

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

Joe McCracken – Chair

Michael Galea – Deputy Chair

Ryan Batchelor

Anasina Gray-Barberio

Renee Heath

Ann-Marie Hermans

Rachel Payne

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WITNESSES

Mr Jarryd Bartle, Lecturer, School of Global, Urban and Social Studies, RMIT;

Dr Justin Ellis, Senior Lecturer, School of Law and Justice, University of Newcastle; and

Adjunct Professor Nicole Asquith, School of Justice (*via videoconference*), Queensland University of Technology.

The CHAIR: Welcome back to the next session of the Legal and Social Issues Committee inquiry into anti-LGBTIQA+ hate crimes. I am Joe McCracken, Chair of the inquiry, and I will go through and introduce committee members. I will go to those in the room first and then those online.

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

Michael GALEA: G'day. Michael Galea, South-Eastern Metropolitan Region and Deputy Chair.

Ann-Marie HERMANS: Hi, I am Ann-Marie Hermans, also from the South-Eastern Metropolitan Region.

Ryan BATCHELOR: Ryan Batchelor from the Southern Metropolitan Region.

Anasina GRAY-BARBERIO: Morning. Anasina Gray-Barberio, Northern Metro.

The CHAIR: Thank you. 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 during these hearings today is protected by law. You are protected against any action for what you say during the hearings, but if you go elsewhere and say the same things, you may not necessarily be protected by that same privilege. Any deliberately false evidence or misleading of the committee may be considered contempt of Parliament.

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

Just for the Hansard record, are you able to say your name, title and organisation you are appearing on behalf of. I will go to my right and then to my left, only because it is online and the screen is there. It is Justin, Jarryd, and then I will go to Nicole, if you would not mind, thanks.

Justin ELLIS: Dr Justin Ellis, Senior Lecturer in criminology at the University of Newcastle School of Law and Justice.

Jarryd BARTLE: Jarryd Bartle, Lecturer in criminology and justice studies at RMIT University.

Nicole ASQUITH: Adjunct Professor of criminology in the School of Justice at QUT.

The CHAIR: Perfect. Thank you all for coming today and sharing your expertise. I will ask perhaps Justin, then Jarryd, then Nicole if you want to start with your 5 minutes or so. If you hear the bell go off, do not worry too much. That is just more for me to make sure that I am managing the time okay, but if you have not finished a point, please feel free to keep going. Welcome. Thanks very much for coming along. Over to you, Justin.

Justin ELLIS: Thank you very much for inviting me to present. I am looking forward to hearing the findings and the recommendations from the committee. Today I am going to speak briefly, mainly with a focus on the first term of reference for the inquiry, which concerns anti-LGBTIQA communication and recruitment methods – and I am going to use the term 'queer' generally speaking – that endorse anti-queer hate crimes. As we have already heard, there are a whole range of different touchpoints of anti-queer hate. I think that we really need to be cognisant of the particular issues affecting queer people and the media processes that are precursors to this amplification of hate online and then the subsequent transfer of that hate into interpersonal violence but also the other way around. We have also got incidents where an incident might occur in person and then be amplified online through doxxing, for example, and other particular matters. I would also like to point out that definitely my approach to these issues is to take a broader values-based approach that is inclusive of all communities, because at the moment attacks on minority communities are across the board, so there is a sense

that we need to bring values to the front, while identity remains important. I just wanted to preface that in terms of my broader program of research into what I call digi-queer criminology, which is the relationship between technology, identity and justice. A lot of my work is focused on a concept called sexual emergency crisis framing. This is a device that a range of extremists use, and I think it helps us conceptualise what the issues are and frames it more narrowly. Rather than talking more broadly about mis- and disinformation there is a particular emphasis on queer communities being alleged sexualised threats to children. It is not a new trope. It has been used from the 1940s in Australia to increase the criminalisation of particularly same-sex-attracted men. That went national. It was also a global movement post Second World War to effect that particular legislation. Prolific users of public space are more likely to be targeted with this kind of discrimination, but we have seen its recursive use in the 1970s in the United States, for example, and now we have seen it more recently in Australia through the targeted attacks of drag queen story time childhood literacy events and the spate of attacks through Grindr that we have heard about from previous speakers.

I want to pull together a few threads in terms of the broader communities, which seem like a disparate coalition of ideological bedfellows, that are driving a lot of this particular animus towards queer communities and gay men, drag queens and transgender women in particular at the moment. I am going back to the first term. This is in itself a recruitment strategy. I also want to refer briefly to the connection between the criticism of enfranchisement of queer people through human rights, the misogyny that underpins homophobia and how that is now being used in Australia. Even though we do not have the religious fundamentalism of the United States, we saw it last week with the presentation at the National Press Club that referenced transgender people and a whole range of other minority groups. These are literally recruitment strategies to build that base of animus against minority communities across Western liberal democracies, so that is partially what we are looking at, and queer communities are one target of that particular animus.

It is grounded in this defensiveness and rage for a nostalgia, for a sexual uniformity or a societal uniformity that never really existed. We know, for example, that queer people have always existed, but they may not have necessarily disclosed publicly that queerness. We are also seeing now people going back into the closet as a consequence. I did research in Newcastle in New South Wales in 2023. Young queer adults are self-censoring. They are deciding they have to take more precautions than they typically would to protect their personal safety, and that can be online or in person. Overall, we need an integrated and collective approach to address this particular issue. I think that the main ways to do this – and many people have already said that they are in alignment here. We need better proactive moderation of online platforms. We need clarity about what algorithms are being used to drive political polarisation that includes queer identity, because we do not have much oversight over that. We need better reporting from dating apps, for example, so we can get clarity about what they can actually do, when, how, the details of that and what can actually be achieved in Victoria and Australia. We are only at the starting point of those conversations. Education is a central tenet of this, and I urge the Victorian government and all Australian governments to continue their focus on prevention and monitoring the actual consequences of this hate.

The CHAIR: Thank you.

Jarryd BARTLE: Thank you for the opportunity to appear today. I am a Lecturer in criminology and justice studies at RMIT University. I am a lawyer and criminologist who has previously advised both LGBTQIA+ community organisations as well as government agencies on criminal justice reform issues. My submission to this inquiry was quite narrow. It was specifically on the dating app facilitated attacks, which I know were the impetus for this inquiry. In particular I wanted to try to figure out what patterns exist in the publicly available cases in this area. I do not claim that this is representative or a publishable piece of work, but I hope it will inform the committee in considering certain patterns that have occurred.

The committee now has the benefit of Victoria Police data documenting more than 95 dating app facilitated incidents since January 2024. My own analysis was much more limited. It was focused on 15 cases around Australia in the last 10 years that had been publicly reported in some way – either formally published as judgements or had extensive media commentary. Several patterns emerged from that analysis, and they have been repeated by previous witnesses. Firstly, offenders across these cases were generally young males. Many cases were dealt with at a Children's Court level, indicating that they were under-age at the time of offending.

The motivations behind these attacks did vary. In some cases dating apps such as Grindr were used to meet up with someone in order to commit a theft or a robbery, but there were not any clear indications in those cases

that there was a homophobic motivation for that. It was an opportunistic use of the app, and in some of those cases the offender themselves was gay or bisexual. There were, however, other cases where homophobic hostility was pretty blatant. These included what I have referred to as 'bait and bash' attacks, in which groups of young men lure gay or bisexual men to a location and brutally assault them, in many cases causing injuries requiring hospitalisation. Victims were subject to homophobic abuse whilst being beaten and in some cases robbed. Some attacks were filmed and circulated within peer networks. Other victims were threatened with being outed through footage taken during an attack. These offences were clearly motivated by cruelty and a belief that gay and bisexual men are easy or morally permissible targets for violence, humiliation and blackmail. I did reflect a bit on Geoffrey Steer's evidence yesterday when he talked about thrillseeking being a major motivator behind these attacks. That is reflected in the cases.

A subtype of this offending is worth highlighting, and I do not claim that this is representative of all of the offending, but there is a subtype of this offending where these attacks are couched with a justification of vigilante justice. In this subtype of cases offenders create profiles on dating apps posing as under-age users or later claim that they have done so, and the evidence base for what actually was happening in these cases did vary between the cases. They arrange meetings with adult men, and the attacks on them are precluded by the fact that they are accusing the men they meet up with of being paedophiles. In many of these cases the confrontation is filmed for the purpose of uploading it to social media, and in fact there is a whole subgenre of online content of people who call themselves 'paedophile hunters' who play a role in creating these fake profiles on dating apps and using it as a pretext to assault someone. It needs to be clarified, though, that the purpose behind these attacks is not child safeguarding or public safety. It is content generation in which humiliation and violence is presented as entertainment, and there are countless examples of content creators of this ilk accusing people of crimes with very little evidence and committing quite brutal crimes against them.

In terms of my recommendations, you will see me repeating many of the same calls that have happened again and again in the last couple of days. We clearly do need to strengthen safety standards on dating apps like Grindr, and that recent discussion with Grindr I think indicated maybe potential avenues for that to do with identity verification. It is difficult to say whether or not the attacks we are talking about are increasing or whether or not we are just becoming more aware of them, and that is because the data for hate crimes in Victoria is insufficient, both because of under-reporting and also because of Victoria Police not classifying certain offences as prejudice motivated.

I will just finish on the point that clearly there is also a need for the Victorian government to address this vigilante content that is occurring online. I realise that that is a difficult conversation to have, but it is something that has occurred in a number of these cases and should be addressed. The core objective of this committee should be to ensure that every member of the community can live safely and that targeted, thuggish and antisocial violence is prevented and dealt with swiftly. Thank you.

The CHAIR: Thank you very much. Nicole, I will hand over to you online now.

Nicole ASQUITH: Thank you. I just want to preface by saying that I am joining you from Bruny Island, so there is about a 3-second to 5-second delay in the call. Thank you so much for this opportunity to expand on our submission. My focus predominantly is in relation to hate crime victim minimisation and, to a lesser extent, the policing and reporting of that hate crime. My experience in this field stems back to the early 1990s, when I was a victims advocate with the lesbian and gay anti-violence project, and that was the only third-party reporting system at that time and no longer exists. I just want to highlight that the LGBTIQ+ community is one of the few communities targeted in hate crime that does not have an independent third-party reporting system. That is really critical, given the long tail of estrangement between our community and the police, and it is thought across the world – across Western jurisdictions at least – that only 5 to 20 per cent of all hate crimes are ever reported to the police. So we have got a very large group of victim-survivors who are not engaging with any justice mechanism and, in some cases, any support mechanism either.

I want to highlight the disjuncture between how we respond to family, domestic and sexual violence as opposed to hate crime. These are very similar crimes in terms of impact on victim-survivors, both in the immediate and long-term consequences, and yet we have absolutely no support services for victim-survivors of hate crimes in Australia at the moment, particularly around LGBTIQ+ people.

I also want to highlight that a lot of the work that we have done in Australia in this space, particularly the Sackar inquiry and this inquiry, has at its base an impetus to look at the very public violence against gay men and to a lesser extent transgender women, and I want us to remember that it is a rainbow, that there are other letters in the acronym and that they experience different forms of hate crime that may not get recognised if we do not actually delve a little bit deeper beyond those very public encounters that gay men have with perpetrators.

As has been highlighted by many people, we are trying to deal with a problem with no data. Only for the first time this year is the ABS going to be asking questions around sexuality and gender identity, and as such we have no nationally representative data in relation to victimisation. This contrasts with the UK, where sexuality, gender identity and hate crime are all asked about in nationally representative surveys such as our own personal safety survey, Australia. So we are reliant on skewed data and partial data. If only 5 to 20 per cent of cases are getting to the police, then we are only getting a small snapshot of what that violence actually is. On the other side, we are reliant on community surveys, which we know are not necessarily representative of the whole community. So there are a load of reporting cliffs, and I have talked about that in our submission; I will not go into more detail about that. But what we did find when we were doing the work in the 1990s and 2000s at the anti-violence project was that we were recording up to 10 times the number of incidents of hate crime than were reported to New South Wales Police at that time. Just to give you a context to the ebb and flow of this violence, on the night of Mardi Gras reports of violence increased 300 per cent. So there are links between external factors that shape the prevalence and the reporting of hate crime.

For the last 35 years I have been trying to convince governments and organisations to fully fund an independent third-party reporting system where there is already trust with those communities but more importantly that we work towards providing victim-survivors support and advocacy services in their pursuit of justice seeking. We found at the AVP that this third-party liaison between community who were affected and the police actually resulted, in the 10 years of its operation, with more of our community reporting directly to the police rather than the anti-violence project. So there is a long process in getting that trust built to direct reporting, but I think it is really critical that we take that into consideration when we start developing better justice strategies.

The other thing that I wanted to talk a bit about is the chilling effect. Whilst the chilling effect has been discussed quite a lot in relation to online hate – that it does actually curtail people's engagement in the public fora and may lead them to disengage from social media completely – the chilling effect also occurs with in-person violence. Research in the late 1990s, possibly 2000, in New South Wales found that up to 70 per cent of LGBTIQ+ people knew somebody who had been attacked because of their sexuality or gender identity. That has a ripple effect across the community. An attack against one ripples through the whole community. Research from the US actually says that it does not just ripple through the LGBTIQ+ community but also other targeted communities and the community at large. It short-circuits full participation and safe and authentic participation in public life. We also know – and I am literally analysing the data at the moment from another jurisdiction – that our community limits its behaviours and actions for fear of violence. In this recent survey 60 per cent of our participants said that they do not engage in public activities, do not wear particular clothes, do not hold the hand of their partner, do not kiss in public, because of this fear of violence. It is not just the violence itself but also that chilling effect.

We need to invest in long-term support for victim-survivors. Our community carries enormous amounts of harm and trauma that have not been resolved because we do not have the specialist services that are able to in fact address those harms and trauma. So few psychologists have actually been trained in hate crime victimisation and understand the determinants and the enablers and disablers of this violence and trauma. So we need to be thinking about also that cumulative effect of trauma. It is not like our communities experience one-off incidents. Some members in our communities experience an incident every single time they leave their house, so it is a daily layering of trauma and harm. We also need to, particularly in terms of in-person hate, see the significant social consequences of this. I use a case study from where I am currently living in Tasmania, where two couples – one lesbian couple, one gay couple – recently had to sell their house and move cities due to the failure of police to respond to neighbourhood violence. From my research with the London Metropolitan Police, where I got access to 100,000 hate crime cases, neighbours are the most prevalent and the most violent offenders in all hate crime, but particularly LGBTIQ+ hate crime.

The other area that I have spent a fair bit of time in, given I was a professor of policing, is police knowledge and practice. This is increasing; I have to admit it is increasing in some jurisdictions where there are dedicated

hate crime units and/or hate crime training capacity. But the knowledge gaps are significant. Often the training around hate crime in police recruit training is about an hour. To give you an example, as a comparison family and domestic violence normally takes up about 200 hours of training. So we are getting a very small time with police, which then means that we are not actually getting to raise their skills and their knowledge to be able to identify these cases and to be able to recognise the unique forensic characteristics of that violence.

I just wanted to end by saying that one of the things that has dogged me for the last 35 years working in this space is that there is very little community knowledge of what is a hate crime. We need much more public awareness around what constitutes a hate crime and its consequences and impact. Increasing the average Australian's knowledge around hate crime not only ensures that it is recognised and possibly reported but it empowers other people to be upstanders rather than bystanders and widens the circle of care and security for our communities. Thank you for your time.

The CHAIR: No worries. Thanks very much for that. We will go now to questions, and I know we have got limited time, so I am going to try and cover as much as I can in the short time that I have. Jarryd, I will go to you first. I was very interested in your submission, particularly about the motivations behind why people conduct this sort of behaviour and do these sorts of attacks. I know you basically categorise them into four categories – acquisition, like robbery; the bait and bash; the paedo hunters; and extortion, blackmail, for whatever purpose. Can you just talk to me about, from what you have looked into, what the demographics are of these people conducting these sorts of crimes.

Jarryd BARTLE: There is pretty broad diversity in terms of it. Again, I have only looked at published cases, and so in any kind of representative sense I am always going to get a small slice.

The CHAIR: We know there is data – sure.

Jarryd BARTLE: The huge commonality is male and youth. They are the two things that come up across the different cases. In terms of underlying ideology or things like that motivating offenders, it does vary. We have that kind of paedo hunter TikTok, YouTube-oriented social media perspective.

The CHAIR: Content creation, essentially.

Jarryd BARTLE: Yes. And then you have had cases in New South Wales where there were purported links between ISIS propaganda and these types of attacks.

The CHAIR: Really?

Jarryd BARTLE: Yes. So it is varied in terms of –

The CHAIR: You would not say it is from one particular –

Jarryd BARTLE: No. This is why I go back to, again, what Geoffrey Steer was talking about yesterday, about the primary motivation not being necessarily any explicit ideology and more an experience of gaining status over another or –

The CHAIR: The thrillseeking side of it.

Jarryd BARTLE: Yes, particularly because a lot of these attacks are occurring in group dynamics, and we know that that style of violence, of young men coming together and beating the crap out of someone, has a well-known demographic factor. It is relatively common for these types of attacks, particularly hate crime style attacks. I should note as well that if you look at, say, the New South Wales special commission of inquiry into hate crimes, they too highlighted that for this demographic of young males thrillseeking was the primary motivation behind those historical attacks as well.

The CHAIR: And a lot of that stuff – I mean, all of these things sort of lend themselves to either gaining some sort of whether it is money or cred and posting it online.

Jarryd BARTLE: Yes. I mean, particularly so in terms of where they show the footage. In some cases they were just sharing it within their friend networks. Those who were making that paedo hunter content were

putting it on social media, so YouTube or TikTok, and evidencing their crimes. One of the reasons they are before the courts probably is because it was fairly easy to prosecute them.

The CHAIR: Yes. Okay. Sorry, my time is up. But thank you so much for that. Mr Galea.

Michael GALEA: Thank you, Chair. Thank you all. So many questions, not enough time for each of you. Jarryd, I might just carry on with that discussion. The thrillseeking element that we also discussed with Geoffrey Steer yesterday – when that is the motivation, does that in any way diminish its place as a hate crime?

Jarryd BARTLE: No. I think when we talk about thrillseeking, I think the reason criminologists like to focus on that aspect is that an intervention to stop that would be to find alternative activities for young men to get a sense of status and those sorts of things. That is why we focus on that thrillseeking element. In terms of why gay men are chosen, that is clearly chosen from the perspective of ‘This is a morally permissible target for me to exert aggression towards.’ That is clearly a homophobic motivation, and that is clearly a hate crime.

Michael GALEA: Yes. And would you also concur that you are seeing more of this coalescing of different forms of hate, whether it be anti-LGBTIQ+, misogyny, antisemitism or Islamophobia? We could go into many different directions, but are they combining?

Jarryd BARTLE: I think it is tricky. You are going to have different people having different perspectives on this. Because the data is so poor, we can either look to the general discourse that is happening online and on social media and say, well, clearly that is indicative of something that is brewing and would be reflected in physical violence. Or because we do not know the under-reporting rate of physical violence, we could take a more cautious approach and say, well, actually, we do not know either way. You know, it could be that a lot of this increased discourse about trans rights and about LGBT issues online does not translate into physical violence. So I guess my main response to that is until we have good data I am not confident saying either way if something is on the rise or not.

Michael GALEA: Sure. And just lastly, verification of apps that you have advocated for – the tricky question that is still in my mind is that we have a community that has a very high percentage of people who need to be anonymous. Many in Australia are still in the closet for various reasons, including family networks and difficult situations that they are in. How do we balance that without pushing those more vulnerable people onto less safe platforms?

Jarryd BARTLE: I was thinking that when there was a discussion with someone from Grindr earlier. I think it may be the case that we need to – the existing verification features that are there in the app are clearly not being widely adopted. So it may be a matter of a public education campaign along with community organisations to make it really clear that if you want to be as safe as possible whilst using these apps, these are the features that are available to you, rather than mandating it, because I know it does get into a tricky territory in terms of privacy.

Michael GALEA: Thank you. I do have so many questions for you as well, Justin and Nicole, but I am out of time. I will pass back to the Chair.

The CHAIR: Thanks. Very gracious of you to do that on time. Mr Puglielli, over to you.

Aiv PUGLIELLI: Thank you. I might just build on that same line of questioning, actually. Thanks for appearing before us. I understand for this entire panel each of you have in various ways talked about social media regulation and platform accountability in relation to some of the incidents we are talking about. Just reflecting further, perhaps even on the last session, are there any other remarks that you would wish to make or things you would wish to respond to about any of the ground, perhaps, that we just covered in that last session?

Justin ELLIS: I think one thing that I would like to build on that Jarryd has mentioned – and I am working with the New South Wales Police on some of these cases in terms of offenders’ demographic –

The CHAIR: Sorry, can you speak into the microphone, just for the people online?

Justin ELLIS: Sorry. Yes. Just to build on what Jarryd has just said about analysis of these cases, I am working with the New South Wales Police on their data on what the motivators have been in terms of potential far-right extremism, terrorism and what have you, because we have got Islamic extremists and a spectrum of

religious ideologies and then the thrillseeking dimension. But I think that one aspect of this is that many of these same-sex-attracted men do not identify as queer – and Thorne Harbour Health and ACON will know this – so there needs to be a broader outreach through digital platforms and community groups. I think Jesuit services are presenting this afternoon. Those kinds of community groups really need to be in the room to access people that do not identify as queer. I think I mentioned algorithmic discrimination and targeting. So while we have got user profiles and the way that we can increase protection settings and what have you, if we are going into the algorithmic black box and we do not know what confirmation biases are being amplified, we have got this polarisation across political spectrums now, so everyone is just having their bias confirmed. If we do not know how those processes are working – we have seen it in other contexts with diets for young girls, for example, and that kind of thing. So I think more access to transparency over algorithmic targeting and discrimination is probably a key focus that is not emphasised enough.

Aiv PUGLIELLI: Thank you. Jarryd, I might ask: do you have anything further you want to add to that just before I move on?

Jarryd BARTLE: My only other thought was in terms of identity verification. Looking at the different cases, in some cases the offenders were using their own faces, so it was not necessarily the case that they were trying to hide their identity in any way before assaulting someone. So having identity verifications on these apps does not necessarily mean that these attacks will not occur, just because in many of these cases they were not worried about that at all; they were showing their face.

Aiv PUGLIELLI: Perhaps a more brazen example, I suppose, in that instance. For people that are engaging in that way, and if they have been recruited online, for example, into these group dynamics, are the recruiters based locally? Do we have evidence to justify that, or are we talking about overseas actors involved?

Jarryd BARTLE: I am not aware of research.

Justin ELLIS: I am going further into this now, and if I do develop more findings I can share them with the committee as they come to hand.

The CHAIR: Yes, please do. That would be great. Thanks, Aiv.

Aiv PUGLIELLI: Thanks, Chair.

The CHAIR: I will go to our committee members online. Ann-Marie, over to you first.

Ann-Marie HERMANS: Thank you. Thank you for your presentations. Jarryd, I found it really interesting to listen to you because I represent an area that has a very high number of crime incidents. There are a lot of violent crimes in the south-east that have been recorded, and there is definitely under-reporting of all crimes in the south-east. It is one of the things that has come out of a recent forum in different areas, for communities to go to and sit in small groups and be able to share. The one thing that was very, very prevalent was that all crimes are under-reported in the south-east. This is not just a situation that is particular to the LGBTIQ community, but maybe for different reasons they are under-reported in their own community. But that is a massive issue that we have.

I want to go back to this demographic question that Joe had. Are we looking at rich, poor, educated, not educated, in school, not in school, in city areas, in regional areas? I know the data is poor; I know there is not enough research – I get that. I hear that from Nicole and actually from all three of you. But is there anything you can give us as a snapshot that will help us to understand?

Jarryd BARTLE: Generally, the typical risk factors that we see on all types of violent offending are unemployed, low educational attainment, high rates of cognitive impairment and mental health issues amongst the different cases. Again, though, this is just on the publicly available cases, so this is not a representative snapshot in any way. Those would be the general risk factors. I also just want to quickly note on that question of under-reporting that one of the reasons at a communitywide level we can say for the rate of under-reporting is because of victimisation surveys that capture a broad snapshot of an area. One of the issues we have datawise with the LGBT community is that those victimisation surveys are not capturing a representative sample of that. It is actually difficult to say the degree of under-reporting for LGBT people because of current data, and we can say that a little bit more confidently for regions.

Ann-Marie HERMANS: Okay. Thank you very, very much. Nicole, I have a question to you too. You mentioned a survey where 60 per cent of a sample size had a fear of violence. I cannot find the actual survey. I wondered if you could give us what the sample size was. Where was the survey done? How long ago was it done? Where did you get that percentage from?

Nicole ASQUITH: Questions around limiting your behaviours – we have been asking those questions since the 2010s in a lot of community surveys. I and my colleague Christopher Fox developed a fear of heterosexism scale that scoped out some of that research, and that is in our submission. The 60 per cent figure that I just spoke about was a recent survey in Tasmania, but it reflects the same results that we find across other population groups, including national community surveys as well.

Ann-Marie HERMANS: How many people were in that sample size?

The CHAIR: Sorry, Ann-Marie, we are out of time. Would you be able to provide those for us, Nicole? That might help you, Ann-Marie. Would that be all right?

Ann-Marie HERMANS: Yes, that would be great. I would like to have a read of it and have a look into the background. It is just that I have got an academic background and would find it interesting. Thank you very much. It would be very helpful.

The CHAIR: Are you able to provide them, Nicole? Would that be all right?

Nicole ASQUITH: Possibly not, only because it is currently being considered by the organisation that contracted me to do the research. Maybe in a month or so we could share that.

The CHAIR: Sure. Okay. Thank you for that. Ryan, over to you.

Ryan BATCHELOR: Thanks very much, Chair. Thank you all for coming and joining us today. I just want to go to the question of data and reporting. Justin and Nicole, your submission up-front says there needs to be a nationally consistent third-party hate crime reporting system. A couple of questions in that: do we have a set of nationally agreed definitions? Is there a common language that we need? If not, who needs to reach agreement on what those definitions would be? And secondly, if we were to set up such a reporting system, who do you think should own it?

Nicole ASQUITH: I will jump in there. Sorry, Justin, go ahead.

Justin ELLIS: I might jump in briefly. We do not have a nationally agreed definition of hate crime, and that is a starting point that would need to be discussed between advocacy organisations and relevant people. I think that the main focus there would be on data sovereignty and that that data would be managed by the community, because we know that we have got significant issues with trust and confidence in police with this particular community. We are also seeing at the moment some incidents where, even though there has been incredible work done by the New South Wales Police and other police forces in recent decades, there is still work to be done. That is just in terms of definition and housing. And then over to you, Nicole.

Nicole ASQUITH: Thanks, Justin. I just want to reiterate that data sovereignty is a really critical issue. Too often we are reliant on institutions that may not have our community's interests at heart reporting if and when they choose. We also need to recognise that some victim-survivors of targeted violence – and I just wanted to raise that term 'targeted violence' because it actually captures what happens; people are targeted because of their gender or sexuality – do not want a criminal justice response. We need to be looking beyond the police and the legal system to find solutions to this and alternative restorative justice processes, possibly; some communities are more supportive of restorative justice. From my work across all forms of hate crime, what I constantly hear from communities – all communities who are targeted – is the desire to go upstream, to do a lot more work in prevention and early intervention. If we do not do that, then we do not actually build the capacity of all communities to respond to this violence. Third-party reporting systems: the AVP was one of the first in the world in fact to create a third-party reporting system in Sydney in the late 80s, early 90s, and we find that with a third-party reporting system there is greater capacity for us to actually support victim-survivors in pursuing the justice pathway that they want, rather than assuming that police are always the answer to this type of violence.

Ryan BATCHELOR: So you would think that –

The CHAIR: Sorry, Ryan, we have got time up, but if you want to finish on that one, that would be fantastic.

Ryan BATCHELOR: No, that is fine.

The CHAIR: Are you sure? Okay. Thank you so much. Anasina, over to you.

Anasina GRAY-BARBERIO: Thank you very much, Chair. Thank you, everyone, for attending and presenting today. Nicole, I just want to pick up on your point in relation to Mr Batchelor's answers. Can you provide us with some examples of suggested non-criminal justice responses that we should be considering as a committee? I know you have just mentioned the restorative justice space. Are there any others that you know of that you can share with us?

Nicole ASQUITH: Not much. Because governments have not devoted a lot of attention to hate crime, we have not actually explored a lot of restorative justice mechanisms. I think we often think about restorative justice or criminal justice responses, but other responses are about healing and recovery and safety as well. We need to be thinking about investing in specialised psychological therapy services, support services through housing – one of the big issues is violence in neighbourhoods and from neighbours, which means that people become homeless because of these matters. I also think that we need to be looking at the hidden iceberg of family and domestic violence that is actually hate motivated. That gets hidden in the family and domestic violence statistics, and we do not get to see how much of that actually occurs within families and between intimate partners. So looking at the national plan and a strategy around family and domestic violence actually gives us some pathways into thinking about what the alternative justice strategies are.

Anasina GRAY-BARBERIO: I think that is a really good point that you make, and I think we started to hear a bit more of that touched on yesterday with the witnesses that we had yesterday. Do you think a part of all of this is the fact that there is this storm of under-reporting and lack of trust in public institutions? There are no dedicated or specialised services in the justice-police spectrum all the way to crisis response and maybe early intervention. Do you have any recommendations for us? We are hearing lots today about young people being attracted to the thrillseeking element of these hate crimes and this violent behaviour. What can we recommend to the government in the space of schools? Is there anything that you have come across in your research and evidence or modelling?

Nicole ASQUITH: I think we are doing a lot of work in schools at the moment, and we put all of our eggs in that basket, that schools are going to do everything, in the same way that we expect police to do everything. I think we need to, yes, enhance that work around tolerance, inclusion, respect, consent in schools. All of that work cuts across all types of interpersonal violence. But I think we need to remember that those kids go home to families that may hold really hateful ideas and behaviours, and communities and sporting clubs. So that is why I am talking about us needing a general public awareness campaign in the same way that we are always needing those sorts of campaigns around family, sexual and domestic violence.

Anasina GRAY-BARBERIO: Thank you. Is there anything you would like to add for our panellists in person to this?

Nicole ASQUITH: No, thank you.

The CHAIR: That is, unfortunately, time up for us, I am afraid. To all of our panellists, I really appreciate your time and the expertise that you have brought today. As I said, you will be provided with a proof version of the transcript to have a look through before it goes online. But from us, we really appreciate it. Thank you.

Witnesses withdrew.