

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

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In the Name of Allah, The Most Beneficent, Most Merciful, Most Gracious

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

To: The Research Director, Justice, Integrity and Community Safety Committee

From: The Islamic Council of Queensland (ICQ)

Date: February 16, 2026

1. Introduction and Standing of the ICQ

The Islamic Council of Queensland (ICQ) is the peak body representing the interests of the Muslim community in Queensland, comprising dozens of member societies and representing over 100,000 Queenslanders of Islamic faith. We provide this submission to express the community's deep concerns regarding the potential for legislative overreach in the *Fighting Antisemitism and Keeping Guns out of the Hands of Terrorists and Criminals Amendment Bill 2026*.

The ICQ unequivocally condemns all forms of violence, including the tragic events related to the Bondi atrocity of December 2025 and we stand firmly with all effected families and individuals. However, having reviewed the Bill, we believe that this Bill, in its current form, poses a significant threat to the civil liberties, religious freedom, and political expression of the community we represent and all empathetic Queenslanders and fellow Australians.

2. The "Safety Valve" of Political Expression vs. Criminalisation

The ICQ is concerned that the Bill seeks to criminalise "venting speech"—expressions of deep political frustration regarding international injustices, such as ongoing conflicts, occupation, or perceived genocide.

- **A Cry for Freedom:** Phrases such as *"From the river to the sea"* or *"Globalise the Intifada"* are understood by our community not as incitements to physical violence, but as calls for justice, democracy, and equal treatment for all citizens in the Holy Land.
- **The Safety Valve Principle:** Suppressing non-violent political slogans often has the counterproductive effect of making marginalised groups feel helpless. When peaceful "venting" is criminalised, it closes the democratic "safety valve" that allows for the non-violent resolution of grievances, potentially increasing social tension.

3. The Historical Context: Today's "Radical" is Tomorrow's "Right"

History demonstrates that the State is often an unreliable judge of which slogans constitute "incitement." We urge the Committee to reflect on slogans that were once denounced as radical or subversive but are now foundational to our human rights framework:

- **"Votes for Women"** (The Suffragette Movement, once seen as a threat to social order);
- **"One Man, One Vote"** (Used in the anti-apartheid movement of South Africa) once viewed as revolutionary incitement);
- **"Always Was, Always Will Be"** (once treated as a rejection of sovereignty, now a standard government protocol).

To criminalize the current cries for Palestinian or indigenous liberty is to repeat historical mistakes that chill the very speech required for society to progress and address injustice.

4. Protection of Sacred Symbols and "Semiotic Hijacking"

The ICQ strongly objects to any framework that allows the State to define a religious symbol as a "hate symbol" without the explicit consent of the faith community to which it belongs.

- **The Kalima:** The Islamic declaration of faith (*the Kalima: there is no god except God, Muhammad is the messenger of God*) has been "hijacked" by extremist groups such as ISIS. Banning such a symbol because of its misuse by third parties is a profound insult to over 2 billion Muslims globally and tends of thousands in Queensland.
- **Section 116 and the Human Rights Act:** Criminalising the *Kalima* or other central pillars of faith constitutes an unlawful interference with the "free exercise of religion" protected by the Australian ethos and Section 20 of the *Human Rights Act 2019 (Qld)*.
- **Recommendation:** No symbol should be classified as a "hate symbol" unless the relevant religious or cultural community agrees that the symbol is inherently hateful and lacks any legitimate sacred meaning.

5. Constitutional and Legal Proportionality

We submit that the Bill may infringe upon the **Implied Freedom of Political Communication** established by the High Court of Australia (e.g., *Lange v ABC*). For a law to be valid, its impact on political communication must be "proportionate" and "necessary."

- Criminalising "innocuous words" used by oppressed peoples to seek liberty fails the proportionality test.
- The ICQ believes that existing laws regarding direct incitement to violence are sufficient; this Bill risks "casting the net too wide," leading to the unjust incarceration of non-violent individuals for their political or religious identity.

6. Formal Recommendations from the ICQ

1. **Strict Definitions:** Explicitly exclude slogans that call for human rights, democracy, or an end to occupation from the definitions of "incitement" or "hate speech."
2. **Community Veto on Symbols:** Require the formal consent of the peak religious body (e.g., ICQ for Islamic symbols) before any sacred or cultural symbol can be designated as a "hate symbol."
3. **Human Rights Compatibility:** Re-evaluate the Bill's compatibility with Section 13 of the *Human Rights Act 2019 (Qld)* to ensure that any limit on expression is "demonstrably justifiable in a free and democratic society."

Conclusion

The Islamic Council of Queensland remains committed to a peaceful, cohesive Queensland. However, true social cohesion is built on mutual respect and the protection of fundamental rights and Australian values—not on the suppression of the voices of those crying out for justice.

The ICQ would welcome the opportunity to attend any parliamentary hearing and give evidence or answer questions with respect to this Bill or any related matters.

Yours sincerely,
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