



Health and wellbeing for lesbian, gay, bisexual, trans, gender diverse, intersex, queer and other sexual orientation, gender and bodily diverse people (LGBTIQ+)

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# Inquiry into anti-LGBTIQA+ hate crimes in Victoria

## Legislative Council Legal and Social Issues Committee

This joint submission was developed with contributions from the following organisations:

- LGBTIQ+ Health Australia
- Switchboard Victoria
- Thorne Harbour Health
- Transcend Australia
- Transgender Victoria
- Zoe Belle Gender Collective.

It is highly recommended the Legislative Council Legal and Social Issues Committee continues to seek expertise and guidance from these organisations throughout the enquiry.

### Introduction

LGBTIQ+ Health Australia (LHA), the national peak body for organisations working to improve the health and wellbeing of LGBTIQA+ people, welcomes the opportunity to contribute to the Victorian Parliamentary Inquiry into anti-LGBTIQA+ hate crimes. This submission has been developed in partnership with Victorian LGBTIQA+ community-controlled and peer-led organisations: Thorne Harbour Health, Switchboard Victoria, Transgender Victoria, Zoe Belle Gender Collective, and Transcend Australia. It reflects the combined expertise of organisations providing frontline services, peer support, advocacy, and family support for LGBTIQA+ people across Victoria.

Anti-LGBTIQA+ hate in Australia is not new. It reflects longstanding patterns of stigma, discrimination, and structural inequality. Emerging evidence shows these harms are evolving in form and reach, with escalations including app-facilitated violence targeting gay and bisexual men and increasingly organised hostility towards trans and gender-diverse people in digital and public spaces. Instances of people supporting trans and gender diverse people such as practitioners, allies, and support workers being subjected to violence indicates the pervasive effects of hate. The 2024 Victorian coronial inquest into the deaths of five trans women provides authoritative evidence of systemic gaps across health, justice, and support systems and demonstrates the impact of increasing hostility and violence that explicitly targets trans women and transfeminine people.

This submission positions anti-LGBTIQA+ hate as a determinant of health and wellbeing. It aligns with key Victorian and national frameworks including *Pride in our future: Victoria's LGBTIQ+ strategy 2022–32* and the *National Action Plan for the Health and Wellbeing of LGBTIQA+ People 2025–2035* (National Action Plan). It proposes a coordinated, prevention-focused, and system-wide response supported by sustained investment in community-controlled organisations, strengthened data systems, improved support pathways, and clearer accountability across government and digital platforms.

A universal approach to preventing and responding to violence against LGBTIQA+ communities is unlikely to be sufficient. Tailored initiatives that recognise distinct populations across the LGBTIQA+ community will be required to address their unique experiences of violence and barriers to supports.

## **TOR 1: the communication and recruitment methods of anti-LGBTIQ+ influencers and hate groups that endorse anti-LGBTIQ+ hate crimes, including those creating and sharing online content steeped in racism, misogyny, transphobia, homophobia, far-right ideology and unhealthy masculinities**

Anti-LGBTIQ+ hate is increasingly facilitated, coordinated, and amplified through digital platforms. Dating and social networking applications have been used to target gay and bisexual men (both cisgender and Trans), with perpetrators using apps to lure victims to locations where they are subjected to assault, robbery, humiliation, and threats, often in group-based and coordinated ways. These behaviours are shaped by broader digital environments in which homophobia, biphobia, transphobia and transmisogyny, misogyny, racism and colonialism, and rigid masculinity norms are normalised or reinforced through algorithmic amplification of harmful content. The intersection of transphobia and misogyny (trans misogyny) exacerbates existing risks.

Organised hostility towards trans and gender-diverse people, in particular trans women and young people, has also grown in sophistication, with networks mobilising harassment and misinformation across platforms. A coordinated anti-gender countermovement deploys anti-LGBTIQ+ narratives strategically across media, politics, and online environments, contributing to the normalisation of hate and increased risk of harm. Trans women are particularly targeted within this landscape.

Transmisogyny - a form of gender-based discrimination that arises from, and is shaped by, both transphobia and misogyny - shapes both the content and the intent of online hate. Trans women are subjected to doxxing (the public exposure of personal information including home addresses and workplaces), coordinated harassment campaigns, non-consensual sharing of intimate images, and threats of sexual and physical violence. These campaigns are often organised across multiple platforms, with perpetrators moving to less regulated spaces when content is removed. The effect is to force trans women out of public life, damage employment and housing, and create sustained fear for personal safety.

### **Recommendation**

- Address online radicalisation and platform accountability through targeted regulatory and legislative measures that recognise the role of digital environments in generating and amplifying anti-LGBTIQ+ hate.

## **TOR 2: current strategies to counter anti-LGBTIQ+ hate crimes, particularly among young people and how these could be strengthened.**

Existing strategies to counter anti-LGBTIQ+ hate among young people - including inclusive education, respectful relationships programs, and peer-led initiatives - are not consistently reaching those most at risk. Access is uneven across schools, regions, and settings. Young perpetrators operating in peer groups and digital environments are often not reached through traditional prevention approaches, and current strategies do not adequately address online influences that normalise hostility towards LGBTIQ+ people.

### **Recommendations**

- Expand early intervention programs for young people (especially young men), including in online and peer-based environments, integrating digital literacy and critical thinking, and supporting youth-focused peer-led initiatives across all settings.
- Fund partnerships between LGBTIQ+ community-controlled organisations and youth-focused peer-led initiatives so that community expertise can be better embedded within prevention strategies

### **TOR 3: current anti-LGBTIQA+ hate crime prevention initiatives, and how these could be strengthened.**

Initiatives such as TransFemme and the trans and gender diverse prevention of violence framework developed with Women's Health in the North are examples of successful partnerships in Victoria that have contributed to a reduction in violence. In addition, Rainbow Health Australia and Our Watch are finalising the development of a national framework on preventing violence against LGBTIQ+ communities, due in October. Support for the implementation of this framework is critical to fostering systemic, community-led change.

This said, broader prevention efforts in Victoria are fragmented, often time-limited, and not operating as part of a coordinated, sustained, system-wide approach. Community-controlled organisations play a central role in delivering culturally safe, peer-led prevention, but are under-resourced. The 2024 Victorian coronial inquest into a cluster of Trans and gender-diverse suicides reinforces the need for gender affirmation and harm prevention to be embedded across health, justice, and community systems, and for structural drivers of hate - including stigma and harmful gender norms - to be explicitly addressed.

#### **Recommendations**

- Establish a whole-of-government hate crime prevention strategy with a coordinated, multi-year framework, clear outcomes and measurable indicators, embedded across health, education, community, and justice systems, aligned with *Pride in our future* and the *National Action Plan*.
- Fund community-led prevention and peer education initiatives through sustained, long-term investment in LGBTIQA+ community-controlled organisations, including in regional and outer suburban areas.
- Fund partnerships between LBGTIQA+ organisations, prevention of violence services and programs working with men and boys.

### **TOR 4: existing public and online safety initiatives supporting LGBTIQA+ community members who have experienced hate crimes, including how these supports could be strengthened.**

Many people do not access formal support following experiences of anti-LGBTIQA+ hate due to fear of being outed, lack of trust in institutions, previous negative experiences, and fragmented pathways across systems. Workforce capability is uneven, and anonymous or low-barrier peer-led support is not consistently available at the required scale. The coronial inquest into the deaths of five trans women identified critical gaps in coordinated responses and access to appropriate care.

#### **Recommendations**

- Increase funding for community-controlled support services to expand peer-led, culturally safe, and accessible support for LGBTIQA+ people who have experienced hate.
- Improve access to trauma-informed, culturally safe care by strengthening workforce capability across health, community services, and law enforcement to deliver inclusive and appropriate responses.
- Strengthen reporting and post-incident support pathways by improving coordination between health, justice, and community systems to provide integrated, person-centred responses.
- Expand peer support and navigation services, including anonymous and low-barrier options, to ensure people can access support without engaging formal systems that may feel unsafe.

## **TOR 5: the role and responsibilities of social media and digital platform owners in preventing and responding to anti-LGBTIQ+ hate crimes.**

Digital platforms play a central role in generating, circulating, and amplifying anti-LGBTIQ+ hate. Platform design, algorithmic amplification, and governance systems shape user behaviour and harm at scale. Community organisations report ongoing concerns about inconsistency, lack of transparency, and inadequate responsiveness in content moderation. For LGBTIQ+ people, online spaces are also essential for connection, identity development, and support - responses must balance harm reduction with maintaining access.

### **Recommendation**

- Strengthen platform responsibility for preventing online harms through national standards and regulatory expectations, including advocating through the ongoing reform of the *Online Safety Act 2021* (Cth) for a digital duty of care that explicitly encompasses harms targeting LGBTIQ+ people, including contact and conduct harms, and embeds LGBTIQ+ community expertise in industry codes and risk assessment frameworks.

## **TOR 6: existing empirical data regarding the prevalence and trends of anti-LGBTIQ+ hate crimes Australia-wide**

Australia lacks consistent, national data infrastructure to quantify the prevalence and trends of anti-LGBTIQ+ hate. Available evidence is substantial: a 2020 Australian study of 6,835 LGBTQ+ adults found 59% had experienced at least one form of anti-queer victimisation in the previous 12 months. However, there is no national hate crime register, sexual orientation and gender identity variables are absent from major crime datasets, and underreporting is pervasive. Only 5 of 13 participants in one Victorian study reported a prejudice-motivated physical attack to police. This absence of data reflects longstanding failures in how hate is recognised, recorded, and responded to.

### **Recommendations**

- Establish integrated national hate crime data systems through coordinated collection, sharing, and analysis across police, justice, health, and community sectors, including investment in community-based and third-party reporting mechanisms.
- Implement the *ABS Standard for Sex, Gender, Variations of Sex Characteristics and Sexual Orientation Variables* (2020 Standard) across all relevant Victorian data collections to ensure LGBTIQ+ populations are consistently visible in evidence and policy.

## **TOR 7: the impact of anti-LGBTIQ+ hate crimes on diverse LGBTIQ+ communities, including Rainbow Mob, people with disability, and multifaith and multicultural community member.**

The impacts of anti-LGBTIQ+ hate are significant and unequally distributed. People with intersecting socially stigmatised identities (e.g Trans women of colour) experience heightened hate. These attitudes contribute to LGBTIQ+ people's experiences of online harassment, street-based violence, family and/or sexual violence. The vilification of LGBTIQ+ people creates further barriers in victim survivors accessing supports and contributes to poor service delivery and, in some cases, discriminatory policies or practices.

Hate contributes to psychological distress, anxiety, depression, self-harm, suicidality, social isolation, and barriers to employment, education, housing, and healthcare. Public places and events have reduced activity and even shut down as a response to threat of hate. For trans and gender-diverse people, a broader climate of hostility compounds these harms, with recent Australian research finding that exposure to anti-trans rhetoric and violence is associated with significantly elevated risk of mental health harm. Impacts are further shaped by intersecting forms of marginalisation including racism, colonialism, ableism, poverty, and

geographic isolation. For First Nations LGBTIQ+SB, responses must be culturally safe and informed by Aboriginal and Torres Strait Islander leadership. These impacts highlight the importance of collaboration across community-controlled organisations to address intersecting forms of marginalisation and deliver coordinated, culturally safe responses.

#### Recommendations

- Resource community-controlled organisations as central partners in prevention, support, and system design, recognising their role in delivering intersectional, culturally safe, and peer-led services to the populations most affected by hate.
- Fund partnership-building and practice leadership activities across community-controlled organisations, including between LGBTIQ+ organisations and Aboriginal and Torres Strait Islander organisations, to strengthen collaboration, share expertise, and support responses that reflect intersecting forms of marginalisation.

#### **TOR 8: interjurisdictional strategies and methods to combat anti-LGBTIQ+ hate crimes across borders.**

Responses to anti-LGBTIQ+ hate remain largely fragmented and jurisdiction specific. Differences in legislation, hate crime definitions, data collection practices, and service availability limit the ability to develop a coherent national response. Emerging patterns of app-facilitated abuse indicate these harms operate across state and territory boundaries. There is currently no consistent national framework, and digital environments further complicate jurisdictional responses by enabling harmful networks to coordinate across borders.

#### Recommendation

- Strengthen coordination across jurisdictions and systems, including by improving consistency in definitions and recording, supporting collaboration across law enforcement, health, and community sectors, and aligning Victorian responses with the *National Action Plan for the Health and Wellbeing of LGBTIQ+ People 2025–2035*.

#### **TOR 9: the relevant work of the Commissioner for LGBTIQ+ Communities, relevant government advisory groups, including but not limited to relevant community, health and law enforcement organisations to combat anti-LGBTIQ+ hate crimes.**

Effective responses to anti-LGBTIQ+ hate require coordinated action across government, law enforcement, health services, and community organisations. The Victorian Commissioner for LGBTIQ+ Communities, advisory bodies, and community-controlled organisations play central roles in providing leadership, bridging gaps between communities and formal systems, and supporting coordinated response. Law enforcement training, accountability, and community trust are critical. The coronial inquest into the deaths of five trans women highlighted the consequences of insufficient coordination, gaps in communication, and inadequate recognition of risk.

#### Recommendations

- Strengthen police training, accountability, and community oversight in responding to anti-LGBTIQ+ hate, including through independent evaluation of existing training, dedicated specialist capability, and sustained community partnerships that inform ongoing practice.
- Improve consistency in identifying and recording hate crimes across agencies and jurisdictions, with clear definitions, mandatory recording practices, and regular public reporting.
- Introduce standalone hate crime offences that recognise offending motivated by, or demonstrating, hostility or hatred based on a victim's protected attributes. This ensures the justice system can

identify and respond effectively to hate-motivated crime including through proportionate legal consequences and the use of non-carceral responses such as restorative and community-based approaches, where appropriate, drawing on best-practice approaches from comparable jurisdictions.

- Invest in community-led and longitudinal research to build the evidence base on prevalence, impacts, and effectiveness of responses, with a focus on populations experiencing compounded disadvantage.
- Establish a formal, state-led process for truth-telling and historical redress, such as a Board of Inquiry, to examine historical violence, discriminatory policing, and institutional harms against LGBTIQ+ people, and support survivor-led processes for recognition and healing.

## Summary of Recommendations

1. The Legislative Council Legal and Social Issues Committee continues to seek expertise from the organisations listed on this submission throughout this enquiry.
2. Address online radicalisation and platform accountability through targeted regulatory and legislative measures that recognise the role of digital environments in generating and amplifying anti-LGBTIQ+ hate.
3. Expand early intervention programs for young people, including in online and peer-based environments, integrating digital literacy and critical thinking, and supporting youth-focused peer-led initiatives across all settings.
4. Fund partnerships between LGBTIQ+ community-controlled organisations and youth-focused peer-led initiatives so that community expertise can be better embedded within prevention strategies.
5. Establish a whole-of-government hate crime prevention strategy with a coordinated, multi-year framework, clear outcomes and measurable indicators, embedded across health, education, community, and justice systems, aligned with *Pride in our future* and the *National Action Plan*.
6. Fund community-led prevention and peer education initiatives through sustained, long-term investment in LGBTIQ+ community-controlled organisations, including in regional and outer suburban areas.
7. Fund partnerships between LGBTIQ+ organisations, prevention of violence services and programs working with men and boys.
8. Fund tailored prevention and response initiatives that recognise distinct populations across the LGBTIQ+ community to address their unique experiences of violence, such as trans and gender-diverse communities or LGBTIQ migrant and refugee communities.
9. Increase funding for community-controlled support services to expand peer-led, culturally safe, and accessible support for LGBTIQ+ people who have experienced hate.
10. Improve access to trauma-informed, culturally safe care by strengthening workforce capability across health, community services, and law enforcement to deliver inclusive and appropriate responses.
11. Strengthen reporting and post-incident support pathways by improving coordination between health, justice, and community systems to provide integrated, person-centred responses.
12. Expand peer support and navigation services, including anonymous and low-barrier options, to ensure people can access support without engaging formal systems that may feel unsafe.
13. Strengthen platform responsibility for preventing online harms through national standards and regulatory expectations, including advocating through the ongoing reform of the *Online Safety Act 2021* (Cth) for a digital duty of care that explicitly encompasses harms targeting LGBTIQ+ people, including contact and conduct harms, and embeds LGBTIQ+ community expertise in industry codes and risk assessment frameworks.
14. Establish integrated national hate crime data systems through coordinated collection, sharing, and analysis across police, justice, health, and community sectors, including investment in community-based and third-party reporting mechanisms.
15. Implement the *ABS Standard for Sex, Gender, Variations of Sex Characteristics and Sexual Orientation Variables* (2020 Standard) across all relevant Victorian data collections to ensure LGBTIQ+ populations are consistently visible in evidence and policy.
16. Resource community-controlled organisations as central partners in prevention, support, and system design, recognising their role in delivering intersectionally responsive, culturally safe, and peer-led services to the populations most affected by hate.
17. Fund partnership-building and practice leadership activities across community-controlled organisations, including between LGBTIQ+ organisations and Aboriginal and Torres Strait Islander

organisations, to strengthen collaboration, share expertise, and support responses that reflect intersecting forms of marginalisation.

18. Strengthen coordination across jurisdictions and systems, including by improving consistency in definitions and recording, supporting collaboration across law enforcement, health, and community sectors, and aligning Victorian responses with the *National Action Plan for the Health and Wellbeing of LGBTIQ+ People 2025–2035*.
19. Strengthen police training, accountability, and community oversight in responding to anti-LGBTIQ+ hate, including through independent evaluation of existing training, dedicated specialist capability, and sustained community partnerships that inform ongoing practice.
20. Improve consistency in identifying and recording hate crimes across agencies and jurisdictions, with clear definitions, mandatory recording practices, and regular public reporting.
21. Introduce standalone hate crime offences that recognise offending motivated by, or demonstrating, hostility or hatred based on a victim's protected attributes, ensuring the justice system can identify and respond effectively to hate-motivated crime, including through proportionate legal consequences and the use of non-carceral responses such as restorative and community-based approaches, where appropriate, drawing on best-practice approaches from comparable jurisdictions.
22. Invest in community-led and longitudinal research to build the evidence base on prevalence, impacts, and effectiveness of responses, with a focus on populations experiencing compounded disadvantage.
23. Establish a formal, state-led process for truth-telling and historical redress, such as a Board of Inquiry, to examine historical violence, discriminatory policing, and institutional harms against LGBTIQ+ people, and support survivor-led processes for recognition and healing.