

Sexual Orientation 03

Report

The INFRMT reported that a male has been standing on the corner of a busy CBD intersection, with a microphone, stating that people must follow Jesus or they will go to hell. The INFRMT (a witness) reported that the male also spoke about sexual immorality, saying ‘*women’s bodies are made for men*’ which the INFRMT perceived as a homophobic remark.

A second witness reported that the male directed his homophobic comments towards a same-sex couple who walked past him, yelling over his microphone that they are going to go to hell. He was also reported to have made comments about women’s bodies, specifically people that show skin.

Recognise

What is the **offence** and **offence code**, if any?

Is this hate motivated? If so, what is the **prejudicial motivation**?

Record

What **flags**, if any, should apply to this event?

What **information** would you record? (Language, symbols, and actions)

Why is it important to record this offence **accurately**?

Respond

What is an appropriate response that will **reduce the harm** caused to the victim?

What aspects of the **victim's life experience** should inform your response?

The INFRMT reported that a male has been standing on the corner of a busy CBD intersection, with a microphone, stating that people must follow Jesus or they will go to hell. The INFRMT (a witness) reported that the male also spoke about sexual immorality, saying *'women's bodies are made for men'* which the INFRMT perceived as a homophobic remark.

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Recognise Questions	Recognise Answers
What is the offence and offence code, if any?	Offence: Insulting Language (3545)
Is this hate motivated? If so, what is the prejudicial motivation?	Yes, perceived as hate motivated by WITNESSES. Motivated by prejudice against the rainbow community. His language also appeared to be motivated by misogyny.
Record Questions	Record Answers
What flags, if any, should apply to this event?	Perceived Hate as 'Contributing Factor' Hate type: Sexual Orientation & Gender Identity Perceived prejudice: Gay or Lesbian & Female
What information would you record? (Language, symbols, and actions)	Specific Language: <ul style="list-style-type: none"> 'Women's bodies are made for men' Unspecified homophobic remarks against same-sex couples who walked past Unspecified comments about women's bodies, specifically about showing skin 'People must follow Jesus of they will go to Hell' Actions: <ul style="list-style-type: none"> Standing on a public street with a microphone and yelling at people who walk past <ul style="list-style-type: none"> We record the detail of language and/or symbols and/or actions of an offender to evidence the hate motivation. Evidence of the hate motivation means this aggravating factor can be taken into consideration by the judge at sentencing - Sentencing Act 2002 s9(1)(h). Evidence of the hate motivation is required to proceed to other alternative resolution pathways.

Why is it important to record this offence accurately?	<p>Accurate and consistent recording can:</p> <ul style="list-style-type: none"> • provide important intel for Police vetting processes such as firearms licencing, when determining if someone is a 'fit and proper person'. • track any escalation of behaviour or patterns of offending. • provide intel on matters of national security to help prevent offending that is violent and extremist. • develop trust and confidence in communities targeted by hate crime.
Respond Questions	Respond Answers
What is an appropriate response that will reduce the harm caused to the victim?	<p>Your response can reduce or inflame the harm caused to the victim. In responding we need to talk about what we can do, not what we can't.</p> <p>We can</p> <ol style="list-style-type: none"> 1. verbally acknowledge the harm caused to the victim. 2. let them know additional process for their complaint. 3. let them know that their complaint is taken seriously and that it will be recorded. 4. offer them a referral to a support agency, such as victim support.
What aspects of the victim's life experience should inform your response?	<ul style="list-style-type: none"> • Experiencing daily prejudice, persecution and micro-aggressions can cause harm to the person, their whānau, and their communities. • Victims of hate crime and hate incidents are not chosen at random; victims are selected because of a protected characteristic they have or are perceived to have. • Victims of hate crime and hate incidents have a greater vulnerability and increased emotional impact than with comparable crimes. • This results in increased levels of fear and anxiety amongst their wider community. • Often victims have international experience that informs their fear, such as violent attacks against members of their community overseas.