



## Committee calls to extend anti-vilification protections

Victoria should extend its anti-vilification laws to cover a range of attributes not currently specified in legislation, a parliamentary committee has recommended.

This should include attributes relating to gender identity and sexual orientation, disability and HIV status, in addition to race and religion already covered by current laws.

The Legislative Assembly's Legal and Social Issues Committee inquiry into anti-vilification protections explored the effectiveness of the *Racial and Religious Tolerance Act 2001* (RRTA), a key component of Victoria's human rights framework, alongside the *Equal Opportunity Act 2010* and the *Charter of Human Rights and Responsibilities Act 2006*.

"Symbolically, the RRTA sets the standards of appropriate behaviour for a harmonious, multicultural society," said Committee Chair Natalie Suleyman.

"But there's a question over its ability to address the rising problem of hate crime in Victoria, especially for First Nations, multicultural and multifaith groups, women, LGBTIQ+, people with a disability and other minority groups," she said.

The Committee found:

- there is a lack of awareness in the community of Victoria's anti-vilification laws
- there is frustration about the inaccessibility and ineffectiveness of these laws
- a significant under-utilisation of the Act as reflected in the low number of vilification-related queries, complaints and prosecutions
- the legal definition of incitement differs from the common understanding of vilification in the community and does not reflect the hate and abuse that people experience in-person and online.

The inquiry received more than 70 submissions and held seven days of public hearings in Melbourne, both in person and remotely via video link.

The Committee has made a total of 36 recommendations aimed at preventing vilification, strengthening law enforcement and addressing the rising problem of online vilification.

Recommendations relate to:

- lowering the legal threshold for incitement-based vilification and introducing a harm-based vilification provision to make it easier to substantiate a complaint

- supporting individuals and communities affected by vilification and to help them navigate the reporting processes
- strengthening the regulatory and enforcement powers of the Victorian Equal Opportunity and Human Rights Commission to shift the burden away from the individual
- prevention initiatives in the areas of school-based education, responsible media reporting, public awareness campaigns and banning the public display of Nazi symbolism.

“We heard evidence of increased racial threats and vilification throughout the COVID-19 pandemic in 2020, particularly directed at Asian communities in Victoria, in addition to the Jewish community,” Ms Suleyman said.

“Addressing the causes of discrimination, prejudice and hatred towards minority groups is complex, and efforts to do so in the past have often fallen short. It is essential for the Victorian Government to implement legislative reform and to also develop complementary prevention-based strategies to reduce and eliminate vilification in Victoria,” she said.

The report is available from the Committee’s [website](#).

### **Media queries**

Contact the Committee secretariat on (03) 8682 2843.

*Issued: 3 March 2021*