

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

**Submission No:** 149

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**Publication:** Making the submission and your name public

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Submission opposing the proposed expansion of hate speech laws

To the Committee,

I oppose the proposed expansion of hate speech laws that would criminalise specific protest slogans and allow ministers to prescribe additional prohibited expressions.

The proposed laws seem to treat language as though it is a fixed, stable object - something that can be boxed, labelled and banned with a ministerial pen. But language is not a weapon sitting quietly in a drawer. It is a living thing. It changes tone depending on who speaks it, where it is spoken and why.

One person's chant is another person's history. One person's offence is another person's grief.

When the state begins drawing up lists of forbidden phrases, it starts to remind me of something out of a Harry Potter book.

There is something deeply unsettling about a law that allows a minister to prescribe words as illegal. Not actions. Not threats. Not violence. Words.

Today it may be a phrase about a distant conflict. Tomorrow it could be a slogan about climate, or wages, or land, or police, or mining, or any number of uncomfortable subjects.

The line between "hate speech" and "political speech that makes those in power uneasy" is thinner than we like to admit. And once the mechanism exists to ban words by ministerial decree, it becomes available to any future minister, with any future agenda.

There is also a practical question hiding beneath the moral one. Do these laws actually reduce hatred? Or do they simply push it into quieter corners, where it grows sharper and more resentful? Suppressed language rarely disappears. It tends to ferment.

A society that values both safety and freedom has to do the harder work to do in the short term: confronting harmful speech, challenging it, educating against it and drawing clear legal lines around actual threats and incitement to violence. That is difficult. It is slower. It requires judgement. But it respects the complexity of human expression.

Blanket bans on slogans and the power to expand those bans at will feel less like careful surgery and more like swinging a heavy hammer at a delicate instrument. Easier in the short term, but long term consequences are worse.

I do not write this because I love every slogan that appears at a protest. I don't. Some make me uncomfortable. Some make me wince. But discomfort is not the same as danger and the law should know the difference.

A healthy democracy is a noisy place. It has chants you disagree with. It has placards that make you roll your eyes. It has slogans that make you angry. But it also has space. Space for disagreement. Space for bad ideas to be argued with rather than buried.

The better path, the third path perhaps, is not to ignore harm and not to criminalise language wholesale, but to keep the focus where it belongs: on conduct, on threats, on genuine incitement to violence and on building a culture where hateful ideas lose their audience because they are challenged, not because they are outlawed.

I urge the government to reconsider the expansion of these laws, particularly the provisions that ban specific protest slogans and grant ministers the power to prescribe additional prohibited expressions. These measures risk overreach, chill legitimate political expression and create precedents that future governments could use in ways none of us would welcome.

## Recommendation

That the committee:

1. Reject the provisions that criminalise specific protest slogans; and
2. Reject the provisions that allow ministers to prescribe additional prohibited expressions.

Instead, any reforms should remain focused on clear conduct-based offences such as threats, harassment, or incitement to violence.