

**Submission  
No 47**

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

**Organisation:** Hindu Council of Australia

**Date Received:** 12 January 2026

# Measures to prohibit slogans that incite hatred and threaten community safety

Submission on behalf of Hindu Council of Australia Ltd (ACN 082 437 670)

12 January 2026

## 1. Introduction

### About the Hindu Council of Australia

Hindu Council of Australia (HCA) is a national Not for Profit peak organisation consisting of state chapters and a national membership of more than 100 Australia based CaLD community groups.

## 2. Background

### Strong Support for Banning Hate Slogans and Violent Incitement

#### The Threat to Community Safety and Cohesion

HCA is of the view that slogans such as "globalise the intifada" represent a serious threat to community safety and social harmony. These expressions do not constitute legitimate political debate; they explicitly encourage violence against identifiable communities, instill fear and intimidation, and have been demonstrated to precede or accompany real-world harm. In the context of the tragic events at Bondi and ongoing tensions in our multicultural community, such slogans undermine the sense of belonging and safety that all residents, regardless of their faith, ethnicity, or background, deserve in New South Wales.

### Legal Prohibition is Justified and Necessary

HCA unequivocally supports the specific prohibition on the use of slogans that incite hatred and threaten violence as justified and necessary and a firm step towards protecting our multicultural community from hatred, intimidation and violence. Established democratic principles that support multicultural society, international experience, particularly from the United Kingdom and Australia's current hate speech frameworks at both state and Commonwealth level, all support specific legislation that:

- clearly identifies expressions that incite hatred, glorify terrorism, or advocate violence;
- provides certainty to communities and law enforcement agencies about which slogans are prohibited;
- demonstrates government commitment to protecting vulnerable communities;
- maintains public order and prevents escalation of community tensions.

In HCA's view, such legislation would operate within the bounds of legitimate democratic values and does not undermine the implied freedom of political communication that would co-exist with such prohibitions provided the legislation is not ambiguous, expressions are clear and specific, focused on prohibiting incitement to hatred or violence rather than political viewpoint.

## 3. Substantive Submissions

### Protecting Faith-Based Expression and Religious Freedom - The Distinction Between Hate Speech and Religious Expression

While HCA strongly supports prohibiting hate slogans, it is essential, and indeed, necessary for the credibility and effectiveness of the proposed legislation that they be carefully crafted to distinguish between:

**(a) Expressions that are prohibited:**

- slogans that incite hatred against identifiable communities;
- chants that glorify violence, terrorism, or harm to people;
- expressions designed to intimidate, threaten, or dehumanise any group; and

**(b) Expressions that must be protected:**

- prayers, mantras, bhajans, kirtans, and devotional chants that praise God, seek peace, or express spiritual identity;
- scriptural recitations and sacred formulas that are central to historic Hindu faith traditions and potentially other faith traditions (including Jewish, Christian, Buddhist, Sikh) as well;
- peaceful religious expression in worship, processions, festivals, and community gatherings; and
- expressions directed towards the divine, not towards vilifying or harming people.

### **Co-existence of Implied Freedom of Political Communication and Prohibition on Slogans**

HCA is of the view that freedom of implied political communication and prohibition on specific slogans that are known to incite hatred can easily co-exist. Clear statutory language and explanatory materials with concrete examples will be essential to achieve this fine balance:

- Help law enforcement distinguish between prohibited hate slogans and permitted religious expression.
- Provide certainty to faith communities about what conduct is protected.
- Reduce the risk of discriminatory or inconsistent application based on personal belief of the law enforcement officers.
- Build public confidence in the fairness and proportionality of the laws.

### **Community Engagement and Consultation**

The Committee's inquiry itself represents an important opportunity for inclusive consultation with communities across all faiths. HCA submits that this should be an ongoing process at least for the first few months or more of the implementation of the new legislation and similar laws:

- **Faith community participation:** The process for identifying further hateful statements should include structured, formal consultation with representative organisations of Hindu, Christian, Jewish, Buddhist, Sikh, Muslims and other faith communities. These organisations understand their own traditions, the intent behind their own expressions, and the concerns of their members.
- **Advisory mechanisms:** Consideration should be given to establishing a permanent or semi-permanent advisory body on hate speech and community harmony, comprising representatives of faith communities, civil society, law enforcement, and other stakeholders. This body could monitor the operation of the laws, identify unintended consequences, and recommend refinements over time.
- **Frontline training:** Police, regulators, and community safety personnel should receive training on major faith traditions, common prayer formulas, devotional practices, and religious expression, to ensure such laws are applied consistently and fairly.

Hindu Council of Australia Ltd consents for the publication of these submissions and thanks the Committee for the opportunity to make these submissions.

The Hindu Council of Australia strongly supports the Government's commitment to prohibit slogans that incite hatred and threaten community safety. Laws that clearly ban expressions which glorify violence, spread hatred or intimidate communities are both necessary and justified.

At the same time, it is essential that any new legislation is carefully framed so that it does not unintentionally restrict faith-based religious expression, peaceful worship or devotional practices that are central to the identity and wellbeing of Hindu, Muslim, Christian, Jewish, Buddhist, Sikh and other communities in New South Wales. With clear definitions, explicit safeguards for religious expression and genuine community consultation, NSW can enhance public safety while upholding religious freedom and cultural diversity.

Hindu Council of Australia welcomes the opportunity to continue engaging with the Committee and to assist in shaping laws that protect all communities, while respecting the right of all faiths to worship peacefully and freely.