

SUBMISSION

Inquiry into Anti-LGBTIQA+ Hate Crimes

Submitted in support of the
Hate Crime Threat Management Doctrine

HCTM-26 / MIF-26

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EXECUTIVE SUMMARY

Inquiry into Anti-LGBTIQA+ Hate Crimes in Victoria
Victorian Legislative Council — Legal and Social Issues Committee

Geoffrey Steer | April 2026 | *Grounded in the Hate Crime Threat Management Doctrine (HCTM-26 / MIF-26)*

1. The Central Argument

Anti-LGBTIQA+ hate crime is not an isolated behavioural anomaly. It is a predictable, structured expression of hostility shaped by societal breakdown, online ecosystems, grievance-based mobilisation, and the systematic absence of an adequate institutional response. Victoria currently lacks the operational doctrine, data infrastructure, and victim-centred systems needed to identify, disrupt, and respond to hate-motivated offending with the rigour the harm demands.

This submission argues that the foundational reform is operational: the establishment of a dedicated Victoria Police Hate Crime Unit with an embedded protective intelligence capability, operating within a hate-crime-specific threat management doctrine. That unit, and that doctrine, provide the structural platform from which every other reform in this submission derives its effect. Without them, individual measures — better recording, improved training, digital safety pathways — remain disconnected and sub-optimal.

2. The Hate Crime Threat Management Doctrine

This submission is grounded in the Hate Crime Threat Management doctrine currently in development by the author, comprising two paired instruments:

HCTM-26	Hostility and Concerning Trajectory Model — A structured professional judgement tool for identifying and assessing the level, nature, and direction of hate-motivated threat.
MIF-26	Mitigation and Intervention Framework — A response framework that selects and layers interventions matched directly to the assessed threat profile, replacing practitioner intuition with an auditable, defensible process.

No hate-crime-specific assessment and response doctrine is currently in operational use in any Australian jurisdiction. Existing tools — designed for general violence risk, lone-actor terrorism, stalking, or domestic violence — produce generic risk ratings without explaining threat direction, blur critical distinctions between offender typologies, fail to recognise intrafamilial hate crime as a distinct operational category, and leave intervention selection to unstructured practitioner discretion.

Five structural features distinguish the doctrine from existing practice: (1) hate-crime-specific indicator architecture; (2) explicit operational recognition of intrafamilial hate crime; (3) driver identification rather than generic risk rating; (4)

layered, activation-based intervention matched to the assessed driver; and (5) integrated online–offline threat assessment. Full technical detail is available to appropriate agencies through secure channels. The doctrine underpins every recommendation in this submission.

3. Key Findings Across the Terms of Reference

ToR 1 — Recruitment and Communication

Anti-LGBTIQA+ hostility is manufactured through grievance-based mobilisation and identity-threat narratives that exploit institutional breakdown — as theorised by Toynbee — and Maslow-level anxieties about safety and security. The algorithmic architecture of social media has supercharged recruitment reach, created echo chambers that resist counter-narrative, and normalised coded hostility and dog-whistling at a scale pre-digital policing doctrine cannot address. The HCTM-26 doctrine maps these dynamics explicitly as precursor indicators, enabling pre-incident identification where current systems see only noise. Critically, an effective response to recruitment and communication requires a dedicated operational base: a Victoria Police Hate Crime Unit with an embedded protective intelligence capability is the institutional foundation from which counter-recruitment monitoring, online threat assessment, and pre-incident disruption become operationally feasible.

ToR 2 — Offender Typologies and Strategy

Current strategies treat hate crime as a single phenomenon. They do not. Five distinct offender typologies — Thrill-Seeking, Defensive, Retaliatory, Mission, and Intrafamilial — each have fundamentally different drivers, escalation geometry, and required intervention logic. Applying thrill-seeking deterrence strategies to a defensive or mission offender is not merely ineffective; it can harden the behaviour through the backfire effect. Intrafamilial hate crime — honour-based violence targeting identity — is routinely misclassified as family violence. The HCTM-26 is the only Australian instrument built to distinguish these profiles at the assessment level, and the MIF-26 the only tool designed to match response to driver rather than to generic risk level.

ToR 3 — Prevention Initiatives

Current Australian prevention initiatives are concentrated at the legislative and policing-capability end of the spectrum. Victim-facing, offender-facing, and community-capacity initiatives are effectively absent. The gap analysis in this submission identifies ten national prevention gaps including: no unified doctrine; fragmented legislative frameworks; inconsistent police capability; under-recording and data fragmentation; no integration of protective intelligence into prevention design; and no meaningful evaluation framework. Prevention must be typology-aware, driver-matched, and layered — the architecture the HCTM-26 / MIF-26 doctrine provides.

ToR 4 — Victim Support and Public Safety

No dedicated hate-crime-specific support pathway currently exists for LGBTIQA+ victims in Victoria. Available services — eSafety, LGBTIQ+ Health Australia, and general victim services — are generic, not trauma-informed to hate crime dynamics, and not consistently identity-affirming. Reporting pathways are fragmented, referral structures uncoordinated, and there is no protective intelligence function monitoring online precursors to physical harm. The doctrine's organisational integration domain directly addresses this gap, treating victim support infrastructure as an operational component, not an ancillary service.

ToR 5 — Platform Accountability

Digital platforms are not passive conduits for hate. Their algorithmic architecture actively amplifies anti-LGBTIQ+ hostility, creates echo chambers that accelerate radicalisation, and degrades critical thinking as a societal protective factor. ISD's 'Hate of the Nation' analysis identified 422,681 plausibly hateful messages in a sample of 3.1 million. The eSafety Commissioner's research shows LGBTIQ+ people experience online hate at more than double the national average. The doctrine treats platforms as part of the operational threat environment, requiring legal duties of care, intelligence-sharing obligations, and mandatory evidence preservation.

ToR 6 — Empirical Data, Prevalence, and Recording

Australia's hate crime data is systemically compromised at every level: under-reporting by victims, under-identification by frontline responders, misidentification (particularly of intrafamilial hate crime), inconsistent recording schemas across jurisdictions, and an absence of nationally agreed definitions and protected categories. Victoria's LEAP system does not fully reflect current legislative protections, has no intrafamilial category, and produces no mandatory disaggregated output. The AIC National Hate Crime Database — Australia's primary national collection — lacks standardisation and analytical depth. The result is that the scale of anti-LGBTIQ+ hate crime in Australia is fundamentally unmeasurable with existing tools. The doctrine's organisational integration domain provides the architecture for systematic data reform.

ToR 7 — Diverse LGBTIQ+ Communities

Hate crimes function as message crimes — deliberately constructed to communicate to a targeted group that they are unwelcome and unsafe. When a victim belongs to multiple marginalised communities simultaneously — as is the case for Rainbow Mob, LGBTIQ+ people with disability, and LGBTIQ+ members of multifaith and multicultural communities — the impact is not additive but intersectional. Overlapping identity characteristics compound vulnerability, narrow safety pathways, and create help-seeking profiles that no current service system adequately addresses. Standard safety planning for hate crime victims assumes a protective home environment and a single-identity threat profile; both assumptions fail for diverse community members, particularly those experiencing intrafamilial hate crime. The HCTM-26 / MIF-26 doctrine is designed to treat victims as individuals whose specific configuration of intersecting identities shapes both risk and the architecture of an effective response.

ToR 8 — Interjurisdictional Coordination

A coordinated national response to hate crime does not exist in any meaningful structure. Criminal law is a state and territory responsibility under the Australian Constitution, and no Commonwealth government has enacted dedicated hate crime legislation. The result is a national patchwork of inconsistent definitions, thresholds, recording practices, and police capabilities in which what constitutes a hate crime — and what response it receives — depends entirely on where it occurs. This fragmentation stands in stark contrast to comparable jurisdictions: the United States (Matthew Shepard Act 2009), United Kingdom (Crime and Disorder Act 1998), and Canada (Criminal Code s 319) all operate with national legislative frameworks and coordinated response infrastructure. Australia's absence of equivalent architecture is not a constitutional inevitability; it is a policy choice. Victoria is positioned to lead nationally on this reform.

Note: ToR 9 (the relevant work of the Commissioner for LGBTIQ+ Communities and government advisory groups) is not addressed in this submission. The author's expertise is grounded in practitioner, doctrinal, operational, and legislative dimensions of hate crime response, which are the subject of ToRs 1–8.

4. Recommendations — All 42 Across 8 Terms of Reference

Every recommendation below is anchored to the Hate Crime Threat Management Doctrine. The doctrine provides the assessment logic (HCTM-26) and the intervention architecture (MIF-26) that gives each measure its operational coherence. Standalone measures without doctrinal integration have historically produced inconsistent and sub-optimal outcomes; these recommendations are designed to function as a connected system.

Rec	Recommendation	Responsible Party
ToR 1 — Communication and recruitment methods of anti-LGBTIQA+ influencers and hate groups		
1.1	Fund a national counter-narrative and community resilience program targeting grievance-based mobilisation, delivered through trusted community intermediaries.	Commonwealth / Vic Government
1.2	Mandate critical thinking and media literacy education in Victorian schools as a structural hate crime prevention measure, from primary level.	Victorian Dept of Education
1.3	Establish a protective intelligence monitoring capability within the dedicated Hate Crime Unit for online anti-LGBTIQA+ recruitment, coded hostility, dog-whistling, and grievance-based mobilisation.	Victoria Police
1.4	Advocate to the Commonwealth for platform reporting obligations for coordinated anti-LGBTIQA+ recruitment and mobilisation activity to Victorian authorities.	Victorian Government
1.5	Establish a dedicated Hate Crime Unit within Victoria Police with an embedded protective intelligence capability, incorporating investigative, analytical, and community-liason functions, and operating within the Hate Crime Threat Management Framework (HCTM-26 / MIF-26). This unit is the operational foundation from which all other reforms in this submission derive their effect.	Victoria Police / Vic Government
ToR 2 — Current strategies to counter anti-LGBTIQA+ hate crimes, particularly among young people		
2.1	Formally adopt a hate-crime-specific structured professional judgement framework (HCTM-26 / MIF-26) as Victoria Police operational doctrine for hate crime assessment and response.	Victoria Police / DJCS
2.2	Formally recognise intrafamilial hate crime as a distinct operational category within Victoria Police recording and response systems, with dedicated guidance for frontline members.	Victoria Police
2.3	Mandate typology-aware hate crime response training for all Victoria Police members, covering all five offender profiles including intrafamilial indicators.	Victoria Police

2.4	Commission a supervised pilot of HCTM-26 and MIF-26 with Victoria Police for targeted hate crime cases, governed by a tripartite steering committee.	Victoria Police / DJCS
ToR 3 — Current anti-LGBTIQA+ hate crime prevention initiatives and how these could be strengthened		
3.1	Develop a Victorian Hate Crime Prevention Strategy grounded in protective intelligence principles and the layered six-domain mitigation framework (behavioural, environmental, digital, community, organisational, crisis).	Victorian Government
3.2	Fund hate-crime-specific diversion and early-intervention programs matched to offender typology, targeting grievance formation before escalation.	Vic Government / DJCS
3.3	Build community capability to identify, record, and respond to hate-motivated behaviours, including third-party reporting pathways and bystander empowerment programs.	Victorian Government
3.4	Fund dedicated, trauma-informed, identity-affirming victim support services specifically for LGBTIQA+ hate crime victims, including trans, gender-diverse, intersex, and Rainbow Mob communities.	Victorian Government
ToR 4 — Existing public and online safety initiatives supporting LGBTIQA+ community members who have experienced hate crimes		
4.1	Establish a dedicated LGBTIQA+ Hate Crime Digital Safety Pathway — a single state-endorsed reporting and support entry point with integrated triage to Victoria Police, eSafety, and platforms.	Victorian Government
4.2	Develop a dedicated protective intelligence capability within Victoria Police monitoring hate-motivated threats against LGBTIQA+ communities, producing quarterly threat environment briefings.	Victoria Police
4.3	Develop a statewide trauma-informed, identity-affirming hate crime support framework with warm referral pathways across police, health, education, and community organisations.	Vic Government / Health
ToR 5 — The role and responsibilities of social media and digital platform owners		
5.1	Advocate to the Commonwealth for algorithmic amplification liability and a statutory duty of care standard for digital platforms — treating the algorithmic environment as part of the designed threat landscape.	Victorian Government / Cmwth
5.2	Require platforms to share protective intelligence signals — coordinated mobilisation, targeted harassment, and leakage — with designated hate crime law enforcement functions.	Commonwealth

5.3	Mandate evidence preservation by default for hate-related content removed by platforms, maintained in a law-enforcement-accessible archive to support investigation and prosecution.	Commonwealth
ToR 6 — Existing empirical data regarding the prevalence and trends of anti-LGBTIQA+ hate crimes		
6.1	Establish a Victoria-led independent, anonymous community-based hate crime reporting portal for victims who will not report to police, with data independently audited and fed into the evidence base.	Victorian Government
6.2	Fund targeted trust-building programs to reduce police-related under-reporting, with a formal LGBTIQA+ community liaison program and measurable reporting outcome targets.	Victoria Police
6.3	Make hate crime identification training mandatory for all frontline Victoria Police members, covering all five typologies and bias-indicator recognition.	Victoria Police
6.4	Establish an intrafamilial hate crime recording category within LEAP, with accompanying identification guidance for frontline members.	Victoria Police
6.5	Introduce mandatory quality-assurance review for hate crime classifications — all unclassified or 'other' reports subject to secondary review by trained personnel within 30 days.	Victoria Police
6.6	Advocate for a nationally agreed hate crime definition and standard protected category set through the Commonwealth and other jurisdictions.	Victorian Government
6.7	Align LEAP operational recording categories with current Victorian legislative protections, including the Sentencing Act 1991 and Justice Legislation Amendment (Anti-vilification) Act 2023.	Victoria Police
6.8	Require mandatory disaggregated hate crime reporting by protected category, published annually to improve transparency and accountability.	Victorian Government
6.9	Establish a formal data-sharing protocol between Victoria Police and LGBTIQA+ community organisations to enable triangulation of administrative and community data.	Victoria Police / Vic Gov
6.10	Fund an independent biennial Victorian hate crime prevalence study — a dedicated population-level victimisation survey for LGBTIQA+ Victorians, separate from the ABS Personal Safety Survey.	Victorian Government
ToR 7 — The impact on diverse LGBTIQA+ communities, including Rainbow Mob, people with disability, and multifaith and multicultural community members		

7.1	Establish an intersectionality-informed hate crime response pathway within Victoria Police and DJCS for victims with multiple protected characteristics, with specific protocols for compounded vulnerability.	Victoria Police / DJCS
7.2	Fund Rainbow Mob-specific hate crime support services — culturally safe, community-led, and designed for the intersecting harms of racial identity, cultural community, and LGBTIQ+ identity.	Victorian Government
7.3	Integrate intrafamilial hate crime identification into diverse-community responses, with targeted training for police, family violence practitioners, disability support workers, and multicultural services.	Victoria Police / Vic Gov
7.4	Develop safety mapping protocols calibrated to diverse-community risk environments, recognising that victims facing intrafamilial hate crime cannot rely on a protective home environment.	Victoria Police / DJCS
7.5	Pilot HCTM-26 and MIF-26 for diverse-community hate crime cases, with evaluation design that captures intersecting risk factors across racial, cultural, disability, and LGBTIQ+ identity dimensions.	Victoria Police / DJCS
ToR 8 — Interjurisdictional strategies and methods to combat anti-LGBTIQ+ hate crimes across borders		
8.1	Formally advocate through the Council of Attorneys-General for a National Hate Crime Strategy and uniform hate crime definition, led by the Commonwealth Attorney-General's Department.	Victorian Government
8.2	Establish a formal interjurisdictional hate crime intelligence sharing framework through the Australian Criminal Intelligence Commission, applicable to all state and territory police agencies.	Commonwealth / ACIC
8.3	Fund redevelopment of the AIC National Hate Crime Database to standardise recording categories, enable disaggregated analysis, and support meaningful cross-jurisdictional research.	Commonwealth / AIC
8.4	Establish an Annual National Hate Crime Conference to bring together government, law enforcement, academia, legal practitioners, and community organisations.	Commonwealth / AIC
8.5	Advocate for dedicated hate crime legislation at Commonwealth or national model-law level, creating specific offence categories and mandatory sentencing aggravation.	Victorian Government
8.6	Develop a National Online Hate Response Strategy through the eSafety Commissioner, establishing mandatory platform transparency, reporting, and escalation standards.	Commonwealth / eSafety
8.7	Introduce civil Hate Crime Prevention Orders in Victoria as a complement to criminal sentencing, enabling pre-emptive intervention for identified high-risk individuals.	Victorian Government

8.8

Fund hate crime-specific diversion, restorative justice, and offender rehabilitation programs nationally, drawing on international models including the UK Turning the Tide program.

Vic Government / Cmwllth

5. The Strategic Opportunity

Victoria has an opportunity to establish the national standard for hate crime response — not by adding measures to a system that does not work, but by building a doctrine that does. The absence of any hate-crime-specific assessment and response doctrine in Australian operational practice is not a resource gap. It is an architecture gap. This submission provides a blueprint to close it.

The 42 recommendations in this submission are interconnected. The dedicated Victoria Police Hate Crime Unit (Rec 1.5) is the operational anchor. The protective intelligence capability is the early-warning system. The HCTM-26 / MIF-26 doctrine is the decision architecture. The training, recording, victim support, platform accountability, and interjurisdictional measures are the delivery infrastructure. Together they constitute a coherent system. Individually, implemented in isolation, they are partial.

The data reforms (ToR 6) make the problem visible. The typology-aware strategies (ToR 2) make the response effective. The prevention framework (ToR 3) intercepts harm before it occurs. The victim support infrastructure (ToR 4) holds the community through harm. The platform accountability measures (ToR 5) address the environment in which harm is incubated. The diverse-community pathway (ToR 7) ensures no sub-group is left outside the doctrine. The national coordination framework (ToR 8) ensures Victoria's reforms do not stop at the state border. And the recruitment and communication counter-measures (ToR 1) close the pipeline at the point of grievance formation.

The Victorian Inquiry is the right vehicle, and this is the right moment. The author is available to provide oral evidence and to brief the Committee on the HCTM-26 and MIF-26 instruments in an appropriate protected setting.

Geoffrey Steer | ██████████ | April 2026

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2. About the Author / Organisation

Current Role and Contributions

I am actively engaged as a practitioner specializing in hate crime investigations and response. I am currently developing a hate crime threat management doctrine, including the creation of the Hostility and Concerning Trajectory Model (HCTM-26) — a structured professional judgement tool and a Mitigation and Intervention Framework tool (MIF-26). This framework supports the identification and mitigation of risks associated with hate crime incidents, ensuring effective and timely intervention.

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Relevant Expertise

With 25 years of experience as a practitioner in the field of hate crimes, I have developed extensive expertise through both formal training and hands-on leadership. My foundational training was completed at the Federal Law Enforcement Training Centre in the United States, equipping me with specialized skills in this area. I was instrumental in the creation of the New South Wales Police Force hate crimes capability, proposing, establishing and running the New South Wales Police Force Hate Crime Unit for seven years. I furthered my operational knowledge and expertise spending time with the New York Police Department Hate Crimes Task Force, Suffolk County (New York) Hate Crimes Unit and the Nassau County (New York) Community Affairs Unit which is responsible for their hate crimes response.

My contributions to the field extend to academic and professional forums, having presented on hate crime issues at conferences both nationally and internationally.

My scholarly work includes co-authoring a chapter in the book *Hate Crime Perpetrators: New Perspectives from Theory, Research and Practice*. I am currently co-authoring a new book focused on hate crime investigations. I have contributed to submissions made by the Australian Hate Crime Network (AHCN) to the NSW Parliamentary Inquiry into Gay and Transgender Homicides and gave evidence to the NSW Special Commission of Inquiry into LGBTIQ Hate Crimes (Commissioner Sackar, 2023). My skill set is further enhanced by formal training in threat assessment and management, behavioural assessment, victimology and statement analysis.

3. Introduction and Framing of the Issue

Anti-LGBTIQ+ hate crime is a distinct category of harm characterised by targeted hostility, symbolic violence, and community-wide impact. It is not merely an offence against an individual but an attempt to intimidate an entire group.

Current challenges include:

- Under-reporting due to fear, mistrust, and previous negative experiences with authorities
- Inconsistent recording practices, leading to unreliable data and poor visibility
- Fragmented investigative approaches, with no unified doctrine

- Escalation pathways that are poorly understood and rarely monitored
- Online radicalisation and the normalisation of anti-LGBTIQA+ hostility

The inquiry presents an opportunity to build a coherent, intelligence-led, victim-centred approach.

4. Framework of This Submission: A Developing Hate Crime Threat Management Doctrine

Context

This submission is grounded in the Hate Crime Threat Management doctrine currently in development by the author. The doctrine comprises two paired instruments:

- **HCTM-26 — Hostility and Concerning Trajectory Model** — an assessment tool for identifying and structuring the level and nature of hate-motivated threat.
- **MIF-26 — Mitigation and Intervention Framework** — a response framework for selecting interventions matched to the assessed threat.

Both instruments are in active development, and not all assessment mechanics are disclosed here; detailed review is available to appropriate agencies on request. This Framework section describes the doctrine at the level required to make the submission's reasoning visible to the Inquiry. It does not disclose scoring mechanics, indicator inventories, assessment methods, interpretive rules, or the internal architecture by which threat profiles are translated into intervention selection. Detailed review of the instruments is available to appropriate agencies through secure channels.

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Why a New Doctrine Is Needed

Australian and international threat-assessment practice currently relies on instruments developed for adjacent purposes — general violence risk, violent extremism, lone-actor terrorism, stalking, or domestic and family violence. Each of these captures part of the hate-motivated offending profile, but none was built for it. Applied to hate crime, they produce predictable weaknesses:

- **Generic risk output.** Most instruments produce a risk level without explaining its direction. An assessor knows a case is high risk but not what is driving it, and therefore not what to do about it.
- **Missed typological variance.** Offender profiles within hate crime — opportunistic and peer-driven, defensive and territorial, retaliatory, mission-driven, and intrafamilial — have fundamentally different drivers. Generalist tools blur these distinctions.
- **Public-private boundary failure.** Hate crime occurring within family systems is routinely misclassified as family violence, cultural dispute, or child discipline. No mainstream tool treats intrafamilial hate crime as a distinct operational problem.

- **Online–offline fragmentation.** Digital hostility is typically assessed separately from physical threat, despite being continuous with it in the behaviour of most modern offenders.
- **Weak linkage between assessment and response.** Most tools produce a risk level and leave intervention selection to practitioner discretion. Generic intervention catalogues are then applied with limited traceability back to what the assessment actually said.

The result, in current Australian practice, is inconsistent classification, under-recorded harm, and intervention portfolios assembled case-by-case without doctrinal structure.

What Makes the Doctrine Distinctive

HCTM-26 and MIF-26 are being developed specifically to address these weaknesses. Five structural claims distinguish the doctrine; each is reflected in how this submission reasons about the Terms of Reference.

1. Hate-crime-specific by design. The doctrine is not a hate-crime adaptation of an instrument built for something else. Its indicator architecture, threat logic, and intervention geometry are all constructed around the distinctive features of hate-motivated offending: symbolic targeting, community-wide harm, identity-threat narratives, coded hostility, and the gap between expressed bias and acted bias.

2. Operational recognition of intrafamilial hate crime. The doctrine treats intrafamilial hate-motivated offending as a structurally distinct operational problem, with its own escalation geometry, its own relevant indicators, and its own response logic. This is a deliberate doctrinal position: continued misclassification of intrafamilial hate crime as generic family violence is a major national blind spot, and addressing it requires a different operational mindset, not a louder application of the existing one.

3. Driver identification, not just risk rating. The doctrine's assessment produces more than a threat level. An interpretive step identifies *what is driving* the threat in a given case across a structured set of interpretive dimensions. Intervention is then matched to the driver rather than applied from a generic template. This shifts response selection from practitioner intuition to a structured, auditable, defensible process.

4. Layered, activation-based response. Intervention is organised across concurrent response domains, with each domain activated at an intensity matched to the case profile. Some domains operate as the primary response for a given profile; others play a secondary or supporting role; others activate only when specific conditions appear. This replaces the common practice of applying undifferentiated intervention catalogues and allows proportionate, targeted response selection that is traceable back to the assessment.

5. Integrated online–offline assessment. The doctrine treats digital hostility as part of the threat environment, not as a separate domain. Online precursor activity, coded hostility, coordinated mobilisation, and cross-platform migration patterns are incorporated into both assessment and response, reflecting the reality that modern hate-motivated offending does not respect the online–offline boundary.

Taken together, these five features move the doctrine beyond a scoring tool and into the category of **operational doctrine** — the kind of structured, auditable, defensible practice architecture that hate crime response in Australia currently lacks.

Why the Mechanics Are Not Disclosed in This Submission

The instruments contain indicator inventories, scoring systems, interpretive rules, and activation logic developed over extended practitioner experience, and now constituting protected operational material. Public disclosure in a parliamentary submission would:

- compromise the defensibility of the instruments by enabling their use by unqualified or untrained assessors;
- create opportunities for adversarial actors to rehearse against the indicators;
- prejudice the formal validation pathway the instruments are entering; and
- bypass the proper pathway through which structured professional judgement tools are adopted into operational practice — namely, supervised training, accreditation, and governance rather than open distribution.

This submission therefore conveys structure and logic at the level needed to make the argument coherent, without disclosing material that properly sits behind a training and accreditation process. The author is available to brief the Inquiry on the detail of the instruments in an appropriate protected setting should that assist.

How This Submission Uses the Doctrine

Every Term of Reference response in this submission is shaped by the doctrine:

- **ToR 1** draws on the doctrine's model of how grievance, identity threat, and coded hostility combine under conditions of institutional breakdown to produce the recruitment and communication patterns observed in anti-LGBTIQA+ offending.
- **ToR 2** applies the doctrine's typology-aware structure, distinguishes public-sphere from intrafamilial offending, and identifies the layered interventions most likely to reduce offending in each profile.
- **ToR 3** uses the doctrine to diagnose gaps in current Australian prevention initiatives — specifically that existing initiatives are neither typology-aware, driver-matched, nor layered.
- **ToR 4** applies the doctrine's response architecture to victim support and safety initiatives, identifying where current services cluster in some response domains and are absent in others.
- **ToR 5** extends the doctrine into the platform domain, treating algorithmic environments as part of the operational environment that platforms are obliged to design safely, and platform regulation as part of the doctrine's organisational-integration response.
- **ToR 6** grounds the entire doctrine in evidence — HCTM-26 threat level assessments and MIF-26 intervention targeting both depend on reliable, typology-coded data. Without consistent recording and classification of hate crimes, the doctrine cannot be calibrated, offender trajectories cannot be tracked longitudinally, and the evidence base underpinning every other ToR response remains incomplete. Data reform is not a separate agenda; it is the intelligence foundation of the doctrine.
- **ToR 7** extends the doctrine's typology-aware framework to the diverse sub-groups within the LGBTIQA+ community whose intersecting identity characteristics — including Indigeneity,

disability, faith background, and age — compound their exposure to hate crime and shape the specific drivers HCTM-26 must account for. The five offender typologies manifest differently across these sub-groups, and MIF-26 interventions must be calibrated to the specific hostility drivers and vulnerability factors present in each context.

- **ToR 8** applies the doctrine’s organisational-integration layer to the national architecture. HCTM-26 and MIF-26 cannot achieve their full protective purpose if they operate only within Victoria’s borders — offenders, online recruitment networks, and escalation trajectories do not stop at state lines. ToR 8 establishes the interjurisdictional coordination framework, uniform offence definitions, shared data standards, and national hate crime strategy through which the doctrine’s methodology can be embedded consistently across all Australian jurisdictions.

National Significance

There is currently no hate-crime-specific assessment and response doctrine in operational use in any Australian jurisdiction. Generalist risk tools, ad hoc community responses, and uneven state-level capability have been the default for two decades. This submission does not claim that the doctrine in development by the author is the only possible answer to that gap. It does claim that the absence of any doctrine of this kind is itself a significant national weakness, and that the completion, validation, and operational adoption of a hate-crime-specific doctrine — whether this one or another — should be a recognised priority of any serious national response to hate crime.

5. Response to the Terms of Reference

ToR 1:

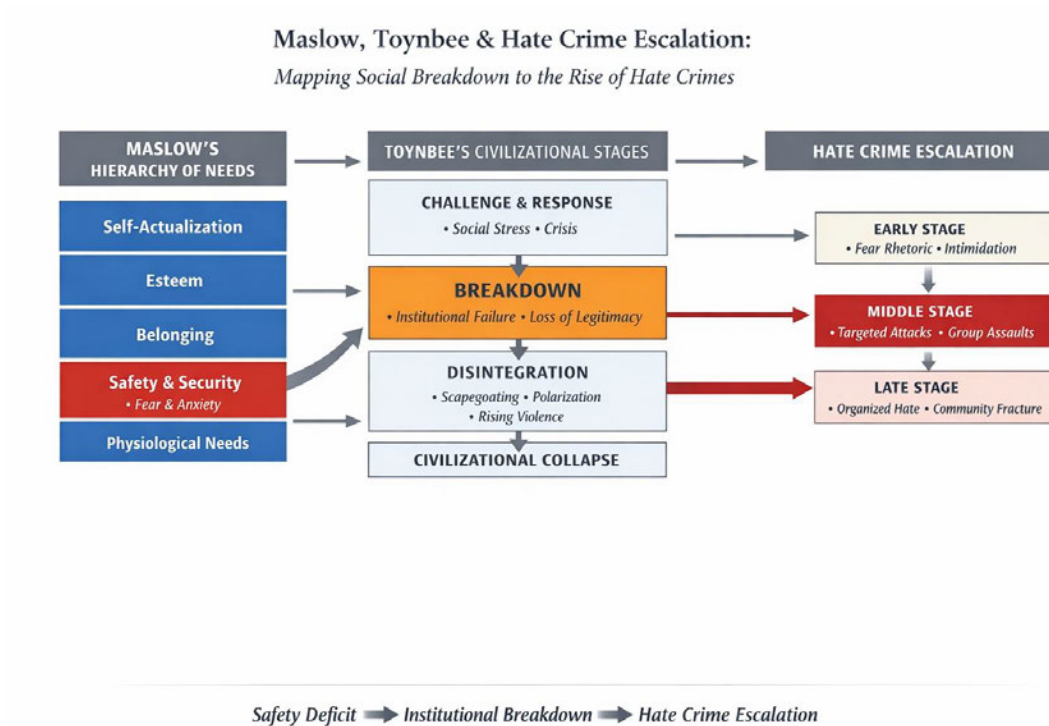
“The communication and recruitment methods of anti-LGBTIQ+ influencers and hate groups that endorse anti-LGBTIQ+ hate crimes, including those creating and sharing online content steeped in racism, misogyny, transphobia, homophobia, far-right ideology and unhealthy masculinities”

The hate crime space is a complex environment with no one factor driving anti-LGBTIQ+ activity. Like all protected attributes (such as race, ethnicity, sex, gender, sexuality, religion, disability), there are ebb and flows of targeting certain protected categories, based on local, national and international events. Anti-LGBTIQ+ is historically a common target for hate crimes, being one of the most prevalent categories based on several psychological, behavioural and societal factors, including misogyny, the enforcement of societal gender norms, grievance-based mobilization, and the breakdown of societal protective factors through technological influences.

These factors directly influence recruitment, but other global factors also influence the recruitment space, primarily the breakdown of societies as posited in the work of Arnold Toynbee, *A Study of History* (1934-1961). Toynbee’s concepts of challenge and response, breakdown and disintegration, map with current

issues in global society and when combined with Maslow's Hierarchy of Needs, with security being a core pillar, these social processes lead to a rise in hate crime.

As individuals lose faith in institutions they search for the safety once provided by these failing institutions in other areas, including in extremist groups and extreme ideologies as they promise what the individuals are searching for, safety and security. When all these factors combine, there is a recruitment opportunity for these ideologies, including anti-LGBTIQA+ prejudice and hate. The following diagram shows the links to the process. Understanding this concept is key to understanding the recruitment methods of anti-LGBTIQA+ influencers and hate groups and the rise in anti-LGBTIQA+ hate crimes.



Recruitment:

As outlined above there are several factors that drive recruitment and like the complexity of the hate crime environment, the recruitment process operates in a multi-dimensional complex environment. Recruitment methods are designed to target individuals at multiple levels, targeting core psychological needs and fears, there is not a one size fits all approach, and multiple approaches are utilized to target and recruit from the largest possible susceptible pool.

First, you need to consider the targeted audience for recruitment. As with all recruitment process, the primary driver is to fill a need in the group being targeted for recruitment. The common driver is self-fulfilment; it is human nature for people to want to be important, to be remembered. Recruitment targets those individuals who have low self-esteem, low self-worth or feel isolated from society. At-risk groups include those with poor education, victims of domestic violence, sexual exploitation and social isolation. Individuals within this group are more susceptible to the recruitment messages. This is not to say that

only individuals within these groups are susceptible, just that they are at higher risk to the targeted messaging. The messaging is designed to initiate grievance-based mobilization. The messaging of these groups and individuals is designed to create a target for the individuals to blame for the problems in their lives. Whether this is status, wealth, security, or availability of resources, the messages are designed to shift any cognitive dissonance a person feels onto another group to relieve the feelings of dissonance.

This process is generally identifying the group that can be blamed for the situation of the target of recruitment is anxious about. Generally, the LGBTIQ+ community is targeted for the perceived moral decline and the societal safety and security threat they represent. That is, the LGBTIQ+ community is thought to undermine the moral fibre of society and that individuals and families are at greater risk because of the influence and actions of the LGBTIQ+ community. The next process is the protection of social hierarchies. Society has unwritten hierarchies and as posited by Barbara Perry in *In the Name of Hate* (2001), hate crimes are used to maintain these social hierarchies.

As long as communities remain in their place on the hierarchy and do not threaten the dominant group there is a form of societal protection. When a group or community is deemed to have broken this hierarchy, threatening the dominant group's position, hate crimes are a method to keep the targeted group in its place. The latter half of the 20th century and beginning of the 21st century saw the rise of gay and lesbian rights, with a corresponding rise of hate crime. Gay and lesbian rights have to a certain extent been accepted by society and the new issue is the rights of transgender and non-binary people. This push has seen an increase globally of hate crimes against the trans and gender-diverse people and message from those in positions of authority targeting the transgender community, which corresponds with the rise in hate crimes.

These processes are not new and have existed for as long as humanity has existed. It is the identification of the other and the fear of the other that drives hate crimes and recruiting messages targeting groups within society. As outlined by Toynbee's classification, western society, in the 21st century, is in the breakdown phase, exhibited by institutional failure and the loss of legitimization of governments and law enforcement agencies, as an example. This has led to subconscious anxieties around safety and security, a core pillar in Maslow's hierarchy of needs and the movement of sections of the community to the policies, ideology and concepts of the extreme right. The end result of these processes is that recruitment relies on a behavioural framework of.

- Grievance-based mobilization
- Identity threat narratives
- Coded hostility (expressions of bias or aggression disguised through euphemism, humour, or cultural shorthand)
- Dog whistling (a political or social communication technique using coded or suggestive language that appears benign to the public but conveys a specific message to a targeted audience).

Communication:

The extreme right has always been an early adopter of new technology and communication methods. Advancements in communication technology have supercharged the recruitment capability and influence

of individuals and groups that hold extreme ideologies. Access to information 24hrs a day, the ability to receive information from non-mainstream sources, and the viral nature of memes, videos and other content has given extreme ideologies a reach that has never been seen before in human history. Prior to these advancements, the spread of more extreme ideologies was restricted as it was generally through print or face-to-face meetings, which greatly contained its spread. Modern communication technologies have removed these natural restrictions.

Social media and algorithmic amplification have two major influences on recruitment and the spread of hate-based narratives. Firstly, it has allowed individuals to not only select the information they receive but also it has created a situation where this information is reinforced through algorithms, reducing the capability for counter-narratives to reach individuals. This algorithmic amplification has created environments that further amplify hate based narratives, such as echo chambers, where an individual expresses an idea, and it is bounced back to them in a different format, making them believe it is new information, when in reality, it is the same information in a new format.

The second influence is the loss of legitimacy of governments, media and expert knowledge. The ability for anyone to search for information, which is being guided by algorithmic amplification, plus the slow degrading of critical thinking skills, drives the loss of faith in information from governments and experts, and has created the situation where 'fake news' is seen as real facts. Messaging from individuals and groups that hold extreme ideologies has now perceived as legitimate information and the information from governments is seen as untrustworthy and an information war against the 'real facts'.

When hate-based ideology is targeted at individuals who are at-risk and those who see only one side of the story, the messages of these ideologies become the reality for these individuals. Grievances are developed based on this information flow, enemies of a safe and secure society are identified, and the response is targeted violence.

There is no quick fix to the problem, as the saying goes, "The genie is out of the bottle." Hate crimes are created by society and require a societal response. Silence is seen as condoning the behaviour, and the process continues and develops its own momentum.

Recommendations

The following four recommendations address the communication and recruitment methods of anti-LGBTIQ+ influencers and hate groups identified in the analysis above. Each recommendation includes an action, the specific change required, the intended outcome, and the responsible party.

Rec 1.1 — Fund a national counter-narrative and community resilience program

The Commonwealth and Victoria should jointly fund a sustained counter-narrative program targeting the grievance-based mobilisation and identity-threat narratives identified as the primary drivers of anti-LGBTIQ+ recruitment. The program should be delivered through trusted community intermediaries rather than government channels, be typology-aware in its messaging design, and incorporate the critical-thinking capacity-building approach identified as foundational to reducing susceptibility to extremist recruitment. This will interrupt the recruitment pipeline at the point of grievance formation — before individuals are drawn into identity-threat narratives — and build community-level protective factors that reduce the social conditions enabling hate crime.

Responsible party: Commonwealth Attorney-General's Department / Department of Education, in partnership with LGBTIQ+ community organisations and academic researchers.

Rec 1.2 — Mandate critical thinking education as a hate crime prevention measure in Victorian schools

The Victorian curriculum should incorporate structured critical thinking and media literacy modules from primary school level, specifically designed to build resilience against algorithmic amplification, echo-chamber dynamics, and coded hostility. The content should be developed in consultation with educators, LGBTIQ+ community organisations, and hate crime researchers, and should be subject to independent evaluation. This will build a generation less susceptible to the grievance-mobilisation dynamics that underpin anti-LGBTIQ+ recruitment, addressing the algorithmic amplification and decline in critical thinking skills identified as structural drivers of escalating hate.

Responsible party: Victorian Department of Education, in partnership with LGBTIQ+ community organisations.

Rec 1.3 — Establish a Protective Intelligence monitoring capability for online anti-LGBTIQ+ recruitment and mobilisation

Victoria Police, within the dedicated Hate Crime Unit recommended in this submission, should establish a protective intelligence function specifically monitoring online anti-LGBTIQ+ recruitment activity, coded hostility, dog-whistling, and grievance-based mobilisation. This function should operate in accordance with the Hate Crime Threat Management Framework, using structured assessment to identify and prioritise escalating threat actors and networks. It should produce regular threat environment briefings for distribution to appropriate agencies and community organisations. This will create pre-incident visibility of the recruitment and mobilisation dynamics that currently go undetected until physical harm occurs.

Responsible party: Victoria Police Hate Crime Unit / Victoria Police Intelligence Command.

Rec 1.4 — Require platforms to report coordinated anti-LGBTIQ+ recruitment and mobilisation activity to Victorian authorities

Victoria should advocate to the Commonwealth for platform reporting obligations requiring social media and digital platform operators to notify the eSafety Commissioner and relevant law enforcement agencies of coordinated inauthentic behaviour, coordinated anti-LGBTIQ+ recruitment campaigns, and escalating mobilisation activity targeting identifiable LGBTIQ+ individuals, venues, or events. Reporting thresholds and handling protocols should be developed in consultation with the eSafety Commissioner and Victoria Police. This will operationalise the 'first observer' function of platforms identified in this submission, converting platform visibility of recruitment activity into actionable protective intelligence before physical harm occurs.

Responsible party: Victorian Attorney-General, advocating via the Commonwealth; eSafety Commissioner / Commonwealth Attorney-General's Department.

Rec 1.5 — Establish a dedicated Hate Crime Unit within Victoria Police

Victoria Police should establish a dedicated Hate Crime Unit (HCU) as a permanent, specialist structure operating within the Hate Crime Threat Management Framework (HCTM-26 / MIF-26). The Unit is the operational foundation from which all other reforms in this submission derive their effect. Without a dedicated unit holding the knowledge, the methodology, and the relationships, the remaining

recommendations risk being implemented piecemeal and losing their cumulative protective value. The HCU must be resourced across four integrated capability areas.

First, **specialist investigative knowledge**. HCU investigators must be trained in hate crime dynamics, offender typology (including the five typologies set out in HCTM-26: Thrill-Seeking, Defensive, Retaliatory, Mission, and Intrafamilial), bias motivation evidence gathering, and the legal requirements for proving the aggravating element in prosecutions. Specialist knowledge cannot be acquired through ad hoc assignment; it requires sustained casework, structured training, and institutional memory that only a dedicated unit can provide.

Second, **oversight of hate crime response within Victoria Police**. The HCU must have authority to monitor and quality-assure hate crime investigations across Local Area Commands, ensuring consistent application of HCTM-26 and MIF-26 classification and response standards. This includes reviewing initial reports for correct hate crime flagging, supporting investigators where bias motivation evidence has not been adequately pursued, and identifying systemic failure points where cases are downgraded or misclassified.

Third, **a protective intelligence capability**. The HCU must embed an analytical function applying the Hostility and Concerning Trajectory Model (HCTM-26) to identify individuals and groups on trajectories of escalating hostility before violence occurs. This function should aggregate intelligence from patrol reports, partner agencies, digital platforms, and community referrals to generate Threat Level assessments and drive proactive protective action under MIF-26. The protective intelligence function is central to shifting Victoria Police's hate crime response from reactive to preventive.

Fourth, **community liaison and engagement capability**. The HCU must maintain structured, ongoing relationships with LGBTIQ+ community organisations, venues, and events. Community liaison officers should be embedded within the unit, not assigned on rotation, to build the sustained trust necessary for community members to report incidents and share intelligence. The liaison function must also extend to operating the LGBTIQ+ Liaison Officer (LGLO) network (Rec 1.2) and coordinating with community safety partners under the Multi-Agency Risk Assessment Conference (MARAC) model. Community engagement is both an intelligence function and a trust-building function; these cannot be separated.

Responsible party: Victoria Police, supported by the Victorian Government.

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Responsible party: Victoria Police, supported by the Victorian Government.

ToR 2:

“Current strategies to counter anti-LGBTIQ+ hate crimes, particularly among young people and how these could be strengthened;”

Like everything to do with hate crimes there is no simple answer. The first thing that needs to be considered when discussing strategies to counter anti-LGBTIQ+ hate crimes is to understand the hater crime typologies and their role in driving hate crime targeting the LGBTIQ+ community. Levin and McDevitt in *Hate Crime: The rising tide of bigotry and bloodshed* (1993), identified three typologies for hate crime offenders (Thrill-Seeking, Defensive and Mission). In 2003, Levin, McDevitt and Bennett, published a paper (*Hate Crime Offenders: An Expanded Typology*) where they added the fourth typology of Retaliatory. These typologies give a general guidance for the expected behaviours of hate crime offenders and are critical for developing mitigation and intervention strategies.

The critical components of these typologies are outlined below:

Thrill-Seeking Offenders

- *Core Logic:* Excitement, status, and group bonding drive the behaviour.

- **Critical Components**

- **Primary motive:** Boredom, adrenaline, peer approval.
- **Targeting pattern:** Opportunistic; victims chosen for visibility or convenience, not personal grievance.
- **Group dynamics:** Often committed in small peer groups; social reinforcement is central.
- **Planning level:** Minimal; spontaneous or loosely discussed beforehand.
- **Behavioural signature:** Taunting, drive-bys, vandalism, assaults with symbolic overtones but shallow ideological content.
- **Risk profile:** High repeat-offending potential due to low inhibition and group contagion.

Defensive Offenders

- *Core Logic:* Perceived threat to territory, identity, or social order.

- **Critical Components**

- **Primary motive:** “Protecting” neighbourhood, culture, or status quo from perceived encroachment.
- **Targeting pattern:** Directed at newcomers, minorities, or groups symbolising demographic change.
- **Cognitive frame:** Offender sees themselves as responding to provocation or defending boundaries.
- **Planning level:** Moderate; may involve surveillance, pattern-watching, or coordinated intimidation.
- **Behavioural signature:** Boundary-setting acts — graffiti, threats, property damage, harassment escalating to violence.
- **Risk profile:** Escalation likely if perceived “threat” persists or community narratives reinforce grievance.

Retaliatory Offenders

- *Core Logic:* Revenge for a real or perceived prior incident.

- **Critical Components**

- **Primary motive:** Emotional response to a triggering event (often misinterpreted or rumoured).
- **Trigger:** A specific incident — crime, insult, media story, or community rumour — attributed to the target group.
- **Targeting pattern:** Symbolic representatives of the group blamed for the triggering event.
- **Planning level:** Can be impulsive (hot retaliation) or deliberate (cold retaliation).
- **Behavioural signature:** Over-correction — disproportionate response aimed at restoring honour, balance, or justice.
- **Risk profile:** Highly volatile; spikes around triggering events and can cascade through social networks.

Mission Offenders

- *Core Logic:* Ideological or extremist belief system driving a perceived “duty” to act.

- **Critical Components**

- **Primary motive:** Deep-seated prejudice, ideological commitment, or pseudo-religious belief in eliminating or punishing a target group.
- **Targeting pattern:** Symbolic, categorical, and often non-personal; victims represent an entire group.
- **Cognitive frame:** Offender sees themselves as executing a mission, mandate, or higher purpose.
- **Planning level:** High; may involve reconnaissance, weapon acquisition, manifestos, or alignment with extremist narratives.
- **Behavioural signature:** Violence intended to send a message, create fear, or advance ideological goals.
- **Risk profile:** Highest lethality potential; overlaps with lone-actor extremism and targeted violence pathways.

Operational Strategies: Protective Intelligence and Threat Management

The approach I adopt with respect to countering hate crime is grounded in the principles of protective intelligence and threat management. As a result, the strategies I propose are designed with a strong operational focus. This perspective emphasises proactive identification, assessment, and mitigation of potential threats against the LGBTIQ+ community, utilising intelligence-led processes to inform prevention and response efforts.

Operationally, this means implementing measures that allow for early detection of risk factors, monitoring of emerging threats, and effective intervention before incidents escalate. The approach supports collaboration between specialised units, such as dedicated hate crime teams, protective intelligence professionals, and community engagement officers, to ensure a coordinated and robust response to hate-motivated activities.

By adopting operational strategies rooted in protective intelligence and threat management, agencies can better anticipate and disrupt patterns of offending, thereby reducing the incidence and impact of hate crime within the community. As outlined previously there is no one size fits all strategy to counter hate crime. It is possible to reduce hate crime but never eliminate it. The following will outline strategies that can be adopted to address the key motivating factors for the four typologies outlined above.

Thrill Seeking

The primary typology that targets the LGBTIQ+ community is thrill-seeking. As outlined in the typology these offenders are generally opportunistic, targeting victims as they appear and the circumstances are right for an attack (not likely to be identified and the victim is at their most vulnerable). Thrill seekers are generally, not driven by grievances, but rather boredom, peer pressure and status. Due to this, strong societal responses are effective as a deterrent. Strong societal responses include:

- Social criticism
- LGBTIQ+ Supportive communities

- Criminal sanctions

The key point with thrill seeking offenders is that silence is deemed to be approval for the acts. If communities and society do not admonish the behaviour, the behaviour will continue and likely escalate. Whilst generally, acts that have a high public profile or are particularly heinous, are likely to see condemnation from the public and governments, most thrill-seeking offences are relatively minor (minor assaults, malicious damage or forms of harassment), there is generally no admonishment from society, and as a result these offences continue.

Again, with serious or high-profile acts of violence against members of the LGBTIQ+ community, will see support from other sections of the community. There will be individual instances where local communities come together to denounce hate motivated activities, but again these are rare. The lack of community support conveys the message to offenders that the behaviour is tacitly supported, allowing the offenders to justify continued targeting of the LGBTIQ+ community.

Finally, criminal sanctions in their current form, not just in Victoria but across Australia are generally ineffective as a strategy to counter any form of hate crime. Whilst public debate continues around hate speech, effective criminal sanctions are yet to be proposed for the acts of hate crime. New South Wales, Victoria and the Northern Territory have prejudice motivated offences as an aggravating circumstance, but the evidence does not support these factors being applied to sentencing frequently or successfully. It is acknowledged that hate crimes are extremely difficult and complex investigations, as evidence needs to be adduced proving motivation beyond a reasonable doubt. From my experience, bias motivation is generally not a primary consideration in investigations, with the focus on proving the offence, not the motivation. This approach makes it difficult to meet the legal standards required. Additionally, prosecutorial authorities and Courts have been reluctant to apply the aggravating factor consistently to sentencing, creating additional reluctance to utilise the sections of legislation. As criminal sanctions are currently ineffective as a deterrent, there is again no societal response to prevent individuals and groups from believing that attacks on the LGBTIQ+ community are not permissible.

From a protective intelligence/threat management perspective most thrill-seeking offences occur near LGBTIQ+ venues, concentrated community locations and around events that highlight the LGBTIQ+ community. Individuals that are readily identifiable (dress, romantic gestures, mannerisms, etc.) as being members of or perceived to be members of the LGBTIQ+ community are also likely to be targeted away from these locations, if the circumstances are favourable for the offenders.

Defensive:

Defensive hate crimes are the second most common typology with the LGBTIQ+ community. Hate crimes in this category are not as frequent as thrill seeking but do pose a greater risk to members of the LGBTIQ+ community, simply through their nature of escalation. Where thrill seekers can escalate the level of violence, homicide is rare, whilst with defensive hate crimes, homicide is a possibility if not identified and interventions put in place. As outlined above, the core logic is a perceived threat to territory, identity or social order. Due to this, members of the LGBTIQ are generally targeted when isolated from the broader LGBTIQ+ community, to quote Little Britain, when they are “the only gay in the village”. Due to the offender seeing the threat as a grievance the approach to counter these cannot be the same as a thrill-

seeking offender who is generally not a grievance-based attacker. Strategies that are developed for thrill-seeking offenders are less likely to be effective as the driving factors are different. To address the motivators for defensive hate crimes the approaches need to identify protective factors and suppressors to prevent the inhibition collapse that leads to violent attacks. Where thrill-seeking offenders are deterred through a strong societal response, this does not work for defensive hate crime offenders and in fact could drive the behaviour through cognitive dissonance response and the backfire effect. The most appropriate strategies with these types of hate crimes are one driven through a threat management framework, on a case-by-case basis, where the individual motivating factors (grievances, stressors and triggers) are identified and case management is undertaken.

Retaliatory:

Retaliatory hate crimes are rare with respect to the LGBTIQ+ community. Retaliatory hate crimes core logic is revenge for a real or perceived prior incident; this could be either a prior incident where the offender is the victim (e.g. sexual abuse) or where the victim is the offender (retaliation for an offence committed against the LGBTIQ+ community). Retaliatory offenders are again grievance driven and the strategies utilised for grievance driven offenders are different from those of non-grievance-based attacks.

Mission:

Mission hate crimes are the rarest of all targeting the LGBTIQ+ community. Mission hate crimes core logic is an ideological or extremist belief system driving a perceived “duty” to act. Mission hate crimes generally result in casualties and fatalities and there is generally a mental health component. Whilst the process is grievance based, the adoption of extremist ideology and the threat they pose, again changes the strategies adopted to effectively respond and mitigate the risks.

One typology of offender that is not classified in the literature in that of ***Intrafamilial*** hate crime. This category is often neglected as the focus of the above hate crime typologies and most hate crime research is that of stranger based hate crime, where the victim does not know the offender. Nicole Asquith and Christopher Fox identified intrafamilial hate crime in *No Place Like Home: Honour, Heteronormativity and Hate Crimes* (2015). Intrafamilial hate crime collapses the public/private boundary that the four typologies implicitly assume. The general focus of hate crime response is directed at the “stranger danger” model, but this narrow view has left a blind spot for violence committed by immediate family members based on bias motivation. For the LGBTIQ+ community, family-based offenders are more common and often more violent than stranger based offenders. Intrafamilial hate crime is often mislabelled, falling between hate crime and family violence and is generally recorded as family violence, with the hate motivation either being missed or ignored. Intrafamilial hate crime is routinely misidentified and recorded as domestic violence, child discipline, family conflict or cultural disputes. Intrafamilial hate crime does not align with the typologies defined by McDevitt et al (2003) but aligns more with honour-based violence. Like honour-based violence, violence is used to punish perceived transgressions, restore heteronormativity and protect family honour and identity. Methods used range from physical assaults, sexual assault (corrective rape), coercive control and homicide. The profile of an intrafamilial offender is outlined below.

Intrafamilial Offenders

- *Core Logic*: Enforcement of family honour, identity conformity, or moral purity within a closed kinship system.
- **Critical Components**
 - **Primary motive**: Preservation of family reputation, suppression of identity “deviance,” or punishment for perceived moral transgression.
 - **Targeting pattern**: Victims are family members whose identity or behaviour is seen as threatening collective honour or cultural norms.
 - **Cognitive frame**: Offender perceives violence as corrective discipline or moral duty sanctioned by family, religion, or tradition.
 - **Planning level**: Moderate to high; may involve surveillance, isolation, coercive control, or collusion among family members.
 - **Behavioural signature**: Violence framed as protection or purification; often sustained through control, confinement, or ritualised punishment.
 - **Risk profile**: High severity and concealment; operates within closed environments with elevated misclassification risk (domestic vs. hate crime).

The above typologies show the complexity of hate crimes and how a one size fits all response misses the mark across several fronts. Current strategies generalise hate crime, they either treat hate crimes as any other crime type and utilise strategies that are not hate crime specific, or they treat all hate crimes the same and use the strategies developed for one hate crime as a model for all hate crimes. Hate crimes are behaviourally motivated, and effective strategies need to take into consideration the most complex factor, human behaviour. Whilst current strategies may be successful in local spaces, an overall hate crime strategy needs to be developed. To counter hate crimes targeting the LGBTIQ+ community a hate crime threat management framework should be adopted. This framework brings together the disciplines of protective intelligence, threat management and risk management to reduce the overall risk to the LGBTIQ+ community from hate-motivated behaviours. The process is designed to develop a layered approach to mitigation strategies that can be implemented to address hate crimes towards the LGBTIQ+ community. This process looks at six layers of mitigation elements to develop a holistic approach.

Relationship to the Fixated Threat Assessment Model

Victoria Police operate a Fixated Threat Assessment Centre (FTAC), modelled on the UK approach developed by James and Farnham, which provides a structured multidisciplinary response to individuals exhibiting fixated or threatening behaviour toward public figures and institutions. The protective intelligence function recommended in this submission, and the structured professional judgement approach of the Hate Crime Threat Management Framework, share doctrinal ground with the FTAC model: both are concerned with identifying escalating threat actors before violence occurs, both rely on structured assessment rather than reactive investigation, and both require a multidisciplinary case management approach that bridges law enforcement, mental health, and community domains.

There are, however, three significant structural differences that make the FTAC model an inadequate substitute for a dedicated hate crime protective intelligence function. First, the FTAC model is designed primarily around fixation on public figures and high-profile targets — its assessment criteria, case triggers, and intervention logic are built around that threat profile. Most hate crime offending, including the

dominant thrill-seeking and defensive typologies that account for the majority of anti-LGBTIQA+ incidents, does not involve fixation on public figures and will not meet FTAC referral thresholds. Second, the FTAC model does not incorporate hate crime typology logic. The distinction between thrill-seeking, defensive, retaliatory, mission-driven, and intrafamilial offending — which is foundational to proportionate response selection — is not embedded in FTAC assessment frameworks. Third, the FTAC model has no community-facing intelligence function. The protective intelligence approach recommended in this submission requires active engagement with LGBTIQA+ communities and community organisations as intelligence partners, generating the ground-level situational awareness that no law enforcement assessment centre can produce from case files alone.

The recommended Victoria Police Hate Crime Unit should establish a formal referral and intelligence-sharing protocol with the FTAC, ensuring that cases assessed within the hate crime framework that involve fixation indicators or escalation toward public figure targeting are referred appropriately, and conversely that FTAC cases involving bias-motivated dimensions are referred to the Hate Crime Unit for typology-specific assessment. The two functions are complementary and should be designed to operate as a system rather than as parallel, unconnected capabilities. This integration would also address the overlap between mission-type hate crime offenders — who represent the highest lethality profile within the hate crime typology — and the fixated persons framework, where the pathways to violence share significant structural characteristics.

Recommendations

The following four recommendations address the strategies for countering anti-LGBTIQA+ hate crimes identified in the analysis above. Each recommendation includes an action, the specific change required, the intended outcome, and the responsible party.

Rec 2.1 — Adopt a Hate Crime Threat Management Framework as the operational doctrine for Victoria Police hate crime response

Victoria Police should formally adopt a hate-crime-specific structured professional judgement framework as its operational doctrine for hate crime threat assessment and response. The doctrine should be typology-aware, covering thrill-seeking, defensive, retaliatory, mission-driven, and intrafamilial offending profiles; should produce driver identification rather than a generic risk level; and should link assessment outputs directly to layered, activation-based intervention selection. The Hate Crime Threat Management Framework (HCTM-26 and MIF-26), currently in development, should be considered for adoption following completion of its formal validation pathway. This will replace the current ad hoc, generalist approach to hate crime response with a structured, auditable, defensible doctrine specifically designed for hate-motivated offending.

Responsible party: Victoria Police, in partnership with the framework developer and relevant academic partners.

Rec 2.2 — Formally recognise intrafamilial hate crime as a distinct operational category within Victoria Police recording and response

Victoria Police should develop and implement operational guidance formally recognising intrafamilial hate crime as a distinct category, separate from both family violence and the four standard hate crime typologies. Guidance should cover the honour-enforcement and identity-policing dynamics that characterise intrafamilial offending, the misclassification risks associated with recording these incidents as domestic

violence or family conflict, and the specific response logic required for closed kinship system threats. Recording systems should be updated accordingly. This will close the operational and data blind spot that currently allows intrafamilial hate crime — particularly affecting LGBTIQ+ people in culturally embedded family systems — to go unrecognised and unrecorded.

Responsible party: Victoria Police / Department of Justice and Community Safety.

Rec 2.3 — Implement typology-aware hate crime response training for all Victoria Police members

Victoria Police should mandate hate crime response training that covers all five offender typologies — thrill-seeking, defensive, retaliatory, mission-driven, and intrafamilial — with specific modules on the distinct escalation pathways, risk profiles, and appropriate response strategies for each. Training should include protective intelligence principles, online precursor recognition, and the particular vulnerabilities of LGBTIQ+ community members within diverse community contexts. Completion should be tracked and publicly reported. This will directly reduce the misidentification and misclassification of hate crimes by ensuring that all frontline officers can distinguish between typologies and apply a response calibrated to the actual driver rather than a generic template.

Responsible party: Victoria Police.

Rec 2.4 — Pilot the HCTM-26 and MIF-26 with Victoria Police for targeted hate crime cases

Victoria Police and the Department of Justice and Community Safety should commission a supervised pilot of the Hate Crime Threat Management Framework (HCTM-26 and MIF-26) for identified high-risk hate crime cases, conducted in partnership with the framework developer. The pilot should be subject to independent evaluation measuring assessment reliability, intervention match quality, and practitioner utility. Results should be published and used to inform decisions about wider operational adoption. This pilot would generate the Australian operational evidence base currently absent for any hate-crime-specific structured assessment and response doctrine — directly addressing the national gap identified throughout this submission.

Responsible party: Victoria Police / Department of Justice and Community Safety, in partnership with the framework developer.

Pilot Pathway: Governance, Methodology, and Success Measures

A credible pilot of the Hate Crime Threat Management Framework requires a defined governance structure, a scoped methodology, clear success measures, and a realistic timeline. The following outlines what a defensible pilot would require and is offered to assist the Committee in evaluating the feasibility of Rec 2.4 and the related recommendations in ToRs 7 and 8.

Governance

The pilot should be governed by a tripartite steering committee comprising Victoria Police (represented at Detective Superintendent level or above), the Department of Justice and Community Safety, and an independent academic partner with expertise in structured professional judgement and risk assessment validation. The framework developer should participate in a technical advisory capacity, providing training, supervision, and interpretive guidance, but should not sit on the steering committee to preserve the independence of the evaluation. An LGBTIQ+ community advisory panel should provide input on case

selection, community impact assessment, and victim-facing components of the pilot. The steering committee should report to the Victoria Police Chief Commissioner and the Secretary of the Department of Justice and Community Safety, with six-monthly progress reports provided to the Committee if the inquiry's oversight function extends to implementation.

Scope and Methodology

The pilot should operate across two phases. Phase One (months 1–6) should focus on training and calibration: a cohort of twelve to twenty designated hate crime investigators and one or two specialist supervisors should receive structured training in the HCTM-26 assessment and MIF-26 intervention framework, with inter-rater reliability testing conducted across a set of anonymised case vignettes before live deployment. Phase Two (months 7–24) should involve supervised live application to a sample of active or recently active hate crime cases, stratified to include representation across offender typologies (thrill-seeking, defensive, retaliatory, mission-driven, and intrafamilial) and across diverse victim community profiles. Cases should be assessed using the framework alongside current standard practice, with both sets of outputs recorded, to enable comparison. A minimum sample of sixty cases is recommended to support meaningful reliability and utility analysis, based on comparable structured professional judgement validation studies in adjacent fields.

Success Measures

The pilot evaluation should measure four categories of outcome. First, assessment reliability: inter-rater agreement on threat level, typology classification, and driver identification across independently assessed cases, measured using intraclass correlation coefficients and percentage agreement statistics consistent with SPJ tool validation standards. Second, intervention match quality: the degree to which MIF-26 intervention selections are rated as appropriate by both practitioners and independent reviewers relative to the assessed risk and driver profile, compared against standard practice selections in the same cases. Third, practitioner utility: structured ratings by participating investigators of the framework's practical utility, time efficiency, and defensibility, collected at three-month intervals throughout Phase Two. Fourth, case outcome indicators: where cases proceed to intervention, a twelve-month follow-up on re-offending, victim safety outcomes, and case escalation or de-escalation, compared against a matched control group of cases managed under standard practice.

Timeline and Indicative Resource Requirements

A twenty-four-month pilot is the minimum period required to generate a case sample sufficient for meaningful analysis and to capture twelve-month outcome data for the earliest Phase Two cases. The indicative resource requirement is modest relative to the potential operational value: the principal costs are the time of designated investigators (a dedicated cohort rather than additional headcount, drawn from the recommended Hate Crime Unit), the academic partner's evaluation contract (estimated at \$80,000–\$120,000 AUD over twenty-four months based on comparable SPJ validation studies), training delivery by the framework developer, and steering committee administration. No capital expenditure or new IT infrastructure is required at the pilot stage. A decision on wider operational adoption should be made by the steering committee at month twenty-one, based on the evaluation evidence, with a recommendation to government by month twenty-four. If the pilot produces positive reliability and utility findings, full operational adoption across Victoria Police could be staged over a subsequent twelve-month implementation period.

ToR 3:

“Current anti-LGBTIQ+ hate crime prevention initiatives, and how these could be strengthened.”

Hate crimes present unique challenges due to their complex and multifaceted nature. While there may be some overlap, general crime prevention strategies are largely ineffective in addressing hate crimes, as they do not consider the specific grievance and ideological motivations that underpin these offences. General crime prevention initiatives that are used to address issues of hate crime are ineffective as they do not take into consideration the behavioural aspects of hate crime. Crime prevention initiatives designed for extremism share similarities with hate crime prevention because of their focus on ideology, although these strategies are better suited, they are not a good fit. Labelling individuals as extremists can be counterproductive, especially considering that most hate crime offenders are not connected to extremist groups or organised extremist beliefs.

The factors driving hate crimes are varied and diverse, necessitating an equally diverse range of prevention initiatives. Unlike general crime, hate crimes are not rooted in a single cause or motivation, making a one-size-fits-all approach ineffective. In recent years, the influence of social media and algorithmic amplification has contributed to a noticeable decline in critical thinking skills. As a result, individuals are less likely to critically evaluate information from social media, online sources, or even from governments and organisations. This lack of critical analysis makes it easier for exaggerated or false information to spread, which is often associated with an increase in hate crimes.

As can be seen from the table below, current hate crime prevention initiatives are primarily focussed on legislative responses to hate crimes and increasing the capability of policing agencies. Initiatives targeting victims, offenders and at-risk sections of the community are effectively non-existent. Whilst legislation is important, it misses the primary prevention area. Legislation rarely changes attitudes and can in fact harden extremist beliefs and extreme ideologies.

Current Hate-Crime Prevention Initiatives Across Australian Jurisdictions

Jurisdiction	Current Prevention Initiatives	Sources
Commonwealth (Federal)	<ul style="list-style-type: none">• Proposed Combating Antisemitism, Hate and Extremism Bill 2026, strengthening hate-speech offences, prohibited hate-group listings, and visa powers.• Focus on national coordination, antisemitism response, and proportionality safeguards.	https://humanrights.gov.au/our-work/submissions/rights-and-freedoms/combating-antisemitism,-hate-and-extremism-bill-2026
Victoria	<ul style="list-style-type: none">• Anti-LGBTIQ+ Hate Crime Inquiry (2024–2026) examining: prevention initiatives, online safety, platform responsibilities, youth-focused strategies, interjurisdictional coordination, and data gaps.• Strengthened anti-vilification laws (2025–2026) including new criminal vilification offences and expanded protected attributes.	https://www.parliament.vic.gov.au/antilgbtqiahatecrimes https://www.vic.gov.au/new-protections-against-vilification

<p>New South Wales</p>	<ul style="list-style-type: none"> • Engagement & Hate Crime Unit within NSW Police, overseeing hate-crime investigations, community engagement, and reporting pathways. • Multilingual hate-crime reporting resources and liaison-officer support. 	<p>https://www.police.nsw.gov.au/crime/terrorism/terrorism-categories/nsw-police-force-engagement-hate-crime-unit</p>
<p>Western Australia</p>	<ul style="list-style-type: none"> • Dedicated Hate Crime Unit (est. 2025) with governance frameworks, enhanced reporting, mandatory police training, and prohibited-symbol enforcement. • Legislative reforms including “post and boast” offences, expanded penalties, and anti-racism policy frameworks. 	<p>https://www.omi.wa.gov.au/resources-and-statistics/publications/publication/summary-of-the-western-australian-government-s-response-to-racism-including-antisemitism-and-islamophobia</p> <p>https://thewest.com.au/news/wa/wa-police-establish-dedicated-hate-crime-unit-to-target-rise-in-anti-semitism-and-racial-hatred-c-19390520</p>
<p>Queensland</p>	<ul style="list-style-type: none"> • Hate-crime and vilification enforcement through QPS, including aggravated-offence provisions. • New hate-speech laws banning specific extremist expressions and strengthening protections for religious communities. • Community-cohesion initiatives via Harmony Week and Multicultural Action Plan. 	<p>https://www.police.qld.gov.au/policies-and-the-community/multicultural-affairs-unit/hate-crime</p> <p>https://www.qlsproctor.com.au/2026/03/what-do-queenslands-new-hate-speech-and-firearms-laws-mean/</p> <p>https://www.abc.net.au/news/2026-03-05/qld-hate-speech-laws-passed-parliament/106420306</p> <p>https://www.miragenews.com/queensland-police-marks-harmony-week-champions-1648616</p>
<p>South Australia</p>	<ul style="list-style-type: none"> • No dedicated hate-crime unit identified. • General anti-racism and multicultural programs; hate incidents addressed through standard policing. 	<p><i>(No direct hate-crime-specific initiatives surfaced.)</i></p>
<p>Tasmania</p>	<ul style="list-style-type: none"> • Vilification laws in place; no dedicated hate-crime structures identified. 	<p><i>(No direct hate-crime-specific initiatives surfaced.)</i></p>
<p>Australian Capital Territory</p>	<ul style="list-style-type: none"> • Human-rights-based policy environment; general anti-vilification protections. • No dedicated hate-crime unit identified. 	<p><i>(No direct hate-crime-specific initiatives surfaced.)</i></p>
<p>Northern Territory</p>	<ul style="list-style-type: none"> • General criminal-law response; no dedicated hate-crime structures identified. 	<p><i>(No direct hate-crime-specific initiatives surfaced.)</i></p>

A gap analysis, the table below, shows gaps that are currently not being addressed from a global perspective. Globally there is a focus on legislation and judicial responses, whilst these are important, they are only part of the picture. Victim and offender related interventions and support systems are critical to prevent hate crimes. Offenders need to be re-focused; victims need support to recover and to become more resilient

and the broader community needs the skills to not act on hate-motivated behaviours. The primary groups that are involved in hate crimes have been ignored.

Gap Analysis: Hate-Crime Prevention in Australia (Cross-Jurisdictional)

Gap Category	Description of Gap	Evidence / Source
1. National Doctrine Gap	Australia lacks a unified national hate-crime doctrine. States operate independently with inconsistent definitions, thresholds, and prevention strategies.	Victorian Legislative Council Inquiry into Anti-LGBTIQA+ Hate Crime and Safety (2024–26) notes the need to examine <i>interjurisdictional strategies</i> and the absence of consistent national frameworks.
2. Fragmented Legislative & Policy Frameworks	States differ significantly in hate-crime laws, prohibited-symbol laws, and vilification offences. Only WA and Victoria show structured reform momentum.	WA Government’s “Hate Crime and Vilification Law Reform” package (2025) outlines prohibited symbols, “post and boast” offences, and enhanced penalties.
3. Inconsistent Police Capability	NSW and WA have dedicated hate-crime units; other states rely on general policing or CT/fixated-person units. Capability is uneven nationally.	NSW Police Engagement & Hate Crime Unit (CT & Special Tactics Command). WA Police Hate Crime Unit (2025).
4. Under-Recording & Data Fragmentation	No national standard for recording bias motivation. Many hate crimes are coded as generic offences (assault, property damage). Under-reporting is compounded by under-recording.	Victorian Inquiry terms of reference highlight gaps in <i>existing empirical data</i> , prevalence, and national trend analysis.
5. Limited Integration with Protective-Intelligence Systems	Hate-motivated behaviour is not systematically integrated into threat-management, fixated-person, or protective-intelligence workflows.	AHRC submission on the Combatting Antisemitism, Hate and Extremism Bill 2026 stresses the need for coordinated, proportionate national mechanisms.
6. Intrafamilial Hate-Crime Blind Spot	Honour-based harms, identity-based coercive control, and intrafamilial hate crimes are rarely recognised as hate-motivated and are misclassified as generic DFV.	Victorian Inquiry scope includes hate crimes affecting <i>Rainbow Mob, multicultural, and multifaith communities</i> , implicitly acknowledging gaps in recognising community-embedded harms.
7. Weak Community Mobilisation Structures	Community engagement exists (multicultural, anti-racism, LGBTIQA+ programs) but is not doctrinally integrated into hate-crime prevention or threat-management systems.	WA’s community-engagement initiatives emphasise participation but are not framed as structured hate-crime prevention modules.

8. Online Hate & Digital Harms Not Fully Integrated	Extremism is monitored nationally, but everyday online hate, harassment, and identity-based targeting are not consistently treated as hate-crime precursors.	Victorian Inquiry explicitly includes <i>online safety initiatives</i> and the <i>role of digital platforms</i> in hate-crime prevention.
9. Training & Capability Gaps	WA has mandatory hate-crime training; NSW has specialist capability; other jurisdictions rely on general diversity or CT-related training.	WA Government confirms mandatory hate-crime learning modules for police. NSW E&HCU provides specialist training but not statewide mandatory modules.
10. Lack of Evaluation & Transparency	Few jurisdictions publish hate-crime data, evaluations, or outcome measures. No national reporting standard exists.	Victorian Inquiry highlights the absence of reliable national data and the need to strengthen reporting and support systems.

Strengthening Hate Crime Prevention Initiatives

Effective prevention strategies for hate crime must tackle the wide range of underlying causes, varying typologies, and motivating factors. Whilst the main focus has been on legislation and capability building in law enforcement agencies, the areas where prevention initiatives can make real impact have been ignored. These strategies need to be adaptable, allowing for rapid adjustments in response to shifting environmental drivers. Notably, social media and the internet have emerged as significant contributors to the spread of bias-motivated beliefs, making their influence a key consideration in any comprehensive prevention approach. When developing preventative initiatives, looking at the problem from a protective intelligence/threat management perspective gives a new perspective, identifying issues so that mitigation and preventions can be developed.

Prevention Initiatives

- **Development of Critical Thinking Skills for School-Aged Children:** The cultivation of critical thinking skills among school-aged children is a fundamental element in the prevention of hate crimes. By empowering young people with the capacity to analyse information thoughtfully, they are better positioned to scrutinise the sources and validity of what they encounter—particularly online. This analytical approach enables them to challenge prejudiced narratives and question assumptions, thereby reducing susceptibility to misinformation and bias-driven beliefs.

Educational programs specifically tailored to develop these competencies from an early age can play a pivotal role. Such programs encourage students to engage in reflective reasoning, understand diverse perspectives, and build resilience against the influence of online misinformation. The implementation of these targeted initiatives supports the creation of a generation able to think independently and critically, contributing to a more inclusive and respectful society.

- **Protective Intelligence Approach to Prevention Initiatives**
Applying a protective intelligence framework in hate crime prevention allows for the early identification of emerging risks and behavioural patterns. This proactive method enables timely interventions, addressing potential threats before they escalate into actionable hate crimes.

Through the systematic collection and analysis of relevant data, protective intelligence supports the coordination of preventive efforts. It ensures that initiatives remain current and are directed towards the most pressing drivers, issues, or tactics associated with hate crimes. This approach enhances the effectiveness of prevention strategies by targeting underlying factors and adapting to evolving risks within communities.

- **Targeted Community Awareness Campaigns:** Awareness initiatives specifically designed for communities at risk address misconceptions, promote inclusivity, and counteract harmful stereotypes. These campaigns can play a vital role in reducing stigma and increasing resilience against hate-driven behaviour.
- **Development of Community Capabilities to Record, Report, and Engage Around Hate Crimes:** Empowering communities to accurately document and report hate crimes, as well as to engage in open dialogue, is crucial for both prevention and response. Enhanced capabilities in this area improve the visibility of hate crime incidents and foster a culture of collective action and support.
- **Diversion Programs:** Diversion initiatives offer alternatives for individuals at risk of engaging in hate-motivated offences. Through education, counselling, and restorative practices, these programs aim to redirect harmful behaviours and address underlying issues before escalation occurs.
- **Events to Reduce Barriers and Remove Stigma Between Communities:** Facilitating events that encourage interaction and understanding between diverse groups helps break down social barriers and combat stigma. These activities contribute to building trust, promoting empathy, and fostering a more cohesive society resistant to hate-driven divisions.
- **Dedicated Victim Support Services:** Establishing specialised support services for victims of hate crimes is a crucial prevention initiative. These services provide immediate assistance, counselling, and practical support to individuals affected by hate-driven incidents. By offering confidential advice, access to legal resources, and emotional care, dedicated victim support empowers those impacted to recover and rebuild their confidence. Furthermore, visible and accessible support networks encourage victims to report incidents, increasing the likelihood that hate crimes are addressed promptly and effectively. This proactive approach not only aids recovery but also strengthens community resilience, reduces the risk of repeat victimisation, and helps break the cycle of silence that can perpetuate hate-motivated behaviour. By fostering a supportive environment, these services contribute to the broader goal of building safer, more inclusive communities where every individual feels valued and protected.

Recommendations

The following four recommendations address the gaps in current anti-LGBTIQ+ hate crime prevention initiatives identified in the analysis above. Each recommendation includes an action, the specific change required, the intended outcome, and the responsible party.

Rec 3.1 — Establish a Victorian Hate Crime Prevention Strategy grounded in protective intelligence principles

The Victorian Government should develop a dedicated Hate Crime Prevention Strategy that addresses the full spectrum of prevention needs identified in the gap analysis: legislative response, police capability, victim support, offender intervention, community mobilisation, and digital safety. The strategy should be grounded in protective intelligence principles — using early identification of risk and behavioural

escalation patterns to drive prevention rather than reactive legislative and policing measures alone. The strategy should be typology-aware, explicitly addressing the different prevention approaches required for thrill-seeking, defensive, retaliatory, mission-driven, and intrafamilial offending. This will address the foundational absence of any prevention doctrine in Victoria that goes beyond legislative enforcement and policing capability.

Responsible party: Department of Justice and Community Safety, in partnership with Victoria Police and LGBTIQ+ community organisations.

Rec 3.2 — Fund dedicated hate crime diversion and early-intervention programs in Victoria

Victoria should fund the development and pilot of a hate crime-specific diversion and early-intervention program, with distinct streams for thrill-seeking and non-grievance-based offenders (who respond to social deterrents), and separate streams for grievance-based, defensive, and mission-driven offenders (for whom social deterrence is ineffective or counterproductive). Programs should incorporate cognitive-behavioural intervention, prosocial network development, and, where appropriate, restorative approaches. The program should be subject to independent evaluation. This will fill the critical gap identified in the gap analysis: current prevention initiatives address neither offenders nor individuals at risk of offending, leaving the primary actors in hate crime effectively outside the scope of any prevention response.

Responsible party: Department of Justice and Community Safety / Corrections Victoria, in partnership with specialist community organisations.

Rec 3.3 — Build community capability to identify, record, and respond to hate-motivated behaviours

Victoria should fund a structured program to build community capacity to recognise hate-motivated behaviours, document incidents accurately, and engage with reporting and support pathways. The program should be delivered through trusted LGBTIQ+ community organisations and should include training in recognising coded hostility and online-to-offline escalation, third-party reporting mechanisms, and warm referral to specialist services. This will address the documented gap in community-level prevention infrastructure, placing informed community actors as the first line of detection and response — particularly for the low-level, non-reported incidents that form the majority of hate crime experience and that current systems cannot reach.

Responsible party: Department of Families, Fairness and Housing, in partnership with LGBTIQ+ peak bodies and community organisations.

Rec 3.4 — Establish dedicated victim support services for LGBTIQ+ hate crime victims in Victoria

Victoria should fund dedicated, trauma-informed, identity-affirming victim support services specifically for LGBTIQ+ hate crime victims, distinct from general victim services and from LGBTIQ+ health and wellbeing services. Services should provide crisis support, counselling, legal assistance, safety planning, and digital safety guidance. They should be accessible to all LGBTIQ+ sub-communities, including those with intersecting vulnerabilities, and should integrate with warm-referral pathways from police, health, and community services. This will address the structural absence of hate-crime-specific victim support that currently leaves victims either without support or reliant on generic services that cannot address the identity-targeted nature of the harm they have experienced.

Responsible party: Department of Families, Fairness and Housing, in partnership with LGBTIQ+ specialist service providers.

ToR 4:

“Existing public and online safety initiatives supporting LGBTIQ+ community members who have experienced hate crimes, including how these supports could be strengthened;”

Currently there are no specific hate crime public and online safety initiatives that directly support hate Crime victims from the LGBTIQ+ community. The current safety initiatives are generic, and do not offer specialised support for victims of hate crimes. The eSafety Commissioner provides a reporting mechanism and assistance removing offensive materials, as well victim support for non-consensual image sharing. Additionally, the eSafety Commissioner offers tech-based abuse resourced and online safety education and best practice frameworks. Whilst there is some utility in this for hate-motivated abuse and harassment, the services are limited in addressing the harm caused by hate crimes. LGBTIQ+ Health Australis is the national peak body providing health-related programs and research for the LGBTIQ+ community, but as with the eSafety Commissioner there is no dedicated hate-crime related support services. Finally, there are general public-safety and victim support services which again do not specialise in hate crimes.

There are extremely limited support networks that can assist victims of hate crimes. The space around safety initiatives is lacking in several key areas:

- (1) Trauma informed hate crime specific support networks
- (2) Third party reporting capabilities
- (3) Structured referral pathways between community organisations and police for hate crime victims.
- (4) Limited funding for digital safety programs tailored to LGBTIQ+ people

Gaps in Current Support and Safety Initiatives for Hate Crime Victims

The current initiatives, while providing some level of support, do not adequately address the specific needs of hate crime victims, including those from the LGBTIQ+ community. These initiatives are not tailored to the unique dynamics and impacts faced by victims of hate crimes.

Evidence from research (Chakraborti, 2025; Lu, 2024; Benier, 2017; Holder, 2024; Perry & Alvi, 2012; Brunton-Smith, Jolliffe & Garland, 2025; Iganski & Lagou, 2014; Williams & Tregidga, 2014; Fetzer & Pezzella, 2016) demonstrates that hate crime victims experience greater physical and psychological harm compared to victims of other crimes. These harms are compounded by identity-targeted hostility, the risk of repeat victimisation, and the broader impacts on affected communities. Despite this, current initiatives fail to acknowledge or address this additional layer of harm.

Reporting pathways for hate crime victims remain fragmented, often requiring individuals to navigate multiple and uncoordinated systems. Available support services are not consistently trauma-informed or culturally safe, particularly for transgender, gender diverse, intersex, or Rainbow Mob communities. Furthermore, there is a lack of doctrinal integration between online safety, public safety, and hate crime policing. The absence of a protective-intelligence capability means that coordinated online mobilisation and its associated risks are not being proactively detected or addressed.

Strengthening Public and Online Safety Initiatives: An Integrated Framework

The gaps identified above are not discrete failures in otherwise functional systems. They reflect a single structural problem: Australia's public and online safety architecture was not designed for hate crime. It was designed for general victimisation, with some digital safety overlays added in response to the growth of online harm. Hate crime is a categorically different problem — identity-targeted, community-radiating, online-offline continuous, and requiring a victim-centred response that is simultaneously trauma-informed, culturally safe, and intelligence-aware. Nothing in the current landscape combines all of these properties. The result is that LGBTIQ+ hate crime victims encounter a system that is fragmented at precisely the points where coherence matters most: reporting, triage, referral, support, and safety planning.

What is required is not more initiatives but a different architecture — one that connects existing elements into a coherent system and fills the specific structural gaps that no current initiative addresses. The following analysis identifies four priority domains where that architectural work is most urgent: the digital safety pathway, the protective intelligence function, the victim support framework, and the training and capability pipeline. Each domain is examined in terms of what is currently absent, why that absence matters, and what a well-designed response would require.

1. The Digital Safety Pathway Gap

Online hate is not a precursor to hate crime. For many LGBTIQ+ victims it is the primary form of hate crime they experience, and it is the form least served by current safety initiatives. The eSafety Commissioner provides a complaints mechanism and content removal assistance, but these are reactive tools — they respond to specific pieces of content after harm has occurred. They do not address coordinated targeting campaigns, doxxing, sustained harassment, or the transition from online hostility to credible threat. LGBTIQ+ Health Australia provides health-related programs without a hate crime specific mandate. General victim services do not routinely engage with digital harm at all. The result is that a victim experiencing a coordinated online hate campaign — one of the most common forms of anti-LGBTIQ+ harm documented by the eSafety Commissioner — has no single, competent, coordinated place to go.

The pathway gap has three dimensions. The first is structural: there is no single-entry point that connects a LGBTIQ+ hate crime victim experiencing online harm to the full range of responses they may need — police, eSafety, platform Trust and Safety teams, legal support, and community services. Victims must navigate each of these separately, with no warm-referral handover between them. The second is competency: the current digital safety landscape is not hate-crime-aware. Practitioners who handle online safety cases are not routinely trained in typology logic, bias-indicator recognition, or the escalation pathways from online hostility to physical harm. The third is community reach: specialist digital safety support is least accessible to the sub-communities with the highest exposure — transgender and gender diverse people, Rainbow Mob members, and LGBTIQ+ people from multicultural and multifaith communities. Community-embedded digital safety officers, resourced to operate where mainstream services do not reach, are the structural response to this third dimension.

2. The Protective Intelligence Function

The absence of a protective intelligence function within Victoria Police's hate crime response is the single most significant gap in the current public safety architecture. Every other element of this submission's recommended response architecture depends, at some point, on pre-incident intelligence: knowing which actors are escalating, which communities are being targeted, which online campaigns are transitioning toward physical threat. Without that function, the system is structurally reactive — it identifies harm after

it has occurred, investigates it, and prosecutes where possible. The harm to the primary victim, and the ripple effect of that harm to the broader community, is already done.

A protective intelligence function does not require new investigative powers. It requires the systematic application of structured assessment — using the indicators, behavioural patterns, and escalation signals already visible in police records, community reports, and open-source digital environments — to identify risk before it materialises. It requires a mechanism for sharing that intelligence with community organisations, health services, and relevant agencies so that the community has the situational awareness to take protective action. And it requires that the function be embedded within the recommended Hate Crime Unit rather than sitting in a general intelligence command with no hate crime expertise, so that the assessors understand the typology logic, the escalation geometries, and the online-to-offline dynamics that make hate crime intelligence different from general crime intelligence.

The protective intelligence function also addresses the recording and data quality problem from a different angle. One reason hate crime is under-recorded is that investigators do not recognise it. A dedicated intelligence function that is actively monitoring the hate crime threat environment develops, over time, a picture of patterns, actors, and community dynamics that feeds back into investigative capacity — helping frontline officers recognise what they are looking at when they attend an incident. Intelligence and recording are mutually reinforcing when they are connected by doctrine. They are mutually reinforcing in their failure when they are not.

3. The Victim Support Framework

The research evidence is unambiguous: hate crime victims experience significantly greater psychological harm than victims of comparable non-bias-motivated offences (Chakraborti, 2025; Brunton-Smith, Jolliffe and Garland, 2025; Iganski and Lagou, 2014; Lu, 2024). This elevated harm is a direct product of the identity-targeted nature of the assault — the harm attaches to the victim’s ongoing sense of safety in any environment where their identity is visible, producing chronic hypervigilance, withdrawal from community participation, and elevated rates of anxiety and depression. General victim services are not designed to address this harm profile. They are designed for the aftermath of crime. They do not engage with the identity dimension of hate crime harm, do not address the community-level ripple effect, and are not consistently accessible to sub-communities with intersecting vulnerabilities.

A statewide trauma-informed hate crime support framework is needed not to replace existing services but to organise them into a coherent model of care with clear roles, warm-referral pathways, and a shared understanding of the hate crime harm profile. The framework must address the full spectrum of victim need: crisis response in the immediate aftermath; counselling that is identity-affirming and hate-crime-aware rather than generic trauma counselling; legal assistance that includes both criminal justice navigation and civil options such as hate crime prevention orders; safety planning that draws on the safety mapping principles in HCTM-26 rather than assuming a public-sphere risk environment; and digital safety guidance as a standard component of every engagement. The framework must also be designed to reach victims who do not present to mainstream services — which means community-embedded delivery, third-party reporting mechanisms, and culturally safe provision for Rainbow Mob members, people with disability, and LGBTIQ+ people from multicultural and multifaith communities.

The warm-referral model deserves specific emphasis. One of the most consistent findings in hate crime victim support research is that formal referral — being told to contact another service — produces low uptake, particularly among communities with existing reasons to distrust institutions. Warm referral means

a supported, guided handover: the practitioner making contact with the receiving service on behalf of the victim, with the victim's consent, and facilitating the transition rather than leaving the victim to navigate it alone. This requires formalised information-sharing agreements between police, health, education, and community services, and mandated warm-referral protocols rather than the ad hoc arrangements that currently constitute the default.

4. Training, Recording, and the Integration Gap

The training gap across ToR 4 is not the same as the training gap in ToR 2 or ToR 8. ToR 2 addresses typology-aware investigative training. ToR 8 addresses the prosecutor and judicial education pipeline. The training gap relevant to ToR 4 sits in the frontline response to victims: in the moment when a police officer, paramedic, emergency department clinician, school counsellor, or community worker first encounters a LGBTIQ+ hate crime victim and either creates a pathway to support or closes one. It is at this moment that secondary victimisation most often occurs, and at this moment that the recording decision is made that will determine whether the incident exists in any dataset at all.

Standardised hate crime classification and data collection across police, justice, health, and community services is a prerequisite for any of the other public safety initiatives to function. Without consistent recording of bias indicators — including online and offline linkages, repeat victimisation patterns, and protected characteristic information — the intelligence function has no data to analyse, the support framework has no way of identifying patterns of need, and the digital safety pathway has no mechanism for recognising when an individual case is part of a coordinated targeting campaign. Recording is not an administrative function. It is the foundation of the entire response architecture. That it is currently inconsistent, under-mandated, and structurally disincentivised — as established in the ToR 6 analysis — means that every other initiative in this space is operating with an incomplete and unreliable evidence base.

Mandatory training for frontline police, prosecutors, and community frontline workers on hate crime dynamics — including identity-based trauma, online-to-offline escalation, early-indicator recognition, and LGBTIQ+ cultural safety with specific trans and gender diverse modules — must be treated as a system-level investment rather than a compliance exercise. The training only produces the desired outcome if it changes the recording behaviour, the referral behaviour, and the victim engagement behaviour of the practitioners who receive it. That means training must be linked to accountability measures: public reporting on completion rates, independent review of recording practices, and a complaints mechanism with teeth for victims who experience secondary victimisation.

Recommendations

The following three recommendations address the gaps in public and online safety initiatives for LGBTIQ+ hate crime victims identified in the analysis above. Each recommendation includes an action, the specific change required, the intended outcome, and the responsible party.

Rec 4.1 — Establish a dedicated LGBTIQ+ Hate Crime Digital Safety Pathway in Victoria

Victoria should fund and establish a single, state-endorsed reporting and support pathway for LGBTIQ+ people experiencing online hate, targeted harassment, doxxing, and coordinated hostility. The pathway should integrate triage with Victoria Police, the eSafety Commissioner, and platform Trust and Safety teams to ensure rapid escalation and victim-centred responses. All interactions should be trauma-informed and identity-affirming. The pathway should be accessible to all LGBTIQ+ sub-communities, including those with intersecting vulnerabilities, and should connect to broader hate crime support services. This will address the documented absence of a coherent, integrated digital safety response for LGBTIQ+ hate crime

victims, replacing the current fragmented landscape in which victims must navigate multiple uncoordinated systems.

Responsible party: Department of Justice and Community Safety / eSafety Commissioner, in partnership with Victoria Police and LGBTIQ+ community organisations.

Rec 4.2 — Develop a Protective Intelligence capability within Victoria Police dedicated to hate-motivated threats against LGBTIQ+ communities

Victoria Police should establish a dedicated protective intelligence function within the recommended Hate Crime Unit, specifically tasked with monitoring online mobilisation, leakage indicators, grievance-based recruitment, and coordinated targeting of LGBTIQ+ communities. This function should operate within the Hate Crime Threat Management Framework, using structured assessment to prioritise threats and produce actionable intelligence. It should share threat environment briefings with community organisations, health services, and relevant state agencies on a regular cycle, and should develop escalation protocols for cases transitioning from online hostility to imminent physical threat. This will create the pre-incident visibility currently absent from Victoria’s hate crime response — enabling intervention before harm rather than investigation after it.

Responsible party: Victoria Police Hate Crime Unit / Victoria Police Intelligence Command.

Rec 4.3 — Develop and implement a statewide trauma-informed hate crime support framework for LGBTIQ+ victims

Victoria should develop a unified, statewide model of care for LGBTIQ+ hate crime victim-survivors that integrates crisis response, counselling, legal assistance, safety planning, and digital safety support within a single coherent framework. The model should be trauma-informed and identity-affirming across all LGBTIQ+ sub-communities, with specific provisions for victims with intersecting vulnerabilities including disability, cultural and linguistic diversity, and Aboriginal and Torres Strait Islander identity. Warm-referral pathways should be formalised between police, health, education, and community services, ensuring that victims are actively supported through service transitions rather than left to navigate referrals independently. This will replace the current fragmented, gap-ridden landscape of generic support services with a coherent, victim-centred response architecture specifically calibrated to the identity-targeted nature of hate crime harm.

Responsible party: Department of Families, Fairness and Housing / Department of Justice and Community Safety, in partnership with LGBTIQ+ specialist service providers and victim support organisations.

ToR 5:

“The role and responsibilities of social media and digital platform owners in preventing and responding to anti-LGBTIQ+ hate crimes;”

Social media and digital platforms have both a role and a responsibility to prevent and respond to anti-LGBTIQ+ hate crimes. In *Hate of the Nation — A Landscape Mapping of Observable, Plausibly Hateful Speech on Social Media* (Institute for Strategic Dialogue, 2023), a review of 3,140,324 social media messages containing any of 334 hate-associated keywords found 422,681 classified as plausibly hateful. The nature of hate speech differed sharply across platforms, with 4chan exhibiting an extremely high proportion of hateful content, normalised slurs, and evidence of more explicit violence, while mainstream platforms such as Facebook, Instagram and X (formerly Twitter) exhibited more ambiguous hate — slurs, conspiracy

theories, dehumanising rhetoric, and anti-immigrant narratives. eSafety Commissioner research shows that LGBTIQ+ people experience online hate at more than double the national average. Because this activity occurs on their infrastructure, platforms have a direct role and responsibility in combatting its spread.

The Role of Platforms

Platforms are not passive conduits. Through algorithmic amplification, recommendation systems, and engagement-driven design, they actively shape the environment in which anti-LGBTIQ+ hostility forms, consolidates, and mobilises. Four interlocking functions define their role:

- Amplifiers — algorithms determine what gains reach; hostile content is often more engaging and therefore disproportionately amplified.
- Aggregators — platforms connect like-minded individuals, enabling grievance-based mobilisation and echo chambers.
- Intermediaries — platforms host the communications, coordination, and reconnaissance activity of offenders across all typologies.
- First Observers — platforms see leakage, fixation, grievance-building, and identity-threat narratives at a scale and in a form no law enforcement agency can match.

The first observer function is the most under-utilised in current regulatory thinking. Platforms have pre-incident visibility that police obtain only post-offence. This visibility is the operational foundation on which the protective-intelligence approach outlined in ToR 2 and ToR 4 depends.

The Responsibilities of Platforms

Responsibilities should be formalised across four pillars:

- Duty of Care — a positive obligation to design and operate platforms in ways that do not foreseeably amplify hate-motivated harm.
- Duty to Detect — obligations covering coded hostility, dog whistling, coordinated inauthentic behaviour, and escalation indicators.
- Duty to Disclose — transparency on algorithmic amplification, moderation outcomes, and threat-environment data.
- Duty to Cooperate — binding engagement with law enforcement, protective-intelligence functions, and victim support services.

New Strategies

The following ten strategies are each anchored to the six-layer mitigation framework, offender typology logic, and gap analysis established earlier in this submission. They are not a parallel regulatory agenda; they are the digital expression of the same threat-management doctrine.

1. Algorithmic Amplification Liability

Current law treats platforms as intermediaries for content they host. When an algorithm selects, ranks, and promotes content, the platform is acting as a distributor, not a host. A new liability standard should attach

to amplification, not merely content. This shifts regulatory focus from moderation (which platforms are incentivised to minimise) to amplification (the actual engine of online hate).

Framework anchors: The framework layers; responds to all offender typologies (amplification is upstream of all); closes Gap 2 (Legislative Fragmentation) and Gap 8 (Online Hate Not Integrated); operationalises the Toynbee/Maslow framing in ToR 1 — platforms are currently monetising the grievance-mobilisation dynamic identified as the engine of hate crime recruitment.

2. Mandatory Protective-Intelligence Signal Reporting

Platforms should be required to share specific pre-incident signal categories with a designated hate crime protective-intelligence function:

- Coordinated inauthentic behaviour targeting LGBTIQ+ individuals, venues, or events.
- Leakage indicators consistent with mission-type offending (manifesto drafting, weapon discussion paired with targeting narratives, reconnaissance posting).
- Coordinated doxxing, brigading, or mobilisation campaigns.
- Cross-platform migration patterns (mainstream → fringe → encrypted) that signal radicalisation pathways.

This is targeted threat-signal reporting — not mass surveillance — equivalent to suspicious-matter reporting in financial intelligence regimes.

Framework anchors: Framework layers; directly addresses Mission, Defensive and Retaliatory typologies; closes Gap 5 (Protective-Intelligence Integration); feeds directly into the specialist hate-crime coordination unit proposed in the Executive Summary and the protective-intelligence capability in ToR 4 (Strengthening Approach #2).

3. Coded Hostility and Dog Whistle Detection Standards

Keyword and policy-violation detection fail against the coded hostility that dominates anti-LGBTIQ+ content. Regulators should set minimum standards for context-aware detection, with independent auditing of false-negative rates. A platform that cannot detect coded hostility has not met its content moderation obligations — regardless of how many overt slurs it removes.

Framework anchors: Developed mitigation and intervention framework layers address Thrill-seeking, Defensive and Mission typologies; closes Gap 8 and Gap 10 (Evaluation & Transparency); directly operationalises the "coded hostility" and "dog whistling" behavioural framework identified in ToR 1.

4. Evidence Preservation by Default

Platforms routinely remove hate content before it can be preserved, destroying investigative leads. A mandatory preservation regime should require retention of removed hate-related content in a law-enforcement-accessible archive for a prescribed minimum period, with chain-of-custody integrity suitable for prosecution.

Framework anchors: Framework layers; supports investigation of all typologies; closes Gap 4 (Under-Recording & Data Fragmentation); supports the Executive Summary recommendation for standardised recording, flagging, and review protocols.

5. Pre-Launch Hate Crime Risk Assessment

Every new platform feature — anonymous posting, ephemeral content, group invitations, livestream tools, AI-generated content — creates new hate crime attack surfaces. Platforms should be required to conduct and publish a Hate Crime Risk Assessment for any significant feature change, identifying targeting, harassment, coordination, and reconnaissance vectors against protected groups, and the mitigations built in.

Framework anchors: Framework layers extend into digital architecture — platform features are the digital equivalent of physical environment risk factors assessed within the framework.

6. Structured Victim Pathway Integration

Reporting flows currently return victims to the feed that harmed them. Platforms should be required to integrate reporting pathways with state and community victim support services, offering warm referrals (with consent) to specialised LGBTIQ+ hate crime support. The reporting experience itself is a point of secondary victimisation that platforms presently ignore.

Framework anchors: Framework layers; recognise the intrafamilial profile identified in ToR 2 (coercive digital control within closed kinship systems); closes Gap 6 (Intrafamilial Blind Spot) and Gap 7 (Community Mobilisation); operationalises ToR 4 Strengthening Approaches #1 (Digital Safety Pathway) and #6 (Trauma-Informed Support Framework).

7. Youth-Facing Protections Aligned to Offender Typology

Thrill-seeking offenders — the most common typology targeting the LGBTIQ+ community — are disproportionately young, opportunistic, and peer-driven. Platform obligations toward minors rarely address the platform's role in enabling thrill-seeking hate behaviour: group-chat coordination of harassment, challenge-based targeting content, humour-framed hostility. Regulators should require design features that disrupt peer-based hate coordination among young users, including friction on group-coordinated targeting and detection of escalating peer hostility.

Framework anchors: Framework layers; directly target the Thrill-seeking typology identified in ToR 2 as the dominant LGBTIQ+-targeting profile; closes Gap 9 (Training & Capability); supports ToR 4 Strengthening Approach #7 (Early-Intervention Programs).

8. Cross-Platform Intelligence Coordination

Hate actors recruit on mainstream platforms, migrate to fringe platforms, coordinate on encrypted services, and return to mainstream platforms to target. A statutorily backed cross-platform coordination body should track this migration and share de-identified threat intelligence between platforms and law enforcement. No single platform has the full picture; regulation should reflect that.

Framework anchors: Framework layers; addresses Mission and Defensive typologies (recruitment pathways); closes Gap 1 (National Doctrine) and Gap 5 (Protective Intelligence); directly supports the Executive Summary recommendation for a specialist hate-crime coordination unit with analytical functions.

9. Disaggregated Transparency Reporting

Broad transparency reports obscure specific harms. A mandatory disaggregated reporting standard should require quarterly public reporting on anti-LGBTIQ+ hate content specifically — prevalence trends, moderation response times, algorithmic amplification metrics, cross-platform origin analysis — so that

harm against this community can be independently tracked rather than averaged into generic "hate speech" totals.

Framework anchors: Framework layers; supports response to all typologies through improved evidence base; closes Gap 4 (Data Fragmentation) and Gap 10 (Evaluation & Transparency); supports the Executive Summary recommendation for standardised recording and review.

10. Researcher and Civil Society Data Access

Independent oversight is impossible without data access. Following the model of the EU Digital Services Act, accredited researchers and LGBTIQ+ civil society organisations should be granted structured access to platform data for independent research, auditing, and evidence-based advocacy.

Framework anchors: Framework layers; supports response to all typologies through independent evidence development; closes Gap 7 (Community Mobilisation) and Gap 10 (Evaluation); operationalises ToR 4 Strengthening Approach #8 (Community Mobilisation Partnerships).

Coherence with the Overall Framework

The ten strategies above are not a separate regulatory agenda. They are the digital expression of the same six-layer mitigation framework, typology-specific response logic, and protective-intelligence doctrine articulated throughout this submission. The table below maps each strategy against the submission's core structural elements.

Four coherence themes run through this mapping:

The six-layer framework is the spine. Every strategy sits inside one or more of the six mitigation layers from ToR 2. The digital domain is not a separate problem; it is a vector across all six layers, reflecting the submission's position that platforms must be integrated into cross-agency structures rather than treated as external actors.

The typology logic carries through. The ToR 2 argument is that a one-size-fits-all response fails because each typology has different drivers. The platform-regulation strategies apply the same logic. Thrill-seeking — the dominant LGBTIQ+-targeting typology — is addressed through coded hostility detection and youth-design interventions that target peer coordination, low inhibition, and status-driven dynamics. Mission offenders, with the highest lethality potential, are addressed through leakage detection, manifesto and reconnaissance signal reporting, and cross-platform migration tracking. Defensive and Retaliatory offenders are addressed through grievance-based mobilisation detection. Intrafamilial offenders are addressed through victim pathway integration that recognises coercive digital control as part of the intrafamilial profile.

The protective-intelligence thesis is consistent. The submission's central operational argument is that protective intelligence must precede investigative response. Strategies 2, 4, 5 and 8 all operationalise the "identify hostility before it becomes harm" principle, with platforms positioned as first observers — the upstream visibility point that the framework advanced in this submission depends on to function.

The gap analysis is answered. The ToR 3 gap analysis identified ten gaps. These strategies close or contribute to closing eight directly: Gap 1 (Strategies 5, 8), Gap 2 (Strategy 1), Gap 4 (Strategies 4, 9), Gap 5 (Strategies 2, 8), Gap 6 (Strategy 6), Gap 7 (Strategies 6, 10), Gap 8 (Strategies 1, 2, 3, 5), and Gap 10

(Strategies 3, 9, 10). Gaps 3 (Police Capability) and 9 (Training) are appropriately addressed through other ToRs.

Closing Point

Platforms currently operate under a compliance model — doing the minimum required by inconsistent, jurisdiction-specific rules. The shift required is to a duty of care model, where platforms are accountable for the foreseeable harms produced by their design choices, not merely for how they respond to individual pieces of content after harm has occurred. Treating platform obligations as a native extension of the hate-crime threat-management framework advanced throughout this submission — rather than as a distinct "online safety" workstream — is essential to the coherence and effectiveness of any national response.

Recommendations

The following three recommendations formalise the responsibilities of social media and digital platform owners in preventing and responding to anti-LGBTIQ+ hate crimes, drawn from the ten strategies and gap analysis above. Each recommendation includes an action, the specific change required, the intended outcome, and the responsible party.

Rec 5.1 — Introduce algorithmic amplification liability and a duty of care standard for digital platforms operating in Australia

Victoria should advocate to the Commonwealth for legislative reform that shifts the legal standard for digital platforms from a content-hosting liability model to a duty of care model, under which platforms are accountable for foreseeable harms produced by their design choices — including algorithmic amplification of anti-LGBTIQ+ hostility. The reform should attach liability to the act of amplification, not merely the hosting of content, and should require platforms to conduct and publish hate crime risk assessments prior to launching or significantly modifying recommendation systems. Transparency reporting, disaggregated by protected characteristic, should be mandatory. This will shift the regulatory incentive structure from minimising moderation cost to actively preventing foreseeable amplification-driven harm, addressing the foundational mechanism by which anti-LGBTIQ+ hostility currently achieves reach it could not achieve without platform assistance.

Responsible party: Victorian Attorney-General, advocating via the Commonwealth; Commonwealth Attorney-General's Department / eSafety Commissioner to lead.

Rec 5.2 — Require platforms to share protective intelligence signals with designated hate crime law enforcement functions

Commonwealth legislation should require digital platforms to share specified pre-incident signal categories with a designated hate crime protective intelligence function — specifically, coordinated inauthentic behaviour targeting LGBTIQ+ individuals or events; leakage indicators consistent with mission-type offending; coordinated doxxing or brigading campaigns; and cross-platform migration patterns indicating radicalisation pathways. This obligation should be framed as targeted threat-signal reporting, equivalent to suspicious matter reporting in financial intelligence regimes, and should be subject to clear handling protocols and oversight. This will operationalise the platforms' 'first observer' function — converting their unique pre-incident visibility into actionable protective intelligence that enables intervention before physical harm occurs, in direct support of the Victoria Police Hate Crime Unit's protective intelligence capability.

Responsible party: Commonwealth Attorney-General's Department / eSafety Commissioner, in partnership with Victoria Police and state and territory law enforcement agencies.

Rec 5.3 — Mandate evidence preservation by default for hate-related content removed by platforms

Commonwealth legislation should require digital platforms to retain, in a law-enforcement-accessible archive with chain-of-custody integrity, all hate-related content removed from their platforms for a minimum prescribed period before deletion. Retention should apply to content removed under hate speech and hate crime policies and should be maintained in a format suitable for use as evidence in criminal proceedings. Access protocols and minimum data standards should be developed in consultation with law enforcement agencies. This will close the critical investigative gap created by current platform practice of removing hate content before it can be preserved — ensuring that the digital evidence base for hate crime prosecution is not systematically destroyed by the same platforms that hosted it.

Responsible party: Commonwealth Attorney-General's Department / eSafety Commissioner, in partnership with Victoria Police and state and territory law enforcement agencies.

ToR 6:

“Existing empirical data regarding the prevalence and trends of anti-LGBTIQ+ hate crimes Australia-wide:”

There are several issues that plague hate crime data in Australia, and in fact globally. The first is under-reporting. There are multiple factors that cause victims not to report hate crimes to authorities or even to support agencies. These include:

- Embarrassment
- Fear of being outed
- Previous negative experiences with police
- Fear of the police
- Cultural/social pressures
- Lack of awareness of reporting mechanisms
- Rationalisation that they weren't a victim of hate crime
- Difficulty in reporting (language, accessibility)
- Acceptance they will always be a victim

Alongside under-reporting, is the very real issues of under-identification or misidentification by policing agencies. Although hate crimes have been a part of research since the 1980's, the concept of hate crimes for law enforcement agencies only surfaced in the early 2000's. The NSWPF first established the role of Hate Crime Coordinator in 2007. In the last decade, the issues of hate crime within law enforcement agencies have started to be seen as a policing issue and strides forward have been made with several jurisdictions including, Victoria Police, West Australian Police and Queensland Police Service. Despite the increased profile of hate crimes within law enforcement agencies, the presence of dedicated hate crime training and awareness is still minimal. The NSW Police Force has recently developed and rolled out a hate crime training course with the assistance of University of Technology Sydney. The lack of awareness of hate crimes, greatly increases the risk that hate crimes and hate incidents reported to police will not be identified as a hate crime and/or recorded as such. Associated with the under-identification, is the issues of

misidentification. Misidentification includes the failure to identify a report was hate-motivated, but also includes, failing to record it as a hate crime and incorrectly recording the victim group.

Identified in ToR 2 is the concept of intrafamilial hate crime. This category is routinely mis-identified and as such the concept is rarely spoken about but the impacts on the victims, families and community are devastating. The failings in recording are generally not out of malice towards a victim community, but out of a lacking understanding what hate crimes are, the impact they have on the victims and communities, and the importance of correct identification and recording.

Another issue that impacts the existing empirical data is the multiple definitions that are used. The term hate crime alone is a contentious one, with hate crimes being known as bias crimes, bias motivated crimes and prejudice-motivate crimes. On top of this confusion about what to call them, is the other point of contention, who is actually protected by hate crime laws (who are the protected categories). Globally, the definitions of protected categories change across borders and jurisdictions. In Australia, like most of the rest world, there is no one agreed on definition. The following tables show both legislative and policing definitions for protected categories. As can be seen, although similar, there are differences in both legislation and policing definitions of a protected category, even within the same jurisdiction.

Australian Hate Crime Law — Jurisdictional Comparison

Criminal aggravation (sentencing) provisions and vilification / hate-speech offences, including protected categories.

Current as of April 2026

Jurisdiction	Criminal Aggravation (Sentencing)	Vilification / Hate-Speech Offence	Protected Attributes	Notes / Recent Reforms
Commonwealth	No free-standing general aggravation provision in Commonwealth sentencing law. The Combatting Antisemitism, Hate and Extremism Bill 2026 (Cth) proposes a new general sentencing principle requiring courts to treat hate motivation as an aggravating factor for federal offences; the Bill also elevates maximum penalties for the core urging-violence offences and creates an aggravated form.	Criminal Code Act 1995 (Cth) Div 80 — ss 80.2A (urging violence against groups) and 80.2B (urging violence against members of groups); s 80.2H (advocating genocide). Fault extended from intent to recklessness. Current maximum 5 years (7 if peace, order and good government of the Commonwealth threatened); proposed 7 / 10 / 12 years under the 2026 Bill.	Race, religion, nationality, national or ethnic origin, political opinion, sex, sexual orientation, gender identity, intersex status, and disability (as expanded by the Criminal Code Amendment (Hate Crimes) Act 2025).	Combatting Antisemitism, Hate and Extremism Bill 2026 (exposure draft Jan 2026) proposes: new aggravated offence (max 10–12 yrs), visa cancellation powers, firearms amendments, and a general hate-motivation sentencing principle.
New South Wales	Crimes (Sentencing Procedure) Act 1999 (NSW) s 21A(2)(h) — aggravating factor where the offence was wholly or partly motivated by hatred for or prejudice against a group of people to which the offender believed the victim belonged. The listed categories are illustrative, not exhaustive.	Crimes Act 1900 (NSW) s 93Z — publicly threatening or inciting violence on the specified grounds. Intentionally or recklessly committed. Maximum penalty: 3 years imprisonment and/or fine (individual \$11,000; corporation \$55,000). DPP no longer required to consent (streamlined 2023).	s 21A(2)(h) — religion, racial or ethnic origin, language, gender identity, sexual orientation, age, variations of sex characteristics, disability (non-exhaustive). s 93Z — race, specific religious belief or affiliation, sexual orientation, gender identity, intersex status, HIV/AIDS status.	NSW Police Force operates a dedicated Hate Crime Unit within the Engagement and Hate Crime Command. Further aggravation and serious-vilification reforms under consideration in line with Commonwealth 2026 Bill.
Victoria	Sentencing Act 1991 (Vic) s 5(2)(daaa) — in sentencing, the court must have regard to whether the offence was motivated (wholly or partly) by hatred for or prejudice against a group of people with common characteristics with which the victim was associated, or	Justice Legislation Amendment (Anti-vilification and Social Cohesion) Act 2025 (Vic) (commenced 20 Sep 2025) — two new Crimes Act offences: (1) serious vilification by incitement (max 3 yrs) and (2) serious vilification by threat (max 5 yrs). Applies in public, private, or online; covers mistaken	Race, religious belief or activity, disability, gender identity, sex, sex characteristic, sexual orientation, and personal association with a person identified by any of the above attributes.	2025 reform directly responds to the Parliamentary Inquiry into Anti-Vilification Protections. The current (April 2026) Parliamentary Inquiry into Anti-LGBTIQ+ Hate Crimes is considering further operational reforms.

Jurisdiction	Criminal Aggravation (Sentencing)	Vilification / Hate-Speech Offence	Protected Attributes	Notes / Recent Reforms
	with which the offender believed the victim was associated.	attribution. Repealed and replaced the Racial and Religious Tolerance Act 2001.		
Queensland	Criminal Code Act 1899 (Qld) s 52B — ‘circumstance of aggravation’ where the offender was wholly or partly motivated by hatred or serious contempt for a person or group based on the relevant protected characteristic. Applied to common assault, going armed so as to cause fear, threatening violence, AOBH, wilful damage, trespass, and public nuisance.	Criminal Code s 52A — serious vilification (relocated from s 131A of the Anti-Discrimination Act 1991 by the 2023 Act; maximum penalty lifted from 6 months to 3 years). s 52C — display or distribution of prohibited symbols representing an ideology of extreme prejudice (e.g. Nazi symbols, ISIS flag).	Race, religion, sexuality, sex characteristics, and gender identity (under ss 52A–52B). Protections for ‘sex characteristics’ took effect 29 April 2024.	Criminal Code (Serious Vilification and Hate Crimes) and Other Legislation Amendment Act 2023; Fighting Antisemitism and Keeping Guns out of the Hands of Terrorists and Criminals Amendment Act 2026 (commenced 11 March 2026) — expands religious-premises offences, tightens prohibited-symbol regime, and makes firearms-licensing changes.
Western Australia	No general hate-motivation aggravating factor in the Sentencing Act 1995 (WA). Instead, Chapter XI of the Criminal Code contains racially aggravated versions of common offences (e.g. ss 80A–80H) carrying enhanced statutory maxima (penalty-enhancement model derived from the UK Crime and Disorder Act 1998).	Criminal Code 1913 (WA) ss 77–78 — conduct intended (s 77, max 14 yrs) or likely (s 78, max 5 yrs) to incite racial animosity or racist harassment. ss 79–80 — possession of threatening/abusive material with intent to (or likely to) incite racial animosity (max 14 yrs / 5 yrs). Prosecution requires the consent of the DPP.	Race only (defined broadly, encompassing colour, descent, ethnic, national or religious origin of a person or group). ‘Animosity’ = hatred or serious contempt; harass’ = threaten, seriously and substantially abuse, or severely ridicule.	WA Police Force established a dedicated Hate Crime Unit in March 2026. A WA-Government response to racism, antisemitism and Islamophobia (Office of Multicultural Interests) foreshadows consideration of broader vilification reform; currently the narrowest statutory protected-attribute set of any Australian jurisdiction.
South Australia	Sentencing Act 2017 (SA) s 11(1)(ca) — court must take into account whether the offence was wholly or partly motivated by hatred for or prejudice against a group to which the defendant believed the victim belonged.	Racial Vilification Act 1996 (SA) s 4 — incitement of hatred, serious contempt or severe ridicule towards a person or group on the ground of race, by a public act that includes a threat of physical harm (or inciting such threats). Maximum penalty: 3 years imprisonment / \$5,000 fine (individual), \$25,000 (body corporate).	s 11(1)(ca) — race, religion, sex, sexual orientation, gender identity, age, intersex variation, or disability. s 4 Racial Vilification Act — race only.	Broad sentencing aggravation but narrow criminal vilification (race only). Law-reform proposals to extend vilification beyond race (to include religion, sexual orientation, gender identity, disability) remain under consideration.
Tasmania	Sentencing Act 1997 (Tas) s 11B — historically a racially-aggravated factor only. Following the Sentencing Advisory Council’s 2023 review, the Act was	Anti-Discrimination Act 1998 (Tas) s 19 — prohibition of inciting hatred, serious contempt or severe ridicule by a public act (civil / regulatory provision; no stand-alone	s 11B (as amended 2025) — race, religion, sexual orientation, gender identity, disability, sex characteristics. s 19 ADA — race, disability, sexual orientation, lawful sexual activity,	Sentencing Amendment (Hate Crime) Act 2025 (Tas) passed unanimously in the Legislative Council, December 2025. Criminal vilification offence foreshadowed in the Premier’s

Jurisdiction	Criminal Aggravation (Sentencing)	Vilification / Hate-Speech Offence	Protected Attributes	Notes / Recent Reforms
	amended at the end of 2025 to extend s 11B to cover hatred or prejudice based on a broader list of attributes (combined 'motivation + demonstrated hostility' model).	serious-vilification criminal offence in Tasmania as at April 2026).	religious belief or affiliation, religious activity, gender identity, sex characteristics.	November 2024 announcement but not yet enacted.
Australian Capital Territory	No express hate-motivation aggravating factor in the Crimes (Sentencing) Act 2005 (ACT). Courts may nonetheless take motivation into account under the general sentencing factors (nature and circumstances of the offence, offender's motivation).	Criminal Code 2002 (ACT) s 750 — serious vilification: intentionally performing a threatening act that is (recklessly) capable of inciting hatred, revulsion, serious contempt or severe ridicule on the ground of a protected attribute. Maximum penalty: 50 penalty units. Civil vilification under Discrimination Act 1991 (ACT) s 67A.	s 750 — disability, gender identity, HIV/AIDS status, race, religious conviction, sex characteristics, sexuality. Proposed Justice and Community Safety Legislation Amendment Bill 2025 (No 3) would extend s 750 to 'sex' and to personal association with a person having a protected attribute.	ACT review of anti-vilification laws announced 2026 (CMTEDD). ACT is the only jurisdiction without a codified hate-motivation sentencing aggravator — a gap noted in the Commonwealth Parliamentary Joint Committee review.
Northern Territory	Sentencing Act 1995 (NT) s 6A — in determining sentence, the court must have regard to whether the offence was motivated (wholly or partly) by hatred for or prejudice against a group of people to which the offender believed the victim belonged (non-exhaustive list of characteristics).	No free-standing criminal vilification offence currently in force in the NT. The Anti-Discrimination Amendment Bill 2022 proposed civil s 20A (prohibiting public acts reasonably likely to offend, insult, humiliate or intimidate); the current (2025–26) NT Government has indicated narrower scope than originally proposed.	s 6A — race, religion, sex, sexual orientation, gender identity, age, intersex status, disability (illustrative list). Proposed s 20A — broader set of attributes under consideration.	NT Anti-Discrimination Commission publicly opposed aspects of the Commonwealth Combatting Antisemitism, Hate and Extremism Bill 2026 (January 2026). Vilification reform in NT remains the most contested of any Australian jurisdiction.

Primary legislative sources

Commonwealth: Criminal Code Act 1995 (Cth) Div 80; Combatting Antisemitism, Hate and Extremism Bill 2026 (exposure draft).

NSW: Crimes Act 1900 (NSW) s 93Z; Crimes (Sentencing Procedure) Act 1999 (NSW) s 21A(2)(h).

Victoria: Sentencing Act 1991 (Vic) s 5(2)(daaa); Justice Legislation Amendment (Anti-vilification and Social Cohesion) Act 2025 (Vic).

Queensland: Criminal Code Act 1899 (Qld) ss 52A, 52B, 52C; Criminal Code (Serious Vilification and Hate Crimes) and Other Legislation Amendment Act 2023 (Qld); Fighting Antisemitism and Keeping Guns out of the Hands of Terrorists and Criminals Amendment Act 2026 (Qld).

Western Australia: Criminal Code 1913 (WA) ss 77–80H; Sentencing Act 1995 (WA).

South Australia: Racial Vilification Act 1996 (SA); Sentencing Act 2017 (SA) s 11(1)(ca).

Tasmania: Sentencing Act 1997 (Tas) s 11B; Anti-Discrimination Act 1998 (Tas) s 19; Sentencing Amendment (Hate Crime) Act 2025 (Tas).

ACT: Criminal Code 2002 (ACT) s 750; Discrimination Act 1991 (ACT) s 67A; Crimes (Sentencing) Act 2005 (ACT).

Northern Territory: Sentencing Act 1995 (NT) s 6A; Anti-Discrimination Act 1992 (NT) (proposed s 20A).

Note: This table is a working reference. Legislative references should be verified against the in-force consolidations at the time of any operational or advisory use. Vilification and hate-crime law across Australia remains subject to significant reform activity in 2025–2026, at both Commonwealth and State / Territory levels.

Australian Police Agencies — Protected / Bias Categories for Hate-Motivated Crime

Operational recording / bias-motivation categories used by each police service, with notes on publication status.

Current as of April 2026

Police Agency	Dedicated Unit / Framework	Bias / Protected Categories Recognised	Publication Status	Notes
NSW Police Force	Engagement & Hate Crime Unit (Counter Terrorism & Special Tactics Command) — oversees all Police Area Commands and Districts; published NSWPF Guidelines for bias-crime investigation.	Per NSWPF Hate Crime Guidelines, bias crime is a criminal offence motivated (wholly or partly) by the offender’s bias against an individual’s or group’s actual or perceived: race; religion; ethnic / national origin; sex / gender; gender identity; age; disability status; sexual orientation; homelessness status.	Categories published on the NSW Police public website (hate crime categories page) and in academic reviews of the NSWPF Guidelines.	NSW was the first Australian police service to record multiple forms of bias crime (from 1999). Broadest operational bias-category set of any Australian police service. Recent legislation (s 93Z Crimes Act) has also streamlined prosecution.
Victoria Police	Prejudice Motivated Crime (PMC) Strategy — launched 2010; maintained by Priority and Safer Communities Division. PMC reporting resources updated 2024–2025 in response to the Anti-Vilification Inquiry.	Public-facing recognition of: race / nationality / ethnicity / cultural background / language; religion / faith / religious appearance; sex / sex characteristics / intersex status; sexuality / sexual orientation / sexual identity; gender / gender identity; disability; political opinion; homelessness; age. Internal LEAP recording collapses these into six motivation fields: (1) sexuality / gender identity; (2) physical or mental impairment; (3) political beliefs or status; (4) race / ethnicity; (5) religion; (6) other (including homelessness, age, gender).	Both the public-facing list and the six-field LEAP schema are published (force website + CRIS reporting resources).	VicPol is the benchmark jurisdiction for an articulated prejudice-motivated crime strategy. The new serious vilification offences (Crimes Act 1958, as amended Sep 2025) are investigated via the PMC framework rather than a free-standing hate crime unit.

Police Agency	Dedicated Unit / Framework	Bias / Protected Categories Recognised	Publication Status	Notes
Queensland Police Service (QPS)	Multicultural Affairs Unit — Hate Crime portfolio. No stand-alone investigative command; hate crime investigation is distributed across Districts, supported by the Unit for strategy, liaison and training.	QPS Hate Crime brochure and website list: race (including First Nations status, national origin), religion, sexuality, sex characteristics, and gender identity. These mirror the s 52B Criminal Code 1899 (Qld) circumstance-of-aggravation attributes.	Published (QPS public website; QPS 'Hate Crime—Are you aware of the law?' brochure, updated 2025).	QPS operational recognition aligns tightly with the s 52A / 52B statutory list rather than extending to disability, sex, or age. Sex characteristics added from 29 April 2024.
Western Australia Police Force	Dedicated Hate Crime Unit (established March 2026) — announced in response to a documented rise in antisemitic and racially-motivated incidents. Aboriginal and Multicultural Unit (AMU) retains a complementary community-reporting role.	Operationally focussed on racially- and religiously-motivated hate crime (including antisemitism, Islamophobia, anti-Asian racism, and racism directed at Aboriginal and Torres Strait Islander people). Consistent with ss 77–80 Criminal Code 1913 (WA) — race-only statutory frame — WA Police does not publish a broader set of bias categories equivalent to NSW or Victoria.	Partial: the Unit's establishment and focus are publicly announced; a detailed published bias-category list had not been issued as at April 2026.	The WA Government's response to racism, antisemitism and Islamophobia (OMI, 2025–26) foreshadows expanded police data collection. Narrowest operational set of any State or Territory police service.
South Australia Police (SAPOL)	No dedicated hate crime unit or published PMC strategy. Complaint and community-liaison pathways via Aboriginal and Multicultural Support Sections and the Diversity & Inclusion Branch.	No publicly-issued SAPOL bias-category schedule. Operational recognition defaults to the attributes listed in s 11(1)(ca) Sentencing Act 2017 (SA): race, religion, sex, sexual orientation, gender identity, age, intersex variation, and disability.	Not publicly published (as at April 2026). SAPOL Diversity & Inclusion Strategy 2021–2025 addresses internal workforce issues, not hate-crime recording taxonomy.	Gap noted in the Sentencing Council of Tasmania's 2023 comparative review and in academic literature. Criminal vilification under s 4 Racial Vilification Act 1996 (SA) remains race-only.
Tasmania Police	No dedicated hate crime unit or published PMC strategy. Investigation handled by Districts, supported by the Multicultural Liaison Officer network.	No publicly-issued Tasmania Police bias-category schedule. Following passage of the Sentencing Amendment (Hate Crime) Act 2025 (Tas) in December 2025, operational recognition now aligns with the expanded s 11B Sentencing Act 1997 (Tas) list: race, religion, sexual orientation, gender identity, disability, and sex characteristics.	Not publicly published (as at April 2026).	Equality Tasmania and the Sentencing Advisory Council have publicly called for Tasmania Police to formalise a bias-recording framework, officer training, and evidence-collection guidance to match the 2025 legislative expansion.
Northern Territory Police Force	No dedicated hate crime unit or published PMC strategy. Community engagement via the Multicultural Liaison / Community Engagement function.	No publicly-issued NT Police bias-category schedule. Operational recognition defaults to the attributes in s 6A Sentencing Act 1995 (NT): race, religion, sex, sexual orientation, gender identity, age, intersex status, and disability.	Not publicly published (as at April 2026).	NT is the only Australian jurisdiction without a criminal vilification offence in force (as at April 2026). The NT Anti-Discrimination Commission has publicly engaged with the Commonwealth Combatting Antisemitism, Hate and Extremism Bill 2026.

Police Agency	Dedicated Unit / Framework	Bias / Protected Categories Recognised	Publication Status	Notes
ACT Policing (AFP-delivered)	Delivered by the Australian Federal Police under a purchase agreement with the ACT Government. Operation Balranald (est. December 2024) coordinates the response to antisemitic incidents in the ACT. First Nations Cultural Literacy Training Program is mandatory for ACT Policing members.	Adopts the AFP hate-crime category set (see next row): race; religion; sex; sexual orientation; gender identity; intersex status; disability; nationality; national or ethnic origin; political opinion. In the ACT this is reinforced by the Criminal Code 2002 (ACT) s 750 attributes (disability, gender identity, HIV/AIDS status, race, religious conviction, sex characteristics, sexuality).	Partial: the AFP-level category set is published; ACT-specific operational schedules are internal.	Sole Australian jurisdiction where police service (ACT Policing) and national police service (AFP) operate from the same bias-category framework.
Australian Federal Police (AFP)	National policing functions, including Commonwealth hate-crime offences under Division 80 Criminal Code Act 1995 (Cth). 24-hour National Security Hotline (1800 123 400) accepts hate-crime reports.	AFP-recognised hate-crime categories (per afp.gov.au/crimes/hate-crime): race; religion; sex; sexual orientation; gender identity; intersex status; disability; nationality; national or ethnic origin; political opinion.	Published (AFP public website).	AFP category set mirrors ss 80.2A/80.2B Criminal Code as expanded by the Criminal Code Amendment (Hate Crimes) Act 2025 (Cth). Combatting Antisemitism, Hate and Extremism Bill 2026 (Cth) would further expand penalty structures but not the category set.

Headline observations

- Only three Australian police services — NSW Police Force, Victoria Police, and Queensland Police Service — publish an operational bias-category framework for hate-motivated crime. The remaining services default to the statutory attributes in the relevant Sentencing Act or Criminal Code (and, for WA, to the race-only frame of ss 77–80 Criminal Code 1913).
- The widest operational category set belongs to NSW Police Force (nine categories, including homelessness status). The narrowest belongs to WA Police Force, whose new (March 2026) Hate Crime Unit operationalises a race/religion focus aligned with the existing racial vilification regime.
- ACT Policing, operationally delivered by the AFP, is the only jurisdiction in which the State/Territory police category set and the Commonwealth (AFP) category set are identical.
- Across all services there is an operational gap between the categories recognised in published materials and the internal coding fields actually used in crime-recording systems (LEAP, COPS, QPrime, etc.). The Victorian six-field LEAP schema is the only such internal schema that is both documented and publicly described.
- Material reform is expected in 2026: the Combatting Antisemitism, Hate and Extremism Bill 2026 (Cth) proposes a general hate-motivation sentencing principle which, if enacted, would create an implicit baseline category set (race, religion, nationality, national or ethnic origin, sex, sexual orientation, gender identity, intersex status, disability) applicable to all Commonwealth offences — and by practical extension, to AFP and ACT Policing recording.

Verification note. Where operational bias-category frameworks are not published by a police service, the characterisation above is inferred from (a) the relevant Sentencing Act or Criminal Code protected-attribute list, and (b) publicly-stated ministerial or commissioner priorities. Internal SOPs, command instructions and recording manuals will contain the operative categories actually used and should be consulted directly for any advisory or operational use.

The differing definitions and protected categories make empirical data difficult to quantify as a national picture. The differing legislative definitions and law enforcement definitions within jurisdictions make assessment difficult, let alone trying to assess from a national perspective. The following screen shot highlights these issues. The Australian Institute of Criminology is responsible for collecting hate crime data and as can be seen in the Comparability of Data and Data considerations sections the inconsistent approach to data collection across jurisdictions is acknowledged.

About the data

Reference period
1 October 2024 to 30 September 2025

Scope
The dashboard reports on legislated hate-related offences recorded by police where an offender has been charged. This means it excludes other types of hate-motivated offences and incidents for which the hate motivation is considered at time of sentencing or which may not be explicitly criminalised. It also excludes matters for which no offender was identified, or for which police dealt with the matter by other means (eg fines or cautions).

Comparability of data
Data are not comparable across jurisdictions because each jurisdiction has a different legislative response to hate crimes. The dashboard reports on substantive offences in all jurisdictions and penalty enhancements in Queensland.

Data presentation
Jurisdiction pages present data on hate-related offences in that jurisdiction's legislation. State and territory police may also charge offenders with Commonwealth offences. Where this has occurred in the reporting period, it is reported on the Commonwealth page for all jurisdictions other than the Northern Territory. The Northern Territory does not have legislated hate-related offences and only charges offenders under Commonwealth legislation.

Data considerations

- The Commonwealth, states and territories do not have specific offences of 'hate crime' legislated. The included data pertain to offences that have characteristics that could be interpreted as hate-related in the legislation.
- The number of offences does not reflect the number of offenders as an offender may be charged with multiple offences.
- Data do not allow for disaggregation by specific hate motivations of offences. The Australian Institute of Criminology will continue working with data providing agencies to expand the scope of the data available on the dashboard.
- Data are subject to revision.

To view data for each jurisdiction, select from the menu of buttons.

Source: Australian Institute of Criminology, Hate-Related Offences Data Dashboard (1 October 2024 – 30 September 2025). Reproduced under Creative Commons Attribution licence.

Data obtained from community and non-governmental organisations also muddy the picture. Without set frameworks and definitions, information that is collected and collated can give misleading pictures when compared to policing agencies data and vice versa. From experience there is generally a conflict between data obtained from policing agencies and that of community groups. Again, any conflict is generally not due

to malice but relates to a lack of understanding by both sides as to definitions and recording processes. Without a dedicated, trained hate crime capability within policing agencies community data is generally gives a clearer picture but there is a caveat with this being community data can be influenced by community agendas and should not be taken at face value but should be independently assessed against legislative and accepted hate crime definitions.

When looking at the data from the National Hate Crime Database, the one striking observation is that the majority of offences relate to displaying Nazi symbols and whilst offences targeting the LGBTIQ+ community may be recorded under these offences, the data does not break the offences where person were charged down to specific protected categories, making analysis of trends based on this data extremely difficult. This is not a problem with the Australian Institute of Criminology, but rather the fact that reporting does not break offences down by motivation, but by offence type and most jurisdictions with legislation protecting the LGBTIQ+ community are combined with other protected categories.

Due to under-reporting, misidentification and data quality, establishing a clear picture of current trends affecting the LGBTIQ+ community are difficult to determine from the available data alone. This where the community data becomes a valuable tool as the data from community groups is more likely to identify trends and issues that impact the community. When community data is combined with available policing data, it is possible to get a clear picture of the current trends affecting the LGBTIQ+ community.

Recommendations

The following ten recommendations are grounded in the analysis of under-reporting, under-identification, definitional fragmentation, and data quality gaps identified above. Each recommendation includes an action, the specific change required, the intended outcome, and the responsible party.

Under-Reporting

Rec 6.1 — Establish a Victoria-led community-based reporting portal

Victoria should fund and operate an independent, anonymous hate crime reporting portal accessible to victims who will not report to police. Data collected should be independently audited against legislative definitions and fed into the Victorian crime recording system through a structured referral pathway. This will reduce under-reporting by removing the barriers of police contact for vulnerable community members and generate a more accurate picture of hate crime prevalence.

Responsible party: Department of Justice and Community Safety, in partnership with LGBTIQ+ community organisations.

Rec 6.2 — Fund targeted trust-building programs to reduce police-related under-reporting

Many victims do not report due to prior negative police experiences or fear of disclosure. Victoria Police should develop a formal liaison program specifically for LGBTIQ+ communities, with measurable reporting uptake targets and independent review. This will rebuild confidence in police as a reporting pathway and reduce the proportion of incidents that go unrecorded.

Responsible party: Victoria Police, in partnership with LGBTIQ+ community groups.

Under-Identification and Misidentification

Rec 6.3 — Make hate crime identification training mandatory for all frontline Victoria Police members

Training should be typology-aware, covering thrill-seeking, defensive, retaliatory, mission-driven, and intrafamilial offending categories, and must include practical bias-indicator recognition. Completion should be tracked and reported publicly. This will reduce the rate of misidentification and non-recording by ensuring that all frontline officers can correctly identify and classify hate-motivated incidents.

Responsible party: Victoria Police.

Rec 6.4 — Establish an intrafamilial hate crime recording category within LEAP

The current six-field LEAP schema has no discrete intrafamilial category. Victoria should lead nationally by formally adding intrafamilial hate motivation as a recorded field, with accompanying identification guidance for frontline officers. This will enable, for the first time, systematic data collection on a category of hate crime that is routinely misidentified and effectively invisible in current datasets.

Responsible party: Victoria Police / Department of Justice and Community Safety.

Rec 6.5 — Introduce a mandatory quality-assurance review for hate crime classifications

All reports initially classified as “other” or not classified as hate-motivated should be subject to secondary review by trained personnel within 30 days of reporting. This will create a systematic backstop against misclassification and provide ongoing data to identify training gaps and systemic recording failures.

Responsible party: Victoria Police Prejudice Motivated Crime Strategy team.

Definitional Fragmentation

Rec 6.6 — Advocate for a nationally agreed hate crime definition and standard protected category set

Victoria should use its position in the current inquiry to formally advocate to the Commonwealth and other jurisdictions for a uniform national definition, a minimum standard set of protected categories, and consistent recording taxonomy. This should be raised through the Council of Attorneys-General. National definitional consistency is a prerequisite for any meaningful comparative analysis of hate crime prevalence across jurisdictions.

Responsible party: Victorian Attorney-General, via the Council of Attorneys-General.

Rec 6.7 — Align operational LEAP recording categories with current Victorian legislative protections

The current six-field LEAP schema does not fully reflect the legislative protections enacted through the Sentencing Act 1991 (Vic) s 5(2)(daaa) and the Justice Legislation Amendment (Anti-vilification and Social Cohesion) Act 2025 (Vic). Operational categories should be expanded to align with those legislative protections and publicly documented. This will close the gap between what Victoria’s laws protect and what its police systems can record and track.

Responsible party: Victoria Police.

Data Quality and Empirical Gaps

Rec 6.8 — Require mandatory disaggregated reporting by protected category

Victoria should legislate or direct that all hate crime charges and incident records be broken down by the victim’s protected attribute and publish this data annually. Currently, most national data — including the AIC National Hate Crime Database — records offence type rather than motivation or target group, making trend analysis by protected category effectively impossible. Disaggregated data is the minimum threshold for evidence-based policy development in this space.

Responsible party: Victoria Police / Department of Justice and Community Safety / Crime Statistics Agency.

Rec 6.9 — Establish a formal data-sharing protocol between Victoria Police and LGBTIQ+ community organisations

Rather than treating police data and community data as competing sources, a structured protocol should enable triangulation — using community data to identify under-reported trends and police data to validate classifications. Both datasets, assessed against legislative definitions, will together provide a more accurate picture of hate crime prevalence than either can provide alone.

Responsible party: Victoria Police, in partnership with LGBTIQ+ sector peak bodies.

Rec 6.10 — Fund an independent biennial Victorian hate crime prevalence study

Given the acknowledged limitations of administrative data, a dedicated population-level victimisation survey separate from the general ABS Personal Safety Survey should be commissioned specifically for LGBTIQ+ Victorians. This study would provide a methodologically sound baseline against which policing data can be measured and would capture the dark figure of unreported and unrecorded hate crime that administrative datasets structurally cannot reach.

Responsible party: Department of Justice and Community Safety / Crime Statistics Agency.

ToR7:

“The impact of anti-LGBTIQ+ hate crimes on diverse LGBTIQ+ communities, including Rainbow Mob, people with disability, and multifaith and multicultural community members;”

Hate crimes are message crimes. Unlike crimes of opportunity or general violence, they are deliberately constructed acts designed to communicate to a targeted identity group that they are unwelcome, unsafe, and outside the boundaries of the dominant social order. The message is not intended solely for the direct victim — it radiates outward to every member of the community who shares that victim’s identity characteristics. This is the foundational impact mechanism of hate crime, and it is why the harm extends far beyond any individual incident.

When the victim belongs to multiple marginalised communities simultaneously — as is the case for many members of Rainbow Mob, people with disability, and LGBTIQ+ members of multifaith and multicultural communities — the impact is not simply additive. It is intersectional. Overlapping identity characteristics compound vulnerability, narrow pathways to safety, and deepen the psychological harm of victimisation. The Hate Crime Threat Management Framework — comprising the Hostility and Concerning Trajectory Model (HCTM-26) and the Mitigation and Intervention Framework (MIF-26) — is designed to assess and respond to this layered reality, treating diverse LGBTIQ+ communities not as a homogeneous group but

as individuals whose specific configuration of intersecting identities shapes both the nature of their risk and the architecture of an effective response.

Message Crimes and the Architecture of Fear

Perry's foundational analysis (*In the Name of Hate*, 2001) established that hate crimes function as communications — acts of symbolic violence intended to enforce social hierarchy and signal that deviation from established norms carries consequences. A physical assault on a same-sex couple in a public space does not merely harm those individuals; it signals to every LGBTIQ+ person in that environment that visible identity expression carries risk. A targeted attack on an Aboriginal gay man transmits a message simultaneously across both Aboriginal community networks and LGBTIQ+ community networks. The victim is instrumentalised: they are targeted because of what they represent to the offender and, by extension, to the broader community.

For diverse LGBTIQ+ communities, the message transmitted by a single act of hate-motivated violence is amplified by three structural factors. First, institutional failure reinforces the message. Every incident that goes unreported, is misclassified, or produces no meaningful intervention communicates to the targeted community that they have no protection. For communities with historical and ongoing reasons to distrust police and institutions — including Aboriginal and Torres Strait Islander people, multicultural communities from countries with hostile law enforcement cultures, and people with disability who may have experienced institutional abuse — this reinforcement is particularly damaging. Second, online distribution extends the geographic reach of message crimes. Documented incidents circulate through social media and community networks, functioning as deterrent communications that reach far beyond those present at the original incident. The eSafety Commissioner's research confirms that LGBTIQ+ people experience online hate at more than double the national average, reflecting the reality that message crimes now operate simultaneously in physical and digital environments. Third, silence is interpreted as endorsement. Where community and institutional actors do not publicly respond to hate-motivated incidents, the absence of response is read by offenders as tacit sanction and by targeted communities as confirmation that the message stands unchallenged.

HCTM-26 incorporates message crime analysis as a structural element of threat assessment. The framework recognises that hate crime incidents must be evaluated not only for their direct victim impact but for their communicative function within the targeted community — identifying which groups have received the message, what behaviour modification is likely to result, and whether the incident forms part of a pattern of symbolic escalation targeting a specific identity group or geographic precinct.

The Ripple Effect

Research consistently demonstrates that hate crime produces harm at three distinct levels: the primary victim, the targeted community group, and the broader social environment. This ripple effect is analytically distinct from the harm profile of equivalent non-bias-motivated offences and is well-documented in the literature (Iganski & Lagou, 2014; Chakraborti, 2025; Perry & Alvi, 2012; Brunton-Smith, Jolliffe & Garland, 2025; Williams & Tregidga, 2014).

At the primary victim level, hate crime victims experience significantly greater psychological harm than victims of comparable non-bias-motivated offences. This elevated harm reflects the identity-targeted nature of the assault: the message that it is the victim's fundamental identity, not a circumstantial position or behaviour, that makes them a target. The harm accordingly attaches to the victim's ongoing sense of

safety in any environment where their identity is visible, producing chronic hypervigilance, withdrawal from community participation, and elevated rates of anxiety and depression.

At the community level, members of the targeted group who have not been directly victimised modify their behaviour in response to documented hate incidents. They avoid public spaces, reduce visible identity expression, withdraw from community participation, and experience elevated anxiety and hypervigilance. This behavioural modification represents real harm to individuals and to community life, even in the absence of direct victimisation. For diverse LGBTIQ+ communities, the ripple is amplified by the intersection of multiple marginalised identities: a hate incident affecting a Rainbow Mob member produces ripple effects across both Aboriginal community networks and LGBTIQ+ community networks simultaneously; a targeted attack on an LGBTIQ+ person from a specific cultural community generates fear responses within that cultural community that may activate family and community dynamics further isolating the victim.

At the social level, persistent hate-motivated offending erodes the conditions that support diverse, inclusive public life. Venues close, community events are cancelled, members relocate, and the visible presence of a community in public space contracts. This contraction validates the offender's intended message, creates conditions that attract further offending, and reduces the collective capacity of communities to mobilise around safety. For communities already disadvantaged by housing insecurity, geographic isolation, or limited access to culturally appropriate services, the social-level impact of the ripple effect can displace people from their support networks entirely.

MIF-26's response domain specifically addresses the ripple effect. The framework activates rapid community reassurance operations, transparent communication with affected community groups, and targeted stabilisation activities designed to interrupt the fear-transmission pathway — preventing the secondary harm that occurs when a community internalises the message that the original offender intended to send.

Intersectionality and Compounding Vulnerability

Intersectionality, as a framework for understanding hate crime impact, describes the condition in which multiple protected identity characteristics simultaneously place an individual at elevated risk of victimisation, and in which the interaction of those characteristics creates vulnerabilities that cannot be understood by examining each characteristic in isolation. For anti-LGBTIQ+ hate crime, intersectionality operates in four documented community contexts.

Rainbow Mob — Aboriginal and Torres Strait Islander LGBTIQ+ People

Aboriginal and Torres Strait Islander LGBTIQ+ people occupy a uniquely precarious position within the hate crime landscape. They face bias-motivated hostility on the basis of both race and sexual orientation or gender identity, and these dimensions interact in ways that increase both risk and harm. Within some Aboriginal and Torres Strait Islander communities, traditional gender and sexuality norms — combined with the ongoing effects of colonisation and the imposition of Christian morality through mission systems — can create environments hostile to LGBTIQ+ members. This exposes Rainbow Mob members to intrafamilial and community-embedded hate crime — motivated by honour-enforcement and identity-policing logic — at the same time as they face racially-motivated hostility from the broader public sphere.

Barriers to help-seeking are compounded. Historical and ongoing experiences of police violence and the criminalisation of Aboriginal people mean that Rainbow Mob members face heightened barriers to police reporting even relative to other LGBTIQ+ community members. Service navigation is further complicated by the risk that accessing LGBTIQ+ services may compromise standing within Aboriginal community networks, while accessing Aboriginal community services may expose members to the very environments in which hostility is experienced. The current service landscape has no adequate answer to this configuration of intersecting risks. Rainbow Mob members are neither simply Aboriginal people experiencing racism, nor simply LGBTIQ+ people experiencing homophobia — they are both simultaneously, within a specific community history that shapes the form of the harm they experience.

People with Disability

LGBTIQ+ people with disability face a compounding vulnerability profile in which the power dynamics that enable hate crime are intensified by dependency relationships. People with cognitive, communication or mobility disability may be more easily isolated, less able to identify the hate-motivated nature of an incident, less able to access reporting pathways, and more likely to be in ongoing relationships with potential offenders — carers, family members, institutional staff — that foreclose escape options. The intrafamilial hate crime profile is particularly relevant here: the enforcement of heteronormativity and cisgender identity through coercive control, physical violence, and emotional abuse can occur within disability support and care relationships as well as within family systems.

Psychological harm is further amplified where victims lack the social and institutional networks that provide both practical support and community solidarity in the aftermath of an incident. LGBTIQ+ people with disability may be excluded from both LGBTIQ+ community spaces — which may not be physically or communicatively accessible — and from disability support networks that may not be affirming of LGBTIQ+ identity, leaving them without the community-level protective factors that moderate harm for other victim groups.

Multifaith Community Members

LGBTIQ+ people from religious communities face a distinctive intersection of risk in which the source of both identity and hostility may be the same community. For those whose faith community does not affirm LGBTIQ+ identity, the intersection of religious belonging and LGBTIQ+ identity creates conditions for intrafamilial and community-embedded hate crime that closely parallel the honour-based violence model: violence framed as correction, purification, or the protection of family and community moral standing. The victim's own religious identity may make it difficult for them to characterise the harm they are experiencing as hate crime, or to seek help from services they perceive as hostile to their faith.

For faith communities that have themselves been historically targeted by hate crime — including Jewish, Muslim, and Sikh communities — the intersection of religious and LGBTIQ+ identity creates a particularly complex risk profile. Individuals within these communities may face hate crime from outside their community on the basis of religion, hate crime from within their community on the basis of LGBTIQ+ identity, and social pressure not to report either form of harm in ways that would expose the community to external scrutiny.

Multicultural Community Members

LGBTIQ+ people from culturally and linguistically diverse backgrounds face intersecting risks shaped by language barriers, cultural norms around family honour and gender roles, and community dynamics that may actively suppress LGBTIQ+ identity. Cultural communities in which honour-based violence is normalised and LGBTIQ+ identity is considered a source of family shame create conditions in which LGBTIQ+ members face targeted, sustained hate-motivated harm from within their own community networks. This harm is systematically misclassified as family violence, cultural conflict, or mental health crisis, allowing it to persist without recognition or effective intervention.

Language barriers compound both the risk and the response gap. Victims who are not fluent in English face additional barriers to accessing reporting pathways, understanding their legal rights, and engaging with services. Where family members act as interpreters — a common situation in culturally embedded hate crime — the reporting pathway itself may be controlled by the offending network, making disclosure structurally impossible without external intervention.

Intrafamilial Hate Crime and Diverse Communities

The intersection of intrafamilial hate crime with diverse LGBTIQ+ communities deserves dedicated analysis, because the current response architecture is particularly poorly calibrated for this configuration of harm. As established in the ToR 2 response, intrafamilial hate crime collapses the public/private boundary that the four standard offender typologies implicitly assume. For diverse LGBTIQ+ communities — particularly Rainbow Mob members, LGBTIQ+ people from multifaith backgrounds, and LGBTIQ+ people from multicultural communities — intrafamilial hate crime is not an edge case. It is a primary harm pathway.

The intrafamilial offender profile aligns with honour-based violence rather than the stranger-danger model that dominates hate crime response frameworks. Violence is used to punish perceived transgressions, restore heteronormativity, and protect family and community honour. Methods include physical and sexual assault (including corrective rape), coercive control, confinement, economic abuse, and enforced isolation from LGBTIQ+ support networks. The victim is simultaneously subjected to identity-targeted harm and dependent on the offending network for housing, community belonging, and in some cases immigration status. Moderate to high planning levels characterise these offences, which may involve collusion among family members, surveillance, and deliberate management of the victim's access to external support.

Systemic misidentification is routine. Intrafamilial hate crime affecting diverse LGBTIQ+ community members is recorded as family violence, child discipline, cultural dispute, or mental health crisis. The hate motivation is either invisible to responding practitioners or actively suppressed by the offending family network. For victims from communities with cultural norms around shame and non-disclosure — and for victims whose disability limits their capacity to communicate the bias motivation — the gap between experienced harm and recorded harm is large, structurally persistent, and directly consequential for the adequacy of the response.

HCTM-26 treats intrafamilial hate crime as a structurally distinct operational problem, with its own risk escalation logic, relevant indicators, and response principles. Applied to diverse LGBTIQ+ communities, the framework supports identification of honour-enforcement patterns, coercive control dynamics, and enabling network structures that generalist family violence tools cannot adequately capture. MIF-26's response domain, when activated for intrafamilial hate crime cases in diverse communities, prioritises victim extraction and safe placement, containment of enabling network actors, multi-agency protective intelligence to prevent concealment or retaliatory harm, and culturally and identity-affirming safe-house

pathways that address the specific barriers faced by Rainbow Mob members, people with disability, and LGBTIQ+ people from multicultural and multifaith backgrounds.

The Reporting Experience: Secondary Victimisation and Institutional Trust

The academic literature on under-reporting identifies fear, mistrust, and prior negative experiences as the primary barriers to police reporting by LGBTIQ+ hate crime victims. Practitioner experience confirms these findings and makes visible the institutional mechanisms that produce them. The following observations are drawn from operational experience in New South Wales, where the history of the relationship between the LGBTIQ+ community and police provides the historical context against which current reporting barriers must be understood. That history is not merely anecdotal: it has been the subject of extensive formal inquiry. The NSW Special Commission of Inquiry into LGBTIQ Hate Crimes (Commissioner Sackar, December 2023) examined 88 deaths over a 40-year period and produced findings that are directly relevant to the structural failures described in this submission. The Commission found that bias crime had not historically been given sustained focus within the NSWPF; that the Bias Crimes Unit and its predecessors were perennially understaffed, received limited resources, and were restructured multiple times in ways that reflected a lack of strategic direction (Volume 3, Chapter 14, para 14.1). The Commission further found that three Strike Forces — Macnamir, Neiwand, and Parrabell — operating simultaneously between 2013 and 2017, all arrived at outcomes that minimised the extent of LGBTIQ bias motivation in heavily publicised suspected hate crime deaths. The Commission characterised this convergence as “remarkable” and concluded that it “strongly suggests that, even very recently, there appears to have been present, in three separate Strike Forces simultaneously, an attitude of mind which was resistant to acknowledging the extent of the hostility experienced by the LGBTIQ community” (Volume 3, Chapter 14, para 14.114). Critically, the Commission also found that homophobic attitudes were present within the NSWPF throughout the period under review, and that conscious or unconscious bias may have affected investigative decision-making including exhibit retention and investigative steps — without it being possible to positively establish this from the investigative records, precisely because such records would not ordinarily document the bias that affected them (Volume 3, Chapter 8, paras 8.187–8.190). The Commission’s Concluding Remarks called for an apology from the NSWPF to the LGBTIQ community, which the Commissioner noted was “not only appropriate”, but whose absence had been “extremely difficult to understand” (Volume 3, Chapter 16, para 16.13). The author gave evidence to this Inquiry. Victoria’s own relationship with its LGBTIQ+ community has a comparable history, and the structural patterns documented by Commissioner Sackar — institutional minimisation, under-resourcing, unconscious bias in investigation, and adversarial defensiveness in the face of accountability — should be tested against Victorian evidence by this Committee.

At the point of first contact, victims have been turned away, laughed at, or talked out of making a complaint through the active downplaying of the incident by responding officers. These actions can be the result of unconscious bias on the part of officers or a simple lack of awareness and training around hate crimes and their impact on communities. This is not a historical pattern: it is a reported contemporary experience. The effect is not simply that one report is lost. The experience radiates through community networks in exactly the way a message crime radiates — it communicates to every LGBTIQ+ person who hears about it that reporting carries a cost and produces no benefit. For transgender and gender diverse community members the problem is particularly acute: inappropriate referencing in written reports and in-person conduct by some officers constitutes in itself a form of secondary victimisation that both discourages reporting and produces formal records that fail the victim and undermine any subsequent investigation or prosecution.

The cumulative effect of these experiences — being turned away, laughed at, downplayed, misrecorded, or encountering officers who respond to transgender victims with ridicule — is a victim population that has learned through experience that reporting carries risk and produces little. Secondary victimisation is not an edge case in the current system; it is a predictable, recurring outcome that the system’s structural features generate. It is not sufficient to address this through cultural awareness training alone. The recommendations in this submission for a dedicated Hate Crime Unit with community liaison functions, mandatory typology-aware training with accountability measures, victim-centred reporting pathways, and third-party reporting mechanisms are each designed to address specific points in this chain. But they will only work if there is also a genuine and monitored commitment to accountability when individual officers behave in ways that re-victimise the people they are there to serve.

Safety Mapping

Safety mapping is the systematic identification of environments, relationships, and movement patterns that present elevated risk or provide protective function for individuals at risk of hate-motivated harm. It is an operational tool within the HCTM-26 and MIF-26 framework, applied at the individual case level to identify specific risk hotspots and protective anchor points, and to inform targeted environmental and behavioural interventions calibrated to the individual’s specific risk profile.

For diverse LGBTIQ+ communities, safety mapping has distinctive features that depart significantly from the standard hate crime model. For victims of intrafamilial hate crime, the home is the primary risk environment rather than a protective one. Safety mapping must extend into the domestic sphere — identifying isolation points, movement restrictions, network control mechanisms, dependency leverage, and departure barriers — rather than treating the home as a default place of safety from which victims navigate a hostile public world.

For Rainbow Mob members, safety mapping must account for the possibility of risk environments within Aboriginal community networks as well as in public space. The protective anchor points available to other LGBTIQ+ community members — LGBTIQ+ community spaces, affirming peer networks, specialist services — may be geographically unavailable or culturally inaccessible for Rainbow Mob members in regional or remote locations, requiring safety mapping to identify alternative community-based protective resources that are both culturally safe and affirming of LGBTIQ+ identity.

For LGBTIQ+ people from multicultural and multifaith communities, safety mapping must identify the network of community relationships that may function as intelligence conduits for intrafamilial offenders, enabling the offending network to monitor and control the victim’s movements beyond the immediate family environment. Effective safety mapping in these cases requires an understanding of community network structures — including religious institution networks, cultural association networks, and extended kinship networks — that standard risk assessment frameworks are not designed to capture.

For LGBTIQ+ people with disability, safety mapping must incorporate an accessibility assessment: identifying which potential safe environments are physically accessible, which services are able to communicate in accessible formats, and which planned safety protocols are executable given the specific functional profile of the individual. A safety plan that is inaccessible to the person it is designed to protect is not a safety plan.

The MIF-26 framework translates safety mapping outputs into targeted interventions, including safe housing options, movement and communication security protocols, network management strategies, and

community resource navigation — each calibrated to the specific configuration of risks and protective assets identified through the HCTM-26 assessment for individuals from diverse LGBTIQ+ communities.

HCTM-26 and MIF-26: Application to Diverse LGBTIQ+ Communities

The current response architecture for anti-LGBTIQ+ hate crime in Victoria is not designed to manage the intersecting vulnerabilities of diverse LGBTIQ+ community members. Generalist risk tools produce generic risk levels without driver identification; family violence frameworks misclassify intrafamilial hate crime; service systems cluster at some points of the response spectrum and are absent at others. Five structural features of HCTM-26 and MIF-26 directly address this failure configuration.

- **Driver identification:** The HCTM-26 assessment identifies what is driving the threat in a specific case — whether it is honour-enforcement within a kinship system, identity policing within a faith community, defensive territorial hostility in a public setting, or organised grievance-based targeting. This step is critical for diverse LGBTIQ+ community members because the appropriate intervention varies fundamentally depending on the driver identified, and applying a generic response to an honour-enforcement case produces the same outcome as applying no response at all.
- **Typological precision:** The intrafamilial offender profile, incorporated within HCTM-26, enables practitioners to distinguish intrafamilial hate crime from generic family violence and to apply the appropriate escalation monitoring and response logic. This distinction is not available within current Victorian police recording frameworks and is not captured by existing family violence risk assessment tools.
- **Layered, activation-based response:** MIF-26 organises intervention across concurrent response domains — with each domain activated at an intensity matched to the case profile. For diverse LGBTIQ+ community members whose intersecting vulnerabilities activate multiple response domains simultaneously, this layered architecture supports proportionate, coherent intervention rather than fragmented referral to siloed services.
- **Safety mapping integration:** The HCTM-26 assessment incorporates safety mapping as a structured output, ensuring that environmental risk analysis — including domestic environments, community network risk, and movement corridor analysis — feeds directly into MIF-26 intervention selection rather than remaining a separate, disconnected activity.
- **Intersectionality-aware assessment:** The framework's driver identification step is designed to surface the specific combination of identity characteristics and community dynamics that shape the risk profile in a given case, enabling practitioners to move beyond the assumption of a homogeneous LGBTIQ+ community and respond to the actual configuration of risk facing a Rainbow Mob member, a person with disability, or an LGBTIQ+ person navigating hostile multicultural or multifaith community environments.

Recommendations

Rec 7.1 — Establish an intersectionality-informed hate crime response pathway

Victoria Police and the Department of Justice and Community Safety should develop a dedicated operational pathway for hate crime incidents involving victims with multiple protected characteristics. This pathway should include trained practitioners capable of identifying intersecting risk factors, appropriate cultural and disability liaison support, and referral to services with demonstrated competence across multiple identity domains. This will enable, for the first time, responses that are calibrated to the actual harm profile

of diverse LGBTIQ+ community members rather than defaulting to generic hate crime or family violence protocols that miss critical intersecting drivers.

Responsible party: Victoria Police / Department of Justice and Community Safety.

Rec 7.2 — Fund Rainbow Mob-specific hate crime support services

The intersection of racial identity, cultural community dynamics, and LGBTIQ+ identity creates a harm and help-seeking profile that no current service system adequately addresses. Dedicated funding should support culturally safe, community-led services for Rainbow Mob members affected by hate crime — including both public-sphere and intrafamilial hate crime. These services should be designed with and led by Aboriginal and Torres Strait Islander LGBTIQ+ communities and should be resourced to operate in regional and remote locations where mainstream LGBTIQ+ services are absent.

Responsible party: Department of Families, Fairness and Housing / Aboriginal Victoria.

Rec 7.3 — Integrate intrafamilial hate crime identification into diverse-community responses

Frontline responders — including police, family violence practitioners, disability support workers, and multicultural and multifaith community services — should receive training on the intrafamilial hate crime profile and its specific manifestations within diverse LGBTIQ+ communities. Training should cover honour-enforcement patterns, identity policing indicators, network-level threat dynamics, and the misclassification risks associated with disability, cultural, and faith-community contexts. Recording systems should be updated to capture intrafamilial hate motivation as a distinct field, enabling systematic data collection on a category of harm that is currently invisible.

Responsible party: Victoria Police / Commission for Children and Young People / Disability Services Commissioner / multicultural community services.

Rec 7.4 — Develop safety mapping protocols calibrated to diverse-community risk environments

Standard safety planning for LGBTIQ+ hate crime victims assumes a public-sphere risk environment and a protective home environment. For victims from diverse communities — particularly those experiencing intrafamilial hate crime — this assumption produces inadequate and potentially harmful safety plans. Protocols should be developed that account for domestic risk environments, community network threat, accessibility constraints, and the specific barriers to escape and help-seeking faced by Rainbow Mob members, people with disability, and LGBTIQ+ people from multicultural and multifaith backgrounds. These protocols should be embedded within a structured threat assessment framework rather than left to individual practitioner discretion.

Responsible party: Victoria Police / specialist LGBTIQ+ community services.

Rec 7.5 — Pilot HCTM-26 and MIF-26 for diverse-community hate crime cases

The structured professional judgement framework under development by the author offers a systematic approach to the intersecting risk factors and response requirements of diverse LGBTIQ+ community members affected by hate crime. A supervised pilot in partnership with Victoria Police and specialist community organisations would test the framework's utility in diverse-community contexts and generate

operational evidence for its wider adoption — addressing the national absence of any hate-crime-specific assessment and response doctrine currently in operational use in any Australian jurisdiction.

Responsible party: Victoria Police / Department of Justice and Community Safety, in partnership with the framework developer.

ToR 8:

“Interjurisdictional strategies and methods to combat anti-LGBTIQA+ hate crimes across borders”

A coordinated response to hate crimes does not exist in any truly meaningful structure. Hate crimes from a law enforcement perspective was something that was not actively pursued until around the early 2000’s, with NSW Police Force establishing the Hate Crime Coordinator in 2007. With Victoria establish a Prejudice Motivated Crime Strategy a short time later in 2010. Other jurisdictions have established capabilities in the coming years including Queensland and in 2025 West Australia. The sporadic response by state law enforcement agencies to hate crimes has meant that the development of interjurisdictional strategies has not developed. Whilst there has been co-operation between jurisdictions around hate motivated events, e.g. co-operation with intelligence between Victoria Police and NSW Police in 2015 for the ‘Reclaim Australia’ rallies, no formal processes have been established.

As outlined previously in ToR 3, currently there is no national definition of hate crime or a national strategy to address the issues of hate crimes in general, let alone for the LGBTIQA+ community.

The Absence of a National Framework

Australia’s response to hate crime remains constitutionally and operationally fragmented. Criminal law is a state and territory responsibility under the Australian Constitution, and no Commonwealth government has enacted dedicated hate crime legislation. Instead, hate crime is addressed through a patchwork of state-based sentencing aggravation provisions, vilification laws of varying scope and enforceability, and inconsistent police recording practices. The result is a national landscape in which what constitutes a hate crime, how it is recorded, and what response it receives depends entirely on where it occurs.

This fragmentation stands in stark contrast to the approaches adopted in comparable jurisdictions. The United States enacted the Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act in 2009, which federally criminalises bias-motivated violence and provides federal prosecutorial capacity where state action is inadequate or impracticable. The United Kingdom operates under the Crime and Disorder Act 1998 and the Criminal Justice Act 2003, which create dedicated hate crime offence categories and mandatory sentencing aggravation, supported by a national Hate Crime Action Plan coordinated across all policing services. Canada’s Criminal Code contains specific hate crime provisions under ss. 318–320.1, with recent amendments expanding protections, supported by national policy frameworks and a Public Safety Canada hate crime coordination function.

Australia has no equivalent national structure. The absence of a Commonwealth hate crime strategy means there is no agreed national definition, no uniform set of protected categories, no mandated recording standard, no coordinated research agenda, and no shared policy framework. Each jurisdiction operates independently, and the resulting data, policy, and operational gaps are documented throughout this submission. Victoria can and should use its position in this inquiry to advocate directly to the Commonwealth and its fellow jurisdictions for the establishment of a national framework as a matter of urgency.

Coordinated Intelligence Sharing Across Jurisdictions

Hate crime does not respect state borders. Extremist networks that promote and organise violence against LGBTIQ+ communities operate nationally and internationally, using digital infrastructure that spans jurisdictions. A network active in Victoria may conduct surveillance in New South Wales, recruit in Queensland, and distribute content from servers based internationally. The current absence of formal interjurisdictional hate crime intelligence sharing mechanisms means that each jurisdiction's intelligence picture is necessarily incomplete.

Existing mechanisms for police intelligence sharing — including the National Criminal Intelligence System (NCIS) administered by the Australian Criminal Intelligence Commission (ACIC) and the Australia New Zealand Policing Advisory Agency (ANZPAA) — provide general frameworks for inter-agency cooperation but do not include specific hate crime intelligence protocols or mandated sharing arrangements for hate-motivated offending. The practical consequence is that intelligence about escalating extremist activity, recurring hate crime offenders operating across jurisdictions, or coordinated hate campaigns targeting LGBTIQ+ communities may sit in one jurisdiction's records without being available to adjacent jurisdictions facing the same threat.

Analogous arrangements exist in counterterrorism. The National Threat Assessment Centre (NTAC), the Australian Security Intelligence Organisation (ASIO), and the Joint Counter Terrorism Teams (JCTTs) provide structured, formal mechanisms for intelligence sharing around terrorism threats. Hate-motivated violence — which shares doctrinal characteristics with ideologically motivated terrorism — warrants a comparable, if appropriately scaled, intelligence architecture. The cooperation between Victoria Police and NSW Police in relation to the 2015 Reclaim Australia rallies demonstrates that effective intelligence sharing around hate-motivated events is achievable; the challenge is to formalise and routinise this cooperation rather than leaving it to ad hoc bilateral arrangements.

The AIC National Hate Crime Database: Current Limitations and Required Development

The Australian Institute of Criminology's National Hate Crime Database (NHCD) is the primary national repository for hate crime data in Australia. It represents a significant institutional commitment to hate crime research. However, the database in its current form has structural limitations that constrain its utility for research and policy development.

The NHCD is built on police-recorded data submitted voluntarily by participating jurisdictions. This means it inherits all of the under-reporting and misidentification problems documented in ToR 6. It records offence types rather than motivation or target identity group, making trend analysis by protected category — including analysis of anti-LGBTIQ+ hate crime specifically — effectively impossible from the national dataset. Recording categories are not standardised across jurisdictions, and definitional inconsistencies mean that incidents recorded as hate crime in one jurisdiction may not meet the threshold for recording in another. The database does not capture community-reported incidents that do not result in police contact, and it does not integrate data from the eSafety Commissioner, the Australian Human Rights Commission, or community organisations that hold significant intelligence about actual hate crime prevalence.

The consequence is that researchers working with the NHCD cannot produce meaningful national prevalence estimates, longitudinal trend analysis disaggregated by protected characteristic, or cross-jurisdictional comparisons of hate crime patterns. This constrains evidence-based policy development at precisely the level — national — where the most significant structural reforms need to occur.

International models for more robust national hate crime databases include the FBI’s National Incident-Based Reporting System (NIBRS), which captures hate crime data disaggregated by bias motivation, offence type, victim type, and offender information, and the UK Home Office Hate Crime Statistics, which produce an annual national picture disaggregated by protected characteristic, offence type, and jurisdiction, enabling trend analysis and geographic comparison. Australia’s NHCD requires significant investment in both scope and methodology to reach a comparable standard of analytical utility.

Online Hate: The Borderless Dimension of Interjurisdictional Response

The online environment is the single most significant driver of the interjurisdictional dimension of anti-LGBTIQ+ hate crime. Hate campaigns, extremist organising, and targeted harassment of LGBTIQ+ individuals and community organisations originate across jurisdictions and international boundaries and are amplified by platforms that operate under the laws of multiple countries simultaneously. Research by the eSafety Commissioner confirms that LGBTIQ+ Australians experience online hate at rates significantly exceeding the national average, and that online hate frequently transitions into real-world harm — through incitement of others, provision of target information, and direct threats that modify victims’ behaviour and sense of safety.

The Online Safety Act 2021 (Cth) provides some national architecture for responding to online harm, including a Basic Online Safety Expectations framework, complaints mechanisms, and removal powers administered by the eSafety Commissioner. However, the Act’s design is primarily reactive, responding to reported content rather than proactively identifying and disrupting the networks and actors that generate it. The EU’s Digital Services Act (2022) provides a more comprehensive framework, placing systemic obligations on very large online platforms to assess and mitigate risks of online hate, including algorithmic amplification of harmful content, and requires annual transparency reports on hate speech and illegal content removal.

Australia’s response to online hate requires a national strategy that goes beyond complaints-based removal mechanisms. This strategy should incorporate proactive counter-speech resourcing, support for community-led digital safety programs, mandatory platform transparency reporting disaggregated by protected characteristic, and research infrastructure to track the relationship between online hate escalation and real-world hate crime incidents. It should also address the protective intelligence dimension: the signals available in online hate escalation that predict transition to physical harm, and the mechanisms by which those signals can be detected and acted upon by appropriate agencies. Online hate cannot be addressed jurisdiction by jurisdiction; it requires a nationally coordinated architecture with clear Commonwealth leadership.

Dedicated Hate Crime Legislation: Beyond the Hate Speech Focus

Australian policy debate about hate crime has historically conflated hate crime — violence, harassment, damage, and related criminal offending motivated by bias — with hate speech, which refers to public expression of hatred directed at protected groups. Vilification laws, which prohibit hate speech, have been the primary legislative focus in most Australian jurisdictions. While vilification laws are important, they do not address the full spectrum of bias-motivated offending, and a legislative focus on hate speech at the expense of dedicated hate crime legislation leaves significant gaps in protection.

The distinction matters operationally. Hate speech legislation targets expression; hate crime legislation targets conduct. Current Australian practice — using sentencing aggravation provisions under state sentencing acts to capture the hate motivation of criminal offending — means that hate crime is not a

distinct offence category but rather a sentencing modifier applied to a standard offence. This has several consequences: it makes it more difficult to gather reliable hate crime data, as the aggravation must be separately recorded; it limits prosecutorial options, as hate motivation must be established only at sentencing rather than as an element of the offence; it reduces public deterrence, as hate crime sentences are less publicly legible as responses to bias-motivated conduct; and it creates inconsistency across jurisdictions with different sentencing aggravation structures.

A dedicated hate crime legislative framework — not replacing existing offences but supplementing them with clearly defined hate crime categories, consistent protected characteristics, and enhanced penalties that reflect the communicative harm documented in the ToR 7 analysis — would address these gaps. The UK model under the Crime and Disorder Act 1998 (ss. 28–32) provides a well-established precedent: racially and religiously aggravated versions of existing offences (assault, criminal damage, harassment, public order offences) that are separately charged, carry higher maximum penalties, and generate distinct data that enables trend analysis and policy evaluation. This model could be adapted for the Australian federal context or developed through a nationally consistent template adopted by all jurisdictions.

Alternatives to Sentencing: Evidence Base and Need for Expanded Options

The dominant response to hate crime in Australia is prosecution and sentencing. While appropriate criminal accountability is an essential component of a comprehensive response, a prosecution-and-sentencing-only approach has documented limitations that research evidence consistently highlights.

Research on hate crime sentencing outcomes indicates that custodial sentences alone do not reliably reduce recidivism in hate-motivated offenders and may in some cases reinforce the ideological commitments that drive offending by exposing offenders to networks of like-minded individuals within custodial environments. Iganski's research (*Hate Crime and the City*, 2008; Iganski and Smith, 2011) identifies that hate crime offenders are heterogeneous in motivation and susceptibility to intervention, and that the most effective responses are those calibrated to offender typology rather than a one-size-fits-all sentencing approach. The sentencing aggravation model does not capture this heterogeneity: the same enhancement applies regardless of whether the offender is a thrill-seeking adolescent, a defensive community actor, or a mission-driven ideologue — categories with very different recidivism profiles and responsiveness to intervention.

Grattet and Jenness (2001) documented the gap between hate crime law on the books and hate crime law in action, finding that sentencing enhancement is applied inconsistently and raising serious questions about its deterrent effect. Australian research by Mason (2005) and Tomsen (2009) has similarly documented the gap between legislative intent and operational practice in hate crime response. These evidence bases support development of a broader toolkit of responses to hate-motivated conduct.

The Gap Between Legislative Intent and Prosecutorial Practice: A Practitioner Perspective

The research evidence on sentencing inconsistency is confirmed by direct operational experience. While the following observations are drawn from practitioner experience in New South Wales rather than Victoria, the systemic failures they describe reflect structural conditions — an absence of investigative doctrine, undertrained practitioners, risk-averse prosecutors, and an inconsistent judiciary — that are not jurisdiction-specific and are documented in the research literature across Australian and comparable international settings. Victoria's Committee should treat them as a practitioner-grounded account of what the academic evidence describes in the abstract, and test whether equivalent patterns are reported by Victorian practitioners giving evidence to this inquiry.

At the investigative stage, bias motivation is rarely actively explored. It surfaces, if at all, when the victim identifies it directly or when it is made explicit by the offender — through graffiti, verbal statements, or written communications. Even in those cases it can be ignored or downplayed, recorded as contextual background rather than as an element of the offence requiring proof. Intrafamilial hate crime is almost never identified as such: it is absorbed into family violence or child discipline classifications, and the bias motivation disappears from the record entirely. This is not a failure of individual investigator integrity. It reflects the complete absence of a systematic investigative doctrine for hate crime, the lack of mandatory training in bias-indicator recognition, and — critically — the practical knowledge that the rest of the criminal justice system will not reward the additional investigative work required to build a motivation case. Investigations are further hampered by the inability to access digital data through appropriate legislative mechanisms: the sentencing restrictions that attach to certain investigative powers create barriers to obtaining the digital evidence on which modern hate crime cases increasingly depend, particularly where offending involves online communication, coded hostility, or coordinated harassment.

At the prosecutorial stage, aggravating circumstances are routinely not pressed. A conviction is treated as a conviction: the additional evidentiary burden of establishing bias motivation at sentencing is weighed against the resource cost of a sentencing hearing, and in most cases the aggravation is not pursued. At the Local Court level — where the vast majority of hate crime matters are heard — sentencing hearings on aggravation are structurally uncommon, and prosecutors do not typically invest in building the motivation case that would support one. This means that for most hate crime victims, the aggravated dimension of their victimisation is never formally recognised by the criminal justice system, regardless of how clearly it is apparent from the facts. The recent introduction of hate speech laws in some jurisdictions adds a further dimension of concern: without a corresponding investment in investigative capability and prosecutorial training, early prosecutions under these provisions are likely to be undermined by improperly constructed investigations, producing a pattern of failed cases that will entrench scepticism about the utility of the legislation.

At the judicial stage, the application of aggravating circumstances is inconsistent in both directions: some judicial officers apply them diligently; others rarely engage with them at all. There is no consistency either in the decision to apply aggravation or in the quantum of additional penalty when it is applied. This creates a sentencing landscape that is not merely unpredictable but actively problematic: sentences for comparable offences that differ markedly depending on the judicial officer can raise legitimate concerns about unequal treatment, and in communities where multiple offenders are sentenced for related incidents, disparate outcomes generate perceptions of institutional bias that further undermine trust in the justice system. The message transmitted to both offenders and affected communities by this inconsistency is precisely the opposite of what aggravated offence provisions are designed to send.

Breaking this cycle requires intervention at all three stages simultaneously, because each stage both depends on and enables the others. Investigators need to treat bias motivation as a primary evidential objective from first response, using typology-aware doctrine and structured assessment to build motivation evidence systematically rather than incidentally. Prosecutors need specific guidance on the evidentiary standards for establishing motivation under aggravation provisions, and need to understand the typologies, the victim impact evidence, and the community-wide harm that aggravated sentencing is designed to address — including the conditions under which diversion is appropriate and the typologies for which it is contraindicated. The judiciary requires the same typology and impact training, delivered through the national judicial education program, with specific guidance on sentencing consistency for hate-aggravated

offences. All three require training as an integrated pipeline: investigative investment in motivation evidence is only sustainable when prosecutors use it, and prosecutorial investment is only rational when courts engage with it. Piecemeal reform of one stage without the others will fail, as the history of Australia's aggravated offence provisions demonstrates.

Civil Hate Crime Prevention Orders, modelled on civil injunctions used in the anti-social behaviour context (UK Anti-social Behaviour, Crime and Policing Act 2014), represent one important mechanism. A civil hate crime prevention order could be obtained on the civil standard of proof and impose restrictions on an individual whose conduct has demonstrated hate-motivated risk, without requiring criminal conviction. This would provide a mechanism to intervene earlier in escalation, to respond to conduct that falls below the criminal threshold, and to place enforceable conditions on individuals whose behaviour has targeted LGBTIQ+ communities — including restrictions on attendance at venues, contact with victims, and online activity. The civil injunction model has precedent in Australian law through stalking intervention orders and family violence intervention orders, and its extension to hate crime contexts is a logical and proportionate step.

Restorative justice approaches also warrant development. Research by Umbreit and colleagues on restorative justice in hate crime contexts (2003) has documented that, where victims choose to participate, restorative processes can produce more meaningful acknowledgement of harm, greater offender accountability, and better victim outcomes than purely punitive responses. Restorative approaches are not appropriate in all cases — particularly for serious violence or where power imbalances preclude genuine participation — but they represent a valuable option in a diversified response framework, particularly for first-time offenders or cases involving community-embedded dynamics.

Hate crime intervention and rehabilitation programs represent a third pillar. Programs such as EXIT (Sweden), Avert (UK), and Life After Hate (United States) draw on motivational interviewing, cognitive-behavioural techniques, and prosocial network development to address the ideological drivers of hate-motivated conduct. No equivalent Australian hate crime-specific intervention program currently exists at national scale. Funding and evaluating such programs would represent a significant step forward in building a response architecture that addresses the causes of hate-motivated offending rather than managing only its consequences.

Recommendations

The following eight recommendations address the structural, legislative, operational, and research dimensions of interjurisdictional hate crime response identified in the analysis above. Each recommendation includes an action, the specific change required, the intended outcome, and the responsible party.

No National Strategy or Definition

Rec 8.1 — Develop a National Hate Crime Strategy and Uniform Definition

Victoria should formally advocate through the Council of Attorneys-General for the development of a National Hate Crime Strategy, to be led by the Commonwealth Attorney-General's Department in partnership with all states and territories. The strategy should include: a nationally agreed definition of hate crime; a minimum standard set of protected categories consistent with Commonwealth anti-discrimination law; uniform recording taxonomy for police agencies; a coordinated national research agenda; and a governance mechanism for ongoing policy development and review. This will address the

foundational fragmentation that currently prevents any meaningful national picture of hate crime prevalence, pattern, or response effectiveness from being assembled.

Responsible party: Victorian Attorney-General, advocating via the Council of Attorneys-General; Commonwealth Attorney-General's Department to lead.

Intelligence Sharing

Rec 8.2 — Establish a Formal Interjurisdictional Hate Crime Intelligence Sharing Framework

The Commonwealth, through the Australian Criminal Intelligence Commission, should establish a formal hate crime intelligence sharing protocol applicable to all state and territory police agencies. This protocol should mandate the sharing of intelligence about identified hate crime offenders active across jurisdictions, organised groups engaged in hate-motivated activity, and patterns of hate crime escalation. The protocol should be modelled on existing counterterrorism intelligence sharing arrangements and should include clear criteria for escalation, handling procedures, and minimum data standards. This will close the current intelligence gap in which hate crime networks operating across borders are not subject to coordinated law enforcement attention.

Responsible party: Commonwealth Attorney-General's Department / Australian Criminal Intelligence Commission / State and Territory Police Commissioners.

AIC Hate Crime Database

Rec 8.3 — Invest in the Further Development of the AIC National Hate Crime Database to Enable Meaningful Research and Analysis

The Commonwealth should fund a structured redevelopment of the AIC's National Hate Crime Database to: standardise recording categories across all contributing jurisdictions; require disaggregated data by bias motivation and target protected characteristic; integrate community-reported incident data from non-police sources including the eSafety Commissioner and AHRC; mandate annual public reporting disaggregated by protected category; and establish a formal research access pathway for approved academic and policy researchers. This will transform the NHCD from a limited administrative dataset into a genuine national research infrastructure capable of supporting evidence-based policy development and longitudinal analysis of hate crime trends.

Responsible party: Commonwealth Attorney-General's Department / Australian Institute of Criminology, in partnership with state and territory police agencies and community organisations.

National Hate Crime Conference

Rec 8.4 — Establish an Annual National Hate Crime Conference

The Commonwealth, in partnership with the Australian Institute of Criminology, should establish an annual National Hate Crime Conference to bring together government representatives, law enforcement agencies, academics, legal practitioners, and community organisations to share research, operational strategies, and emerging intelligence on hate crime trends and responses. The conference should include specific focus areas on protected identity groups, digital and online hate, legislative developments, and international best practice. It should produce published proceedings and policy recommendations. This will create a structured national forum for the knowledge exchange and network building that currently does not exist and will accelerate the translation of research evidence into operational and policy practice.

Responsible party: Commonwealth Attorney-General's Department / Australian Institute of Criminology.

Dedicated Legislation

Rec 8.5 — Develop Dedicated Hate Crime Legislation at the National Level

Victoria should advocate for the development of dedicated hate crime legislation, either at Commonwealth level or through a nationally consistent template adopted by all jurisdictions. Legislation should create specific hate crime offence categories (or hate-aggravated versions of existing offences) with consistent protected characteristics, enhanced penalties, and mandatory recording. Legislation should be clearly distinguished from, and complementary to, existing vilification provisions, with hate crime legislation targeting conduct and vilification provisions targeting expression. This will address the current gap in which hate crime is only recognised as a sentencing modifier rather than a distinct category of offending and will generate consistent data and prosecutorial capacity across all jurisdictions.

Responsible party: Victorian Attorney-General, advocating via the Council of Attorneys-General; Commonwealth Parliament.

Online Hate

Rec 8.6 — Develop a National Online Hate Response Strategy

The Commonwealth eSafety Commissioner, in partnership with the Attorney-General's Department and state and territory governments, should develop a National Online Hate Response Strategy. This strategy should: establish mandatory platform transparency reporting on hate content disaggregated by protected characteristic; fund community-led digital safety programs specifically for LGBTIQ+ and other targeted communities; develop protective intelligence protocols to identify and respond to online hate escalation patterns that predict transition to real-world harm; support counter-speech and digital literacy programs; and engage with international regulatory bodies — particularly in the EU — to align Australian platform accountability standards with international best practice. This will address the borderless nature of online hate, which is currently the most significant driver of the interjurisdictional dimension of hate crime in Australia.

Responsible party: eSafety Commissioner / Commonwealth Attorney-General's Department / Department of Infrastructure, Transport, Regional Development, Communications and the Arts.

Civil Hate Crime Prevention Orders

Rec 8.7 — Introduce Civil Hate Crime Prevention Orders as a Complement to Criminal Sentencing

Victoria should develop and introduce a civil hate crime prevention order regime, modelled on existing civil injunction frameworks (including stalking intervention orders and family violence safety notices) and drawing on the UK's civil injunction provisions under the Anti-social Behaviour, Crime and Policing Act 2014. Orders should be available on application by police or affected community organisations, obtained on the civil standard of proof, and capable of imposing targeted restrictions on individuals whose conduct demonstrates hate-motivated risk — including restrictions on attendance at specified venues, contact with identified victims, and online activity. Orders should carry criminal penalties for breach. This will provide a proportionate, earlier-intervention mechanism that complements criminal prosecution, can respond to conduct below the criminal threshold, and addresses the documented limitations of a sentencing-only approach.

Responsible party: Department of Justice and Community Safety / Victoria Police.

Diversion and Rehabilitation Programs

Rec 8.8 — Fund Hate Crime Diversion, Restorative Justice, and Offender Rehabilitation Programs

Victoria, and through national advocacy the Commonwealth, should fund the development and evaluation of a hate crime-specific diversion and rehabilitation program, drawing on international models including EXIT (Sweden), Life After Hate (United States), and the UK's hate crime restorative justice pilots. The program should be typology-aware, with distinct streams for thrill-seeking, defensive, and ideologically driven offenders. It should incorporate cognitive-behavioural intervention, prosocial network development, and, where victim consent is obtained and appropriate, restorative justice processes. The program should be subject to independent evaluation to build the Australian evidence base on hate crime intervention effectiveness. This will provide a response to the documented limitations of custodial sentencing as a standalone mechanism for reducing hate crime recidivism and will ensure that Victoria's response to hate-motivated conduct is calibrated to the evidence about what actually works.

Responsible party: Department of Justice and Community Safety / Corrections Victoria, in partnership with specialist community organisations and academic evaluators.

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."

This submission does not address ToR 9. The author's expertise is grounded in practitioner experience at the national and international level, and extends to the doctrinal, operational, and legislative dimensions of hate crime response addressed in ToRs 1–8. ToR 9 requires specific knowledge of the current work of the Victorian Commissioner for LGBTIQ+ Communities and the relevant Victorian government advisory bodies — knowledge the author does not hold in sufficient depth to offer evidence of value to the Committee. The Committee is directed to submissions from Victorian-based organisations and the Commissioner's own evidence for this Term of Reference. It is however noted that the Commissioner for LGBTIQ+ Communities and the relevant advisory bodies are the natural primary recipients of the operational and legislative recommendations made across this submission: the reforms proposed in ToRs 1–8 will only achieve their intended effect if they are implemented within a governance architecture that includes those bodies as active participants, and the Committee is encouraged to draw the Commissioner's attention to the specific recommendations in this submission that bear on that mandate.

Conclusion

Anti-LGBTIQ+ hate crime in Victoria is not a peripheral or episodic problem. It is a structural one. The evidence presented across this submission demonstrates that hate-motivated offending against LGBTIQ+ people is predictable in its drivers, identifiable in its escalation, and preventable through well-designed intervention — yet Australia continues to respond to it with tools built for other purposes, data systems that cannot see it clearly, and a service landscape that leaves victims without specialist support. The core argument of this submission is that this state of affairs is not inevitable. It is the product of specific,

remediable failures, and each Term of Reference has identified both what those failures are and what a coherent response would require.

The submission has identified five structural failures that cut across all nine Terms of Reference. First, Australia lacks any hate-crime-specific operational doctrine. Generalist risk tools, ad hoc community responses, and uneven state-level capability have been the default for two decades. The result is inconsistent classification, under-recorded harm, and intervention portfolios assembled case-by-case without doctrinal structure. Second, the data infrastructure is inadequate. Under-reporting, under-recording, definitional fragmentation, and the absence of disaggregated national data mean that the true scale of anti-LGBTIQ+ hate crime is unknown, and evidence-based policy development is structurally impossible at the national level. Third, intrafamilial hate crime remains a systemic blind spot. The four standard offender typologies and virtually all existing frameworks assume a stranger-danger model. Violence against LGBTIQ+ people within family systems — framed as correction, purification, or honour-enforcement — is routinely misclassified as family violence, and the victims remain effectively invisible to both recording systems and specialist support services. Fourth, the online and offline dimensions of hate crime are treated as separate problems when they are continuous. Digital hostility is not a precursor to real harm — it is real harm, and it is also the primary recruitment and mobilisation channel through which physical hate crime is organised. A response architecture that separates these domains will always be operating one step behind the offenders. Fifth, the protective intelligence function is absent. Every jurisdiction's current response model is reactive: investigation follows harm. A protective intelligence approach — identifying escalating hostility before it becomes violence — is standard practice in adjacent domains including counterterrorism and targeted violence. It has not been systematically applied to hate crime anywhere in Australia.

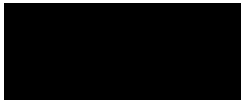
The forty-one recommendations across this submission are designed to address these failures in a coherent, layered way. They are not a list of independent reforms. They form an integrated architecture in which each component reinforces the others, and in which the central structural recommendation — that Victoria Police establish a dedicated Hate Crime Unit with an embedded protective intelligence capability — provides the operational foundation from which most other reforms derive their practical effect.

The recommendations address the recruitment and communication pipeline through counter-narrative investment, critical thinking education, and platform accountability obligations (ToR 1 and ToR 5). They strengthen the operational response through typology-aware training, formal recognition of intrafamilial hate crime, and the adoption of a structured professional judgement framework as Victoria's operational doctrine (ToR 2). They rebuild the prevention architecture by shifting resources from a sole focus on legislation and policing toward offender diversion, community capability, and victim-centred support services (ToR 3 and ToR 4). They repair the data infrastructure through standardised recording, disaggregated reporting, intrafamilial categories in LEAP, and a dedicated prevalence study (ToR 6). They address the compounding vulnerabilities of diverse LGBTIQ+ communities — Rainbow Mob, people with disability, and multicultural and multifaith community members — through intersectionality-informed pathways, safety mapping protocols calibrated to non-public-sphere risk environments, and the piloting of the Hate Crime Threat Management Framework in diverse-community contexts (ToR 7). And they establish the national architecture that Victoria currently lacks — a National Hate Crime Strategy, uniform definition, intelligence-sharing framework, dedicated legislation, and a national online hate response strategy — through which Victoria, as the jurisdiction running this inquiry, is positioned to lead (ToR 8).

The value of these recommendations lies not in their individual merit but in their collective architecture. Legislation alone does not change attitudes and may harden extremist commitments. Policing capability without protective intelligence identifies harm after it occurs. Victim services without warm-referral pathways leave survivors to navigate fragmented systems alone. Data collection without agreed definitions produces incomparable numbers. Community engagement without doctrinal integration produces goodwill without operational effect. What has been absent in Australia’s response to hate crime is not effort or intention — it is precisely this: a coherent, connected, intelligence-led framework in which every element knows its role, is calibrated to the actual drivers of offending, and is traceable back to a consistent set of principles about what hate crime is, why it happens, and what stops it.

The Hate Crime Threat Management Framework — comprising the Hostility and Concerning Trajectory Model (HCTM-26) and the Mitigation and Intervention Framework (MIF-26) — is offered not as a commercial product but as an evidence-based proof of concept: that it is possible to build a hate-crime-specific, typology-aware, driver-identified, layered response architecture, and that the absence of such an architecture in operational use anywhere in Australia is a remediable gap, not an inherent limitation of the field. The completion, validation, and operational adoption of a doctrine of this kind — whether this one or another developed through the same principles — should be a recognised priority of any serious national response.

The LGBTIQ+ community in Victoria deserves more than a system that counts their victimisation after the fact and struggles to prevent its recurrence. The reforms proposed in this submission are achievable. The evidence base for them is established. The operational experience exists. What is required is the political will to treat anti-LGBTIQ+ hate crime as the serious, patterned, preventable harm that the evidence demonstrates it to be — and to build the institutional architecture that reflects that recognition.



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Practitioner

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