

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

Submission No: 006

Submission By: Jewish Voices of Hope

Publication: Making the submission and your name public



Submission to the Committee: Concerns regarding hate symbols / prohibited expressions / worship protections in the Fighting Antisemitism and Keeping Guns out of the Hands of Terrorists and Criminals Amendment Bill 2026

1. Personal Details

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State/Territory: Queensland

Capacity in which you are making this submission: Community organisation / community members

2. Purpose of Submission

We, co-founders of Jewish Voices of Hope (Brisbane), make this submission to address concerns about the Bill's measures relating to hate symbols, prohibited expressions, and protections around places of worship. We recognise the stated purpose of addressing antisemitism and protecting community safety and social cohesion , while warning that aspects of the Bill risk overreach, chilling lawful political expression, and disproportionate impacts on pro-Palestine and other human-rights movements.

3. Background and Context

Jewish Voices of Hope is a Brisbane-based community of non-Zionist and anti-Zionist Jews who gather for discussion, education, and public engagement grounded in universal human rights and anti-racism.

We reject antisemitism unequivocally. At the same time, we emphasise that Jews are not monolithic, and Jewish safety must not be instrumentalised to restrict lawful political speech or elevate one community's safety above others in ways that ultimately harm social cohesion.

We are particularly concerned about the Bill's introduction of a new "prohibited expressions" offence that explicitly captures chants and placards at protests, and about decision-making processes that may proceed without meaningful consultation with diverse Jewish voices (including anti-Zionist/non-Zionist Jews), Palestinians, First Nations peoples, and civil liberties stakeholders.

4. Importance of Freedom of Speech in Support of Human Rights

Freedom of expression and peaceful assembly are foundational to a healthy democracy. The Bill itself acknowledges that the "prohibited expressions" offence will limit freedom of expression by prohibiting certain phrases and that religious-worship-related offences may capture conduct near places of worship that could include protests or political activity.

From our perspective, free expression is essential for:

- opposing racism, including antisemitism and Islamophobia
- expressing solidarity with oppressed peoples, including Palestinians
- holding governments accountable for foreign and domestic policy
- enabling minority communities (including Jews) to debate and disagree publicly without fear of criminalisation

We support reasonable limits that are narrow, clear, and necessary—for example, limits targeting *direct incitement to violence, threats, or intimidation*—but we oppose vague or overly broad restrictions that risk capturing lawful political speech or protest.

5. Evidence or Experiences of Hate Speech, Harassment, Assault, etc.

Jewish Voices of Hope members have observed:

- genuine antisemitic incidents and rhetoric in Australia (which must be taken seriously and addressed consistently), and
- increasing public and institutional pressure to treat pro-Palestine advocacy as presumptively suspect, including attempts to conflate criticism of Israel or Zionism with antisemitism.

We are concerned that the Bill's framework may worsen this conflation by enabling the executive to prescribe prohibited expressions by regulation and criminalising public use where it

could reasonably be expected to make a member of the public feel “menaced, harassed or offended”.

5. Impacts

Chilling effect on political participation

The new offence is drafted to apply to “written and spoken” public uses, including protests, chants, and placards , and extends to “substantially similar expressions” to prevent minor wording changes. This creates a foreseeable chilling effect: activists may self-censor to avoid criminal exposure, even where their speech is lawful, non-violent, and oriented to human rights.

Low threshold and evidential burden

Criminalising expression that may cause the public to feel “offended” (alongside “menaced” or “harassed”) risks capturing robust political speech that is controversial or confronting but not hateful. Further, the Bill places an evidential burden on the defendant to establish “reasonable excuse”. Even with an illustrative list (including “genuine political... public dispute or issue carried on in the public interest”) , this burden can deter participation, especially for marginalised communities and young people.

Expanded police powers and enforcement risks

The Bill’s “prohibited expressions” reforms are accompanied by expanded police powers to stop, detain, search, and seize evidence without warrant in relevant circumstances. In practice, this may disproportionately affect communities already subject to heightened policing and surveillance—particularly First Nations people, Muslims, Arabs, and pro-Palestine activists.

“Jewish safety” framed in ways that can backfire

We are concerned that framing Jewish safety as uniquely prioritised—rather than part of a consistent, universal anti-racism framework—can increase resentment and stigma, inadvertently making Jews less safe. Social cohesion is strengthened when all communities see the law as fair, consistent, and equally protective.

We also note that in contemporary Australia, Jews do not face systemic exclusion across core domains (education, healthcare, employment, civic participation) in the same way that other communities do. Addressing racism requires prioritising **systemic** inequities and state/institutional harms, not primarily expanding criminalisation of speech in ways that can be unevenly enforced.

6. Institutional or Systemic Issues

1. Executive prescription and politicisation risk
A “prohibited expression” is prescribed by regulation , with the Minister needing to be satisfied it is “regularly used to incite discrimination, hostility or violence”. This approach risks politicisation and inadequate parliamentary scrutiny for decisions that directly constrain fundamental freedoms.
2. Conflation risk: antisemitism vs criticism of Israel/Zionism
Without explicit safeguards, expressions commonly used in human-rights advocacy could be targeted on the claim they are “regularly used” to incite hostility, even where the local context is plainly non-violent and political.
3. Over-criminalisation vs addressing systemic racism
The Bill leans heavily on criminal offences and policing powers. This can distract from the most effective long-term approaches to racism and community safety: education, community-led prevention, and addressing structural inequities.

7. Recommendations

Jewish Voices of Hope recommends that the Committee:

1. **Narrow the “prohibited expressions” offence threshold**
Amend the offence so it is limited to expression that a reasonable person would see as threatening, intimidating, harassing, or directly inciting violence, and remove “offended” as a triggering standard.
2. **Strengthen safeguards against political speech capture**
Include explicit protections to ensure lawful political advocacy—including advocacy for Palestinian human rights and criticism of states, ideologies, or political movements—cannot be prescribed or prosecuted unless it meets a high threshold of incitement to violence.
3. **Remove or reduce the evidential burden on defendants**
Reconsider the provision placing an evidential burden on defendants to prove “reasonable excuse” , given the chilling effect on participation and the importance of the presumption of innocence.
4. **Increase transparency and consultation requirements before prescribing expressions**
Mandate robust, published consultation with:
 - diverse Jewish community organisations (including non-Zionist/anti-Zionist groups)
 - Palestinian and Muslim community organisations
 - First Nations representatives
 - civil liberties and human rights experts
 before any expression is prescribed. (The Bill contemplates consultation with certain officeholders ; we recommend expanding this materially.)
5. **Independent oversight and periodic review**
Introduce an independent review mechanism and reporting requirements on:
 - which expressions/symbols are prescribed

- number and demographics of stops/searches/seizures
- prosecutions and outcomes
- any evidence of disproportionate impact on particular communities
 - Include a sunset clause or mandatory review (e.g., within 12–24 months).

6. **Prioritise non-carceral, systemic anti-racism measures.**
Invest in education, anti-racism programs, and community-led prevention initiatives alongside any legislative response, so that addressing antisemitism does not default to speech criminalisation and expanded policing.
7. **Keep “protecting worship” provisions tightly drafted**
We support protecting faith communities’ access to worship without intimidation. The new offence targeting intimidation/harassment/obstruction near places of worship should be paired with clear safeguards so it cannot be used to suppress peaceful protest that does not obstruct access or threaten safety.

8. Conclusion

Jewish Voices of Hope supports the goal of reducing antisemitism and protecting community safety and cohesion. However, we are concerned that the Bill’s approach to hate symbols and especially “prohibited expressions” risks overreach, politicisation, and chilling effects on lawful speech—particularly pro-Palestine advocacy—and may produce unequal enforcement.

We urge the Committee to amend the Bill to ensure it targets genuine incitement and intimidation while safeguarding freedom of expression, peaceful assembly, and equal protection for all communities.

9. Supporting Materials

- N/A (at this stage)

Declaration (Optional)

I declare that the information provided in this submission is true and correct to the best of my knowledge.

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Signature: 

Date: 15/02/2026

Name: Shira Sokolov

Signature: 

Date: 15/02/2026