

## Media Release

### AUSTRALIAN HATE CRIME NETWORK

Working to improve understanding, reduce incidence and minimise the impact of hate crime and hate incidents in Australia.

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**Sunday 17 May 2020**

#### Call for investigation into NSW Hate Crime laws

The Australian Hate Crime Network (the Network) has called for a comprehensive investigation into the current gaps in law and law enforcement in NSW amid serious concerns about the ongoing administration of justice.

In their [submission](#) to the *NSW Parliamentary Inquiry into Gay and Transgender hate crimes between 1970 and 2010*, the Network has put forward 29 recommendations.

The submission also supports calls for the establishment of a redress scheme to support the ongoing recovery of people who lost a loved one or survived historical LGBT violence, and recommends measures to repair community relationships with police and other government institutions.

The NSW Parliamentary Inquiry was created in response to published findings from two separate reviews into 88 alleged gay and transgender hate murders that took place in NSW between 1975 and 1999.

Network Co-Convenor Professor Gail Mason said ‘the recommendations are the result of intense collaboration between academics, researchers, representatives from a range of vulnerable communities and legal specialists who’ve worked both here and overseas.’

The submission highlights **real concerns with s93Z**, which criminalised incitement to violence against certain groups in 2018, and recommends the Government consider all the options for law reform.

The submission draws upon international and domestic jurisdictions to evaluate **model laws** based on either bias or animosity.

It highlights how **civil remedies and civil injunctions can be applied together with substantive hate crime laws** to reduce recidivism; and recommends diversionary programs aimed at **rehabilitation and de-radicalisation** also be investigated.

#### NSW police recommendations

Some recommendations for **NSW police** include:

- The NSW Police Force’s Engagement and Hate Crimes Unit is moved from the Counter Terrorism Command and made a **stand-alone unit** with adequate resources and staffing
- The NSW Government consider legislating **scrutiny panels** that empower communities to engage with the police, drawing from UK experience.
- **Professional development** for police, lawyers, victim support workers and prison officers
- Development of a short, online decision tool for police to better assess if an incident is a hate crime
- Investment in **Third-party reporting systems** to provide a vehicle through which victims can report safely

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#### LGQBTI+ Community Support

Michael Atkinson, chair of the Network's Parliamentary Inquiry Working Group, said "This inquiry carries the hopes for protection, healing and justice from the LGBTIQ+ population."

"The response cannot be piecemeal; it has to be meaningful change, systemic change."

"Given the sensitivities around hate crimes and the raw emotions it invokes, community consultation and involvement in developing and reviewing the police responses to hate crimes is paramount."

Recommendations to support LGQBTI+ people include:

- A redress scheme to support the ongoing recovery of people who lost a loved one or survived historical LGBT violence.
- A support package involving individual and group support, in consultation with people who survived sexuality and gender related hate crimes
- An engagement program to rebuild the relationship between the community and NSW Police Force and facilitate further justice outcomes
- Support for a pilot study currently being developed by ACON and UNSW to trial the use of a LGBTIQ+ justice/healing conferencing program.

Network Co-convenor Professor Gail Mason said, 'we are urging the Committee to examine the treatment of LGBTIQ+ hate crimes alongside the wider issue of hate crime reform, to improve NSW approaches for all vulnerable communities.'

'There is still a long road ahead in NSW and elsewhere in Australia to address the enormous public harm of hate crime, but this submission provides a substantial doorway to move forward.'

The full submission can be seen [here](#).

#### MEDIA ENQUIRIES

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*Clarification: The AHCN notes that the contents of this media release represent the views of non-government and academic members of the AHCN. It does not represent the views of representatives of any government agency or department associated with the AHCN.*