

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

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Submission By: Unionists for Palestine Queensland
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Ms Fran Denny,
Secretary
Justice, Integrity and Community Safety Committee
JICSC@parliament.qld.gov.au

Dear Ms Denny

Review of draft legislation: Fighting Antisemitism and Keeping Guns Out of the Hands of Terrorists and Criminals Amendment Bill 2026

Please accept this submission in relation to the above Bill.

Unionists for Palestine Queensland

Unionists for Palestine Queensland is a voluntary organisation that works within the broader trade union movement to build solidarity with the Palestinian people.

Unionists for Palestine Queensland is motivated by the proud history of the union movement in support of peace and opposition to colonial wars, including: the banning of pig iron exports to Japan following the Nanking massacre; the ban on Dutch shipping in support of Indonesia's struggle for independence; the Springbok bans; bans in support of Vietnamese liberation and the boycotts and protests in support of East Timorese independence.

Unionists for Palestine Queensland was established in response to the call by Palestinian trade unions for solidarity. Palestinians have over the last century resisted colonisation, dispossession and massacre at the hands of the British and Zionist terror gangs following WWI, and subsequently by the Israeli state following 1948 Nakba. More recently Palestinians have resisted the genocidal actions by the Israeli state including wholesale murder, the blockade of food and humanitarian supplies and the destruction of the Gazan health system.

Opening Remarks

The tragic events at Bondi shocked and appalled the nation.

Then as now Unionists for Palestine Queensland publicly condemned antisemitic racism and violence and upheld the right the Jewish community to practice their faith in safety, free from intimidation and violence. Unionists for Palestine Queensland publicly expressed our condolences and sympathies to families and broader Jewish community who experienced loss on that dark day.

Within hours of the terror attack though the tragedy was being used cynically by vested political interests, here and abroad, to promote a narrative that linked the pro-Palestine mass movement to the terror attack. No evidence has been adduced in support of such claims. But Australian governments have supported that narrative.

The Fighting Antisemitism and Keeping Guns Out of the Hands of Terrorists and Criminals Amendment Bill 2026 is a product of this cynical politics. It fails to usefully address the scourge of anti-Semitism, and should be scrapped.

Further there is concern about the timeframe for the making of submissions as this has not allowed for the kind of detailed consideration warranted and has limited public debate about the bill.

Key points of this submission

As it stands the bill must be rejected because:

- If enacted it would unreasonably restrict democratic rights associated with protests and free speech.
- This would have significant adverse consequences for the campaign to stop Israeli aggression against Palestinians.
- Such a curtailment of the right to free speech would set a dangerous precedent for unions who are rely upon democratic rights to defend workers' interests.
- The Bill favours the Zionist side of the public debate about Gaza and the genocide and this calls into question its Constitutional validity.

Gag on right to protest

Unionists for Palestine Queensland oppose the Bill as a gag on workers, students and other members of the Queensland community right to protest. If enacted the Bill would have a significant chilling effect upon the pro-Palestinian movement, which to date has had growing and mass public support. The laws if enacted would criminalise dissent, with those targeted facing jail terms of up to two years. Support would be stripped away from the broad movement for Palestinian freedom.

It is argued that there would be a knock-on effect for Queensland's unions have historically relied upon democratic rights to defend the interests of Queensland's workers. Last week for example unions rallied outside Queensland Parliament in defence of threatened work health and safety protections. Late last year Queensland unions rallied in support of threatened workplace anti-discrimination protections.

The criminalisation of free speech and protest, if given effect under the proposed legislation, will set a precedent that directly poses a danger to workers ability to organise. The State government has already declared war on Queensland workers. If the legislative attack upon free speech and the right to protest is not stopped today, it will be unions who will be attacked tomorrow.

Lack of impartiality and Constitutional validity

There is a diverse spectrum of opinion within the public discussion on the genocide in Gaza and the dispossession of Palestinians from their traditional homeland.

Tens of thousands of Queenslanders have rallied and marched against the horror of the genocide and called for peace, the resumption of humanitarian aid and the cessation of the bombing.

On the other hand Australian governments have materially assisted the genocide through participation in the two way arms trade with Israel. More recently, Isaac Herzog who was found by a UN Commission to have incited genocide, was welcomed by State and Federal governments. Also those aligned with the US's geopolitical vision, accept Israel's role within that framework, and support a relationship with Israel that is at odds with the mass movement.

It is evident that there are sides in the public debate about Gaza. It is argued in this submission that the Bill favours one side of the debate and that the proposed legislation is part of a broad response by Australian governments seeking to suppress the mass movement by attacking civil liberties and free speech.

Prescribed expressions

Firstly, the test in the Bill for the prescribing of expressions is not what is actually meant when the expression is displayed or chanted but depends upon the Minister's assessment and also what a relevant group is understood as perceiving that phrase to mean.

The understanding of what the Jewish community understands by expressions such as "from the river to the sea" is a fraught element of any test. Zionists on the hand might argue that such expressions are terrorist expressions. It is worth noting that Benjamin Netanyahu has also used similar phrases in relation to Israeli surveillance and security. An entirely different understanding of the statement may be embraced by adherents of Doikayt many of whom are support of equal rights for Palestinians.

The Explanatory Notes to the Bill states that criterion associated with the expression of expressions "acknowledges the complex histories and **dual meanings** of certain words and phrases, which may not always be used exclusively or in isolation to incite hate or violence."

Such safeguards are meaningless in the circumstances. The Minister has publicly expressed their view about the statement. The attorney general, Deb Frecklington, confirmed "globalise the intifada" and "from the river to the sea" would be included as proscribed phrases. The Attorney-General said "[t]hese sayings have no place in Queensland, when they are used to incite hatred, offence and menace."

The Premier and Attorney-General in their joint press release of 8 February 2026 characterised the expressions "globalise the intifada" and "from the river to the sea" as terrorist slogans.

To the extent that the proposed legislation relies upon the semi-subjective test of Ministerial satisfaction there will be no reasonable outcome in recommendations about the prescription of expressions.

In relation to the implied freedom of political communication the High Court held in *Clubb v Edwards* (2019) 267 CLR 171 at [54] that a law that burdens one side of a political debate, and thereby necessarily prefers the other, tends to distort the flow of political communication. The free flow of political communication is required by the implied freedom of political communication, and distorting that flow by favouring some sources of

political communication over others may lead to invalidity.

This submission argues that the Bill favours some sources of political communications and consequently the proposed legislation is incompatible with the implied freedom.

Conclusion

Unionists for Palestine Queensland argue that the Bill is unsalvageable and should simply be scrapped.

Gregory Brown
on behalf of Unionists for Palestine Queensland

