

# Australia: 20-year-old jailed for 55 years on gang rape charges

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On August 16, New South Wales Judge Michael Finnane sentenced a 20-year-old youth to a 55-year jail term with a 40-year non-parole period after he was found guilty of leading a series of gang rapes in Sydney. The youth was referred to as X during the trial and sentencing. The jail term, which is the longest in Australian legal history for a non-murder case, is the outcome of an ongoing campaign by the Carr government in NSW for harsher sentences and other law-and-order measures.

The lifetime imprisonment follows the conviction and sentencing of two other young men—Belal Hajeid and Mahmoud Chami—for their part in the crimes. Hajeid is serving a 23-year sentence, with a 15-year non-parole period, and Chami, an 18-year term, with 10 years non-parole.

A week after the 55-year jail term decision, a 19-year-old youth who also participated was sentenced to 25 years imprisonment. Three other teenagers—18-year-old Mohamad Senussi, his 17-year-old brother Mahmoud Senussi and 18-year-old Tayyab Sheihk—were sentenced today to 21, 11 and 15 year jail terms respectively.

The sexual assaults, which X is alleged to have organised, took place on three separate occasions in August 2000, just before the Sydney Olympic Games. The first occurred on August 10 when eight young men forced two teenage girls to repeatedly perform oral sex on them in a suburban park. The girls were threatened and bashed during the ordeal.

Two days later a 16-year-old-girl was taken to a local park. Two cars arrived on the scene and she was forced to the ground, partially stripped and raped by two men. She was threatened and a gun held to her head to stop her struggling. She eventually escaped and was given sanctuary by a man from the local neighbourhood.

On August 30, another young girl was raped by a total of 14 men, including X. She was sexually assaulted by four youth in a public toilet, then passed over to a group of three who drove to another location where she was raped again. The girl was transported to an industrial estate and sexually assaulted by two other groups of youth, who then hosed down the distraught teenager in a final humiliation.

Press reports of the trial allege that the men, who come from Lebanese immigrant families in Bankstown and Greenacre—working class suburbs in southwest Sydney—selected the girls because they were Australian. According to prosecution evidence, the young men called the girls “Aussie pigs” and subjected them to racist taunts during the rapes. Defence lawyers challenged these claims.

While it is not possible to determine if the gang rapes were racially motivated, Judge Finnane likened the violent and sadistic assaults to those “usually seen in war zones”. This comment, which contains more than a grain of truth, raises several crucial issues.

The gang rapes certainly bore the hallmarks of crimes committed against civilians during military conflicts—death threats, beatings, the total degradation and dehumanisation of the victims. But this triggers the obvious question, why has such behaviour emerged in suburban Sydney. And if it was racially motivated, why?

Anyone seeking to understand the cause of the gang rapes must look for

answers, not in the crude demonisation of those who committed the crimes, but by investigating the social conditions and events that form their backdrop. This is anathema to the Australian authorities and the local media who cannot broach these questions, let alone provide any serious answers. Their response, in fact, has been directed towards blocking an objective, thoughtful and humane response.

NSW state premier Bob Carr, for example, responded to the trial with a combination of law-and-order rhetoric and racist scapegoating of the Lebanese Muslim community. Carr, who legislated life terms for gang rape last year, celebrated the 55-year sentence when it was announced and claimed it would act as a deterrent to other criminals.

Likewise, media coverage of the trial was racially biased and provocative from the outset. One typical comment was from the *Sun Herald's* Miranda Devine who declared the rapes were a “home-grown form of ‘ethnic cleansing’”, which demonstrated that Sydney had “pockets of ethnic hatred we thought only existed in war-torn countries”. Devine also denounced those opposing the harsh sentencing as “taxpayer-funded liberal intellectuals—the criminologists and sociologists and legal brains ever-fearful of red-necks under the bed”.

These responses are part of a recurring pattern. Political leaders, talkshow hosts and other so-called opinion makers weave together off-the-cuff emotional comments from the public with racist outburst and religious bigotry, to obscure any serious examination of what has produced the gang rapes and other serious anti-social assaults. Crime is not treated as a social product of social existence, but is caused by evil individuals or “ethnic gangs”.

Every crime, especially those involving working class youth from immigrant backgrounds, is proclaimed a slur on the “Australian way of life” and used to further inflame racist sentiment, ratchet up a climate of fear and justify even harsher law-and-order measures. Anyone voicing concern about this primitive reaction or criticising its reactionary political agenda is attacked for giving succor to criminal elements.

Last year when ethnic community leaders called on the state government to stop scapegoating immigrants over crime and other social problems, Carr arrogantly refused, declaring, “these acts are the responsibility of criminals—they can’t be slated home to Australian society.”

On the contrary, while the youth found guilty of the gang rapes had Lebanese immigrant parents, they were born and raised in Australia. Their violent criminal behaviour was not congenital, but emerged under specific circumstances which government authorities and the media desperately want to cover up.

Life for working class youth in Australia has become increasingly oppressive and desperate. The overwhelming majority of teenagers and young adults have grown up in conditions of escalating job destruction, deterioration of social conditions and increased poverty.

The Bankstown area, which has some of the highest levels of unemployment and poverty in Australia, provides a graphic example. Average real income in the area has dropped by more than 10 percent in

the last decade, with the destruction of thousands of jobs in public utilities and manufacturing, one of the traditional employers. Immigrants, who constitute about 30 percent of Bankstown residents and used to provide much of the unskilled labour for these industries, have been particularly hard hit.

These families, mainly from Lebanon, Vietnam and China, have the largest number of children but an average household income of only \$41,000, barely enough for rent, power and food, let alone other basic necessities.

Youth unemployment in the Bankstown area is conservatively estimated at over 32 percent and in some parts of the suburb approaches 60 percent. Education facilities are a scandal, with local state schools understaffed, underfunded and overcrowded. Sporting and other recreational facilities are scarce. Apprenticeships are virtually non-existent, with part-time and casual jobs in supermarkets and other low wage jobs replacing employment previously available in local factories, railway workshops and other industries.

The national poverty rate for Australian teenagers has doubled since 1982. Today 54 percent of all youth between 15 and 18 years, still residing with their parents, live below the official poverty line. The figure is 60 percent for those who have left home.

It is not possible to provide a complete or accurate psychological and social profile of those found guilty of the rapes, because much of this information has been suppressed due to their age. What is known, however, is that they came from socially deprived backgrounds, had poor education and suffered from long periods of unemployment—conditions typical for thousands for young people across the country.

X's father and mother, who immigrated in the late 1970s, met and married in Australia and led a difficult existence keeping their family fed, housed and clothed. His father worked two jobs to provide for the family and is currently working a third part-time job to help pay legal costs. X, their first son, left school at 14 with no educational qualifications and worked in a series of casual and part-time, low wage jobs, including a short stint as a panel beater and in the railways. His criminal record consisted of minor charges, including theft and unlicensed driving.

The 19-year-old sentenced to 25 years jail last week is the youngest of eight children and has an IQ of 67. Another of those charged was born without any fingers and was ridiculed about his deformity throughout his school years—treatment that no doubt had a debilitating impact on his self-esteem.

Poverty on its own does not automatically produce gang rapists, but the brutalisation and sense of desperation, frustration and powerlessness it creates, are essential elements in the criminalisation of individuals. Under these conditions is it any surprise that some of those belittled as unwanted human labour will lash out violently and treat others in a similar or even more brutal fashion?

Moreover, the dark moods generated by endemic poverty are compounded by the absence of a mass movement fighting for a progressive social alternative.

In the past, immigrant workers and youth looked to the trade unions and the organised labor movement, including the Labor Party, to provide some hope of a better life in the future. In the early 1970s, Labor opposed the US and Australian intervention in Vietnam, fought to abolish military conscription for 18-year-olds and held out the promise of advances in education, health and other social necessities. Wage rises and other small improvements in living standards were achieved through militant trade union activity.

But over the past two decades these organisations have undergone a far-reaching transformation to become the chief instruments for destroying jobs and living standards. No worker, let alone unemployed youth, believes they offer any way forward.

To these particular components should be added the destructive social

and psychological impact of increasing anti-immigrant demagoguery and police harassment of Middle Eastern youth, in particular, over the last decade.

Those involved in the gang rape were between the ages of 16 and 18 when they committed the crimes. For most of their conscious life the official establishment has vilified their communities.

Judge Finnane and journalists, such as Miranda Devine, readily use war analogies to describe the sexual assaults. But they studiously ignore the results of ongoing harassment of Middle Eastern and Muslim communities by the state authorities, actions that form a piece with Australia's support for aggressive US policy in the Middle East.

Physical attacks were launched on mosques and Muslim women spat at, pushed and their headscarves torn off by rightwing elements during the US-led war against Iraq in 1991. Since then, such attacks have periodically continued. For many Muslims and Arab-speaking immigrants, they have revived frightening memories of the conditions they experienced before immigrating to Australia.

Lebanese and other Middle Eastern youth have been publicly labelled as thugs, potential terrorists, and Muslim fanatics by a range of political figures and media commentators. It would not be an exaggeration to say that daily life for youth from Middle Eastern communities in the Bankstown area over the last five years is not all that different from that in a war zone. Above all, it has been characterised by unrelenting police surveillance, intimidation and persecution.

In 1998, Carr claimed, without a shred of evidence, that Arab-speaking youth gangs were responsible for a drive-by shooting on a local police station and the murder of a 14-year-old Asian boy. This precipitated a major police crackdown in the local area and new laws providing the police with wide powers to detain and search youth in public places. Thousands were stopped for questioning and more than 400 arrested for mainly minor misdemeanours during a six-month police dragnet of the local area. This harassment was reproduced inside government schools with police involvement in so-called "disciplinary problems" and "anti-truancy" programs.

Tensions became particularly acute in the leadup to and during the Sydney Olympic Games—a period of heightened Australian nationalism and unprecedented police activity.

Following announcements that the headquarters of the US Olympic delegation would be situated in Bankstown, the local railway station and immediate shopping precinct was transformed into a virtual no-go zone for young people. Trees were cut down, high-powered nightlights and surveillance cameras installed and round-the-clock police patrols established. Newly introduced loitering laws were used to move on groups of more than three youth, who could be arrested if they failed to obey police directives. Raids were also conducted by ASIO, Australia's secret police, on families falsely alleged to have connections with Arab terrorists.

This helped to heighten anxiety and tensions in the local Lebanese and Arab-speaking community and foster a siege mentality—a climate that has intensified following the September 11 terrorist attack on America, the war in Afghanistan and preparations for a new US-led war against Iraq.

Whatever the precise motives of the youth who committed the August 2000 gang rapes, all of the above conditions helped contribute to the social pathology expressed in them.

In line with the response of governments around the world, Australian authorities have wiped their hands of all responsibility for what it has helped create. The 55-year jail term and other harsh jail sentences demonstrate that the NSW government has no agenda for the rehabilitation of these youth or the alleviation of the poverty and deep social alienation that underpinned their crimes.

Local Lebanese and Muslim leaders have warned the Carr government about the dangerous social consequences of its policies. They report

growing numbers of violent threats against their communities, including vengeance gang rapes against Muslim women. But the state authorities and the media continue to maintain the same course, thus setting the stage for even worse tragedies in the future.



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