




Speech By
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FIGHTING ANTISEMITISM AND KEEPING GUNS OUT OF THE HANDS OF TERRORISTS AND CRIMINALS AMENDMENT BILL 2026

 **Mr RUSSO** (Toohey—ALP) (4.48 pm): What happened at Bondi on 14 December 2025 was a national tragedy. Fifteen innocent lives were taken in an act of violent anti-Semitism. Families were shattered, communities were traumatised and Australians grieved together. We all stand united in condemning anti-Semitism, we all stand united in condemning hatred and we all stand united in saying that violence has no place in Queensland. Unity in purpose does not mean silence in the face of bad law. The question before this House is not whether anti-Semitism is evil, because it is; the question is whether this bill is the right response. On that question the government has failed.

This legislation bundles together hate speech reforms, expanded police powers, sweeping new criminal offences and weapons law amendments, all under the emotional shadow of Bondi. It is not careful, it is not measured and it is not supported by the very legal experts and stakeholders the government claims to respect. Let us start with the Queensland Human Rights Commission. In its submission the commission made it clear that, while it welcomes action to reduce targeted hatred, legislation must strike an appropriate balance and be fit for purpose, sufficiently precise and proportionate. The commission warns that hate speech laws that fail to strike the right balance can undermine trust in the legal system and unjustifiably limit human rights. That is not an opposition talking point; that is the Queensland independent human rights watchdog. The commission warns that this broader test may capture legitimate political debate and cultural commentary. That is the danger and is not the intent of the drafting.

The commission goes further, explaining that criminalising expressions that incite discrimination or hostility disrupts the existing hierarchy of Queensland law, which reserves criminal sanctions for the most serious harms involving threats of violence. The commission recommends a higher threshold that expressions only be proscribed if widely known as solely or substantially representative of an ideology of extreme prejudice. The government ignored that advice.

Let us turn to the Queensland Law Society, which is the peak body for the state's legal practitioners. The society supports confronting anti-Semitism, but it is crystal clear that legislative responses must respect necessity, legality and proportionality. It states bluntly that much of the criminal conduct targeted by this bill is already criminalised under the Criminal Code and introducing new provisions will not lead to meaningful change but instead add unnecessary complexity. Again, that is not an opposition exaggeration; it comes from the legal profession.

On the proposed offence of prohibited expressions, the society warns that the wording must be strictly objective and not capable of misuse. It specifically raises concerns about the phrase 'so nearly resembles', saying this threshold risks capturing expressions beyond the core mischief and creating uncertainty about what conduct is actually prohibited. What does 'so nearly resembles' mean to an ordinary Queenslanders? The society warns that resemblance-based tests invite speculative assessments and inconsistent enforcement. That is how you create a chilling effect and that is how you criminalise ambiguity.

Legal Aid Queensland, the largest criminal law practice in the state, is equally clear. In its submission, Legal Aid expresses concern at attempting to achieve these objectives by expanding existing laws or creating novel criminal offences, stating that there is no evidence that the proposed offences will reduce anti-Semitism or improve public safety. I repeat: there is no evidence. Legal Aid also states that criminal law is a poor tool to improve social cohesion and warns of significant unintended consequences. It also raises grave concerns that any expression can incur criminal sanction, including imprisonment.

This parliament should be capable of walking and chewing gum at the same time: protecting Jewish Queenslanders, protecting all minority communities and strengthening religious worship protections while also ensuring we do not undermine freedom of expression, freedom of association and the rule of law. No-one in this House has a monopoly on wanting Queenslanders to feel safe. However, safety built on rushed drafting, broad ministerial discretion and contested definitions is not durable safety; it is fragile law.

In behavioural psychology there is a concept known as the Dunning-Kruger effect, which is the tendency for those with limited expertise in a complex area to overestimate their understanding of it. I say this carefully, but it is difficult to avoid the comparison here. When Queensland's peak legal bodies—the Human Rights Commission, the Queensland Law Society and Legal Aid Queensland—all raise serious technical, constitutional and operational concerns about drafting and unintended consequences and the government proceeds regardless, that is not good enough and it is not leadership; that is overconfidence untempered by expertise. Good governments listen to experts and wise governments adjust.

This government appears to believe it knows better than every independent legal authority in the state, and that should concern every Queenslander. We owe it to the victims of Bondi to get this right, not to legislate in haste and hope the courts fix it later. The opposition stands ready to work in a bipartisan way to strengthen protections against vilification and violence. We support robust religious worship protections. We support workable, constitutionally sound hate speech reforms. However, this bill as drafted is not the answer. It must reflect the considered advice of those who understand how the criminal law actually operates in practice. We honour the victims of hatred not by passing flawed legislation but by making well-crafted laws. This House should demand nothing less.

In the foreword I wrote to the committee report on our vilification bill, I stated—

Each of us has a moral responsibility to ensure our conduct is appropriate and to teach our children to behave properly towards others. The unfortunate reality is that there will always be those in our society who traverse the bounds of proper behaviour. For those persons, deterrents and sanctions are needed.

I end by quoting Dr Martin Luther King, who said—

It may be true that morality cannot be legislated, but behavior can be regulated. It may be true that the law cannot change the heart, but it can restrain the heartless.