

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

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Submission to the Justice, Integrity and Community Safety Committee

Inquiry into the Criminal Code (Serious Vilification and Hate Crimes) and Other Legislation Amendment Bill 2026 (or the Fighting Antisemitism and Keeping Guns out of the hands of Terrorists and Criminals Bill 2026)

14 February 2026

Executive Summary

1. This submission addresses the Bill introduced by the LNP Government, which encompasses a broad range of measures from criminalising specific phrases to comprehensive firearms reforms .
2. While expressing support for measures genuinely aimed at community safety and combating hatred, this submission raises profound concerns regarding provisions that risk criminalising legitimate political expression and conflating advocacy for Palestinian rights with antisemitism.
3. I argue that specific provisions of the Bill represent a disproportionate restriction on the fundamental democratic right to peaceful assembly and political communication.
4. The legislation is based on a contested interpretation of political speech, wrongly conflating legitimate advocacy for Palestinian human rights with antisemitism, a distinction recently affirmed by the Federal Court of Australia.
5. The process of drafting the legislation has been flaid, with the government consulting only one side of the community while ignoring the voices of Muslim and Palestinian groups who are directly affected .
6. I urge the Committee to recommend amendments to the Bill to ensure it complies with the Human Rights Act 2019 (Qld) and does not unduly restrict political expression.

Overview of the Bill's Objectives

The Bill's stated objectives, as outlined in government announcements, are to :

- Strengthen the prohibition of the public use of hate symbols to combat their promotion and protect community safety and social cohesion
- Prohibit the use of expressions used to incite discrimination, hostility or violence towards certain groups
- Protect faith communities by ensuring people are not intimidated while accessing places of worship
- Modernise criminal offences related to religious worship and increase maximum penalties
- Increase the maximum penalty for stealing a firearm or ammunition to 14 years imprisonment
- Introduce a new offence prohibiting acts done in preparation for, or planning, an offence likely to cause death or grievous bodily harm
- Amend section 540 'Preparation to commit crimes with dangerous things' to clarify it applies to dangerous or offensive lapons
- Impose the strongest maximum penalties in Australia for a range of lapons Act offences
- Introduce a specific offence prohibiting the reckless discharge of a lapon towards a building or vehicle
- Introduce new offences prohibiting the possession and distribution of blueprint material for 3D-printed firearm manufacture
- Prescribe additional offences under the Youth Justice Act 1992 as "Adult Crime, Adult Time"
- Require Queensland lapons licence holders to be Australian citizens
- Broaden the scope of an individual's history considered in firearms licensing decisions to include violent and lapons-related offending, regardless of whether convictions are spent
- Strengthen the Firearm Prohibition Order (FPO) scheme to deter high-risk individuals from accessing firearms
- Reform controlled operations legislation to enable police to frustrate criminal activity
- Expand the scope of offences that may be investigated through controlled operations and surveillance device warrants
- Strengthen intelligence and information-sharing with the Australian Defence Force

- Strengthen storage requirements for specified Iapon categories, requiring storage in solid steel containers

The Right to Protest is a Pillar of Democracy

7. The right to peacefully demonstrate is not merely a political courtesy; it is an essential pillar of any healthy democracy. It is the mechanism by which citizens, particularly those whose views are marginalised or ignored by mainstream political processes, can collectively voice their concerns and seek to influence public policy.
8. Throughout Australian history, protest has been the engine of social progress. From the eight-hour day movement to campaigns for Indigenous rights, women's suffrage, and marriage equality, democratic advances have often been driven by citizens taking to the streets. To criminalise speech in a democracy is to shut down one of the primary avenues for peaceful change.
9. In Queensland, the right to peacefully assemble is explicitly protected by the Human Rights Act 2019 (Qld). This Act requires that any limitation on human rights, such as freedom of expression and peaceful assembly, must be demonstrated to be 'reasonable and demonstrably justifiable in a free and democratic society'. Provisions that target specific political viewpoints must be scrutinised against this standard.

The Dangers of Eroding Civil Liberties

10. Provisions that criminalise specific phrases grant broad discretionary powers to police and can have a chilling effect on public participation, discouraging people from exercising their democratic rights for fear of prosecution.
11. International human rights law is clear: restrictions on protest must be necessary and proportionate to achieve a legitimate purpose, such as public safety. Furthermore, protests should not be restricted based on the ideas or viewpoints they express, even if those ideas are unpopular or confronting. The Bill's approach of targeting specific slogans associated with a particular political movement requires careful scrutiny on this basis.
12. The disruption caused by protests is often their very point. Like strikes, they are intended to force issues onto the public agenda that might otherwise be ignored. Reasonable disruption must be tolerated in a society that values freedom, just as I tolerate disruption from sporting events, parades, and festivals.

Concerns Regarding the Conflation of Anti-Zionism with Antisemitism

13. The government's justification for banning the phrases "from the river to the sea" and "globalise the intifada" rests on a contested interpretation . While the Attorney-General has asserted these constitute calls for harm, this is not a universally accepted definition. Many protesters, including Jewish voices for peace, maintain that "from the river to the sea" is a call for equality and the fundamental human rights of all people living between the Jordan River and the Mediterranean Sea.

14. Crucially, the Federal Court of Australia has recently provided clarity on this very issue. In a landmark 2025 judgment, Justice Angus Stewart ruled that anti-Zionism is not inherently antisemitic . The Court found that disparagement of Zionism constitutes criticism of a political philosophy, not a race or ethnic group, and that political criticism of Israel, however inflammatory, is not by its nature an attack on Jews generally.

15. The Bill risks overriding this judicial clarity by legislating a particular political viewpoint into criminal law. This conflation of race with political ideology is dangerous. It normalises the fight against real antisemitism to silence legitimate advocacy for Palestinian human rights in the context of the ongoing conflict in Gaza.

16. It is also worth noting that using a specific definition of antisemitism to suppress speech critical of Israel has been widely criticised by scholars, including some of the drafters of that very definition, who warn against its misuse to shut down political debate.

Flawed Legislative Process and Discriminatory Impact

17. The process by which the hate speech provisions of this legislation were developed raises concerns. The Premier has confirmed that Muslim and Palestinian groups were not consulted, despite these laws being explicitly designed to curtail their speech and forms of protest . Conversely, the government consulted with the Queensland Jewish Board of Deputies, which supports the ban. This selective consultation process suggests bias and has produced provisions that many in the community perceive as targeting specific minority groups.

18. The failure to consult with the very communities whose lawful activities will be criminalised suggests that the government views Muslim and Palestinian advocacy not as a legitimate political movement to be engaged with, but as a problem to be suppressed.

Specific Clause Analysis

Part [X] – Prohibition of Expressions

19. The proposed offence prohibiting the public distribution, publication, public display or public recitation of "globalise the intifada" and "from the river to the sea" with a maximum penalty of 2 years imprisonment is overly broad .

20. The provision lacks clarity regarding what constitutes "menace, harassment or offence" and fails to provide adequate exemptions for genuine political discourse. While exemptions exist in related legislation for artistic, educational, or public interest purposes , it is unclear whether these would extend to political protest.

Part [X] – Protections for Places of Worship

21. I support measures that genuinely protect faith communities and ensure people can access places of worship without intimidation. The increased penalties for offences against religious officiants and the new offence of impeding or harassing people attending religious services address legitimate concerns .

22. However, I note that these protections should apply equally to all faith communities, including Muslim communities who have also experienced attacks on their places of worship.

Part [X] – Firearms and Iapons Offences

23. I acknowledge the government's intent to strengthen community safety through enhanced firearms regulation. Measures including increased penalties for firearms trafficking, new offences for drive-by shootings, and strengthened Firearm Prohibition Orders respond to legitimate concerns identified through the Wieambilla inquest and broader community safety issues .

24. The mandatory mental health reporting requirements and strengthened information-sharing between agencies represent significant reforms that warrant careful scrutiny to ensure appropriate privacy safeguards .

25. The citizenship requirement for lapses licence holders raises questions regarding permanent residents who have lived in Australia for extended periods but not obtained citizenship .

Conclusion and Recommendations

26. This omnibus Bill combines diverse measures, some of which may have merit, with provisions that raise significant human rights concerns. The provisions criminalising specific phrases represent a potential overreach that could undermine fundamental democratic rights. They seek to criminalise speech based on a contested political interpretation, ignore a recent Federal Court ruling on the distinction between anti-Zionism and antisemitism, and were drafted without consulting the communities they directly target.

Recommendations:

The Committee should:

1. Recommend the separation of the Bill to allow proper scrutiny of its diverse components, with the hate speech provisions considered separately from the firearms and organised crime measures.
2. Recommend that the provisions criminalising specific phrases not proceed in their current form, as they are incompatible with the Human Rights Act 2019 (Qld) and represent a disproportionate restriction on political communication.
3. Alternatively, recommend substantial amendment to:
 - Include clear exemptions for genuine political discourse and protest
 - Require proof of intent to incite hatred or violence, rather than mere offence
 - Provide a legislative note clarifying the distinction between political speech and unlawful vilification, consistent with the recent Federal Court ruling
4. Recommend that the government engage in genuine consultation with Muslim and Palestinian communities, as well as legal experts on human rights law, before any legislation restricting political speech is reconsidered.

5. Recommend that the firearms and community safety measures proceed with appropriate scrutiny regarding privacy implications of expanded information-sharing and the impact of citizenship requirements on long-term residents.

I thank the Committee for the opportunity to make this submission and welcome the opportunity to provide further evidence or appear at public hearings.