The community is concerned about the process that has been followed to date regarding this issue, and refer you back to the Surf Coast Shire Governance Manual, which seems to indicate there have been a number of oversights in the process followed when bringing this issue to Council:

- Council "**Is fair and accountable** - Surf Coast governs for and on behalf of its communities. It wants to achieve fair outcomes for its communities"
- Council "**Involves the community in its policy and decision-making**"
- "Research and information gathering at Surf Coast should be comprehensive, methodical and based on "hard data..."
- "Surf Coast believes in **participative governance** – that is community involvement in governance processes."

The Victorian nudist community is disappointed that it was not involved in the process prior to discovering (partly by accident) that this action was even being taken. As regular users of the facilities, we are best placed to provide real and practical insight into the issues as we see them. We certainly invite you, or any of the Shire representatives, to meet with us on the beaches and discuss the issues in person.

We understand that once the motion is passed by Council, we must direct our attention to the next stage in the process. This outcome is unfortunate, particularly since it was interesting to note a 5:2 split on the vote, with two councillors absent. While we can't speak on behalf of the absent councillors, our understanding is that the vote may have been much more interesting had they been present.

We urge the Great Ocean Road Coast Committee and the Minister to view these discussions without bias and in consideration of all the facts. There is a large community involved who are passionate about retaining the right to use these beaches since they were first granted over 20 years ago. The Victorian nudist community has always welcomed open discussion regarding issues concerning our community, and invite any recipient of this letter to contact us to discuss the issues.

Since we prefer complete transparency in all our dealings, we also ask that any response include other interested parties in your discussions with us. We will certainly forward all discussions to the various websites and forums so that the community can remain involved and informed. We may not be the largest community with activities within the Surf Coast Shire, but there are many people behind the scenes who are watching with keen interest, and are willing to spend time researching the facts.

For too long we have been tainted by society and media perception that somehow think a simple lack of clothing means a whole raft of other unsavoury things – while we may not be mainstream, we most certainly deserve the same amount of due care and consideration as any other community groups active within the Shire. We are represented nationally and have received indications of support from other states and the national Free Beach Association regarding our plight. Although somewhat remote, other states do not want to see nudist interests threatened unjustly, as it affects our entire community.

For more information or to contact anyone from the Victorian nudist community, please use the contacts page at <http://www.fbanavic.org> or respond to the email this letter was attached to.

We look forward to being involved in the discussions going forward.

Kind regards

The Victorian Nudist Community
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