



Australian Muslim Women's
Centre for Human Rights
Equality without Exception

Victorians warmly welcome recommendations to protect Victorians from hate-based conduct and vilification

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A diverse group of multicultural, faith-based, LGBTIQ+ and other community organisations have joined together to welcome the recommendations of the [Inquiry into Anti-Vilification Protections](#), tabled earlier today in the Victorian Parliament, but have also warned the Victorian Government that the role of enforcement cannot be left to the victims of hate alone.

The Legal and Social Issues Committee's report recommends expanding protections against vilification to protect people based on gender, disability, sexual orientation, gender identity or expression, sex characteristics, and HIV/AIDS status, in addition to race and religion.

Equality Australia, the Human Rights Law Centre, the Victorian Pride Lobby, Jewish Community Council of Victoria (JCCV), Asylum Seeker Resource Centre, Australian Muslim Women's Centre for Human Rights and the Asian Australian Alliance are united in their support for the recommendations of the report, which include:

- amendments to strengthen the law,
- public education measures,
- a positive duty on organisations to prevent vilification from happening in the first place (including online), and
- better data collection on the incidence of hate-based conduct.

"As the marriage postal survey showed us, there has been a disturbing rise in hatebased crime and hate speech against LGBTIQ+ people. We need laws that ensure everyone can participate fully in their community, school or workplace without fear or attack, no matter who they are or whom they love", said **Anna Brown, CEO of Equality Australia**.

The **Victorian Pride Lobby** and **Asian Australian Alliance** have both reported high levels of public harassment against members of their communities in the last year, with many incidents going unreported, and incidents against Asian Australians peaking with the COVID-19 pandemic.

"Over one in three LGBTIQ+ Victorians have experienced harassment in a public place in the last year, so recommended reforms to protect our communities from the harms of hate speech are long overdue but very welcome," said **Nevena Spirovska, Co-Convenor, Victorian Pride Lobby**.

"Our COVID-19 Racism Incident Report highlighted the racial abuse and vilification that our Asian Australian communities faced during COVID-19 and how most of the incidents – 90% – went unreported," said **Molina Asthana, Lead Victorian Convenor of the Asian Australian Alliance**.

“As we saw in Christchurch, when hate is not held to account it can lead to tragic consequences. Muslim women are among those targeted because of what they may choose to wear to express their faith. No person should be targeted based on who they are or what they believe,” said **Diana Sayed, CEO of the Australian Muslim Women’s Centre for Human Rights**.

The coalition has also welcomed the recommendation to ensure that people who have been targeted by hate are supported by laws that are accessible and work to protect them. The Committee recommended simplifying the legal thresholds for vilification, including by introducing a harm-based provision that protects victims who are targeted with hate or treated with serious contempt, revulsion or ridicule based on their characteristics.

“We welcome removing legislative barriers to prosecution for racially motivated criminal actions and the strengthening of anti-vilification laws, which will be a positive step towards addressing some of the barriers that victims face in reporting these crimes”, added **Molina Asthana, Lead Victorian Convenor of the Asian Australian Alliance**.

“The JCCV welcomes the recommendations in this report including that the display of Nazi ideology, such as the swastika, be treated as a criminal offence”, said **Frank Greenstein, Acting President of the Jewish Community Council of Victoria**.

But the coalition has also warned that the Victorian Equal Opportunity and Human Rights Commission must be given the powers and resources to prevent and respond to hate if the reforms are going to be effective. The Committee recommended that the Government consider reinstating the investigative powers of the Commission, which were removed in 2011, and extend these powers to vilification.

“The role of enforcement cannot be left to victims alone. The Victorian Human Rights Commission must be given adequate powers to deal with these matters,” added **Ms Brown of Equality Australia**.

“The burden should not be put squarely on our already marginalised communities to speak up and speak out, so it is important that the Government follows through with reforms to increase the investigatory powers of the Human Rights Commission”, added **Ms Spirovska of the Victorian Pride Lobby**.

“Often it is the most vulnerable and individually voiceless people in the community who are the target of vilification and hate. We cannot let them carry the biggest burden in making the Victorian community safe for their inclusion and participation. We support the approach taken by the report which recognises the diversity of peoples’ experiences, and strengthens laws for holding people accountable for hateful conduct. The Andrews Government must now act on these recommendations so that everyone can lead a life free of hate,” concluded **Meena Singh, Legal Director, Human Rights Law Centre**.

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