



Homosexual vilification

What is homosexual vilification?

Homosexual vilification is a public act that could incite hatred, serious contempt or severe ridicule towards people who are homosexual.

Public acts include:

- communications that can be seen or heard by the public (this includes print, radio, video or online)
- signs, flags or clothing that could be seen by the public
- distributing and sharing information to the public.

Act under review

The NSW Law Reform Commission has been asked to review the *Anti-Discrimination Act 1977* (NSW).

Anti-Discrimination NSW supports amending the grounds in the Act to include protection based on:

- sexual orientation
- gender identity
- intersex (or sex characteristics).

Learn more about the Law Reform Commission's process at [**lawreform.nsw.gov.au**](http://lawreform.nsw.gov.au).



What can I do if I experience homosexual vilification?

If you feel you have been vilified, you can contact us to make a complaint.

If you are unsure if you have experienced homosexual vilification or need more information, you can contact our enquiry service.

Public acts that threaten or incite violence

Any public act that threatens or incites violence towards a group of people on the basis of their race, religious belief or affiliation, sexual orientation, gender identity, intersex status or HIV/AIDS status is a criminal offence that should be referred to the police. In an emergency, phone Triple Zero (000). For non-urgent police assistance and general enquiries, phone 131 444.

Useful contacts

Translating and Interpreting Service – 131 450

Law Access – 1300 888 529

Complaint case study

Wade* was sitting on the steps of a residential building on a busy street when a group of three men came up to him shouting 'faggot!'

The men also shouted, 'let's get him!' and two of the men interrogated Wade in an abusive manner while the third man unexpectedly urinated on Wade from behind. The respondents then walked away.

Wade felt frightened by the incident and lodged two complaints with ADNSW. The first complaint of the man who had urinated on Wade was settled separately. Wade lodged the second complaint against the other person.

At conciliation the man denied using the word 'faggot' or being homophobic, and disputed Wade's claims. He did accept that Wade would have felt intimidated and agreed to pay Wade \$1,000 and give him a written apology.

*Name has been changed to protect the privacy of the individual.

This factsheet has general information about vilification and there are exceptions to the law. Please contact us if you have questions about homosexual vilification or you would like information about how to make a complaint.

Anti-Discrimination NSW

Enquiries

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