

Motion for Submission to ALGA 2024

National anti-vilification laws

1. This National General Assembly calls on the Australian Government to introduce anti-vilification laws to protect the community from hate and ensure that every individual in Australia feels safe and protected under law irrespective of their age, disability, gender identity, intersex status, race, religion, sex, or sexual orientation.

National Objective

Why is this a national issue and why should this be debated at the NGA?
(Maximum 100 words)

This legislation would protect against harmful effects of prejudice and discrimination. By establishing legal frameworks that explicitly condemn and penalise vilification, we uphold fundamental principles of equality and foster an environment conducive to social cohesion. How we approach prejudice sets the expectations of our society. Hate speech inflicts immediate harm on people being targeted and breeds community division, corroding the fabric of our collective identity and humanity. Implementing robust national anti-vilification laws is not merely a matter of legal necessity, it is a moral imperative that speaks to our collective values of justice and inclusivity underpinning our identity as Australians.

Summary of Key Arguments

Background information and supporting arguments
(Maximum 300 words)

In Australia, LGBTIQ+ people still experience discrimination, harassment, abuse, violence and hostility every day – in public places, at work, accessing health and other services, and when attempting to secure recognition of their sex in official documents.

A recent report by the Victorian Pride Lobby and the Trans Justice Project found that 47.9% of trans Australians experienced anti-trans hate in the last twelve months and around 16% experienced anti-trans violence. To address these shocking results of the report, it recommended that the introduction of federal anti-vilification laws to protect the LGBTIQ+ community from abuse, harassment, vilification and violence.

The existing federal laws have taken a commendable step by prohibiting discrimination based on sexual orientation or sex and/or gender identity. However, there remains a critical gap in protection against vilification and harassment on these grounds. Vilification, defined as public communications that incite hatred, contempt, or severe ridicule towards individuals or groups based on their sexual orientation or gender identity, encompasses a spectrum of harmful behaviours including graffiti, inflammatory remarks on media platforms, and verbal abuse in public spaces. Failure to address this gap leaves communities exposed to the corrosive effects of bigotry and prejudice.

By extending legal protections to encompass vilification and harassment based on sexual orientation or gender identity, we fortify the rights of individuals who identify as LGBTIQ+ and send a clear message that society unequivocally condemns such harmful behaviours. In a world where discrimination and intolerance persist, it is imperative that our legal framework evolves to provide robust protections against all forms of prejudice, including vilification and harassment based on sexual orientation or gender identity. By addressing this pressing issue, we uphold the values of fairness, shared humanity, inclusion, and

respect for all individuals, fostering a society where diversity is celebrated and everyone can thrive without fear of persecution.