

**Submission  
No 34**

## **MEASURES TO PROHIBIT SLOGANS THAT INCITE HATRED**

**Organisation:** Celebrate Palestine South West

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## Submission by Celebrate Palestine South West

Celebrate Palestine South West makes this submission in solidarity with, and in support of, the Palestinian advocacy community in New South Wales. We are a regional grassroots organisation based in Western Australia that has mobilised consistently in solidarity with Palestine since 2023. Our experience of sustained, peaceful mobilisation in a regional context informs our concerns regarding proposals to ban or criminalise political slogans associated with Palestinian advocacy.

**We oppose any proposal to ban or criminalise political slogans, including phrases such as “globalise the intifada” and “from the river to the sea.”** Such measures would undermine protest rights, disproportionately impact Palestinian communities and their supporters, and set a dangerous precedent for content-based regulation of political expression.

### a) The threat that the use of phrases like “globalise the intifada” poses to community cohesion and safety

Based on our experience organising protests, vigils, and community events in regional Western Australia since 2023, there is no evidence that the use of phrases such as “globalise the intifada” or “from the river to the sea” poses an inherent threat to community cohesion or public safety.

These phrases have been used in peaceful demonstrations to express political opposition to occupation, apartheid, and state violence, alongside calls for ceasefire, humanitarian access, and justice under international law. Our events have been inclusive, family-friendly, and attended by diverse sections of the community, with no incidents of violence or intimidation linked to the use of these slogans.

**Silencing political expression associated with one community is more likely to increase alienation, mistrust, and division than to promote cohesion or safety.**

### b) How best to prevent the use of phrases that are so inherently hateful by their nature that they lead to incitement of hatred and threaten community safety

We reject the premise that the slogans cited in this inquiry are “inherently hateful.” Their meanings are contested and context-dependent, and they are widely understood within Palestinian advocacy as expressions of political resistance and calls for justice, not incitement to hatred or violence.

The most effective way to address genuinely hateful or dangerous speech is to focus on intent, context, and conduct. **Treating political slogans as inherently hateful removes the need to assess actual harm and risks racialising political expression.**

**Political disagreement, discomfort, or offence should not be treated as criminal conduct. Restrictions on speech should be limited to situations involving genuine threats, intimidation, or incitement to violence.**

### c) The need to protect communities from hatred, intimidation and violence

As you'll find across the Palestinian advocacy community, Celebrate Palestine South West strongly supports the protection of all communities from hatred, intimidation, and violence. In our organising work, we actively discourage discriminatory language and prioritise safe, inclusive spaces for political expression.

NSW already has criminal laws addressing incitement to violence, threats, harassment, and intimidation. **These laws appropriately target harmful behaviour rather than political viewpoints.**

### d) Australian and international examples of best practice (including the UK)

Best practice in Australia and comparable democracies focuses on **regulating conduct, not political ideas**. Public order and hate crime frameworks are most effective when they are narrowly targeted at violence, threats, and harassment, and applied in a content-neutral manner.

International experience, including in the United Kingdom, demonstrates that attempts to ban political slogans or symbols often lead to inconsistent enforcement, legal challenges, and accusations of political bias. Such approaches risk inflaming tensions rather than reducing them, and undermine public confidence in democratic institutions.

Education, dialogue, and community-led anti-racism initiatives are consistently more effective than prohibitions in addressing hatred and promoting social cohesion.

### e) The implied freedom of political communication under the Australian Constitution

The implied freedom of political communication protects the ability of people to discuss, criticise, and oppose government policy, including foreign policy and international relations.

**Banning specific political slogans would directly burden political communication, particularly expression opposing occupation, apartheid, or state violence.** Such a burden is unlikely to be reasonably appropriate or adapted to a legitimate purpose where existing laws already address genuine harm.

**Any content-based restriction on political expression raises serious constitutional concerns and must be approached with extreme caution.**

#### f) Existing offences and other measures in NSW and Commonwealth law

NSW and Commonwealth law already provide a comprehensive framework to address genuine threats to community safety, including offences relating to incitement to violence, threats, harassment, stalking, and public disorder.

**Expanding the law into content-based regulation of political language would introduce uncertainty, increase discretionary policing, and risk discriminatory enforcement without improving safety outcomes.**

#### g) Any other related matters

**We are particularly concerned about the precedent that banning political slogans would set.** Once governments begin regulating political language rather than conduct, the scope of enforcement inevitably expands.

Such precedents risk weakening protest rights in not only NSW but across the country, enabling selective or discriminatory enforcement against Palestinians and other marginalised communities.

Political expression in support of human rights, including those of Palestinians, is part of a long tradition of lawful political dissent in Australia and should be protected accordingly.

### Recommendations

We recommend that the Committee:

1. Reject any proposal to ban or criminalise political slogans or symbols, including those associated with Palestinian advocacy.
2. Abandon any proposed prohibitions on slogans such as “globalise the intifada,” “from the river to the sea,” or “from the river to the sea, Palestine will be free.”

3. Explicitly recognise Palestinian symbols, slogans, and expressions of solidarity as protected political communication, not hate speech, within NSW law and policy.
4. Ensure legislation and official guidance clearly distinguish between universally recognised hate symbols and political expression opposing occupation, apartheid, or state violence.
5. Rely on existing NSW and Commonwealth criminal laws to address genuine threats of violence, intimidation, or harassment, without expanding into content-based regulation of political speech.
6. Affirm and strengthen protections for protest rights and political communication within NSW criminal and public order law.
7. Acknowledge and reject the racial discrimination inherent in selectively policing Palestinian political expression and advocacy.
8. Ensure all guidance to police and public authorities is content-neutral, evidence-based, and designed to prevent discriminatory or inconsistent enforcement, particularly against Palestinians and those advocating for Palestinian rights.
9. Prioritise community education, dialogue, and anti-racism initiatives over broad prohibitions or expanded police powers as the primary means of promoting social cohesion and safety.