

Standing Committee On Social Issues

Inquiry Into Gay And Transgender Hate Crimes Between 1970 And 2010

Questions on Notice

The Hon. TREVOR KHAN: *Sorry. There is a difference. Certainly I would perceive it as different.*

I hate the term, but are you able to drill down into what you identified? For example, calling somebody a "poof" on the street, I do not think they are going to run off to Darlinghurst police station and complain; you are unlikely to get a very positive response. But an assault on Oxford Street is worthy of being reported. Are you able to give us greater detail in respect of what would be a reportable crime that was unreported?

Associate Professor ROBINSON: *Yes. I can provide full statistics later. As part of a survey we did go through a comprehensive scale of, as you say, verbal interaction, which could be quite commonplace, I imagine (p. 21).*

The Queensland data, provided in the book, *Speaking out: Stopping Homophobic and Transphobic Abuse in Queensland* (2010) is based on responses from 1094 individuals aged between 18-76 and constitutes the largest ever sample to report on these issues in any jurisdiction. The study drew attention to different forms of victimisation (ie verbal, physical attacks and sexual abuse) and found that members of the LGBTIQ population were much more likely than the non-LGBTIQ population to be subjected to serious criminal acts and much less likely to report such crimes to the police.

Respondents drew distinctions between different levels of abuse with under-reporting an issue for victimisation that would be considered serious criminal offences.

Verbal abuse was the most prevalent form of abuse, experienced by 796 respondents. Respondents frequently noted other forms of abuse that would constitute serious reportable crimes under the *Criminal Code Act 1899 (QLD)*. An example is the experience of physical abuse (without a weapon), which was experienced by 250 respondents over the course of their lifetime – 23 percent of LGBTIQ people in comparison with 7.6 percent of the broader Queensland population in the same period, making them three times more likely to be subjected to this criminal activity. These Queensland results were comparable with the NSW study, *You Shouldn't Have to Hide to Feel Safe*, which found that 25 per cent of LGBTIQ people had experienced physical abuse without a weapon.

75 per cent of survey respondents (440 individuals) did not report the most recent experience of homophobic or transphobic abuse, harassment or violence to police or seek help.

They gave the following reasons for not reporting: 258 respondents (59 per cent) did not do so because they considered it to be a minor incident. Seventy respondents (16 per cent) did not believe their report would be dealt with fairly. Fifty-three respondents (12 per cent) had a previous negative experience of reporting. Forty-five respondents (10 per cent) did not know where to go to seek help. Forty respondents (9 per cent) feared further violence or discrimination. Thirty-four respondents (8 per cent) feared being outed about their sexuality or their gender identity. Thirty-one respondents (7 per cent) feared the homophobia of the

institution to which they would report. Seven respondents (2 per cent) feared the transphobia of the institution to which they would report. Twenty-five respondents (6 per cent) selected the 'other' option. As respondents were able to select multiple reasons for non-reporting, the total exceeds 100 per cent.

The data reveals that LGBTIQ respondents drew distinctions between what they considered to be minor and significant offences. At least 55 per cent of the reasons given fall outside of the category of the incident being minor but are directly attributable to the victim either fearing further homophobia or transphobia as a result of reporting their experience.