

Parliamentary Committee inquiry into serious vilification and hate crime: Have your say

Serious vilification and hate crimes

Submission to the Legal Affairs and Safety Committee,
Queensland Parliament

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My personal experience of vilification and hate crime

If you have had a personal experience of hate crime or vilification, describe what happened to you here. Include when it happened, who did it, how it made you feel at the time, and how you felt afterwards.

My family and I run a small private temple on the northside of Brisbane. We are relatively visible as we're on a main road and occupy a double-block of land. Our house and temple are next to each other. Around 7 years ago when there was high 'anti-Indian' sentiment in the community, there were many 'incidents' around Brisbane and Australia. This is what we experienced:

1. We had men in cars driving past our property, screaming racist abuse at us. Words such as '██████ curry ██████' were the norm. They screamed this to our two young children too (primary school age).
2. We had young men in cars coming to our driveway and throwing food at us including chicken bones, raw eggs, and half eaten take-away food like containers of potato and gravy. I was hit by food as were my guests. At the time we were wearing traditional attire.
3. One night we had a rock thrown through the window pane on our front door in the middle of the night. I ran outside to try and see who it was, but the people had already run out of the front gate. The window was obviously smashed and we had slivers of glass all through the front entry.
4. We had constant complaints made to the authorities about us, over 'noise'. At first these complaints were made to the QPS who informed us after their 'noise investigation' that they simply could not hear us over the traffic noise since we live on a main road in Brisbane. The complaints were always done at a time of gathering in our temple. We always kept the doors and windows of the temple closed and as we are on a large block, people park their cars inside our property. There is very little impact on the neighbourhood. The QPS found the complaints to be baseless but had to send a police car every time a noise complaint was made.

The police officers often apologised to us for interrupting our gatherings as they could see and hear that we were not being noisy or impacting on the neighbourhood. But the constant visits by the police felt like harassment and impacted on our mental health. The police encouraged us to hold a 'neighbours day' event which we did. They ensured that the complainant was invited. However, as predicted by us the complainants did not attend. On numerous occasions we asked the police to broker a meeting between us and the complainant so we could get to the bottom of their concerns but we were informed they did not wish to meet us and due to privacy legislation the police could not tell us who the complainant was. We knew it was not our immediate neighbours as we had asked them if we were unintentionally creating noise. They informed us that we did not and this is why we consider the constant complaints as being racist in nature. The police also implied a few times that they were dealing with 'similar issues' at the mosque in Lutwyche and that an open day had put a stop to the constant complaints there. One time the Police Liaison Officer said he thought the constant complaints were due to racism.

5. The neighbourhood complainant took their complaints to the BCC and now our troubles really started. BCC undertook an 'investigation' which resulted in a finding that we were conducting 'unlawful religious activity' in our own home. They advised us that we were not permitted to have visitors to our home for religious reasons. My husband is a spiritual leader and priest and many people in the community seek his counsel. We were advised that was not permitted if it involved meeting such people in the temple – which was 'unlawful'. We were only allowed to 'operate' under 'home business' laws which only permitted us to have visitors between 8am and 6pm and not on Sunday!! Imposing Christian operating hours in a multicultural society and in people's own homes, is surely institutional racism. We were even advised that we could not teach our children yoga in our temple on a Sunday as that would be violating the home business operating hours. Every time a friend or relative visited us in the evening in our own home, an email would be sent to the compliance officer at BCC who would then threaten us with a large fine the next day for violating the home business rules. BCC harassed us so relentlessly that I was left with no alternative but to write directly to the Lord Mayor as I could not get past this racist compliance officer who put his racism into writing by sending threatening and racist emails. I sent a copy of his emails to the Lord Mayor. I asked several white Australians who are our friends and who also visit the temple regularly to also write to the Lord Mayor – because quite frankly that's what it takes to be heard in Australia. You need to be white and born in Australia and have an Anglo-Saxon sounding name. The Lord Mayor immediately wrote back and asked us to proceed with our social and religious activities and he put a stop to the harassment and 'investigations'. He replied to our friends before he replied to us. This process took 6-8 months, we lost income, we lost our health and our children who were witness to all this, felt that we were doing something wrong in our own home. Institutional racism is far more damaging than personal racism.
6. We reported the personal racist attacks to the police who were sympathetic, but nothing was ever done. After the food throwing incidents which occurred not just

once but several times, one police officer said that it wasn't racist, it was just boys being boys.

7. All these incidents occurred together, over about an eight-month period. We felt victimised, singled out and quite frankly, completely alone.
8. I have a lot of things I would like to say to the police and to BCC but I feel it would fall on deaf ears. Authorities do not see all the good work we do – we provide community welfare support, we provide counselling support, we provide an opportunity to build community and connection to isolated people who do not know the wider community, we have built a multicultural network, we feed vulnerable people living in disadvantage and the list goes on. We do this for free because we care and we love to do this. We see it as our duty to make the world a better place. We have built significant social capital. However, all the authorities see is whether we create noise or congregate – something that is against their rules. We feel invisible and up against ridiculous rules that don't work for the grass roots immigrants whose skills and cheap labour is wanted, but whose social, religious and interpersonal needs are ignored.
9. It should be noted that most newly settled immigrant communities' religious places of gathering are forced to the fringes of the city, or even outside of the city, by BCC's 'planning rules'. They are in locations where people on public transport can't reach. Or it takes more than an hour to reach in a private car. It is perfectly fine for churches to exist in quiet streets, but if a temple, mosque or gurudwara attempts to set up, it is rejected. They would argue it is all related to the zoning which it is at face value, but if BCC genuinely wanted to support a multicultural city they would support and in fact encourage people like us to keep supporting the community in the ways that we do – not harass and punish us and try to push us to the outskirts or out of the city and forbid us from doing anything on a Sunday!
10. It had a big impact on our children. They became frightened to play outside in the yard due to the verbal abuse. They were in primary school at the time so quite young. It had a straining impact on our relationship – my husband who migrated to Australia as an adult (myself as a child) could not understand the systems and laws, which I had to negotiate and deal with alone. Who can one go to for support with issues such as this? It caused health issues for us both due to the stress.

Did you report it? If you did, explain here who you reported it to (e.g. the police) and whether you were satisfied with the result. If you didn't report it, explain why not.

Yes we did - as I have explained above.

My opinion on vilification and hate crime laws

Do you think there should be stronger criminal laws about vilification and hate crime? If so, what?

I don't have an opinion on this because quite frankly, it's not accessible to people like me anyway.

How do you think laws should deal with online vilification and hate crimes?

It should be dealt with swiftly and placing the victim at the centre with the supports in place to negotiate the systems. We simply do not know and are left to deal with it, alone. It is usually not just about the laws but the supports to access justice. These are missing.

What do you think would help combat vilification and hate crimes?

If the authorities themselves were not inherently racist it would be a great start. There is no point having another 'education campaign' because quite frankly they don't work, or I have yet to see evidence that they do. Making evidence-informed decisions would be the way to go. It takes great leadership and empathy to combat vilification. If our leaders are themselves racist and sexist, how can you expect the population to be better? In fact, the population feels entitled when the leaders constantly express their entitlement.

Our public institutions are also inherently racist. Institutional racism by definition means that you advantage people whose values and traits most resemble the institutions and people in them. I will provide you an example: there is increasing evidence that the experience of racism has a stronger correlation to physical ill health than smoking. This evidence is from Victoria. Yet, our institutions are only interested in combatting smoking. If we truly were a multicultural society and had multicultural public institutions, we would have the Health and Wellbeing Commissioner interested in anti-racism programs. She has not invested in ANY multicultural health promotion, let alone anti-racism programs. None of our Qld health promotion campaigns are culturally tailored (except for Indigenous and rightly so). If that is not institutional racism, what is? We need to combat racism from the top. So please do not invest in more 'campaigns.' Let's do something systemic first. In Victoria they are making a start: <https://www.vichealth.vic.gov.au/our-work/reducing-race-based-discrimination>

Do you think other people should be protected from vilification and hate crimes under the law? If so, on what grounds (e.g. because of disability, sex, age, etc)?

Yes of course, ethnicity, religion, disability, sex, age.