



Legislative Council Legal and Social Issues Committee

Inquiry: Inquiry into anti-LGBTIQ+ hate crimes in Victoria

Hearing date: 24 June 2026

Question taken on notice

Directed to: Q+Law

Received date: 7 July 2026

1. Aiv PUGLIELLI, page 31

Question Asked:

Noting all of those points, which that have just been well made, perhaps, if necessary, you can come back to us if there are any particular jurisdictions that are doing some of this work really well, that the committee could reflect on, that perhaps would be of use. Is that something you can come back to us with?

Cassandra MARTIN: There are a couple of jurisdictions that have trialled different models. We can come back in writing.

Response: *See attachment*

2. Aiv PUGLIELLI, page 36

Question Asked:

On the prevention and rebuilding trust side of the conversation, what do truth-telling and redress measures mean in that aspect? Do people feel when they come forward that they are going to be believed, that they are going to be taken seriously and that there is going to be justice served for what has happened to them?

Sebastian SHARP: I think that it is important to see truth-telling not just as a form of historical redress but also as something that is going to hopefully be understood by contemporary institutions. There are lessons that can be learned from these types of exercises that have been really effective in other jurisdictions. We are happy to provide more detail about that in written form and about how these kinds of truth-telling mechanisms have actually led to significant change in other jurisdictions.

Aiv PUGLIELLI: Thank you. That would be much appreciated.

Response: *See attachment*

Questions taken on notice: Q+Law's evidence to Parliamentary Committee's Inquiry into anti-LGBTQIA+ hate crimes in Victoria

Question One

Aiv PUGLIELLI, page 31

Question Asked:

Noting all of those points, which that have just been well made, perhaps, if necessary, you can come back to us if there are any particular jurisdictions that are doing some of this work really well, that the committee could reflect on, that perhaps would be of use. Is that something you can come back to us with?

Cassandra MARTIN: There are a couple of jurisdictions that have trialled different models. We can come back in writing.

Response

There are several well-developed international initiatives that provide useful guidance for designing a restorative justice pilot for anti-LGBTQIA+ hate crime in Victoria.

In the United Kingdom, the restorative justice charity *Why me?* has developed specialist guidance on restorative justice responses to LGBTQ+ hate crime.¹ Its guidance emphasises that restorative justice should be voluntary, survivor-led, trauma-informed and underpinned by careful preparation, ongoing risk assessment and skilled facilitation before any restorative dialogue occurs. It recognises restorative justice as a complementary justice pathway that can operate alongside, rather than replace, criminal legal processes.

The *Let's Go By Talking* project examined restorative justice responses to anti-LGBT hate crime across Belgium, Bulgaria, Italy, the Netherlands, Poland, Spain and the United Kingdom. One of its key findings was that effective restorative justice depends on strong collaboration between LGBTQ+ organisations, restorative justice practitioners and criminal justice agencies, supported by specialist training to ensure

¹ Linda Millington and Leah Robinson, *Good Practice When Working with LGBTQ+ Hate Crimes and Incidents: A Guide for Restorative Justice Services and Practitioners* (Why me?, 2024).

practitioners understand the distinctive harms associated with anti-LGBTQ+ hate crime.²

Drawing on these international models, Victoria is well placed to develop a specialist restorative justice pilot for anti-LGBTQIA+ hate crime. Victoria already has substantial expertise in this area, including organisations such as Open Circle at the Centre for Innovative Justice (RMIT).

Open Circle currently delivers trauma-informed restorative justice responses to a wide range of harms, including sexual assault, racism, and interpersonal violence. They have experience designing restorative responses including truth-telling programs in response to historical, structural and systemic discrimination and institutional harm. Open Circle has written practice frameworks that draw on best-practice guidelines and experience from other contexts.

Consistent with the approaches adopted internationally, any Victorian model should be voluntary, trauma-informed, survivor-led and carefully facilitated, operating as an additional pathway that complements, rather than replaces, criminal legal processes. It should be community-based, delivered independently of Victoria Police, and available regardless of whether a victim-survivor chooses to report the incident to police or participate in criminal proceedings. This is important given that LGBTQIA+ people can face barriers in safely accessing mainstream criminal legal responses. It should also be co-designed in partnership with specialist LGBTQIA+ organisations, informed by ongoing community consultation, and independently evaluated to ensure it is safe, culturally responsive and evidence-based.

A model of this kind could provide victim-survivors with opportunities for acknowledgement, accountability, understanding and healing where those needs are not fully met through traditional criminal legal responses. Open Circle would be well-placed, in collaboration with Q+Law and others from the LGBTQIA+ sector, to develop and deliver this specialist restorative justice response to anti-LGBTQIA+ hate crime. These responses have a positive impact on the wider LGBTQIA+ community whose sense of safety and wellbeing is impacted by hate crime.

² *Let's Go By Talking Project Consortium, Promising Strategies of Restorative Justice in Anti-LGBT Hate Crime Cases* (2021) 4–5, 25–27.

Question Two

Aiv PUGLIELLI, page 36

Question Asked:

On the prevention and rebuilding trust side of the conversation, what do truth-telling and redress measures mean in that aspect? Do people feel when they come forward that they are going to be believed, that they are going to be taken seriously and that there is going to be justice served for what has happened to them?

Sebastian SHARP: I think that it is important to see truth-telling not just as a form of historical redress but also as something that is going to hopefully be understood by contemporary institutions. There are lessons that can be learned from these types of exercises that have been really effective in other jurisdictions. We are happy to provide more detail about that in written form and about how these kinds of truth-telling mechanisms have actually led to significant change in other jurisdictions. Aiv

PUGLIELLI: Thank you. That would be much appreciated.

Response

One of the central points we make in our submission is that anti-LGBTQIA+ hate today is shaped by a long history of criminalisation, discriminatory policing and institutional prejudice towards LGBTQIA+ communities.

Through our client work, we see the ongoing impacts of this history. Many of our clients describe both recent and historical experiences of feeling unsafe, unsupported or not believed when they seek help. These experiences continue to shape distrust of police and other justice pathways.

Within this context, truth-telling and redress are not only mechanisms for acknowledging historical injustice. They can also serve as important prevention and access-to-justice measures. If we want more victim-survivors to report hate crimes and engage with justice institutions, we need to address the reasons that this trust has been eroded in the first place.

Experience in other jurisdictions supports this approach. For example, the Colombian Truth Commission demonstrated that truth-telling can do more than document historical violence. By explicitly including the experiences of LGBTQ+ people within its truth-seeking process, the Commission helped recognise those experiences as matters of public concern and positioned LGBTQ+ communities as

participants in the justice system, rather than simply its subjects.³ This kind of recognition can play an important role in rebuilding trust between communities and public institutions.

International research also emphasises that truth-telling is most effective when it is accompanied by meaningful survivor participation, institutional accountability and concrete reform.⁴ Simply recording past harms, without addressing the systems that enabled them, is unlikely to rebuild trust or prevent future harm. Recent Australian research similarly argues that truth-telling should not end with symbolic acknowledgement, but should provide the foundation for meaningful accountability, institutional reform and long-term structural change.⁵ Effective truth-telling should therefore move beyond simply documenting history towards identifying systemic failures and informing institutional reform to prevent recurrence.

For this reason, our submission supports a suite of complementary measures rather than a single initiative. We see truth-telling as establishing a public record that recognises survivor experiences and identifies the institutional reforms needed to prevent recurrence; redress as a means of repairing the harms caused by criminalisation and institutional discrimination; and public education and memorialisation as tools for promoting long-term cultural change. Together, these measures can help rebuild institutional trust, encourage reporting and support the systemic and institutional changes needed to prevent future anti-LGBTQIA+ hate.

³ Leandro Carlo García Gómez, 'More than Documenting LGBTQ+ Narratives: A Human Rights Activists' Perspective from Colombia's Truth Commission' (2026) 30 (1) *The International Journal of Human Rights*, 82.

⁴ Katherine Fobear, 'Queering Truth Commissions' (2014) 6(1) *Journal of Human Rights Practice* 51, 54.

⁵ RMIT University School of Law, *Transitional Justice and Historical Repair for LGBTQIA+ Communities in Victoria* (2026), 6-7, 16.