



Inquiry into

Gay and transgender hate crimes between 1970 and 2010



A parliamentary committee has commenced an inquiry into Gay and Transgender hate crimes, focusing on those that took place between 1970 and 2010. Here are some key facts about the inquiry and the committee's process. You can find contact details for the committee on the back of this page.

Terms of reference for the inquiry :

That with reference to the May 2018 report of ACON [In Pursuit of Truth and Justice](#) and the progress made by NSW Police Force through [Strike Force Parrabell](#), the Standing Committee on Social Issues inquire into and report on the response to Gay and Transgender hate crimes between 1970 and 2010 and current developments in policy and practice in relation to such crimes, and in particular:

- (a) the violent crimes committed in New South Wales between 1970 and 2010 where the victim of that crime was a member of the LGBTIQ community and where the relevant crime was the subject of a report to the NSW Police Force, including:
 - (i) whether there existed impediments within the criminal justice system that impacted the protection of LGBTIQ people in New South Wales and the delivery of justice to victims of LGBTIQ hate crimes and their families, with reference to case studies of particular matters including but not limited to Alan Rosendale, Scott Johnson, John Russell and Ross Warren,
 - (ii) to the extent that past impediments are identified, how effectively these have been addressed by current policy and practice,
- (b) in relation to LGBTIQ hate crimes more generally:
 - (i) what role the so-called 'Gay panic' defence played in the culture of LGBTIQ hate crimes between 1970 and 2010,
 - (ii) how the so-called 'Gay panic' defence impacted the delivery of justice and the treatment of Gay men during LGBTIQ hate crime investigations and court proceedings, and
- (c) any other related matter.

What is the purpose of the inquiry?

The inquiry was established in recognition that hate crimes committed against the LGBTIQ community have taken place across a range of contexts. The NSW Parliament acknowledges that there is the need to investigate whether, following the publication of reports by ACON and Strike Force Parrabell, any and all impediments to the delivery of justice to victims of LGBTIQ hate crimes and their families have been identified, and whether those impediments have been adequately addressed by current policy and practice.

It is important to note that the committee is not able to investigate or recommend legal action regarding individual cases. However, the Committee can take evidence about the experiences of those who have been the victim of hate crimes, the impacts of those crimes and recommendations regarding action that could be taken by government to prevent hate crimes and ensure that any impediments to justice for victims are removed.

What is hate crime?

LGBTIQ related murder, physical and verbal violence, or institutional violence.

Who should make a submission?

The committee is currently receiving submissions. Anyone can make a submission, however, the committee is particularly seeking evidence from:

- LGBTIQ people who have survived violence
- People whose LGBTIQ partner/family/friend have survived violence, or did not survive
- People who have witnessed violence towards a LGBTIQ person
- People who have lived through times of elevated violence directed towards LGBTIQ people
- Organisations who have either experienced or taken steps to address systemic issues related to violence against LGBTIQ people.

Where possible, your submission should address:

- What happened, where, when and, if possible, why?
- How did you or the person to whom the violence was directed respond – did they report to the police, speak to a lawyer, take part in a court proceeding?
- What was your (or their) experience of the criminal justice system?
- What would you like to see changed to ensure that the LGBTIQ community is protected into the future?
- What would you like to see changed to ensure that LGBTIQ victims of hate crime receive justice?

Where possible, your submission should avoid naming individuals who have committed violence. If you do need to name an individual, the information will be made available to the committee but the committee may choose to redact the name from any documentation made publicly available.

There are lots of options available to maintain your confidentiality. The committee can publish submissions in full or in part, or keep the entire submission confidential only to the committee. The secretariat can discuss these options with you, and explain how to make your preference clear.

Submissions close on 7 November 2018.

Next steps?

In November, the committee will hold a series of hearings to take face-to-face evidence from victims or their families/friends, and other stakeholder organisations. If the committee would like you to give evidence at a hearing, the committee secretariat will contact you to discuss what to expect, your options regarding publication of the evidence, and to assist with any questions you may have.

The committee intends to report on the information received during the inquiry in early 2019. The report will be tabled in Parliament and sent to the NSW Government for its response. The report will also be published online and available to the public.

The Committee comprises seven members.

Chair: The Hon Shayne Mallard, Liberal Party
Deputy Chair: The Hon Greg Donnelly, Labor Party
The Hon Trevor Khan, The Nationals
The Hon Fred Nile, Christian Democratic Party
The Hon Mark Pearson, Animal Justice Party
The Hon Penny Sharpe, Labor Party
The Hon Natalie Ward, Liberal Party

You can read more about each member on the Parliament's website, www.parliament.nsw.gov.au by clicking on the 'Members' link.

The Committee is also supported by the secretariat: Jenelle Moore and Lauren Evans, who can assist you at any time during the course of the inquiry. Their contact details are:

Phone: 9230 3750

Email: committee.socialissues@parliament.nsw.gov.au