

Fighting Antisemitism and Keeping Guns out of the Hands of Terrorists and Criminals Amendment Bill 2026

Statement of Compatibility

FOR

Amendments to be moved during consideration in detail by the Honourable Daniel Purdie MP, Minister for Police and Emergency Services

Prepared in accordance with Part 3 of the *Human Rights Act 2019*

In accordance with section 38 of the *Human Rights Act 2019* (HR Act), I, Daniel Purdie, Minister for Police and Emergency Services make this statement of compatibility with respect to the amendment to be moved during consideration in detail of the Fighting Antisemitism and Keeping Guns out of the Hands of Terrorists and Criminals Amendment Bill 2026 (the Bill).

In my opinion, the amendment is compatible with the human rights protected by the HR Act. I base my opinion on the reasons outlined in this statement.

Overview of the amendments

An overview of the amendments is provided in the explanatory notes.

Relevantly, the amendments remove the regulation-making power for the prescription of a prohibited expression under the Bill and provide a new definition of a 'prohibited expression' to mean either of the expressions 'from the river to the sea' or 'globalise the intifada'.

Human Rights Issues

Consideration of reasonable limitations on human rights (section 13 of the HR Act)

Prohibiting two antisemitic expressions

(a) the nature of the rights

The *right to freedom of expression* (section 21 of the HR Act) is broad in scope and applies to the communication of ideas of all kinds (including where that expression might be offensive or disturbing). While the freedom of expression is a cornerstone of democracy, it is not absolute, and it is well recognised that restrictions may be necessary in order to respect the rights of others, to protect others from harm and to maintain public order.

The prohibited expressions offence will limit this right by prohibiting two particular expressions being expressed in public in a way that might reasonably be expected to cause a member of the public to feel menaced, harassed or offended – namely ‘globalise the intifada’ and ‘from the river to the sea’.

(b) the nature of the purpose of the limitation to be imposed by the Bill if enacted, including whether it is consistent with a free and democratic society based on human dignity, equality and freedom

The purpose of the amendments is to prevent the harm that is caused by the public use of two particular antisemitic expressions in a way that menaces, harasses or offends. This harm includes both the immediate and personal harm that is caused to Jewish Queenslanders by the use of the expressions, as well as the broader social harm whereby these expressions create a permissive environment in which antisemitism is allowed to flourish and which can ultimately lead to extreme violence, exemplified by the tragic antisemitic terrorist attack at Bondi Beach.

Preventing these harms will promote the right to life, the right to security of person, the right to take part in public life, and the freedom of thought, conscience, religion and belief for all Queenslanders, and in particular Queensland’s Jewish community.

(c) the relationship between the limitation to be imposed by the Bill if enacted, and its purpose, including whether the limitation helps to achieve the purpose

Since the 7 October 2023 terrorist attacks in the State of Israel, incidents of antisemitism in Queensland and across Australia have grown considerably. In 2025 alone, the Annual Anti-Jewish Incidents in Australia Report produced by the Executive Council of Australian Jewry recorded a shocking 1654 anti-Jewish incidents across Australia.¹

Coinciding with this abhorrent rise in antisemitism has been the normalisation of public targeting of Jewish persons through the use of the expressions ‘globalise the intifada’ and ‘from the river to the sea’. These expressions are the ‘embers’ from which extreme hate and violence are ultimately enflamed.

With respect to the specific and individual harm caused, submissions made to the Justice, Integrity and Community Safety Committee’s (the Committee) inquiry into the Bill by the Special Envoy to Combat Antisemitism and the Queensland Jewish Board of Deputies noted these expressions are understood by Jewish Queenslanders as constituting calls for extreme violence against Jewish people.

¹ Executive Council of Australian Jewry 2025 Report, *Anti-Jewish Incidents*, p. 1.

As to the broader social harm, calls for the globalisation of violence (through the expression ‘globalise the intifada’) or the elimination of the Jewish state (in the use of ‘from the river to the sea’) create a social license in which targeted and menacing or threatening language against Jewish people is tolerated, and which provides fertile ground for extremists to foster fear, intimidation, hate and violence.

Accordingly, by prohibiting the use of either or both of these specific expressions where it might reasonably be expected to cause a person to feel menaced, harassed or offended, those harms are not allowed to eventuate.

(d) whether there are any less restrictive (on human rights) and reasonably available ways to achieve the purpose of the Bill

An alternative approach that was considered was the approach provided for in the Bill as introduced – that is, the introduction of a framework through which certain expressions or expressions are prohibited by way of regulation. However, as noted by submissions made to the Committee, there were concerns about the potential for future prescriptions which went beyond the purpose of the Bill to combat antisemitism. In this way, it was not clear that this was a less restrictive alternative, and certainly would not be a less restrictive way to achieve the purpose of eliminating the specific harm caused by the use of the identified antisemitic expressions.

Therefore, the approach adopted by the amendments is considered the least restrictive way to achieve the purpose without unduly limiting the freedom of expression. It represents the judgment of the Parliament that the specific expressions cause the identified harm, while ensuring that any future limits on the freedom of expression must undergo parliamentary scrutiny (which will involve human rights scrutiny). This directly deals with the concerns raised in the Committee process, and ensures the approach to dealing with the harms is as tailored as possible to achieving the purpose. Furthermore, the particular elements of the offence continue to apply, which means that it is not just expression which is prohibited outright, but the use of expressions in a way which when considered in the context might reasonably be expected to intimidate, menace or harass.

(e) the balance between the importance of the purpose of the Bill, which, if enacted, would impose a limitation on human rights and the importance of preserving the human rights, taking into account the nature and extent of the limitation

The balance between the limitation on the freedom of expression and the prevention of the harm that is caused by the use of antisemitic expressions favours the targeted approach in the amendments. As noted above, the freedom of expression does not provide a licence or a right to foster hate, violence or extremism. Given the unprecedented rise in antisemitism, decisive changes to the law are required, and the amendments provide this in a way that is clear, without undermining the values of the freedom of expression.

(f) any other relevant factors

None.

Conclusion

In my opinion, the amendments to be moved during consideration in detail to the Fighting Antisemitism and Keeping Guns Out of the Hands of Terrorists and Criminals Amendment Bill 2026 are compatible with human rights under the *Human Rights Act 2019* because they limit human rights only to the extent that is reasonable and demonstrably justified in a free and democratic society based on human dignity, equality and freedom.

DANIEL PURDIE MP
Minister for Police and Emergency Services

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