

INQUIRY INTO RACIAL VILIFICATION LAW IN NSW

Organisation: Faculty of Law, University of Sydney
Name: Ms Gail Mason
Date received: 11/02/2013

The Director

Standing Committee on Law and Justice

Parliament House

Macquarie St

Sydney NSW 2000

Dear Director,

Re: Racial vilification law in NSW (Inquiry)

In 2009 the Sydney Institute of Criminology, Sydney Law School, hosted a stakeholder roundtable on 'Hate Crime and Vilification Law: Developments and Directions' (28 August 2009).

I would like to submit the following attached papers from the roundtable or your consideration in relation to the Inquiry into the Racial Vilification Law in NSW:

- Mason, Gail, 'Hate crime laws in Australia: Are they Achieving their Goals' (2009) 33 *Criminal Law Journal* 309
- Cowdery, Nick, 'Review of Law of Vilification: Criminal Aspects' (Hate Crime and Vilification Law Roundtable, Sydney Institute of Criminology, Faculty of Law, University of Sydney, 29 August 2009); and
- Wertheim, Peter, 'Hate Crime and Vilification Law: Developments and Directions' (Hate Crime and Vilification Law Roundtable, Sydney Institute of Criminology, Faculty of Law, University of Sydney, 29 August 2009).

You may also find the following publications of relevance:

- Meagher, Dan 'So far no good: The regulatory failure of criminal racial vilification laws in Australia' (2006) 17 *Public Law Review* 209;
- Meagher, Dan 'So far So Good: A Critical Evaluation of Racial Vilification Laws in Australia' (2004) 32(2) *Federal Law Review* 225; and
- Mason, Gail & Dyer, Andrew "'[A] Negation of Australia's Fundamental Values": Sentencing Prejudice Motivated Crime' (forthcoming 2013) *Melbourne University Law Review*.

In addition, in 2010 the Victorian Department of Justice undertook a *Review of Identity Motivated Hate Crime*, led by retired Supreme Court Judge Geoff Eames. The review examined many of the issues your inquiry will consider. While the final report from this review has not been made public I provide some details below should you wish to seek further information from the Victorian Department of Justice.

Review of Identity Motivated Hate Crime
Criminal Law Policy

Department of Justice
GPO Box 4356
Melbourne VIC 3001

DX 210077

Email: criminal.law@justice.vic.gov.au

<http://www.justice.vic.gov.au/home/the+justice+system/regulatory+impact+statements/review+of+identity+motivated+hate+crime+in+victoria>

I hope this information is of assistance to you in your deliberations.

Kind regards,
Gail Mason

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