

T R A N S C R I P T

LEGISLATIVE COUNCIL LEGAL AND SOCIAL ISSUES COMMITTEE

Inquiry into Anti-LGBTIQA+ Hate Crimes in Victoria

Melbourne – Thursday 25 June 2026

MEMBERS

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WITNESSES

Joe Ball, Victorian Commissioner for LGBTIQ+ Communities; and

Elizabeth Langdon, Victims of Crime Commissioner.

The CHAIR: Hello and welcome back to the next session of the Legal and Social Issues Committee inquiry into anti-LGBTIQ+ hate crimes. I am Joe McCracken. I am Chair of the inquiry. We will go through and introduce our committee members.

Aiv PUGLIELLI: Aiv Puglielli, North-Eastern Metropolitan Region.

Michael GALEA: G'day. Michael Galea, South-Eastern Metropolitan Region and Deputy Chair, and I will acknowledge that I also work with the LGBTIQ+ Commissioner professionally.

The CHAIR: Of course. And I think we will have some committee members that will be joining us online momentarily, so when they come on, they will be part of the questions process as well.

All evidence taken is protected by parliamentary privilege as provided by the *Constitution Act 1975* and further subject to the provisions of the Legislative Council standing orders. Therefore the information that you provide today is protected by law. You are protected for what you say during the hearings, but if you go elsewhere and say the same things, they may not necessarily be protected by the same privileges that exist here in the room today. Any deliberately false evidence or misleading of the committee may be considered a contempt of Parliament.

All evidence is being recorded. You will be provided with a proof version of the transcript, but that will ultimately be made public because we put it on the committee's website.

Just for the Hansard record, could you please state your name, your title and the organisation that you are appearing on behalf of. I will go from my left to right, if that is okay. Elizabeth, over to you.

Elizabeth LANGDON: Thank you, Chair. My name is Elizabeth Langdon. I am the Victims of Crime Commissioner.

The CHAIR: Thank you.

Joe BALL: Thank you, Chair. I am the LGBTIQ+ Communities Commissioner Joe Ball.

The CHAIR: No worries. Thank you so much, both of you, for coming along today. I will just acknowledge Sheena, who has come into the Zoom call as well. Thank you for being online, Sheena. I will hand over to you guys now for opening statements. Does anyone have a preference on who wants to go first?

Joe BALL: I can go.

The CHAIR: Welcome. The floor is yours.

Joe BALL: Thank you. I would like to start by acknowledging country. We are on the lands of the Wurundjeri people of the Kulin nation, and I pay my respects to elders past and present and acknowledge Sheena Watt as a First Nations person. And I acknowledge your elders, Sheena. It always was and always will be Aboriginal land.

I want to start by saying this is a historic inquiry for LGBTIQ+ communities, and even though we are dealing with extremely hard topics – and I have sat through the last few days and heard extremely hard witness statements about violence and horrendous things against my community – this is extremely welcome, this parliamentary inquiry, and it is extremely important. I want to thank you all for your time and for being here and those who have also showed up online and in person to hear witness to this parliamentary inquiry, because one of the goals of it of course was to be heard.

As Commissioner for LGBTIQ+ communities, the health and wellbeing of LGBTIQ+ Victorians is my key priority. Every person, regardless of sexuality, gender identity, variations in sex characteristics, family structure

and all identity characteristics, deserves to live safely, openly, equally and with dignity in their public and domestic lives. My evidence today is informed by community intelligence along with evidence-based research and work underway across government. Here at this inquiry I want to be very clear about two things that are equally true: that government has taken significant and meaningful action to respond to hate crime and that more needs to be done. I will be following closely and will take on board the observations, findings and recommendations of this inquiry, and it will impact and influence my work going forward. I want to point to the excellent work of the Victoria Police in noticing the trend of hate crimes against gay and bi men. While these crimes are happening across Australia, Victoria, New Zealand and the world, in terms of the numbers of arrests and raising awareness through the media and getting community safety messaging out, they have been exemplary.

I want to briefly touch upon the benefit of having a central policy function in government addressing LGBTIQ+ equality with clear, measurable, reportable outcomes. For the past decade we have had an equality portfolio with a Minister for Equality and a commissioner, the only one in the country. We have seen significant work to strengthen equality via legislative reform, social policy and grants programs for community organisations and events. We have seen the development of a 10-year whole-of-government strategy called *Pride in Our Future* co-designed with community to guide the portfolio. As a result I do believe that Victoria leads the way across Australia. This work needs to be sustained, and it does need to have bipartisan support. We have seen the success when an issue in our community has bipartisan support, and the best example is in the response to HIV/AIDS. Political parties did not always agree on the humanity of responding effectively to that previous and current pandemic. Today the major parties do agree. I hope that all LGBTIQ+ health care will receive the same bipartisan support that HIV/AIDS does today.

Now to the rise in hate and hate crimes: Victorian anti-LGBTIQ+ hate crimes must be understood and addressed within the lens of countering violent extremism where it meets the test of violent extremism and deradicalisation work, and that is what I recommend in my submission. Violent extremism is when people with extremist views turn violent, which is what we have seen with the dating app attacks in Victoria and across Australia, New Zealand and other countries. There have been significant numbers of coordinated, sustained hate crimes against LGBTIQ+ people in Victoria and Australia, and overseas there have been terrorist attacks on LGBTIQ+ people. There have also been numerous attacks in the last month, including a transgender woman who was murdered in her university campus in the USA, stabbed to death in broad daylight. We are seeing a rise in anti-LGBTIQ+ sentiment globally. I actually really want to say this on the record, and it is not something I planned to say except for hearing the submissions over the last day: it is not inconceivable – and this could happen here – that we could have a significant event against LGBTIQ+ communities. There could be a terrorist attack against our communities. Why I feel confident to say that is because I note that that is what is raised by Professor Josh Roose, who is currently working on the national antisemitism royal commission, and what he has clearly said and he clearly notes in his submission is there are the same indicators – dehumanisation, moralising, framing as an enemy. All those things underpin terrorist attacks, and we have seen them with the LGBTIQ+ communities.

With deepest respect to the current antisemitism royal commission, perhaps the greatest lesson from Bondi is that when a minority community and leading anti-terrorist experts warn us that a violent attack is imminent, this is taken very seriously. As Mike Burgess, the director-general of security at ASIO, said last night in his annual threat assessment address:

The tolerance of intolerance, the growth of grievance, the radicalisation of minors, the embrace of conspiracy ... all these things require a whole of community response ...

And that is as relevant here as in any other community.

Today I must stress the extent of the harm caused by hate crimes and the broader context of hate upon LGBTIQ+ communities and their families and broader society. A reminder: over 95 cases of dating app attacks have been reported to the Victorian police, but we know that that number is much higher, and I stress again, as everyone has, the extent of under-reporting. Gay and bi men are living in fear, along with LGBTIQ+ communities more broadly – not only those who are directly impacted by the dating app attacks but those who watch on in news reporting and hear it from others. They are living with the fear that this could happen to them.

In my submission I have outlined the harm caused by the broader rise in hate – event cancellations, bomb threats, death threats, threats on venues, threats on parents, intimidation, hateful graffiti, harassment, vilification

and abuse. And further, as we heard from a parent yesterday – and I agree that bullying of any child is horrible – direct death threats and a physical assault against an adolescent purely because he is transgender must never be minimised, and it must never be minimised as just another act of bullying. Hate is occurring both online and in physical spaces with trans and gender-diverse people and particularly trans women facing the highest rates of online abuse. I recently received a death threat, but I have no doubt that if I was a transgender woman, it would be a hundred times more, the amount of threats that I would have against me.

LGBTIQ+ Victorians have a long history of living with hate and persecution. What is new, however, is the coordination and amplification of these attacks through the algorithms through social media. LGBTIQ+ people with multiple intersecting identities, people with disability, multifaith and multicultural communities and people living in outer suburban, regional or rural areas, as well as young people and older people, may be disproportionately affected, and we do not have that whole picture because of data. But it is what we have heard throughout this inquiry, and it is what I know from what people have told me. On top of this, these communities also face isolation or additional barriers to accessing support services.

Hate crimes do not emerge in isolation. They occur within a broader social context shaped by leaders, prejudice, dehumanisation, fear and the belief that some people are less deserving of safety, inclusion and belonging or, worse still, that some people do not deserve to exist. The inquiry has heard from LGBTIQ+ community members who have experienced abuse, harassment and vilification because they are LGBTIQ+, not all of which will meet the threshold of a hate crime. However, this hate must still be addressed by government and our community, because hate if left unchecked does erode the safety, social cohesion and trust in our public institutions and ultimately in our democracy. It is clear that hate against groups and classes of individuals is being stoked in an interconnected and organised way via online platforms, digital technologies and harmful algorithms. We need to address these key factors in the rise in hate and polarisation and in the radicalisation of our young people.

Finally, LGBTIQ+ people like me simply want to live, love and go about their everyday lives free from hate and violence, like all Victorians. Together we can achieve this. Thank you.

The CHAIR: Thank you very much. Elizabeth.

Elizabeth LANGDON: Thank you. Good afternoon, and thank you for inviting me to be a witness here at this important inquiry. My name is Elizabeth Langdon, and my pronouns are she/her. I am here today as the Victims of Crime Commissioner. I begin by acknowledging the traditional owners of the lands on which we meet, the Wurundjeri Woi-wurrung people of the Kulin nations. I acknowledge their elders past and present and all traditional owners across Victoria. With today's topic in mind, I also acknowledge rainbow mob. I would like to take a moment to thank the many LGBTIQ+ people who fought for their community to be recognised, protected and celebrated, many of whom were and are victims of crime.

My role is ultimately about making sure that a victim of crime does not become a victim of the justice system. While much of this inquiry will consider preventing hate crimes, my role focuses on the existing rights of Victorians who are victims of crime and the obligations of agencies to uphold those rights. My role was established under the *Victims of Crime Commissioner Act 2015*, and the functions and powers that I have are very much focused on advocating for the recognition, for the inclusion and for the participation and respect of victims. I work with government departments, bodies that are responsible for conducting investigations and public prosecutions, and agencies delivering victim services – for example, Victoria Police. I work closely with the Office of Public Prosecutions, victim assistance programs, known as VAPs, the financial assistance scheme, known as FAS, and others. I refer to them collectively as responsible agencies.

As Commissioner I also oversee the *Victims' Charter Act 2006*, an Act that is now 20 years old. The charter fundamentally recognises the impact of crime on victims, families, witnesses and our communities. The Victims' Charter should be a fundamental protection for the LGBTIQ+ community. It outlines 17 principles, often referred to as rights, that responsible agencies must adhere to when engaging with victims of crime. My functions include monitoring responsible agencies' compliance and investigating complaints by victims when they feel that a responsible agency has not upheld their rights under the charter. Relevant to this inquiry, the charter's section 6(2) requires these agencies to take into account and be responsive to the particular needs of persons affected by crime. The charter specifies that these, and I quote, 'particular needs' include sex or gender identity and sexual orientation. While the charter sets clear obligations, the evidence shows that these rights are

not consistently realised. Many victims face barriers to reporting. They have low awareness of their rights and in some cases receive responses from agencies that compound rather than alleviate their harm. As a result, I am concerned that the true scale of anti-LGBTIQA+ hate crime is under-recognised.

Late last year I provided the Attorney-General with the legislative review of the victims charter, which was then tabled, as you might know, in Parliament in October. I made 25 recommendations to government aimed at modernising and improving the functioning of the charter for victims, and government is considering the review. A key finding of that review was that there are overall very low levels of awareness in the Victorian community that the charter actually exists and what victims' rights are. Given the systemic barriers faced by LGBTIQA+ people, it is likely, I believe, that this awareness is even lower. I would welcome the committee's thoughts on ways in which the victims charter can be better promoted, can better reach LGBTIQA+ victims of hate crimes and the community services and agencies supporting them.

I want to say that no LGBTIQA+ person should be a victim of a crime and that no hate crime has only one victim. The justice system should never compound the trauma of a hate crime victim, and yet my office's 2023 report called *Silenced and Sidelined*, led by the previous commissioner Fiona McCormack, heard that LGBTIQA+ victims feel marginalised, minoritised and at times, sadly, even criminalised by the justice system. I recently met with a trans victim of crime to listen to their experience, and I thank them for sharing their experience with me. They shared with me issues of misgendering, use of a dead name, inappropriate referrals to a service of the wrong gender and barriers to accessing supports across victim services and police and in the courts. I also heard from a member of my lived experience experts network – that is around 80 to 90 people who support me in my role – and in particular the network spoke to me about rhetoric attacking trans people and making their community feel unsafe in public.

The justice system must do more to uphold LGBTIQA+ rights, the rights of these victims. We know that victims from the LGBTIQA community are less likely to report crime. For those who do bravely report, we know that responses that breach the victims charter do happen. A recent complaint investigation by my office revealed that a victim of hate crime who reported this crime to police received a response which made them feel unsupported, shamed and disrespected.

It is a significant toll to have to be a victim of crime, self-advocate to access services, go through a criminal justice process and then go through a complaint investigation. In fact before a complaint can be investigated by my office and by me, a victim currently, under the legislation, must first complain to the agency who has, they believe, failed to uphold their rights. This is set out in section 25A of the legislation. This two-step process is very hard for victims. Recommendation 16 of my charter review is to remove this requirement. As noted in my submission to this inquiry, I have the legislative power to conduct a systemic inquiry on any victims-of-crime matter. If the committee were to identify an area that they feel would benefit from further inquiry, my office is available to discuss this.

I would also like to acknowledge Commissioner Ball. As a fellow commissioner, I know that our roles are essential in bringing voices to the forefront, particularly in the face of rising homophobia, transphobia and victimisation in Victoria. Joe's insights are key to helping me do my job.

In closing, I want to reiterate that LGBTIQA+ victims deserve a justice system that upholds their rights in practice. Our response must be whole-of-system, victim centred, trauma informed and grounded in the voices of those most affected. Hate crime victimisation has no place in our society, and I look forward to the committee's recommendations. Thank you for inviting me to come today. I welcome your questions in our discussion.

The CHAIR: Perfect timing. Well done. All right, I will go first, and then we will go through the rest of the committee. Firstly, thanks so much for your presentations – much appreciated. Joe, I will go to you first. I am trying to come at this with no assumptions. This might sound like a really, really basic question, but what is hate in your eyes?

Joe BALL: I actually think that the ASIO – I think Mike Burgess nailed it really, and I will go back to that because I think it is dehumanisation, moralising – where did I put it? He just said this last night so it is very fresh, but I actually think the way that he named it – and he is talking about the precursors for terrorism, which is the ultimate act of hate, really. He said about it that it is the tolerance of intolerance, the growth of grievance,

the radicalisation of minors and the embrace of conspiracy. I think that the heart of that, which I also think, is when you can have no compassion for somebody, and you have also got to take into account with hate that hate is sometimes dressed up as other things, and that is really important. In the LGBTIQ+ space terrible things have been done in the name of 'care', like electric shock treatment, incarceration in mental institutions and the removal of children from lesbian mothers because their family unit was considered degenerate in the family law courts. Of course the criminalisation of homosexuality was done in the act of care for the broader community. When we think about hate, we also need to consider how that feels on the person who is receiving the hate. It is not necessarily always something that can be objectively determined. I think we must strive for it in order to create definitions, but I think we also need to remember that hate can be dressed up as other things.

The CHAIR: One of the challenges when we are talking about putting rules in place for society and how it operates is the subjective nature of hate, as you have quite rightly described, and how you put that in such a way that a police officer can objectively identify that. And it is a really huge challenge, because what I might perceive to be hate is different to what Michael might, to what you do or to what anyone else does, and I am trying to grapple with what that is compared to what robust political discourse might be. So when we talk about these sorts of things and we want to prevent really disgusting negative behaviour that we have been seeing a lot of people that are experiencing that through dating apps suffer through, I am really struggling to pinpoint what it is that is defined as hate in that circumstance, because it is quite broad, isn't it?

Joe BALL: I think that there are things that are very clearly hate, like death threats and like threats to violence that are just really targeted on people. So I think there are very, very clear ones, and I think it is important to distinguish it from public discourse. I think categorising whole groups of people as insurgents is a form of hate because that is dehumanising. It is broadly categorising people.

The CHAIR: Do you see hate on a spectrum, where there are people that can have a disagreement and where there are people that want to cause really serious harm? I know we have had previous witnesses that have said it can escalate in behaviour from whatever view that is formed to having disagreements, turning up to a public rally, for example, and then committing violent acts. Is that the way you might understand it?

Joe BALL: I think that what is really important for the terms of reference of this particular inquiry is the crime component, and I think it is being really clear about when incidents – because we know what a crime is, right? I think it is about putting the hate component within the crime and understanding it. For example, it is a crime to stop people from accessing a public library to take their children inside. You are stopping people from accessing a public venue. It is a crime to ring up a public library and say, 'I'm going to blow it up because you're having a drag story time.' That is a crime. They are all hate motivated. I would say it is a crime, which people have done, to want to blow up the Shrine of Remembrance because it is going to shine a rainbow and have an exhibition about LGBTI veterans who served. I would say they all meet the test of a crime. But the additional element is that hate has fuelled it and that it has been hate motivated towards a particular, specific group of people. They did not hate the Shrine of Remembrance; they hated what was happening to it. They did not hate the library. I mean, maybe they hated the library as well, but hopefully not. Sometimes people hate reading in its own right. But they were there for a specific reason, and I think that is the distinction. And I think you are right; I think we absolutely need to draw a distinction between –

The CHAIR: It is a hard line to find, though, isn't it? And I am sorry; I do not mean to cut the conversation off, because it is a really positive one to have, but my time is up and I have got to be respectful to my committee members. So I do apologise. But I will hand over to you, Michael.

Michael GALEA: Thank you, Chair, and thank you to both of you for your very impactful opening statements. Joe, I might start with you. You mentioned that Victoria is the only state with a Minister for Equality, and indeed that you are the only commissioner of your type at a state or federal level in the country. Referencing 6.3 of your submission, where you talk about some of the actions that you have taken or are currently undertaking, can you talk to specifically some of the things that you or your office has done in relation or in response to working with community in relation to the app-based attacks?

Joe BALL: Thank you. I want to say, as the introduction to talking about the things that I did, that when I took the office I did not think that one of the things I would be doing would be responding to gay and bisexual men being bashed, and so violently. I think that that is really worth saying. If people ask me, 'What is something that has really shocked you about the role?' I would say that in the sense that I thought of a range of

things that I might be doing but I did not – this has been something that has been growing and is unprecedented and horrifying, and something that feels like it should have been very relegated to the past. That was not your question, but I just wanted to say that I did not come in preparing for that but it has been a key component of my role.

The things that I have done to respond to this: one of the things was co-facilitating a community engagement forum and promoting that community engagement forum in The Laird and sitting in that space, responding to questions from community, sitting beside Jeremy Oliver, who we heard from before, and community advocates and members of Thorne Harbour Health and discussing what was happening and getting community safety messages out. I have been to two of those and been active with them. I think it is a very important part of the role. I have also championed – and I do think it is a good thing that we have – the post-and-boast legislation. We have heard from people the limits of it. I certainly cannot take credit for it, but I think it is something that I definitely have welcomed and encouraged people to engage with. I also welcomed the machete ban. I sat in front of a victim-survivor – it is in my submission – who was slashed with a machete, and shortly after that attack in the north of inner Melbourne, the machete ban came into place. Any policy can be improved upon, but I think those two things are very important changes that we have had.

I have also championed and I continue to champion the anti-vilification legislation. I think it is incredibly important, and we must remember where the anti-vilification legislation came from, or maybe the additional energy to implement that legislation came from. It was when we had an anti-transgender protest on the steps of Parliament House, where neo-Nazis went to the fore and dropped a banner that said ‘Die paedo freaks’ – imagery that went all the way around the world. People saw that banner in front of our Victorian Parliament House, and for that reason and many other reasons, I have been a keen advocate and supporter and continue to support the rolling out of the anti-vilification legislation.

I continue to meet with LGBTIQ+ stakeholders to hear about their experiences across Victoria. I travel throughout the state of Victoria and hear about experiences. I hear a lot from parents that are extremely worried about the future, with stories just like Merrin’s yesterday and very similar experiences of their transgender child being bashed at school in lots of different locations – Geelong and Bendigo are two of them – and parents saying that the only choice they have had is to take their child out of that school and put them in another school, sometimes relocating to a whole different town to keep their child safe. These are just some of the few things that I have done. Sorry, you are going to lose your time.

Michael GALEA: That is okay. It is a very fulsome answer. I do want to touch on something else that you referred to in your opening remarks. How concerned are you of an imminent anti-LGBTIQ+ terror attack in this country?

Joe BALL: Extremely, and I think it really hit home with what Josh Roose said yesterday. I am a Jewish Australian, as well as a transgender person, as well as a father, as well as a lot of things, and the Jewish community kept raising the question around the same things. The ASIO boss made a comment previously – very similar, prior to. We have a royal commission about it now. I am extremely worried. I agree there are the same telltale signs, and I see it in my own work. I mean, I received just a fortnight ago a very awful death threat that I needed to report to Victoria Police. It was from someone not from overseas – someone from Queensland. But the kinds of things, the comments that were made in my own feed on social media, were horrendous, and again, I think that would be worse if I was a transgender woman or a woman in general. Still, they were terrible. Without putting all the expletives that were in the message, all I had done, talking about local councils, as we did yesterday, is I had given a presentation of 45 minutes – actually 15 with questions – about LGBTIQ+ rights to a leadership training day of emerging leaders in local government. And I had made this very banal post about it, which normally people would kind of ignore because it would be quite boring, but it was kind of like ‘I went to this. This is what I did.’ It mentioned nothing about my identity or the content of what I gave. And someone thought, given that post, that they would write to me that I deserved, with expletives in there, a bullet in my head. That is someone in this country. And I think what I am seeing is it is increasing – absolutely increasing.

I also want to add that the moment you start talking about a minority in the way that was discussed recently of dehumanising – another word for insurgency is terrorist. When you start talking about people who are just parents, neighbours, friends, colleagues or people in your own political party, as it is in that case, not as people – this is what dehumanisation means, not as people, not as people who pay rates, not as people who play sports,

not as people who love their children – and when you start talking about them as just a big group or blob of people as insurgents, from there it becomes very dangerous, because all you need is a lone actor, and that is the lesson of Bondi. If we do not learn it out of this, I do not think we have learned anything.

Michael GALEA: Thank you.

The CHAIR: Thanks. Mr Puglielli.

Aiv PUGLIELLI: Thank you, Chair. Thank you for appearing before us and for the statements that you have made thus far. Joe, just staying on this topic, learning from history, where do you see us right now? A lot of community members, for example, will talk about feeling like they are in a place that feels like it was condemned to history, not where we are now, and yet we are back here – gay and bisexual men being attacked. For many, it is not something that they would have thought they would see at this point in time. To your awareness, where are we and where are we headed?

Joe BALL: I mean, I think that it is really important that we recognise that, as Martin Luther King said, the arc of history is bent towards justice. But the point he was trying to make is that you have to bend it, not that it is bent by itself. I think that things can go backwards, and they clearly are. The Weimar Republic was one of the most progressive governments of its time in Germany prior to the rise of fascism. You can have really progressive places, and you can quickly flip backwards based on a confluence of activities that can take place, where fear can amplify division.

What I really think of when I think of hope in this space is when I see people of all different backgrounds getting up and talking about how, one, they are worried about it, but they start calling it out regardless of political background, because sometimes I think we allow hate and we allow victimisation and we allow targeting of people if we politically disagree with them. And what I think we really need to do is get to some standards in our society again. Return to some kind of standards – for example, that we do not protest schools, we do not protest libraries and we do not ask for books to be pulled out of libraries. That is what people are asking for. Libraries are a place where you do not like every book in the library. I mean, I can get ‘Heather has two mums’, but I can also get Enid Blyton. That is what happens in a library. So I am worried about – I want us to get back to a civil place. And I want to see from leaders, which I absolutely call myself within that, and our roles as commissioners and your roles whether you are faith leaders, sporting leaders, whoever you are – we do need to call it out and come back to a civil middle ground that some things are not acceptable. What is basically not acceptable is everything we have discussed in hate crimes and dehumanisation of people that leads to hate crimes. I think that we have had all the warnings on the table from so many people. The time now is to act. I will just leave it at that.

Aiv PUGLIELLI: Thank you, and very well said. With my remaining time, Elizabeth, you have just referred to the systemic inquiry function of your Victims of Crime Commissioner role and that it would be of benefit to this inquiry. Could you take us through what that would look like in practice and what would be within its scope, that sort of inquiry?

Elizabeth LANGDON: Thank you for the question. In the three commissioners that have been in the role that I have the privilege to hold, there has been one systemic inquiry, which was led by Fiona McCormack, and then I did the review of the victims charter, which was not called a systemic inquiry but it had elements of a systemic inquiry. The features of those inquiries are really open for discussion, but they look at issues that affect victims of crime across a system. Perhaps some features of the charter review I might mention in terms of the way I approach that work: it was very much trying to place at the centre the experience of victims of crime, so listening to what victims of crime felt safe to talk about, and also to engage with the agencies that work with them. That is advice that I provide according to the Act, to government, to the Attorney. In my mind it is really looking at issues that are not about an individual person but bringing in very much the voice of the victims and looking across a systemic issue. It is a terrific function in the Act that I have, and I think it can provide real value to government and to decision-makers about the sorts of things that can be thought about.

Aiv PUGLIELLI: Would we expect that it would perhaps look at, for example, some of the barriers that people are experiencing in whether they come forward to authorities based on the concerns about authorities taking the matter seriously – it being looked into, that they might attain justice through that pathway? Would that be part of its scope?

Elizabeth LANGDON: If I was hearing from victims of crime – however many I talk to, whether it is a very large number or a smaller number – that there was a consistent theme, that is how I would really determine the scope of the inquiry. If it is a systemic matter, such as you describe, that could be a focus.

Aiv PUGLIELLI: Thank you. Thank you, Chair.

The CHAIR: Thank you very much. I will now hand over to our committee members online, and I will go to Mrs Hermans first. Ann-Marie, over to you.

Ann-Marie HERMANS: Hi. Thank you so much. I hope you can hear me, because I am in a different location at the moment. Look, I really appreciate it. I have only been able to catch snippets of it just because of the internet, but I do want to pick up on something. I think it was Joe – is that right? He talked about the dialogue. I am very concerned about victims of crime. It concerns me deeply that we can have people of any group that feel as a minority really victimised. That bothers me. It bothers me that there are people being targeted based on their lifestyle and their beliefs. I think that it is something we have to address in the system.

In the situation of dialogue – I think it was Joe who raised the issue about having that conversation – I think that one of the things that has happened is that the dialogue has been very much one way, very top heavy. I wanted to get your thoughts in terms of moving forward, in de-escalating a situation of rising discontent within the communities where things could escalate to be hate crimes, which is not what we want in any shape or form. Whether it be to the Jewish community or whether it be to the LGBTIQ community, we do not want it. This is not the Australia we have grown up in for the most part. I hear from the community in the LGBTIQ space that there has been an ongoing problem that they thought would change that has perhaps not shown that change in recent times. I am just wondering about the ongoing dialogue of being able to engage with people of different faith communities – not the leaders of the faith communities but the people and the parents that these decisions impact. I think we have to acknowledge that prejudice goes both ways.

I love these guys on this panel that are sitting in the room right now, and they know that. I am pretty sure they know that they are amongst some of my favourite people that we have as colleagues. I have a good relationship with every single one of them, and I think I have had from day one. They know that I respect them as people, and I actually really love them. They are great, and they come from all different parties and it does not matter to me. But the reality is we do have issues with this prejudice, we do have issues with the dialogue, and I have got very strong maternal instincts – protective instincts – for people, so that goes for people in the community as well that are LGBTIQ. How do we go forward to have the dialogue? What are your suggestions so that it is inclusive of all people, even people that have religious beliefs that might conflict with the LGBTIQ community's lifestyle or choices? How do you go forward in a harmonious way that can actually de-escalate this without it being top-down, slap across the face: 'Do what we say; we're doing this, and we're imposing this on everybody'? How can it be done in a way that is genuinely inclusive and inviting and listens to all voices?

Joe BALL: Thanks for the question. I assume that is for me. I think it is really important to remember as a starting point that we have people of faith too, and it is not God versus gay. Actually LGBTIQA+ people – every person in the acronym – practise faith. We have people that pray, we have people that break bread and we have people that go to synagogues and churches and mosques. We have people that meditate and have spiritual practices, and as you pointed to yesterday, practise paganism, even – so I have heard. I think that that is a starting point, to recognise that nobody has a monopoly on faith – they do not. Faith is a contested space, for starters, and I meet people all the time at religious schools. Some of the people I meet – I do not go to religious schools but I talk to people who work at religious schools, and they have got some of the best policies on transgender students I have ever seen. What they do is they centre the rights of the child. When it comes to children, we have to centre the rights of the child, and I have seen in schools where a transgender child has been in year 11 at a boys school and they have transitioned, and the school has created a girls uniform for them because it is the best thing for the child to be able to graduate with their schoolmates. So I think one of the ways we have to go forward is to centre those people – centre children. We need to centre children in this and listen to them and not create these binaries where there is right and wrong, where there is faith over here and there are LGBTIQA+ people over here, because it actually does not exist.

Ann-Marie HERMANS: No, and that is not what I am saying. I am saying that there are people who ideologically and religiously, based on their faith, would not embrace LGBTIQ as a lifestyle. And that is a reality. It is a fact. It is not 'Well, this is a problem we have to deal with.' Maybe it is a problem, but the reality

is that that exists. So my question is not – and I understand child-centred education. I mean, I am from an education background. But what I am saying is: where is the dialogue? Where is the openness for parents who have a protective instinct over their children, who do not want them to be having to deal with sexualised material when they are young, to have that voice and to be part of the conversation? I do not see it happening. I suspect that some of the animosity – I do not agree with it. I do not agree with the behaviour certainly of the Nazis on the steps and the things that they have done. I think that is horrendous. But I do not think that you will find genuine Christians being Nazis, ever. I would be surprised. Maybe there might be some; I doubt it. But it is not congruent with the faith. So I am just saying: where is the dialogue? If we are going to come to some sort of decision, top-down is not going to be a decision that is going to sort things out. It is going to make things difficult.

Joe BALL: I think that people need to have conversations at the local level as well. I can see what you are saying about this. I think that people's minds do not get changed by punitive processes, and I think lots of people have said that. But I think that it is important to remember that you can have your views and not be an LGBTIQ+ person. You do not have to practise, as you put it, an alternative – I cannot remember. You do not have to do that, right? But in this democracy in Australia you cannot stop other people from doing it.

Ann-Marie HERMANS: No, that is right.

Joe BALL: That is right. So I think that the common ground, though, here is where people are trying to actually stop other people from being themselves. The problem is that what we are saying is people have always existed, and we do need some information in schools as one place – and I would say libraries are another – where people can get knowledge about things like different family structures. And I think this benefits lots of families, right? I think that it is important because donor-conceived children is not a gay issue; donor-conceived children happen for lots. So people need to have information that children might be adopted, they might be raised by their grandparents, they might have a single-parent household, they might be raised by an extended family. All these things I think we need to remember are not just about LGBTIQ+ issues; they are about the diversity of the Australian family. I think that what is happening in schools, and that is what we need to see. I think if there is overly sexualised content, show it to me, because I have not seen it. Content that has been provided in public schools in Victoria needs to be age and stage related. It has to be. You do not show a year 12 what a kindergarten child is shown. You agree, right?

Ann-Marie HERMANS: Exactly.

Joe BALL: And guess what – it is not happening. But what people do is they find the year 12 content and say in a brochure that they put in someone's car door or put in someone's letterbox, because I see them, 'This is being taught to our children in school.' But they have not told you that that content might be for a year 12. We do need to talk to year 12s about having consensual safe sex, because it is a reality, right? You do not talk to them in grade 1 about that.

Ann-Marie HERMANS: Maybe there needs to be a little bit of regulation and going through that curriculum too –

The CHAIR: I will just say that time is up, Ann-Marie. I am so sorry to cut it off, because it really is a fascinating conversation, but I need to give Sheena her time as well.

Joe BALL: And we might be going into the salad area – a salad bowl.

The CHAIR: Sheena, over to you.

Sheena WATT: Chair, thank you very much. Can I begin by thanking both commissioners for joining us today and for your very substantial submissions. I in fact have some particular questions for Commissioner Langdon – no disrespect to you, Commissioner Ball. I am reflecting actually throughout this inquiry on the inquiry done during the last parliamentary term into the criminal justice system. During that we actually had some contributions, particularly from victims of crime. Your predecessor Fiona McCormack, I believe, came and presented. What we heard about then, which has come up now, is the challenges of victims of crime accessing the assistance scheme, so I just have some questions for you. Do you have any information about victims of crime and their access to the financial assistance scheme? What are we seeing? Do you have any

data or evidence or questions that you want to raise around LGBTIQ+ community members and the financial assistance scheme particular to victims of crime? I will leave it there and perhaps go to a follow-up after.

Elizabeth LANGDON: Thank you very much for the question. As background, the financial assistance scheme, which was previously at the Magistrates' Court, was VOCAT, or sometimes referred to as victims of crime at that time, incorrectly; it was part of the Magistrates' Court processes. The financial assistance scheme is now run by the Department of Justice, so not run by my office but run as a part of the Department of Justice and Community Safety. My role vis-a-vis the FAS, as it is referred to, is to make sure that the processes of that scheme are compliant with the victims charter. The FAS is actually, in the regulations, a prescribed agency and must adhere to the to the victims charter. The work that I do with the scheme is to make sure that in their processes, in their systems, in their culture and in the way that they deal with applicants they are working in a way that aligns with the spirit and the intent of the law under the victims charter. As I do not run the scheme, I do not have to hand the data on how many applicants have experienced a hate crime, so that question might be better directed to the department who actually runs the scheme. But I have that regulatory function as opposed to actually running the scheme.

Sheena WATT: Do you have any knowledge of whether or not it is captured in the application process or anywhere throughout if you identify as a member of the LGBTIQ+ community? Or is that best placed to the department?

Elizabeth LANGDON: I do not have that to hand. Of course when a person applies for assistance under the scheme, there are a number of considerations that are taken into account about whether they are able to be an applicant, and the criteria for being an applicant would also depend on the crime or crimes that the person has experienced, whether they were part of the previous scheme or not. So no, I do not have that information to hand as I do not run the scheme.

Sheena WATT: All right. Perhaps that is one that I can follow up with others. I am just concerned about perhaps members of the LGBTIQ+ community being aware of the scheme and accessing the scheme. Commissioner Ball, do you have anything to add that might have come through your office or through community organisations that you work with around LGBTIQ+ community members and the financial assistance scheme for victims of crime?

Joe BALL: What I think is part of my remit of work and is absolutely within my area is to champion – I want to use this word – and promote the Victims of Crime Charter and other victim support services. I think it has become very clear to me over the last year as to how much people do not know about some of these services. I think that that is a core part of my role – and to work with the LGBTIQ+ service sector and community organisations and get them to champion it as well and make sure it is in people's databases and that people know the full suite of what is available to them. And that is something that we –

Sheena WATT: Commissioner, would you have a recommendation for the inquiry today relevant to the financial assistance scheme for victims of crime.

Joe BALL: I mean, I think we need to do a campaign about promoting it, really, and promoting it to the LGBTIQ+ community. An education campaign is I guess my recommendation going forward, developed with the commission.

Sheena WATT: Thank you.

Elizabeth LANGDON: One matter I should have mentioned is there is actually an independent review underway of the scheme, and that may be a point of intersection with your work. Again, I am not running that review, but I have been engaged in it. But that may be a point of intersection, perhaps, for making sure that the scheme is inclusive, as it needs to be.

Sheena WATT: Thank you very much – and for leaving us with a recommendation from your answers today. I will return to the Chair. Thank you.

The CHAIR: Thanks so much, Sheena. I think that pretty much brings us to the end of our session. Thanks very much for your time and the evidence that you have given today. You will be given a proof version of the

transcript, and you can have a look over it and see if there are any typos or anything like that. But from us, thanks very much. We really appreciate it.

Witnesses withdrew.