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Attorney-General
The Hon. Jaclyn Symes

Level 26, 121 Exhibition Street
Melbourne VIC 3000
Sent via email: jaclyn.symes@parliament.vic.gov.au

29 March 2023

Dear Hon. Jaclyn Symes,

We write as concerned LGBTIQ+, community, human rights and legal organisations to express our alarm over the anti-trans rally held on the steps of the Victorian Parliament on 18 March 2023.

Firstly, we acknowledge and thank the Andrews government for the timely response and strong support of the trans and gender diverse community in the aftermath of the anti-trans rally.

However, further steps are necessary. We ask the Victorian government to commit to urgently prioritising anti-vilification reforms to protect LGBTIQ+ Victorians, and for the Victorian Equal Opportunity and Human Rights Commission to initiate an independent investigation into Victoria Police conduct at the protest.

Urgently implement anti-vilification reforms to protect LGBTIQ+ Victorians

In September 2021 the Andrews government committed to expanding current anti-vilification provisions that apply to race and religion¹ to also include sex, gender identity, sexual orientation, disability, and HIV/AIDS status. The majority of Australian states and territories already have anti-vilification provisions that prevent the incitement of hate,

¹ Sections 7 and 8, *Race and Religion Tolerance Act (Vic) 2001*

ridicule and serious contempt against members of the LGBTIQ+ community. Victoria is lagging significantly behind on this.

At the recent anti-trans rally, various public statements inciting hate, violence and ridicule were made against trans and gender diverse members of our community. This is unacceptable, and out of line with the accepted community attitudes of Victorians. These statements at the rally have caused significant harm to the wellbeing, safety and inclusion of trans and gender diverse people in our community.

We call for the Victorian government to urgently prioritise implementing anti-vilification protections for LGBTIQ+ people. This would send a strong message that the incitement of hate and discrimination towards trans and gender diverse people is not acceptable.

Initiate an independent investigation of Victoria Police conduct at the anti-trans rally

Community members who attended pro-equality counter-protests at the anti-trans rally have identified a range of allegations of discriminatory policing practices, including the failure by Victoria Police to use its powers to remove Nazi protesters from the steps of the Victorian Parliament, and not removing or monitoring hate speech and banners with violent inciteful statements such as *'kill pedo freaks'* directed at trans and gender diverse people.

In particular, we refer you to the public *Statement of Concern* issued by Melbourne Activist Legal Support, members of which attended the rally as legal observers. The *Statement of Concern* provides a detailed outline of the discriminatory policing practises observed at the rally:

[Statement of Concern: Policing of opposing anti-trans & trans rights rallies • Melbourne Activist Legal Support \(mals.au\)](#)

We call for an independent investigation of Victoria Police actions during the anti-trans rally on 18 March 2023, through Victorian Equal Opportunity and Human Rights Commission including a review of allegations of excessive use of force against attendees at the pro-equality counter-protest.

Criminal charges against pro-equality protesters and Victoria Police Response

We do not believe it is in the public interest to pursue criminal charges against the pro-trans protesters from the anti-trans rally. We do not condone violence against Victoria Police officers. However, the tactical decisions made by Victoria Police and failure of to use its powers to de-escalate the incitement of hate towards trans and gender diverse people at the rally are factors that are considered to have significantly contributed to charges being laid against protesters.

Events such as these continue to erode the trust of the LGBTIQ+ community and other marginalised Victorians in Victoria Police, already damaged by the Hares & Hyenas raid and Dani Laidley photo leak.

We call upon Victoria Police to acknowledge the significant damage this event has had on the LGBTIQ+ community's trust of Victoria Police. We call for Victoria Police to make a

statement condemning the use of Nazi symbolism and the incitement of hatred and violence towards the trans and gender diverse people, and to identify ways to improve their relationship with the LGBTIQ+ community.

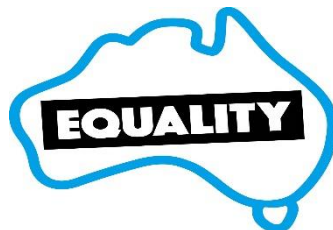
Next Steps

We invite you to further conversations regarding the Victorian government’s response to the anti-trans rally and look forward to discussing these matters in the near future.

Yours sincerely,

Hilary Knack

Hilary Knack
Manager, LGBTIQ Legal Program
Southside Justice





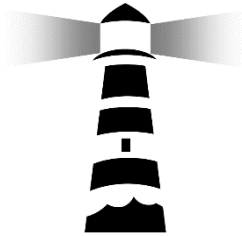
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